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**Report of the Head of Strategic Investment**

**STRATEGIC PLANNING COMMITTEE**

**Date: 10-May-2018**

**Subject: Planning Application 2017/94366 Change of use of land for bushcraft activities Land Adjacent Lock 38, off Marsden Lane, Marsden, Huddersfield, HD7 6AF**

**APPLICANT**

Steve Mitchell

**DATE VALID**

22-Dec-2017

**TARGET DATE**

16-Feb-2018

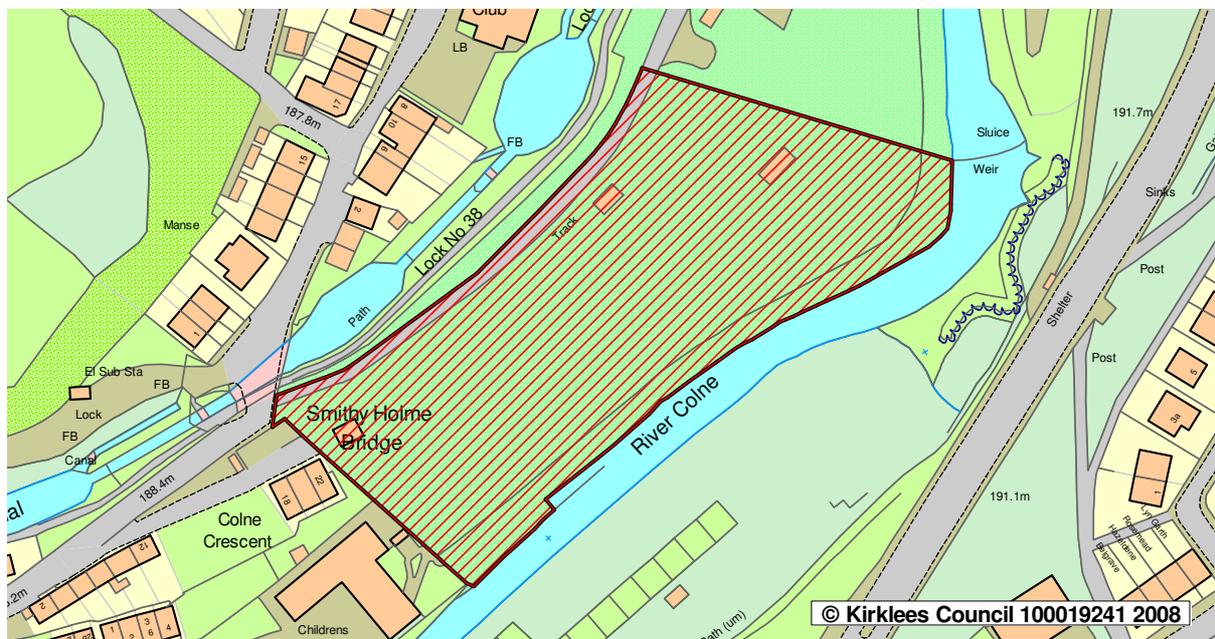
**EXTENSION EXPIRY DATE**

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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**

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**Electoral Wards Affected:** Colne Valley

No

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**RECOMMENDATION:**

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

**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 application seeks planning permission to change the use of 0.9 hectares of land to form a buscraft activities area. The proposal also includes the laying of an area of hardcore for parking to the north east of the site. The applicant has stated that the aim of the change of use is to make the site an area *“where people of all ages and abilities can learn about the natural environment, in a fun, engaging, but most importantly, safe manner, for all people involved – including those in the surrounding area.”*

3.2 The applicant has stated that the site will operate in the day, evenings and at weekends with sessions varying from 2 hours, half day or full day, with a mix of school children, families and adults using the facility. The use would operate between the hours of 7am to 9pm and be typically used by groups of between 15-20 people, with larger school groups up to 30.

3.3 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 No Planning history for the site

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

5.1 Further information was sought by Planning Officers in relation to the operation of the site in order to understand the activities which would take place on the site and how these would impact on amenity, highway safety and ecology.

