Canal & River Trust
Making life better by water

Mr Neil Bearcroft
Kirklees Metropolitan Council
PO Box B93
Civic Centre 3
Huddersfield
HD1 2JR

Your Ref 2019/90988

Our Ref CRTR-PLAN-2019-28639

Monday 18 November 2019

Dear Mr Bearcroft

Proposal: Amended information - Use of land for provision of camping facilities, formation of camper van and tent sites, erection of 5 camping pods, toilet block and wood store and associated works

Location: Land adj, Lock 38, Marsden Lane, Marsden, Huddersfield

Waterway: Huddersfield Narrow Canal

Thank you for your consultation on the revisions made with respect to the above application.

We are the charity who look after and bring to life 2000 miles of canals & rivers. Our waterways contribute to the health and wellbeing of local communities and economies, creating attractive and connected places to live, work, volunteer and spend leisure time. These historic, natural and cultural assets form part of the strategic and local green-blue infrastructure network, linking urban and rural communities as well as habitats. By caring for our waterways and promoting their use we believe we can improve the wellbeing of our nation. The Trust is a statutory consultee in the Development Management process.

Based on the information available our substantive response (as required by the Town & Country Planning (Development Management Procedure) (England) Order 2015 (as amended)) is the following general advice:

As advised in our letter dated 15th April 2019, the main issues relevant to the Trust as Statutory Consultee on this application concern:

a) The impacts of the proposed alterations to the access track upon the character and appearance and biodiversity of the canal corridor;
b) The incorporation of passing places to safeguard traffic safety upon the existing access track; and
c) Measures to prevent the spread of invasive species from the site.

Concerning the impact to the appearance of the access track, we welcome revisions made to the placement of the passing places (P11 and P12), which should help to minimise the amount of hardstanding required on site, which should help to minimise the visual impact of the interventions proposed here.

We have no additional comments to make with respect to the amended plans. However, we do wish to remind the Local Planning Authority of the following specific matters raised in our previous response.

We welcome the provision of a hedgerow next to the access track, and advise that details of the species and density of planting should be provided to ensure that it is visually appropriate for the site and forms an effective screen of the site. This detail could be reserved via the use of an **appropriately worded condition**.

Canal & River Trust
Fradley Junction, Alrewas, Burton-upon-Trent, Staffordshire DE13 7DN
T 0303 040 4040 E canalrivertrust.org.uk/contact-us W canalrivertrust.org.uk

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Under application reference 2017/62/94366/W, the approval for the use of the site for bushcraft activities included condition 7, which required the provision and retention of the passing places shown. It is unclear if these have yet to be provided. We request that, in the event of a positive determination, **a similarly worded condition is provided to ensure the provision and retention of the passing places**, which would help to ensure the safety of road users accessing the site.

We previously advised that ecological surveys suggest that presence of Himalayan Balsam on site, a non-native invasive species. **We therefore repeat our request that information is provided to detail how measures will be incorporated to mitigate against the risk of the spread of this species. This could be reserved via the use of an appropriately worded condition**. Suggested wording was provided in our earlier response.

Other Matters

The Trust have ownership of the access track to the site, and works to this would require the consent of the Trust. The applicant is reminded to contact the Trust's Estates section on 0113 284 5211 to ensure that any necessary agreements are in place prior to the commencement of development.

The right of access to the track is subject to certain conditions and includes a weight limit. **The applicant is reminded to ensure that the use of the track is in accordance with this agreement. The applicant may be required to maintain and improve the track as part of this agreement.**

Works that affect land owned or managed by the Trust would also need to accord with the Trust's Code of Practice for Works Affecting the Canal & River Trust. The applicant is therefore advised to contact the Trust's Works Engineer to ensure compliance with the Code.

Should planning permission be granted we request that the following informatives are appended to the decision notice:

1) The applicant/developer is advised to contact the Canal & River Trust's Estates Section on 0113 284 5211 in order to ensure that any necessary consents are obtained for the works proposed.
2) The applicant/developer is advised to contact the Canal & River Trust's Works Engineering Team via switchboard on 0303 040 4040 or direct at Enquiries.TPWNorth@canalrivertrust.org.uk in order to ensure that any necessary consents are obtained and that the works will comply with Trust's 'Code of Practice for Works Affecting the Canal & River Trust'

Please do not hesitate to contact me with any queries you may have.

Yours sincerely,

Simon Tucker MRTPI
Area Planner

Simon.Tucker@canalrivertrust.org.uk
07885 241223

https://canalrivertrust.org.uk/specialist-teams/planning-and-design