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Planning Development

By Email Only

20th June 2022

Kirklees Council
Planning – Development Control

FAO Katie Chew

OBJECTION TO AMENDMENTS RELATING TO PLANNING APPLICATION FOR DEMOLITION OF EXISTING STABLE BLOCK AND ERECTION OF DETACHED DWELLING FORMING ANNEXE ACCOMMODATION ASSOCIATED WITH LEATHER HALL BARN, BRADSHAW ROAD, HONLEY, HOLMFIRTH, HD9 6RJ, AND CHANGE OF USE OF LAND TO DOMESTIC GARDEN.

LPA REF: 2021/94531

Dear Madam,

As you will be aware, _____ submitted an objection letter in relation to this application back in December 2021 on behalf of a neighbouring resident. Having looked at the recent amendments to the application, our client has requested that we submit some further comments.

You will recall that our client previously objected to the proposed development by reason of inappropriate development within the Green Belt, concerns over whether the annexe is genuinely ancillary residential accommodation, and the impact the development would have on highway safety.

Inappropriate development in the Green Belt

It is noted from the amendments that the scale of the proposed dwelling/annexe has been reduced in size to more closely reflect the size of the existing stable. However, it is not only the size of a building that determines its overall impact on the openness of the Green Belt. As was mentioned in our previous letter, the proposed use of the building for residential would be more intensive than its existing use as stables. The domesticated design of the dwelling/annexe including the proposed materials and solar panels, and the additional paraphernalia that is likely to be associated with its use, such as garden furniture, hardstanding areas, bins etc, would be of detriment to the openness of the Green Belt.

It is therefore considered that even with the reductions in the size of the building, the proposed dwelling/annexe would still be inappropriate development in the Green Belt and is therefore contrary to clause g) of paragraph 149 in the NPPF.

It is also noted that the description of the proposed development has been amended and now includes 'change of use of land to domestic garden.' The fact still remains however, that the extension of gardens within the Green Belt are likely to have a detrimental impact and cause harm to openness. This is presumably why, in accordance with Policy LP58 in the Local Plan, proposals to change the use of land in the Green Belt to domestic gardens will not normally be permitted unless very special circumstances exist. Our client is still of the opinion that very special circumstances have not been demonstrated in this case and therefore the proposed extension to the garden is also inappropriate development in the Green Belt.

As mentioned in our previous letter, the applicant also owns the land directly north-west of the application site, edged in blue on the Location Plan. If approval is given for an extension to the original domestic curtilage, what is stopping the applicant from encroaching into this area of land in the future causing even further harm to openness? As mentioned previously, an area of hardstanding has already been constructed on this land without planning permission.

In light of the above, our client remains of the view that the proposed development remains inappropriate development in the Green Belt and on that basis, it is considered that the application should be refused.

The proposed annex

Although the size of the proposed dwelling/annexe has been reduced, the internal layout remains unchanged. The inclusion of a 'store' with an internal and external door is therefore still concerning as this could easily be converted into a kitchen. As was mentioned previously, if the store is genuinely proposed to be a store, why is there a need for an internal door? Likewise, why is there a need for an internal garage door if this is proposed to be used by the applicant and not for the use of grandparents staying in the annex? ¹

Our client remains concerned that the dwelling/annexe would not be used as ancillary residential accommodation for the enjoyment of the main house but would instead be used as separate dwelling. The amended description does nothing to allay these fears. Why does the description state 'erection of detached dwelling forming annexe'? If the proposed development is for an annexe, surely a more suitable description would simply read, 'erection of annexe accommodation.' This would get rid of any ambiguity.

Impact on Highway Safety

It is noted that Highways DM have no objections to the proposed annexe. This is very disappointing. As mentioned previously, the lane leading to the properties at the far end, including the applicant's, is extremely narrow. Cars are required to reverse long distances back down the lane if they meet another vehicle. There is no shared turning area at the end of the lane. At present any delivery vehicles visiting the applicant's property have to use our client's land to park and turn around on as the applicant keeps their gates shut and locked at all times. This current situation is already problematic for our client and also results in most vehicles having to reverse down the lane onto Bradshaw Road.

Our client is therefore still of the opinion that the proposed dwelling/annexe would increase the volume of traffic using the lane making the existing situation worse. As stated previously, the lane is simply inadequate to support any further residential development that would increase its use.

¹ Design and Access Statement page 2

Given the reason outlined above, our client wishes to uphold their objection to this application. It is therefore respectfully requested that the application is refused.

Yours faithfully,