

Contact Officer: Richard Dunne

KIRKLEES COUNCIL

STRATEGIC PLANNING COMMITTEE

Thursday 3rd January 2019

Present: Councillor Steve Hall (Chair)
Councillor Donna Bellamy
Councillor Donald Firth
Councillor Paul Kane
Councillor Carole Pattison
Councillor Andrew Pinnock
Councillor Rob Walker

1 Membership of the Committee

All Committee Members were present.

2 Minutes of the Previous Meeting

RESOLVED - The Minutes of the meeting held on 22 November 2018 were approved as a correct record.

3 Interests and Lobbying

Councillors Kane, A Pinnock and S Hall declared they had been lobbied on application 2018/91661.

4 Admission of the Public

All items on the agenda were taken in public session.

5 Deputations/Petitions

No deputations or petitions were received.

6 Public Question Time

The Committee received a question from Councillor Bernard McGuin asking for clarification on whether a number of issues that he outlined were reasons for refusing an application to develop on Castle Hill.

The Kirklees Development Management Group Leader responded on behalf of the Committee to the question.

The Committee received a second question from Councillor Bernard McGuin regarding whether the Committee was aware of any special reasons that would allow development on the green belt on Castle Hill.

The Kirklees Development Management Group Leader responded on behalf of the Committee to the question.

7 Site Visit - Application No: 2018/93591

Site visit undertaken.

8 Site Visit - Application No: 2017/92568
Site visit undertaken.

9 Planning Application - Application No: 2018/91661

The Committee gave consideration to Planning Application 2018/91661 Proposed residential development - outline application for up to 74 dwellings with means of access to, but not within, the site Land at Walkley Terrace and Brunswick Street, Heckmondwike.

Under the provisions of Council Procedure Rule 37, the Committee received representations from Colin Berry, Erica Amende and Max Rathmell (on behalf of the Spenn Valley Civic Society), Victoria Harrington, Brian Harrington, Luke Harrington, Jeannie Ross, David Pollard, Howard Gee, John Salter, Cris Tout, Cath Grey and Nicola Pritchard (objectors) and Paul Cookson, Alistair Flatman and Andrew Stoddart (on behalf of the applicant).

Under the provisions of Council Procedure Rule 36(1) the Committee received representations from Councillor Viv Kendrick and Councillor David Sheard (Local Ward Members).

RESOLVED –

Delegate approval of the application and the issuing of the decision notice to the Head of Strategic Investment in order to complete the list of conditions including those contained within the considered report including:

1-4 Standard timeframe for the submission of reserved matters conditions requiring:

- Details of layout, scale appearance and landscaping
- Particulars of reserved matters to be submitted to LPA and approved in writing
- Reserved matters application to be submitted within 3 Years of date of approval
- The development to be begun within 2 years of the approval of reserved matters

5. The provision of affordable housing, Public Open Space and Education contribution.

6. Highways conditions requiring:

- The submission of details relating to retaining structures supporting the adjacent PROW (HEC/22/30)
- The submission of details relating to proposed retaining structures retaining existing highways
- Longitudinal and Cross sectional details of the former cutting and the proposed access road
- Details of all surface water attenuation culverts and tanks which area to be located within the adoptable highway
- Details of how user of the adjacent PROW will be protected during the development
- Construction Management Plan to minimise disturbance and disruption for local residents during the construction phase

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7. A suite of conditions to deal with:
 - Dust suppression
 - potential contamination,
 - installation of electric vehicle charging points
8. Drainage conditions to deal with:
 - Detailed drainage arrangements
 - Discharge rates
 - Flood Routeing
9. The submission and approval of a detailed geotechnical assessment
10. The submission and approval of a coal mining report which includes the findings of an intrusive survey and any mitigation measures to deal with mine workings
11. A suite of conditions to secure biodiversity enhancements in the form of:
 - An ecological design strategy
 - Construction environmental plan
 - Landscape and ecological management plan
12. Submission of a tree protection plan
13. A scheme indicating how both the adjacent PROW and its users will be protected.
14. A condition requiring that the use of approx. 0.5 ha. of land at the northern end of the site is set aside as land not to be developed and that details of its treatment are submitted to and approved by the LPA.
15. Provision of electric charging points, minimum 16amp for each dwelling
16. Maximum number of dwellings at Reserved Matters to not exceed Transport Assessment without prior approval.

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

For: Councillors, D Firth, Kane, Pattison and Walker (4 votes)

Against: Councillors Bellamy, S Hall and A Pinnock (3 votes)

10 **Planning Application - Application No: 2018/93568**

The Committee gave consideration to Planning Application 2018/93568 Change of use of existing unit in a mixed Class A1/A2/A3 retail development to form a mixed A1/A2/A3/A4/D2 retail and leisure development, internal alterations and reconstruction of upper level with conversion of an existing internal void space at lower ground level to form new sanitary facilities and enclosure of an existing roof garden Kingsgate Centre, Store 1, King Street, Huddersfield.

RESOLVED –

1. Delegate approval of the application and the issuing of the decision notice to the Head of Strategic Investment in order to:
2. Secure a S106 agreement to cover the following matter:
 - I. To secure a financial contribution for the improvement of the local highway network and/or public art work.

