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:	**2024/44/92976/W**
Site Address:	Greenhead College, Greenhead Road, Huddersfield, HD1 4ES
Description:	Discharge of details reserved by conditions 22 and 27 (noise), 31 (landscaping) of permission 2021/93674 for partial redevelopment of Greenhead College including demolition and making good, erection of 2 and 4 storey buildings, reconfiguration of parking and access arrangements, reconfiguration of sports provision and other associated external works (within a Conservation Area)
Recommending Officer:	Victor Grayson

DECISION – DISCHARGE OF CONDITIONS APPROVED

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

Majors Team

AUTHORISED OFFICER

Date: 25-Nov-2024

Application: 2024/92976

Site: Greenhead College, Greenhead Road, Huddersfield

Proposal: Discharge of details reserved by conditions 22 and 27 (noise) and 31 (landscaping) of permission 2021/93674 for partial redevelopment of Greenhead College including demolition and making good, erection of 2 and 4 storey buildings, reconfiguration of parking and access arrangements, reconfiguration of sports provision and other associated external work

Assessment

<u>Conditions 22 and 27 (noise)</u>

Condition wording:

22. Prior to each of the hereby approved 'new main build' as shown on plan ref. 'NE8659- RYD-01-ZZ-DR-A-3600 rev. P8', and the 'courtyard infill' as shown on plan ref. NE8659- RYD-02-ZZ-DR-A-3602 rev. P7 being brought into use, all works which form part of the sound attenuation scheme for that building, as specified in the Apex Acoustics Noise Impact Assessment dated 26th November 2021 (ref: NE8659-APX-ZZ-ZZ-RP-YA-0002 rev. P06) shall be completed and written evidence to demonstrate that the specified noise levels have been achieved shall be submitted to and approved in writing by the Local Planning Authority. If it cannot be demonstrated that the noise levels specified in the aforementioned Noise Report have been achieved, then a further scheme shall be submitted for the written approval of the Local Planning Authority incorporating further measures to achieve those noise levels. All works comprised within those further measures shall be completed and written evidence to demonstrate that the aforementioned noise levels have been achieved shall be submitted to and approved in writing by the Local Planning Authority before each building is first brought into use.
Reason: *To protect the amenity of neighbouring residents through managing noise pollution, in accordance with Policies LP24 and LP52 of the Kirklees Local Plan.*

27. Prior to above-ground building works commencing, (excluding the demolition of existing structures and temporary car parking provision), a further noise assessment report by a suitably competent person shall be submitted to and approved in writing by the Local Planning Authority. The report shall include:

- *An assessment of all of the noise emissions from the proposed development including (but not limited to) from the use of the sports pitches, car parking and mechanical plant;*
- *Details of existing background and predicted future noise levels at the boundary of the nearest noise sensitive premises;*

• A written scheme of how the occupants of the above-mentioned noise sensitive premises will be protected from noise from the proposed development including details of all necessary noise attenuation; and

• Details of a scheme to minimise noise from the impact of balls against fencing and or enclosures.

Each phase of the development shall be implemented in accordance with the measures specified in the approved report and those measures shall be thereafter retained.

Reason: *To protect the amenity of neighbouring residents through managing noise pollution, in accordance with Policies LP24 and LP52 of the Kirklees Local Plan.*

Of note, details submitted pursuant to condition 22 have already been approved on 13/07/2023 under application 2023/91192, and details submitted pursuant to condition 27 have already been approved on 06/07/2023 under application 2022/91284.

Also of note, the applicant is currently seeking approval of an amendment to the wording of condition 22 under Non-Material Amendment application 2024/92974. That application is currently subject to an officer's recommendation for approval. The proposed amendment to the wording of condition 22 would not materially affect the assessment of this parallel Discharge of Conditions application.

The applicant's covering letter of 16/10/2024 explains that a further submission has been made pursuant to conditions 22 and 27 to align the details with the amendments proposed under the parallel Non-Material Amendment application 2024/92974.

For this Discharge of Conditions application, the applicant has submitted the following pursuant to conditions 22 and 27:

- Addendum to Noise Impact Assessment (Apex Acoustics, ref: NE8659-APX-02-ZZ-RP-YA-0006 rev P01, dated 09/09/2024)

The submitted document is an addendum to the applicant's previously-approved noise information, and has been reviewed by KC Environmental Health, who have stated (in comments dated 15/11/2024):

> *Based upon measured background levels and the manufacturers noise levels, modelling has been conducted as shown in figure 2 which shows it meets with the requirements of the approved Noise Impact Assessment. The findings are accepted.*

Given the above assessment, it is recommended that the submitted details be approved pursuant to conditions 22 and 27. It is also recommended that the applicant be reminded of the ongoing requirements of conditions 22 and 27.

