

Contact Officer: Andrea Woodside

KIRKLEES COUNCIL

PLANNING SUB-COMMITTEE (HEAVY WOOLLEN AREA)

Thursday 8th February 2024

Present: Councillor Eric Firth (Chair)
Councillor Timothy Bamford
Councillor Adam Gregg
Councillor Steve Hall
Councillor John Lawson
Councillor Mussarat Pervaiz
Councillor Andrew Pinnock
Councillor Jackie Ramsay
Councillor Shabir Pandor

Apologies: Councillor Gwen Lowe
Councillor Joshua Sheard

1 Membership of the Sub-Committee

Councillor Sokhal substituted for the Labour Group vacancy.

Apologies for absence were received on behalf of Councillors Lowe and Sheard.

2 Minutes of Previous Meeting

RESOLVED – That the Minutes of the Meeting held on 9 November 2023 be approved as a correct record.

3 Declaration of Interests and Lobbying

There were no declarations of interest or lobbying.

4 Admission of the Public

It was noted that all agenda items would be considered in public session.

5 Deputations/Petitions

No deputations or petitions were received.

6 Public Question Time

No questions were asked.

7 Site Visit - Application No: 2023/90116

Site visit undertaken.

8 Site Visit - Application No: 2023/92327

Site visit undertaken.

9 Planning Application - Application No: 2023/90116

The Sub Committee gave consideration to Application 2023/90116 – Outline application for erection of residential development at the rear of 135 Heckmondwike Road, Dewsbury Moor.

Under the provisions of Council Procedure Rule 37, the Sub-Committee received representations from Abdul Ali (applicant) and Hamish Gledhill (applicant's agent).

RESOLVED – That authority be delegated to the Head of Planning and Development to approve the application, issue the decision notice and complete the list of conditions including matters relating to;

- Approval of the details of appearance, landscaping, layout, and scale to be approved at reserved matters stage
- Timescale for submission of reserved matters
- Implementation following reserved matters
- In accordance with submitted plans
- Submission and approval of further noise assessment (pre-commencement)
- Noise Assessment Report and Mitigation Scheme (pre-commencement)
- Submission of a lighting scheme
- Construction Environmental Management Plan (pre-commencement)
- Intrusive site investigations and necessary remediation – coal mining (pre-commencement)
- Submission of a statement or declaration confirming that the site is safe and stable for the approved development
- Submission of Phase 1 Preliminary Risk Assessment Report in relation to contaminated land (pre-commencement)
- Submission of Phase 2 Intrusive Site Investigation Report in relation to contaminated land (pre-commencement)
- Submission of Remediation Strategy in relation to contaminated land (pre-commencement)
- Implementation of Remediation Strategy in relation to contaminated land
- Verification Report in relation to contaminated land
- Imported materials in relation to contaminated land
- Provision of electric vehicle charging points
- Provision of bird boxes
- Removal of any obstruction within the visibility splay
- Drainage details (pre-commencement)
- Overland Flow Routing in relation to drainage (pre-commencement)
- Construction Phase Surface Water Flood Risk and Pollution prevention plan (pre-commencement)

A Recorded Vote was taken in accordance with Council Procedure Rule 42 (5) as follows;

For: Councillors Bamford, E Firth, Gregg, S Hall, J Lawson, Pervaiz, Pandor, A Pinnock, Ramsay and Sokhal

Against: (no votes)

10 Planning Application - Application No: 2023/92327

The Sub Committee gave consideration to Application 2023/92327 – Erection of six dwellings, including associated parking, landscaping, open space and ball stop netting (modified proposal) at Green Acres Close, Emley.

Under the provisions of Council Procedure Rule 37, the Sub-Committee received a representation from Ben Gibson (on behalf of the applicant).

RESOLVED –

1) That authority be delegated to the Head of Planning and Development to approve the application, issue the decision notice and complete the list of conditions including matters relating to;

- Development to commence within three years
- Development to be undertaken in accordance with the approved plans/information
- The external walls and roofs of the dwellings to be constructed in accordance with the materials approved under 2021/93286
- All areas shown to be used for parking and turning shall be laid in a permeable surface
- The installation of an electric vehicle recharging point for each dwelling
- The development shall be carried out in accordance with the Construction Management Plan (approved under 2023/92254)
- Development to be undertaken in accordance with crime prevention/boundary treatment plan (ref Z115.114 Rev B)
- Details of external lighting prior to its installation
- Detailed design of ball-stop net and associated columns
- A management maintenance plan to include the routine inspection and maintenance, and long-term repair and replacement of columns, netting and such other associated apparatus
- Foul, surface water and land drainage to be undertaken in accordance with details approved under 2023/92254
- Temporary surface water drainage to be undertaken in accordance with details approved under 2023/92254
- Development in accordance with the advice and directions (recommendations) contained in the Arboricultural Method Statement, reference, Wharnccliffe Trees and Woodland Consultancy approved under 2021/93286)
- Management and maintenance programme for landscape scheme
- Details of all new retaining walls/ building retaining walls adjacent to the existing/ proposed adoptable highways

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- Details of any new surface water attenuation pipes/manhole located within the proposed highway footprint
- A plan detailing the position and location of bat and bird boxes and hedgehog friendly fence panels
- Construction Environmental Management Plan to be undertaken in accordance with details approved under 2023/92254
- Removal of PD rights for Class Classes A to E inclusive of Part 1 of Schedule 2 for plots 14 – 19
- The claimed public footpath shall be finished in a crushed stone
- Development to be undertaken in accordance with the approved Ecological Design Strategy
- Where site remediation is recommended in the Geoenvironmental Appraisal (Lithos, 3253/2A, March 2020) and/or the Gas Risk Assessment (Lithos, 016/3253/LIZ/at, 31/07/2019) development shall not commence until a Remediation Strategy has been submitted to and approved in writing by the Local Planning Authority
- Remediation of the site shall be carried out and completed in accordance with the Remediation Strategy approved pursuant to Condition 2
- Following completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Validation Report shall be submitted to the Local Planning Authority
- No removal of hedgerows, trees or shrubs shall take place between 1st March and 31st August inclusive.

2) That authority be delegated to the Head of Planning and Development to secure a S106 Agreement Deed of Variation, linking this approval to the previous Section 106 Agreement dated 23/06/2021, Deed of Variation dated 03/03/2023 and the S73 application (2023/92255) Deed of variation (currently being processed).

3) That, pursuant to (2) above, in circumstances where the S106 Agreement has not been completed within three months of this decision, the Head of Planning and Development shall be authorised to consider whether permission should be refused on the grounds that the proposals are unacceptable in the absence of the benefits that would have been secured, and would therefore be permitted 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 Bamford, E Firth, Gregg, S Hall, J Lawson, Pandor, Pervaiz, A Pinnock, Ramsay and Sokhal (10 votes)

Against: (no votes)