



**Town and Country Planning (Development Management Procedure) (England)
Order 2015**

PLANNING PERMISSION FOR DEVELOPMENT

**NOTE: This approval should be read in conjunction with an Agreement made
under Section 106 of the Town and Country Planning Act 1990**

Application Number: 2018/62/93740/W

To: Joshua Hellawell,
PWA Planning
2, Lockside Office Park
Lockside Road
Preston
PR2 2YS

For: Huddersfield Town Association Football Club

**In pursuance of its powers under the above-mentioned Act and Order the
KIRKLEES COUNCIL (hereinafter called "The Council") as Local Planning
Authority hereby permits:-**

RE-DEVELOPMENT OF TRAINING FACILITIES INCLUDING ERECTION OF
NEW TRAINING AND ADMINISTRATIVE BUILDINGS AND FORMATION OF
NEW PITCH FACILITIES

At: PPG CANALSIDE SPORTS COMPLEX, 509, LEEDS ROAD, HUDDERSFIELD,
HD2 1YJ

**In accordance with the plan(s) and applications submitted to the Council on
12-Nov-2018, subject to the condition(s) specified hereunder:-**

1. The development shall be begun not later than the expiration of three years
beginning with the date on which permission is granted.

Reason: Pursuant to Section 91 of the Town and Country Planning Act 1990, as
amended by the Planning and Compulsory Purchase Order 2004.

2. The development hereby permitted shall be carried out in complete accordance with
the plans and specifications schedule listed in this decision notice except as may be

required by other conditions attached to this permission, which in all cases shall take precedence.

Reason: So as to ensure the satisfactory completion and operation of the development in the interests of visual and residential amenity and highway safety and to accord with Policies LP24 and LP21 of the Kirklees Local Plan and guidance in the National Planning Policy Framework.

3. No development shall take place on the buildings' superstructure until samples of all facing and roofing materials have been submitted to and approved in writing by the Local Planning Authority, and the development shall be constructed of the approved materials.

Reason: In the interests of visual amenity and to accord with Kirklees Local Plan Policy LP24 and Section 12 of the National Planning Policy Framework.

4. Prior to the development being brought into use the areas to be used by vehicles and/or pedestrians shall be surfaced, marked out and drained in accordance with details that have previously been submitted to and approved in writing by the Local Planning Authority. Thereafter the areas to be used by vehicles and/or pedestrians shall be retained in accordance with the details so approved.

Reason In the interests of the free and safe use of the highway and to accord with Kirklees Local Plan Policy LP21.

5. Development shall not commence until a Phase II Intrusive Site Investigation Report has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that any on site contamination is satisfactorily dealt with and to accord with Kirklees Local Plan Policy LP53 and Section 15 of the National Planning Policy Framework. The information is required before development commences to ensure that any potential on site contamination is identified and can be safely dealt with without contaminating adjacent land or ground water or surface water regimes.

6. Where site remediation is recommended in the Phase II Intrusive Site Investigation Report approved pursuant to condition 5 development shall not commence until a Remediation Strategy has been submitted to and approved in writing by the Local Planning Authority. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures.

Reason: To ensure that any on site contamination is satisfactorily dealt with and to accord with Kirklees Local Plan Policy LP53 and Section 15 of the National Planning Policy Framework. The information is required before development commences to ensure that any potential on site contamination is identified and can be safely dealt with without contaminating adjacent land or ground water or surface water regimes.

7. Remediation of the site shall be carried out and completed in accordance with the Remediation Strategy approved pursuant to condition 6. In the event that remediation is unable to proceed in accordance with the approved Remediation Strategy or contamination not previously considered in either the Preliminary Risk Assessment or the Phase II Intrusive Site Investigation Report is identified or encountered on site, all works on site (save for site investigation works) shall cease immediately and the Local Planning Authority shall be notified in writing within 2 working days. Works shall not recommence until proposed revisions to the Remediation Strategy have been submitted to and approved in writing by the Local Planning Authority. Remediation of the site shall thereafter be carried out in accordance with the approved revised Remediation Strategy.

