
Report of the Head of Planning and Development**STRATEGIC PLANNING COMMITTEE****Date: 23-Jan-2020**

Subject: Planning Application 2019/90988 Use of land for provision of camping facilities, formation of camper van sites, erection of 4 camping pods, toilet block and associated works Land adj, lock 38, Marsden Lane, Marsden, Huddersfield, HD7 6AF

APPLICANT

Hannah Byram, S B
Homes Ltd

DATE VALID

02-Apr-2019

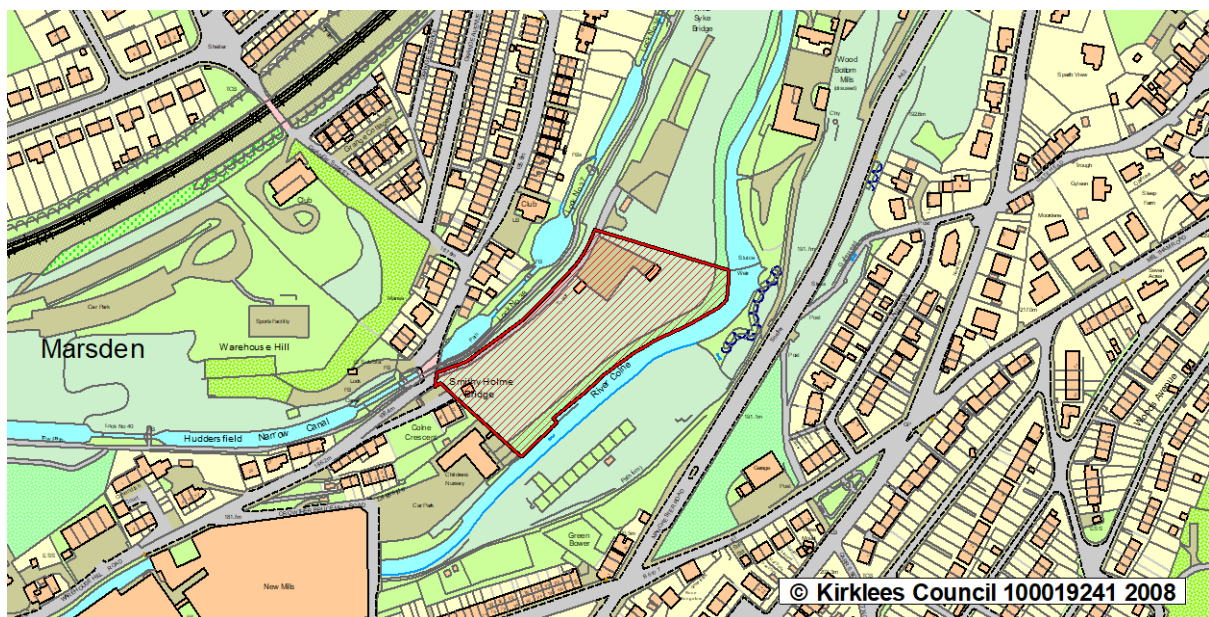
TARGET DATE

28-May-2019

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.

<http://www.kirklees.gov.uk/beta/planning-applications/pdf/public-speaking-committee.pdf>

LOCATION PLAN

Map not to scale – for identification purposes only

Electoral Wards Affected: **Colne Valley Ward**

No

Ward Members consulted

RECOMMENDATION: REFUSAL

1. The proposed development would represent the erection of new buildings within the Green Belt and a material change of use of land which would adversely impact on the openness of the Green Belt at the site. The proposal would therefore represent inappropriate development within the Green Belt which by definition would be harmful to the openness of the Green Belt. The other considerations put forward in support of the development are considered not to amount to very special circumstances that clearly outweigh the harm to the Green Belt by reason of inappropriateness and other harm. To permit such a development would be contrary to Policies in Chapter 13 of the National Planning Policy Framework.

2. The application site is open in nature and makes the site vulnerable to anti-social behaviour and potential instances of crime. The proposed camping pods would represent permanent structures that may be left unattended for large portions of the day and a large number of days in the off season, when either no one else is on the site or when there are very limited numbers at the site. The lack of onsite natural surveillance combined with the lack of detailed crime prevention measures would not represent good design. The proposal would therefore fail to accord with Policy LP24 (e) of the Kirklees Local Plan and Policies in Chapter 12 of the National Planning Policy Framework.