#### **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 Development Plan for Kirklees currently comprises the saved policies within the Kirklees Unitary Development Plan (Saved 2007). The Council's Local Plan was submitted to the Secretary of State for Communities and Local Government on 25th April 2017, so that it can be examined by an independent inspector. The Examination in Public began in October 2017. The weight to be given to the Local Plan will be determined in accordance with the guidance in paragraph 216 of the National Planning Policy Framework. In particular, where the policies, proposals and designations in the Local Plan do not vary from those within the UDP, do not attract significant unresolved objections and are consistent with the National Planning Policy Framework (2012), these may be given increased weight. At this stage of the Plan making process the Publication Draft Local Plan is considered to carry significant weight. Pending the adoption of the Local Plan, the UDP (saved Policies 2007) remains the statutory Development Plan for Kirklees.

#### **6.2 Kirklees Unitary Development Plan (UDP) Saved Policies 2007:**

- **D10** – Outdoor sport and recreation in the Green Belt
- **BE1** – Design principles
- **BE2** – Quality of design
- **T10** – Highway safety
- **T19** – Parking standards
- **NE9** – Protection of mature trees
- **EP6** – Development and noise
- **R1** – Recreation facilities
- **R18** – Development adjacent to canals and rivers

#### **6.3 Kirklees Publication Draft Local Plan**

- **PLP1** - Presumption in favour of sustainable development
- **PLP2** - Place shaping
- **PLP21** – Highway safety and access
- **PLP22** – Parking
- **PLP23** – Core walking and cycling network
- **PLP24** – Design

- **PLP27** - Flood risk
- **PLP30** - Biodiversity
- **PLP33** – Trees
- **PLP34** - Conserving and enhancing the water environment
- **PLP47** - Healthy, active and safe lifestyles
- **PLP52** - Protection and improvement of environmental quality
- **PLP56** - Facilities for outdoor sport, outdoor recreation and cemeteries

Core Walking and Cycling Network ID 85

#### 6.4 National Planning Guidance:

- **Chapter 4** – Promoting sustainable travel
- **Chapter 7** – Requiring good design
- **Chapter 8** – Promoting health communities
- **Chapter 9** – Protecting Green Belt land
- **Chapter 10** – Meeting the challenge of climate change, flooding and coastal change
- **Chapter 11** – Conserving and enhancing the natural environment

#### 7.0 **PUBLIC/LOCAL RESPONSE:**

7.1 Publicity closed on the application on 15 February 2018, in total 9 representations have been received including comments by local MP Thelma Walker. A summary of the points raised are set out below:

##### *Highway Safety*

- Access to the site is via the junction of Warehouse Hill and Marsden Lane where visibility is limited in both directions and where there are a number of vehicles parked on street, the use of this access for the proposed development would be detrimental to highway safety.
- Currently there are rarely more than 4 vehicle movements per day on the access track, and the application proposes 12 parking spaces to serve the development but no details are provided in relation to the activities and how frequent these would be. It is considered that there would be a big increase, therefore will the existing access track be improved to account for additional movements?
- The access track is a rough path used by walkers (for at least 30 years), cyclists and serves the Canal and Rivers Trust Depot, increase volumes of traffic would compromise its use. The track connects different parts of Marsden with the village centre allowing sustainable travel and this route is used by a substantial number of people. Will the track still be able to be used by walkers? Will its use for the proposal endanger users more?

##### *Ecology*

- The proposal would have an adverse impact on local ecology as the site is rich in bat, bird and other wildlife. The site is home to a variety of wildlife which includes, heron, woodcock, sparrow hawk, kingfishers, tree creeper and many others.
- There are no details of how the proposal would provide an environmental enhancement to the site or how the existing situation is maintained. This should be required and or monitoring of the site should be required.

### *Principle*

- The site is designated as Green Belt can it be assured that there is no further development allowed in the future?

### *Amenity*

- The application provides little detail regarding the expected volume or frequency of activities on the site, therefore more information should be submitted.
- The use of the site would lead to disruption to local amenity from noise, smoke from fires and the associated activities including residential properties and a local children nurse.

### *Other*

- Given that the access to the wider site is unrestricted would it be safe to be used by children and young adults. No details regarding health and safety controls have been provided either.
- There are currently no buildings on the site and there are concerns that structures would be required to serve the development as there are no toilet, shelter or reception facilities for the proposed development. Any such structures would erode the undeveloped nature of the site.

