

23 May 2019

**Kirklees Planning Service,
Civic Centre 3,
PO BOX B93,
Huddersfield,
HD1 2JR**

For the attention of Emma Thompson

Dear Madam,

**Planning Application Number 2019/62/91568W
Demolition of existing bungalow and erection of 3 detached dwellings**

I am writing in connection with the above Planning Application, and

I wish to register strong objection to this, the third in a series of similar applications submitted by the same applicant over a period of three years.

The first application, 2016/92203, was initially for three 4-bedroomed houses, and provoked concerns with Kirklees Highways regarding highway safety (PLP 21) of the unadopted section of Colders Lane. As a result, the applicant amended the application to two 5-bedroomed houses, which was granted conditional permission on 10th July 2016, on the condition that development commenced within 3 years of that date.

The second application, 2018/91306, was submitted in April 2018 and was in effect a re-submission of the applicant's first concept, three 4-bedroomed houses. Although the decision for this application experienced significant delay, it was eventually refused on 29 April 2019 on the following grounds:

"The amount of additional residential development proposed on the application site would result in an unacceptable intensification of a substandard unadopted access road that already serves 10 dwellings and also carries a public right of way. The proposal would therefore prejudice highway safety and would not accord with Policy PLP21 (as modified) of the Kirklees Local Plan."

The applicant has now submitted this third application which is substantially the same as the previous two, except that the dwellings are 3, rather than 4-bedroomed. Nevertheless, I consider that the traffic generation of three houses on this site will not be significantly reduced by this alteration, and the repeated re-submission of such similar applications indicates a high degree of cynical disregard of the Planning system. I also note that the applicant has submitted the same Traffic Impact Assessment that was used to justify the previous applications.

To quote from the Officer's report dated 29 April 2019, *"It has previously been held that 3 dwellings on the site amounted to an unacceptable intensification of this substandard access. There has not*

been any material change in circumstances since the previous application that would alter this view and as such I consider the highway safety impacts to be unacceptable.”

The basis for my objection is therefore the same as that submitted for both previous applications, but for completeness I shall re-state them as follows:

Vehicular access –

- Inaccessible for a fire engine (contrary to Part B5 of the Building Regulations) due to narrowness of unadopted section of Colders Lane.
- Refuse vehicles currently do not go beyond Popley Butts (because it is too narrow and unadopted), so the bin store as shown would require residents of the new properties to take their bins to Popley Butts, a distance of 40m, on collection days. The provision of a turning head at the site entrance is irrelevant if emergency vehicles are unable to reach the site.
- The unadopted nature of this section of Colders Lane brings into question the access rights for the plot of land subject to this application, and whether the residents of cottages 2 to 8 have any say in what additional traffic would use their road if the application was approved.
- Previous concerns voiced by the Council’s own Highways and PRoW officers – for example “Highways Development Management raises concerns with regards to the on-going intensification of use of the Colders Lane access for vehicular traffic” - also seem to have been disregarded.

Parking – Each dwelling has three double bedrooms, compared to the existing 2-bedroomed bungalow (incorrectly stated in the application as 3-bedroomed). At full occupancy, this is likely to generate significantly more traffic. Also, as the limited living space in the submitted designs is clearly insufficient for this number of people, the obvious solution would be to convert the garage into additional living space. This would result in all vehicles being parked outside, where there is insufficient space.

Privacy – The proposal is in contravention of Para 4.28 of the UDP Policy BE12, which states that the development should provide “12.0m between a habitable room window of a dwelling and a blank wall or a wall containing the window of a non-habitable room”. The plans as submitted indicate a distance of approximately 5m between .

There would appear to be a stairwell window in the gable wall of Plot 3 which would contravene this requirement. The development would also result in intrusion into , both from being overlooked by the front elevations of all properties and by the location of a hardstanding for 2 vehicles located .

Roof heights – The proposed roofline of the highest house is 4.1m above the existing bungalow ridge height, which will have a significant visual impact on all surrounding properties.

Density – DLP suggests 30 dwellings/hectare, higher in town centres and lower for compatibility with surrounding area. We would hope that the Committee would agree that the proposal applies an unacceptable density which is not compatible with the surrounding area.

If this application is to be decided by councillors, please take this as notice that I would like to speak at the meeting of the committee at which this application is expected to be decided. Please let me know as soon as possible the date of the meeting.

Yours faithfully