3. The proposed development would lead to an intensification of use at the site within proximity to a number of residential properties by reason of activities associated with proposed camping use which could cause noise and light pollution. The information submitted for the management of the site provides insufficient information to adequately demonstrate that potential instances of nuisance could be sufficiently controlled and mitigated against. The proposal would therefore fail to accord with Policies LP24 and LP52 Policies in Chapters 12 and 15 of the National Planning Policy Framework.

1.0 INTRODUCTION:

1.1 The application is brought to the Strategic Planning due to the site area exceeding 0.5 hectares in size and the proposal being of a non-residential development.

2.0 SITE AND SURROUNDINGS:

2.1 The application site relates to a 0.9 hectare piece of land within the Green Belt located between the River Colne and the Huddersfield Narrow Canal in Marsden. The site is covered by mature trees and vegetation with a vehicular

access track leading from Marsden Lane through part of the site to a Canal and Rivers Trust Depot to the north of the site. The canal is located to the north with its associated tow path abutting the site and locks 37 and 38 adjacent the site. The rear of residential properties off Marsden Lane look over the site, with 3 further residential properties located adjacent in the south western corner of the site. Further to the south of the site on the opposite side of the River Colne is a further area of trees with the A62 further beyond.

3.0 PROPOSAL:

- 3.1 The proposal seeks planning permission for the use of part of the land for provision of camping facilities, formation of camper van sites, erection of 4 camping pods, toilet block and associated works. The proposed works would be focused on the northern part of the site adjacent to the existing access track. The 4 camping pods would consist of 3 pods that are 3.6 metres long by 2.4 metres wide and 3 metre high, one family pod that is 6 metres deep by 3 metres wide and have an overall height of 3.4 metres. The toilet block would be 5 metres wide by 2.5 metres deep and 2.6 metres high. 5 Spaces would be provided for camper vans. In total 12 parking spaces would be provided to serve the development as a whole. A bin store, paths and raised beds would also be formed by the development.
- 3.2 Access would be taken from the existing access track which leads from Marsden Lane at the point where it crosses the canal via a bridge. Three passing places would be formed adjacent the track to allow easy use of the track.

4.0 RELEVANT PLANNING HISTORY (including enforcement history):

- 4.1 2017/94366 - Change of use of land for bushcraft activities - Approved

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

- 5.1 The case officer requested various different information to address concerns raised by consultees and the applicant provided further amendments seeking to address concerns raised by Planning Officers.
- 5.2 The case officer has requested an Extension of Time has been requested until after the Strategic Planning Committee meeting.

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).
- 6.2 Kirklees Local Plan (2019):

- **LP1** - Presumption in favour of sustainable development
- **LP2** - Place shaping
- **LP21** – Highway safety and access
- **LP22** – Parking
- **LP23** – Core walking and cycling network

- **LP24** – Design
- **LP27** - Flood risk
- **LP30** - Biodiversity
- **LP33** – Trees
- **LP34** - Conserving and enhancing the water environment
- **LP47** - Healthy, active and safe lifestyles
- **LP52** - Protection and improvement of environmental quality
- **LP56** - Facilities for outdoor sport, outdoor recreation and cemeteries

Supplementary Planning Guidance / Documents:

6.3 Highways Design Guide

6.4 National Planning Guidance:

- **Chapter 8** – Promoting health communities
- **Chapter 9** – Promoting sustainable travel
- **Chapter 12**– Requiring good design
- **Chapter 13** – Protecting Green Belt land
- **Chapter 14** – Meeting the challenge of climate change, flooding and coastal change
- **Chapter 15** – Conserving and enhancing the natural environment

7.0 PUBLIC/LOCAL RESPONSE:

7.1 The application has been advertised on 3 separate occasions with the last round of publicity closing on 14 January 2020. In total 59 separate representations have been received. Of these 49 were in objection to the proposal, 9 were general comments and 1 comment was in support. A summary of the comments received is set out below:

7.2 49 in objection:

