



Town and Country Planning Act 1990

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

PLANNING PERMISSION FOR DEVELOPMENT

Application Number: 2021/62/90357/E

To: David Storrie,
D5 Planning
Suite 1, Wellington House
Lincoln Street
Huddersfield
HD1 6RX

For: East Bierley Community Sport Associates

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:-

WORKS TO EXISTING SPORTS FACILITIES INCLUDING ERECTION OF A CLUBHOUSE, ADDITIONAL CHANGING FACILITIES BUILDING, BOUNDARY TREATMENTS, STORAGE FACILITIES AND FLOODLIGHTING, WORKS TO EXISTING PITCHES, AND CREATION OF NEW HYBRID AND 3G/SYNTHETIC PITCHES, MULTI SPORT TRAINING AREA AND CAR PARK

At: EAST BIERLEY PLAYING FIELDS, HUNSWORTH LANE, EAST BIERLEY,
BD4 6PU

In accordance with the plan(s) and applications submitted to the Council on 24-Feb-2021, subject to the condition(s) specified hereunder:-

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: Pursuant to the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in complete accordance with the plans and specifications schedule in this decision notice, except as may be specified in the conditions attached to this permission, which shall in all cases take precedence.

Reason: For the avoidance of doubt as to what is being permitted and in the interests of visual amenity, residential amenity and other matters relevant to planning and to accord with the Kirklees Local Plan and the National Planning Policy Framework.

3. Prior to the commencement of development (including ground works) a Construction (Environmental) Management Plan (C(E)MP) shall be submitted to and approved in writing by the Local Planning Authority. The C(E)MP shall include pre-development road condition surveys (covering an area to be agreed beforehand with Local Planning Authority officers), a timetable of all works, and details of:

- any phasing of development;
- point(s) of access for construction traffic;
- construction vehicle sizes and routes;
- times of construction vehicle movements;
- parking for construction workers;
- signage;
- wheel washing facilities within the site;
- street sweeping;
- dust suppression;
- measures to control noise and vibration from construction-related activities;
- any artificial lighting to be used during construction;
- hours of works;
- engagement with the developers of nearby sites to agree any additional measures required in relation to cumulative impacts (should construction be carried out at nearby sites during the same period); and
- details of engagement with local residents and occupants (or their representatives) before the submission of the C(E)MP and during the period of construction.

The development shall be carried out strictly in accordance with the C(E)MP so approved throughout the period of construction and no change therefrom shall take place without the prior written consent of the Local Planning Authority. Upon completion of the development, post-development road condition surveys and a schedule of remedial works shall be submitted to and approved in writing by the Local Planning Authority, and the approved remedial works shall be carried out in full and completed no later than six weeks following the completion of all construction works related to the development hereby approved unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of amenity, to ensure the highway is not obstructed, in the interests of highway safety, and to accord with Policies LP21, LP24 and LP52 of the Kirklees Local Plan.

This pre-commencement condition is necessary to ensure measures to avoid obstruction to the wider highway network, to avoid increased risks to highway safety, and to prevent or minimise amenity impacts are devised and agreed at an appropriate stage of the development process.

4. Prior to the commencement of development (including ground works) a scheme detailing temporary surface water drainage for the construction phase (after soil and vegetation strip) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall:

- Detail phasing of the development and phasing of temporary drainage provision; and
- Include methods of preventing silt, debris and contaminants entering existing drainage systems and watercourses and details of how flooding of adjacent land is prevented.

The temporary works shall be implemented in accordance with the approved scheme and phasing. No phase of the development shall be commenced until the temporary works approved for that phase have been completed. The approved temporary drainage scheme shall be retained until the approved permanent surface water drainage system is in place and functioning in accordance with written notification to the Local Planning Authority.

Reason: To ensure the risk of flooding does not increase during the construction phase, to limit the siltation of any on- or off-site surface water features, and to accord with Policy LP27 of the Kirklees Local Plan.

This pre-commencement condition is necessary to ensure measures to avoid increased flood risk are devised and agreed at an appropriate stage of the development process.

