

KIRKLEES METROPOLITAN COUNCIL INVESTMENT & REGENERATION SERVICE

DEVELOPMENT MANAGEMENT

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

DELEGATED DECISION TO DETERMINE PLANNING APPLICATIONS

Reference No:	2025/62/93559/E
Site Address:	The Acres, 9, Greenfield Close, Upper Denby, Huddersfield, HD8 8UT
Description:	Use of land for siting of a camping pod
Recommending Officer:	Kerri Simpson

DECISION – CONDITIONAL FULL PERMISSION

I hereby authorise the approval of this application for the reasons set out in the officer's report and recommendation annexed below in respect of the above matter.

John Holmes

AUTHORISED OFFICER

Date: 17th July 2026

Officer Report – 2025/93559

The Acres, 9, Greenfield Close, Upper Denby, Huddersfield, HD8 8UT

Site Description

The application site is on the southern side of the part adopted Bank Lane and forms part of the existing domestic garden at The Acres, 9 Greenfield Close. Vehicular access is afforded via DEN/67/20 forming part of Back Lane, while pedestrian access is primarily afforded via surrounding Public Right of Way footpaths. The site is bounded to the north by open fields and allotment gardens, to the east by agricultural land and an emerging campsite, to the west agricultural land and to the south residential properties including Nos 1 to 9 (Odds) Greenfield Close.

The site is subject to the following planning policy designations and constraints:

- Green Belt
- Bat Alert Zone
- Twite Buffer
- Development High Risk (Coal Mining Legacy)
- Adjacent Public Rights of Way including DEN/67/20 (Bridleway), DEN/67/1, DEN/66/20, DEN/67/30, and DEN/123/10 (Footpaths).

Description of Proposal

The Scheme

The application seeks full planning permission for change of use of the land from domestic garden to outdoor recreation (camping) and the construction of a single storey camping pod. The pod would be positioned towards the southern side of the site and access directly from Bank Lane. The pod would have a Gross External Area of circa 30sqm, a height of circa 3.88m, a maximum width of circa 9m and a depth of 3.31m. The building would be constructed in timber boarding to walls and composite profiled panels to the roof. It is proposed for the site to be laid in a gravel surface, with space for one parking space serving the pod. The proposal also includes the provision of vehicle passing places along Bank Lane.

History of Negotiations / Amendments Received

Amended plans were submitted to provide vehicular passing points along Bank Lane as part of the proposal.

Relevant Planning History

The most relevant planning history relates to the following planning applications:

The Acres, 9, Greenfield Close, Upper Denby, Huddersfield, HD8 8UT

Ref: 2009/90656

Description: Certificate of Lawfulness for existing use of land as domestic garden

Decision: Certificate of Lawfulness Granted (20.05.2009)

Field off Bank Lane, Upper Denby, Huddersfield, HD8 8UT

Ref: 2020/93619

Description: Erection of 4 camping pods with associated access and parking

Decision: Conditional Full Permission (07.10.2021)

Representations

Publication of the application has been undertaken in accordance with the Council's Development Management Charter (2024).

The application has been publicised on the Council's website, and by site notice. The expiry date of the publicity period was the 26th April 2026.

Denby Dale Parish Council – No objections.

Consultation Responses

The following consultations have been undertaken for this application with the summarised responses listed below.

KC Highways Development Management Team – Concerns regarding the provision of passing places and waste management, however, acknowledge that the current application would generate less trips than the adjacent site.

KC Public Right of Way Team – No comments received.

KC Ecology Team – No designated ecological constraints were identified, and a Preliminary Ecological Assessment was not considered necessary. The submitted Biodiversity Metric proposes the off-site creation of individual rural trees, although it is uncertain where these will be. Recommends that revised BNG information is provided to establish what is being proposed and enable the authority to appropriately secure these. A condition for a lighting strategy was also recommended.

The responses of the above consultees are discussed in greater length within the 'Assessment' section of this report.

Allocation and Policy

The site is unallocated and falls within the Green Belt designation of the Kirklees Local Plan (adopted 2019).

