

KIRKLEES METROPOLITAN COUNCIL

PLANNING SERVICE

UPDATE OF LIST OF PLANNING APPLICATIONS TO BE DECIDED BY STRATEGIC PLANNING COMMITTEE

10 MARCH 2016

2016/90137

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PLANNING PERMISSION FOR ERECTION OF FOODSTORE, FORMATION OF CAR PARKING AND ASSOCIATED ACCESS, SERVICING AND LANDSCAPING; AND OUTLINE PERMISSION FOR ERECTION OF FAMILY PUB/RESTAURANT (WITHIN A CONSERVATION AREA)

LAND AT CEMETERY ROAD/MAYMAN LANE, BATLEY, WF17 8PG

Consultations:

Comments from Yorkshire Water have now been received, confirming that they have no objections to the proposals. They have requested a condition which is listed as No. 26 below.

Conditions:

Following further discussion with the applicant, the condition stipulating a requirement for bus stop improvements to Mayman Lane and Blakeridge Lane has been re-worked into two separate conditions. This is to effectively phase the upgrading works linking one to the supermarket development and the other to the development of the public house/restaurant.

The revised amended/additional conditions are as follows:

4) Notwithstanding the details shown on indicative plan number 15031(20) 01 rev F, the foodstore development shall not be brought into use until the following works have been constructed in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority:

- a) Design and construction specification of the site access with Mayman Lane, and
- b) Upgrade of bus stop 12147 Mayman Lane to a bus shelter and all associated highway works together with the appropriate Road Safety Audits.

25) Notwithstanding the details shown on indicative plan number 15031(20) 01 rev F, the public house/restaurant development shall not be brought into use until the following works have been constructed in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority:

- a) Upgrade of bus stop 13045 Blakeridge Lane to a bus shelter and all associated highway works together with the appropriate Road Safety Audits.

26) The development shall be carried out in complete accordance with the details shown on the submitted drawing no. 5682_43a (initial issue) dated November 2015.

Amended Plans Table:

Following receipt of amended plans (which detail a slight revision to the indicative position of the Public House), the plans table has been amended:

The recommendation is based on the following plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location Plan – full site	001	B	20/1/16
Proposed floor plans	15031(20)10	A	19/1/16
Proposed landscaping layout	LL01	A	19/1/16
Location plan – outline site	02	A	20/1/16
Site elevations	15031(20)20		19/1/16
Bay elevation	15031(20)22		19/1/16
Signage elevations	15031(20)23		19/1/16
Proposed foodstore elevations	15031(20)21		19/1/16
Phase I Road & Sewer – preliminary	5682_31		19/1/16
Watercourse diversion – preliminary	5682_34		19/1/16
Phase 2 drainage plan	5682_43	A	7/3/16
Proposed site layout	15031(20)01	F	7/3/16
Lighting Plan	P172-530rev 2		28/1/16
Storm water calcs			19/1/16
Planning & retail statement			19/1/16
Coal Mining Risk Assessment	4/12/15		19/1/16
Ground investigation report	E14/5682/R003		19/1/16
Japanese Knotweed Report	3519/PM 19/11/15		19/1/16
Tree survey	12566/EW		19/1/16
Design & Access statement	December 2015		19/1/16
Ecological appraisal	R-2432-01 January 2016		19/1/16
Flood Risk Assessment	E13/5682/FR002		19/1/16
Noise report	14651		19/1/16
Transport Assessment	VN50546		19/1/16

OUTLINE APPLICATION FOR ERECTION OF 56 DWELLINGS AND CARE HOME WITH ASSOCIATED CAR PARKING

FORMER MIDLOTHIAN GARAGE, NEW MILL ROAD, HOLMFIRTH, HD9 7LN

CONSULTATIONS:

KC Environmental Health (Pollution and Noise Control)

Environmental Health has reviewed the latest information including the latest gas monitoring report by Eastwood and Partners. Accept the contents of the reports and are satisfied that outline planning permission may be granted for residential accommodation on this site subject to the imposition of conditions.

