
Report of the Head of Planning and Development

STRATEGIC PLANNING COMMITTEE

Date: 24-Mar-2022

Subject: Planning Application 2021/93645 Installation of a new 3G synthetic turf pitch, upgraded and extended grass pitches, car-parking and additional landscape works YMCA, Lawrence Batley Recreational Complex, New Hey Road, Salendine Nook, Huddersfield, HD3 3XF

APPLICANT

David Hemstock,
Hemstock Design Ltd

DATE VALID

14-Sep-2021

TARGET DATE

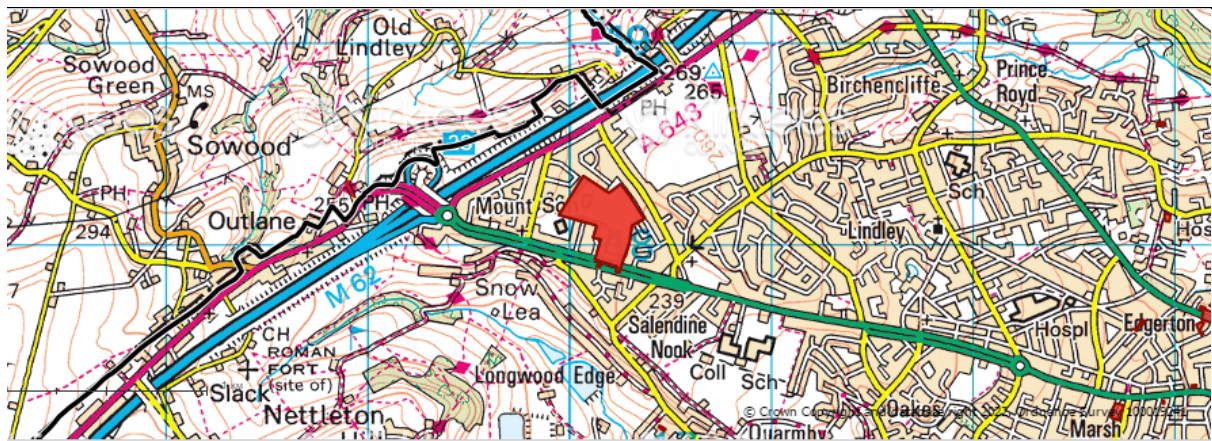
14-Dec-2021

EXTENSION EXPIRY DATE

Please click the following link for guidance notes on public speaking at planning committees, including how to pre-register your intention to speak.

[Public speaking at committee link](#)

LOCATION PLAN



Map not to scale – for identification purposes only

Electoral Wards Affected: Lindley

Ward Members Consulted: Yes

Public or private: Public

RECOMMENDATION:

DELEGATE approval of the application and the issuing of the decision notice to the Head of Planning and Development in order to complete the list of conditions including those contained within this report.

1.0 INTRODUCTION:

- 1.1 This is a full planning application seeking the installation of artificial sports pitch, the erection of new floodlights, associated access works, and the formation and laying out of car and coach parking and landscaping.
- 1.2 The application is brought to committee as it seeks non-residential development on a site in excess of 0.5ha, in accordance with the Council's delegation agreement.
- 1.3 Committee Members should be aware that works have commenced on site, particularly in respect of the 3G pitch, though works are currently in abeyance awaiting a decision on the application due to the presence of protected trees, which require removal to enable completion of the development.

2.0 SITE AND SURROUNDINGS:

- 2.1 The application site is part of the Huddersfield Laund Hill Community Club, which is a sports and activity complex accessed from New Hey Road. It consists of 7.3 hectares of sports grounds, grandstands, floodlights, access roads, car park and a 2 storey, stone built, 20th century club house with changing rooms and gymnasium. The complex is bounded by residential dwellings and Moorlands Primary School.
- 2.2 The application site relates to the Community Club's access roads with New Hey Road, its car park of around 100 spaces, and a recreational sports field measuring approximately 0.8 hectares to the north east of the club house, where pitches 2 and 4 are located.
- 2.3 The site does not affect a listed building or a conservation area. However, the application site is designated as an Urban Green Space and there are many protected trees found in and around the site.

3.0 PROPOSAL:

- 3.1 A rectangular area (approximately 113m x 68m) of the existing recreational rugby sports field is to be resurfaced with a new artificial sports pitch with fencing and floodlighting. It is intended that the artificial sports pitch would be used for rugby and football.

