KIRKLEES METROPOLITAN COUNCIL
INVESTMENT & REGENERATION SERVICE

DEVELOPMENT MANAGEMENT

Town and Country Planning Act 1990 (as amended) – SECTION 70

DELEGATED DECISION TO DETERMINE PLANNING APPLICATIONS

Reference No:	**2024/62/93346/W**
Site Address:	Hawkroyd Bank Recreation Ground, Hawkroyd Bank Road, Netherton, Huddersfield, HD4 7JW
Description:	Demolition of existing buildings and erection of club house
Recommending Officer:	Lucy Taylor

DECISION – CONDITIONAL FULL PERMISSION

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.

John Holmes

AUTHORISED OFFICER

Date: 21st March 2025

Officer Report.

Reference: 2024/93346

Location: Hawkroyd Bank Recreation Ground, Hawkroyd Bank Road, Netherton, Huddersfield, HD4 7JW

Proposal: Demolition of existing buildings and erection of club house

Site Description.

Hawkroyd Bank Recreation Ground is designated as an Urban Green Space (UGS) within the Kirklees Local Plan, specifically UG66. The existing buildings lie within an established recreational area. To the north of the site are residential properties, to the east is a children's play area.

Public footpath HUD/224/10 runs through Hawkroyd Bank Recreation Ground, although not through the part of the site which is the subject of this application.

The existing buildings, to be demolished, are a green monopitch building which has the appearance of a portable building which has been secured at the site and also a steel container structure which is blue. An area of hard standing (concrete slab paving) is to the front of these buildings.

Description of Proposal.

Planning permission is sought for the demolition of existing buildings and erection of club house.

The proposed club house will have the following dimensions:

- Width (front and rear elevations) - 19.8 metres
- Depth (side elevations) – 11 metres
- Height – 6.4 metres to the roof ridge, 2.6m in height to the eaves.

The walls / external finish of the building will be black corrugated steel cladding and white render.

The roof of the building will be constructed from black corrugated steel and will accommodate solar panels.

The club house will have the following internally:

- Two changing rooms, each with integrated showers and toilets
- A function room with a bar and a kitchen
- Officials and first-aid rooms to support club operations
- Male WC, Female WC and disabled WC

The site is accessible via Hawkroyd Bank Road, this access will remain unchanged. The existing parking provision is also to be retained.

History of Negotiations / Amendments Received.

The case officer entered into negotiation with the planning agent regarding the siting of the proposed club house and the red line boundary of the site. As originally proposed, the application site crossed onto an area of 'charity land', which would have affected the Council's ability to grant a lease. Therefore, the planning agent submitted amended plans, with a new red line boundary.

Whilst amended plans and a new red line boundary were submitted, it was not considered necessary to re-advertise this application. This is because, the principle of development remained the same and the extent of the red line boundary was reduced.

In addition, the planning agent submitted details relating to Biodiversity Net Gain. As a result of these submitted details, formal / informal consultations were undertaken with KC Ecology. It is noted that this information was requested by the case officer as the exemptions set out in the submitted BNG Exemption Statement by Heneghan Architecture were not considered to be valid against the legislation.

Relevant Planning History.

- 2000/92959 – Erection of new changing room facilities building. *Granted Conditional Full Permission.*

- 2002/91097 – Erection of changing room facilities. *Granted Conditional Full Permission.*

Representations.

The application was advertised via neighbour notification letters, a site notice and within the newspaper.

Final publicity date expired: 6th January 2025.

In response to publicity, one objection and ten supporting comments were received.

The **objection** raises the following concerns:

Traffic & Parking Issues:

- Current football events already cause significant disruptions, with parking spilling onto residential streets and creating congestion. This leads to safety risks for both pedestrians and drivers. The proposed expansion will attract more visitors, worsening these problems. Existing

parking and traffic management are inadequate, and this development does nothing to address the current issues.

Size & Design of Club House:

- The proposed building is excessively large and has an industrial appearance that is out of place in a residential and greenspace setting. The black steel cladding is stark and clashes with the natural environment, failing to integrate with the surrounding area.

Function Room & Bar:

- The inclusion of a function room and bar is unnecessary and shifts the purpose of the field from a recreational area to a venue for non-sporting events. This will increase noise pollution, traffic, and disruption for residents. Focus should remain on providing essential facilities for sports rather than creating a commercial venue.

Impact on Urban Greenspace:

- Coronation Field has long been a park for the local community, intended for diverse recreational use. Over time, the football club's activities have increasingly dominated the space, limiting its availability for other users. Further encroachment contradicts the principles of the Urban Greenspace designation, which aims to protect open spaces for all members of the community.

Environmental Concerns:

- The environmental impact of constructing a larger building is significant, particularly with materials like steel. Although solar panels are mentioned, the proposal lacks other meaningful sustainability measures. Additionally, noise pollution from increased events would harm the tranquillity of the area.

Community Usage & Events:

- The current volume of football events already causes frequent disturbances. Adding facilities like a bar and function room will inevitably lead to more events, further disrupting the quiet enjoyment of nearby homes.