5. Prior to any part of the development hereby approved being brought into first use, upgrade works to the part of the access track within application site ref: 2019/93616 shall be completed:

- In accordance with details submitted under application ref: 2019/93616 (land south of Soureby Cross Way, East Bierley, BD4 6PL) and submitted pursuant to any relevant conditions that may be applied in the event that a planning permission is granted for development at that site; or
- In accordance with an alternative upgrade scheme submitted to and approved in writing by the Local Planning Authority. The scheme shall include full sections, drainage details, details of surface finishes, details of any lighting and signage, details of the treatment of sight lines, and an independent safety audit covering all aspects of the work.

The access track shall be maintained thereafter.

Reason: To ensure adequate access is provided to the site in the interests of highway safety and to accord with Policy LP21 of the Kirklees Local Plan.

6. Prior to any part of the development hereby approved being brought into first use, details of upgrade works to the part of the access track within the site but outside application site ref: 2019/93616 shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include full sections, drainage details, details of surface finishes, details of any lighting and signage, details of the treatment of sight lines, and an independent safety audit covering all aspects of the work. The upgrade works so approved shall be completed prior to any part of the development hereby approved being brought into first use, and shall be maintained thereafter.

Reason: To ensure adequate access is provided to the site in the interests of highway safety and to accord with Policy LP21 of the Kirklees Local Plan.

7. Prior to any part of the development hereby approved being brought into first use, details of secure and covered cycle parking for use by visitors to the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the details so approved and the cycle parking shall be retained thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and encouraging the use of sustainable transport modes, and to accord with Policies LP20, LP21, LP22 and LP24 of the Kirklees Local Plan.

8. Prior to development commencing on the car park hereby approved, a scheme detailing the dedicated facilities to be provided for charging electric vehicles and other ultra-low emission vehicles shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide charging points with a minimum output of 16A/3.5kW for a minimum of 10% of the parking spaces hereby approved. Parking spaces that are to be provided with charging points shall not be brought into use until the charging points are installed and operational. The charging points installed shall be retained thereafter.

Reason: To ensure visitors to the development are encouraged to use lower-carbon and more sustainable forms of transport and to mitigate the air quality impacts of the development in accordance with Policies LP20, LP24, LP47, LP51 and LP52 of the Kirklees Local Plan, chapters 2, 9 and 15 of the National Planning Policy Framework, and the West Yorkshire Low Emissions Strategy.

9. Prior to any part of the development hereby approved being brought into first use, a Travel Plan which shall set out measures to discourage the use of high-emission vehicles and encourage the use of public transport, cycling and walking, as well as the uptake of low emission fuels and technologies, car-sharing and other initiatives shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan so approved shall thereafter be implemented.

Reason: To ensure visitors to the development are encouraged to use sustainable forms of transport and to mitigate the amenity, highway and air quality impacts of the development in accordance with Policies LP20, LP21, LP24, LP47, LP51 and LP52 of the Kirklees Local Plan, chapters 9 and 15 of the National Planning Policy Framework, and the West Yorkshire Low Emissions Strategy.

10. Prior to commencement of superstructure works on the changing rooms and clubhouse hereby approved, details of storage and access for collection of wastes from the development hereby approved, and details of management of any waste collection points, shall be submitted to and approved in writing by the Local Planning Authority. The details shall include management measures (including measures to control odour and vermin) and measures to discourage flytipping. The works and arrangements comprising the approved details shall be implemented prior to any part of the development hereby approved being brought into first use and shall be so retained thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual and residential amenity and highway safety, to assist in achieving sustainable development, and to accord with Policies LP21 and LP24 of the Kirklees Local Plan.

11. Prior to the commencement of development, a scheme of intrusive investigations shall be carried out on site to establish the risks posed to the development hereby approved by past coal mining activity. Should any remediation works and/or mitigation measures to address land instability arising from coal mining legacy prove necessary in light of the findings of the intrusive investigations, these works and/or measures shall be implemented on site in full prior to any part of the development hereby approved being brought into first use.

Reason: To minimise risk associated with the area's mining legacy in accordance with Policy LP53 of the Kirklees Local Plan.

This pre-commencement condition is necessary to ensure that details of remedial and/or mitigatory measures related to the site's coal mining legacy are agreed at an appropriate stage of the development process.