- 3.2 The application also includes the formation and laying out of car and coach parking and landscaping.
- 3.3 Some improvements to other pitches are indicated, including a new under 18 pitch in the north west corner of the site cited as 'Pitch 3a', an enlargement of 'Pitch G' north of Pitch 1 to create a new under Under-12 provision, as well as the re-siting of Pitch A to the east of the site entrance.

- 3.4 The Design and Access Statement sets out the phased proposals as follows:

PHASE 1:

- Construction of a new full-sized 3G synthetic pitch suitable for rugby, soccer and other uses.
- With floodlighting, fencing and central soakaway trench-based drainage system.
- Pitch A re-levelled using topsoil from the new 3G pitch area, moved slightly west and south to avoid tree root protection zones, re-drained and grassed.
- Relocation of maintenance facilities, removal of the existing MUGA.
- Additional landscape planting (currently 2,500 sq.m) and hedging (600 lin.m) to the northern and eastern boundaries. Ecological improvements through the addition of nesting boxes.
- Wildlife corridors, underplanting, etc.
- Initiation of a site-wide tree management programme.
- Introduction of an allotment 'well-being' area for mental health.
- Permeable car-park surfacing improvements and marking-out of bays, increase in parking spaces and provision of three coach parking spaces
- Clubhouse renovation through both phases.

PHASE 2:

- Re-levelling of Pitch 3, drainage & re-seeding of Pitches 3, the new 3a & G.
- Re-positioning of floodlights around Pitch 3 for safety reasons.
- Releveling of Pitch C and re-drainage of C & B.
- Clubhouse renovation through both phases.

4.0 RELEVANT PLANNING HISTORY (including enforcement history):

- 4.1 The YMCA complex has had numerous planning permissions for storage containers, parcel lockers, modular buildings, club house extensions and alterations, erection of a covered stand and the erection of a sports hall. Of particular interest, the relevant planning history includes:

87/05884 - Outline application for sports hall, changing and social facilities and car park (Granted – 03/06/1988)

2007/90735 - Erection of flood lighting system to rugby pitch consisting of four 18 metre columns each with 5 x 1500 watt luminaires (Granted – 28/8/2007)

2008/91068 - Erection of Sports Hall (Granted – 7/8/2008)

2019/90405 - Installation of artificial sports pitch, the erection of new floodlights, associated access works, and the formation and laying out of car and coach parking and landscaping – Refused by Committee (21/11/2019)

5.0 HISTORY OF NEGOTIATIONS (including revisions to the scheme):

- 5.1 The proposal made under 2019/90405 was refused planning permission by Strategic Committee in November 2019. There were five reasons for refusal, those being related to the loss of a rugby pitch contrary to playing fields policy, the potential harm from noise and lighting, the loss of protected trees, adverse ecological impact and the lack of highway access information. This resubmitted application has sought to address these reasons for refusal.

6.0 PLANNING POLICY:

- 6.1 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).

Kirklees Local Plan (2019):

- 6.2 The site is an Urban green space (Reference: UG125) on the Local Plan Policies Map.
- LP1 – Presumption in favour of sustainable development
 - LP2 – Place shaping
 - LP3 – Location of new development
 - LP21 – Highway safety and access
 - LP24 – Design
 - LP28 – Drainage
 - LP30 – Biodiversity and geodiversity
 - LP33 – Trees
 - LP47 – Healthy, active and safe lifestyles
 - LP49 – Educational and health care needs
 - LP50 – Sports and physical activity
 - LP52 – Protection and improvement of environmental quality
 - LP56 – Facilities for outdoor sport, outdoor recreation and cemeteries
 - LP61 – Urban green space

Supplementary Planning Guidance / Documents:

- 6.3 The following are Supplementary Planning Guidance / Documents relevant to the proposal:
- Kirklees Council Playing Pitch Strategy
 - Sport England Playing Fields Policy and Guidance Document (March 2018)
 - West Yorkshire Air Quality & Emissions Technical Planning Guidance (2014)
 - Highways Design Guide Supplementary Planning Document (October 2019)

National Planning Guidance:

- 6.4 National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF), published 20th July 2021, and the Planning Practice Guidance Suite (PPGS), first launched 6th

March 2014, together with Circulars, Ministerial Statements and associated technical guidance, such as the National Design Guide published October 2019.