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3. Complete the list of conditions including those contained within the considered report including:
 1. Time limit of 3 years for commencement of the development
 2. Development to be in accordance with plans
 3. Noise and odour mitigation
 4. Air Quality Impact Assessment and Travel Plan
 5. Construction Management Plan
 6. Ecological enhancements (swift boxes)
 7. Hours of use
 8. Material samples to be provided
 9. Crime and counter-terrorism mitigation measures
4. Complete the following additional conditions that will be returned and considered by the Committee:
 - a. A Traffic and Pedestrian Management Plan that includes details of vehicle drop off and pick up arrangements.
 - b. Details of planned night time car parking arrangements at the Kingsgate Centre.
5. 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 Bellamy, D Firth , S Hall, Kane, Pattison A Pinnock and Walker (7 votes)

Against: (0 votes)

11 **Planning Application - Application No: 2018/93050**

The Committee gave consideration to Planning Application 2018/93050 use of existing building for university teaching accommodation (Class D1) Queensgate House, Queensgate, Huddersfield.

Under the provisions of Council Procedure Rule 37, the Committee received representations from Hannah Gray (objecting on behalf of the Ministry of Justice) and Paul Shuker (on behalf of the applicant).

RESOLVED –

1. Delegate approval of the application and the issuing of the decision notice to the Head of Strategic Investment in order to:
2. Secure a S106 agreement to cover the following matter:

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- a. Ensure the safeguarding of a strip of land within the site frontage for future highway improvements to the Huddersfield Town Centre Ring Road.
3. Issue the decision notice and complete the list of conditions including those contained within the considered report including:
 1. 3 Year Time Limit.
 2. In accordance with plans.
 3. Condition limiting the 'clinic' floor space.
 4. Electric Vehicle Charging points.
4. 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, D Firth , S Hall, Kane, Pattison and Walker (5 votes)

Against: (0 votes)

Abstained: Councillors Bellamy and A Pinnock

12 **Planning Application - Application No: 2018/93325**

Planning Application 2018/93325 Outline application for erection of residential development Land Adj, 363, Dunford Road, Hade Edge, Holmfirth

Application withdrawn by the agent.

13 **Planning Application - Application No: 2017/92568**

The Committee gave consideration to Planning Application 2017/92568 Erection of 62 dwellings with associated works and formation of associated parking with vehicular access from Woodhead Road (amended description) Land off Woodhead Road, Honley, Holmfirth.

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

RESOLVED –

1. Delegate approval of the application and the issuing of the decision notice to the Head of Strategic Investment in order to:
2. To finalise the drainage details and complete the list of conditions including those contained within the considered report and the update list including:
 1. 3 Year time limit for commencement of the development.
 2. Development to be in accordance with the submitted plans.

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3. Highways Conditions.
 4. LLFA conditions likely for surface water drainage including a scheme for management and maintenance.
 5. Trees Conditions including protection measures of TPO trees.
 6. Landscape & Biodiversity.
 7. Yorkshire Water.
 8. Electric Vehicle charging points.
 9. Low emissions Travel Plan.
 10. Contaminated Land conditions.
3. Secure a S106 agreement to cover the following matters:
Secure a financial contribution for:
- a. Education £141,439 is required towards school funding in the area.
 - b. an offsite contribution of £102,374.02 to off-site play.
 - c. Sustainable Travel Fund (could include Metro cards) of £10,000 for travel improvements including bus shelters.
 - d. Maintenance for drainage infrastructure (to be agreed).
 - e. The provision of 12 affordable houses split between 54% affordable rent and 46% intermediate.
 - f. Secure a legal agreement to ensure a provision of an access road to the Southern Boundary (to the edge of the land under the applicant's ownership).
4. That, pursuant to (3) 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 Bellamy, D Firth, S Hall, Kane, Pattison A Pinnock and Walker (7 votes)

Against: (0 votes)

- 14 Planning Application - Application No: 2018/92456**
Planning Application 2018/92456 Erection of 29 dwellings Land off White Lee Road, Batley.

Application withdrawn by the agent.

- 15 Position Statement - Application No: 2018/93591**
The Committee received a position statement submitted in respect of Planning Application 2018/93591 Erection of cafe/restaurant with bedrooms, interpretation facilities, car parking and servicing facilities (within the curtilage of a Listed Building) Victoria Tower, Lumb Lane, Castle Hill, Almondbury, Huddersfield.

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RESOLVED –

That the position statement be received and noted.

16 Position Statement - Application No: 2018/90748

The Committee received a position statement submitted Planning Application 2018/90748 Outline application for the development of up to 630 residential dwellings (Use Class C3), up to 70 care apartments with doctors surgery of up to 350 sq m (Use Classes C2/C3/D1), up to 500 sq m of Use Class A1/A2/A3/A4/A5/D1 floorspace (dual use), vehicular and pedestrian access points off Blackmoorfoot Road and Felks Stile Road and associated works Land off, Blackmoorfoot Road and Felks Street, Crosland Moor, Huddersfield

RESOLVED –

That the position statement be received and noted.