- Insufficient time has been provided to make comment on the application.
- The proposal for fires would cause a detrimental impact to local residents especially those down wind of the site. There is concern that fires could also get out of control and cause wider damage and disruption and there could be increased risk of uncontrollable fires.
- How will the composting toilets meet the needs of the users, and how will they operate protecting the local environment.
- The site would be inadequate for use by motorhomes, the access is not sufficient, there are no details of the site benefiting from running water, toilet provision is poor, waste and refuse removal would be poor and there are no disabled facilities.
- There is no detail of how water would be provided for, drinking, cooking or washing. There is no detail of how waste water will be disposed of.
- The site is currently used by many people for recreation and it is hoped that this would be retained.
- What does the community garden mean, no details are explained. Who constitutes the community which are being targeted?
- There is no detail as to the number of staff employed at the site and their physical presence on site? How will the use of the site be monitored?
- How will the site be properly managed to protect local amenity from noise and general disturbance and how will the local wildlife be protected?
- It is not a good idea for a campsite to back on to a children's nursery.

- The site is in the Green Belt and shouldn't be developed.
- There is potential for radon gas at the site, this should be tested for.
- How will electric be provided for the two charging points, the site does not benefit from any electric provision?

Security

- The site is not fully secure and there will be countless times when the facility is empty which is likely to track anti-social behaviour.
- How will the camping pods be adequately secured when unoccupied or when campers leave?
- How will new hedging properly secure the site?
- If CCTV is used where would this be positioned to protect the privacy of local walkers?

Amenity Impact

- The site is within 50 yards of residential properties and has the potential to increase noise disturbance to local residents. How could such instances of disturbance be adequately controlled?
- The proposal would lead to an intensification of use at the site, greater beyond that which was approved as a bushcraft use, both in terms of numbers at the site but also in terms of hours of use. The bushcraft use previously approved appeared to be aimed at children and small groups with a low impact. This appears to have changed to more adults and be of a more intense nature. It is not clear if the site would operate separately or in conjunction with the bushcraft use.
- There is concern that the proposal would increase noise at the site to the detriment of local amenity.
- When the bushcraft use has been in operation the level of noise generated is significant.
- What artificial lighting will be used at the site, any lighting would cause light pollution.

Ecology

- The proposal would have an adverse impact on local ecology and could lead to the loss of mature trees.
- An ecological survey should be submitted to assess the ecological value of the site.
- There is no detail for new hedge planning along the perimeter of the car park this should be provided before the application is determined.
- The site is in a strategic Green Infrastructure Area and should not be developed.

Highway Safety

- The proposal would be detrimental to highway safety intensifying the use. Access to the site is off a blind bend and its use by more cars and motorhomes would be detrimental.
- Insufficient parking is provided for the use, if users can not park on the site, where will they park? Will it lead to additional parking on Marsden Lane causing congestion?
- The suggestion that the access track is used frequently by the Canal and Rivers Trust is missing leading as it the maximum number is 6 times a day.
- Cars often park on the left hand side of the access restricting sightlines.
- The local road network is frequently used by cyclist highlighting another factor which needs to be considered in detail.

- Much of the speed survey data was undertaken between 12.00 to 16.00 on a Friday and therefore it is not considered a full true reflection of typical speeds.

Comments to the amended scheme

- The amended plans and further information has not addressed the concerns previously raised. The site remains unsuitable for the proposed use.
- How can measures such as no vehicles arriving after 9pm be guaranteed?
- The additional management plan lacks detail on how any instances of antisocial behaviour will be adequately controlled.
- With no on site members of staff how will the site be appropriately managed?
- Moving the camping to the northern part of the site makes the situation worse for local residents as the camping use would be brought closer to the adjacent properties.

7.3 1 comment in support has been received which can be summarised as:

- The camping use would be great, it would allow local residents to experience camping without the cost of travel, it would also bring in lots of tourists to the local area.
- Whilst it may increase noise and activity it is far enough away from residents to not cause any harm.
- The proposal would allow improved access to the River, if this application is unsuccessful could it act as a catalyst to utilise the benefits of the river.

