



**Town and Country Planning (Development Management Procedure) (England)
Order 2015**

PLANNING PERMISSION FOR DEVELOPMENT

**NOTE: This approval should be read in conjunction with an Agreement made
under Section 106 of the Town and Country Planning Act 1990**

Application Number: 2019/62/90988/W

To: William Best RIBA
Chapel House
22, Pole Gate
Scammonden
Huddersfield
HD3 3FW

For: S B Homes Ltd

**In pursuance of its powers under the above-mentioned Act and Order the
KIRKLEES COUNCIL (hereinafter called "The Council") as Local Planning
Authority hereby permits:-**

USE OF LAND FOR PROVISION OF CAMPING FACILITIES, FORMATION OF
CAMPER VAN SITES, ERECTION OF 4 CAMPING PODS, TOILET BLOCK AND
ASSOCIATED WORKS

At: LAND ADJ, LOCK 38, MARSDEN LANE, MARSDEN, HUDDERSFIELD, HD7
6AF

**In accordance with the plan(s) and applications submitted to the Council on
02-Apr-2019, subject to the condition(s) specified hereunder:-**

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, as amended by the Planning and Compulsory Purchase Order 2004.

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 in the interests of the protection of the openness and character of the Green Belt and Local Ecology, and to accord with Policy LP24 of the Kirklees Local Plan and Policies in the National Planning Policy Framework.

3. Prior to works commencing on the provision of the widened access to the application site, as detailed on Dwg. No. 1640-103, details of the retaining structures and surfacing required to widen the access shall be submitted to and approved in writing by the Local Planning Authority. The widened access shall be constructed before the development is first brought into use and shall be constructed in accordance with the approved details.

Reason: In the interests of highway safety and to ensure that structures required to form the widened access are of an acceptable standard and in the interests of visual amenity and the character and appearance of the Green Belt. To accord with the requirements of Policies LP21 and LP24 of the Kirklees Local Plan and Policies in Chapters 12 and 13 of the National Planning Policy Framework.

4. Before works commence to form the wardens cabin or the camping pods a scheme of details of finished floor levels of each cabin/pod together with corresponding finished ground levels shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out only in accordance with the details so approved and no cabin/pod shall be occupied until the works relating to that cabin/pod have been completed. Such levels shall thereafter be retained.

Reason: To ensure the development is in keeping with character of the local area and to protect the openness of the Green Belt and to accord with the requirements of Policy LP24 of the Kirklees Local Plan and Policies in the National Planning Policy Framework.

5. Before the development is first brought into use, a scheme of details of all external lighting to be installed at the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following information:

- a) How and where external lighting will be installed (through the provision of a detailed site plan and appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated which areas are to be lit;
- b) Detail proposals to minimise or eliminate glare from the use of the lighting installation; and
- c) Detail proposed hours of operation of the lighting.

The development shall be carried out in accordance approved details which shall thereafter be maintained. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

Reason: To ensure that inappropriate artificial lighting does not have a detrimental effect on local ecology or residential amenity and to accord with Policies LP24, LP30, LP32 and LP52 of the Kirklees Local Plan and Policies in Chapters 14 and 15 of the National Planning Policy Framework.

6. No development shall take place until, an invasive non-native species protocol shall be submitted to and approved by the Local Planning Authority, detailing the containment, control and removal of Japanese Knotweed and Himalayan Balsam on

site. The development shall be carried out strictly in accordance with the approved scheme.

Reason: To remove these species from within the site, as ecological enhancement, and prevent their spread into the wider environment as a result of construction activity, and to ensure the proposal accords with Policies LP24, LP30 and LP32 of the Kirklees Local Plan and Policies in Chapters 12 and 15 of the National Planning Policy Framework. This is pre-commencement to ensure that a protocol can be devised to enable implementation as part of the construction program.

7. Before the development is first brought into use, an ecological design strategy (EDS) addressing mitigation and enhancement for the application site shall be submitted to and approved in writing by the Local Planning Authority. The EDS shall include the following.

- a) Purpose and conservation objectives for the proposed ecological works.
- b) Location (shown on appropriate scale plans) of specific make and model, or design, of habitat boxes, such as bat boxes, bird boxes and hedgehog refuges. Habitat boxes to be integral to new structures where appropriate.
- c) Details of how the design of boundary treatments will not obstruct the movement of hedgehogs.
- d) Planting schedule and planting plan showing the inclusion of native species of tree and shrub to be included within/at the boundary of the application area, and how this achieves the stated purpose.
- e) Details of maintenance.