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

- Chapter 2 – Achieving sustainable development
- Chapter 4 – Decision-making
- Chapter 8 – Promoting healthy and safe communities
- Chapter 12 – Achieving well-designed places
- Chapter 15 – Conserving and enhancing the natural environment

7.0 PUBLIC/LOCAL RESPONSE:

7.1 The application has been publicised by a range of measures, including letters to neighbouring properties that adjoin the site, the posting of site notices and a press advertisement in the Huddersfield Examiner. This level of publicity accords with the requirements for this type and scale of development set out within the Development Management Procedure Order and the Planning Practice Guidance.

7.2 The end date for the period of publicity was the 19th November 2021. A total of twelve public representations were received and the following list sets out a summary of the concerns raised:

- Impact of existing trees at end terrace of Hubert Street.
- Concerns in respect of hedge planting and lack of maintenance of the boundary adjacent to Hubert Street and Shannon Drive.
- Lack of maintenance of trees on the site and the associated safety concerns with regard to fallen boughs.
- Query regarding times of operation of the proposed artificial lighting.
- Premature commencement of development
- Yellow lining of site junction with New Hey Road could create on-street parking problems for Hadrian's Close (multiple representations).
- Unknown impact of re-sited lighting columns relative to residential properties on Shannon Drive and Moorland Crescent.
- Request for removal of redundant flood lighting adjacent to Shannon Drive and Moorland Crescent.
- Loss of tree and shrub hedging to a property on Hadrian's Close with the knock on impact upon noise reduction and ecological habitat.

7.3 The matters highlighted above are reviewed in Section 10 below.

8.0 CONSULTATION RESPONSES:

8.1 The following is a brief summary of Consultee advice (more details are contained in the Assessment section of the report, where appropriate):

8.2 Statutory:

K.C. Highways Development Management: No objection subject to conditions

Lead Local Flood Authority: No objections subject to condition

Sport England: No objections subject to conditions

8.3 **Non-statutory:**

K.C. Environmental Health: No objections subject to conditions

K.C. Sports and Activity: No objections

K.C. Trees: No objections subject to condition

K.C. Crime Prevention: No objection. Security improvements recommended.

9.0 **MAIN ISSUES**

- Land Use and Principle of Development
- Visual and Residential Amenity
- Highway and Transportation Matters
- Arboricultural and Ecological Matters
- Planning Obligations
- Representations
- Other matters

10.0 **APPRAISAL**

Land Use and Principle of Development

- 10.1 Planning law requires applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise.
- 10.2 The site is designated in the Local Plan as Urban Green Space (UGS) and policy LP61 (Urban green space) is central to the consideration of the proposed development. This policy states that development proposals which would result in the loss of UGS 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 recreation 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.
- 10.3 This local policy basis is consistent with paragraph 98 of NPPF, which recognises that access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of local communities. Furthermore, paragraph 99 of the NPPF is clear that existing open space, sport and recreational facilities should not be built on unless:

- a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

10.4 On the 22nd October 2022 Sport England issues a holding objection on the application due to a lack of information on the following matters:

- Pitch dimensions not in accordance with guidance (RFL)
- The proposed pitch AGP would not be suitable for contact rugby union activity as it would not be constructed to World Rugby Regulation 22 standards in order to be certified for use. (RFU)
- Fencing should be recessed in appropriate locations to allow for safe and easy goal storage (FA)
- Recommended perimeter fence height is 4.5m to all sides of the AGP (FA)
- A minimum safety run off 3m should be provided from all pitch perimeter lines that must be free from obstructions at all times (FA)
- A dedicated hard standing area for spectators should be provided within the perimeter fence. A 1.1m high spectator barrier should be installed to ensure that spectators can view the 3G playing area from this hard standing area which is separate from the 3G area. (FA)
- Line markings are absent. In terms of colour this should indicate the primary, secondary, tertiary layouts etc and provide a clear indication of intended use (SE/FA)
- Measures should be taken to ensure that the rubber infill does not leave the playing surface – such as, low level kick boards on the pitch perimeter fencing and rubber catch grills at the player entry and exit points of the pitch. (FA)

10.5 Subsequently, a 'Planning Answers' statement, a synthetic turf specification and three pitch-marking layout plans (FA, RFU and RFL compliant) were submitted by the applicant in February 2022 to address the matters raised by Sport England in respect of Exception 5 of their 'Playing Fields Policy and Guidance' Document. Exception 5 is set out thus:

The proposed development is for an indoor or outdoor facility for sport, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss, or prejudice to the use, of the area of playing field.