Historical & Community Context:

- Coronation Field has been a community park for over a century, and this proposal risks alienating non-football users. Expanding the football club's dominance over the field disregards its historical purpose as a shared public amenity. The council must ensure the field remains inclusive and accessible to all.

The **supporting comments** set out the following:

- The current facilities are outdated and in need of replacement which will improve the visual appearance of the space and improve provision of community services in the area. This is a project that will have a positive impact on children and families and supports the local provision for diversionary activity and volunteering opportunities. There have been a large number of new family homes built recently in Netherton, and the community sporting facilities need to reflect the increased demand that this will create.

- This will be wonderful for the local community; the present building certainly needs updating and is an eyesore.

- This will enhance the club's offering to the community and ensure the smooth running of the club now and in the future. The current facilities are inadequate, and this design will put the club on the map. This is already an essential part of many young people's lives; the building of a wonderful new club house will make the club more attractive to new members.

- Club house is unsafe and falling to bits. Planning on having a community hub for Netherton's village. This will help bring the community together and have a safe place for children to socialise and change etc.

- Massive improvement on the current eyesore of a clubhouse. Will be great for the community and children of Netherton.

- This will be a fantastic improvement for both the local football club and nearby residents. NJFC contributes significantly to the community, but their current clubhouse is in extremely poor condition and urgently needs to be replaced. While the dedicated volunteers do their best to make do with the existing facility, it's only a matter of time before it becomes completely unusable.

- The current structure is very tired, and the new facility would be great for the community and the local children.

- Will be great to see this dated eyesore of a building demolished and a new building erected which will be a great addition for the kids and local community.

- Redeveloping the clubhouse will be fantastic for not only the children and grown-ups who are associated with the club, but also the local community. Many members of the local community pop into the clubhouse for refreshments and it's an important community facility that goes far beyond the children and their families who play for the club.

- This is a great thing for the local community and kids going forward for years to come.

The content of third party representations is taken into account within the 'Assessment' section of this report.

Consultation Responses.

KC Environmental Health (formal) – no objections to the proposal, with the inclusion of conditions / footnotes upon any grant of approval regarding noise, contaminated land, hours of use and food safety.

KC Highways Development Management (formal) – consider that the application is acceptable on highways grounds with a condition regarding details of servicing (deliveries, waste storage, bin presentation points, collection of wastes) upon any grant of approval.

Sport England (formal) – raises no objection to the application because it is considered to accord with Exception E2 of Sport England's Play Fields Policy and paragraph 103 of the NPPF.

KC Ecology (formal & informal) – No objection to the application with the inclusion of conditions and informatives upon any grant of approval regarding Biodiversity Net Gain, bats and birds.

Policy.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory Development Plan for Kirklees is the Local Plan (adopted 27th February 2019).

Hawkroyd Bank Recreation Ground is designated as an Urban Green Space within the Kirklees Local Plan, specifically UG66.

Public footpath HUD/224/10 runs through Hawkroyd Bank Recreation Ground.

The application site is located within an area with a known presence of bats.

The application site is located within an area identified by the Coal Authority as being at low risk of ground movement as a result of former mining activity.

Kirklees Local Plan:

- LP1 – Achieving Sustainable Development
- LP2 – Place Shaping
- LP21 – Highway Safety
- LP22 – Parking
- LP23 – Core Walking & Cycling Network

- LP24 – Design
- LP30 – Biodiversity & Geodiversity
- LP50 – Sport and Physical Activity
- LP52 – Protection and Improvement of Environmental Quality
- LP53 – Contaminated and Unstable Land
- LP61 – Urban Green Space

National Policies and Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published December 2024, the Planning Practice Guidance Suite (PPGS) first launched 6th March 2014 together with Circulars, Ministerial Statements and associated technical guidance.

The NPPF constitutes guidance for local planning authorities and is a material consideration in determining applications:

- Chapter 2 – Achieving Sustainable Development
- Chapter 8 – Promoting Healthy and Safe Communities
- Chapter 12 – Achieving Well-Designed Places
- Chapter 15 – Conserving and Enhancing the Natural Environment

Assessment.

1) **Principle of Development**

Sustainable Development:

Chapter 2 of the NPPF states that: *"Planning policies and decisions should play an active role in guiding development towards sustainable solutions…"*

Chapter 2 of the NPPF goes onto further state that objectives should: *"support strong, vibrant and healthy communities, providing the supply of housing required to meet the needs of present and future generations; and by fostering a well-designed and safe built environment…"*

In line with the NPPF, Policy LP1 of the Kirklees Local Plan (KLP) declares that: *"…the council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF."*

Policy LP1 goes further and states: *"The council will always work pro-actively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area."*

Policy LP2 sets out that all development proposals should seek to build on the strengths, opportunities and help address challenges identified in the Local Plan. Policy LP24 of the KLP is relevant and states that *"good design should be at the core of all proposals in the district."*

Urban Green Space:

Third party concerns are raised in relation to the impact of the development upon the use of the UGS. These are taken into account in the following assessment.

The application site is allocated as Urban Green Space UG66.

