

KIRKLEES METROPOLITAN COUNCIL

PLANNING SERVICE

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

11 JULY 2019

Planning Application 2019/91491

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**Demolition of existing fitness complex and erection of Spen Valley
Leisure Centre**

Spenborough Fitness Complex, Bradford Road, Littletown, WF15 6LW

Following the publication of the committee report the following applications which relate to the wider site have been decided as follows:

2019/92005 Prior notification for demolition of building
Demolition details approved

2019/91160 Erection of fence
Conditional Full Permission

The following plans were also submitted relating to the impact of trees at the site:

- Tree Constraints Plan (A097479-1 TCP 1 Rev A)
- Tree Protection Plan (A097478-1 TCP1)

There are no objections from the Tree Officers to the latest plans.

A revised External works Master plan was received on 10.07.2019 with reference 2229_LG(9-)_01_Proposed External Works Masterplan- Rec J.

To confirm, the proposed car park will provide 127 vehicle spaces (including 25 staff parking spaces).

The applicant has provided further details with regards to the phasing of the development which is planned as follows:

Phase 1

1. Close the swimming pool building end of August – beginning of September
2. Complete the works and re-open to the new leisure centre by September 2021

The existing fitness centre will remain open throughout the works. Visitors to the fitness centre will have access to the car park to the rear of the athletics pavilion.

Phase 2

1. Close the existing fitness centre September 2021 as the replacement building opens.
2. Demolition of the fitness centre and completion of the car park.
3. All works are envisaged to be complete by 2022.

An arrangement has been made between Kirklees Active Leisure (KAL) and individual schools for arrangements at alternative swimming pools to allow school swimming lessons to continue throughout the works.

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Development of a synchronous gas powered standby generation facility, plus ancillary infrastructure, equipment, and access

Land off, Bradford Road, Batley, WF17 6JD

Since the publication of the committee report, comments have been received from the Council's Environmental Service concerning this development's potential impact on Air Quality. These comments are reproduced below:

"...I have reviewed the new air quality impact assessment in accordance with EPUK national guidance as this type of development is currently outside of the scope of the WYLES.

I am satisfied with their approach and the information used to construct the model.

The model has been constructed to provide emissions impact from a worst case scenario, whereby the generator is at capacity for the duration. Under these conditions, the model predicts increases on NO₂ to be negligible to slightly adverse and does not result in health related objectives. As such in accordance with EPUK guidance, this developments impact is regarded as 'not significant'

Notwithstanding above, a generator of this size will meet the criteria for regulation under the Medium Combustion Plant Directive, which means the operations and emissions will be monitored and controlled through a legal framework outside of planning..."

For Members information, The Medium Combustion Plant Directive is regulated by the Environment Agency via its permitting regime.

Officers therefore consider that this proposal accords with Kirklees Local Plan Policy LP51 and Section 15 of the National Planning Policy Framework with regard to it potential impact on air quality in the vicinity of the site.

Outline application for the erection of up to 54 dwellings with all matters reserved for future submission except for access which is to be taken from Kingsmeade. Works to include the demolition of No 28 Kingsmeade.

Land to the rear of Tolson Street, Kingsmead, Hazel Crescent and Deneside, Chickenley, Dewsbury

AMENDED RECOMMENDATION: REFUSE

DELEGATE refusal of the application to the Head of Development and Master Planning to:

- (1) complete the list of reasons including those set out in the report
- (2) communicate this Council's decision to Wakefield Council
- (3) Await formal determination of the application at Wakefield Council and should they delegate their decision making powers to Kirklees Council to issue the decision taking account both Local Planning Authorities decisions
- (4) the issue of the decision notice
- (5) in the event that Wakefield approve the application to return the matter to this Council

Reasons for refusal:

(1) The site is allocated as safeguarded land on the Kirklees Local Plan. Policy LP6 states that areas identified as safeguarded land will be protected from development other than that which is necessary in relation to the operation of existing uses, change of use to alternative open land uses or temporary uses. Given that the proposed residential development is not necessary for the operation of existing uses and will not result in an alternative open land use or temporary use, the development will result in an inappropriate use on land that has been protected for future development. The proposed development therefore fails to comply with Policy LP6 of the Kirklees Local Plan and guidance within the National Planning Policy Framework.

(2) The development of the site will result in the loss of biodiversity for which no detailed assessment or mitigation measures have been provided and therefore the development would result in loss to biodiversity contrary to Policy LP30 and Chapter 15 of the NPPF.

Importation of inert waste, conversion of existing sewerage tank to form meeting room, demolition of existing sewerage infrastructure and change of use of site to agricultural land

former Spenborough Wastewater Treatment Works, Smithies Lane, Heckmondwike, WF16 0PN

The agent has confirmed that 15,200 cubic metres of inert waste will be brought into the site.

For mixed use development comprising up to 1,535 dwellings and 35 hectares of employment

Land at Leeds Road, Chidswell, Dewsbury

Corrections

The applicant for the forthcoming outline applications will be the Church Commissioners for England (CCfE), represented by Deloitte. WYG initially submitted the requests for pre-application advice on behalf of CCfE.

Regarding affordable housing provision, Local Plan policy refers to 20% (as per paragraph 10.30 of the committee report), and not “at least 20%” (as per paragraph 10.62).
