

**From:**  
**To:** [DCAdmin](#)  
**Subject:** Re: Planning application number 2020/93365  
**Date:** 02 December 2020 14:56:03

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Objection to erection of residential development on Mountain Way, Kirkheaton

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I refer to the approved planning permission granted on 5/4/62 (see Site History). Building permission was granted for a housing development as indicated on the submitted plans. The plans clearly show the layout of the proposed houses, beginning with Plot no.1 ( now 2 Orchard Road) and continues along Orchard Road. The development was subsequently built according to those plans. They do not show any building in the garden of Plot 1 (2 Orchard Road). If such a building had been submitted for consideration at the time, it is highly unlikely to have been approved. Hence its omission and subsequent use for other (permissible) purposes – see point 4 below.

2. In stating “...the site is within the garden of the end property”, are AK Planning suggesting the site is actually owned by \_\_\_\_\_ (ie the end property)? If this is the case, then \_\_\_\_\_ does not have a good title to the land, as he doesn’t own the property. If this isn’t the case, then it is surely a separate development and therefore outside the planning permission of 1962. This would make the argument used by AK Planning irrelevant to the current application.
3. The planners have included measurements of the site, indicating the plot to be 12 meters wide x 128 meters long. These measurements not only appear to include a public footpath, but also record the width at its widest (and smallest) part of the plot. It is not consistently 12 meters wide, but tapers by at least 3 meters towards the area of the footpath.
4. The planners state the land previously contained “domestic scale sheds”. What they do not say is that more recently, and over the period of 30 years, the land was used as an allotment by \_\_\_\_\_. This was in keeping with the previous use of the land (for agricultural purposes) – permitted within a Green Belt area.

Other Considerations

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(A)The land is Green Belt. Squeezing a 2-3 storey house by the roadside, with little or no room for off-road parking or turning, would not benefit the appearance of the environment. Parking on the road would not be an option, as the road is too narrow to enable emergency vehicles to pass a parked car. Additionally, the road is private and for access only. It serves 4 houses on the drive – no. 2 Orchard Road, and nos. 8, 10 and 12 Mountain Way. It was privately adopted in 1992 and was a condition of planning permission for the building of 10 and 12 Mountain Way on 10<sup>th</sup> July 1992.

This means that he doesn’t have

the right to dig up the road or park vehicles on it, for building or other purposes, without permission from the 4 houses it was built to serve.

(B)In the words of AK Planning “...infilling should be in harmony with existing development in terms of design and density...” . The housing in the area is predominantly dormer bungalows with drives for 2 cars, garages and gardens, all blending into the landscape. The proposed

development plot is far too small for a building that would be in keeping with the rest of the houses, and thus doesn't satisfy the planner's own definition of what infill should be.

I hope my comments will be taken into consideration in making a decision on the proposed development.

With Kind Regards,

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