Paragraph 103 of Chapter 8 of the NPPF, entitled 'Promoting Healthy and Safe Communities', sets out that *"Access to a network of high-quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities, and can deliver wider benefits for nature and support efforts to address climate change."*

Policy LP50 of the Kirklees Local Plan states that *"The council will seek to protect, enhance and support new and existing open spaces, outdoor and indoor sport and leisure facilities where appropriate, encouraging everyone in Kirklees to be as physically active as possible and promoting a healthier lifestyle for all."*

Policy LP61 of the Kirklees Local Plan sets out that *"Development proposals which would result in the loss of urban green space (as identified on the Policies Map) will only be permitted where:*

a. *an assessment shows the open space is clearly no longer required to meet local needs for open space, sport or recreational facilities and does not make an important contribution in terms of visual amenity, landscape or biodiversity value; or*
b. *replacement open space, sport or recreational facilities which are equivalent or better in size and quality are provided elsewhere within an easily accessible location for existing and potential new users; or*
c. *the proposal is for an alternative open space, sport or recreation use that is needed to help address identified deficiencies and clearly outweighs the loss of the existing green space."*

The proposal seeks permission for the demolition of existing buildings and the erection of a club house in association with Netherton Junior Football Club. The proposal does not seek to change or alter the existing use of the sports pitches at Hawkroyd Bank Recreation Ground, which are considered to be an acceptable use of land within designated Urban Green Space.

Regarding the sports pitches, within the formal consultation from Sport England, the following comment from the Football Foundation (who provide observations to Sport England on behalf of the Football Association) was made: *"The proposed clubhouse development does not impact on the pitch or its safety margin and would leave a 4.7 metre safety margin between the canopy and pitch."*

Sport England conclude within their consultation response that: *"…as the proposal does not negatively impact on the pitches and is an ancillary facility to support the use of the playing field, having assessed the application, Sport England is satisfied that this element of the proposed development meets Exception E2 of our playing fields policy."*

Officers have calculated the footprint of the existing buildings at Hawkroyd Bank Recreation Ground to be demolished as part of this proposal, as well as the footprint of the associated areas surfaced in flagstones, to have a footprint of approximately 138m^2.

Turning to the proposed clubhouse, the proposed structure is to have a footprint of approximately 198m^2. Therefore, the proposed club is considered to be greater in footprint than the existing buildings and associated areas of flagstone surfacing by approximately 60m^2.

Whilst the difference in footprint between existing and proposed demonstrates a marginal loss of urban green space, the proposals are for a clubhouse in association with Netherton Junior Football Club, which are of a better size and quality. The replacement sports facilities sought would contribute to the wider functions of the club allowing for better use of the building / site in terms of associated activities, as well as the functional role for the provision of sport.

Officers also note that inclusive access has been considered as part of the proposals, with the submitted Design & Access Statement setting out that: *"The proposal considers the needs of all potential users, including those with disabilities. The building will comply with current accessibility standards, including level access points, wide corridors, and appropriate signage. The size of the rooms ensure that visitors of the building can use the space safely and comfortably."*

The area the building would be sited is already largely given over to built form, the proposal would be in the main read as continuing the existing arrangement within the area of urban green space. The role and function of the building is a wider community use and will contribute to the provision of sport / recreation and have a complimentary impact to the UGS. Activity taking place at the building has the potential to encourage more general use of the UGS through the impression of more active surveillance of the UGS.

Whilst there is a minimal loss of land which is currently available to the public, consideration is given to this lack of accordance with the Development Plan (in this case LP61) and whether material considerations indicate non conformance is outweighed by other factors. In this case there are considered to be a number of factors which weigh in favour of the principle of the development:

- Improved facilities for an existing club
- Fact usable sports pitches will remain
- Minimal extent of the loss of UGS

- Benefits of the proposal more generally upon the wider UGS allocation, in this case more activity / provision of facilities which have the potential to encourage more general use of the UGS and allow use of the proposed facilities more generally.

In this case, when weighed against the minimal extent of the loss of an area of UGS which is currently open to the public, it is considered that the principle of development is acceptable in this instance, having regard to Chapter 8 of the NPPF and Policies LP50 and LP61 of the Kirklees Local Plan.

Subject to the proposal being considered acceptable in relation to the considerations set out in the following report, the principle of development is concluded to be acceptable.

2) Impact on Visual Amenity

Third party concerns are raised in relation to the visual impact of the proposal. These are taken into account in the following assessment of the impact of the proposal upon visual amenity.

Section 12 of the NPPF discusses good design. Good design is a key aspect of sustainable development, it creates better places in which to live and work and helps to make development acceptable to communities. Local Plan Policies LP1, LP2 and most importantly LP24, are all also relevant. All the policies seek to achieve good quality design that retains a sense of local identity, which is in keeping with the scale of development in the local area and is visually attractive.

