

Objection to Amendments

We occupy 260 Halifax Road, Hightown, which lies to the immediate east of 268 Halifax Road, Hightown. We have a number of concerns regarding the amendments to the application (2023/62/91459/E) and set these out below as an objection.

1. Overlooking and impact on our living conditions

There have been no changes in the amended plan to address our previous concerns and therefore should be rejected.

The proposal would result in overlooking our property and impact our living conditions. This would be exacerbated by the proposed window in bedroom 3 overlooking directly into our window for our gym invading our privacy when using this space. This would be contrary to the Kirklees Local Plan LP24 in particular part “b”, detailed guidance in the SPD and the requirement in the framework to achieve well-designed spaces with a high standard of amenity for all. According to 4.8 & 4.9 in the SPD a reasonable amount of space should be provided around new extensions to prevent overlooking and undue loss of privacy to any existing residents. The criteria for determining space requirements should be the achievement of privacy which is defined in 4.10 as “No less than 12 meters is recommended between windows of habitable rooms that face onto non-habitable rooms and no less than 21 meters is recommended between facing windows of habitable rooms”.

The proposal which sets out to install a habitable room window in bedroom 3 facing directly into the window of our gym should be at least 21 meters away and is only measured at 11.5 meters between windows which would be a severe intrusion to our privacy.

For these reasons we believe this proposal does not meet the requirements and should be rejected.

2. Building outside of boundary ownership

The amended plan shows no change to our previous objection and therefore believe this should still be rejected on this basis.

This proposal plans to build on the boundary line on two occasions.

The rear elevation bordering Primrose Lane. As set out in the Kirklees Local Plan LP21 Highways and Access particularly part “e” and the Kirklees Local Plan LP24 Design in particular part “b” the proposal should take into account the features of the surrounding roads and footpaths and provide adequate layout and visibility to allow the development to be accessed safely as well include development-free buffer zones. The corner of the proposed dwelling is right on the site boundary adjoining an active bridleway changing the visibility splay onto Primrose lane towards Halifax Road. As both pedestrians and horseback riders frequently use the Primrose lane bridleway the proposal would compromise visibility and present a danger to users.

According to the Kirklees House Extensions and Alterations SPD June 2021 section 5.2 a 2-storey side extension must maintain a 1 meter gap to the side boundary. The proposal shows that the plan is to build on the boundary adjoining the land between 260 Halifax Road and 268 Halifax Road. This boundary line is shown in the Title Plan for 268 Halifax Road Hightown, title reference YY149405 attached.

For these reasons I object as the proposal does not meet the LP21 or the Kirklees House Extensions and Alterations SPD requirements and should be rejected.

3. Conflicting measurements of provided plans.

Again the amended plan still shows no changes to clarify the dimensions as previously raised as a concern, therefore we request this to be rejected on this bases.

The dimensions of the Proposed layouts differ from the Proposed block plan. The block plan denotes that the extension is 2.5 meters to the East elevation, whereas on the proposed ground and first floor layouts along with the South Elevation plan it denotes that the proposal is to extend 3 meters from the East elevation, which measurement should be considered correct? Reviewing the proposed Rear Elevation, it is proposed to be built 6.8 meters wide, whereas on the block plan it denotes 6 meters, again which one should be considered?

With conflicting dimensions, it is not possible to ascertain which is correct from the drawing and therefore not possible to consider the impacts this could cause. Based on this I request an accurate drawing to be submitted for the review with time given for consideration.

For these reasons we believe this proposal does not meet the requirements and should be rejected.

4. Ownership of land including Toilet Block

The amended application and plans have not addressed this concern and therefore should be rejected on this basis.

The land sitting between 260 Halifax Road and 268 Halifax Road is not owned by the applicants and is in disoute. The old outdoor toilet that faces onto this land (See attached Figure 1.0) is not in the applicant's ownership as shown on their title plan attached (Figure 1.1) and also from the previous application **Plan Ref : 2021/94438** (Figure 1.2). The applicants title plan shows the boundary stops 1 meter from the existing East Elevation (The first outside toilet building). I have attached pictures of the site and the toilet block that shows the position in relation to the land to help corroborate the facts.

Figure 1.0



The title of ownership for 268 Halifax Road shows that the boundary is 1 meter from the East Elevation. The location plan provided in the application shows the boundary to be 3 meters which is

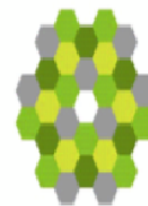
incorrect. This is not the applicants land, and to build on this land without ownership would be very unwise as doing so would mean they would be liable for damage caused to the land and buildings and would be required to knock down the extension built outside their boundary of ownership.

For these reasons we believe this proposal does not meet the requirements and should be rejected.

Figure 1.1

HM Land Registry Current title plan

Title number **YY149405**
Ordnance Survey map reference **SE1923NE**
Scale **1:1250**
Administrative area **West Yorkshire :**
Kirklees



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Plan_Ref : 2021/94438

Proposal : Erection of two storey extensions with Juliet balcony to rear and associated alterations with parking

Location : 268, Halifax Road, Hightown, Liversedge, WF15 6NP

Figure 1.2 (Purple denoting previous submission, Red denoting current application)