12. Prior to any part of the development hereby approved being brought into first use, a validation statement/declaration related to coal mining legacy shall be submitted to and approved in writing by the Local Planning Authority. The statement/declaration shall be prepared and signed by a suitably competent person, shall confirm that the site is, or has been made safe and stable for the development hereby approved, and shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

Reason: To minimise risk associated with the area's mining legacy in accordance with Policy LP53 of the Kirklees Local Plan.

13. Prior to the commencement of development, a contaminated land Remediation Strategy shall be 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 unacceptable risks to human health and the environment are identified and removed, and to ensure that the development is safely completed in accordance with the requirements of Policy LP53 of the Kirklees Local Plan and the National Planning Policy Framework.

This pre-commencement condition is necessary to ensure that contamination is identified and suitable remediation measures are agreed at an appropriate stage of the development process.

14. Remediation of the site shall be carried out and completed in accordance with the Remediation Strategy approved pursuant to condition 13. In the event that remediation is unable to proceed in accordance with the approved Remediation Strategy or contamination not previously considered is identified or encountered on site, all works in the relevant part of the site (other than site investigation works) shall cease immediately and the Local Planning Authority shall be notified in writing within two working days. Unless otherwise agreed in writing with the Local Planning Authority, works shall not recommence in the relevant part of the site until proposed revisions to the Remediation Strategy (including details of measures to ensure contamination does not spread from one part of the site to another) 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 unacceptable risks to human health and the environment are identified and removed, and to ensure that the development is safely completed in accordance with the requirements of Policy LP53 of the Kirklees Local Plan and the National Planning Policy Framework.

This pre-commencement condition is necessary to ensure that contamination is identified and suitable remediation measures are agreed at an appropriate stage of the development process.

15. 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. Unless otherwise agreed in writing with 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 (unless phased remediation has been agreed in writing by the Local Planning Authority) 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. Where validation has been submitted and approved in stages for different areas of the whole site, a Final Validation Summary Report shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure unacceptable risks to human health and the environment are identified and removed, and to ensure that the development is safely completed in accordance with the requirements of Policy LP53 of the Kirklees Local Plan and the National Planning Policy Framework.

16. Prior to the commencement of development, a Japanese Knotweed strategy shall be submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing by the Local Planning Authority, all works which form part of the approved strategy shall be completed prior to any part of the development hereby approved being brought into first use. Following completion of the approved eradication scheme, a Validation Report shall be submitted to the Local Planning Authority.

Reason: To ensure the invasive species is appropriately dealt with, in the interests of the biodiversity of the site, and to accord with Policy LP53 of the Kirklees Local Plan. This pre-commencement condition is necessary to ensure that invasive species measures are agreed at an appropriate stage of the development process.

17. Prior to the commencement of superstructure works, a detailed external lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The external lighting shall be designed to avoid harm to residential amenity and to avoid disturbance to wildlife, and shall be designed and specified so as to prevent and deter crime and anti-social behaviour. The scheme shall include:

- Details of hours of use of all external lighting;
- Details of the locations, specifications and energy efficiency of all luminaires;
- The proposed design level of maintained average horizontal illuminance for the areas that are to be illuminated;
- The predicted vertical illuminance that would be caused by the proposed lighting when measured at windows of any properties in the vicinity;
- Details of any car park lighting;
- No proposals for low-level or bollard lighting;
- The measures that would be taken to minimise or eliminate glare and stray light (beyond the boundaries of the site) arising from the use of the lighting;
- Details of methods of switching and controlling the lighting so that it is only operated at the permitted times and at times when it is required; and
- Details of measures to ensure the lighting's impacts upon habitats and biodiversity are minimised.

The external artificial lighting shall be installed and operated thereafter in accordance with the approved scheme. All external lighting shall be installed in accordance with the details (including specifications and locations) so approved, and the external lighting shall be maintained thereafter in accordance with the approved details. Under no circumstances shall any other external lighting be installed without prior written consent from the Local Planning Authority.

Reason: In the interests of residential amenity and sustainability, to prevent significant ecological harm, to safeguard habitat, to minimise opportunities for crime and anti-social behaviour and to accord with Policies LP21, LP24 and LP30 of the Kirklees Local Plan.

18. Noise from amplified and non-amplified music, singing and speech at the clubhouse/HQ building hereby approved shall be controlled so as to be inaudible inside nearby residential premises. For the purposes of this condition, inaudibility is defined as:

- Where the LAeq (1min) (of the music/noise) is not greater than the LA90 (of the background with no music/noise); and
- Where the L10 (5min) (of the music/noise) is not greater than the L90 (of the background with no music/noise) in each 1/3rd octave band between 40Hz and 160Hz.