Reason: To ensure that any on site contamination is satisfactorily dealt with and to accord with Kirklees Local Plan Policy LP53 and Section 15 of the National Planning Policy Framework.

8. Following completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Validation Report shall be submitted to the Local Planning Authority. No part of the site shall be brought into use until such time as the remediation measures for the whole site have been completed in accordance with the approved Remediation Strategy or the approved revised Remediation Strategy and a Validation Report in respect of those remediation measures has been approved in writing by the Local Planning Authority.

Reason: To ensure that any on site contamination is satisfactorily dealt with and to accord with Kirklees Local Plan Policy LP53 and Section 15 of the National Planning Policy Framework.

9. Development shall not commence until a scheme for surface water drainage (outfalls, balancing works, hydraulic calculations existing drainage to be maintained/diverted/abandoned) has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the provision of adequate and sustainable systems of drainage in the interests of amenity, environmental wellbeing and to accord with Kirklees Local Plan Policies LP27 and LP28 and Section 14 of the National Planning Policy Framework. This is a pre-condition as it must be established that adequate drainage measures can be provided to accommodate the development.

10. The development shall be carried out in accordance with the submitted flood risk assessment D2871-FRA-001 Rev A by PSA Design dated 5th February 2019 and email from Paul Snape at PSA Design dated 07 February 2019 and the following mitigation measures it details:

- Finished floor levels shall be set no lower than 57.12 m above Ordnance Datum (AOD).
- 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

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and to future occupants and to accord with Kirklees Local Plan Policies LP27 and LP28 and Section 14 of the National Planning Policy Framework.

11. No development shall commence until intrusive site investigations, designed by a competent person and adequate to properly assess the ground conditions on the site and establish the risks posed to the development by past coal mining activity have been carried out and the results submitted to and approved in writing by the Local Planning Authority. The intrusive survey results shall include the submission of a layout plan which identifies the exact location any mine entries and appropriate zones of influence of the mine entries on site, the definition of suitable 'no-build' zones, any remedial measures necessary to satisfactorily mitigate the effect of past workings and a statement confirming that the proposed development and surrounding properties will not be adversely affected by any form of development within the site. All approved remedial works shall be carried out prior to construction works commencing.

Reason: To ensure that the stability of the site, adjacent land and former coal workings is not adversely affected as a result of excavations and that adequate measures are taken to mitigate any potential impact and to accord with Kirklees Local Plan Policy LP53 and Section 15 of the National Planning Policy Framework. This information is required via a pre- commencement condition to ensure the development can be safely implemented prior to excavations taking place.

12. No development shall take place until an ecological design strategy (EDS) addressing mitigation and enhancement has been submitted to and approved in writing by the Local Planning Authority. The EDS shall include the following.

- a. Purpose and conservation objectives for the proposed ecological measures.
- b. Review of site potential and constraints.
- c. Detailed design(s) and/or working method(s) to achieve stated objectives.
- d. Extent and location/area of proposed works on appropriate scale maps and plans.
- e. Type and source of materials to be used where appropriate, e.g. native species of local provenance.
- f. Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.
- g. Persons responsible for implementing the works.
- h. Details of initial aftercare and long-term maintenance.
- i. Details for monitoring and remedial measures.
- j. Details for disposal of any wastes arising from works.

The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: to ensure a final agreed scheme that provides mitigation and compensation for the ecological effects resulting from loss of habitat and provides an overall net biodiversity gain in accordance with Kirklees Local Plan Policy LP30 and Section 15 of the National Planning Policy Framework.

This is a pre-commencement condition to ensure ecological mitigation and compensation is designed into the scheme prior to any potentially damaging operation taking place, and that the design is based on ecological information that is relevant and up-to-date.

13. No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following:

- a. Risk assessment of potentially damaging construction activities.
- b. Identification of “biodiversity protection zones”.
- c. Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d. The location and timing of sensitive works to avoid harm to biodiversity features.
- e. The times during construction when specialist ecologists need to be present on site to oversee works.
- f. Responsible persons and lines of communication.
- g. The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h. Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure, as far as possible, that direct impacts to protected and priority species are avoided during construction of the scheme, in order to comply with Kirklees Local Plan Policy LP30 and to prevent offences under the nature conservation legislation.

