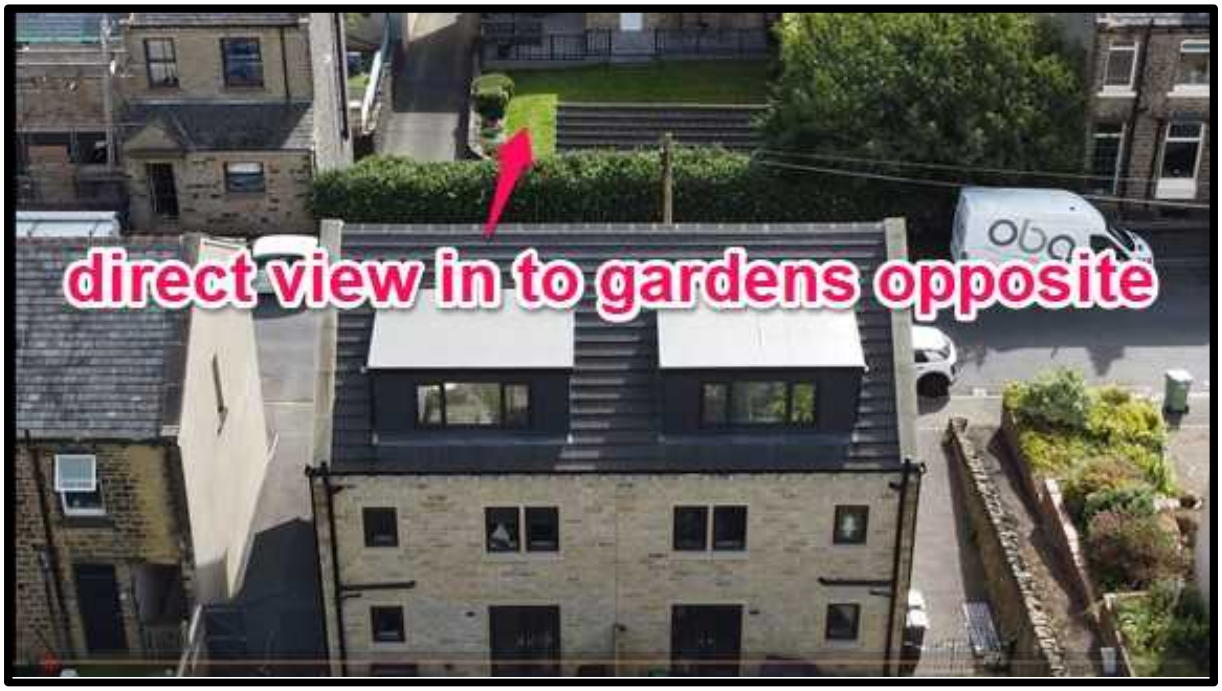
Planning appeal

We are extremely disappointed at being turned down for planning yet again this is now 3 applications and 2 appeals that have been refused, even though on every occasion we have addressed the reasons for the refusal. We would also like to point out back in September 2019 we paid for pre-application planning advice and the outcome was that the officer indicated that "*the principle of development on the application site is acceptable"* .After submitting our application we were then advised to withdraw the subsequent application due to the site been over developed under advice we did just that .We then acquired another Garage plot to make the site 35% bigger and scaled down the size of the property in order to meet the requirements.

Planning was re submitted on the larger plot on 16/06/2023 this was then refused due to it being cramped and contrived however the plot size is now similar to the allowed development on Olney Street planning ref no 2019/94075, the parking spaces on this development in particular are extremely narrow and shorter than the required dimensions at 2400mm x 4700mm although our refusal says ours are too small at 4.526mm x 4470mm our spaces could be lengthened to 5000mm easily and made narrower within the rules to give more amenity space, or increase the boundary gap at the other side. The spaces on development 2019/94075 are never used due to their size forcing 4 cars to park on Olney street adding to congestion and hindering turning. This development made use of land that was occupied by a garage belonging to No,4 Olney Street which was used for parking by the owner of said property, this is now not possible and has forced the new owners of no 4 to park 2 vehicles on the street further adding to congestion 6 additional vehicles to be precise. Also, this development looks over gardens opposite and even has Velux windows to make it easier to view the gardens. It is close to the road and has 3 bedrooms with dis proportionate living and amenity space all things we have been refused on ours, this does not seem to be fair. I welcome comments as to why there is a discrepancy between this allowed development and our refused application hidden agenda maybe?