The following legislation, policy and guidance is considered relevant to the determination of this application: -

Kirklees Local Plan

- LP1 Achieving Sustainable Development
- LP2 Place Shaping
- LP3 Location of new development
- LP10 Supporting the Rural Economy
- LP20 Sustainable travel
- LP21 Highway and Access
- LP22 Parking
- LP24 Design
- LP27 Flood Risk
- LP28 Drainage
- LP26 Renewable and low carbon energy
- LP28 Drainage
- LP30 Biodiversity and Geodiversity
- LP51 Protection and Improvement of Local Air Quality
- LP52 Protection and Improvement of Environmental Quality
- LP53 Contaminated and Unstable land
- LP56 Facilities for Outdoor Sport, Outdoor Recreations and Cemeteries

National Policies and Guidance

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

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

- Chapter 2 Achieving sustainable development
- Chapter 4 Decision-making
- Chapter 6 Building a Strong, Competitive Economy
- Chapter 9 Promoting sustainable transport
- Chapter 11 Making effective use of land
- Chapter 12 Achieving well-designed places
- Chapter 13 Protecting the Green Belt
- Chapter 14 Meeting the challenge of climate change, flooding and coastal change
- Chapter 15 Conserving and enhancing the natural environment

Supplementary Planning Documents / guidance

Kirklees Highway Design Guide (adopted November 2019)

The Biodiversity Net Gain Technical Advice Note

Legislation

The Town & Country Planning Act 1990 (as amended).
The Planning and Compulsory Purchase Act 2004.
Section 17 of the Crime and Disorder Act 1998 (as amended)
The Conservation of Habitats and Species Regulations 2017

Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out that in considering planning applications the determination must be made in accordance with the plan unless material considerations indicate otherwise.

Assessment

1.Principle of Development

Sustainable Development

NPPF Paragraph 11 and LP1 outline a presumption in favour of sustainable development. Paragraph 8 of the NPPF identifies the dimensions of sustainable development as economic, social, and environmental (which includes design considerations). It states that these facets are mutually dependent and should not be undertaken in isolation.

The dimensions of sustainable development will be considered throughout the proposal.

Paragraph 11 concludes that the presumption in favour of sustainable development does not apply where specific policies in the NPPF indicate development should be restricted. This too will be explored.

The proposal relates to use of the land to facilitate a camping pod. Policy LP10 of the Kirklees Plans supports tourism related development in rural areas and encourages new facilities and accommodation for tourists. However, in all cases where such development is proposed within the Green Belt due regard must be given to all relevant local and national Green Belt policy.

Principle of development within the Green Belt

Chapter 13 (Protecting Green Belt Land) of the National Planning Policy Framework (December 2024) sets out at Paragraph 142 that the Government attaches great importance to the Green Belt. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. The NPPF goes on to establish that the purposes of the Green Belt (Paragraph 143) are:

- a) to check the unrestricted sprawl of large built-up areas;

- a) to prevent neighbouring towns merging into one another;
- b) to assist in safeguarding the countryside from encroachment;
- c) to preserve the setting and special character of historic towns; and
- d) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

Paragraph 153 of the NPPF sets out that 'When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.'

Paragraph 154(b) of the NPPF identifies the provision of appropriate facilities for outdoor sport and outdoor recreation as not inappropriate development within the Green Belt, provided they preserve openness and do not conflict with the purpose of including land within it. This approach is reflected in Policy LP56 of the Kirklees Local Plan. Which also requires that facilities are of a scale reasonably necessary for their intended use and are unobtrusively located and designed so as not to introduce a prominent urban element into the countryside.

The submitted information states that the camping pod would be used in connection with outdoor recreation, primarily by visitors wishing to access the surrounding network of public footpaths and cycle routes, which provide access to the surrounding countryside and the nearby Peak District National Park. The proposal seeks the change of use of the land to accommodate the siting of a single storey camping pod capable of accommodating up to two people, together with one vehicular parking space.

The proposed facility would be modest in scale and is considered to be no more than is reasonably required for its intended use, having regard to the size and nature of the existing plot. The camping pod would be sited to the rear of existing vegetation and set back from the host dwelling, limiting its visibility within the wider landscape. Consequently, it is not considered to be obtrusively located or to introduce a prominent urban feature into the Green Belt. Furthermore, the simple timber design reinforces its rural appearance.