Conditions in respect of contamination/ remediation are detailed in the report it is recommended that the wording of condition 13 be amended.

Environmental Health also recommends the need for conditions covering noise attenuation, lighting, and the provision of low emission vehicle charging points.

REPRESENTATIONS:

Holme Valley Parish Council – Object to the application on the following grounds:

1. Concerns of the Environmental Officer need to be addressed before the application is granted permission.
2. Insufficient parking for the Care Home, residential properties and visitors.
3. Highways and parking issues due to over intensification of the site
4. Over-intensification. Too many houses and smaller type properties would be more appropriate.

RECOMMENDATION:

Grant conditional outline planning permission subject to delegation of authority to Officers to:

- i) **Secure a Section 106 obligation for the provision of affordable housing and public open space as part of the development**
- ii) **Consider an amended Flood Risk Assessment and indicative drainage layout and if appropriate add conditions**
- iii) **Impose all necessary and reasonable conditions; and**
- iv) **Subject to there being no material change in circumstances, issue the decision.**

Conditions:

Condition 13 (amended):

As further intrusive investigation has been recommended in the Eastwood and Partners Reports dated 1/12/15 and 7/3/16, development shall not commence until a further Phase 2 Intrusive Site Investigation Report has been submitted to and approved in writing by the Local Planning Authority. The report should provide details of all the rounds of gas monitoring and the mitigation works proposed. The mitigation works approved shall be implemented before any dwelling to which they relate is occupied and shall thereafter be retained for the lifetime of the development.

Additional conditions:

17. Before the development of the Care Home commences a scheme which indicates the measures to be taken for the control of any glare or stray light arising from the operation of artificial lighting shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the artificial lighting shall be operated in accordance with the approved scheme.

18. Before development of the Care Home commences, full details of any external plant (including location and expected noise levels) to be installed, shall be submitted to and approved in writing by the Local Planning Authority. Any external plant shall be installed as agreed and thereafter maintained in accordance with the manufacturer's recommendations.

19. Before development of the Care Home commences, a scheme detailing arrangements for the servicing of the Care Home, including arrangements for and hours of deliveries and despatches shall be submitted to and agreed in writing by the Local Planning Authority. The development shall thereafter be operated in accordance with the scheme agreed.

20. Prior to the occupation of any dwellings that may be approved under a Reserved Matters proposal electric vehicle recharging points shall be installed for each dwelling with a garage and/or 1 point for every 10 dwellings with communal car parking. Cable and circuitry ratings shall be of an adequate size to ensure a minimum of 16 amps and a maximum of 32 amps.

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CHANGE OF USE FROM EXISTING WAREHOUSE TO A FLEXIBLE EMPLOYMENT USE COMPRISING LIGHT INDUSTRIAL, GENERAL INDUSTRIAL AND/OR WAREHOUSING (CLASSES B1C, B2 AND/OR B8)

UNIT 27, OAKWELL WAY, BIRSTALL, BATLEY, WF17 9LU

Conditions:

The agent for the application has requested that condition 3 as listed in the full report be re-worded. This condition requires the submission of a Travel Plan, before the development is brought into use. The agent has requested that the submission of this is linked only to a B1c Use or B2 Use being implemented, rather than if a B8 use is brought forward. This is on the basis that the site

currently has consent for B8 use and can operate without a Travel Plan. The condition is therefore reworded as follows:

3. No B1c or B2 use on the site shall brought into use until a Travel Plan for the site has been submitted and approved in writing by the Local Planning Authority. The Full Travel Plan shall include:

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- Measures, objectives and targets for reduced car use and increased non-car transport usage, including modal split targets
 - The provision of a Travel Plan Coordinator, including roles responsibilities and annual monitoring
 - The provision of travel information
 - Implementation and review of timescales
 - Enforcement, sanctions and corrective/review mechanisms.

The measures contained within the Travel Plan shall be implemented in accordance with the approved timescales, except where monitoring evidence demonstrates that a revised timescale/measure to achieve trip targets are necessary, in which case the revised details would be implemented