

East Bierley Community Sports Association

EBDC-MWA-XX-XX-RP-A-0001

Discharging of Conditions relating to Approval 2021/62/90357/E. Set 1

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.

East Bierley Playing Feilds

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East Bierley



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I. Condition 5&6

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.

Sandersons Associates Consulting Engineers Drawings

Please refer to the drawings submitted with this discharge of conditions application as listed below from the Highway Consultant Sandersons Associates.

File Ref:	Title
152698-C5-0100	General Arrangement
152698-C5-0200	Site Clearance
152698-C5-0500	SW Design
152698-C5-0501	Drainage Details
152698-C5-0502	Surface Areas
152698-C5-0503	Impermeable Areas - WITHDRAWN
152698-C5-0504	SW Long Section
152698-C5-0700	Standard Details
152698-C5-0701	Setting Out
152698-C5-0900	Pavements
152698-C5-1100	Kerbing & Edging Layout
152698-C5-1200	Signs & Road Markings
152698-C6-0100	General Arrangement
152698-C6-0200	Site Clearance

2. Condition 7

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.

Please refer to Martin Walsh Architectural Proposed Site Plan Drawing reference

EBDC-MWA-XX-XX-DR-A_0001_P5 which shows the locations and details for the proposed Bike Shelter. Shelter Details as per below.



Product Name: 10 Cycle Eco Shelter Fully galvanised
including 5 hoop toast rack. Size: 3500 mm long x 2040 mm wide x 2100 mm high

3. Condition 8

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 LP 20, 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.

Please refer to Martin Walsh Architectural Proposed Site Plan Drawing reference

EBDC-MWA-XX-XX-DR-A_0001_P5 which shows the locations of the proposed EV charging bays and confirms the minimum output in line with the above condition.

4. Condition 9

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.

Please refer to the Sanderson Associates Consulting Engineers Travel Plan reference **151535-001** submitted with this discharge of conditions application.

5. Condition 10

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.

Please refer to MWA Site Plan **EBDC-MWA-XX-XX-DR-A_0001_P5** which shows the location of the proposed Bin Store within the car park area. This will allow for access from a refuse vehicle which can enter and leave the site in a forwards motion.

The bin store is to be an enclosed secure timber frame with horizontal boards as per the below comprising:

- An open top to allow ventilation and prevent odours
- Double lockable gates for security
- 2100mm high



The management/collection agreements are shown in the Estates Management Document submitted. A summary is below:

Waste removal is currently a combination of 2 x 110L bins provided by Veolia and a combined waste covered mini skip from Blackburns. The Waste policy is for both providers to collect once a week or once a month depending on the current usage. The strategy going forward will be a combined mini skip collected every 2 weeks when the 3G Pitch is up and running. This gives us greater flexibility, is more cost effective and the waste provider sorts all re-cycling out at the depot.

6. Condition 11

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.*

Please find attached the following Soiltechnics report:

Ground Investigation Report: STU5725-G01_Rev B

7. Condition 16

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.

East Bierley Community Sports Association have an ongoing maintenance plan established with Kirklees Council for the management of the Japanese Knotweed.

The control of Knotweed is covered in section 1.6 of the East Bierley Estate Management plan submitted.

This section is shown below:

Given the schedule of condition on the lease and exclusion of existing ground conditions, it was agreed upon lease commencement that Kirklees Council would Keep this site on their treatment for Japanese knotweed. This management is currently undertaken by "Complete weed control"; a copy of their regime of treatment is attached. As part of the on-going management It is unlikely the regime will change all be it barrier membranes will be installed as part of the 3 G Pitch works to a small area of the surface

Please see the latest following documents:

- Knotweed Survey report by Inspectas reference: **BE1258AF**
- Complete Weed Control Worksheet Log Spring 2023
- East Bierley Estate Management Plan

8. Condition 17

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.

