

Contact Officer: Andrea Woodside

## KIRKLEES COUNCIL

### STRATEGIC PLANNING COMMITTEE

Thursday 8th February 2018

Present: Councillor Steve Hall (Chair)  
Councillor Bill Armer  
Councillor Donald Firth  
Councillor Carole Pattison  
Councillor Andrew Pinnock  
Councillor Eric Firth

Observers: Councillor John Lawson  
Councillor Nigel Patrick  
Councillor Viv Kendrick  
Councillor Ken Sims

**1 Membership of the Committee**

Councillor E Firth substituted for Councillor Kane.

**2 Minutes of the Previous Meeting**

**RESOLVED** – That the Minutes of the Meeting held on 11 January 2018 be approved as a correct record.

**3 Interests and Lobbying**

Councillor S Hall declared that he had been lobbied on Application 2017/93488.

Councillor A Pinnock declared that he had been lobbied on Application 2016/92298.

**4 Admission of the Public**

It was noted that all Agenda Item 17 would be considered in private session. (Minute No: 17 refers)

**5 Deputations & Petitions**

None received.

**6 Public Question Time**

No questions were asked.

**7 Site Visit - Application No: 2017/94080**

Site visit undertaken.

**8 Site Visit - Application No: 2017/93488**

Site visit undertaken.

**9 Planning Application - Application No: 2017/90955**

The Committee gave consideration to Application 2017/ 90955 – Outline application for residential development with details of layout and access only land at Forest Road, Dalton.

**RESOLVED –**

- (1) That authority be delegated to the Head of Strategic Investment to approve the application, issue the decision notice and complete the list of conditions including matters relating to;
  - approval of details of the appearance, landscaping and scale
  - plans and particulars of the reserved matters
  - application for approval of reserved matters
  - timeframe for implementation of the development
  - all conditions required in associations with highways works/parking areas/access
  - details of retaining structures adjacent to highway including facing materials
  - bin storage for each plot
  - electric charging point
  - details of a scheme for the rate of surface water discharge from the site to a maximum of 5 litres per second
  - all areas indicated to be used for vehicles to be paid out with a hardened and drained surface in accordance with the Communities and Local Government and Environment Agency's guidance on the permeable surfacing of front gardens.
  
- (2) That authority be delegated to the Head of Strategic Investment to secure a S106 Agreement to cover provision, as a community benefit, of five three-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 Strategic Investment 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 Armer, D Firth, E Firth, S Hall, Pattison and A Pinnock (6 votes)

Against: (no votes)

**10 Planning Application - Application No: 2017/93488**

The Committee gave consideration to Application 2017/93488 – Outline permission for erection of 96 dwellings and planning permission for infill of land at Walkey Terrace and Brunswick Street, Heckmondwike.

Under the provisions of Council Procedure Rule 37, the Sub-Committee received representations from Victoria Harrington, John Salter and Howard Gee (local residents) and Andrew Stoddart (on behalf of the applicant).

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Under the provisions of Council Procedure Rule 36 (1) the Sub-Committee received a representation from Councillor Kendrick.

**RESOLVED** – That the application be refused on the grounds that;

- (i) the proposed temporary access arrangements associated with the landfilling element of this proposal would have significant detrimental impact on highway safety in the vicinity of the site in that the local highway network is not capable of safely accommodating the regular daily movement of the heavy goods vehicles needed to transport infill material to the site. This would be contrary to Unitary Development Plan policy T10 and Kirklees Publication Draft Local Plan policies PLP21, PLP44 and Section 7 of the National Planning Policy Framework.
- (ii) the applicant has failed to demonstrate that the landfill of the site over a period of at least two years will not have a detrimental impact on the amenity of neighbouring uses as a result of noise and dust. This would be contrary to Unitary Development Plan policies EP4, EP6 and WD5 and Kirklees Publication Draft Local Plan policies PLP51 and PLP52 and Section 11 of the National Planning Policy Framework.
- (iii) the applicant has failed to demonstrate that this proposal will not have a detrimental impact on the ecology of the area and that local biodiversity will not be detrimentally affected. This would be contrary to Unitary Development Plan policies D6, WD5 and Kirklees Publication Draft Local Plan policy PLP30 and Section 11 of the National Planning Policy Framework.
- (iv) the applicant has failed to demonstrate that this proposal will not have a detrimental impact on air quality in the area. This would be contrary to Kirklees Publication Draft Local Plan policy PLP51 and Section 11 of the National Planning Policy Framework.
- (v) the applicant has failed to demonstrate that the drainage measures proposed would not increase the risk of flooding in the local area. This would be contrary to Kirklees Publication Draft Local Plan policy PLP27 and Section 10 of the National Planning Policy Framework.

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

For: Councillors Armer, D Firth, E Firth, S Hall, Pattison and A Pinnock (6 votes)

Against: (no votes)

### 11 **Planning Application - Application No: 2017/94080**

The Committee gave consideration to Application 2017/94080 – Erection of precast concrete production unit, demolition of existing casting shed and ancillary buildings, associated site works to modify external storage areas and installation of gantry cranes at CR Longley & Co Ltd, Ravensthorpe Road, Thornhill Lees.

