KIRKLEES METROPOLITAN COUNCIL
INVESTMENT & REGENERATION SERVICE

DEVELOPMENT MANAGEMENT

Town and Country Planning Act 1990 (as amended)

DELEGATED DECISION TO DETERMINE APPLICATIONS FOR CONSENT, AGREEMENT OR APPROVAL REQUIRED BY CONDITION

Reference No:	**2022/44/92762/W**
Site Address:	Lawrence Batley Recreational Complex, New Hey Road, Salendine Nook, Huddersfield, HD3 3XF
Description:	Discharge conditions 8 (pitch markings), 9 (Risk Impact Assessment), 19 (landscaping), 20 (BNGP) on previous permission 2021/93645 for installation of a new 3G synthetic turf pitch, upgraded and extended grass pitches, car-parking and additional landscape works
Recommending Officer:	RichardA Gilbert

DECISION – Discharge of Conditions- Split Decision

I hereby authorise the Split Decision of this application for the reasons set out in the officer's report and recommendation annexed below in respect of the above matter.

David Wordsworth

AUTHORISED OFFICER

Date: 26-Jul-2023

Officer Report – 2022/92762

Date – 17th July 2023

Location – Lawrence Batley Recreational Complex, New Hey Road, Salendine Nook, Huddersfield, HD3 3XF

Proposal - Discharge conditions 8 (pitch markings), 9 (Risk Impact Assessment), 19 (landscaping), 20 (BNGP) on previous permission 2021/93645 for installation of a new 3G synthetic turf pitch, upgraded and extended grass pitches, car-parking and additional landscape works

Condition 8

Condition wording:

8. Prior to the completion of the artificial grass pitch surface, a plan shall be submitted and approved by the Local Planning Authority (following consultation with Sport England) which shows the coloured pitch markings for rugby league, rugby union and football. The AGP shall be marked out in accordance with the approved plan prior to being brought into use.
Reason: In order for the approved pitch to be able to accommodate the range of sports equivalent to the grass pitch it replaces so as to accord with Paragraph 99 of the National Planning Policy Framework

Assessment:

Following consultation with Sport England, the statutory consultee have confirmed that they are content with the pitch markings submitted to the Local Planning Authority in their correspondence dated 28th September 2022.

In considering the above response, the LPA can confirm that Condition 8 is satisfied and thus 'discharged'. The development shall be implemented in accordance with the approved documents listed below:

Approved Documents:

- New Synthetic Pitch Proposals – HCSC LAUND HILL 9-8-22 – P2

Condition 9

Condition wording:

9. Prior to the artificial pitch being brought into use, a Risk Impact Assessment shall be conducted, which reviews and makes safety recommendations on the use of the artificial pitch for sport, shall be submitted to and approved by the Local Planning Authority. The recommendations of the approved assessment shall be implemented and advised to all users of the artificial pitch.

Reason: To ensure the safety of users of the artificial pitch in accordance with Policy LP47 of the Kirklees Local Plan.

Assessment:

A risk assessment for the pitch was submitted as a part of this application to discharge the requirements of Condition 9. The LPA subsequently consulted with KC Sports & Physical Activity to advise on the content of the submission. The consultee subsequently confirmed that the risk assessment met the requirements of Condition 9.

In considering the above response, the LPA can confirm that Conditions 9 is satisfied and thus 'discharged'. The development shall be implemented in accordance with the approved document and users shall be advised of its contents, where appropriate.

Approved Documents:

- Main 3G Pitch and Multi-Use Games General Risk Assessment - Huddersfield Laund Hill Community Club

Condition 19

Condition wording:

19. The development shall not be brought into use until a scheme detailing landscaping, tree/shrub planting, including the location, species, number and size of the proposed planting, has been submitted to and approved in writing by the Local Planning Authority. The approved landscaping scheme shall, from its completion, be maintained for a period of five years. If, within this period, any tree, shrub or hedge shall die, become diseased or be removed, it shall be replaced with others of similar size and species unless the Local Planning Authority gives its written consent to any variation.
Reason: To ensure that there is a well laid out scheme of healthy trees and shrubs in the interests of amenity and biodiversity in order to meet the requirements of Policies LP24 and LP33 of the Kirklees Local Plan.

Assessment:

The 'Landscaping Plan – Tree Planting Detail – 14th November 2022' has been reviewed by the case officer in comparison to comments previously received from the Tree Officer on 2022/92762 and 2022/93381. The updated landscaping plan retains tree groups G6, G12 and G13 which were previously marked for removal and is consistent with the tree removal previously approved under 2021/93645. The plan also details the location, species, number and size of replacement tree planting across the development site. As such, Condition 19 is considered to be satisfied subject to the landscaping plan being implemented in accordance with the approved details set out below.

Approved Documents:

- Base Plan – HUDD GIANTS PITCHES_MP4

Condition 20:

Condition wording:

20. Prior to works to remove protected trees, a biodiversity net gain plan (BNGP) shall be submitted to and approved by the Local Planning Authority. The BNGP shall:- Set out the delivery of a pre-development biodiversity value through a Secretary of State approved biodiversity metric.
- Identify the means of providing an on-site biodiversity net gain equal to or greater than the pre-development biodiversity value.
- Set out the means of implementing and maintaining the biodiversity net gain for a period of 30 years following completion of the development.
Reason: To ensure the scheme contributes to improving the quality of biodiversity in the area in accordance with the requirements of Policy LP30 of the Kirklees Local Plan and the Environment Act 2021.

Assessment:

Following consultation with KC Ecology, the consultee has confirmed that they are content with the Biodiversity site management documentation submitted to the Local Planning Authority in their correspondence dated 24th October 2022.

In considering the above response, the LPA can confirm that Condition 20 is satisfied and thus 'discharged' . The development shall be implemented in accordance with the approved documents listed below:

Approved Documents:

- BNG Part 1 2 v3 (Submitted on APAS 8th November 2022)
- Arbtech – Biodiversity Net Gain Assessment – Issue 3 – 11/10/2022

Summary of Conditions

- Condition 8 – (Coloured Pitch Markings) - Condition discharged subject to implementation.

- Condition 9 – (Risk Assessment) - Condition discharged subject to implementation.

- Condition 19 – (Landscaping Details) - Condition discharged subject to implementation.

- Condition 20 – (BNGP) – Condition discharged subject to implementation.

Report Dated: 17th July 2023