Response: Comments noted

8.0 CONSULTATION RESPONSES:

8.1 Statutory:

- **Canal and Rivers Trust** – no objection
- **The Environment Agency** – no objection
- **KC Highways** – no objection

8.2 Non-statutory:

- **KC Environmental Services** – detailed comments made, object to the proposal
- **KC Ecology** – no objection
- **KC Arboricultural Officer** – no objection
- **West Yorkshire Policy Architectural Liaison Officer (PALO)** – detailed comments made

9.0 MAIN ISSUES

- Principle of development
- Green Belt and Design
- Residential amenity
- Highway issues
- Ecology
- Other matters
- Representations

10.0 APPRAISAL

Principle of development

- 10.1 The site is located within the Green Belt and adjacent to the Huddersfield Narrow Canal and River Colne. The impact of the proposal on the Green Belt and canal therefore need to be assessed along with highway safety, amenity, ecology and all other material planning considerations and representations received.

Green Belt and Design

- 10.2 The principle of developing a site in the Green Belt site needs to be assessed against a proposal's impact on the openness of the Green Belt, and in relation to Policy 56 of the Local Plan and Policies set out in Chapter 13 of the NPPF.
- 10.3 Chapter 13 of the NPPF advises that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open, and sets out the five purposes of Green Belt. Paragraph 143 sets out that inappropriate development should not be approved except in very special circumstances, and paragraph 144 details that 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. Design Policies are set out in Policy LP24 which advises that good design should be at the core of all proposals.
- 10.4 The application seeks the formation of a camping facilities in the form of timber camping pods, a composting toilet and an area to park camper vans. The proposal would therefore lead to erection of new buildings within the Green Belt and a material change of use of the land. The erection of new buildings within the Green Belt forms inappropriate development as set out in paragraph 145 of the NPPF. Paragraph 145 does set out exemptions however it is not considered that the proposed camping use would fall within any of the listed exceptions and the buildings would form inappropriate development.
- 10.5 Changes of use of land can form an acceptable use of land within the Green Belt under paragraph 146 of the NPPF provided they preserve the openness of the Green Belt and do not conflict with the purposes of including it within the Green Belt. The proposed camping use would introduce new temporary and permeant structures and activities at the site in the form of camping vans, additional parking, the buildings mentioned above and the additional general activity brought about by a camping use. The use would be predominantly

positioned adjacent to the existing access track over a stretch of land that is approximately 100 metres long. Given these circumstances it is considered that the proposed use of the land for camping activities would detrimentally impact on openness at the site as this would be reduced by these activities and structures. Furthermore such activities would encroach into the countryside, the safeguarding of which forms one of the five purposes of including land within the Green Belt. The change of use of the land is therefore not considered to accord with paragraph 146 and would represent inappropriate development.

- 10.6 The harm to the Green Belt would be brought about by the development would be a reduction in the openness at the site by the use and the erection of the buildings, structures and activities which would be of a partly permanent basis. The development would also lead to a detrimental encroachment into the countryside conflicting with one of the purposes of including land within the Green Belt.
- 10.7 Inappropriate development should not be approved except in very special circumstances that outweigh the harm to the Green Belt by reason of inappropriateness and other harm. The applicant has not provided a detailed planning statement to support the application, however from the information submitted by the applicant considers the following matters in support the proposal:
- The proposal would support the previously approved bushcraft activities at the site granted by application 2017/93466 allowing people to enjoy the site in the day evenings and at night.
 - The impact of the development would be minimal given the size of the camping pod units and the site would remain dominated by the existing woodland.
 - Camper vans will be placed on an existing area of hardstanding and their size will be restricted to smaller scale camper vans.
 - The proposals would fill a gap in the leisure market in Marsden providing camping facilities adjacent to the canal corridor popular with cyclists and walkers which is not currently available in Marsden and should be seen as part of the wider Colne Valley Leisure corridor.
- 10.8 The above circumstances have been considered in detail by Planning Officers. It is noted that the proposal would provide new camping accommodation at Marsden and it would be relatively close to the town centre. However no information has been submitted in respect to anticipated demand or need of the facility. Whilst it is noted that the site benefits from a bushcraft use, the use was granted permission which restricted its operation to be between 7am to 9pm to have no more than 15 people at the site at any one time and included limited construction work to facilitate its use. Planning Officers consider that the impact of the development would be more than minimal. Planning Officers consider that the proposal would significantly increase activity at the site and would open the site up to additional people beyond those just undertaking bushcraft activities. It is therefore considered that the use would have a substantially greater impact on the openness of the Green Belt than the approved bushcraft use. Whilst the camper vans would be positioned on an existing area of hardstanding and restricted in terms of size, this area is currently not intensively used and would not be by the bushcraft use. If in operation the bushcraft use would only use this area for parking in the daytime and the number of vehicles would be restricted given the limited numbers allowed for the use.

