Contact Officer: Sheila Dykes

KIRKLEES COUNCIL

STRATEGIC PLANNING COMMITTEE

Thursday 9th May 2019

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

1 Membership of the Committee
There were no substitutes in attendance.

2 Minutes of the Previous Meeting
The Minutes of the meeting held on 11 April 2019 were approved as a correct record.

3 Interests and Lobbying
No interests or declarations of lobbying were made.

4 Admission of the Public
All items were considered in public.

5 Deputations/Petitions
None received.

6 Site Visit - Application No: 2018/94092
Site visit undertaken.

7 Site Visit - Application No: 2019/90756
Site visit undertaken.

8 Site Visit - Application No: 2018/93597
Site visit undertaken.

9 Local Planning Authority Appeals
That the report be noted.

10 Planning Application - Application No: 2019/90756
The Committee gave consideration to an application for the variation of Condition 2 (plans and specifications) on a previous permission (2014/90688) relating to an outline application for the erection of commercial floor space (B1c, B2 and B8), including details of engineering operations to form serviced employment plots and a full application for the erection of 166 dwellings on Land at Slipper Lane, Mirfield.

Under the provisions of Council Procedure Rule 36(1) the Committee received representations from Councillor Martyn Bolt (local Ward Member).

RESOLVED – That approval of the application and the issue of the decision notice be delegated to the Head of Strategic Investment in order to:

(1) complete the list of conditions, including those set out in the report:

Residential;

1. 3 years to start development
2. Construct in accordance with approved plans
3. Noise / ventilation attenuation
4. Amended landscape plan and Landscape and Ecological Management Plan.

Outline only;

5. Reserved Matters (siting, landscape, scale, appearance).
6. Drainage
7. Decontamination
8. Noise levels on boundaries
9. Lighting
10. Arboricultural Method Statement
11. Air Quality
12. Travel Plan
13. Highway – parking and turning areas to be provided and surfaced.

Note:
On both the residential and industrial elements of this scheme the pre-commencement conditions have already been discharged, these include:

- Drainage;
- Decontamination and remediation;
- Coal Mining legacy mitigation measures;
- Construction Management Plan;
- Landscape and Ecological Management Plan:
- Tree protection measures;
- Arboricultural Method Statements;
- Landscape planting and details of buffer zones
- Car parking management plan(Industrial plot 1)

(2) Secure a variation to the Section 106 Agreement to cover the following matters:

1. Financial contribution towards off-site highway works for junction improvements to:

    - Church Lane (£25,000)
    - Stocks Bank (£35,000)
    - Roberttown (£35,000)
    - Leeds Road (£35,000).

2. Financial contribution towards travel plan monitoring

   - £15,000 (£3,000 per annum for 5 years)-Industrial
   - £10,000 (£2,000 per annum for 5 years)- Residential

3. Financial contribution of £970,000 towards Education, off site Public Open Space (POS) and affordable housing requirements arising from the development.

4. Financial contribution of £30,000 towards off site drainage improvements.

5. Phasing of delivery.

   Note: Wording, triggers and contributions all the same as the original Section 106, as varied under 2018/90802; this note to be included on the Deed of Variation.

(3) That, pursuant to (2) above, in circumstances where the Section 106 Agreement has not been completed within 3 months of the date of the Committee's resolution then 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, if so, 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; Hall, Kane, Pattison, Andrew Pinnock and Walker (5 votes)
Against: (0 votes)

11 Planning Application - Application No: 2018/93597

The Committee considered an application for a change of use from builder's yard and warehouse to (A1) shop, erection of warehouse, formation of car parking, designated loading area and hard landscaping display area at Myers Group Ltd, Barr Street, Huddersfield.

RESOLVED – That approval of the application be delegated to the Head of Strategic Investment in order to complete the list of conditions, including those set out in the report:

(1)Standard 3 years for implementation
(2)Condition restricting permission to the applicant
(3)Development to be carried out in accordance with approved plans
(4)Retails sales being restricted to bulky building products
(5)A suite of conditions to deal with any on site contamination
(6)The submission and approval of a scheme to protect the nearest residential properties from noise prior to development commencing
(7)A condition requiring the development to be completed in accordance with the supporting Flood Risk Assessment (FRA).