This is a pre-commencement condition to ensure appropriate measures are designed and agreed prior to any potentially damaging operations associated with the construction phase.

14. No development shall take place on the buildings’ superstructure until a scheme providing full details of soft and hard landscaping proposals and boundary treatment at the site has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented within the first available planting season. Within a period of 5 years of implementation, any planting which forms part of the approved landscaping scheme which dies, is removed, or becomes seriously damaged or diseased shall be replaced in the next available planting season with others of a similar size or species.

Reason: In the interests of visual amenity, to provide habitat opportunities for local wildlife and connectivity with existing green infrastructure networks and to accord with Kirklees Local Plan Policy PLP30 and Section 15 of the National Planning Policy Framework.

15. Prior to occupation of the development hereby approved 12no. electric vehicle recharging points shall be installed within the parking areas indicated on drawing no.6017_L(90)01 Rev. S1. Cable and circuitry ratings shall be of adequate size to ensure a minimum continuous current demand of 16 Amps and a maximum demand of 32Amps. The vehicle recharging points shall thereafter be retained.

Reason: To encourage the use of sustainable modes of transport and to accord with Kirklees Local Plan Policies LP24 and LP51 and Section 9 of the National Planning Policy Framework.

16. Prior to the occupation of the development hereby approved an artificial lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented prior to the development being brought into use and retained thereafter.

Reasons: To protect the amenity of the occupants of nearby residential properties and to accord with Kirklees Local Plan Policy LP52 and Section 15 of the national Planning Policy Framework

17. Prior to the occupation of the development hereby approved details of the installation and/or erection of any extract ventilation system, including details of the methods of treatments of emissions and filters to remove odours and control noise emissions have been submitted and approved in writing by the Local Planning Authority and the works specified in the approved scheme have been installed. Such works shall thereafter be retained, operated at all times when the development is in use and maintained in accordance with the manufacturer's instructions

Reasons: To protect the amenity of the occupants of nearby residential properties and to accord with Kirklees Local Plan Policy LP52 and Section 15 of the National Planning Policy Framework

18. The development hereby approved shall be used only by Huddersfield Town Football Club and authorised visitors associated with the training facilities provided and shall not be used by the general public.

Reason: In the interests of public safety in the event of a serious flooding incident and to accord with Kirklees Local Plan Policy LP27 and Section 14 of the National Planning Policy Framework.

Note: The granting of planning permission does not authorise the carrying out of works within the highway, for which the written permission of the Council as Highway Authority is required. You are required to consult the Design Engineer (Kirklees Street Scene: 01484 221000) with regard to obtaining this permission and approval of the construction specification. Please also note that the construction of vehicle crossings within the highway is deemed to be major works for the purposes of the New Roads and Street Works Act 1991 (Section 84 and 85). Interference with the highway without such permission is an offence which could lead to prosecution

Note: The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place: * on or within 8 metres of a main river * on or within 8 metres of a flood defence structure or culvert * involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activitiesenvironmental-permits> or contact our National Customer Contact Centre on 03702 422 549. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity. Access needs to be maintained to existing EA , LPA and other 3rd party flood defence assets, such as for example for maintenance purposes and operational response.

Note: The Environment Agency strongly recommend the use of flood proofing and resilience measures. Physical barriers, raised electrical fittings and special construction materials are just some of the ways you can help reduce flood damage. To find out which measures will be effective for this development, please contact your building control department. In the meantime, if you'd like to find out more about reducing flood damage, visit the flood risk and coastal change pages of the planning practice guidance. The following documents may also be useful: Department for Communities and Local Government: Preparing for floods <http://www.planningportal.gov.uk/uploads/odpm/4000000009282.pdf> Department for Communities and Local Government: Improving the flood performance of new buildings: <http://www.communities.gov.uk/publications/planningandbuilding/improvingflood>

Note: It is recommended that prior to development commencing the applicant should contact the Food Safety Team of Environmental Services to arrange an advice visit to discuss food safety and hygiene requirements including an appropriate layout. The Food Safety team can be contacted on 01484 221000.