Whilst the proposal includes a gravelled access and parking area, such features are not uncommon within this part of the Green Belt, where land is accessed via network of Public Rights of Way and rural tracks. The extent of the access is not to a significant degree in this case.

The site is in close proximity to a development previously permitted to the east of site (application ref: 2020/93619). Since the determination of the application on land to the east (7th October 2021) there have been a number of appeal decisions which have set out that a camping pod would not constitute outdoor sport and recreation. Therefore it falls to be considered

whether very special circumstances exist in this case on the basis the development proposal does not constitute an exception as set out within paragraph 154 of the NPPF.

A number of factors are considered applicable:

- Consent to the east of the site and fact the proposal would read as part of a wider development to the east of the site.
- Extent of works undertaken that can be done so via permitted development rights / outside definition of development (surfacing / post and rail fence)
- Conditions to ensure timber construction of the built form to soften the impact
- Economic benefits associated with tourism associated with the development
- Fact the site is in proximity to existing / consented developments and would read as part of a wider development.

The proposal will have an impact upon openness, however considering the factors set out above it is considered that there are circumstances present in this case which constitute very special circumstances when considered in cumulation.

Having regard to the above, the proposal is considered to be acceptable having regard to policies LP10 of the Kirklees Local Plan and policies within Chapter 13 of the NPPF. The proposal is therefore considered acceptable in principle, subject to consideration of all other material planning considerations.

2. Visual Amenity

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

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

The application site comprises part of an existing domestic garden positioned within the Green Belt. It is enclosed by mature trees and vegetation along much of its northern, eastern, and western boundaries. The proposal comprises a single camping pod of modest scale measuring circa 30sqm, with a maximum height of around 3.9m. The building would be finished in timber boarding reflecting a utilitarian design commonly associated with rural

development. The use of natural timber materials would assist in reducing the visual prominence of the structure within its rural setting.

The pod would be positioned towards the southern part of the site where it would benefit from the screening afforded by existing mature vegetation and would be viewed against the backdrop of existing trees. Whilst the proposal would introduce built form into an area currently comprising garden land, its limited scale, simple design and sitting would ensure it does not appear visually dominant or incongruous within the wider landscape.

The proposal also includes a gravel parking area and passing places on Bank Lane. Such features are relatively commonplace within rural areas and, given their limited extent and informal surfacing, are not considered to materially urbanise the character of the locality.

A condition is recommended requiring the submission and approval of details of the proposed boundary treatment prior to the first use of the development. This will ensure an appropriate and cohesive form of enclosure is provided, safeguarding the character and appearance of the area.

Overall, the proposal is considered to integrate satisfactorily with its surroundings and would not result in unacceptable harm to the character or appearance of the area. Accordingly, the development is considered to accord with aims of Policies LP24 and LP56 of the Kirklees Local Plan and Chapter 12 and 13 of the National Planning Policy Framework 2024.

3. Neighbouring Amenity

Sections B and C of LP24 states that alterations to existing buildings should:

“...maintain appropriate distances between buildings’ and ‘...minimise impact on residential amenity of future and neighbouring occupiers.”

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

The proposed camping pod would be located in excess of 100 metres from the nearest residential property. The intervening distance, together with existing mature vegetation, would ensure there is no unacceptable intervisibility between the proposal and neighbouring dwellings.

To reside on a permanent basis within the structure would not constitute an acceptable form of living environment for such occupiers. Therefore a condition is recommended to ensure there would be no such permanent occupation and the proposal would be utilised on a temporary (max 28 day) basis.

Given the modest scale and single storey form of development, the proposal would not result in any overbearing impact, loss of outlook, overshadowing, or

loss of privacy. Whilst the proposal introduces a small scale outdoor recreation associated use, the camping pod is designed to accommodate a maximum of two occupants and is not of a scale that would reasonably be expected to give rise to unacceptable levels of noise or disturbance. Furthermore, the sites rural location and separation from neighbouring residential properties significantly reduce the potential for any adverse amenity impacts.