The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: to ensure the development hereby permitted provides ecological enhancement measures sufficient to provide a biodiversity net gain in accordance with Policies LP24 and LP30 of the Kirklees Local Plan and Policies in Chapter 15 of the National Planning Policy Framework.

8. Before the development is first brought into use, details of hedge planting along the northern boundary including proposed species, sizes, planting rates and a planting timetable for the new hedge shall be submitted to and approved in writing by the Local Planning Authority. The hedge shall be planted in accordance with the approved scheme and all planting in the approved scheme shall be carried out in the first planting season following the first occupation of the development. Any plants which within a period of 5 years are removed or are noticeably damaged or diseased, or have failed to establish or make reasonable growth, shall be replaced in the next planting season with others of the same size and species, unless the Local Planning Authority give written approval of a variation of the first planting.

Reason: In the interests of the visual amenity of the site, to enhance local ecology and the character and openness of the Green Belt in accordance with Policies LP24 and LP30 of the Kirklees Local Plan and Policies in Chapter 15 of the National Planning Policy Framework.

9. Before works commence on the formation of the camper van plots and parking spaces, number 1-8 details on Dwg. No. 2018-541-03 F details of surfacing shall be submitted to and approved in writing by the Local Planning Authority. The approved surfacing shall be installed before the development is first brought into use and retained after.

Reason: In the interests of highway safety and to ensure that the surfaces are appropriately surfaced and drained and to accord with Policy LP21 of the Kirklees Local Plan.

10. Before the hereby approved development is first brought into use the wardens accommodation as detailed on Dwg. No. 2018-541-03 F and 2018-541-07 shall be provided. Thereafter the site shall only operate when the Warden's accommodation is occupied.

Reason: In the interests of the proper management of the site and to protect the amenity of local residents and reduce the potential for anti social behaviour or instances of crime to occur and to accord with Policies LP24 and LP52 of the Kirklees Local Plan and Chapters 12 and 15 of the National Planning Policy Framework.

11. The hereby approved development shall be carried out in accordance with the hereby approved document entitled 'management plan for Camp Marsden' dated July 2019 and received on 10th January 2020.

Reason: In the interests of the protection of residential amenity and to accord with Policies LP24 and LP52 of the Kirklees Local Plan and Policies in Chapter 12 and LP15 of the National Policy Framework.

12. The hereby approved development shall be carried out in accordance with recommendations and requirements of Chapter 5 of the hereby approved Arboricultural Report by JCA Limited Ref: 12679-A/PH.

Reason: In the interests of the protection of trees at the site and the protection of local ecology and to accord with Policies LP30 and LP33 of the Kirklees Local Plan and Policies in Chapter 15 of the National Planning Policy Framework.

13. The hereby approved development shall be carried out in accordance with the submitted Flood Risk Assessment (FRA) by Haigh Huddleston & Associates dated July 2019, Ref: E19/7480 /FRA001 and drawing 2018-541-03b revised 3/7/19 and the following mitigation measures it details:

- Finished Floor levels 300mm above site levels as per the FRA
- All Pods a minimum of 16m from the River Colne Main River and 6m from the bank top of the River Colne as per the FRA
- All camping pods to be located in the flood zone 1 areas of the site as per the FRA

These mitigation measures shall be fully implemented prior to development first being brought into use and retained thereafter.

Reason: To reduce the risk of flooding to the proposed development and future users of the cabins and pods and to accord with Policy LP27 of the Kirklees Local Plan and Policies in Chapter 14 of the National Planning Policy Framework.

14. The passing places to serve the access track to the parking area of the hereby approved development as set out on Dwg. No. 2018-541-03 F shall be provided before the hereby approved use first commences, these areas shall be surfaced and drained in accordance the Communities and Local Government; and Environment Agencies 'Guidance on the permeable surfacing of front gardens (parking areas)' published 13th

May 2009 (ISBN 9781409804864) as amended or any successor guidance; and retained thereafter.

Reason: In the interests of the safe and free operation of the access track and to protect highway safety and to accord with Policy LP21 of the Kirklees Local Plan.