Local Plan Policy LP24(a) states that all proposals should promote good design by ensuring the following: *'the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape'.*

With regard to the proposed appearance of the clubhouse, the following arguments have been put forward within the submitted Design & Access Statement:

- *"The appearance of the clubhouse is modern and purposeful, achieved through a combination of black corrugated steel cladding and white render.*

- *Corrugated steel is highly weather-resistant, protecting the building from harsh conditions, including heavy rainfall and snowfall. Its strength ensures the clubhouse will have a long lifespan with minimal maintenance. The steel cladding is recyclable, aligning with the eco-conscious goals of the project, with reflective properties to reduce heat absorption, lowering cooling requirements during warmer months.*

- *The clean lines of the render and dark finish of the steel cladding modernise the design, offering a sleek and professional appearance that reflects the progressive ambitions of the football club.*

- *The contrast between the black steel and white render at the entrance highlights the building's access point and adds visual interest.*

- *The material's versatility allows for easy integration with other design features, such as the rendered entrance and frosted glazing.*

- *The subdued black finish ensures the building blends into the surrounding environment rather than dominating it. This minimises visual disruption to the adjacent residential properties and the Urban Greenspace setting."*

Officers consider that the proposed replacement club house is of a higher design quality than the existing buildings at Hawkroyd Bank Recreation Ground. The proposed club house will have a more formalised appearance, erecting a structure with the appearance of being of a greater degree of permanance, with a more appealing appearance for use by both the Football Club and the wider community. The proposed principal elevation hosts fenestration detailing to highlight the building's access point to users and includes forms of glazing which add visual interest.

Given the playing pitches established at Hawkroyd Bank Recreation Ground, the building is considered to complement the setting of the urban green space, and is of a typical design for buildings which serve such a use for sport and recreation.

The materials of black corrugated steel cladding and white render are considered acceptable. Whilst it is noted that the building will be visible from public vantage points, the structure will be viewed as a stand along built form within the grounds of Hawkroyd Bank Recreation Ground, to serve the existing football pitches. Therefore, whilst officer's note that the materials are not entirely in keeping with the surrounding residential properties, given the siting of the proposed club house, and that the building is to serve a sport and recreational use, the justifications put forward for the use of black corrugated steel cladding and white render are accepted. Officers do not consider that the use of the proposed materials would pose detriment to the character or setting of the wider urban green space site.

A condition of any permission would require the development be undertaken in accordance with the submitted plans, which detail the materials of construction upon them.

Given the above, subject to condition requiring the scheme to be undertaken in accordance with the approved plans, the proposed development is considered acceptable in regard to visual amenity, in accordance with Policies LP1, LP2 and LP24 of the Kirklees Local Plan and Chapter 12 of the NPPF.

3) Impact on Residential Amenity

Third party concerns are raised in relation to the wider use of the building, given the plans include a function room, and the resultant impact as a result of noise / disturbance. These are taken into account in the following assessment of the impact of the proposal upon residential amenity.

Section B of Policy LP24 of the Kirklees Local Plan states that proposals should promote good design by ensuring they provide a high standard of amenity for future and neighbouring occupiers.

Further to this, Paragraph 135 of the National Planning Policy Framework states that planning decisions should ensure that developments have a high standard of amenity for existing and future users.

The proposed club house will maintain a minimum separation distance of approximately 8 metres from the closest shared boundary with a neighbouring residential property (No. 28 Hawkroyd Bank Road) and an even greater separation distance of over 30 metres from the siting of the closest neighbouring dwellinghouse itself. Given these separation distances, it is not considered that the proposal would result in any undue impacts of overbearing or overshadowing to neighbouring residential properties.

In addition, given the separation distances described above, as well as the position of glazing to the proposed club house, the development is not considered to result in any undue impacts to the privacy of neighbouring residential properties.

Within the formal consultation from KC Environmental Health, officers set out that, looking at the size of the proposal and the proposed operating times, no serious concerns regarding an increase to existing noise in the locality are raised. However, KC Environmental Health Officers did acknowledge the presence of sensitive receptors surrounding the larger field and therefore, recommend the inclusion of conditions upon any grant of approval, to secure the proposed opening times of the club house and for a noise management plan to be submitted prior to the premises being brought into use.

To ensure artificial lighting is not undertaken such that it has a harmful impact upon the amenity of neighbouring occupiers, a condition is recommended to require a scheme of lighting to be submitted to, and agreed in writing by, the LPA.

No noise assessment has been submitted as part of the application; however it is considered that with the inclusion of the aforementioned conditions, noise can be suitably mitigated / controlled to ensure it would not have a harmful impact upon neighbouring occupiers. Subject to conditions requiring submission of a noise management plan and which restrict the hours of use the proposal is considered to appropriately accord with Policy 24 of the Kirklees Local Plan and Chapter 12 of the NPPF with regard to impacts on residential amenity.

4) **Impact on Highway Safety**

Concerns are raised by a third party in relation to impact of the proposal in relation to traffic / parking associated with the development. These are taken into account in the following assessment.

Local Plan Policies LP21 and LP22 are relevant and seek to ensure that proposals do not have a detrimental impact to highway safety and provide sufficient parking.

The NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

As part of the assessment and determination of this application, a formal consultation was undertaken with KC Highways Development Management. Within their consultation response, KC Highways Development Management set out the following:

> *"This application is for the demolition of existing buildings and the erection of a club house to the edge of an existing sports and recreation field with informal parking and an existing access on to Hawkroyd Bank Road, a 30mph two-way single carriageway local access road of approximately 7.3m width with street lighting and footways on both sides adjacent to the application site playing fields, but with no footways to the north of the access.*
>
> *The site is approximately 55m from a stop on a low frequency bus route with stops on a high frequency bus route being approximately 1km away.*
>
> *The proposals are to demolish the existing changing room/storage facilities and replace them with a new clubhouse with home/away and officials changing facilities, supporters' toilets and a kitchen and bar with a small function room.*
>
> *The access remains as existing, and no changes are expected to be made to it.*
>
> *Although the improved facilities may encourage a slightly higher attendance at matches, we doubt that any increase in trip generation caused by the improved facilities would be sufficient as to have a severe impact on the operation or efficiency of the local highway network and that the main generator of trips would be the football matches already taking place.*

The use of the function room for events would be restricted as the function room measures approximately 6m x 6m and this would severely limit the number of attendees.

The informal parking at the site is not being changed with the proposals, and although we appreciate that some on street parking may occur during matches that may be disruptive to local residents, we do not consider that the proposals would generate sufficient additional parking demand as to have a severe impact.

As the proposals contain a bar and a kitchen, we would expect a level of servicing to be generated. Waste collection would need to be with Kirklees commercial waste or a private waste contractor and we would like to see details of waste storage and collection, including a collection presentation point at the rear of the adopted highway if waste collection vehicles are not expected to enter the site, and if they are expected to enter the site, then a swept path analysis to show that this can safely be done from the adopted highway and that the collection vehicle can turn on site so it enters and exits the site in forward gear for highway safety reasons. It is noted that the vehicular access to the site is controlled via a bollard, and we would need to know how this access would be controlled for waste collection and servicing. This should be provided as a waste and servicing management plan/statement, and this can be conditioned."

The formal consultation from KC Highways Development Management concludes that the application is acceptable on highways grounds with a condition regarding details of servicing including access for deliveries, suitable waste storage, bin presentation points and access for collection of wastes from the premises.

Concerns have been raised in relation to traffic generated as a result of the sport / recreation use. It is considered that a replacement of the existing facilities would not impact upon the ability for the use of the sports pitches to be undertaken in any event.

It is considered that to refuse permission on the basis of the traffic impact which results from the wider sport / recreation use of the UGS could not be substantiated in this case and the replacement of the building would not have a significant impact on the ability for the wider use to take place.

Having regard to the response of the Highways Team, and the scale / nature of the proposed development it is considered that with the inclusion of the aforementioned condition, the proposal is considered to be acceptable with regards to highway safety, in accordance with Policies LP21 and LP22 of the Kirklees Local Plan.

5) Other Matters

Climate Change:

On 12th November 2019, the Council adopted a target for achieving ‘net zero’ carbon emissions by 2038, with an accompanying carbon budget set by the Tyndall Centre for Climate Change Research. National Planning Policy includes a requirement to promote carbon reduction and enhance resilience to climate change through the planning system and these principles have been incorporated into the formulation of Local Plan policies. The Local Plan predates the declaration of a climate emergency and the net zero carbon target however, it includes a series of policies which are used to assess the suitability of planning applications in the context of climate change. When determining planning application’s, the Council will use the relevant Local Plan policies and guidance documents to embed the climate change agenda.

As part of this application, a Climate Change Statement was submitted. This Statement included details of the following mitigation measures:

- The proposed new building shall be designed using a ‘fabric first’ approach, prioritising design and construction to improve thermal performance and reduce the need for energy.

- The proposal will accord with current Building Regulations.

- Any existing materials will be re-used where applicable. New materials will be sourced locally.

- The proposal will have low energy LED lighting throughout and clad in recycled corrugated steel cladding.

- The building will be well insulated, with a large roof span to provide sufficient solar panels to ensure all or most of the energy required for the building comes from a renewable source.

- Paths and hardstanding will be permeable.

- The increase in the rainwater collection area is small so the proposal does not increase the risk of flooding on the site or elsewhere.

- Construction labour to be sourced locally to avoid excessive journeys.

Given the above, in this case, it is considered that the resultant development would have an acceptable impact on Climate Change. Officers note that, as well as the details within the submitted Climate Change Statement, the club house would have to be constructed to modern building standards.

Public Footpath:

Policy LP23 of the Kirklees Local Plan seeks to protect core walking and cycling networks.

Public footpath HUD/224/10 runs through Hawkroyd Bank Recreation Ground. The proposed replacement club house will be sited to the same siting within the urban green space as the existing buildings. Whilst of a larger size / scale, the new club house will not impact upon the usability or functionality of public footpath HUD/224/10, sufficiently separated to allow it's continued use.

In turn, the proposal is considered to appropriately accord with Policy LP23 of the Kirklees Local Plan.

Ecology / Biodiversity:

Chapter 15 of the National Planning Policy Framework is relevant, together with The Conservation of Habitats and Species Regulations 2017 which protect, by law, the habitat and animals of certain species including newts, bats and badgers.

Policy LP30 of the Kirklees Local Plan requires that proposals protect Habitats and Species of Principal Importance. Principle 7 of the Housebuilders Design Guide Supplementary Planning Document is also of relevance. Which seeks to ensure existing features such as trees, habitats and landscape features are retained.

