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Planning Development

By Email Only

14th August 2023

Kirklees Planning Services
Development Control

FAO Tom Hunt

**RE: OBJECTION TO OUTLINE APPLICATION FOR ERECTION OF DETACHED DWELLING
AT: LAND ADJ. TO 6 REINWOOD AVENUE, QUARMBY, HUDDERSFIELD, HD3 4DP**

LPA REF: 2023/91963

Dear Sir,

Robert Halstead Chartered Surveyors and Town Planners have been instructed to submit an objection letter to Kirklees Council on behalf of the neighbouring dwelling No. 4 Reinwood Avenue.

Our clients are concerned that the erection of a dwelling on the adjacent land would detrimentally affect visual amenity and their residential amenities. These issues in connection with relevant policies and guidance will therefore form the basis of this objection.

Visual Amenity

Local Plan Policy LP24 states that,

'Proposals should promote good design by ensuring: a. the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape.'

Principle 2 in the Kirklees Housebuilders Design Guide SPD also states:

'New residential development proposals will be expected to respect and enhance the local character of the area by: Taking cues from the character of the built and natural environment within the locality.'

Reinwood Avenue comprises two-storey semi-detached dwellings, with one larger detached property located in the north-western corner of the cul-de-sac. Many of the dwellings are situated on good-sized plots with mature landscaping and good levels of amenity space. In addition, the application site (which is currently amenity land belonging to No. 6) along with the grassed pavement verges and trees lining the street (owned and maintained by KMC), helps provide a sense of openness and spaciousness, significantly enhancing the visual amenity of the street scene in this locality.

Principle 2 of the Council's Housebuilders Design Guide SPD states:

New residential development proposals will be expected to respect and enhance the local character of the area by: (1) taking cues from the character of the built and natural environment within the locality; and (3) illustrating how landscaping opportunities have been used and promote a responsive, appropriate approach to the local context.

The proposed detached dwelling is on a small plot and would fail to respect or enhance the established low density, spacious and landscaped character of the urban grain in this locality. It would in effect, try to squeeze a new dwelling into a place that was not originally envisaged or planned for when these houses were first designed and constructed in the 1920's.¹

It is also important to note that until recently the application site looked like a pleasant and well-maintained mature garden, which added considerable value to the appearance of the street scene (see Google image below). However, it is understood the applicant carried out unauthorised engineering works on the land and it now resembles an unattractive building site (see contrasting photo below). Please also note the unattractive breeze block wall and fence that have been erected, further eroding visual amenity and effectively separating the proposed plot prior to this application for planning permission.

¹ The 'quart into a pint pot' scenario.

Whilst it is acknowledged the applicant has since received retrospective planning permission for the 'erection of single storey extension to rear and engineering works to form retaining wall and garden area and cladding to external rear wall of dwelling' (LPA ref: 2023/90524), this work has not been completed. The submission of this latest application appears to suggest that the applicant's intention has been to try and obtain planning permission for a dwelling on the site, and in the process of trying to achieve this aim, the visual amenity of the site and street scene have been detrimentally affected.

Principle 12 in the Kirklees Design Guide SPD states that,

'Any car parking provision should: not dominate street frontages through car parking arrangements that place cars at the front of all dwellings ... Where car parking is included within the curtilage of a dwelling, creative design solutions should ensure that car parking can be accommodated at the side of buildings or to their rear to avoid dominating the street scene.'

Paragraph 7.15 (relating to Principle 5) states: *'Building frontages that are dominated by hard landscaping and car parking that is within the plot and fronting onto the street should be avoided (see principles 11 and 12) as this can result in dull and vehicular dominated streetscapes.'*

Prior to the recent unauthorised works, the parking for number 6 was located on a single driveway with a garage set back from the road, allowing a good balance to be achieved between parking requirements and the retention of mature and pleasant soft landscaping to the street scene.

The proposed Block Plan shows two off-street car parking spaces at the front of the proposed dwelling. This would result in the front of the dwelling being entirely dominated by hardstanding and car parking. Given the cramped nature of the application site, it is not considered that 'creative design solutions' could accommodate the parking at the side or rear of the proposed dwelling as an alternative.

Furthermore, the proposals would result in further erosion of the grass verge to the front of the property, through the widening of the existing access. This would also potentially threaten the existing tree on the verge.

