

27 August 2020

Kirklees MC
Planning Services
PO Box B93
Civic Centre 3
HUDDERSFIELD HD1 2JR

dc.admin@kirklees.gov.uk

Dear Sirs

Application number 2020/92284/W
33 Wilshaw Road Wilshaw Holmfirth HD9 4DZ
Erection of single storey outbuilding to provide home office / studio (within a conservation area)

We would make the following comments and objections:-

1. The Decision Notice 2017/62/9124/W stated, inter alia, that the external walls and roofing materials of the detached garage should in all respects match those used in the construction of the existing building. The 'existing building' is built of coarsed natural stone not reconstituted stone as detailed in the current application
2. Siting the garage (outbuilding) further to the north would cause further harm to the outlook of our adjacent property (Willow Shae). Please appreciate that our amenity has already been seriously damaged by the previous developments on this site and we already have a substantial amount of brick work to look at by virtue of the large extension to the rear of number 33 and the attached walled enclosure. You will note from the planning history of number 33 that the extension should have been 4m in width but we believe that it is actually 4.5m. This obviously reduces the previously open view from our property even further. We then have further walling to look at which was allowed by planning to save the current owners from having to demolish their previously constructed attached garage. Should the current application be allowed to proceed then there will be walling from the front of the building (circa 1940s build) right through to the rear of the domestic plot. An essential characteristic of the Green Belt is its openness. This has already been compromised by the addition of the high gated access, the container adjacent to the public footpath, the erection of the extension and the erection of the walled area which houses the bar-b-que and hot tub, all of which have diminished the open aspect.
3. Should the application be approved there will be no 'openness' which is a key factor of the Green Belt policy when viewed from our property, Wilshaw Road and St Mary's Church, a Grade II listed building
4. It was stated by the current owners of number 33 that '*with the loss of the approved garage we consider that the development has less impact on the openness and character of the Green Belt*' – this supports our contention as above
5. The area to the rear of our property has become waterlogged as the ground levels of number 33 have been raised which means that we have a substantial amount of surface water running

- on to our property. The plans submitted make no reference to water drainage. The area to the rear of our property is extremely slippery and unsafe and which is due to water ingress from number 33. We are concerned that this additional building might make matters worse as the groundwater could naturally be forced round the building into our lower level property
6. The proposed works fail to preserve or enhance the conservation area in which they sit, contrary to Chapter 16 of the National Planning Policy framework and policy PLP35 of the Local Plan

observations re the submitted heritage, planning design and access statement

1.2 it is stated that number 33 is a 2 storey dwelling. It makes no reference to the undercroft. Further the grassed area to the rear is a field and not a lawn.

3.3 the approved development did not include the creation of a new driveway. The driveway to number 33 was directly from Wilshaw Road adjacent to our property. The existing owners blocked up that accessway and created a vehicular accessway off Gill Birks Lane without any approval. The entrance to number 33 from Gill Birks Lane was only ever via a small pedestrian gate. The vehicular access to number 33 has been widened to circa 8m. Kirklees stated that it would benefit from permitted development rights under schedule 2 part 2 class A of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) however such development is not permitted where its height exceeds 2m above ground level which it does

4.7(a) The 2017 application was approved on the assumption that the property would be built according to the approval. It is suspected that the extension extends 0.5m further to the north than was approved and at the time of approval there were no enclosure walls and no basement. The combination of these elements means that this already has an adverse impact on the amenity of our occupation of our property. With respect, we should know this better than anyone

4.7(b) it is stated that the driveway of our property runs alongside the common boundary but our driveway does not extend the full length of the plot and it will not therefore create a separation between our property and number 33. The rear of our property, where it is proposed the new building will be built, is not at a higher level to number 33 as is obvious by inspection. As stated above, this proposal provides **the opposite** to a *high standard of amenity for neighbouring occupiers* and considering the size of this plot and the damage to our amenity already caused by these earlier developments, we feel that this is unfair and unnecessary.

4.15 makes reference to '*several mature trees along the frontage of the Church Yard*' to what trees do they refer?

We do not feel that the Planning Department has protected our interests very well so far and we respectfully request that this matter is given very careful consideration.