10.6 On the 7th March 2022, Sport England formally withdrew their objection based upon the submitted documentation subject to the imposition of two conditions. One would require the new artificial grass pitch to be constructed with a 'shockpad' that meets World Rugby Regulation 22 subject to regular inspection/upkeep to maintain the World Rugby accreditation. The second condition relates to the hierarchy of pitch-markings for football, rugby league and rugby union to be submitted on a plan prior to completion of the artificial pitch. Separately, Sport England have confirmed that the re-alignment and improved drainage of other pitches across the site accord with Exception 4 of their Playing Field Policy, whilst the re-configuration of the access and parking

arrangements met Exception 2 of the same document. KC Sports and Activity (Public Health) have identified that this project contributes toward addressing strategic shortfalls in Kirklees for artificial pitch provision, which were recognised under the previous Playing Pitch Strategy (PPS), and which remain in the emerging revision of the PPS. The proposed development also seeks to improve natural grass pitches which is further welcomed. The applicant's confirmation that the facility can be used by community users outside times of use by Huddersfield Giants would also help address some of the pressures that are experienced at other similar sites in Kirklees.

- 10.7 As the existing grass rugby pitches (2 and 4) are proposed to be replaced with an artificial sports pitch, this proposal represents replacement facilities which in principle would be acceptable in policy terms under policy LP61 (b) providing the new artificial pitch is equivalent or better in quantity and quality terms to the existing grass pitch. It appears that the new artificial pitch is at least equivalent in size to the existing rugby pitch, if not larger at 113 x 68m, and, as artificial pitches provide the opportunity for more intensive use than grass pitches as well as being available for dual use for rugby (both codes) and football, Officers consider the proposal to be in accordance with Policy LP61 (b) – Urban Green Space of the Local Plan and paragraph 97 of the NPPF.

Visual and Residential Amenity

- 10.8 Paragraph 24 of the National Design Guide: “Well-designed new development is integrated into its wider surroundings, physically, socially and visually. It is carefully sited and designed and is demonstrably based on an understanding of the existing situation.” Chapter 12 of the NPPF and policy LP24 of the Local Plan both seek development proposals that provide a high standard of amenity for future and neighbouring occupiers.
- 10.9 The artificial 3G pitch and its associated infrastructure (i.e. lighting) would not be readily visible from surrounding public vantage points and therefore, the impact upon the visual amenity of surrounding residential streets is determined to be negligible. A view of the floodlights might be possible from residential streets when the artificial pitch is illuminated, however such views are likely to be oblique, distant and obscured by the tree canopy of adjacent woodland avenues in the majority of cases. Residential properties on Hadrian's Close abut the car park and access point and due regard must be given to the impact the proposal may have on these properties in terms of the intensification of the site's use from an amenity perspective. The potential for noise and light effects from activities taking place on the 3G pitch and the newly created or re-aligned pitches also needs careful consideration.
- 10.10 The artificial pitch is sited centrally within the site and is screened by woodland belts across its western, northern and eastern flanks. To the south, there is a further woodland avenue and a disused Multiple Use Games Area (MUGA). To the south west, the Laund Hill Clubhouse separates the artificial pitch from residential properties on Hadrian's Close. Overall the likelihood of overbearance, overshadowing or privacy loss is highly unlikely to be incurred by any residential property adjoining the Community Club site with regard to the artificial pitch. The creation of Pitch 3A and the re-alignment of Pitches 3, G and A are also highly unlikely to incur issues in respect of overbearance, overshadowing or privacy loss given that new hedgerows are to be planted adjacent to the rear of properties backing onto the site from Shannon Drive, Moorland Crescent, Raiborn Avenue, Laund Road, Pennine Crescent and properties 490 to 508 on New Hey Road.