## **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** – comments made
- **KC Ecology** – no objection
- **KC Arboricultural Officer** – no objection
- **West Yorkshire Policy Architectural Liaison Officer (PALO)** – no objection

## **9.0 MAIN ISSUES**

- Principle of development
- Green Belt
- Impact on the Huddersfield Narrow Canal
- 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

- 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 D10 of the UDP, Policies set out in Chapter 9 of the NPPF and Policy PLP56 of the PDLP.
- 10.3 Chapter 9 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 87 sets out that inappropriate development should not be approved except in very special circumstances, and paragraph 88 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.
- 10.4 The application seeks for formation of a recreation use of the land for 'buscraft activities' and the formation of an area for car parking. Policy D10 of the UDP and Policy PLP56 of the PDLP advises that such applications need to be considered in relation to the scale and sitting of ancillary buildings, access roads and parking which should not exceed which is essential for the recreational activities proposed. The effect of the proposal on landscape, trees or woodland, wildlife and the enjoyment of any public right of way or access land, and the level of traffic, noise and other disturbance which may be generated. Paragraph 89 of the NPPF advises that the provision of appropriate facilities for outdoor recreation can form an exception to inappropriate development provided it preserves the openness of the Green Belt and does not conflict with the purposes of including land within the Green Belt, the most relevant of which is preventing encroachment into the countryside.
- 10.6 Given the above, the principle of forming a recreational use within the Green Belt can be considered to be acceptable subject to an assessment of the listed criteria. It is noted that in terms of built form at the site no structures are proposed with the applicant confirming that only temporary shelters will be erected on the site as part of the bushcraft activities and a portable toilet will be provided on the site.
- 10.7 An area of hardcore would be formed to allow for the parking of vehicles and some bushcraft activities when the natural ground is too wet/boggy. It is noted that the area of hardcore is large at approximately 0.1 hectares and there would be some impact on views of the site and the wider landscape context. However the remainder of the site would be left untouched and natural and it is acknowledged that an area of firm surface would be required to operate key components of the business from. Whilst it is considered that the hardcore area would impact on the openness of the Green Belt to a degree and the wider landscape context, this impact is on balance considered to be acceptable given

that it would provide important functional space to allow the wider operation of the proposed use and given that no permanent buildings would be formed at the site. Matters in regard to ecology, amenity, highway safety will be considered in more detail below, but in summary the impact of the proposal on these matters is considered to be acceptable.

- 10.8 In terms of landscape impact it is considered that given no permanent buildings would be erected on the site the impact of the development would on balance be acceptable. Whilst the proposal would lead to a change of use of land in the Green Belt this is not considered to have a significantly detrimental impact on the purposes of including the land within the Green Belt. The use of the site for bushcraft activities would work with the natural environment provided at the site and would have the wider benefit of engaging children and adults with the natural environment.
- 10.9 It is noted that the application also includes the formation of passing places along the access track to improve its operation. Such works are considered to form engineering operations which can be acceptable in the Green Belt under paragraph 90 of the NPPF, provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in the Green Belt. It is considered that the passing spaces are minimal in terms of their scale but would provide the necessary improvements to the track to allow it to operate efficiently for the proposed use and the existing Canal and Rivers Trust Depot. In terms of the purposes of including the land within the Green Belt the most relevant of which is encroachment into the countryside, the proposed passing places would be read in association with the existing access track and are not considered to lead to a detrimental encroachment into the countryside.
- 10.10 In conclusion for the reasons set out above the proposal is considered to form an acceptable development within the Green Belt and would accord with Policy D10 of the UDP, Policy PLP56 of the draft Local Plan and Policies in Chapter 9 of the NPPF.

#### Impact on the Huddersfield Narrow Canal

- 10.11 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 R18 of the UDP and Policy PLP32 of the PDLP.
- 10.12 Policy R18 advises that for sites adjacent to canal and rivers that new developments should take account of the character of the waterside environment, the existing and proposed recreational use of the canal and river, the ecological and heritage value of the site, and opportunities to improve public access to the canal or river side, including people with disabilities. The applicant has detailed that it is their aim that the proposed bushcraft facility will be used by all members of society including children, adults and those people with disabilities with improved access to the natural environment and wider countryside. The site would remain open when not in use, but the vehicular access would be secured by the exiting gate. The applicant has set out that use of the site would seek to work with the natural environment by teaching people skills on how to hunt, track, find shelter, navigate, light fires, which they consider as a whole will improve problem solving skills of their customers. In light of the above it is considered that the proposal would meet the requirements of Policy

R18 and PLP32 and improve access to the canal and the wider local environment.

