

Application Number ~~2020/62/91049/W~~ **STRONG OBJECTION TO - 2023/62/91327/W**

Please note, this application has been in before and was withdrawn by the applicant before a decision could be made and would suggest that the comments on this application be checked before a decision is made this time

Noticed that the highways department comments are not here anymore, they raised objection to this application the last time [https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/filedownload.aspx?application\\_number=2020/91049&file\\_reference=835899](https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/filedownload.aspx?application_number=2020/91049&file_reference=835899)

- we cannot support this application and would wish to object on highways grounds to the application.
- It should be noted that there are no parking restrictions at this section of Somerset Road, however spaces are at a premium and any additional parking demand may cause a displacement of existing residential parking

**Planning Application**

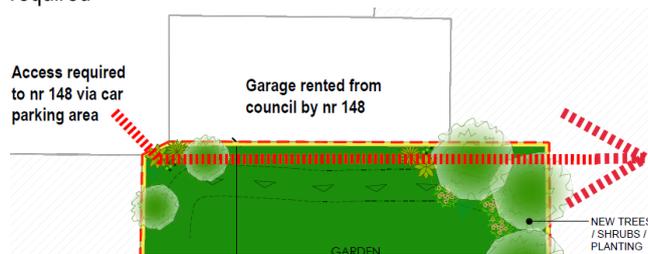
Section 8 RIGHTS OF WAY 'no'

Do the proposals require any diversions/extinguishments and/or creation of rights of way?

- Yes
- No

This is incorrect as there is a right for access at the rear to access nr 148 from the garage's which is not vacant as the architect has suggested this is rented from the council by nr 148

The plan drawings at the rear show the garden for the new property all the way up to the garages and is misleading as access is required at the rear to nr 148 so this would reduce the size of the garden and mean that unrestricted access is required



**Planning Application**

**Materials**

Does the proposed development require any materials to be used externally?

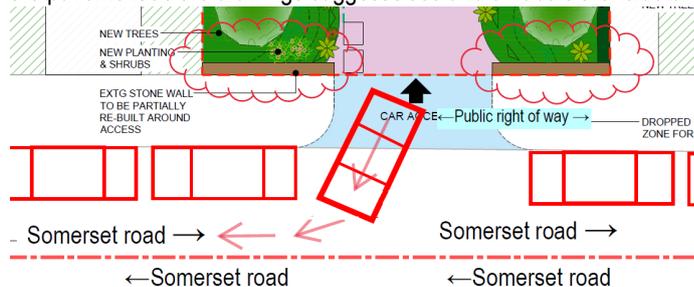
- Yes
- No

This section says 'yes' but gives no indication as to what these are or they will affect the local residents, how can anyone comment when we don't know what it will be or how we will be affected..?

**Safety issues**

Looking at the plan drawings there isn't enough room to spin the car around so would there not be a safety issue with vehicles either reversing in to or out of the property on to a very busy main road especially with the amount of cars parked above and below the opening that there would be a massive lack of visibility.

This would also impact on the pavement as cars entering or reversing from the property would have limited visibility on to the pavement as the drawings suggest trees and shrubs either side of the car access area on to a public highway



When reversing in either direction you have bigger blind spots which put pedestrians, cars & cyclists in more danger

**Parking not only for residents**

This stretch of parking is unfortunately used not only by residents but by employees of Donaldson's vets and Monday to Friday people are using this area as unrestricted free parking and walking the short distance to town to save money and on Saturdays this area is busy if Huddersfield town are playing as it's a short walk from here down Stadium Way to the ground.

**Residential amenity issues – the 'right to light 45° rule'**

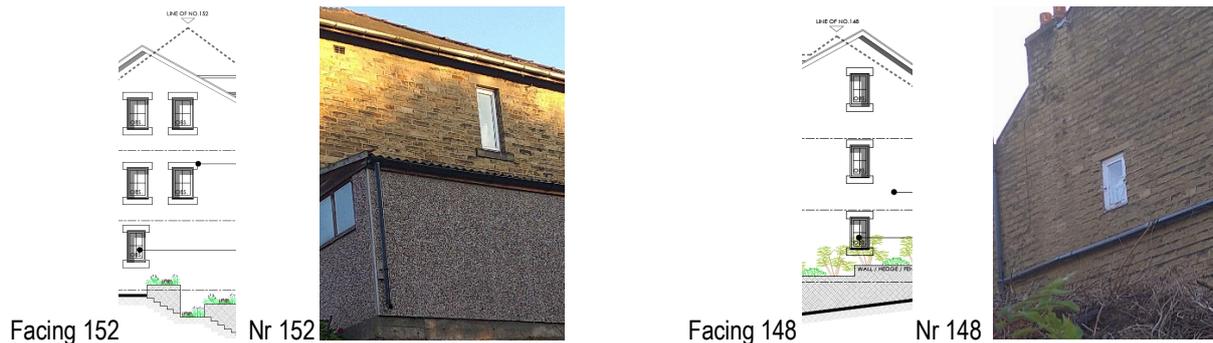
Side elevation drawings show opening windows on both sides of the property and I believe these will be overlooking houses on both sides but on the elevation facing nr 152 these are all bathrooms and there may be a privacy issue here  
*No development should intrude over a line drawn at an angle of 45° in the horizontal plane from the midpoint of the nearest window of a habitable room (includes kitchens but not for example bathrooms)*