(8)A condition requiring the submission of a surface water, foul water and land drainage scheme
(9)Details of a flood evacuation plan
(10) The submission and approval of a waste management plan
(11) No activities to take place at the site outside the following hours:
07:00 to 17:30 Monday to Saturday
10:00 to 16:00 Sundays
(12) Details of any extract ventilation systems to be submitted and approved
(13) The provision of electric vehicle charging points
(14) The provision of a Low Emission Travel Plan, and

a condition requiring the submission of an internal vehicular access management plan to prevent large commercial vehicles using the Barr Street access.

A Recorded Vote was taken in accordance with Council Procedure Rule 42 (5) as follows:
For: Councillors; Hall, Kane, Pattison, Andrew Pinnock and Walker (5 votes)
Against: (0 votes)

12 Planning Application - Application No: 2019/90181

The Committee considered an application for the erection of a Material Recovery/Recycling Plant at Myers Group Ltd, Barr Street, Huddersfield.

RESOLVED – That approval of the application be delegated to the Head of Strategic Investment in order to complete the list of conditions, including those set out in the report,

(1) Standard 3 years for implementation
(2) Development to be carried out in accordance with approved plans
(3) HGV movements associated with the development shall not exceed the following thresholds:120 skip lorries per day (60 in 60 out) 40 articulated/rigid tipper HGVs per week (20 in 20 out)
(4) A suite of conditions to deal with any on site contamination
(5) A condition requiring intrusive investigations to ascertain the site's coal mining legacy
(6) A condition requiring the submission of a surface water, foul water and land drainage scheme
(7) Details of a flood evacuation plan
(8) The development to be carried out in accordance with a dust suppression scheme to be approved in writing by the Local Planning Authority
(9) The submission and approval of a waste management plan
(10) No activities to take place at the site outside the following hours:
06.00 to 19.00 Monday to Saturday
No activities to take place on Sundays
(11) The provision of electric vehicle charging points
(12) The provision of a Low Emission Travel Plan
(13) The provision of a lighting design strategy to reduce the impact on local ecology

A Recorded Vote was taken in accordance with Council Procedure Rule 42 (5) as follows:
For: Councillors; Hall, Kane, Pattison, Andrew Pinnock and Walker (5 votes)
Against: (0 votes)

13 Planning Application - Application No: 2018/94092

The Committee considered an application for the restoration of derelict land for agriculture, involving importation of 90,000 tonnes of top soil and sub soil at Emley Fields, Liley Lane, Grange Moor, Huddersfield

Under the provisions of Council Procedure Rule 37, the Committee received representations from Mr Adrian Rose (the applicant's agent). The Committee also received a representation on behalf of the Grange Moor Village Association.

Under the provisions of Council Procedure Rule 36(1) the Committee received representations from Councillor Bill Armer (local Ward Member).

RESOLVED - That refusal of the application and the issue of the decision notice be delegated to the Head of Strategic investment in order to complete the list of reasons including those set out in the report;

(1) The site lies within an area of designated Green Belt within which it is intended that new development be severely restricted. The proposals would constitute inappropriate development and it is considered that there are no very special circumstances which would clearly outweigh the harm to the Green Belt by reason of inappropriateness or any other harm. As such the proposals are considered contrary to planning policy guidance in Section 13 of the National Planning Policy Framework.

(2) It is considered that a development of this nature, in this prominent location, would create a discordant feature within the local landscape which would have a significant detrimental impact on the area's distinctive landscape character and therefore adversely affect the visual amenity of the area. This would be contrary to Local Plan policy PLP32 and planning policy guidance contained in Section 15 of the National Planning Policy Framework.

A Recorded Vote was taken in accordance with Council Procedure Rule 42 (5) as follows:
For: Councillors; Hall, Kane, Pattison, Andrew Pinnock and Walker (5 votes)
Against: (0 votes)

14 Additional Site Visit - Planning Application 2019/90181

Site visit undertaken