- 10.9 Turning to general design considerations, including crime prevention it is noted that the site is relatively open and currently easily accessible via the adjacent public canal tow path. However it is away from direct surveillance and the applicant does not live on site. The application has therefore been assessed by the Designing out Crime Officer who has provided some detailed comments.
- 10.10 It is considered that the relatively open nature of the site makes it more vulnerable to anti-social behaviour and potential instances of crime. The camping pods would represent permanent structures that may be left unattended for large portions of the day and a large number of days in the off season, when either no one else is on the site or when there are very limited numbers at the site. The lack of onsite natural surveillance highlights the vulnerable nature of the site in crime prevention terms. The use of significant boundary treatment would not be appropriate on the site and detract from its woodland appearance or have adverse impacts on local ecology and therefore other measures would need to be used to try and limit any instances.
- 10.11 The Crime Prevention Officer has advised measures which should be incorporated into the design such as low level lighting on the pods, car's being positioned adjacent to the pods, minimum standards for cycle and motorbike parking, access to the general public being limited by lockable gates, the potential for CCTV and the use of appropriate boundary treatment such as hedging. Such measures could help reduce instances of crime but there remains concern that it would be difficult to provide a set of measures which comprehensively address all the issues. No specific crime prevention measures have been put forward by the applicant and it is therefore considered that the location of the proposed camping facilities and the open nature of the site makes it especially vulnerable to crime. Such a circumstance would not represent good design and the proposal would therefore fail to accord with Policy LP24 (e) of the Local Plan.
- 10.12 Given the above, the proposal represents inappropriate development within the Green Belt and it is not considered that circumstances put forward outweigh the harm to the Green Belt by the detrimental impact on openness and encroachment into the countryside. The proposal therefore forms inappropriate development and fails to accord with Chapter 13 of the NPPF. Furthermore the proposal would not represent good design and would be contrary to Policy LP24 of the Local Plan.

Residential Amenity

- 10.13 The impact of the development on residential amenity has been assessed against Policies LP24 and LP52 of the Local Plan and Policies in Chapters 12 and 15 of the NPPF. The application has also been assessed by Environmental Services.
- 10.14 The site is located on the edge of the Marsden town centre with residential properties positioned close to the site entrance and on the opposite side of the canal off Marsden Lane along the western boundary of the site. The proposed camping use could therefore impact on these adjacent properties from its operation. The main areas of potential concern would be general noise and activity from a camping use, the playing of music and fires.

- 10.15 The agent has confirmed that campers would not be permitted to light fires which could be secured by condition. It is noted that the camping facilities would be located within the 4 camping pods and the 5 camper vans which would provide some mitigation to issues in relation to noise levels with no tented camping provided. However, Environmental Services consider that details in respect to the management of issues such as noise or other disturbance is limited, and when instances do occur no detail has been provided on how these instances will be dealt with or what controls maybe put in place to limit the potential for instances. This concerns is further increased due to there not being a physical presence on site at all times. It is therefore considered that that this issue is not adequately addressed and it has not been demonstrated that adequate management of the site could be achieved it is considered that this would form a reason for refusal.
- 10.16 Therefore insufficient information has been provided to detail that the site could be adequately managed to protect local amenity. The proposal would therefore fail to accord with Policies LP24 and LP52 of the Local Plan and Policies in Chapter 15 of the NPPF.

