

From:
To: [Neil Bearcroft](#)
Cc: [DCAdmin](#)
Subject: Planning Application 2021/91239
Date: 07 July 2021 23:46:07

If these comments are included on the portal, please remove name, address and email address.

Dear Mr Bearcroft

We note that amended plans dated 17/6/21 went onto the portal on 24/6/21 with no additional consultation period. Neither was there notification from the Council that there were updated plans. However, we have seen that some new comments have appeared on the portal since then, so assume that these will be taken into consideration.

The plans appear to shift the proposed house at 410, 2.6m towards the proposed house at 412. The eastern edge of the new property will therefore be in the same location as the current bungalow and the plans attempt to show that it does not appear to encroach into the area in which trees with protection orders are located. Our concern is that the current arrangements to retain the soil on the banking will be compromised by the additional weight of the 2 storey house that is proposed and deeper foundations for the retaining wall will be required. This would be likely to damage tree roots and therefore destroy the protected trees over time. Even if the eastern edge of the new property is in line with the old one, the rebuilding will require heavy plant and machinery in the area where the trees and woodland are subject to TPOs. Any disturbance in this area will cause tree damage.

We still believe that the ecology report is not valid and is not actually based on 410 and 412, the report refers to 408 which backs on to a tarmac carpark not protected woodland

There is no change in the size, bulk or height of 410 and by moving this house much closer to 412, it creates a very narrow space between the two houses. Plan 212112B shows the front of the houses will be 5.4 m apart but the gap narrows towards the rear of the properties by a further 2 metres. Such a close relationship between the two buildings is inappropriate and the revised location will be overbearing in terms of its design and scale alongside proposals for 412. The plot for 410 and 412 may look large on paper, but due to the topography, the available building space is much smaller and the new houses much larger, taller and more imposing resulting in the potential over development of the plots. LP24 (b) "requires proposals to provide a high standard of amenity for future and neighbouring occupiers, maintaining appropriate distances between buildings." The current applicants are relatives, and this may not be an issue for them, but the national planning framework, and Kirklees Local plan is clear that proposals should consider future occupiers.

The aerial views of the area are misleading. Taken from above the views are trying to show the canopy of the trees will hide some parts of the new properties, but this is not the view from the ground that neighbours and residents in the area will actually see. In addition, the trees are deciduous and as such will be bare for 6 months of the year.

It would be helpful if the original plans submitted for both the house at 412 and the bungalow at

410 as well as any amendments over time could be uploaded onto the portal so that we could see what changes were made and conditions imposed and why. If there were conditions, these should be included for any new build at the same locations, should approval be given.

We still think that there are issues about demolishing perfectly good modern houses with the associated use of resources which does not fit either an environmental or sustainability agenda and does not accord with the principles of the local development plan . LP24 (d) 'high levels of sustainability.... to a degree proportionate to the proposal... through the re-use and adaptation of existing buildings.... where practicable, minimising resource use in the building'.

We still have concerns about the process of a demolition and rebuild of this scale in terms of the effect on the lane, the local area and road safety on Birkby Road. Should there be any building at all on 412 and 410, we believe that a construction management plan as we have previously outlined would be essential. There appears to be no intention to reuse any of the materials from the demolished buildings which will lead to significantly more traffic along a narrow lane to and from Birkby Road than there would be should the existing buildings be extended rather than rebuilt.

We note that there are some new pictures of existing retaining walls, which will be retained with the new proposals. Neither these, nor the pictures of houses provided add anything to the application. There may be some large houses in the area, but it looks as though the ones proposed will be bigger than the others shown. The footprint diagrams are misleading, there would certainly be a significant increase in the size, scale and bulk compared to the properties they replace.

Yours sincerely