Reason: To ensure the proposed development does not cause harmful noise pollution within neighbouring noise-sensitive locations, in the interest of amenity, and to accord with Policies LP24 and LP52 of the Kirklees Local Plan and chapters 12 and 15 of the National Planning Policy Framework.

19. The clubhouse/HQ building hereby approved shall not be open to customers outside the hours of:

- 09:00 to 23:00 Monday to Saturday; and
- 10:00 to 22:30 Sundays and Bank Holidays

Reason: To ensure the development does not give rise to a loss of amenity to nearby residential properties by reason of noise or disturbance at unsociable hours, and to accord with Policies LP24 and LP52 of the Kirklees Local Plan and chapters 12 and 15 of the National Planning Policy Framework.

20. No sport activities shall be carried out on any sport pitches within the site outside the hours of:

- 09:00 to 21:00 Monday to Friday; and
- 09:00 to 16:00 Saturday, Sundays and Bank Holidays

Pitch floodlighting shall only be operated when the pitches hereby approved are in use and shall be turned off no later than 15 minutes after the use of the pitch has ended.

Reason: To ensure the development does not give rise to a loss of amenity to nearby residential properties by reason of noise or disturbance at unsociable hours, and to accord with Policies LP24 and LP52 of the Kirklees Local Plan and chapters 12 and 15 of the National Planning Policy Framework.

21. Prior to the commencement of development, details of the construction, surfacing, line-marking, and means of enclosure of the 3G/synthetic pitch hereby approved, and details of the construction and drainage of the grass hybrid pitch hereby approved, shall be submitted to and approved in writing by the Local Planning Authority in consultation with Sport England. The 3G/synthetic pitch and the grass hybrid pitch shall not be constructed other than in accordance with the approved details.

Reason: To ensure the pitches are fit for purpose and to accord with Policy LP50 of the Kirklees Local Plan.

This pre-commencement condition is necessary to ensure that details of the pitches are agreed at an appropriate stage of the development process.

22. Prior to the commencement of development, the following shall be submitted to an approved in writing by the Local Planning Authority in consultation with Sport England:

- A detailed assessment of ground conditions (including drainage and topography) of the land proposed for the new and reprofiled pitches which identifies constraints which could adversely affect playing field quality; and
- Where the results of the assessment to be carried out pursuant to the above identify constraints which could adversely affect playing field quality, a detailed scheme to address any such constraints. The scheme shall include a written specification of the proposed soils structure, proposed drainage, cultivation and other operations associated with grass and sports turf establishment and a programme of implementation.

The approved scheme shall be carried out in full and in accordance with the approved programme of implementation. The land shall thereafter be maintained in accordance with the scheme and made available for playing field use in accordance with the scheme.

Reason: To ensure that the playing field is prepared to an adequate standard and is fit for purpose and to accord with Policy LP50 of the Kirklees Local Plan.

This pre-commencement condition is necessary to ensure that details of the pitches are agreed at an appropriate stage of the development process.

23. Prior to the commencement of development, a scheme detailing surface water and land drainage (including discharge rates agreed with the Lead Local Flood Authority indirectly or directly to watercourse, attenuation for the critical 1 in 100 + 30% climate change storm event, attenuation construction design, plans and longitudinal sections, hydraulic calculations, and phasing of drainage provision) for the entire site (unless it is demonstrated with the written agreement of the Local Planning Authority that phased provision of drainage is appropriate and can be implemented without compromising the drainage of later phases) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include a risk assessment and method statement, in accordance with CDM Regulations 2015, for access to and into the attenuation structure, and an itinerary of maintenance tasks with schedules. No part of the development hereby approved shall be brought into first use until such approved drainage scheme has been provided on the site to serve the development.

Reason: To ensure the effective disposal of surface water from the development so as to avoid an increase in flood risk and so as to accord with Policies LP27 and LP28 of the Kirklees Local Plan and chapter 14 of the National Planning Policy Framework. This pre-commencement condition is necessary to ensure that details of drainage are agreed at an appropriate stage of the development process.