Accordingly, the proposal would not result in unacceptable harm to the amenity of neighbouring occupiers and is considered to accord with Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.

4. Highway Safety

Policy LP21 of the Kirklees Local Plan requires development to provide safe, convenient, and efficient access for all users, including pedestrians, cyclists, public transport users, and vehicles. Proposals must not result in an unacceptable impact on the highway network.

Policy LP22 sets out parking requirements stating that developments should provide appropriate provision for vehicles in accordance with the Council's adopted parking standards. This includes on-site parking for residents and visitors, as well as provision of servicing and deliveries where relevant.

These policies are underpinned by Chapter 9 of the NPPF which requires that development proposals ensure safe and suitable access for all users, mitigate any significant impacts on the transport network, and provide adequate opportunities for sustainable travel.

The Kirklees Highways Design Guide SPD provides further guidance on the detailed design of access points, private drives, internal layout dimensions, visibility splays, turning space, and the number of parking spaces required based on dwelling size.

The application site would be accessed via Bank Lane, which is adopted for part of its length before becoming an unadopted private land adjacent to the application site. The proposal is accessed at this point and provides one off-street parking space to serve the camping pod, which is considered sufficient given the scale of the development and its maximum occupancy of two people.

It is acknowledged that planning permission 2020/93619 for four camping pods on neighbouring land also proposed access from Bank Lane. AS part of that permission, the Highways Development Management Team required the provision of passing places along the final section of the unadopted lane, together with details of their construction, surfacing and drainage, in the interests of highway safety.

Whilst this current proposal on this site, would be limited to a single camping pod and would not, in isolation, generate a significant increase in traffic movements, it would utilise the same section of Bank Lane which functions as a Bridleway before connecting with a wider network of Public Rights of Way adjacent to the site. Given the shared use of this route by vehicles, pedestrians, cyclists, and horse riders, it is considered reasonable and necessary, in the interests of highway safety, to impose conditions requiring the implementation of the proposed passing places and associated access works prior to the first occupation of the development.

It is therefore considered reasonable and necessary, in the interests of highway safety to impose conditions requiring the submission and implementation of the passing places and associated access works prior to the first occupation of the development.

A condition is recommended requiring the parking area to be laid out and made available prior to the first occupation of the development and thereafter retained for its intended purpose. In addition, a condition requiring the submission and approval of details of refuse storage/collection arrangements prior to the first occupation of the development is considered necessary to ensure the development can operate satisfactorily and independent of the host dwelling at No.9 Greenfield Close.

Subject to these conditions, the proposal is considered to provide safe and suitable access, would not result in an unacceptable impact on highway safety and accords with Policies LP21 and LP22 of the Kirklees Local Plan, the Highways Design Guide SPD, and Chapter 9 of the National Planning Policy Framework.

5. Ecology and Biodiversity

The Biodiversity Net Gain (BNG) Technical Advice Note provides local context on implementing BNG and reflects the statutory requirement introduced by the Environment Act 2021, which mandates a minimum 10% biodiversity net gain for most developments.

Chapter 15, seeks to protect and enhance the natural environment by securing measurable biodiversity net gains, safeguarding irreplaceable habitats, and ensuring that harm to biodiversity is avoided, mitigated or, only where absolutely necessary, compensated.

Policy LP30 of the Kirklees Local Plan seeks to ensure that development proposals protect and enhance the natural environment. This includes safeguarding species and habitats of principal importance, avoiding significant harm to biodiversity, and securing measurable biodiversity net gains wherever possible.

The application site comprises predominately grassed land with existing boundary features including vegetation, fencing and stone walls. The Councils Ecology Team have been consulted and raises no objection to the proposal. It

is acknowledged that no designated ecological constraints have been identified and that a Preliminary Ecological Appraisal was not considered necessary in this instance.

A Biodiversity Metric has been submitted in support of the application, demonstrating that Biodiversity Net Gain has been considered as part of the development. While submitted metric proposes off-site tree planting and the precise location of those enhancement measures are not yet confirmed, officers are satisfied that sufficient information has been provided at this stage to demonstrate that the delivery of BNG has been appropriately considered.