- 10.11 Though the previous planning application under 2019/90405 was partly refused permission by reason of a lack of information pertaining to noise and artificial lighting, it is appreciated that the site is an existing sports facility where such noise and light effects are already encountered. Some detail has been provided in respect of noise and lighting, particularly in respect of the artificial pitch. On this basis, KC Environmental Health have removed their objection to the development subject to appropriate conditions that require submission of the outstanding detail in respect of a noise report, noise management plan, adherence to ball impact sound mitigation and submission of the site's artificial lighting design and operation.
- 10.12 The Noise Report will require identification of the noise impact from the artificial pitch and will require mitigation if adverse noise levels are likely to be created. Adherence to the *Design Guidance Note from Sport England - Artificial Grass Pitch (AGP) Acoustics - Planning Implications* should help to further reduce noise impacts from reverberation of balls when they impact the artificial pitch's fencing. The Noise Management Plan will require the following information:
- *A facility for neighbours to report excessive noise or anti-social behaviour directly to the operator of the site and that all such complaints be logged and investigated upon receipt, and appropriate action taken promptly, and the complainant kept informed of progress*
 - *A system for training all staff to follow an action plan for dealing with complaints. This would include the ability to warn or ban user groups from the pitches*
 - *A method of informing users that swearing and anti-social behaviour is unacceptable, and that the operator of the site reserves the right to dismiss users from the pitch and ban their future use*
 - *A log of complaints which should be retained for at least a period of two years.*
- 10.13 The conditions relating to noise require submission of details prior to the artificial and re-aligned sports pitches being brought into use.
- 10.14 The supporting lighting report indicates that the artificial pitch would be illuminated by 6 x 15m high lighting columns. However detail relating to the new location of the lighting columns for Pitch 3, on account of its re-alignment, have not been shared with the Local Planning Authority. By consequence, the condition recommended by Environmental Health would require information in respect of the location of all luminaires across the site, their hours of operation (15 minutes either side of the hours of use for customers), the methods for controlling the hours of operation, the lighting's predicted illumination area, their impact on any nearby habitable windows, as well as measures to minimise or eliminate glare or stray light that may arise beyond the boundary of the site. No lighting has been proposed for the existing car park, and should such a scheme be intended to be installed, its specification would be subject to inclusion within the details required by the artificial lighting condition.
- 10.15 The applicant has proposed that the hours of use for the outdoor areas are 0700-2200 hours Tuesday, Wednesday and Thursday with the remainder of the week being limited to 0700-2100 hours. Conversely, Environmental Health Officers have recommended that the site should operate with opening restrictions from 0800-2000 hours Monday to Friday, 0900-1800 hours on weekends and at no times on Bank Holidays. Given the need to balance the operational requirements of the Community Club with the amenity of surrounding residents, the following hours are proposed to restrict the use of outdoor areas: 0730-2100 hours Monday to Friday, 0900-2000 on Saturdays,

0900-1800 on Sundays and at no time on Bank Holidays. These times are considered to be fair to both the club and to local residents. The times would be restricted by condition.

- 10.16 The rationalisation of the car park provides 11 extra parking spaces through formalisation of its bays. Its reconfiguration will likely lead to improved performance and therefore fewer idling cars, which is likely to improve the situation for nearby residents on Hadrian's Close and New Hey Road with regard to air quality and noise from motor vehicles. The supporting Transport Statement sets out that the impact of the installation of the artificial pitch and the improved lawned pitches, though intensifying the use of the site, is unlikely to significantly increase traffic generation above the existing situation – this conclusion has been agreed by KC Highways Development Management Officers.
- 10.17 The creation of Pitch 3A and the re-siting of Pitches 3, A and G closer to residential boundaries are marginal alterations that are unlikely to significantly decrease the amenity of nearby residents. The condition restricting outdoor operational times should largely minimise adverse impacts in line with standard practice for preserving residential amenity. Redundant timber lighting columns for Pitch 3 indicate that a previous pitch layout was in a similar location to where it is proposed under this application. Similarly, satellite imagery presents that Pitches 3A and G have been maintained and used informally in proximity to residential curtilages and dwellinghouses on Raiborn Avenue at the scale of area proposed under this application. As such, the uplift in impact on amenity through their formalisation would likely be marginal.
- 10.18 The recommended conditions enable the development to be considered acceptable in respect of noise and light as required by LP52 – Protection and Improvement of Environmental Quality. Consequently Officers are satisfied that the proposed intensification of use would not materially harm the amenity of neighbouring residents. Thus, this proposal is found to be in accordance with LP24 and LP52 of the Local Plan and Chapter 12 of the NPPF.