The lighting design has been produced by Halliday Lighting in accordance with the above criteria. Please see the following information submitted as part of this discharge of conditions application:

- Calculux Report HLS4565 Rev 2
- Proposed Floodlighting HLS4565 Rev 3
- 15m Mast Detail – E01
- Siteco FL11 Floodlight Specification
- Siteco SL21 Mini

The specific criteria of this condition are addressed below:

Details of hours of use of all external lighting;

Car Park Lighting:

The carpark lighting will be in accordance with the requirements of The clubhouse/HQ building hereby approved shall not be open to customers outside the hours of condition 19 and will match the below.

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

Pitch Flood Lighting:

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.

Details of the locations, specifications and energy efficiency of all luminaires;

- Please find attached the lighting design showing the column locations, datasheets for the sports lighting along with a datasheet for the masts (data sheets for the sports lighting and masts. See SL21 Mini Carpark Luminaire, Base details (15m Mast) and FL11 Flood Light Details.

The proposed design level of maintained average horizontal illuminance for the areas that are to be illuminated.

- The sports area has been lit to 200 lux average across the playing area as per the FA guidelines.
- The car park has been lit to 20 lux average

The predicted vertical illuminance that would be caused by the proposed lighting when measured at windows of any properties in the vicinity;

- These are shown on the lighting design plan.

Details of any car park lighting;

- These are shown on the lighting design plan.

No proposals for low-level or bollard lighting:

- See attached lighting design plan

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:

- Halliday Lighting have carried out the design using the FLI I SITECO LED which has been designed with maximum flexibility and precision. Glare – free light with 0% obtrusive light that could bother residents and nature.

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:

- The floodlight features a variable dimming facility to allow the end user to tailor the illuminance levels to suit the standard of play. The system can therefore be used at a lower illuminance level for training when the visual task is less taxing resulting in lower energy costs and reduced visual impact. A timeclock will allow the luminaires turn off at a certain time in the evening. One or two luminaires can stay on for say an extra 10 minutes as egress to ensure players get off safe. As they are LED, they can be turned on and off without any warm-up or cool down period.

Details of measures to ensure the lighting's impacts upon habitats and biodiversity are minimised.

- The proposed mounting height has been calculated to ensure that the luminaires are mounted at the optimum height. By using this mounting height the floodlight aperture will remain horizontal. LED Luminaires have also been proposed for all external lighting. The luminaires contain less UV than traditional HID luminaires and therefore have a better impact on the environment and habitat.

9. Condition 29

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 antisocial 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.

Part Discharge (Soft Landscaping Only)

Details of existing and proposed levels, and regrading;

To follow as part of detailed proposals from Sports England pitch design

Species schedule and planting plans;

See Topia Landscape Architects – Soft Landscape Proposals Planting Plans **ref 0209- PP001** and James Royston Tree Survey **Reference 221220 TS**

Details of initial aftercare and long-term maintenance;

See Topia landscape Architects – Soft Landscape Proposals Planting Plans **ref 0209- PP001**
Specification notes for Maintenance for initial aftercare for soft landscape and establishment period (5 years)

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;

See Topia landscape Architects – Soft Landscape Proposals Planting Plans **ref 0209- PP001**
Specification Notes includes remedial measures for soft landscape.

Details (including samples, if requested), of paving and other hard surface materials;

Hard landscaping details to follow as part of detailed proposals from Sports England

Details of how soft landscaping has been designed to prevent and deter crime and anti-social behaviour.

This comment is more applicable to a residential development therefore we don't consider this is applicable to this type of development. As the site is fenced, then the design of the soft landscape

becomes superfluous. The perimeter hedgerow to the northern and eastern boundaries would deter access from surrounding fields. The development itself is fenced with security fencing, deterring public access.

10. Condition 30

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.

Please see the submitted BEMP by Brooks Ecological, reference **ER-6506-01 BMP** and associated **Biodiversity Metric 3.1** Calculations which detail the above