15. The hereby approved development only permits the use of the site outline in red on the hereby approved plan entitled 'Location plan (1:1250 @ A1) and received on 25th March 2019 by campers vans which are up to a maximum of 3.5 tonnes in weight.

Reason: For the avoidance of doubt as to what is being permitted, to ensure that the development accords with the information submitted in support of the application and in the interests of highway safety due to the nature of the access to the site and to accord with Policy LP21 of the Kirklees Local Plan.

16. The hereby approved development only permits the use of the site outline in red on the hereby approved plan entitled 'Location plan (1:1250 @ A1) and received on 25th March 2019 for overnight accommodation by 5 camper vans and 4 camping pods at any one time. There shall be no tented accommodation provided at any time.

Reason: For the avoidance of doubt as to what is being permitted, to ensure that the development accords with the information submitted in support of the application and in the interests of protection of residential amenity and highway safety and to accord with Policies LP21, LP22, LP24 and LP52 of the Kirklees Local Plan and Policies in Chapter 12 of the National Planning Policy Framework.

17. There shall be no fires lit in the site outline in red on the hereby approved plan entitled 'Location plan (1:1250 @ A1) and received on 25th March 2019 at any time.

Reason: In the interests of residential amenity and the protection of local ecology and to accord with Policies LP24, LP30 and LP52 of the Kirklees Local Plan and to accord with Chapters 12 and 15 of the National Planning Policy Framework.

18. Before the hereby approved development is first brought into use the 2 electric vehicle recharging points as indicated on Dwg. No. 2018-541-03 F shall be installed and brought into use. Cable and circuitry ratings shall be of adequate size to ensure a minimum continuous current demand of 16 Amps and a maximum demand of 32 Amps. The electric vehicle charging point so installed shall thereafter be retained.

Reason: in the interest of promoting sustainable transport and to accord Chapter 9 and Chapter 14 of the National Planning Policy Framework and Policy LP24 of the Kirklees Local Plan.

NOTE: The applicant is advised to contact the Canal and River Trust Prior to work commencing to ensure that all necessary consents are obtained before work commences and that the work is carried out in accordance with the “Code of Practice for Works affecting Canal & River Trust”, they can be contacted on 0113 284 5211 or 0303 040 4040.

NOTE: To minimise noise disturbance at nearby premises it is generally recommended that activities relating to the erection, construction, alteration, repair or maintenance of buildings, structures or roads shall not take place outside the hours of:

07.30 and 18.30 hours Mondays to Fridays
08.00 and 13.00hours , Saturdays

With no working Sundays or Public Holidays

In some cases, different site specific hours of operation may be appropriate.

Under the Control of Pollution Act 1974, Section 60 Kirklees Environment and Transportation Services can control noise from construction sites by serving a notice. This notice can specify the hours during which work may be carried out.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location Plan (1:1250 @ A1)	-	-	25/3/2019
Topographical Survey	ML 01	-	25/3/2019
Proposed Site Layout Plan	2018-541-03 F	-	17/2/2020
Details of Connection to Sewer for Toilets	-	-	15/1/2020
Swept Path of Access and Access Improvements	1640-103	-	20/1/2020
Proposed Plans Elevations of Pods, Toilet Block and Wood Store	2018-541-06	-	25/3/2019
Proposed Plans and Elevations of Reception Cabin/Live in Bungalow	2018-541-07	-	17/2/2020
Images of Camping Pods	2018-541-05	-	25/3/2020
Supporting Statement	-	-	11/5/2020
Minutes of meeting between residents and SB Homes 9/3/2020	-	-	17/3/20220
Copy of letter to	-	-	20/2/2020

Plan Type	Reference	Version	Date Received
planning officer and residents with regards to amendments			
Statement on Amendments	-	-	17/2/2020
Management plan for Camp Marsden	-	-	20/1/2020
Ecology Statement	17th December 2019	-	20/12/2020
Ecological Impact Assessment	MBE/ECO/2019/24/02	-	10/10/2019
Technical Highways Note	July 2019 Project - 1640	-	19/7/2019
Slope Stability Calculations	E18/7480/MH/PW/001	-	19/7/2019
Covering Letter to Amendments	-	-	19/7/2019
Flood Risk Assessment	E19/7480 /FRA001	-	19/7/2019
Tree Constraints Plan	12679-A/PH	-	15/5/2019
Arboricultural Report	12679-A/PH	-	15/5/2019
Design and Access Statement	-	-	25/3/2019
Preliminary Ecological Site Appraisal	1st February 2016 MiddEcoCon/ Doc/24/02/16	-	25/3/2019

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 Planning Authority have, where possible, made a pre-application 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 undertook negotiations with the applicant to secure amended plans and further information to reduce the scale of the development and ensure that the site could be appropriately managed.