I believe this is also contravenes the 'right to light laws' as this will be blocking the sun from several properties  
 4.16 *Any house extensions or alterations are expected to not materially affect the amount of natural light presently enjoyed by a neighbouring property. Therefore, extensions and new builds will not be permitted if they unreasonably overshadow neighbouring habitable rooms and private gardens.*

The BRE Guidance states that the Vertical Sky Component (VSC). For a window of a room to be adversely affected under the BRE guidance, the window must have a view of less than 27% of the 'dome of the sky' (a VSC of less than 27%) and the VSC must be less than 0.8 times its previous value.



With the sun rising from the East the loss of light by blocking this would be immense, nr 148 would loose all sun to side window and back garden from sunrise till after lunch about 50% of the sun now and nr 152 would loose all sun to side window and front garden pretty much all afternoon about 75% of the sun



**Construction issues**

During construction where would the delivery vehicles park for off-loading materials as the small track at the back has already been proven to be unacceptable for large vehicles by the highways committee and no spaces available for road parking...? what provision will be given to prevent the blocking of the road and causing major disruption to a busy arterial route to the town centre.

If a traffic lighting system is to be used then this alone will cause major disruption on the road and the pavement will need to be closed off for the duration for safety reasons

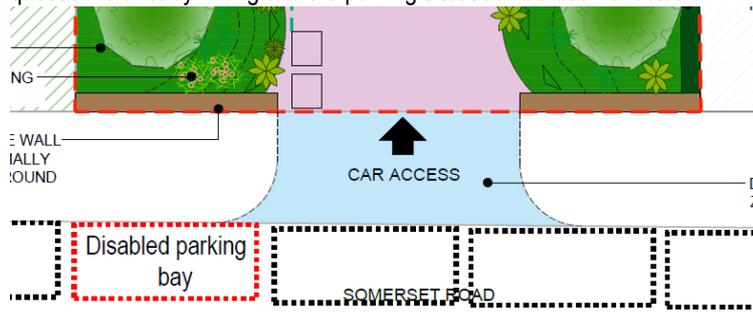
### **Disabled Bay issues**

Planning has been approved for a disabled bay outside this property by nr 109 across the road so this will be directly next to the entrance for this property and will cause visibility issues for cars entering and exiting as one of these will be a reverse on to or out of the property

### **Location issues**

The frontage of the house is 7.3m wide and the property is 10.0m wide and the parking width/ dropped kerb is 3.9m at the gate side but with the curve of the pavement (as drawn) the restricted access would be approx. 5.9m and the average length of a standard car is 3.4m long, so giving permission to drop the kerb by this length means that 2 cars will be unable to park on the road as access will be required to this property for 5.9m

And now with the recent permission given for a disabled parking bay from an elderly resident across the road the area in question is already wrong and the parking situation has been effected



This stretch on somerset road already has parking issues with parking only allowed on one side but there are houses on both sides, there are 10 houses on the opposite side and more on this side that is approximately 22 households some having more than 1 car to a household, the allotted space for parking will allow approx. 15 to 16 cars on a good day with chevrons on the corner and uplifted kerbs for bus access if the planning was allowed and the kerb was lowered to support this 1 house then at least 2 cars will have to park elsewhere and I know we have elderly and disabled on the street that will have difficulties if they can't park close to their house.

### **General Comments**

It would not surprise anyone that this house will eventually become student accommodation but to get it through planning it is down as a 4 bed with an office, so eventually this will be a 5 bed student let

This just another case of a developer doing a quick build with as many bedrooms as possible so he can change to HMO once it has been built

If there was another option for parking in this area there wouldn't be an issue for a new house, but parking is a major issue for the current residents and this dropped kerb will only compound the issue further

### **Kirklees Development Management Charter – July 2015 – V1 Final**

Please note that 'NO' site local publications have been posted

#### **Table 1 – METHODS OF NOTIFICATION**

These are displayed in a public place at or near the application site. They contain details of the proposal, where plans can be viewed and contact details to obtain further information. One or more notices may be displayed depending on the size and location of the proposed development