Note: To minimise noise disturbance at nearby premises it is generally recommended that activities relating to the erection, construction, alteration, repair or maintenance of buildings, structures or roads shall not take place outside the hours of: 07.30 and 18.30 hours Mondays to Fridays 08.00 and 13.00hours , Saturdays With no working Sundays or Public Holidays In some cases, different site specific hours of operation may be appropriate.

Note: your attention is drawn to the recommendations made by West Yorkshire Police in their consultation response with regard to crime prevention and security

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location Plan	6017-FWP-L(01)01		12.11.2018
Ground Persons Store Floor Plans	6017-FWP-A-- Z6-L(04)01		12.11.2018
Ground Persons Store Floor Plans & Elevations	6017-FWP-A-- Z4-L(04)01		12.11.2018
Grounds Persons Store Floor Plans & Elevations	6017-FWP-A-- Z5-L(04)01		12.11.2018
Proposed North & East Elevations	6017-FWP-Z1-L(05)02	P2	12.11.2018
Proposed South & West Elevations	6017-FWP-Z1-L(05)01	P2	12.11.2018
Proposed Landscaping Details	6017_ L(02)03		12.11.2018
Proposed First Floor Plan	6017-FWP-Z1-L(04)02	P2	12.11.2018
Elevations - Existing	6017-FWP-Z3-L(05)01		12.11.2018
Floor Plans - Existing	6017-FWP-Z3-L(04)01		12.11.2018
Proposed U-23 Academy Building Refurbishment	6017-FWP-Z3-L(05)02		12.11.2018
Proposed U-23 Academy Building Refurbishment	6017-FWP-Z3-L(04)02		12.11.2018
Canal Training Complex Redevelopment Proposed Second Floor Plan	6017-FWP-Z1-L(04)03	P2	12.11.2018
Canal Training Complex Redevelopment Proposed Ground Floor Plan	6017-FWP-Z1-L(04)01	P2	12.11.2018
Canal Training Complex Redevelopment	6017-FWP-Z1-L(27)01	P2	12.11.2018
Site Plan – Existing Proposed Roof Plan	6017-FWP-L(02)01		12.11.2018
Proposed Viewing Stand - Plans & Elevations	6017-FWP-Z2-L(04)01	C1	26.11.2019

Plan Type	Reference	Version	Date Received
Swept Path Analysis Coach	D2871/T-02		01.03.2019
Proposed Site Plan	6017_L(90)01	S3	13.02.2019
Swept Path Analysis Refuse Vehicle	D2871/T-01		01.03.2019
Tree/Arboricultural Survey	11862		12.11.2019
Transport Assessment	D2871		12.11.2019
Planning Statement	18-548		12.11.2019
Lighting Assessment	5 3 6 7 – L P		12.11.2019
Ground Investigation Report	6981	S1	12.11.2019
Design and Access Statement			12.11.2019
Coal Mining Risk Assessment	GM10204		12.11.2019
Statement of Community Involvement	18-548		12.11.2019
Conservation and Heritage Assessment	18-548		18.12.2019
Flood Risk and Drainage Strategy	D2871-FRA-001	Rev A	13.12.2019
Extended Phase 1 Bat Survey			20.02.2019

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 and guidance in the National Planning Policy Framework, the Local Planning Authority have, where possible, made a pre-application advice service available, complied with the Kirklees Development Management Charter 2015 and otherwise actively engaged with the applicant in dealing with the application. Negotiations during the assessment of this application have resulted in the following:

- Changes to the layout of the site to remove the requirement to excavate part of the canal embankment to the north of the site
- Additional information relating to potential flood risk
- Additional information relating to highways impacts

Building Regulations Approval is required for most work involving building operations and/or structural alterations. It is the applicant's responsibility to find out if the work permitted by this planning permission needs approval under the Building Regulations, and if necessary to submit an application. If you are not the applicant can you please ensure the applicant is aware of this requirement. Contact Building Control on Telephone: (01484) 221550 for more information.