Condition 31 (landscaping)

Condition wording:

> *31. Notwithstanding the submitted information, prior to landscaping works commencing, a comprehensive schedule of hard and soft landscaping, with timescales, and a maintenance plan to cover a minimum of five years, shall be submitted to and approved in writing by, the Local Planning Authority. The soft landscaping scheme shall include an assessment of the trees to be removed, mitigatory tree re-planting and layout, species, number, density and size of trees and plants and/or seed mixes and sowing rates, including extensive use of native species. The development shall thereafter be carried out in complete accordance with the approved schedule and timescales. 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. The hard landscape proposals shall thereafter be retained.*
> ***Reason:*** *In the interest of visual and residential amenity, to ensure that there is a well laid out scheme of hard and soft landscaping, to comply with the aims and objectives of Policies LP24 and LP63 of the Kirklees Local Plan.*

Of note, details submitted pursuant to condition 31 have already been approved on 06/07/2023 under application 2022/91284.

The applicant's covering letter of 16/10/2024 again explains that a further submission has been made pursuant to condition 31 to align the details with the amendments proposed under the parallel Non-Material Amendment application 2024/92974.

For this Discharge of Conditions application, the applicant has submitted the following pursuant to condition 31:

- NE8659-OOB-ZZ-00-DR-L-0400 rev C18 - Proposed Planting Plan Overview
- NE8659-OOB-ZZ-00-DR-L-0401 rev C14 - Proposed Planting Plan Sheet 1
- NE8659-OOB-ZZ-00-DR-L-0402 rev C15 - Proposed Planting Plan Sheet 2
- NE8659-OOB-ZZ-00-DR-L-0403 rev C17 - Proposed Planting Plan Sheet 3
- NE8659-OOB-ZZ-00-DR-L-0404 rev C14 - Proposed Planting Plan Sheet 4

The landscaping proposals detailed in the above-listed drawings do not vary significantly from those previously approved on 06/07/2023 under application 2022/91284, and are similarly considered acceptable.

Given the above assessment, it is recommended that the submitted details be approved pursuant to condition 31. It is also recommended that the applicant be reminded of the ongoing requirements of condition 31.

Recommendation: Approve details.

Report Dated: 22/11/2024

Decision letter text

Condition 22 and 27 (noise)

You have submitted the following pursuant to conditions 22 and 27:

- Addendum to Noise Impact Assessment (Apex Acoustics, ref: NE8659-APX-02-ZZ-RP-YA-0006 rev P01, dated 09/09/2024)

Details set out in the above document (which is an addendum to the applicant's previously-approved noise information) are considered acceptable for the purposes of conditions 22 and 27, and are hereby approved.

Please be reminded of the further requirements of condition 22, which state:

> *If it cannot be demonstrated that the noise levels specified in the aforementioned Noise Report have been achieved, then a further scheme shall be submitted for the written approval of the Local Planning Authority incorporating further measures to achieve those noise levels. All works comprised within those further measures shall be completed and written evidence to demonstrate that the aforementioned noise levels have been achieved shall be submitted to and approved in writing by the Local Planning Authority before each building is first brought into use.*

Please also be reminded of the further requirements of condition 27, which state:

> *Each phase of the development shall be implemented in accordance with the measures specified in the approved report and those measures shall be thereafter retained.*

Condition 31 (landscaping)

You have submitted the following pursuant to condition 31:

- NE8659-OOB-ZZ-00-DR-L-0400 rev C18 - Proposed Planting Plan Overview
- NE8659-OOB-ZZ-00-DR-L-0401 rev C14 - Proposed Planting Plan Sheet 1
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- NE8659-OOB-ZZ-00-DR-L-0403 rev C17 - Proposed Planting Plan Sheet 3
- NE8659-OOB-ZZ-00-DR-L-0404 rev C14 - Proposed Planting Plan Sheet 4

Details set out in the above drawings are considered acceptable for the purposes of condition 31, and are hereby approved.

Please be reminded of the further requirements of condition 31, which state:

> *The development shall thereafter be carried out in complete accordance with the approved schedule and timescales. 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. The hard landscape proposals shall thereafter be retained.*