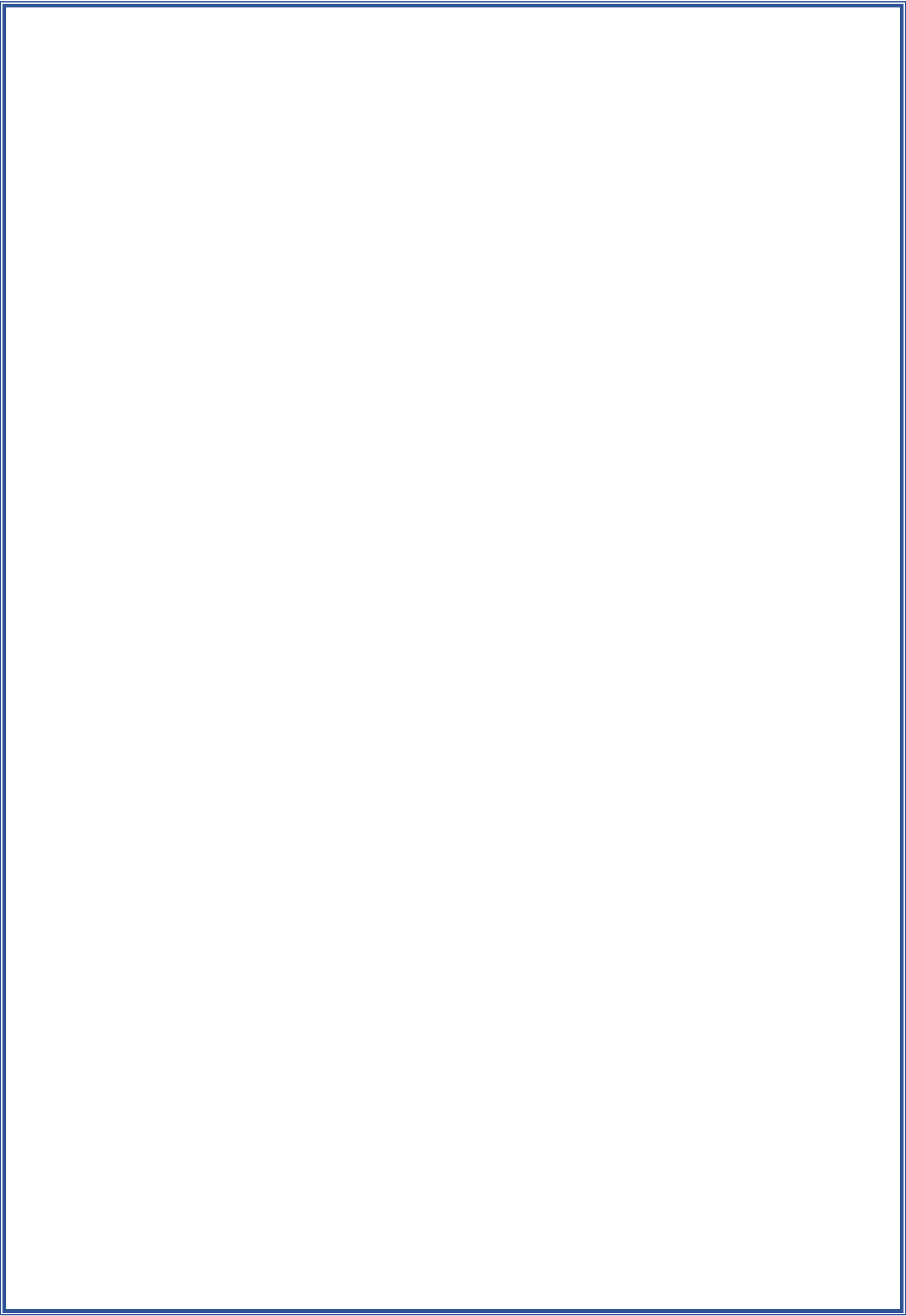
It is also worth noting that the applicant has already turned the front garden of No. 6 into a hardstanding/parking area, presumably in order to provide off-street parking for No. 6 which has been displaced due to the works that have taken place on the application site. As can be seen in the photo below, this has also resulted in the removal of an entire section of the grass verge, replaced by an unattractive, 'hard' street frontage, again detrimental to the visual amenity of the street scene (see photo below).²

As such, the proposals are contrary to Principles 5 and 12 of the SPD, and as a result they would have a significant detrimental impact on the visual amenity of the street scene.