2019/94075 Ariel photo



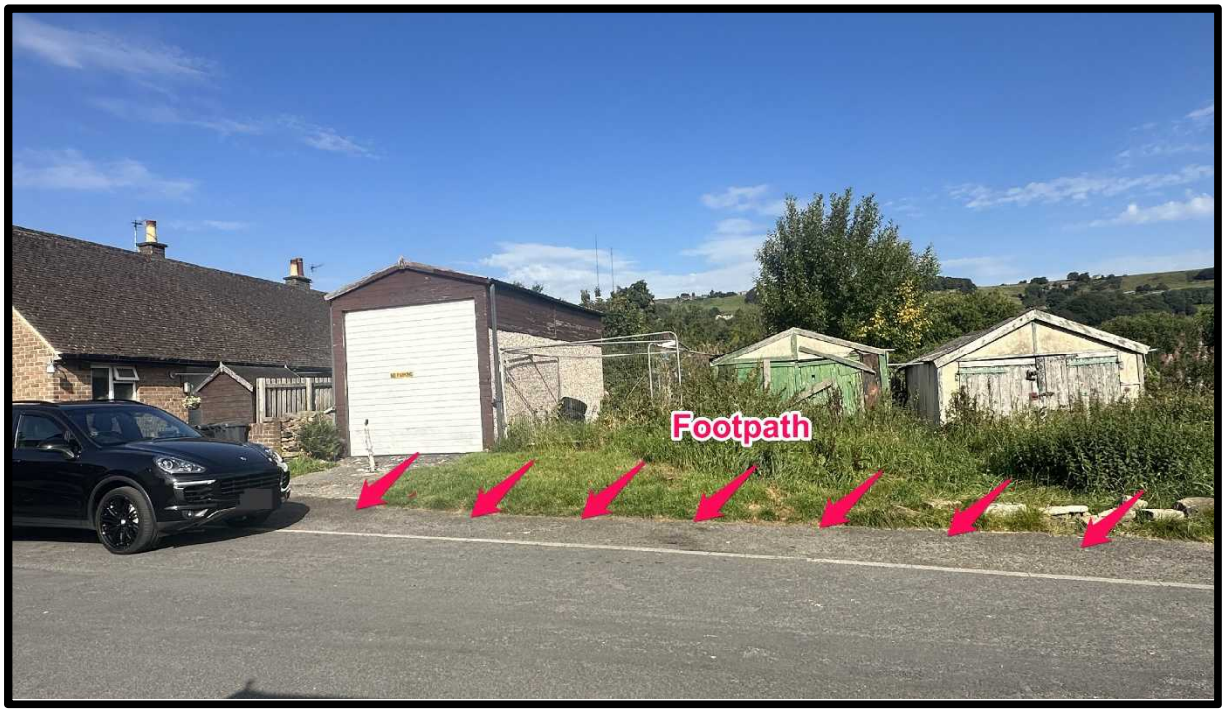
2019/94075 Ariel photo

2019/94075 Pre Development photo showing garage which was removed.

Our plot is only 20M from the Kirklees houses the large garage between the plot and the housing is more of a blot on the landscape than our proposed development. There is a mix of property types in the immediate area including Stone built terrace houses, brick-built bungalows and larger stone built detached properties We see no reason why our development would not fit in.

The latest application, no 2023/9176 to which this appeal relates was also turned down even though we addressed comments stating that there was not enough living space for the proposed 2 bedrooms hence it is now a 1-bedroom starter or retirement home of which there is a shortage of in the area.

Also, it is stated on the refusal of the latest planning (section 4 Impact on highway safety) that there is no pavement when in fact there is a full width one running full length between the plot and the road (see Photo below) this would indicate no one has actually given any time to our application let alone inspected the site. The aforementioned planning application 2019/94075 is 1200mm back form the footpath making it close to the road. I would also like to point out that in the officer report



Furthermore, We were asked by the planning officer if he could make a decision after his annual leave however it would appear he rushed it through before he took his holiday, I very much doubt he even visited the site. I would further like to point out that his report.

“Officer Report – 2023/91796 Land off Olney Street, Slaithwaite Site Description The site, on the northern side of Olney Street, comprises two small sectional garages with pitched roofs and some untended and overgrown land in front, sloping gently down to meet the highway. To the west is a larger free-standing garage and to the east further garage plots”

Mentions only 2 garages when in fact there are 3 backing up my thoughts that he has not visited or taken the trouble to study the application.

There is also a mention of the proposed property blocking the view having researched this I am unable to see who’s view it would be blocking as the only properties that could be affected are the bungalows to the West of the site which currently have no view, (see picture Below)

The refusal also mentions overlooking Gardens of the large houses opposite however directly opposite is a large wall and a garage (see picture below)

As the asbestos garages which currently occupy the site are falling down development would only enhance the area, also we have had a problem with fly tipping on the site and had letters from the Police and Kirklees instructing us to clean up the land which cost us a significant amount to action. Should development be allowed it would also address these issues.

Regarding the remark in the refusal regarding parking and congestion we currently have 3 garages with parking for 1 vehicle in front of each, the footpath in front has dropped curbs for this purpose, should we develop, we would only need 2 spaces making more parking space for other users on the road outside.

I would also like to draw your attention to planning application 2021/94411 Commercial Street Slaithwaite, this development is of a cramped nature occupying a small plot and has dis proportionate living space to the number of bedrooms. The outside amenity space is smaller than our I bedroom development. Yet this has been passed and squeezed into the small plot which is a former Car Park.

The delegated report states that the size of the parking spaces on our development is too small at 4.526 in width and 4.470m in depth. Parking spaces should be 3.2 m in width x 5.0m in length, however planning application 2021/94411 also falls miserably short of the requirements at 2700 wide yet has been passed.

It would seem every time we address the issues planning come up with some new reasons for not granting the application where others seem to have no issues with their developments.