- 10.13 The Canal and Rivers Trust raise no objection to the proposal, but seek conditions regarding the provision of passing places along the access track prior to the use commencing and the control of the invasive species of Himalayan Balsam which is present on the site. These requirements will be assessed further in the highway and ecology sections of this report but are considered to be appropriate requests and can be secured by condition. The Canal and Rivers Trust have also asked that a note be attached to any decision as land owner of the access track, this request is considered to be acceptable.

#### Residential Amenity

- 10.14 The impact of the development on residential amenity has been assessed against Policy EP6 of the UDP, Policy PLP52 of the draft Local Plan and Policies in Chapter 11 of the NPPF. The application has also been assessed by Environmental Services, who have raised concerns regarding the potential impact of the development on local amenity of local residents and a nearby children's nursery. Environmental Services therefore recommended that further information is provided.
- 10.15 The applicant has provided a further statement seeking to address these concerns which have set out details in relation to hours of use and fire lighting. In terms of hours of operation it has been agreed with the applicant to restrict these to 7 am to 9 pm via condition, though hours less than this will operate depending on the time of year as the site would only operate in day light hours with sessions lasting either 2 hours, half a day or full day sessions.
- 10.16 With regard to fire lighting, the applicant has set out that they will position fires on the eastern part of the site away from nearby residential properties and the adjacent children's nursery, and use only natural materials such as wood to minimise smoke when fires are lit. The applicant has advised that fires will only be small in scale and will be put out with sand and water. The applicant has highlighted that a local children's nursery is located to the west of the site and they have advised that they will work with the nursery in order to minimise any impact considering times when children are outside.
- 10.17 The above comments have been reviewed by Environmental Services who have accepted the points raised, but have sought a temporary 1 year permission for the development to be able to assess any complaints which may arise from the development. Planning Officers have considered the comments and the request of Environmental Services and it is considered that the proposed development would have a relatively low impact on the amenity of surrounding properties and the children's nursery. The site is large and the number of visitors can be restricted with the applicant agreeing to a restriction of 30 people. Such a number of people are considered to be relatively low given the size of the site at 0.9 hectares and could be accommodated without causing disturbance to adjacent residents by reason of noise or other disturbance. Whilst it is noted that the lighting of fires could cause some disturbance it is acknowledged that they will be small in scale and the applicant has set out techniques in order to reduce any impact. It is not considered reasonable to restrict the proposed development to a temporary permission given above and given the investment required to form the hardcore area and the improvements to the access track. However,

to ensure that the development operates in accordance with this statement it will be conditioned along with the number of visitors and hours of use.

- 10.18 Subject to the above condition the proposal is considered to have an acceptable impact on local amenity and would accord with Policy EP6 of the UDP, Policy PLP52 of the draft Local Plan and Policies in Chapter 11 of the NPPF.

#### Highway issues

- 10.19 The proposals impact on highway safety needs to be considered in relation to Policy T10 and T19 of the UDP and Policies PLP21 and 22 of the PDLP. The application has also been assessed by the Councils Highways Officer who raises no objection subject to conditions.
- 10.20 Access to the site would be at the junction of Warehouse Hill Road and Marsden Lane to the west of the site and would utilise an existing track which serves a Canal and Rivers Trust Depot. The submitted plans detail that three passing places would be formed on the track to improve access arrangements and the track will be surveyed and repaired to remove any undulation. An existing gate would be retained across the access for security reasons and 12 parking spaces would be provided in the hardcore area formed as part of this application.
- 10.21 The applicant has set out that the facility will be used by a range of adults and children with typical group sizes of 15 to 20 people with school groups of up to 30. Sessions would operate on 2 hour, half day or full day sessions, with a maximum of three 2 hour sessions anticipated on any given day. The applicant has also stated that a one hour gap would be provided between sessions.
- 10.22 When school groups visit these will either be by walking from local schools, or by parking in the National Trust Old Goods Yard and walking down the canal. However most actives would take place after school time and at a weekend. Officers note that the use of the National Trust Old Goods Yard cannot be conditioned as this falls outside of the red line boundary and therefore outside the control of the applicant, however dropping off larger groups and allowing them to walk into the site via the canal is considered to be an appropriate approach in highway safety terms.
- 10.23 The applicant anticipates that groups would visit the site via public transport or by car sharing with a typical group of 20 coming in approximately 10 cars if driving. In terms of anticipated vehicle movements these are considered to be relatively low with a maximum of 30 two way movements anticipated on any given day if three 2 hour sessions were to take place. Half day and full day sessions would have less movements of between 20 or 10 two way movements. The one hour gap between sessions would also lessen the potential highway impact of the development. Whilst a minimum of 12 parking spaces are provided in the hardcore area it is noted that there would be flexibility for additional parking within the site if required. In terms of public transport it is noted that the site is well connected to Marsden Train station which is approximately 650 metres away to the west, with Marsden centre also well connected in terms of buses being less than 1km from the site.
- 10.24 The Highways Officer has advised that the parking and access arrangements for the development are considered to be acceptable and the 60 minute gap

