



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

**PLANNING PERMISSION FOR DEVELOPMENT**

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**Application Number: 2023/70/90876/W**

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**To:** Lee Richardson,  
Colne Valley High School  
Gillroyd Lane  
Linthwaite  
Huddersfield  
HD7 5SP

**For:** Colne Valley High School

**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:-**

VARIATION OF CONDITIONS 4 & 5 (HOURS OF USE) ON PREVIOUS  
PERMISSION 2018/93872 FOR REPLACEMENT OF EXISTING REDGRA  
TRACK WITH 3G SYNTHETIC TURF PITCH CONSISTING SPECTATOR AREA,  
PERIMETER FENCING, FLOODLIGHTS, STORAGE CONTAINER AND LINK  
PATH

**At:** COLNE VALLEY HIGH SCHOOL, GILLROYD LANE, LINTHWAITE,  
HUDDERSFIELD, HD7 5SP

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**In accordance with the plan(s) and applications submitted to the Council on  
20-Mar-2023 [together with those plans and application(s) submitted to the  
Council on 22-Nov-2018 and incorporated into planning permission 2018/93872  
granted on 11-Apr-2019] and subject to the condition(s) specified hereunder:-**

1. The development hereby permitted shall be carried out in complete accordance with the plans and specifications schedules listed 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 so as to ensure the satisfactory appearance of the development on completion, in the interests of the openness of the Green Belt, residential amenity and to accord with LP24 and LP57 of the Kirklees Local Plan and guidance within the National Planning Policy Framework.

2. Within two months of the date of this permission a community use agreement prepared in consultation with Sport England shall be submitted to the Local Planning Authority for written approval. The agreement shall apply to the artificial grass pitch and include details of pricing policy, hours of use, access by non-school users, management responsibilities and a mechanism for review. Within one month of the issuing of written approval of the scheme by the Local Planning Authority, the scheme shall be implemented and thereafter operated in accordance with the approved scheme.

**Reason:** To secure well managed safe community access to the sports facility/facilities, to ensure appropriate benefit to the development of sport and to accord with Policies LP50 and LP56 of the Kirklees Local Plan and guidance within the National Planning Policy Framework

3. The hereby approved 3G synthetic turf pitch shall not be used outside the following hours:

Mondays to Fridays: 8.00am – 6.30pm during April, May, June, July, August and September and 9:00am - 9:00pm during October, November, December, January, February and March

Saturdays & Sundays: 09:00am 2:00pm

**Reason:** In the interest of amenities of the nearby occupiers of the residential properties on The Rock/Gillroyd Lane, west of the site, to prevent noise (through voice and ball strike) and light pollution at unsocial hours and to comply with Policies LP24 and LP52 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.

4. The development shall be completed in accordance with the submitted details:

- Floodlighting Impact document by Halliday Lighting dated 10 July 2018 (ref: 04383)
- Horizontal Spill dated 17 Jan 2019
- Vertical Spill, dated 17 Jan 2018
- Proposed dimmed Floodlighting dated 8 Jan 2017, all with (dwg. No HLS 04383), and
- one LED floodlight on each of the six 10m columns providing a maintained average illuminance of 130 Lux (with a maintenance factor of 0.95), switchable to a lower level of 78 lux when the pitch is used for training.

The floodlighting shall be thereafter retained in accordance with these details. The floodlighting shall not be operated outside the following hours:

Mondays to Fridays: 8.00am – 6.30pm during April, May, June, July, August and September and 9:00am - 9:00pm during October, November, December, January, February and March

Saturdays & Sundays: 09:00am 2:00pm

The floodlighting shall not cause a vertical illuminance of more than 5 lux, or a luminaire intensity of more than 7500 candelas at any windows of adjacent residential properties.

**Reason:** In the interest and to protect the amenities of nearby occupiers of the residential properties on The Rock/Gillroyd Lane, west of the site, to prevent light pollution at unsocial hours and to comply with Policies LP24 and LP52 of the Kirklees Local Plan and Chapters 12 and 15 of the National Planning Policy Framework.

5. The acoustic barrier and pitch perimeter fencing shall be retained for the lifetime of the development in accordance with the following submitted details:

- Proposed 3G Pitch Fence Layout by MUGA UK dated 2 Jun 2018 (ref: MUK 1973-03), and
- specification of the acoustic barrier as specified in the submitted Acoustic fencing document from Plant Fencing Contractors Ltd.

**Reason:** In the interest of amenities of the nearby occupiers of the residential properties on The Rock/Gillroyd Lane, west of the site, to prevent undue noise (through voice and ball strike) and to comply with Policies LP24 and LP52 of the Kirklees Local Plan and Chapters 12 and 15 of the National Planning Policy Framework.