The application site is located within an area with a known presence of bats.

Whilst officer's note demolition works are proposed as part of this application, to the existing buildings, given the design, roofing forms and exterior materials of these buildings, they are considered to have a low likelihood of roosting bats. As such, the demolition and replacement of these buildings is considered to be acceptable with regard to impacts to biodiversity / ecology, with the inclusion of a condition to ensure the provision of a bat box to the new club house upon any grant of approval.

In addition, regarding the known presence of bats within the area of the application site, a condition shall also be included upon any grant of approval regarding any lighting proposed as part of the development.

In terms of birds, upon any grant of approval, an informative shall be included, setting out details regarding the protection of wild birds.

The Biodiversity Net Gain Technical Advice Note sets out that minor developments are subject to the mitigation hierarchy outlined within Chapter 2.2 and will still be required to demonstrate a net gain for biodiversity. Chapter 2.2 of the advice note details a mitigation hierarchy of avoid, mitigate, compensate, offset and finally enhance.

As part of this application, a 'Small Sites Metric (The Statutory Biodiversity Metric)' has been submitted.

Under the legislation, a condition is in place by law. The biodiversity gain condition has its own separate statutory basis, as a planning condition under paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990.

As such, it is not considered necessary for any further condition to be in place upon any grant of permission relating to Biodiversity Net Gain, given the statutory requirements in relation to biodiversity. Therefore, subject to the inclusion of the recommended informative note, the proposal is considered to be acceptable with regard to Biodiversity Net Gain.

Contaminated Land:

With regard to land quality, paragraphs 187, 196 and 197 of the National Planning Policy Framework and policy LP53 of the Kirklees Local Plan which seeks to ensure land quality is maintained as part of new development are considered to be relevant.

Upon formal consultation, KC Environmental Health confirmed that the proposed building is not shown to be on land identified as potentially contaminated and is not within a Coal Authority high risk development area.

There are historic quarries in the wider locality that may have been infilled and groundworks are proposed, KC Environmental Health therefore recommend a condition in relation to unexpected contamination upon any grant of approval.

6) Representations

In response to publicity, one objection was received, and ten supporting comments were received. The representations are set out below, accompanied by an officer response.

The **objection** raised the following concerns:

Traffic & Parking Issues:

- Current football events already cause significant disruptions, with parking spilling onto residential streets and creating congestion. This leads to safety risks for both pedestrians and drivers. The proposed expansion will attract more visitors, worsening these problems. Existing parking and traffic management are inadequate, and this development does nothing to address the current issues.

Officer Response: Section 4 of this report, addresses this objection.

Size & Design of Club House:

- The proposed building is excessively large and has an industrial appearance that is out of place in a residential and greenspace setting. The black steel cladding is stark and clashes with the natural environment, failing to integrate with the surrounding area.

Officer Response: Section 2 of this report, addresses this objection.

Function Room & Bar:

- The inclusion of a function room and bar is unnecessary and shifts the purpose of the field from a recreational area to a venue for non-sporting events. This will increase noise pollution, traffic, and disruption for residents. Focus should remain on providing essential facilities for sports rather than creating a commercial venue.

Officer Response: Section 3 of this report, addresses this objection.

Impact on Urban Greenspace:

- Coronation Field has long been a park for the local community, intended for diverse recreational use. Over time, the football club's activities have increasingly dominated the space, limiting its availability for other users. Further encroachment contradicts the principles of the Urban Greenspace designation, which aims to protect open spaces for all members of the community.

Officer Response: Section 1 of this report, addresses this objection.

Environmental Concerns:

- The environmental impact of constructing a larger building is significant, particularly with materials like steel. Although solar panels are mentioned, the proposal lacks other meaningful sustainability measures. Additionally, noise pollution from increased events would harm the tranquillity of the area.

Officer Response: Sections 2, 3 & 5 of this report, address this objection.

Community Usage & Events:

- The current volume of football events already causes frequent disturbances. Adding facilities like a bar and function room will inevitably lead to more events, further disrupting the quiet enjoyment of nearby homes.

Officer Response: Sections 3 & 4 of this report, address this objection.

Historical & Community Context:

- Coronation Field has been a community park for over a century, and this proposal risks alienating non-football users. Expanding the football club's dominance over the field disregards its historical purpose as a

shared public amenity. The council must ensure the field remains inclusive and accessible to all.

Officer Response: Section 1 of this report, addresses this objection.

The **ten supporting comments** set out the following:

- The current facilities are outdated and in need of replacement which will improve the visual appearance of the space and improve provision of community services in the area. This is a project that will have a positive impact on children and families and supports the local provision for diversionary activity and volunteering opportunities. There have been a large number of new family homes built recently in Netherton, and the community sporting facilities need to reflect the increased demand that this will create.

- This will be wonderful for the local community; the present building certainly needs updating and is an eyesore.

- This will enhance the club's offering to the community and ensure the smooth running of the club now and in the future. The current facilities are inadequate, and this design will put the club on the map. This is already an essential part of many young people's lives; the building of a wonderful new club house will make the club more attractive to new members.