between sessions should reduce any potential conflict between vehicles arriving and leaving. A condition requiring the surfacing of areas in appropriate materials will be conditioned, along with specific details of the layout of the parking spaces and details for the storage and collection of waste from the site. A condition restricting group sizes to 30 will also be attached to the decision notice to protect highway safety, along with a condition ensuring that the 60 minute gap between sessions is retained by conditioning the additional highway statement provided by the applicant. In addition conditions requiring the provision of the passing places before the development is brought into use will be conditioned and details of a drop off and collection facility within the site. These measures are considered to collectively form an appropriate traffic management plan for the site.

- 10.25 The applicant was approached regarding the potential to improve the point of access onto the site from Warehouse Hill. However the applicant considers that the potential for improvement is limited and given the number of movements proposed by the development further improvement to the point of access is not necessary. In addition, the applicant has highlighted that the track is currently used by the Canal and Rivers Trust track with reasonably large vehicles without issues and they consider that this would remain the case. Furthermore the access track is owned by the Canal and Rivers Trust with access rights granted to the applicant. Any improvements would therefore need to be agreed with the Canal and Rivers Trust who have been consulted on the application and who do not raise any objection to the access arrangements currently proposed.
- 10.26 It is also noted that the site is located adjacent the canal tow path which forms part of the core walking and cycling network under Policy PLP23 of the draft Local Plan. The proposal would not impact on the operation of this network and the proposal is therefore considered to accord with Policy PLP23 of the draft Local Plan.
- 10.27 Subject to the conditions set out above the proposal is considered to have an acceptable impact on highway safety and would accord with Policies T10 and T19 of the UDP and Policies PLP21 and 22 of the PDLP.

### Ecology

- 10.28 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 Policy NE9 of the UDP and Policies PLP30 and 33 of the PDLP and Policies in Chapter 11 of the NPPF. The application has also been submitted with a Preliminary Ecological Site Appraisal and an Arboricultural survey.
- 10.29 The Councils Ecologist initially sought further information regarding the operation of the site to understand how it would impact on local ecology. Whilst a specific statement with regards to ecology was not provided the information submitted was sufficient to address the concerns of the Councils Ecologist who withdrew the request for any further information. Given the nature of the development which would work with the natural environment it is not considered necessary to require any further ecology enhancements.
- 10.30 The site is also covered by a number of mature trees and an Arboricultural survey has been carried out which has been assessed by the Councils Arboricultural Officer. The Arboricultural Officer has confirmed that the trees are not protected and does not raise any objection to the application. It is noted that

the proposal would work with the natural environment and would not lead to substantial loss of trees at the site.

- 10.31 In light of the above the application is considered to have an acceptable impact on local ecology and trees and would accord with Policies NE9 of the UDP and Policies PLP30 and 32 of the PDLP and Chapter 11 of the NPPF.

### Other Matters

#### *Flood Risk*

- 10.32 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 proposal as the parking area is located more than 40 metres from the bank of the river. Furthermore the proposed change of use forms a water-compatible development in terms of vulnerability classification which are acceptable forms of development in flood zone 2. The Environment Agency do however advise that an informative note is provided regarding the potential need for a permit, this can be added to any decision.

#### *Crime Prevention*

- 10.33 The application has been assessed by the West Yorkshire Policy Architectural Liaison Officer (PALO). After the submission of further information the PALO does not raise any objection to the proposal.

### Representations

- 10.34 In total 9 representations have been received including comments by local MP Thelma Walker. A summary of the points raised are set out below with a response to the points raised:

#### *Highway Safety*

- Access to the site is via the junction of Warehouse Hill and Marsden Lane where visibility is limited in both directions and where there are a number of vehicles parked on street, the use of this access for the proposed development would be detrimental to highway safety.