Highway Safety

- 10.17 The proposals impact on highway safety needs to be considered in relation to Policies LP21 and 22 of the Local Plan. The site is adjacent a proposed core walking and cycling network route which runs along the canal tow path. The application has also been assessed by the Councils Highways Officer who raises concerns with the development in relation to intensification of a sub-standard access and track and lack of parking when the camping use is considered alongside the bushcraft use approved by application 2017/94366. A highways Statement has also been submitted through the course of the application to address some of the matters raised.
- 10.18 The proposal would utilise the existing access that currently serves the site, but this would be widened to allow two way movements in and out of the site. In total 12 parking spaces would be provided along with 5 parking spaces for camper vans. 3 passing places would be formed along the access road.
- 10.19 The submitted highways statement suggested that the number of people attending the bushcraft use would be reduced from 15 to 10. However no weight can be given to this element of the statement as the bushcraft use has consent in its own right and there is no application to vary the restriction on numbers. The application therefore needs to be considered with the bushcraft use allowing 15 people to attend. However in the most recent submissions the potential for tented accommodation has been removed. Given this it is considered that the additional movements brought about by the 4 pods and 5 camper vans is on balance considered to be acceptable from a highway safety perspective.
- 10.20 An independent speed survey has been carried out to justify the visibility splays. 85th percentile wet weather speeds were demonstrated to be 19mph, making the splays of 2.0m x 23.5m acceptable in relation to the minimums set out in Manual for Streets. The widening of the entrance is welcomed and Drawing No. 1640-101 in Appendix C of the Technical Note clearly shows two cars able to pass without issue. Despite this, The Highways Officer has raised concerns that a large percentage of vehicle movements to the site will be

carried out by camper vans which would be significantly larger than a standard family car. Swept path analysis of such vehicles accessing and exiting the site is therefore required. The applicant has responded stating the size of the vehicles will be restricted to being reasonably small that fall under a Class B1 category that restricts vans to a 3.5 tonne weight limit. Whilst smaller than other camper vans they still represent reasonably large vehicles often large vans that would have a larger turning circle than a typical car. Therefore ideally swept paths should be provided to demonstrate that the improved access can accommodate camper vans. Whilst this information would be preferable it is not considered essential and the access as improved is on balance considered to be acceptable for the number of vehicles proposed.

- 10.21 Bin storage is demonstrated, with the management team emptying and collecting any refuse themselves. The site layout would not make it suitable for the Kirklees Cleansing department to take on this responsibility at any time in the future. As some of the waste is likely to be effluent, a specialist company may need to be employed to deal with this waste and specific storage details may be required for this particular form of waste.
- 10.22 With regard to the canal tow path, the proposed development would not interfere with the path but would connect well with the path which leads to Marsden town centre and the train station to the west and Slaithwaite to the east.
- 10.23 In conclusion the proposed development is on balance considered to have an acceptable impact on Highway Safety, subject to conditions requiring the provision of the passing places and car parking before the development is brought into use, a condition controlling the number and size of camper vans, the number camping pods and preventing any tented accommodation at the site.

Ecology

- 10.24 The impact of the development on local ecology and trees has been assessed by the Councils Ecologist and Arboricultural Officer and considered in relation to Policies LP30 and 33 of the Local Plan and Policies in Chapter 16 of the NPPF. The site is located in the Kirklees Wildlife habitat Network and application has also been submitted with an Ecological Appraisal and an Arboricultural report.
- 10.25 The site's location in the Kirklees Wildlife Habitat Network and adjacent to both the River Colne and canal means that it provides a good habitat for a variety of local wildlife including supporting a number of different bat populations. Concerns have been raised throughout the course of the application in relation to the intensification of use at the site and the potential adverse impact on local ecology from disturbing habitats and factors such as noise and light pollution. The current set of amended plans has however reduced the scale of the development limiting it to 4 camping pods and camper vans in the north western part of the site. This reduction in the scale of the development and its position adjacent to the access track would leave the majority of the site open and in its current condition. It is therefore considered on balance that the proposal would not lead to harm to local ecology and subject to an appropriate management and enhancement plan could provide sufficient net gain. Such details could be secured by condition.

- 10.26 With regard to the impact on mature trees, whilst the site is not covered by a preservation order the site does contain a larger number of mature trees, the vast majority would be retained. An Arboricultural report has been provided which has assessed the trees and set out works required to ensure that they are sufficiently safe for public access and for ongoing management. The report is considered to be of sufficient detail in the circumstances and the conclusions in the report will be conditioned.
- 10.27 Subject to the conditions set out above the proposal is considered to have an acceptable impact on local ecology and would accord with Policies LP30 and LP33 of the Local Plan and Chapter 15 of the NPPF.