The delivery of Biodiversity Net Gain will be secured through the statutory biodiversity gain condition, which requires the submission and approval of a Biodiversity Gain Plan prior to the commencement of development, together with the associated statutory requirements. This will ensure the location, type and management of the proposed habitat enhancements are agreed before development proceeds.

Informatives are also recommended to remind the applicant of their legal obligations in respect of protected species, including bats and nesting birds.

In light of the above, it is considered that the proposal would protect and enhance the natural environment and would accord with Policy LP30 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

6. Flood and Drainage

Chapter 14 of the NPPF seeks to direct development away from areas at risk of flooding and ensure that new development does not increase flood risk elsewhere. It also requires that surface water is managed using SuDs where possible and that developments are supported by appropriate drainage infrastructure, taking into account ground conditions and pollution risk.

Policy LP28 of the Kirklees Local Plan reflects these national objectives, requiring all new development to incorporate appropriate foul and surface water drainage arrangements, including SuDs where feasible, and to ensure that any such infrastructure does not increase flood risk or lead to pollution on or off site.

The site is not located within a designated Flood Zone and is not identified as being at risk of surface water flooding. As such, there is no requirement for a Flood Risk Assessment in this case. However, in accordance with Policy LP28 of the Kirklees Local Plan and the aims of Chapter 14 of the NPPF, new development should still incorporate sustainable drainage solutions to ensure that surface water is managed appropriately and does not exacerbate flood risk on or off site. As such, it is considered reasonable to recommend a condition to ensure that parking areas are appropriately laid and drained in order to meet the wider aims of Policy LP28 of the Kirklees Local Plan and Chapter 14 of the NPPF.

7. Ground Conditions

Chapter 15 of the NPPF promotes safe and healthy living environments and requires that land contamination and other environmental constraints are considered and mitigated as part of the planning process. Policies LP51 and LP53 of the Kirklees Local Plan seek to ensure that development does not cause, or result in exposure to, pollution or environmental risks that would be harmful to human health or the environment. These policies require developments to be appropriately assessed and, where necessary, remediated to ensure that sites are suitable for their intended use.

The site is not identified on the Council's contaminated nor potentially contaminated land layer. Known historic uses appear to have been limited to agricultural, along with vegetable growing and poultry keeping, and most recently a domestic garden. Given the nature of the proposal and the limited contamination concerns identified, it is considered reasonable and proportionate to impose a precautionary condition requiring the reporting and investigation of any unexpected contamination encountered during ground works.

The site lies within a Development High Risk Area as defined by The Mining Remediation Authority (MRA) (formerly known as the Coal Authority). However, the proposal comprises a lightweight timber camping pod requiring only minimal foundations and ground disturbance. Having regard to the nature of the development, officers are satisfied that the proposal falls within the Mining Remediation Authority's exemptions for buildings and structures requiring minimal foundations or groundworks and, as such, a Coal Mining Risk Assessment is not required.

An informative is recommended advising the applicant of the Mining Remediation Authority's guidance should coal mining features be encountered during construction, together with the need to obtain any necessary permits where intrusive groundworks are proposed. Having regard to Paragraphs 196 and 197 of the NPPF, it remains the responsibility of the developer to ensure the site is suitable for its intended use and that any unexpected ground conditions encountered during construction are appropriately investigated and addressed.

Subject to the recommended conditions and informatives, the proposal is considered acceptable with regard to land contamination and coal mining legacy features, as such, the proposal would meet the aims of Policies LP53 and LP51 of the Kirklees Local Plan and Paragraphs 196 and 197 of the NPPF

8. Climate Change

On 12th November 2019, the Council adopted a target for achieving 'net zero' carbon emissions by 2038, with an accompanying carbon budget set by the Tyndall Centre for Climate Change Research. National Planning Policy

includes a requirement to promote carbon reduction and enhance resilience to climate change through the planning system, and these principles have been incorporated into the formulation of Local Plan policies. The Local Plan predates the declaration of a climate emergency and the net zero carbon target. However, it includes a series of policies, which are used to assess the suitability of planning applications in the context of climate change. When determining planning applications, the Council will use the relevant Local Plan policies and guidance documents to embed the climate change agenda.

