

Contact Officer: Sheila Dykes

KIRKLEES COUNCIL

STRATEGIC PLANNING COMMITTEE

Thursday 5th October 2023

Present: Councillor Steve Hall (Chair)
Councillor Bill Armer
Councillor Moses Crook
Councillor Carole Pattison
Councillor Andrew Pinnock
Councillor Mohan Sokhal
Councillor Mark Thompson

1 Membership of the Committee

All Members of the Committee were in attendance.

2 Minutes of the Previous Meeting

Resolved – That the minutes of the meeting of the Committee held on 31st August 2023 be approved as a correct record.

3 Declaration of Interests and Lobbying

Councillors Armer, Crook, Hall, Pattison, A Pinnock, Sokhal and Thompson declared that they had been lobbied on Application 2022/93154.

In the interests of transparency, Councillor Armer disclosed that he had been approached, 18 months previously, in respect of the progress of Application 2022/90858.

4 Admission of the Public

All items were considered in public session.

5 Public Question Time

No questions were asked.

6 Deputations/Petitions

No deputations or petitions were received.

7 Planning Applications

8 Site Visit - Application No: 2022/93154

Site visit undertaken.

9 Site Visit - Application No. 2022/90858

Site visit undertaken.

10 Planning Application - Application No: 2022/93154

The Committee considered Planning Application 2022/93154 in respect of the erection of 68 dwellings with associated access, parking, open space, landscaping and infrastructure works (including installation of surface water attenuation tank) on land at Penistone Road, Fenay Bridge, Huddersfield.

Under the provisions of Council Procedure Rule 36(3) the Committee received representations from Councillors Paola Davies and Bernard McGuin.

Under the provisions of Council Procedure Rule 37, the Committee received representations from Alison Munro (objector) and Krishna Mistry (on behalf of the applicant).

Resolved -

(1) That approval of the application and issue of the decision notice be delegated to the Head of Planning and Development in order to:

(a) complete the list of conditions including those contained within the report and the update, as set out below, and subject to the inclusion of maintenance of the stairs:

1. Three years to commence development.
2. Development to be carried out in accordance with the approved plans and specifications.
3. Attenuation tank access to be formed using batters and grasscrete, as proposed.
4. Development to be done in accordance with sustainability report.
5. Walling and roofing material samples to be submitted and approved.
6. Development to be done in accordance with level strategy.
7. Details of proposed retaining wall materials, to not include gabion walls along the frontage of Penistone Road and to include samples of materials, to be provided.
8. Detailed landscaping strategy to be provided and implemented, with management and maintenance details to be approved.
9. Full details of boundary treatments to be submitted and approved. Boundary treatment around southern Public Open Space to be implemented.
10. Updated Arboricultural Impact / Method Statement to be submitted and approved. No unidentified tree-works to take place unless further Arboricultural Impact / Method Statement provided.
11. Archaeological evaluations to be undertaken.
12. Remove Permitted Development rights for outbuildings and extensions (all units).
13. Remove Permitted Development rights for windows on south facing side elevation of plot 68.
14. Submission of Construction Environmental Management Plan (CMP) to be submitted, approved, and adhered to.
15. Submission of Construction Environmental Management Plan (CEMP), to include dust mitigation, to be submitted, approved, and implemented.