Other Matters

Impact on the Huddersfield Narrow Canal

- 10.28 The site is located adjacent to the Huddersfield Narrow Canal. The application has been assessed by the Canal and Rivers Trust who also have a depot located to the east of the site at the end of the access track. Given the sites location adjacent the canal, the application has been assessed in relation to Policy LP32 of the Local Plan.
- 10.29 The Canal and Rivers Trust raise no objection to the proposal but have provided some detailed comments. The detailed comments seek further information secured by condition in relation to preventing non-native invasive species, specific details of the hedge rows to be planted at the site and the provision of passing places. The Trust has also advised that the applicant should seeks any necessary consents of the Trust given the shared nature of the access track, this could be attached as an informative note.

Flood Risk

- 10.30 Part of the site is located within Flood Zone 2, adjacent to the River Colne and the proposal has been assessed by the Environment Agency. The Environment Agency do not raise any objection to the proposed development now that no part would fall into any part of the flood zone. They have however recommended that the finished floor levels are 300mm above the site levels, that pods are at least 16 metres from the River Holme and that all pods are located within Flood Zone 1. This could be secured by condition if minded to approve. The Environment Agency do also advise that an informative note is provided regarding the potential need for a permit, this can be added to any decision. Subject to the above condition the proposal is considered to have an acceptable impact in respect to flood risk

Drainage

- 10.31 The proposed development includes the provision of a composting toilet and includes sites for 5 camper vans which would have chemical toilets. The application has therefore been assessed by Environmental Services in relation to environmental protection from foul drainage. Details for foul drainage and the operation of the composting toilet are limited. Environmental Services have therefore raised concerns that if the composting toilet is not appropriately operated/managed that there could be concerns of environmental pollution at the site.

Furthermore, given that there are no stated facilities for washing at the site, or the empty of chemical toilets associated with the camper vans there is an increased potential for environmental pollution. The applicant has subsequently advised that they would connect to a main sewer, however specific details remain limited. Given this limited information further details are required, however it is considered on balance that this further information could be secured by planning condition.

Representations

10.32 49 comments in objection are summarised below along with a response to the points raised:

- Insufficient time has been provided to make comment on the application.

Response: The site has been advertised on 3 separate occasions to provide the opportunity to review amended and additional information. Therefore it is considered that sufficient opportunity for comment has been provided.

- The proposal for fires would cause a detrimental impact to local residents especially those down wind of the site. There is concern that fires could also get out of control and cause wider damage and disruption and there could be increased risk of uncontrollable fires.

Response: The application has been amended to removal the potential for fires at the site.

- How will the composting toilets meet the needs of the users, and how will they operate protecting the local environment.
- The site would be inadequate for use by motorhomes, the access is not sufficient, there are no details of the site benefiting from running water, toilet provision is poor, waste and refuse removal would be poor and there are no disabled facilities.
- There is no detail of how water would be provided for, drinking, cooking or washing. There is no detail of how waste water will be disposed of.

Response: As set out above no specific of how the composting toilets, foul drainage or fresher water will be provided. It has however been stated that connection will be made to a public sewer. Whilst information is limited further detail could be secured by condition if required.

- The site is currently used by many people for recreation and it is hoped that this would be retained.

Response: No public rights of way run through the site, therefore access to the public would be at the discretion of the land owner.

- What does the community garden mean, no details are explained. Who constitutes the community which are being targeted?

Response: Limited details for this have been provided and therefore no weight is attached to the provision of the community garden in reaching the planning recommendation.

- There is no detail as to the number of staff employed at the site and their physical presence on site? How will the use of the site be monitored?
- How will the site be properly managed to protect local amenity from noise and general disturbance and how will the local wildlife be protected?

Response: Some information on the management of the site has been provided which is discussed in detail above. The submitted information is considered to be insufficient but further information could be secured by condition.

- It is not a good idea for a campsite to back on to a children's nursery.

Response: The proposed use is not on its own right considered to be detrimental to the adjacent children's nursery.

- The site is in the Green Belt and shouldn't be developed.

Response: As detailed above the proposal forms inappropriate development within the Green Belt and no very special circumstances have been provided to outweigh the harm to the Green Belt.

- There is potential for radon gas at the site, this should be tested for.

Response: Environment Services do not raise any objection on contained land grounds with the proposal.

