

Contact Officer: Richard Dunne

**KIRKLEES COUNCIL**  
**STRATEGIC PLANNING COMMITTEE**

**Thursday 14th March 2019**

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

**1 Membership of the Committee**

Councillor Mohan Sokhal substituted for Councillor Paul Kane.

**2 Minutes of the Previous Meeting**

The minutes of the meeting held on 15 February 2018 were approved as a correct record.

**3 Interests and Lobbying**

Councillors Pattison and S Hall declared they had been lobbied on application 2018/92686.

Councillors Walker and S Hall declared they have been lobbied on application 2018/92055.

Councillor Mohan Sokhal declared an 'other interest' in application 2018/93740 on the grounds that he was a member of Kirklees Active Leisure Board of Trustees.

**4 Admission of the Public**

All items on the agenda were taken in public session.

**5 Public Question Time**

No questions were asked.

**6 Deputations/Petitions**

No deputations or petitions were received.

**7 Site Visit - Planning Application 2018/92055**

Site visit undertaken.

**8 Planning Application - Application 2018/92055**

The Committee gave consideration to Planning Application 2018/92055 Erection of 252 dwellings and formation of vehicular access Land at Gernhill Avenue, Fixby, Huddersfield.

Under the provisions of Council Procedure Rule 37, the Committee received representations from Paul Oldfield (objector) and Jonathan Dunbavin (on behalf of the applicant).

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Under the provisions of Council Procedure Rule 36(1) the Committee received a representation from Councillor Harpreet Uppal (Local Ward Member).

### RESOLVED –

- 1) 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. 3 years to implement permission
  2. Build in accordance with approved plans
  3. Samples of materials
  4. Boundary treatments
  5. Highways conditions- layout of parking; details of estate roads; construction management plan; travel plan, junction improvements.
  6. Phase 2 contaminated land survey
  7. Remediation strategy
  8. Noise mitigation.
  9. Lighting scheme
  10. Electric charging points
  11. Archaeology survey/ recording method statement
  12. Landscape Ecological Management Plan
  13. Drainage conditions
  14. Tree protection during construction
  15. Removal of permitted development rights (plots 194 and 195)
  16. Construction Management Plan, including pre and post highway survey for heavy construction
- 2) Secure a S106 agreement to cover the following matters:
  1. 50 no affordable dwellings (27 no social rental units and 23 Intermediate units).
  2. An Education contribution of £493,297.
  3. The provision and subsequent maintenance of public open space within the site.
  4. Off-site highway improvement contributions of £82,000 towards improvements at Bradley Bar roundabout.
  5. £15,000 towards the monitoring of a residential travel plan.
  6. £10,000 real time bus information.
  7. £10,000 towards off-site drainage improvements and repairs.
  8. £124,000 towards Metro cards
- 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.

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

For: Councillors S Hall, Pattison, A Pinnock and Walker (4 votes)

Against: Councillors Bellamy and D Firth (2 votes)

Abstained: Councillor Sokhal

### 9 **Planning Application - Application 2018/92686**

The Committee gave consideration to Planning Application 2018/92686 Outline application for erection of retail (A1) and drive thru restaurant (A3) development and associated car parking, landscaping and infrastructure land adj, 127, Westgate, Heckmondwike.

Under the provisions of Council Procedure Rule 37, the Committee received representations from Colin Berry (Objector – on behalf of the Spen Valley Civic Society) and Nick Wilock (on behalf of the applicant).

**RESOLVED** – Refused in line with the following reasons outlined in the considered report:

- 1) The site is allocated for housing in the Kirklees Local Plan. The proposal constitutes a departure which conflicts with the long term development aims of the local plan. It is considered that in this case, the benefits associated with the provision of housing are not significantly and demonstrably outweighed by the benefits of this proposal. Contrary to Local Plan Policy PLP1 (as modified) and Policy PLP3 (as modified).
- 2) 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 Kirklees Local Plan Policy PLP30 (as modified) and 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 Bellamy, D Firth , S Hall, Pattison, A Pinnock, Sokhal and Walker (7 votes)

Against: (0 votes)

### 10 **Planning Application - Application 2018/93740**

The Committee gave consideration to Planning Application 2018/93740 Re-development of training facilities including erection of new training and administrative buildings and formation of new pitch facilities PPG Canalside Sports Complex, 509, Leeds Road, Huddersfield.

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

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### RESOLVED –

- 1) 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 and update list including:
  1. Standard 3 years to implement permission
  2. Standard condition requiring development to accord with approved plans
  3. No development on the buildings superstructure until samples of facing and roofing materials have been approved
  4. Car parking areas to be surfaced and marked out prior to occupation
  5. The implementation of an intrusive contaminated land survey
  6. The submission of a site remediation strategy if required
  7. Implementation of site remediation strategy if required
  8. Submission of remediation validation if required
  9. The submission of a surface water management scheme
  10. Investigation of coal mining legacy issues involving intrusive investigation, the implementation of remedial works if required and proposed mitigation measures.
  11. The submission of an Ecological Design Strategy
  12. Details of landscaping arrangements and boundary treatment
  13. The submission of a Construction Environmental Management Plan
  14. The installation of electric vehicle charging points.
  15. The submission of a scheme detailing artificial lighting arrangements and restricting hours of operation
  16. Details of any extract ventilation system to be installed
  17. The new stand at PPG Canalside shall only be used in connection with football visitors associated with Huddersfield Town FC.
  18. Finished floor levels shall be set no lower than 57.12 m above Ordnance Datum (AOD).
  19. Football Pitch level of 56.50 mAOD and as per the FRA and email from PSA Design 7 February 2019, ground levels managed to ensure no loss of flood storage as a result of development of the site
  20. No Drinking or sleeping accommodation on site (this would relate to the provision of facilities available for public use)
  
- 2) Secure a S106 agreement to formally link the closure of existing Syngenta Club facilities to the provision of the new facilities at the Leeds.

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

For: Councillors Bellamy, D Firth , S Hall, Pattison, A Pinnock, Sokhal and Walker (7 votes)

Against: (0 votes)