**Response:** As set out in the highway section above the proposal is considered to have an acceptable impact on highway safety.

- Currently there are rarely more than 4 vehicle movements per day and the application proposes 12 parking spaces but no details are provided in relation to the activities and how frequent these would be, but there would be a big increase. Will the existing access track be improved to account for additional movements?

**Response:** As set out in the highway section above the details regarding vehicle movements has been provided which are considered to be acceptable. The application includes improvements to the access track which are conditioned.

- The access track is a rough path used by walkers (for at least 30 years), cyclists and serves the Canal and Rivers Trust Depot, increase volumes of traffic would compromise its use. The track connects different parts of Marsden with the village centre allowing sustainable travel and this route is used by a substantial number of people. Will the track still be able to be used by walkers? Will its use for the proposal endanger users more?

**Response:** The proposal would not affect users rights to walk along the track or the canal.

### *Ecology*

- The proposal would have an adverse impact on local ecology as the site is rich in bat, bird and other wildlife. The site is home to a variety of wildlife which includes, heron, woodcock, sparrow hawk, kingfishers, tree creeper and many others.

**Response:** The impact on local ecology has been considered in detail by the Councils Ecologist and a preliminary ecology assessment has been carried out. The Councils Ecologist does not raise any objection to the proposal on ecology grounds.

- There are no details of how the proposal would provide an environmental enhancement to the site or how the existing situation is maintained. This should be required and or monitoring of the site should be required.

**Response:** Given the nature of the development which seeks to work with the natural environment it is not considered necessary to require any enhancements be provided.

### *Principle*

- The site is designated as Green Belt can it be assured that there is no further development allowed in the future?

**Response:** As set out above, the principle of the proposed development is considered to be acceptable in Green Belt terms, any further development of the site would require planning permission.

### *Amenity*

- The application provides little detail regarding the expected volume or frequency of actives on the site, therefore more information should be submitted.
- The use of the site would lead to disruption to local amenity from noise, smoke from fires and the associated actives including residential properties and a local children nursesey.

**Response:** Further information has now been provided by the applicant to details that typical group sizes will be between 15-20 people with maximum sizes of up to 30 when children visit the site. Sessions would be either 2 hours long, half day or full day. These details are considered to be sufficient to allow an assessment on amenity grounds which is considered to be acceptable. Consideration has also been given in respect of impact from fires and mitigation measures which can be conditioned.

### *Other*

- Given that the access to the wider site is unrestricted would it be safe to be used by children and young adults. No details regarding health and safety controls have been provided either.

**Response:** The safety of users of the site would be for the applicant to address and is covered by other legislation.

- There are currently no buildings on the site and there are concerns that structures would be required to serve the development as there are no toilet, shelter or reception facilities for the proposed development. Any such structures would erode the undeveloped nature of the site.

**Response:** The only structures which would be erected on site would be of a temporary nature that would not require planning permission. A temporary toilet would be provided if needed.

## **11.0 CONCLUSION**

- 11.1 In conclusion the proposed development forms a recreational use which is considered to be acceptable within the Green Belt. The proposal would protect the operation of the canal and allow improved access to the countryside by a variety of different people. The proposal would have an acceptable impact on local amenity, highway safety and ecology.
- 11.2 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.
- 11.3 This application has been assessed against relevant policies in the development plan and other material considerations. It is considered that the development would constitute sustainable development and is therefore recommended for approval.

## **12.0 CONDITIONS (Summary list. Full wording of conditions including any amendments/additions to be delegated to the Head of Strategic Investment)**

1. Development to commence within 3 years.
2. In accordance with the plans.
3. Development to operate in accordance with submitted statement regarding fires, operation of the site and traffic including the provision of a 60 minute gap between sessions.
4. Restriction of hours of operation from 7am to 9pm.
5. Restriction of the group size to 30.
6. Submission of details for layout of the bushcraft areas on the site and the car parking area.
7. Submission of details for waste collection.
8. Provision of passing spaces before the development is brought into use.
9. Provision of a drop off and collection facility within the site before the development is brought into use.
10. Surfacing of areas to be used by vehicles.
11. Submission of details to control Himalayan Balsam.

Informative Note regarding Potential Environment Agency Permit

### **Background Papers:**

Application and history files.

Website link:

<http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2017%2f94366>

Certificate of Ownership – Notice served on/ or Certificate A signed: