

Contact Officer: Sheila Dykes

KIRKLEES COUNCIL

STRATEGIC PLANNING COMMITTEE

Thursday 1st August 2024

Present: Councillor James Homewood (Chair)
Councillor Ammar Anwar
Councillor Bill Armer
Councillor Andrew Pinnock
Councillor Mohan Sokhal

1 Membership of the Committee

No apologies were received.

**2 Minutes of the Previous Meeting
Resolved –**

That the minutes of the meeting of the Committee held on 20th June 2024 be approved as a correct record.

3 Declaration of Interests and Lobbying

Councillor Armer declared that he had been lobbied in respect of Application 2021/91507.

In the interests of transparency, Councillor Armer advised, in respect of Application 2023/93704, that in his role as Ward Councillor, he regularly attended meetings of the Grange Moor Community Association but had not commented on the application.

In the interests of transparency, Councillor Armer advised, in respect of Applications 2021/91507, 2021/92527 and 2023/93704, that he was a member of Kirkburton Parish Council but had not commented on the applications or voted on any decisions in respect of representations.

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 Site Visit - Application No. 2021/91507

Site visit undertaken.

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8 Site Visit - Application No. 2021/92527

Site visit undertaken.

9 Site Visit - Application No. 2023/93704

Site visit undertaken.

10 Planning Application - Application No: 2022/93306

The Committee considered Planning Application 2022/93306 for the erection of 11 dwellings, formation of new access road and associated landscaping and open space on land adjacent to 894 Huddersfield Road, Ravensthorpe, Dewsbury.

Under the provisions of Council Procedure Rule 37, the Committee received representations from Nick Willock (on behalf of the applicant).

Resolved –

- (1) That approval of the application and the issuing 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, as set out below, subject to the amendment of Condition 6 as shown (as set out in the Planning Update), and an additional condition that the development not be gated:
 - 1) Three years to commence development.
 - 2) Development to be carried out in accordance with the approved plans and documents.
 - 3) Samples of facing materials.
 - 4) Details/samples of windows and doors.
 - 5) Window frames set back into the reveal by 100mm.
 - 6) Proposed details of internal adoptable roads *the proposed internal estate road*.
 - 7) Closure of access onto Huddersfield Road.
 - 8) A detailed scheme for the provision of a right turn lane from Huddersfield Road into the site and associated signing and white lining.
 - 9) Permeable surfacing to all vehicle parking areas.
 - 10) Submission of a Construction Environmental Management Plan (CEMP).
 - 11) Submission of an AIP for any new retaining walls/buildings adjacent to the adoptable highway
 - 12) Details of any drainage in the highway.
 - 13) Details of the private arrangement for waste collection.
 - 14) Details of temporary waste storage and collection (during construction).
 - 15) Submission of full drainage details.
 - 16) Assessment of the effects of a 1 in 100 year storm event.
 - 17) Submission of temporary drainage for surface water.
 - 18) Details of boundary treatment.

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- 19) Submission of all hard and soft landscape materials and their management and maintenance.
- 20) Submission of a Construction Environmental Management Plan (CEMP) (for biodiversity).
- 21) Tree protection measures in accordance with Arboricultural Method Statement.
- 22) Submission of a Phase 2.
- 23) Submission of a Remediation Strategy.
- 24) Implementation of Remediation Strategy.
- 25) Submission of Verification Report.
- 26) Submission of a Noise Assessment and Mitigation Scheme.
- 27) Details of electric vehicle charging points (EVCP's).
- 28) Details of measures to deter crime and anti-social behaviour.
- 29) No removal of hedgerows, trees or shrubs shall take place between 1st March and 31st August inclusive.

- (b) secure a Section 106 agreement to cover the following matters, with all contributions being index-linked:
- (i) Biodiversity: An off-site contribution of £15,870.
 - (ii) Public Open Space: An off-site contribution of £9,161.
 - (iii) Management and maintenance: The establishment of a management company for the purpose of maintaining shared spaces, the private drive and drainage infrastructure serving the site.

- (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 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 set out below:

For: Councillors Anwar, Armer, Homewood, Pinnock and Sokhal (5 votes)

11 **Planning Application - Application No. 2021/91507**

The Committee considered Planning Application 2021/91507 for Reserved Matters pursuant to outline permission 2014/91831 for the erection of 55 dwellings, formation of access public space and associated infrastructure on Cockley Hill Lane, Kirkheaton, Huddersfield.

Under the provisions of Council Procedure Rule 37, the Committee received a representation from Laura Mepham (on behalf of the applicant).

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Resolved –

- (1) That approval of the application and the issuing 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, as set out below:
 - 1) Samples of all facing and roofing materials.
 - 2) Full details finished floor and ground levels within the site relative to Ordnance Datum or an identifiable temporary datum.
 - 3) 1.8m screen fences to be erected and retained where shown on the plan.
 - 4) Details of junction of new estate road with Cockley Hill Lane.
 - 5) Scheme detailing the proposed internal adoptable estate roads.
 - 6) Full travel plan to be submitted.
 - 7) A scheme detailing the location and cross sectional information, proposed design and construction details for all new retaining walls adjacent to the existing/ proposed adoptable highways.
 - 8) 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 located within the proposed highway footprint.
 - 9) Before development commences, details of temporary waste collection arrangements to serve occupants of completed dwellings whilst the remaining site is under development.
 - 10) Cross-sectional information and design details for retaining walls.
 - 11) Cross-sectional information and design details for surface water attenuation features within the proposed highway footprint.
 - 12) Highway defects survey pre-commencement, and post-development, with a scheme to rectify any subsequent defects.
 - 13) Before any new dwelling is first occupied, details of the design of enclosures for bin storage for the new dwellings.
 - 14) Details of cycle stores.
 - 15) A Construction Environmental Management Plan (CEMP) shall be submitted to and agreed in writing with the Local Planning Authority.
 - 16) Full details of hard and soft landscaping to be submitted.
 - 17) Development to be implemented in full accordance with the approved Arboricultural Method Statement.
 - (b) secure a Section 106 agreement to cover the following matters, with all contributions being index-linked:
 - (i) Travel Plan monitoring contributions of £10,000.
 - (ii) Drainage infrastructure: Submission of a plan for the future maintenance and management of all drainage infrastructure.

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- (2) That, 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; 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 set out below:

For: Councillors Anwar, Armer, Homewood, Pinnock and Sokhal (5 votes)

12 **Planning Application - Application No. 2021/92527**

The Committee considered Planning Application 2021/92527 for the erection of 29 dwellings, formation of access, public space, attenuation and associated infrastructure on land off Cockley Hill Lane, Kirkheaton, Huddersfield.

Under the provisions of Council Procedure Rule 37, the Committee received a representation from Laura Mepham (on behalf of the applicant).

Resolved –

- (1) That approval of the application and the issuing 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 including an additional condition (29), as set out below:
- 1) Three years to commence development.
 - 2) Development to be carried out in accordance with the approved plans and specifications.
 - 3) Materials.
 - 4) Phase 1 contamination report.
 - 5) Phase 2 contamination report if required.
 - 6) Remediation strategy to be submitted if required.
 - 7) Remediation to be carried out.
 - 8) Contaminated land verification report (if applicable)
 - 9) Detailed drainage design.
 - 10) Flow routing plans with assessment of the effects of 1 in 100 year storm events.
 - 11) Temporary drainage plan during construction.
 - 12) Detailed landscaping scheme.
 - 13) Landscaping management plan.
 - 14) Biodiversity enhancement and management plan.
 - 15) Visibility splays to be provided.
 - 16) Details of junction of new estate road with Cockley Hill Lane.
 - 17) Full travel plan to be submitted.
 - 18) Scheme of internal adoptable estate roads.
 - 19) Details of temporary waste collection arrangements.

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- 20) Cross-sectional information, design and construction details for new retaining walls.
 - 21) Cross-sectional information, design and construction details for surface water attenuation infrastructure within the proposed highway footprint.
 - 22) Defects survey pre-and post-development, with a scheme to remedy any subsequent defects.
 - 23) Electric Vehicle Charge Points scheme.
 - 24) Details of other climate change mitigation measures.
 - 25) Details of cycle storage.
 - 26) Details of design of bin enclosures.
 - 27) Construction Environmental Management Plan (biodiversity).
 - 28) Implementation in full accordance with the approved Arboricultural Method Statement.
 - 29) Full details finished floor and ground levels within the site relative to Ordnance Datum or an identifiable temporary datum.
- (b) secure a Section 106 agreement to cover the following matters, with all contributions being index-linked:
- i) Affordable Housing: On-site provision consisting of six units.
 - ii) Sustainable Transport: Provision of sustainable transport contributions to the total sum of £15,071.30 and Travel Plan monitoring contributions of £10,000.
 - iii) Public Open Space: Off-site contribution of £23,352.64 to address shortfall.
 - iv) Management and maintenance of drainage infrastructure: The establishment of a management company for the management and maintenance of any land not within private curtilages or adopted by other parties, of infrastructure (including surface water drainage until formally adopted by the statutory undertaker, and of the site's existing watercourse) and of street trees (if planted on land not adopted).
- (2) That, 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; 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 set out below:

For: Councillors Anwar, Armer, Homewood, Pinnock and Sokhal (5 votes)

13 Planning Application - Application No. 2023/93704

The Committee considered Planning Application 2023/93704 for the erection of 10 dwellings and associated works at land northwest of Urban Terrace, Denby Lane, Grange Moor, Huddersfield.

Under the provisions of Council Procedure Rule 36(3), the Committee received representations from Councillor John Taylor.

Under the provisions of Council Procedure Rule 37, the Committee received representations from David Bolger (in support) and Michael Parham (on behalf of the applicant).

Resolved –

That consideration of the application be deferred to allow the Head of Planning and Development to undertake further negotiations with the applicant in respect of:

- The potential to achieve an increased density of development (with more houses being added).
- Identify the constraints within the site, namely coal mining legacy and any underground sewer pipes.
- The development not being gated.
- The provision of a design and layout that will permit acceptable waste collection arrangements.

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

For: Councillors Anwar, Armer, Pinnock and Sokhal (4 votes)

Against: Councillor Homewood (1 vote)