24. Prior to any part of the development hereby approved being brought into first use (unless it is demonstrated with the written agreement of the Local Planning Authority that phased provision of drainage is appropriate and can be implemented without compromising the drainage of later phases), details of the operation, maintenance and management of the site's surface water drainage infrastructure shall be submitted to and approved in writing by the Local Planning Authority. The details shall include adoption proposals of any adoptable structures (where adoption is necessary/proposed). The development shall thereafter be operated, managed and maintained at all times for the lifetime of the development, or up to the point of adoption (if applicable), in accordance with the approved details.

Reason: To ensure adequate maintenance and management and the effective disposal of surface water from the development so as to avoid an increase in flood risk and so as to accord with Policies LP27 and LP28 of the Kirklees Local Plan and chapter 14 of the National Planning Policy Framework.

25. Prior to the commencement of works in a specific part of the site, details of measures to prevent and deter crime and anti-social behaviour within that part of the site shall be submitted to and approved in writing by the Local Planning Authority. No part of the development hereby approved within that part of the site shall be brought into use until the works within that part of the site have been implemented in accordance with the details so approved.

Reason: In the interests of minimising the risk of crime and anti-social behaviour and creating a safer, more secure and sustainable neighbourhood, and to accord with Policies LP24 and LP47 of the Kirklees Local Plan and the National Planning Policy Framework.

26. Prior to the commencement of superstructure works, details of all external materials to be used shall be submitted to the Local Planning Authority, and samples shall be left on site for the inspection and approval in writing of the Local Planning Authority. No materials other than those approved in accordance with this condition shall be used.

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

27. The goal stores hereby approved shall be painted/finished in the same green colour as the mesh fencing hereby approved. The goal stores shall not be painted/finished in any other colour.

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

28. Prior to the commencement of superstructure works, and notwithstanding what is shown on the drawings hereby approved, details (including sections and details of levels) of all boundary treatments (including retaining walls and gabions within the site), shall be submitted to and approved in writing by the Local Planning Authority. The details shall provide for the movement of hedgehogs. The development shall be implemented in accordance with the details so approved. The approved works shall be retained thereafter.

Reason: In the interests of visual amenity and biodiversity, and to accord with Policies LP24 and LP30 of the Kirklees Local Plan.

29. Prior to the commencement of superstructure works, details of all hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. These shall include:

- Details of existing and proposed levels, and regrading;
- Species schedule and planting plans;
- Details of initial aftercare and long-term maintenance;
- Details of monitoring and remedial measures, including replacement of any trees, shrubs or planting that fails or becomes diseased within the first five years from completion;
- Details (including samples, if requested), of paving and other hard surface materials; and
- Details of how soft landscaping has been designed to prevent and deter crime and anti-social behaviour.

No part of the development hereby approved shall be brought into first use until all hard and soft landscaping has been implemented in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority. All approved landscaping shall be retained thereafter in accordance with the approved details and approved long-term maintenance, monitoring and remedial arrangements.

Reason: In the interests of local ecological value and visual amenity, in the interests of creating a safer, more sustainable neighbourhood and reducing the risk of crime and anti-social behaviour, and to accord with Policies LP24, LP30, LP32, LP33 and LP47 of the Kirklees Local Plan, and chapters 8, 12 and 15 of the National Planning Policy Framework.

30. Prior to the commencement of superstructure works, a Biodiversity Enhancement and Management Plan (BEMP) shall be submitted to and agreed in writing by the Local Planning Authority. The BEMP shall include pre- and post-development assessments of the biodiversity value of the site (measured in accordance with the Biodiversity Metric 3.0 or subsequent version), shall ensure that no less than a 10% biodiversity net gain (i.e., 10% above the site's habitat units baseline) is achieved post-development, and shall include the following:

- Description and evaluation of features to be managed and enhanced;
- Details of the extent and location/area of proposed enhancement works on appropriate scale maps and plans;
- Details corresponding with landscaping details to be submitted pursuant to condition 29;
- Details of ecological trends and constraints on site that might influence management;
- Aims and Objectives of management;
- Appropriate management actions for achieving the Aims and Objectives;
- An annual work programme (to cover an initial five-year period capable of being rolled forward over a period of 30 years);
- Details of the management body or organisation responsible for implementation of the BEMP; and
- Details of an ongoing monitoring programme and remedial measures.