- Club house is unsafe and falling to bits. Planning on having a community hub for Netherton's village. This will help bring the community together and have a safe place for children to socialise and change etc.

- Massive improvement on the current eyesore of a clubhouse. Will be great for the community and children of Netherton.

- This will be a fantastic improvement for both the local football club and nearby residents. NJFC contributes significantly to the community, but their current clubhouse is in extremely poor condition and urgently needs to be replaced. While the dedicated volunteers do their best to make do with the existing facility, it's only a matter of time before it becomes completely unusable.

- The current structure is very tired, and the new facility would be great for the community and the local children.

- Will be great to see this dated eyesore of a building demolished and a new building erected which will be a great addition for the kids and local community.

- Redeveloping the clubhouse will be fantastic for not only the children and grown-ups who are associated with the club, but also the local community. Many members of the local community pop into the clubhouse for refreshments and it's an important community facility that goes far beyond the children and their families who play for the club.

- This is a great thing for the local community and kids going forward for years to come.

Officer Response: The supporting comments have been noted in terms of the condition of the existing building at the site and the opportunities which the replacement club house would propose for users of Hawkroyd Bank Recreation Ground, members of the football club and the wider community. Section 1 of this officer's report, entitled 'Principle of Development' assesses the proposed development. This section concludes that the principle of development in this instance is considered to be acceptable in accordance with Chapter 8 of the NPPF (Promoting Healthy and Safe Communities) and Policies LP50 (Sport and Physical Activity) and LP61 (Urban Green Space) of the Kirklees Local Plan.

7) Conclusion

The NPPF has introduced a presumption in favour of sustainable development. The policies set out in the NPPF taken as a whole constitute the Government's view of what sustainable development means in practice.

This application has been assessed against relevant policies in the development plan and other material considerations. It is considered that the development is acceptable in principle and is therefore recommended for approval.

Recommendation: Approve
Decision Authorisation – Delegated Powers
Application Number: 2024/93346
Officer Recommendation: Approve

<u>Conditions & Reasons:</u>

1. The development hereby permitted shall be begun within three years of the date of this permission.
   Reason: Pursuant to the requirements of Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in complete accordance with the plans and specifications schedule 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, and to accord Policies LP1, LP2, LP21, LP22, LP23, LP24,

LP30, LP50, LP52, LP53 & LP61 of the Kirklees Local Plan and policies within Chapters 2, 8, 12 & 15 of the National Planning Policy Framework.

3. If contamination, the presence of coal and/or evidence of coal workings not previously identified by the developer prior to the grant of this planning permission is encountered during the development, all works in the affected area (except for site investigation works) shall cease immediately and the Local Planning Authority shall be notified in writing within 2 working days. Works in the affected area shall not recommence until either (a) a Remediation Strategy by a suitably competent person has been submitted to and approved in writing by the Local Planning Authority or (b) the Local Planning Authority has confirmed in writing that remediation measures are not required. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures. Thereafter remediation of the site shall be carried out and completed in accordance with the approved Remediation Strategy.

   Following completion of any measures identified in the approved Remediation Strategy a Verification Report shall be submitted to the Local Planning Authority. No part of the site shall be brought into use until such time as that part of the site has been remediated in accordance with the approved Remediation Strategy and a Verification Report in respect of those works has been approved in writing by the Local Planning Authority.
   Reason: To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 189 and 190 of the National Planning Policy Framework.

4. The premises, shall not be open outside the hours of:
   07:00 to 20:00 Monday to Friday and
   07:00 to 21:00 Saturdays and
   07:00 to 16:00 Sundays or Bank Holidays
   Reason: To ensure that the use does not give rise to the loss of amenity to nearby residential properties, by reason of noise or disturbance at unsociable hours, to accord with the policies LP24 and LP52 of the Kirklees Local Plan and policies within Chapters 12 and 15 of the National Planning Policy Framework.

5. The development hereby approved shall not be brought into use until a noise management plan has been submitted to, and approved in writing by, the Local Planning Authority. The plan shall detail the control measures that will be taken to ensure that excessive noise does not arise from the future use of the function room and the actions that will be taken if site users fail to observe the required control measures. The approved noise management plan shall be implemented before the development is brought into use and retained thereafter.
   Reason: To ensure the proposed development does not cause harmful noise pollution within neighbouring noise sensitive locations, in the

interest of amenity, to comply with the aims and objectives of Policies LP24 and LP52 of the Kirklees Local Plan and Chapters 12 and 15 of the National Planning Policy Framework.

6. The development hereby approved shall not be brought into use until details of servicing including access for deliveries, waste storage areas, bin presentation points and access for collection of wastes from the building hereby approved has been submitted to and approved in writing by the Local Planning Authority. The approved details shall be completed before the development is brought into use and retained thereafter.
   Reason: In the interests of amenity and highway safety and to meet the requirements set out in Kirklees Local Plan Policy LP24 part d(vi).