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16. Detailed plan for the equipment and design of the Local Equipped Area of Play(LEAP) to be submitted, approved, and implemented.
 17. Updated Noise Impact Assessment to be submitted, approved, and implemented.
 18. Access sightlines to be implemented and secured.
 19. Full technical details of the internal road, to adoptable standard to be provided, approved, and implemented.
 20. Full technical details of staircase between plots 40 and 43 to be provided, approved, and implemented.
 21. Full technical details of design of right turn accesses to be provided, approved, and implemented.
 22. Full technical details of 2m wide frontage to be provided, approved, and implemented.
 23. Full technical details of pedestrian connection to Whitegates Grove to be provided, approved, and implemented.
 24. Full technical details of new retaining walls to be provided, approved, and implemented.
 25. Bin stores to be provided.
 26. Details of cycle storage per plot to be provided, approved, and implemented.
 27. Construction phase waste collection strategy to be submitted, approved, and adhered to.
 28. Contaminated land investigations to be undertaken and remediation/validation undertaken as required.
 29. Development to be undertaken in accordance with flood routing strategy.
 30. Full technical details of the drainage strategy to be provided, approved, and implemented.
 31. Details of temporary surface water drainage arrangements, during construction, to be provided and adhered to.
 32. Ecological Design Strategy to achieve 7.18 habitat units on site plus ecological mitigation measures.
 33. Construction Environmental Management Plan: Biodiversity to be submitted, approved, and implemented.
 34. Lighting strategy (amenity, ecology, and crime mitigation).
 35. No site clearance within the bird breeding season (unless appropriate survey undertaken).
 36. Installation and retention of electric vehicle charging points.
- (b) secure a Section 106 Agreement, with the following terms:
- i) Affordable housing: 3x First Homes and 4x Affordable Rent Homes (10% of total units)
 - ii) Open space off-site contribution: £61,724.60 towards local public open space improvements.
 - iii) Education: £194,302 towards local schools
 - iv) Metro Enhancements: £10,000 towards bus stop improvements
 - v) Sustainable Travel: £35,339.60 towards sustainable travel provisions (such as Metro passes)

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- vi) Biodiversity net gain: £170,200 towards off-site measures to achieve biodiversity net gain, with alternative option to provide on-site or nearby provision if suitable scheme identified.
 - vii) Management and maintenance: On-site Public Open Space, drainage, and ecological features, and including maintenance of the stairs.
 - viii) Viability Review Mechanism: An updated viability report to be provided to the Local Planning Authority, with additional Section 106 obligation to be provided if a higher-than-expected profit is achieved.
- 2) In the circumstances where the Section 106 agreement has not been completed within three months of the date of the Committee's resolution then the Head of Planning and Development shall consider whether permission should be refused on the grounds that the proposals are unacceptable in the absence of the mitigation and benefits that would have been secured and, if so, the Head of Planning and Development be authorised to determine the application and impose appropriate reasons for refusal under delegated powers.

A recorded vote was taken in accordance with Council Procedure Rule 42 (5) as follows:

For: Councillors Crook, Hall, Pattison, Sokhal and Thompson (5 votes)

Abstain: Councillors Armer and A Pinnock

Against: (no votes)

11 **Planning Application - Application No: 2022/90858**

The Committee considered Planning Application 2022/90858 relating to the construction of a 3G pitch with 4.5m perimeter fencing and 15m floodlighting at Shelley College, Huddersfield Road, Shelley, Huddersfield.

Resolved -

That approval of the application and issue of the decision notice be delegated to the Head of Planning and Development in order to complete the list of conditions, including those contained within the report and the update, as set out below:

1. Time limit for development.
2. Development in accordance with the approved plans.
3. Community Use Agreement to be secured.
4. Addendum Noise Report to consider the noise level from the side-line halfway marking.
5. Ball Sound Mitigation Condition.
6. Noise Management Plan.
7. Hours of Use: The permitted hours of use being specified as: Monday to Saturday 0800hrs to 2200hrs, Sunday and Bank Holidays 0800 to 1600.
8. Installation of approved External Artificial Lighting.
9. Methods of switching and controlling the lighting.
10. Construction Site Working Times.
11. Reporting of Unexpected Contamination.
12. Schedule of the means of access to the site for construction traffic.
13. Compliance condition with the Reasonable Avoidance Measures detailed in the Ecological Reports.

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14. Arboricultural Method Statement.
15. A Drainage Maintenance Strategy for the ongoing maintenance of the drainage system (including the hydrobrake and silt trap), to include a Maintenance Schedule, and details of which organisation will be responsible for long term maintenance.
16. Notwithstanding the details submitted, a Biodiversity Enhancement and Management Plan (BEMP) shall be submitted to and approved in writing by the Local Planning Authority.

A recorded vote was taken, in accordance with Council Procedure Rule 42(5), as follows:

For: Councillors Armer, Crook, Hall, Pattison, A Pinnock, Sokhal and Thompson (7 votes)

Against: (0 votes)