Highway and Transportation Matters

- 10.19 It is proposed to access the site from the existing point onto New Hey Road where the current carriageway width is 5.5m and the footway width is 1.2m. Visibility onto New Hey Road of 2.4m x 120m is achievable. However there is occasional parking to the right of the site access which can cause some visibility issues. To improve this situation the applicant has offered to fund a Traffic Regulation Order eliciting provision of double yellow lines at the site access, which would be considered an improvement. However the application is not reliant on this as it is a separate legal process which may or may not be successful. The Council's Highway Safety section are in support of this proposal though it would need to be unilaterally submitted by the applicant under a separate process directed at the KC Highways Section. There are no identified highway safety issues at the junction indicated by 'Crash Map' and, as Traffic Regulation Orders are covered by separate legislation, it would not be a legally sound approach to tie a planning decision under a separate legislative process that may or may not be successful.
- 10.20 It is anticipated that the proposal will not significantly increase traffic generation above existing levels. KC Highways Development Management requested that surveys of the existing traffic movements be provided to and from the site, to which the scoping was agreed prior to commencement. Pre Covid-19 surveys

have been conducted, details of which are provided in Appendix A of the supporting Transport Statement. To summarise, the peak vehicle movements to and from the site are between 16:00 and 17:00 on a Saturday generating 90 two way vehicle movements.

- 10.21 The existing car park would be reconfigured to improve the flow of vehicles in and out of the facility, this includes making a formal one-way system internally and the marking out into formal parking spaces. An indicative layout has been provided (dwg ref HUDD GIANTS PITCHES_MP4_10-9-21) dated September 2021, however a detailed scheme of this proposal is to be conditioned accordingly. In addition a car parking management plan would be requested to enable management of the on-site parking for any events where it is foreseen that the car park could be at capacity. Servicing arrangements shall remain as existing.
- 10.22 Preliminary supporting information points to elements of the pitch booking system being restricted during larger events to prevent or minimise overspill impacts onto the wider transport network. This would take the form of blocking-out bookings for certain pitches to reduce the likelihood of clashes in schedules where the site is over-capacity. It is envisaged this will be one of the main tools in the details required under the Car Park Management Plan. Other elements will include the promotion of active travel and a condition for cycle storage would be attached to
- 10.23 Given the above information and the recommended conditions provided by KC Highway Development Management, Officers' consider the development proposals to be in accordance with policies LP21 – Highways and Access, LP22 – Parking and LP24 - Design of the Local Plan, the Highways Design Guide SPD and Chapter 9 of the NPPF.

Arboricultural and Ecological Matters

- 10.24 The sportsground is heavily stocked with lines of mature trees, sometimes forming avenues along its access routes. The majority of trees on site are protected by the TPO 23a/02 and provide significant public amenity value whilst contributing to the character and setting of the area. Many of the groups of trees were considered Category B in the submitted tree survey but are arguably even better, category A, given the prominent landscape features they form.
- 10.25 The submitted drawing, New Synthetic Pitch Proposals, (ref. HUDD GIANTS PITCHES_MP4_31-1-22), sets out that 3 trees would be removed from the western edge of the proposed 3G pitch and 5 trees would be removed from the eastern edge of the 3G pitch. The 3 trees at the western edge of the pitch include a defective Ash tree and 2 suppressed Sycamores whereas the trees to be removed from the eastern edge include 1 Lime and 5 Sycamores. It is not usually acceptable to remove protected trees in an avenue feature. However, in this instance, it is considered that the removal of these trees will have minimal impact upon the overall tree cover in their respective parts of the site due to the depth of the avenues in which they are situated. KC Trees have also accepted that the removal of the cited trees enables a public benefit when judged in the planning balance.

