

Objection to Planning Application Number 2023/91347 Dated 18th June 2023

Outline Application for erection of residential development.

From: 2, The Poplars, Bill Lane Wooldale, Holmfirth, HD91XX.

This application represents a third planning application by Proud Construction, over a period of 7 months, on the same garden of Ash Villa, 81 Town End Road, Wooldale, Holmfirth, HD91XT.

The two previous applications were rejected as follows:

- (i) **2022/93986 Dated 20th January 2023.** This application was refused on the following grounds:

'It is considered that the proposed erection of two dwellings of the scale, height and layout shown on the plans would amount to overdevelopment of the site, and would thereby be harmful to the character of the townscape, contrary to the aims of Policy LP24(a) of the Kirklees Local Plan, Principle 2 of the Housebuilders' Design Guide Supplementary Planning Document, Policy 2(1, 2 & 8) and 6(4) of the Holme Valley Neighbourhood Development Plan, and Chapter 12 of the National Planning Policy Framework.'

- (ii) **2022/92929 Dated 2nd November 2022.** This application was refused on the following grounds:

'It is considered that the proposed erection of two dwellings of the scale, height and layout shown on the plans would result in a cramped and incongruous form of development that would also amount to overdevelopment of the site, and would therefore be harmful to the character of the townscape, contrary to the aims of Policy LP24(a) of the Kirklees Local Plan, Principle 2 of the Housebuilders' design guide Supplementary Planning Document, Policy 2(1,2 &8) of the Holme Valley Neighbourhood Development Plan, and Chapter 12 of the National Planning Policy Framework.'

'The proposed dwelling on Plot 2 by reason of its height, scale, relationship with existing ground levels and nearness to plot boundaries would give rise to loss of amenity to neighboring residential properties, in particular 2 The Poplars by reason of overbearing impact contrary to the aims of LP24(b) of the Kirklees Local Plan, Principle 6 of the Housebuilders' Design Guide Supplementary Planning Document, Policy 2(10) of the Holme Valley Neighbourhood Development Plan and Chapter 12 of the National Planning Policy Framework.'

We note that this third planning application is for outline planning permission, rather than the two detailed planning permissions which have previously been refused. We find this surprising, given that outline planning permission is usually sought to gain an understanding as to whether the nature of a development is acceptable. Given the recent history of two planning applications over a short period of time on the garden of Ash Villa, Kirklees Planning have in their previous planning rejection, made it very clear what isn't permissible on the site, and what might be. For example:

'It is also considered that the spatial constraints of the plot might not necessarily rule out residential development. It remains officers' view, however, that it is very unlikely that the site would ever be able to accommodate more than one dwelling and even this might need to be single-storey, in order to avoid giving rise to the appearance of overdevelopment.'

We are surprised, given the two previous rejected planning applications from Proud Construction on this garden, that their application states that, no pre-application advice in the form of assistance or prior advice, has been sought from the local authority about this application. This is especially pertinent given that in the delegated report explaining the reasons for the rejection of the second planning application submitted, it was noted that:

'1 – Principle of development:The council will always work pro-actively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.'

We feel that submitting an application in the context of two previously refused full planning applications with detail provided of only one 'reserved matter' of access, is insensitive, and provides insufficient clarity on matters which greatly concern us and our neighbours. Those concerns have been expressed in numerous previous objections submitted by our community.

We also note from the previous refusal:

'The layout and distribution of the space results in a long, narrow plot which poses challenges to development.'

Our understanding, from the scant detail that has been provided in the application, is that Proud Construction now intend to build one dormer bungalow on the garden of Ash Villa. This third planning application, now an outline rather than a full planning application, has been submitted in as general terms as possible. Given the circumstances of the two previous planning applications, we feel more detailed information would not be unreasonable in order to approve this outline planning application. For example:

- 'Layout' – the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development.

This is of particular concern to us, given the proximity of the substantial dwelling proposed on plot 2 on the two previously refused planning applications. Given that 'overbearing' in relation to our property was cited in a previously rejected planning application, we find it surprising that this third application gives no indication of where the proposed dormer bungalow will be cited in this long and narrow garden.

- 'Scale' – the height, width and length of each building proposed within the development in relation to its surroundings.

The outline planning application leaves the number of bedrooms unspecified. The application provides no indication of the scale or design of the proposed dwelling. This is clearly of importance to us, given the large 4-bedroom and 5-bedroom houses Proud Construction have proposed to build on this site in their two previously refused planning applications.

- 'Appearance' – the aspects of a building or place within the development which determine the visual impression the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture.

All the bungalows surrounding this garden are true bungalows, and with very few exceptions, the vast majority of the bungalows on Leyfield Bank are also true bungalows. We feel that a substantial dormer bungalow seen against the backdrop of true bungalows would give the appearance of overdevelopment of the site and would seem out of balance with its surroundings.

We feel that in some respects, this third planning application does take account of commentary in the previous rejection, by submitting an application to construct a single dwelling. However, it does not respond to the planning officer's advice in the previous rejection, that a single dwelling, ***'might need to be single-storey, in order to avoid giving rise to the appearance of overdevelopment.'***

Over development of what was previously a garden, is of material concern to us and our neighbours.

Drainage

We remain concerned about drainage from development on this garden.

Reasons for refusal of the previous planning application were given as follows:

'.....The application form states that a soakaway will be used for surface water disposal. This is one of the more sustainable options within drainage hierarchy principle; they are not always practical for small sites in urban areas, given the size and topography of the site it is possible that it would not work here. Approval under Building Regulations would be required in the event of an approval to consider the discharge of surface and foul waste from the site.'

The outline planning application again proposes to use soakaway for surface water disposal. We are concerned that Kirklees have already stated that it is possible that it would not work here. This is especially the case, since our home is directly below this proposed dwelling on a hill.

Climate change

It was noted that in the previously refused planning application:

'In this instance the applicant has not submitted any supplementary statement or other information to explain how the proposed development would help to address or combat climate change effects.'

We note that this third planning application from Proud Development also does not provide answers to questions regarding climate change.