**Note:** To reduce problems of glare from floodlights and security lights, such lighting should be installed and maintained in accordance with the “ Guidance Notes for the Reduction of Light Pollution” produced by the Institution of Lighting Engineers (telephone 01788 576492).

**Informative note:**

Guidance on preparing Community Use Agreements is available from Sport England. <http://www.sportengland.org/planningapplications/> For artificial grass pitches it is recommended that you seek guidance from the Football Association/England Hockey/Rugby Football Union on pitch construction when determining the community use hours the artificial pitch can accommodate.

Plans and specifications schedules:-

**Plans / Documents submitted for application 2018/93872**

<b>Plan / document type</b>	<b>Reference</b>	<b>Version</b>	<b>Dated</b>
Location plan	MUK1973-05	C	11/03/19
Proposed block plan with aerial photograph	MUK1973-02	C	11/03/19
Proposed block plan with detail of siting of fence	MUK1973-01	G	11/03/19
Proposed 3g fence layout plan	MUK1973-03	F	11/03/19
Proposed 3G pitch fence elevations	MUK1973-07	D	11/03/19
Lighting Impact Study rev B	04383 dated 10/07/18	B	11/03/19
Proposed Dimmed floodlighting	HLS04383		11/03/19
Horizontal spill – Floodlighting plan	HLS04383		11/03/19
Vertical spill – Floodlighting plan	HLS04383		11/03/19
MFG letter			11/03/19
Acoustic Fencing specification	from Plant Fencing Contractors Ltd		11/03/19
Existing hours of use			11/03/19
Floodlight example	By Halliday Lighting		11/03/19
Materials and finishes			11/03/19
Noise Impact Assessment rev 3	Dated 17th January 2019		11/03/19
Proposed hours of use rev E			11/03/19
Existing Photographs			11/03/19
Osram FL 20 Maxi product data sheet	By SITECO		11/03/19
Proposed Drainage Layout	MUK1973-04	B	11/03/19
Constructional detail	MUK1973-06		11/03/19
Design & Access statement	MUK1973-DAS	E	11/03/19

**Plans / Documents submitted for application 2023/90876:-**

<b>Plan / document type</b>	<b>Reference</b>	<b>Version</b>	<b>Dated</b>
Application form			21st March 2023
Email dated 20th October 2023			23rd October 2023
Pride In Linthwaite Planning Letter			21st March 2023
Letter from occupier 179 Gillroyd Lane			21st March 2023
Letter from Linthwaite Football Club			27th March 2023
Letter from Cllr Warner			27th March 2023
Letter from Jason McCartney MP			21st March 2023
Letter from Golcar Utd Football Club			27th March 2023
Noise Impact Assessment	Rev 3 – 17th January 2019		21st March 2023
Acoustic Fencing Specification			21st March 2023
Lighting Impact Study	04383		21st March 2023
Lux Vertical Spill Plan	HLS04383		21st March 2023
3G Pitch Elevations	MUK1973_07 REV D		21st March 2023
Block Plan	MUK1973_02 REV C		21st March 2023
Acoustic Fence Plan	MUK1973_03 REV E		21st March 2023
Location Plan	MUK1973_05 REV c		21st March 2023

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. Discussions were undertaken regarding the hours of use of the site with the proposal subsequently amended to reduce the hours for which permission was being sought.

**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.**

**If this application has been publicised by notice(s) in the vicinity of the site, please would you now remove the notice(s) and dispose of it/them responsibly to avoid harm to the appearance of the local area.**

#### **Appeals to the Secretary of State**

- **If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development or 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 or has been served relating to the same or substantially the same land and development as in your application and if you want to appeal against the local planning authority's decision on your application, then you must do so within:**
  - i) 28 days from the date of this notice where the enforcement notice has been served,**
  - ii) 28 days of the date of service of the enforcement notice or,**
  - iii) the specified period starting from 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/appeal-planning-decision>. 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](mailto:dc.admin@kirklees.gov.uk) so that we can work on continually improving our customer service. Thank you.

**Dated:** 04-Dec-2023

**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](http://www.kirklees.gov.uk/planning), and by clicking on the 'search and view existing planning applications and decisions' and by searching for application number 2023/70/90876/W .

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

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

**E-mail:** [dc.admin@kirklees.gov.uk](mailto:dc.admin@kirklees.gov.uk)

**Write to:** Kirklees Council  
Planning and Development Service  
PO Box 1720  
Huddersfield  
HD1 9EL

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