Building Regulations Approval is required for most work involving building operations and/or structural alterations. It is the applicant's responsibility to find out if the work permitted by this planning permission needs approval under the Building Regulations, and if necessary to submit an application. If you are not the applicant can you please ensure the applicant is aware of this requirement. Contact Building Control on Telephone: (01484) 221550 for more information.

It is the applicant's responsibility to find out whether any works approved by this planning permission, which involve excavating or working near public highway and any highway structures including retaining walls, will require written approval from the Council's Highways Structures Section. Please contact the Highways Structures Section on Tel No. 01484-221000 Ext 74199 for further advice on this matter.

Details Reserved by Condition

- This permission has been granted subject to conditions. Some of the conditions may require you to submit further details. These conditions normally contain the wording "submitted to and approved in writing by the Local Planning Authority".
- You can apply online for approval of these details at the Planning Portals website at www.planningportal.gov.uk. Alternatively the forms and supporting guidance for submitting an application can be found online at www.kirklees.gov.uk/planning.
- This Authority recognises the need to ensure that you are able to develop the site as effectively and flexibly as possible. However, at the same time it must ensure that development is in accordance with the terms of the planning conditions and legal agreement and the expectations of elected members and local residents set through the decision process.
- You should note the triggers for compliance with the conditions of this planning permission. This Authority is committed to processing applications to discharge conditions in a timely manner. It is important to ensure that submissions are made as far in advance of the trigger to allow time for adequate consultation, discussion and in some circumstances publicity.
- It is important that applications to discharge conditions are accompanied by sufficient information to enable this Authority and its consultees to fully consider and determine the proposals. Whilst officers will endeavour to negotiate solutions, failure to provide a comprehensive submission may result in delay and refusal of the application.
- If you commence work without discharging conditions you are at risk of enforcement action and invalidating your permission if the planning condition is a pre commencement condition.

The application has been publicised by notice(s) in the vicinity of the site. It is respectfully requested that the notice(s) now be removed and responsibly disposed of to avoid harm to the appearance of the area

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your Local Planning Authority's decision on your application, then you must do so within:
 - i) 28 days of the date of service of the enforcement notice, or
 - ii) within the specified period, starting on the date of this notice,whichever period expires earlier.
- If you want to appeal against your Local Planning Authority's decision then you must do so within the specified period, starting on the date of this notice.
- The "specified period" is 12 weeks where the development relates to a "minor commercial application" as defined within the Town and Country Planning (Development Management Procedure) Order 2010 (as amended), or 6 months in any other case.
- Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at <https://www.gov.uk/planning-inspectorate>. Further information on the Planning Appeal process can be found online at the Planning Inspectorates website <https://www.gov.uk/government/organisations/planning-inspectorate>.
- You must use the correct Planning Appeal Form when making your appeal. If requesting forms from the Planning Inspectorate, please state the type of application that the appeal relates to so they can send you the appeal form you require.
- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

- In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

Please note, only the applicant possesses the right of appeal.

Purchase Notices

- If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

An important part of improving our service is to review your feedback on the way that we have dealt with your planning application(s). Please take a couple of minutes to email your comments to dc.admin@kirklees.gov.uk so that we can work on continually improving our customer service. Thank you.

Dated: 04-Aug-2021

Signed:



David Shepherd
Strategic Director Growth and Regeneration

Application Plans

The decision notice indicates which plan/s relate to the decision.

Plans can be viewed on the Planning and Building Control web site:

<http://www.kirklees.gov.uk/business/planning/planning.asp>

If a paper copy of the decided plan is required please email:

dc.admin@kirklees.gov.uk

or telephone 01484 414746 with the application number.

There may be a charge for this service.

Address to which all communications should be sent:

Planning, Strategic Investment Service,
PO Box B93, Civic Centre 3, Off Market Street, Huddersfield, HD1 2JR
