

From:
To: [Neil Bearcroft; DCAdmin](#)
Subject: Objection to application 2020/93467
Date: 23 November 2020 12:19:16

Objection

As this retrospective application is for a repositioned and widened gateway and gate the Planning Department should now review and take into consideration vehicular access to the property again. When 402 was originally built the then owner erroneously and without our knowledge stated that our part of our property, a square of land adjacent to our home and the lane, could be used for vehicles to turn in.

This square is the private property of our home . It is NOT a general turning area and does not form part of the private lane

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Because gate at 402 is never opened fully for deliveries etc to enter these vehicles are then forced further along the private lane to turn in our square. The residents themselves also do so at times. All turning for any vehicle to do with 402 should take place within its own curtilage and the access requirements to achieve this can now be addressed by Planning now there is an application for a new repositioned and enlarged gateway and posts

Lee Stoney- Development Management Compliance Team Leader in the Planning / Enforcement Department has also confirmed to us that, as our square is private property, they have no authority to say or give permission for it to be used as a turning area for any of the other residents of the lane. Just because we have chosen not to put a gate across the top of the square doesn't make it an area for anybody to use.

The oversize gate and fence that have been installed at 402 are enormous and not at all in keeping with the street-scene of other five properties that use the lane. They also exceed the 1m maximum height legislation for fences next to a 'highway'. It has been pointed out to us that a Kirklees planning portal statement includes unadopted and private ways in the definition of a 'highway' for the purpose of the order.