A Climate Change Statement has been submitted in support of the application. The statement confirms that the proposal incorporates a range of measures to reduce energy demand and carbon emissions, including enhanced insulation and air tightness, solar photovoltaic panels, the use of sustainably sourced timber and electric heating. The proposal also retain permeable surfacing, provides on-site soakaway drainage and includes native tree planting to assist with climate resilience and biodiversity enhancements. Officers are satisfied that appropriate climate change mitigation and adaptation measures commensurate to the scale and nature of the development could be incorporated into the proposal. Accordingly, the development is considered to accord with Policies LP1 and LP26 of the Kirklees Local Plan, Chapter 15 of the NPPF and the Councils Climate Change Agenda.

9. Other Matters

None.

10. Representations

There were no letters of representation from members of the public received.

11. Conclusion

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

This application has been assessed against relevant policies in the development plan and other material considerations. It is considered the proposed development would constitute sustainable development and is therefore recommended for approval.

Recommendation

APPROVE

Decision Authorisation: Delegated Powers

Application Number: 2025/93559

Officer Recommendation: Approve

Conditions

1. The development hereby permitted shall be begun within three years of the date of this permission.
Reason: Pursuant to the requirements of Section 91 of the Town and Country Planning Act 1990.
2. The development hereby permitted shall be carried out in complete accordance with the plans and specifications schedule listed in this decision notice, except as may be specified in the conditions attached to this permission, which shall in all cases take precedence.
Reason: For the avoidance of doubt as to what is being permitted and so as to ensure the satisfactory appearance of the development on completion, and to accord with Policies LP1, LP2, LP3, LP7, LP10, LP20, LP21, LP22, LP24, LP27, LP28, LP30, LP53 and LP56 of the Kirklees Local Plan, Chapters 2, 6, 9, 11, 12, 13, 14 and 15 of the National Planning Policy Framework and the Provisions of the Highway Design Guide SPD (2019).
3. The external walls of the development hereby approved shall be constructed from horizontal timber cladding, the roofs using composite profiled panels of a black colour finish and the windows and door frames using timber. These materials shall thereafter be retained.
Reason: In the interests of protecting visual amenity and the character of the Green Belt in accordance with Policies LP24 and LP56 of the Kirklees Local Plan and Chapters 12 and 13 of the National Planning Policy Framework.
4. The camping pod hereby approved shall be used only as holiday accommodation ancillary to outdoor recreation and shall not be occupied as a person's sole or main place of residence.
Reason: To ensure the development remains an appropriate facility for outdoor recreation within the Green Belt in accordance with Policy LP56 of the Kirklees Local Plan and Paragraph 154(b) of the National Planning Policy Framework 2024.
5. The development hereby permitted shall be occupied by, or let to, the same person for a continuous period of time not exceeding 28 days with a requirement to have a minimum of 14 days no return between bookings for the same person and shall not be occupied by any person(s) as their sole or main place of residence
Reason: For the avoidance of doubt as to what is being permitted, in the interests of the amenity of the occupiers as the accommodation and to ensure acceptable parking arrangements are in place to accord with Policies LP22 and LP24 of the Kirklees Local Plan and Policies within Chapter 12 of the National Planning Policy Framework.
6. The camping pod hereby approved shall not be brought into use until all areas to be hard surfaced for access and parking have been and out with a hardened and drained surface in accordance with the

Communities and Local Government; and Environment Agency's 'Guidance on the permeable surfacing of front gardens (parking areas)' published 13th May 2009 (ISBN 9781409804864) as amended or any successor guidance. These areas shall be so retained, free of obstructions and available for access and parking. **Reason:** In the interests of visual amenity, highway safety and to mitigate flood risk. To accord with Policies LP21, LP22, LP24 and LP28 of the Kirklees Local Plan.