- How will electric be provided for the two charging points, the site does not benefit from any electric provision?

Response: This would be a matter for the applicant to resolve if permission is granted.

Security

- The site is not fully secure and there will be countless times when the facility is empty which is likely to track anti-social behaviour.
- How will the camping pods be adequately secured when unoccupied or when campers leave?
- How will new hedging properly secure the site?
- If CCTV is used where would this be positioned to protect the privacy of local walkers?

Response: As discussed above details of security arrangements at the site are limited and there is concern in regard to the security of the site.

Amenity Impact

- The site is within 50 yards of residential properties and has the potential to increase noise disturbance to local residents. How could such instances of disturbance be adequately controlled?
- The proposal would lead to an intensification of use at the site, greater beyond that which was approved as a bushcraft use, both in terms of numbers at the site but also in terms of hours of use. The bushcraft use previously approved appeared to be aimed at children and small groups with a low impact. This appears to have changed to more adults and be of a more intense nature. It is not clear if the site would operate separately or in conjunction with the bushcraft use.
- There is concern that the proposal would increase noise at the site to the detrimental of local amenity.
- When the bushcraft use has been in operation the level of noise generated is significant.
- What artificial lighting will be used at the site, any lighting would cause light pollution.

Response: The proposal has been amended through the course of the application to reduce its scale, and further information has been submitted. Environmental Services have objected to the lack of a property management plan at the site and

this therefore represents a reason for refusal. The approved bushcraft use should not be operational as conditioned need to be discharged before the use is commenced.

Ecology

- The proposal would have an adverse impact on local ecology and could lead to the loss of mature trees.
- An ecological survey should be submitted to assess the ecological value of the site.
- There is no detail for new hedge planning along the perimeter of the car park this should be provided before the application is determined.
- The site is in a strategic Green Infrastructure Area and should not be developed.

Reason: The proposal has been amended and further tree and ecological information has been submitted. The scheme as amended is considered to have an acceptable impact on local ecology.

Highway Safety

- The proposal would be detrimental to highway safety intensifying the use. Access to the site is off a blind bend and its use by more cars and motorhomes would be detrimental.
- Insufficient parking is provided for the use, if users can not park on the site, where will they park? Will it lead to additional parking on Marsden Lane causing congestion?
- The suggestion that the access track is used frequently by the Canal and Rivers Trust is missing leading as it the maximum number is 6 times a day.
- Cars often park on the left hand side of the access restricting sightlines.
- The local road network is frequently used by cyclist highlighting another factor which needs to be considered in detail.
- Much of the speed survey data was under taken between 12.00 to 16.00 on a Friday and therefore it is not considered a full true reflection of typical speeds.

Response: As set out above the proposal has been reduced in scale and on balance the impact on highway safety is considered to be acceptable. The submitted speed survey and highway statement is considered to be of an acceptable quality an acceptable sightlines could be achieved.

Comments to the amended scheme

- The amended plans and further information has not addressed the concerns previously raised. The site remains unsuitable for the proposed use.
- How can measures such as no vehicles arriving after 9pm be guaranteed?
- The additional management plan lacks detail on how any instances of antisocial behaviour will be adequately controlled.
- With no on site members of staff how will the site be appropriately managed?
- Moving the camping to the northern part of the site makes the situation worse for local residents as the camping use would be brought closer to the adjacent properties.

Response: The above points are noted.

10.33 1 comment in support has been received which can be summarised as along with a response to the points raised:

- The camping use would be great, it would allow local residents to experience camping without the cost of travel, it would also bring in lots of tourist to the local area.

- Whilst it may increase noise an active it is far enough away from residents to not cause any harm.
- The proposal would allow improved access to the River, if this application is unsuccessful could it act as a catalyst to utilise the benefits of the river.

Response: Comments noted.

11.0 CONCLUSION

- 11.1 In conclusion the proposed development forms inappropriate development within the Green Belt and very special circumstances have not been submitted which out weight the harm to the Green Belt by reason of inappropriateness and other harm. Other matters of residential amenity of existing residents and crime prevention measures to minimise the opportunity to commit crime has not been addressed.

Background Papers:

Application and history files.

<https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2019%2f90988>

Certificate of Ownership – Notice served on the Canal and Rivers Trust