The BEMP will be reviewed and updated every five years and implemented for a minimum of 30 years. The BEMP shall include details of the legal and funding mechanisms by which the long-term implementation of the BEMP will be secured by the developer with the management body responsible for its delivery. The BEMP shall also set out (where the results from the monitoring show that the Aims and Objectives of the BEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully-functioning biodiversity objectives of the originally-approved BEMP. The development shall be implemented in accordance with the approved BEMP and all measures and features shall be retained in that manner thereafter.

Reason: To secure mitigation and compensation for the ecological effects resulting from loss of habitat and to secure a net biodiversity gain in line with Policy LP30 of the Kirklees Local Plan and chapter 15 of the National Planning Policy Framework.

This pre-commencement condition is necessary to ensure that measures to ensure adequate enhancement and a biodiversity net gain (based on biodiversity metric calculations which require data relating to the site's pre-development condition) are agreed at an appropriate stage of the development process.

31. No removal of hedgerows, trees or shrubs shall take place between 1st March and 31st August inclusive, unless authorised in writing by the Local Planning Authority in response to evidence to be submitted to the Local Planning Authority demonstrating that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site.

Reason: To prevent significant ecological harm to birds, their eggs, nests and young and to accord with Policy LP30 of the Kirklees Local Plan and chapter 15 of the National Planning Policy Framework.

NOTE: This permission is subject to conditions requiring the submission of further and/or amended information prior to commencement of development or at other points during the development process. To assist in the prompt discharge of conditions, you may wish to submit separate Discharge of Conditions applications for each of those conditions that require submissions. This may be particularly advisable where your submissions are likely to require extensive consultation, consideration of complex technical matters, and/or negotiation. Alternatively, grouping submissions relevant to a specific topic, or interrelated topics (for example, pursuant to highways-related conditions) under a single application, and/or grouping submissions pursuant to pre-commencement, pre-superstructure and pre-occupation conditions, may assist prompt discharge. For further advice on conditions-stage submissions, please contact the case officer.

NOTE: Sport England have advised that the pitches should be built in accordance with the Rugby Football League's *Guide to the Use of Synthetic Turf Pitches for Competition and Training* (2020) and should be tested bi-annually by an accredited testing laboratory in order to meet World Rugby Regulation 22.

NOTE: All contamination reports shall be prepared by a suitably competent person, as defined in Annex 2 of the National Planning Policy Framework 2019. Reports must be prepared in accordance with the following guidance:

- *Land Contamination Risk Management (LCRM);*
- *BS 10175:2011+ A2:2017 Investigation of Potentially Contaminated Sites. Code of Practice; and*
- *Development on Land Affected by Contamination - Technical Guidance for Developers, Landowners & Consultants - (v11.2) June 2020 by the Yorkshire and Lincolnshire Pollution Advisory Group*

NOTE: The proposed design levels of illuminance should be shown to be appropriate for the intended use by reference to appropriate guidance. To minimise problems of glare and stray light from external artificial lighting it should be installed and maintained in accordance with the *Guidance Notes for the Reduction of Obtrusive Light* by the Institution of Lighting Professionals (2011). The predicted levels of stray light must not exceed the recommended maximum levels given in Table 2 of this guidance for an Environmental Zone E2 (i.e. E0 to E4).

NOTE: Regarding inaudibility, a simple "sound check" can be carried out outside the nearest noise sensitive property by listening to the music etc coming from the application premises. If the music etc is clearly audible, then it is likely that this condition is being breached. Therefore, steps should be taken to reduce the level that the music etc is being played at.

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 Mondays to Fridays, and 08:00 and 13:00 on Saturdays, with no working Sundays or Public Holidays. These hours should be referred to in any Construction Environmental Management Plan to be submitted to the Local Planning Authority for approval. In some cases, different site-specific hours of operation may be appropriate. Under the Control of Pollution Act 1974 (Section 60), Kirklees Environment and Transportation Services can control noise from construction sites by serving a notice. This notice can specify the hours during which work may be carried out.