7. Prior to the first occupation of the development hereby approved, the vehicle passing places shown on approved drawing no. 04, titled Access Road Plan, dated 13/07/2026 shall be laid out and made available for use. The passing places shall thereafter be retained for the lifetime of the development. **Reason:** In the interests of highway safety and to accord with Policies LP21 and LP24 of the Kirklees Local Plan, the Highway Design Guide SPD and Chapter 9 of the National Planning Policy Framework 2024.
8. Prior to the first occupation of the development hereby approved, details of the storage and collection arrangements for refuse and recycling shall be submitted to and approved in writing by the Local Planning Authority. The approved arrangements shall be implemented prior to the first occupation and thereafter retained for the lifetime of the development.
Reason: To ensure satisfactory refuse and recycling facilities are provided in the interests of visual amenity and the safe operation of the development, in accordance with Policies LP24 and LP43 of the Kirklees Local Plan and Chapters 12 and 15 of the National Planning Policy Framework 2024.
9. Prior to the first occupation of the development hereby approved, details of all proposed boundary treatments shall be submitted to and approved in writing by the Local Planning Authority. The approved boundary treatments shall be installed prior to the first occupation of the development and thereafter retained.
Reason: To ensure a satisfactory appearance of the development and to safeguard visual and residential amenity, in accordance with Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework 2024.
10. Prior to the installation of external lighting, a detailed lighting scheme, developed in accordance with established guidance (e.g. Bat Conservation Trust and Institute of Lighting Professionals (2023) Bats and Artificial Lighting at Night), has been drafted and agreed with the council. The Sensitive Lighting Strategy will demonstrate that the proposed lighting will not impact upon ecological networks and/or sensitive features. Thereafter the agreed lighting scheme shall be implemented, subject to any variations approved in writing by the planning authority. All external lighting shall be installed strictly in

accordance with the specifications and locations set out within the Lighting Strategy.

Reason: In the interests of biodiversity and in accordance with Policy LP30 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework 2024.

11. In the event that contamination not previously identified by the developer prior to the grant of this planning permission is encountered during the development, all works on site (save for site investigation works) shall cease immediately and the Local Planning authority shall be notified in writing within 2 working days. Works on site shall not recommence until either:

- a) a Remediation Strategy has been submitted to and approved in writing by the Local Planning Authority or,
- a) the Local Planning Authority has confirmed in writing that remediation measures are not required. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures. Thereafter remediation of the site shall be carried out and completed in accordance with the approved Remediation Strategy.

Following completion of any measures identified in the approved Remediation Strategy a Validation Report shall be submitted to the Local Planning Authority. Unless otherwise approved in writing by the Local Planning Authority, no part of the site shall be brought into use until such time as the whole site has been remediated in accordance with the approved Remediation Strategy and a Validation Report in respect of those works has been approved in writing by the Local Planning Authority. **Reason:** To identify and remove unacceptable risks to human health and the environment in accordance with Policy LP53 of the Kirklees Local Plan and policies within Chapter 15 of the National Planning Policy Framework 2024.

NOTE: It is a requirement of paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 that a Biodiversity Net Gain Plan is submitted to, and approved in writing by the Local Planning Authority prior to the commencement of development.

NOTE: Noisy construction related activities shall not take place outside the hours of: 07.30 to 18.30 hours Mondays to Fridays 08.00 to 13.00 hours, Saturdays With no noisy activities on Sundays or Public Holidays.

Kirklees Council has powers under Section 60 of the Control of Pollution Act 1974 to control noise from construction sites and may serve a notice imposing requirements on the way in which construction works are to be carried out. It has additional powers under Sections 80 of the Environmental Protection Act 1990 to prevent statutory nuisance including noise, dust, smoke and artificial light and must serve an abatement notice when it is satisfied that a statutory

nuisance exists or is likely to occur or recur. Failure to comply with a notice served using the above-mentioned legislation would be an offence for which the maximum fine on summary conviction is unlimited.

NOTE: The granting of planning permission does not authorise the carrying out of works within the highway, for which the written permission of the Council as Highway Authority is required. You are required to consult the Design Engineer (Kirklees Street Scene: 01484 221000) regarding obtaining this permission and approval of the construction specification. Please also note that the construction of vehicle crossings within the highway is deemed to be major works for the purposes of the New Roads and Street Works Act 1991 (Section 84 and 85). Interference with the highway without such permission is an offence which could lead to prosecution.

