

Contact Officer: Andrea Woodside

## KIRKLEES COUNCIL

### DISTRICT WIDE PLANNING COMMITTEE

**Thursday 21st March 2024**

Present: Councillor Sheikh Ullah (Chair)  
Councillor Donna Bellamy  
Councillor Eric Firth  
Councillor James Homewood  
Councillor Tony McGrath  
Councillor Alison Munro  
Councillor Mohan Sokhal

In attendance: Councillor Bernard McGuin

Apologies: Councillor Mussarat Pervaiz

**1 Membership of the Committee**

Councillor Munro substituted for Councillor Marchington.

Apologies for absence were received on behalf of Councillor Pervaiz.

**2 Declaration of Interests and Lobbying**

Councillor Munro advised that she had been lobbied on Application 2023/90547.

No interests were declared.

**3 Admission of the Public**

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

**4 Deputations / Petitions**

No deputations or petitions were received.

**5 Public Question Time**

No questions were asked.

**6 Site Visit - Application No: 2023/90547**

Site visit undertaken.

**7 Planning Application - Application No: 2023/90547**

The Committee gave consideration to Application 2023/90547 – Erection of 9 dwellings at land at Forest Road, Dalton, Huddersfield.

Under the provisions of Council Procedure Rule 36(3), the Sub-Committee received a representation from Councillor McGuin (local member).

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### 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;

- Time limit for the commencement of the development
- Plans and specifications of the application
- Materials of external construction of the dwellings and retaining structures to be submitted to and approved by the LPA.
- Boundary treatments to be submitted to and approved by the LPA
- Finished floor and ground levels to be submitted to and approved by the LPA.
- Details of all retaining wall structures adjacent the highway to be submitted to and approved by the LPA.
- Submission of a scheme assessing the adequacy of the embankment which slopes towards Forest Road, and any remedial measures required to deal with instability issues to be submitted to and approved by the LPA.
- Submission of a scheme detailing the location and cross-sectional information together with the proposed design and construction details for all new surface water attenuation tanks/pipes/manholes within or within the zone of influence of the public highway to be submitted to and approved by the LPA.
- Notwithstanding the submitted plans, a scheme relating to parking and turning areas including their surfacing and widening to support 2no. parking spaces per dwelling to be submitted to and approved by the LPA.
- Scheme detailing how the rate of surface water discharge from the site and its restriction to a maximum of 5 litres per second will be achieved and future maintenance of measures.
- Submission of a scheme of landscaping and biodiversity enhancement measures detailing retention of the existing trees shown to be retained along the southern boundary together with measures for their protection during the course of the development, biodiversity enhancement measures in the form bat roost and bird nesting opportunities and also soft landscape details to incorporate native species planting within the site to be approved in writing by the LPA.
- Submission of suite of conditions regarding contamination and remediation:
  - phase 1 and 2 assessment of land quality, remediation measures to be undertaken and verification the remediation measures have been undertaken to be approved in writing by the LPA.
- Submission of a Construction Environmental Management Plan to be approved in writing by the LPA, to include hours of construction.

2) That authority be delegated to the Head of Planning and Development to secure a S106 Agreement to cover the provision, as a community benefit of five x3no. bedroom affordable housing units.

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

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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 E Firth, Homewood, McGrath, Sokhal and Ullah (5 votes)

Against: Councillors Bellamy and Munro (2 votes)