- 10.26 Though indicative areas for replacement planting have been set out by the applicant in their supporting information, the specific detail relating to replacement tree planting that would be sufficient to mitigate for the loss of the mature trees remains outstanding. Likewise, further detail in respect of the impact of the wider works, including drainage of the artificial pitch, on the protected trees retained across the site also remain outstanding. Further consultation with KC Trees with regard to how to progress the application has yielded a recommendation of two conditions requiring the submission of an Arboricultural Method Statement and Landscape/Tree Planting details prior to works on the implicated trees. Officers are informed by the applicant that work is currently being undertaken to detail these matters and it is anticipated that Officers will be able to provide further information on this to Committee members through the Committee Update. Irrespectively, the current recommendation of securing details by condition, is determined to be a sound approach.
- 10.27 A Preliminary Ecological Appraisal (PEA) has been undertaken which makes recommendations for mitigation to protected species identified by site surveys set out therein. Compliance with the identified mitigation set out in Table 7 of the PEA is recommended by condition accordingly.
- 10.28 The application is not supported by a Biodiversity Net Gain metric, a condition is added to the recommended decision, as required by the Environment Act 2021 – Schedule 14, to ensure that the proposed development shall not be begun (or recommenced) until a biodiversity gain plan setting out the means of achieving a biodiversity net gain on site is submitted and approved by the Local Planning Authority.
- 10.29 Subject to the conditions recommended above, the proposed development is able to be found acceptable and in accordance with the requirements of policies LP30 - Biodiversity and Geodiversity and LP33 – Trees of the Local Plan and Chapter 15 of the NPPF.

Planning obligations

- 10.30 As set out in paragraph 10.16, the applicant is to finance a Traffic Regulation Order to enable improvements to visibility at the site's junction with New Hey Road. The financial sum to enable this is indicated to be £7,500.00. It is important to note that the application is not reliant on this as it is a separate legal process which may or may not be successful.

Representations

- 10.31 As previously outlined, 12 letters of representation have been received with regard to this proposal. The issues raised have been noted above and a response to each is summarised below:
- Impact of existing trees at end terrace of Hubert Street.

Officer Response: This matter is considered a separate maintenance issue and not directly relevant to the issues assessed under this planning application.

- Concerns in respect of hedge planting and lack of maintenance of the boundary adjacent to Hubert Street and Shannon Drive.

Officer Response: The hedge is to be installed to provide an improved boundary treatment in contrast to the brambles and scrub that characterise much of the existing boundary treatments.

- Lack of maintenance of trees on the site and the associated safety concerns with regard to fallen boughs.

Officer Response: This matter is a separate safety issue pertaining to maintenance of the trees by the landowner who ultimately has liability for the safety of patrons on their site. Irrespectively, trees are encountered across the borough and entire country – risks apply to any individual walking near to trees during high winds or stormy weather.

- Query regarding times of operation of the proposed artificial lighting, and;
- Unknown impact of re-sited lighting columns relative to residential properties on Shannon Drive and Moorland Crescent.

Officer Response: The new and re-sited luminaires are to be controlled via condition with details of their location and hours of operation to be agreed with the Local Planning Authority. The purpose of the condition is to maintain the amenity of local residents who may otherwise be adversely impacted by unrestricted floodlighting. The permissions 2007/90735 and 2014/93730 have restrictions relating to no operation of floodlights between the hours of 2130 and 0700 or 0900 (dependent on the specific permission). It is likely that the condition attached to the recommended decision would have similar hours of operation.

- Premature commencement of development

Officer Response: The works undertaken on the site to-date are at the risk of the applicant and landowner subject to gaining planning approval. Should permission be refused at Strategic Committee, it is possible that planning enforcement action could be taken by the Local Planning Authority to remedy the breach of planning control.

- Yellow lining of site junction with New Hey Road could create on-street parking problems for Hadrian's Close (multiple representations).

Officer Response: This is not being proposed under this application, as explained in section 10.19 above.

- Request for removal of redundant flood lighting adjacent to Shannon Drive and Moorland Crescent.

Officer Response: A condition is attached to the recommended decision requiring the removal of the cited redundant lighting columns.

- Loss of tree and shrub hedging to a property on Hadrian's Close with the knock on impact upon noise reduction and ecological habitat.

Officer Response: The removal of the hedging and shrubs along the site boundary is not covered under this application development and is considered routine

management of the Green Space designation in material planning consideration terms. Shrubs have a limited effect on noise transmission and the impact on habitat loss is likely to be marginal. Overall the impact on the affected property is likely to remain the same given that the formalisation and resurfacing of the car park will likely improve noise created by motor vehicles.

Other Matters

Air Quality

- 10.32 In an application of this nature it is expected that facilities for charging electric vehicles and other ultralow emission vehicles are provided, in accordance with policies LP24 and LP51 of the Local Plan, Chapter 9 of the National Planning Policy Framework and the West Yorkshire Air Quality & Emissions Technical Planning Guidance. Although, this information has not been submitted, it is considered that these measures would be secured by planning condition.