**RESOLVED** –

- (1) That authority be delegated to the Head of Strategic Investment to approve the application, issue the decision notice and complete the list of conditions including matters relating to;
  - the assessment of flood risk and the proposed drainage strategy

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- the impact of HGV movements upon Air Quality Management Areas in Scout Hill and Dewsbury
- hours of operation for deliveries and dispatches to and from the site
- the provision of landscaping within the site

(2) That in circumstances where the matters have not been satisfactorily resolved within three months of this decision, the Head of Strategic Investment shall consider whether permission should be refused on the grounds that the proposals are unacceptable, and if so, 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 Armer, D Firth, E Firth, S Hall, Pattison and A Pinnock (6 votes)

Against: (no votes)

### **12 Planning Application - Application No: 2017/93053**

The Committee gave consideration to Application 2017/93053 – Reserved Matters application pursuant to outline permission 2014/93248 for erection of residential development (48 dwellings) at land off Stoney Bank Lane, Thongsbridge, Holmfirth.

Under the provisions of Council Procedure Rule 37, the Sub-Committee received representations from Graham Bird, Kevin Overson, Susan Drake and Diane Harper (local residents) and Jim Lomas (applicant's agent).

Under the provisions of Council Procedure Rule 36 (1) the Sub-Committee received representations from Councillors Sims and Patrick.

### **RESOLVED –**

- (1) That authority be delegated to the Head of Strategic Investment to approve the application, issue the decision notice and complete the list of conditions including matters relating to;
  - approved plans
  - materials to be natural stone to all plots and to be submitted
  - route of drainage scheme to be agreed
  - woodland management and public open space scheme
  - removal of permitted development rights of all dwellings
  - construction management plan including hours of working and deliveries to be agreed prior to commencement of development
- (2) That authority be delegated to the Head of Strategic Investment to secure a S106 Agreement to cover (i) public open space contribution and future maintenance and (ii) affordable housing.
- (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 Strategic Investment 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

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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, S Hall, Pattison and A Pinnock (4 votes)

Against: Councillors Armer and D Firth (2 votes)

### 13 **Planning Application - Application No: 2017/93609**

The Committee gave consideration to Application 2017/93609 – Erection of four dwellings and change of use of land as domestic garden area and areas of public open space at land at Stoney Bank Lane, Thongsbridge, Holmfirth.

#### **RESOLVED –**

- (1) That authority be delegated to the Head of Strategic Investment to approve the application, issue the decision notice and complete the list of conditions including matters relating to;
  - three year time limit
  - materials to be natural stone, details to be submitted
  - cannot be occupied until such a time that 2017/93053 is built out
  - drainage as per 2014/93248
  - landscaping
- (2) That authority be delegated to the Head of Strategic Investment to secure a S106 Agreement to cover (i) public open space contribution and future maintenance and (ii) affordable housing.
- (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 Strategic Investment 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, S Hall, Pattison and A Pinnock (4 votes)

Against: Councillors Armer and D Firth (2 votes)

### 14 **Planning Application - Application No: 2017/93449**

The Committee gave consideration to Application 2017/93449 – Erection of detached dwelling and stable and demolition of existing dwelling at 675/677 Wyke Lane, Oakenshaw.

**RESOLVED –** That, in accordance with Section 101 (1) of the Local Government Act 1972, development control powers be delegated to Bradford Metropolitan District Council in respect of Application 2017/93449/E .

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

For: Councillors Armer, D Firth, E Firth, S Hall, Pattison and A Pinnock (6 votes)

Against: (no votes)

### 15 **Planning Application - Application No: 2016/92298**

The Committee gave consideration to Application 2016/92298 – Outline application for re-development of former waste treatment works following demolition of existing structures to provide employment uses (use classes B1(c), B2 and B8) at former North Bierley Waste Water Treatment Works, Oakenshaw.

Under the provisions of Council Procedure Rule 37, the Sub-Committee received representations from Alan Wainwright and Sarah Ferriby (Bradford MBC Councillors), Allison Kienlen, Wendy Hamilton, David Rhodes and Brian Pearson (local residents) and Matthew Sheppard (applicant's agent).

Under the provisions of Council Procedure Rule 36 (1) the Sub-Committee received a representation from Councillor Lawson.

(The Committee gave consideration to Agenda Item 17 (Minute No: 17 refers) prior to the determination of this Planning Application).

**RESOLVED** – That the application be deferred in order to enable further consideration to be given to highways safety concerns and explore alternative options regarding access to the site.

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

For: Councillors Armer, D Firth, S Hall, Pattison and A Pinnock (5 votes)

Against: (no votes)

### 16 **Exclusion of the Public**

**RESOLVED** – That acting under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Part 1 of Schedule 12A of the Act, as specifically stated in the undermentioned Minute.

### 17 **Planning Application - Application No: 2016/92298**

(Exempt information relating to Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) Variation Order 2006 as it contains commercially sensitive information (Information relating to the financial or business affairs of any particular person, including the Authority holding that information). It is not in the public interest to disclose the exempt information as disclosure could adversely affect overall value for money and compromise the interests of the company involved, which outweighs the public interest.

The Committee gave consideration to the exempt information prior to the determination of Agenda Item 15. (Minute No: 15 refers)