NOTE: A Standard Electric Vehicle Charging Point is one which is capable of providing a continuous supply of at least 16A (3.5kW) and up to 32A (7kW). The higher output is more likely to be futureproof. At non-residential developments, the requirement for one standard electric vehicle charging point for at least 10% of parking spaces may initially be reduced to one charging point for at least 5% of parking spaces with the remainder provided at an agreed trigger point. For developments where some or all of the parking is likely to be used for shorter stay parking (30mins to 4 hours) then Fast (7-23kW) or Rapid (43kW+) charging points may be more appropriate. If Fast or Rapid charging points are proposed together with restrictions on the times that vehicles are allowed to be parked at these points then a lower number of charging points may be acceptable. The electrical supply of the final installation should allow the charging equipment to operate at full rated capacity. The installation must comply with all applicable electrical requirements in force at the time of installation.

Plans and specifications schedule:

Plan/document type	Reference	Version	Date received
Location Plan	01	rev A	24/02/2021
Existing and Proposed Site Plan	04	rev G	08/11/2021
Proposed New Land Allocation Plan	002	rev C	08/11/2021
Proposed Block Plan (buildings)	06	rev B (08/11/2021 version)	08/11/2021
Proposed Changing Rooms (floor plan and elevations)	09	rev A	08/11/2021
Proposed Club House Floor Plans	07		19/02/2021
Proposed Club House Elevations	08	rev A	22/04/2021
Proposed Fencing Design	012	rev B	08/11/2021
Proposed Pitch Storage Areas	13		28/10/2021

Existing and Proposed Cross Section (Pitches)	05	rev A	08/11/2021
8m floodlight drawing	RL200/2732/GA7		07/04/2021
10m floodlight drawing	RL200/2732/GA6		07/04/2021
15m floodlight drawings	RL200/2732/GA1, GA2, GA3, GA4 and GA5		07/04/2021
Floodlighting product brochure extracts	Abacus Lighting		19/02/2021
Proposed catch fencing (image)			22/04/2021
Planning Statement	D5 Planning, 10019, January 2021		19/02/2021
Transport Statement	Paragon Highways, 1924, 04/02/2021		07/04/2021
Report on a Phase One Desk Study	RGS, J3463/16/EDS, 15/04/2016		19/02/2021
Report on a Geo-Environmental Investigation	RGS, J3463/16/E, 08/06/2016		23/04/2021
Letter re: site investigation	RGS, J3463/16/E-2, 11/07/2016		19/02/2021
Coal Mining Risk Assessment	Ashton Bennett, KC 3147, March 2014		19/02/2021
Surface Water Management Plan	KRS Environmental, KRS.0344.001.R.001.A, March 2018		19/02/2021
Preliminary Ecological Appraisal	Delta Simons, 19-0334.03, 19/10/2021	issue 4	20/10/2021
Bat Transect Survey Report	Delta Simons, 19-0334.02, 07/05/2021	issue 1	19/05/2021
Survey Report: Japanese Knotweed	Inspectas, BE1258AF, 09/12/2021		25/02/2022
Acoustic Planning Report	MZA Acoustics, 1700591-RP-NIA-001, June 2021		04/11/2021

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 and 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. During the life of the application the case officer undertook negotiations with the applicant to secure further information and drawings relating to land use, layout (and other aspects of design), site investigation, highways and parking, lighting, biodiversity, the development's public benefits and other planning matters. The Council proactively engaged with the applicant in order to ensure relevant planning matters were addressed.

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 Tel No: (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 at the surface or shallow depth. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former 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 new development taking place.

It is recommended that information outlining how former mining activities may affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), is 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 land stability and public safety risks. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design which takes into account all the relevant safety and environmental risk factors, including mine 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, excavations for 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.

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: 11-Mar-2022

Signed:



David Shepherd
Strategic Director Growth and Regeneration

Decision Documents

The decision notice indicates which documents relate to the decision. These documents can be viewed online at the Planning Services website at www.kirklees.gov.uk/planning, and by clicking on the 'search planning applications and decisions' and by searching for application number 2021/62/90357/E .

If a paper copy of the decision notice or decided plans are required please email dc.admin@kirklees.gov.uk or telephone 01484 414746 with the application number. There may be a charge for this service.

All communications should be sent to one of the following address:

E-mail: dc.admin@kirklees.gov.uk

Write to: Planning and Development Service
Economy and Infrastructure
PO Box B93, Civic Centre 3,
Off Market Street, Huddersfield, HD1 2JR
