

PLANNING STATEMENT

location	65 The Cutting, Brockholes, Holmfirth, HD9 7HL
application	Alterations to Rear Ground Floor Opening, COU of land to Domestic Curtilage and Erection of Raised Deck with Store Void Below
client/applicant	Mr & Mrs D Horn
job number	23/896
date	May 2023 Rev A 27 th June 2023

ARCHITECTURE | PLANNING | DESIGN

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INTRODUCTION

This brief planning statement explains the full application approach to this application.

This planning application contains three distinct elements;

1. Alteration to the rear opening. Removing the double doors, masonry and windows and installing a new lintel with bi-fold doors.

The property had its PD (Permitted Development) rights withdrawn back in 2002 as part of the original planning approval ([2002/62/91815/W3](#)).

Condition 8 referred to the removal of PD; *“(8) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 no buildings or extensions shall be erected in the area ... on the approved plan without the prior written approval of the Local Planning Authority.”*. The proposed bi-fold doors are potentially PD (they are not an extension or buildings) but for the sake of clarity and confirmation this part of the proposal is included within the overall planning application.

2. Change of use of Land. This part of the application relates the additional ‘square’ part of land at the South part of the garden. It was fenced off back in July 2015. For some unknown reason was not transferred onto the land registry plans. This has now been resolved for the subject property and the others within the same terrace with each parcel being formally transferred to the respective properties. Arguably it isn’t a change of use as the area has been formally used as part of the garden/domestic curtilage since the property was completed by again for the sake of clarity and confirmation is included within this application.

It is for this reason that the application is a full application, not a householder in case the local authority consider the land to not be domestic curtilage.

This aspect was discussed with Mr John Holmes (KMC senior planning officer) on Tuesday 16th May 2023. A discussion was held with regards to the red line application site as part of the previous 2012/62/92645/W planning application. It does appear that the actual garden area, that exists on site, is slightly longer/deeper than the area included within the red line on the 2012 application. As such John Holmes advice was to submit the application as a full planning app as opposed to a householder application.

3. Erection of raised deck. The proposed raised deck intends to make the most of the garden space, similar to the neighboring property (67 The Cutting). The level difference of just over 2.6m to access the 1.65m wide lower garden area is neither good design or worthwhile. The proposed deck will increase the functional amenity space by around 50%.

Its intended to relocate/rebuild the garden shed below the raised deck to free up more garden space.

New/altered steps will be reformed to provide access to the lower area.

Guarding to the edge of the deck, as required by Building Control, will be formed with a continuation of the 1.8m high timber fence that flanks both sides of the existing garden. This will double up and serve to create privacy for both the applicants and the neighbours to both side of the proposed deck.

The deck will be designed as a lightweight structure, most probably a steel frame structure with composite recycled joists and composite deckboards. The design for the deck, including the foundations, will be carried out by an appropriate structural engineer.

Appendix A of this statement provides further information, directly from the applicant explaining the boundary/land issue.

CONCLUSION

We trust the local authority will support the application but if any further information is required please don't hesitate to contact us.

It would be appreciated if you could contact Paul Matthews Architectural prior to drafting up your recommendation for determination.

APPENDIX A
INFORMATION FROM THE APPLICANT

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