NOTE: Public footpath DEN/67/20 (Bridleway), DEN/67/1, DEN/66/20, DEN/67/30, and DEN/123/10 (Footpaths) is the access to or adjacent to the development and must not be interfered with or obstructed, prior to, during or after development works. The Council's public rights of way team may be contacted by telephone 01484 221000 and ask for Sharon Huddleston. The Public rights of way team are based at Civic Centre 1, PO Box 1720, Huddersfield HD1 9EL and the email address is publicrightsofway@kirklees.gov.uk

NOTE: All contamination reports shall be prepared by a suitably competent person, as defined in Annex 2 of the National Planning Policy Framework 2021. Reports must be prepared in accordance with the following guidance:

- Land Contamination Risk Management (LCRM) • BS 10175:2011+ A2:2017 Investigation of Potentially Contaminated Sites. Code of Practice
- Development on Land Affected by Contamination - Technical Guidance for Developers, Landowners & Consultants - (v11.2) June 2020 by the Yorkshire and Lincolnshire Pollution Advisory Group. The conditions relate to Planning Control only. Approval under the Building Regulations may also be required, and the applicant should contact their Building Control Provider for further information. Any other necessary consent must be obtained from the appropriate authority. If the applicant commences work without discharging conditions, they will be at risk of enforcement action and invalid

NOTE: Kirklees Council has powers under Section 60 of the Control of Pollution Act 1974 to control noise from construction sites and may serve a notice imposing requirements on the way in which construction works are to be carried out. It has additional powers under Sections 80 of the Environmental Protection Act 1990 to prevent statutory nuisance including noise, dust, smoke and artificial light and must serve an abatement notice when it is satisfied that a statutory nuisance exists or is likely to occur or recur. Failure to comply with a notice served using the above-mentioned legislation

would be an offence for which the maximum fine on summary conviction is unlimited.

NOTE: The proposed development lies within an area that has been defined by the Mining Remediation Authority as containing coal mining features at surface or shallow depth. These features may include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); sites of recorded mine gas incidents and former surface mining. Although such features are seldom readily visible, they are often present and problems can occur, particularly as a result of new development taking place.

Any form of development over, or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Mining Remediation Authority considers that building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice should be sought to ensure a suitable engineering solution can be designed, which takes into account all the relevant risk factors, including mine gas and mine water. Your attention is drawn to the Mining Remediation Authority Policy in relation to new development and mine entries available at: [Building on or within the influencing distance of mine entries - GOV.UK](#)

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) require a Mining Remediation Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Application forms for Mining Remediation Authority permission and further guidance can be obtained from The Mining Remediation Authority's website at: www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property
[What is a permit and how to get one? - GOV.UK \(www.gov.uk\)](#)

In areas where shallow coal seams are present caution should be taken when carrying out any on site burning or heat focused activities.

If any future development has the potential to encounter coal seams which require excavating, for example excavation of building foundations, service trenches, development platforms, earthworks, non-coal mineral operations, an Incidental Coal Agreement will be required. Further information regarding Incidental Coal Agreements can be found here - <https://www.gov.uk/government/publications/incidental-coal-agreement/guidance-notes-for-applicants-for-incidental-coal-agreements>

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Mining Remediation Authority on 0800 288 4242. Further information is available on the Mining Remediation Authority website at: [Mining Remediation Authority - GOV.UK](#)

Plans and specifications schedule: -

Plan Type	Reference	Version	Date Received
Location Plan	01	Rev B	08/07/2026
Access Road Plan	04	-	13/07/2026
GA Drawing – Proposed Camping Pod	01	-	25/02/2026
Block Plan - Proposed	03	Rev A	25/02/2026
Block Plan – Proposed	03		25/02/2026
Condition Sheet: Individual Trees Habitat Type			25/02/2026
Condition Sheet: Grassland Habitat Type (low distinctiveness)			25/02/2026
Camping Pods The Acres Upper Denby; Supporting Statement			25/02/2026
Climate Change Statement			25/02/2026
SBM calcs v1.0			25/02/2026

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 and guidance in the National Planning Policy Framework, the Local Authority 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. Amended plans were submitted to provide vehicle passing points along Bank Lane as part of the proposal, these were considered as part of the assessment.

