

Consultation Response from: KC Environmental Health (Pollution & Noise Control)
2023/92145 - East Bierley Playing Fields, Hunsworth Lane, East Bierley, BD4 6PU

Discharge of conditions 5 (access track upgrade), 6 (access track upgrade), 7 (cycle parking), 8 (electric vehicle charging), 9 (travel plan), 10 (waste storage and collection), 11 (coal mining investigation), 16 (Japanese Knotweed strategy), 17 (external lighting), 29 (part) (landscaping) and 30 (biodiversity enhancement and management plan) of previous permission 2021/90357 for works to existing sports facilities including erection of clubhouse; additional changing facilities building; boundary treatments; storage facilities and floodlighting; works to existing pitches creation of hybrid and 3G/synthetic pitches; multi sport training area and car park

Date Responded:
4th September 2023
Responding Officer:
NH
Responding Ref:
WK/202324020

Conditions 5, 6, 7, 9, 10, 11, 16, 29 and 30 are outside the remit of Environmental Health.

We note the submission of a Ground Investigation Report in relation to condition 11 (re: coal mining legacy). However, we understand that the applicant has not sought any discharge of condition 12 here in this application so have no comments to make on this report.

Condition 8 – Electric Vehicle Charging Point (EVCPs)

A drawing by Martin Walsh Architectural dated 22nd May 2023 (ref: EBDC-MWA-XX-XX-DR-A_0001_P5) has been received in support of the application to discharge Condition 8. The drawing shows the locations of the proposed EV charging bays. A total of 12 EVCPs are to be installed. This meets the requirements of the condition. The plan also confirms the charging points will meet the minimum output of 16A/3.5kW requirement as mandated by the condition.

We accept the drawing by Martin Walsh Architectural dated 22nd May 2023 (ref: EBDC-MWA-XX-XX-DR-A_0001_P5). However, Condition 8 must remain until the EVCPs are installed and made operational.

Condition 17 – External Lighting

An external lighting scheme dated 22nd March 2023 and a Proposed Floodlighting drawing authored by Halliday Lighting and a document titled 'Discharging of Conditions relating to Approval 2021/62/90357/E. Set 1' authored by Martin Walsh Architectural, dated 15th May 2023 (ref: EBDC-MWA-XX-XX-RP-A-0001) has been received in support of discharging Condition 17. Our comments relate to the protection of residential amenity only.

The proposals include the installation of 16 luminaires to serve the football and MUGA pitch. The horizontal spill shows that at the perimeter of the site, surface illuminance will be ≤5 lux. The vertical illuminance at 3m shows a peak illuminance of 613.1 lux.

The document by Martin Wash Architectural states that '*Halliday Lighting have carried out the design using the FL11 SITECO LED which has been designed with maximum flexibility and precision. Glare – free light with 0% obtrusive light that could bother residents and nature.*' In addition, the document states that the floodlights have a variable dimming facility and have a timeclock feature.

The pitch floodlighting will be operated in accordance with condition 20 and will match the below:

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.

Overall, we accept the external lighting scheme dated 22nd March 2023 authored by Halliday Lighting and a document titled 'Discharging of Conditions relating to Approval 2021/62/90357/E. Set 1' authored by Martin Walsh Architectural, dated 15th May 2023 (ref: EBDC-MWA-XX-XX-RP-A-0001). Condition 17 should be discharged.

Recommendations

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The applicant is reminded that Kirklees Council has powers under Sections 80 of the Environmental Protection Act 1990 to prevent statutory nuisance including noise, dust, smoke and artificial light and must serve an abatement notice when it is satisfied that a statutory nuisance exists or is likely to occur or recur. Failure to comply with a notice served using the above-mentioned legislation would be an offence for which the maximum fine on summary conviction is unlimited. With this in mind, we recommend that the applicant should also consider the installation of cowls to further protect nearby residential amenity.