Climate Change

- 10.33 Chapter 12 of the Local Plan relates to climate change and states that: *“Effective spatial planning is an important part of a successful response to climate changes as it can influence the delivery of appropriately sited green infrastructure and the emission of greenhouse gases. Planning can also help increase resilience to climate change impact through the location, mix and design of development.”* This is also reflected in the NPPF as a core land use planning principle. The NPPF emphasis that responding to climate change is central to the economic, social and environmental dimensions of sustainable development. This application has been assessed taking into account the requirements summarised and provides opportunity for development that is considered to meet the dimensions of sustainable development.
- 10.34 Conditions have been attached to the recommended decision requiring the installation of Electric Vehicle Charging Points and Secure Cycle Storage. A detailed landscaping scheme is also anticipated, as well as a 10% biodiversity net gain which, taken together, should contribute toward reducing the existing use’s fossil fuel emissions.

Drainage

- 10.35 The Lead Local Flood Authority have reviewed the application and have recommended a condition requiring details of the surfacing of the car park to ensure that it is finished with a permeable material that would allow rainwater to go to ground to prevent an outfall to public sewer thereby preventing an unnecessary increase in demand on the local drainage infrastructure. The recommended condition enables the development to be found in accordance with LP27 – Flood Risk and LP28 – Drainage of the

11.0 CONCLUSION

- 11.1 This proposal has the potential to improve the health and wellbeing of the local community by providing enhanced sports facilities. Though some detail is still lacking, particularly in respect of noise, lighting, tree impacts and biodiversity, it is not considered that these matters warrant a refusal or permission in this instance as these material considerations are able to be dealt with via appropriately worded conditions.

- 11.2 The premature commencement of development on the site is unfortunate. However, it is understood that works are currently in abeyance on-site in advance of works to protected trees being agreed through the conditions made in the Officer recommendation. The recommended decision and its conditions would not allow development to resume (which could implicate the trees identified for removal or pruning) until satisfactory arboricultural methods, replacement planting and site-specific details are submitted. Similar restrictions are applied to the lighting, noise and biodiversity conditions.
- 11.3 Overall the situation on-site is reflective of the need for the applicant to use the proposed development for the training of their various teams as soon as possible and Council Officers have responded pro-actively to this given that the enhancement to Sports facilities have a limited impact on adjacent amenity when controlled by condition while they have the potential to significantly benefit the local community.
- 11.4 Officers therefore recommend to Strategic Committee that application 2021/93645 is delegated the approval and the issuing of the decision notice to the Head of Planning and Development whilst securing a Section 106 agreement to cover the provision of a sum of £7,500 to secure a Traffic Regulation Order for highway safety purposes.

12.0 Conditions

1. Development to be carried out in accordance with approved details.
2. Car Park Layout Details (Prior to development being brought into use)
3. Car Park Management Plan (Prior to development being brought into use)
4. Car Park Surfacing (Prior to commencement of development of the car park)
5. Secure on-site Cycle Storage (Prior to the development being brought into use)
6. Development to be conducted in adherence to the recommendations made in the Preliminary Ecological Appraisal.
7. Artificial Pitch Shockpad Specification and Maintenance
8. Artificial Pitch Markings Submission and Implementation (Prior to Completion)
9. Artificial Pitch Risk Assessment (Prior to the development being brought into use)
10. Submission of a Noise Assessment Report for proposed noise generating use close to existing noise sensitive premises (Prior to the Artificial Pitch and Pitch 3 being brought into use)
11. Hours of Use Restrictions for Customers
12. Noise Management Plan (Prior to the Artificial Pitch and Pitch 3 being brought into use)
13. Ball Impact Sound Mitigation
14. External Artificial Lighting Details (Prior to the operation of any new or re-sited luminaires on the site)
15. Electric Vehicle Charging Points (Prior to commencement of development of the car park)
16. Construction Environmental Management Plan (Prior to works to remove the protected trees)
17. Submission of an Arboricultural Method Statement (Prior to works to remove the protected trees)
18. Submission and implementation of full landscaping scheme (Prior to the development being brought into use)
19. Submission of a Biodiversity Net Gain Plan (Prior to works to remove protected trees)

Background Papers:

Application and history files.

[Link to application details](#)

Certificate of Ownership –Certificate A signed: