

Contact Officer: Andrea Woodside

KIRKLEES COUNCIL

DISTRICT-WIDE PLANNING COMMITTEE

Thursday 9th May 2024

Present: Councillor Sheikh Ullah (Chair)
Councillor Donna Bellamy
Councillor Eric Firth
Councillor James Homewood
Councillor John Lawson
Councillor Tony McGrath
Councillor Imran Safdar
Councillor Mohan Sokhal

1 Membership of the Committee

Councillor J Lawson substituted for Councillor Marchington.

The Labour Group position, previously allocated to Mussarat Pervaiz, was vacant.

2 Minutes of the Previous Meeting

RESOLVED – That the Minutes of the previous meeting held on 21 March 2024 be approved as a correct record.

3 Declaration of Interests and Lobbying

Councillors Bellamy, E Firth, Homewood, Sokhal and Ullah advised that they had been lobbied on Application 2022/92210.

4 Admission of the Public

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

5 Public Question Time

No questions were asked.

6 Deputations / Petitions

No deputations or petitions were received.

7 Site Visit - Application No: 2022/92210

Site visit undertaken.

8 Planning Application - Application No: 2022/92210

The Committee gave consideration to Application 2022/92210 – Outline application for erection of residential development (5 dwellings) at land to rear of 5 and 7 Oakes Lane, Brockholes, Holmfirth.

Under the provisions of Council Procedure Rule 36(3), the Committee received a representation from Councillor Greaves.

District-Wide Planning Committee - 9 May 2024

Under the provisions of Council Procedure Rule 37, the Committee received a representation from Nick Willock (applicant's agent).

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;

- 1-4. Standard outline conditions relating to submission of reserved matter(s) and timeframes)
5. Development to be in full accordance with plans and specifications.
6. External facing and roofing Materials to be submitted and inspected for approval (including retaining wall)
7. Reserved matter "landscape" to include details of existing and proposed ground levels in the rear garden of Plot 1 (residential amenity)
8. Reserved matter "landscape" to include full details of the height, materials, and position of all boundary treatments to be erected
9. Access to be formed in accordance with details shown on site plan and cleared of all obstructions before being brought into use
10. Design and construction details for all new retaining walls adjacent to the proposed/ existing highway and the PROW together with any modifications the existing retaining wall supporting Oakes Lane (Pre-Commencement condition)
11. A scheme detailing the proposed internal estate roads to be submitted to and approved in writing by the Local Planning Authority
12. Schedule of the means of access to the site for construction traffic (including measures to prevent conflict arising between construction traffic and users of the PROW) shall be submitted to and approved in writing by the Local Planning Authority
13. Details of cycle storage facilities for each dwelling to be submitted and approved
14. Waste storage and collection points to be provided prior to occupation and retained - details of bin enclosure or screening to be provided; notwithstanding the details on the approved plans, each shall accommodate three bins
15. Access and turning head to be provided before occupation and thereafter retained
16. Scheme detailing foul, surface water and land drainage, (outfall design, balancing works, plans and longitudinal sections, hydraulic calculations, phasing of drainage provision, and maintenance plan) - this is a pre-commencement condition
17. A scheme detailing a replacement trash screen for the ordinary watercourse located on site, prior to its enclosed section, and maintenance plan - this is a pre-commencement condition.
18. Notwithstanding the details on the approved plan 2021/076/10, the reserved matter landscaping shall incorporate measures to restore PROW HOL/32/50 to its definitive minimum width of 1.2m along its full length where adjacent to the site and shall include details of all new or replacement boundary treatments and of any additional hard surfacing and edging required and a timetable for the implementation of the measures to restore PROW HOL/32/50 to its definitive minimum width.

District-Wide Planning Committee - 9 May 2024

2) That authority be delegated to the Head of Planning and Development to secure a S106 Agreement to cover (i) the establishment of a management company and management plan to ensure that future maintenance of surface water drainage infrastructure is carried out in a satisfactory manner and (ii) future management and maintenance of semi natural open space within the site.

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 E Firth, Homewood, Sokhal and Ullah (4 votes)

Against: Councillors Bellamy, J Lawson, McGrath and Safdar (4 votes)

Under the provisions of Council Procedure Rule 24(2) the application was determined by the Chair's casting vote.