7. The development hereby approved shall not be brought into use until any new areas of hardstanding, for both vehicles and pedestrians, has been laid out with a hardened and drained surface in accordance with the Communities and Local Government; and Environment Agency's 'Guidance on the permeable surfacing of front gardens (parking areas)' published 13th May 2009 (ISBN 9781409804864) as amended or any successor guidance; Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any Order revoking or re-enacting that Order) this shall be so retained, free of obstructions and available for parking.
   Reason: In the interests of amenity and traffic safety and to ensure that any additional hardstanding areas are appropriately drained to mitigate flood risk in accordance with Policies LP21, LP22, LP28 and LP34 of the Kirklees Local Plan and Chapter 14 of the National Planning Policy Framework.

8. The development hereby approved shall not be brought into use until one bat box has been incorporated. The bat box shall be a long-lasting Schwegler `woodcrete' type or similar and shall be located away from sources of light, at least 5 metres above ground and not located above windows or doors. Once installed, the bat box shall thereafter be retained.
   Reason: To enhance the biodiversity of the site in accordance with Policy LP30 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

9. No external lighting shall be included as part of the development unless a detailed lighting scheme has been submitted to and approved in writing by the Local Planning Authority. The submitted sensitive light strategy should demonstrate that the proposed lighting will not impact upon ecological networks and/or sensitive features. Thereafter the agreed lighting scheme shall be implemented, and all external lighting shall be installed strictly in accordance with the specifications and locations set out within the Lighting Strategy.

Reason: To protect the biodiversity value of the site in accordance with Policy LP30 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

NOTE: Contaminated Land
All contamination reports shall be prepared by a suitably competent person, as defined in Annex 2 of the National Planning Policy Framework. Reports must be prepared in accordance with the following guidance:

- Land Contamination Risk Management (LCRM)
- BS 10175:2011+ A2:2017 Investigation of Potentially Contaminated Sites. Code of Practice
- Development on Land Affected by Contamination – Technical Guidance for Developers, Landowners & Consultants – (v11.2) June 2020 by the Yorkshire and Lincolnshire Pollution Advisory Group.

The conditions relate to Planning Control only. Approval under the Building Regulations may also be required, and the applicant should contact their Building Control Provider for further information. Any other necessary consent must be obtained from the appropriate authority. If the applicant commences work without discharging conditions, they will be at risk of enforcement action and invalidating the permission if the planning condition is a pre commencement condition.

NOTE: Noise Mitigation Scheme
A satisfactory noise mitigation scheme should ensure the noise emitted from the future use of the function room is inaudible at the boundary of noise sensitive residential properties during the opening times.

NOTE: Food Safety
Because a kitchen and bar form part of the proposal, the applicant is reminded that Registration will be required under Food Safety legislation. It is recommended that prior to development commencing the applicant should contact the Food Safety Team of Environmental Services to arrange an advice visit to discuss food safety and hygiene requirements including an appropriate layout. The Food Safety team can be contacted on 01484 22100 (ask for food safety) or by email at food.safety@kirklees.gov.uk.

NOTE: Bats
Due to its location, a bat roost may be present on site. Bats are a European protected species under regulations of the Conservation of Habitats and Species Regulations 2017. It is an offence for anyone intentionally to kill, injure or handle a bat, disturb a roosting bat, or sell or offer a bat for sale without a licence. It is also an offence to damage, destroy or obstruct access to any place used by bats for shelter, whether they are present or not. If bats are discovered on site development shall cease and the applicant is advised to contact Natural England for advice.

NOTE: Birds

All wild birds are protected under the Wildlife and Countryside Act 1981 (as amended). Section 1 of the act makes it an offence to intentionally or recklessly: kill, injure or take a wild bird; take, damage, destroy or interfere with the nest of any wild bird whilst it is in use or being built; take or destroy an egg of any wild bird; disturb any wild bird listed on Schedule 1 of the act whilst it is building a nest or is in, on, or near a nest containing eggs or young, or disturb the dependent young of any wild bird listed on Schedule 1.

Plans and Specifications Schedule: -

Plan Type	Reference	Version	Date Received
Site Plan	HA_028_Netherton FC	-	26.11.2024
Proposed Plans and Elevations	2458-0301-P03	-	27.02.2025
Figure 1: UK Habitat Classification Map (Baseline)	Heneghan/Netherton/UKHab	2.0	27.02.2025
Figure 2: UK Habitat Classification Map (Post-Development)	Heneghan/Netherton/Post-Development	2.0	27.02.2025
Location Plan	2458-0101-P04	-	11.03.2025
Climate Change Statement	-	-	26.11.2024
Design and Access Statement by Heneghan Architecture	-	-	26.11.2024
BNG Exemption Statement by Heneghan Architecture	-	-	26.11.2024
Small Sites Metric (The Statutory Biodiversity Metric)	-	1.2.2	27.02.2025

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 Authority has, where possible, made a preapplication advice service available, complied with the Kirklees Development Management Charter 2015 and otherwise actively engaged with the applicant in dealing with the application.

The case officer entered into negotiation with the planning agent regarding the siting of the proposed club house and the red line boundary of the site. As originally proposed, the application site crossed onto an area of ‘charity land’, which would have affected the Council’s ability to grant a lease. Therefore, the planning agent submitted amended plans, with a new red line boundary.

In addition, the planning agent submitted details relating to Biodiversity Net Gain.

Report Dated: 17.03.2025