

OBJECTION to application 2020/62/92400/W - overdevelopment of the plot

This is the 4th planning application for building on this plot since March 2018.

This property had its Permitted Development Rights removed when it was originally built by the previous owner in the front garden of what is now 408 Birkby rd in the plans approved in September 2004. It has since come to light that it was even built with an extra floor and 7 bedrooms instead of 4 to 5 as per the approved plans.

One reason for approving plans for this 6th house house to be built off a private drive (when Kirklees Highways directive was and still is, a maximum of 5 houses!!) was that it was to be set **well back** from the road -quoted from the then planning officer's notes. This detached garage would sit **well forward** of the host property

The first application for the now new owner to extend this property was in March 2018. It was for double storey and single storey extensions plus a detached garage. The garage was removed from the plan on the advice of the case officer in July 18 because of being considered harmful to the local visual amenity and unlikely to be approved. In fact the final plan(for the 2 extensions only) went to the Planning Committee in September 2018 but permission was refused as per this wording-

"The proposed extensions, by reason of their scale, and in the context of and bulk and footprint of the existing dwelling relative to its plot size and those of surrounding houses, would amount to overdevelopment of the site. This would result in a visually assertive development out of character with, and harmful to, the visual amenity of the local area etc etc"

Also ***'The application, if determined in its present form, even in a modified form that retains the detached garage, is likely to meet with refusal.'***

The second application was for a double storey extension only. This was approved by the Planning Committee in January 2019. One member of the planning committee did use the words "enough is enough" during discussions.

The applicant meanwhile though had appealed to the Planning Inspectorate regarding the refusal of the first application for the two extensions. The appeal was upheld and the two extensions have now been built. The Planning Inspector who approved these extensions did state in her report though that these would compromise the appellants garden, but now there is an application to build again in this compromised garden

The third application was for a large detached garage in June 2019. Permission was refused as per this wording-

"The proposed detached garage, by reason of its scale and position forward of the host property and adjacent to Birkby Road, and when combined with other extensions undertaken at the application site would represent an overdevelopment of the site, that would be visually assertive and out of character with, and harmful to, the visual amenity of the local area"

The applicant appealed to the Planning Inspectorate again but this time the appeal was dismissed and permission refused in December 2019.

We now have a 4th application, again for a large double garage, now reduced in width by 1.9m but only by a mere 30cm reduced in height. It is in exactly the same position as the previously refused 3rd application, so all concerns and reasons for refusal from the Planning Inspectorate and Kirklees Planning are still totally relevant and must be applied to to this 4th application

This plot has already the highest building density compared to the other properties on the private drive - already at 21% with the two extensions, according to the Planning Inspector when approving them. The planned loss of 80 sqm from the plot for highway improvements will increase the building density even more.

To allow a double garage to be built would be yet another increase in the density and footprint.

The extensions built last year added 45.9 sqm and this garage would add yet another 43.56 sqm. Their combined total would be 89.46sqm which would be almost a 41% increase on the original building footprint of the site.

We urge the Planning Department to stand by their previous statements regarding overdevelopment of this site and refuse this application. The above must be taken into account alongside the misleading images in the plan and the negative effect on the visual amenity