It is the applicant's responsibility to find out whether any works approved by this planning permission, which involve excavating or working near public highway and any highway structures including retaining walls, will require written approval from the Council's Highways Structures Section. Please contact the Highways Structures Section on Tel No. 01484-221000 Ext 74199 for further advice on this matter.

Details Reserved by Condition

- This permission has been granted subject to conditions. Some of the conditions may require you to submit further details. These conditions normally contain the wording "submitted to and approved in writing by the Local Planning Authority".
- You can apply online for approval of these details at the Planning Portals website at www.planningportal.gov.uk. Alternatively the forms and supporting guidance for submitting an application can be found online at www.kirklees.gov.uk/planning.
- This Authority recognises the need to ensure that you are able to develop the site as effectively and flexibly as possible. However, at the same time it must ensure that development is in accordance with the terms of the planning conditions and legal agreement and the expectations of elected members and local residents set through the decision process.
- You should note the triggers for compliance with the conditions of this planning permission. This Authority is committed to processing applications to discharge conditions in a timely manner. It is important to ensure that submissions are made as far in advance of the trigger to allow time for adequate consultation, discussion and in some circumstances publicity.
- It is important that applications to discharge conditions are accompanied by sufficient information to enable this Authority and its consultees to fully consider and determine the proposals. Whilst officers will endeavour to negotiate solutions, failure to provide a comprehensive submission may result in delay and refusal of the application.
- If you commence work without discharging conditions you are at risk of enforcement action and invalidating your permission if the planning condition is a pre commencement condition.

Development within a Coal Mining Area

The proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and previous surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of development taking place.

It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), be submitted alongside any subsequent application for Building Regulations approval (if relevant).

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant safety and engineering risks and exposes all parties to potential financial liabilities. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should wherever possible be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design is developed and agreed with regulatory bodies which takes into account of all the relevant safety and environmental risk factors, including gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at:

www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

Property-specific summary information on past, current and future coal mining activity can be obtained from: www.groundstability.com or a similar service provider.

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority

The application has been publicised by notice(s) in the vicinity of the site. It is respectfully requested that the notice(s) now be removed and responsibly disposed of to avoid harm to the appearance of the area

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your Local Planning Authority's decision on your application, then you must do so within:
 - i) 28 days of the date of service of the enforcement notice, or
 - ii) within the specified period, starting on the date of this notice,whichever period expires earlier.
- If you want to appeal against your Local Planning Authority's decision then you must do so within the specified period, starting on the date of this notice.
- The "specified period" is 12 weeks where the development relates to a "minor commercial application" as defined within the Town and Country Planning (Development Management Procedure) Order 2010 (as amended), or 6 months in any other case.
- Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at <https://www.gov.uk/planning-inspectorate>. Further information on the Planning Appeal process can be found online at the Planning Inspectorates website <https://www.gov.uk/government/organisations/planning-inspectorate>.
- You must use the correct Planning Appeal Form when making your appeal. If requesting forms from the Planning Inspectorate, please state the type of application that the appeal relates to so they can send you the appeal form you require.
- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

- In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

Please note, only the applicant possesses the right of appeal.

Purchase Notices

- If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

An important part of improving our service is to review your feedback on the way that we have dealt with your planning application(s). Please take a couple of minutes to email your comments to dc.admin@kirklees.gov.uk so that we can work on continually improving our customer service. Thank you.

Dated: 27-Nov-2019

Signed:



Karl Battersby
Strategic Director Economy and Infrastructure

Application Plans

The decision notice indicates which plan/s relate to the decision.

Plans can be viewed on the Planning and Building Control web site:

<http://www.kirklees.gov.uk/business/planning/planning.asp>

If a paper copy of the decided plan is required please email:

dc.admin@kirklees.gov.uk

or telephone 01484 414746 with the application number.

There may be a charge for this service.

Address to which all communications should be sent:

Planning, Strategic Investment Service,
PO Box B93, Civic Centre 3, Off Market Street, Huddersfield, HD1 2JR