Turning to the issue of scale, the recent plan submitted illustrates a large two storey dwelling with projecting front gable and extensive glazing. Although it is accepted that the matter of 'appearance' is reserved for a future application, the scale of the dwelling as shown with standard height eaves and a projecting front gable would be entirely out of keeping with the roof designs and eaves heights of existing dwellings on this side of Reinwood Avenue. Moreover, the large scale would result in a significantly bigger massing and over-dominance when compared with neighbouring dwellings, again to the detriment of the established urban grain and character of the street scene.

Given the above, the proposed development is not considered to be appropriate in relation to respecting visual amenity, or the established character and urban grain of Reinwood Avenue. The proposals would fail to respect or enhance the local character of the area and street scene, and would instead result in a small site being inappropriately built upon, overdeveloped and poorly designed. The proposals are therefore contrary to Local Plan Policy LP24, Principles 2 and 12 in the SPD and paragraph 130 in the NPPF.

² The Council also investigated a similar matter at no. 5 across the road, whereby a section of the grass verge was removed and a semi-mature cherry tree removed without consent.



Residential Amenity

Local Plan Policy LP24 states that,

‘Proposals should promote good design by ensuring: b. they provide a high standard of amenity for future and neighbouring occupiers, including maintaining appropriate distances between buildings.’

Principle 6 in the Kirklees Housebuilders Design Guide SPD also states:

‘Residential layouts must ensure adequate privacy and maintain high standards of residential amenity, to avoid negative impacts on light, outlook and to avoid overlooking.’

Our clients’ property is located on the corner of Reinwood Avenue and Reinwood Road. As a corner plot, their main private outdoor amenity space is situated to both the side and rear of the house. The proposed dwelling would be constructed extremely close to the shared boundary with our client (0.5 to 1.5m), therefore less than the recommended 2 metres stated in the SPD.³

The topography of the site would also result in the proposed dwelling being situated at a higher level to our clients’ property – approximately 1 metre. The proposed dwelling has now been confirmed to be two storeys in height and would have a height of 8.5 m (9.5m taking into account the level differences) and a depth of 11.2 m from front to back.

Given the orientation of the sun, the development would have a significantly overbearing and overshadowing impact on our clients’ property. Their private outdoor amenity space would be significantly overshadowed by the development, and the amount of natural light able to enter the windows on their western and northern elevations would also be restricted.



Photo showing one area of outdoor amenity space which would be overshadowed and overlooked

³ Paragraph 7.19

For example, the position and front protrusion of the development will block evening light from our clients' rear courtyard area (which is particularly pronounced between April and September, when the amenity of the space is most valued) as well as direct light into their north elevation habitable windows. Please note the overshadowing already caused by the outline of no.6's existing roofline in the photo below. This outside area only gets direct south-westerly sunlight between 4pm and 8pm in summer for evening use. The proposed scale, massing and position of the proposed dwelling and its front protrusion will hugely reduce available sunlight and natural light to amenity areas and windows.



Amenity space immediately to rear of No.4 showing shadow cast by No. 6.

The proposed development would also have a detrimental impact on both our clients' privacy, and on the privacy of future occupants of the proposed dwelling. Due to the proposed site layout and the topography of the site, our clients' private outdoor amenity spaces and north-west facing windows would be overlooked by the proposed development (see photo below of amenity space to rear of no.4 which would be overlooked by the rear windows [and possible side windows] of the new dwelling).

Likewise, our clients' bedroom windows on the western and northern elevations at first floor level currently overlook the application site. The windows on the northern elevation in particular would overlook the rear garden of the proposed dwelling, which would significantly reduce the amount of privacy that any future occupants of the dwelling would be able to enjoy.

Given the position of existing habitable room windows and the close proximity / orientation of our clients' property from the proposed development plot (and now that the 'scale' drawing has been submitted), it can also be stated with reasonable certainty at this stage that the proposals would not

comply with minimum separation distances set out at Paragraph 7.19 of the Housebuilders Design SPD.



Rear garden amenity space near existing garage that would be overshadowed and overlooked

It is also considered that our clients' outlook would be severely compromised should the development be permitted. Our clients currently experience a spacious and open outlook with pleasant views over the application site and up Reinwood Avenue. The proposed development would result in an intrusive and overbearing structure being constructed directly adjacent to our clients' property. It would severely affect the existing outlook and sense of openness they currently enjoy, and would instead result in an extremely oppressive outlook.

In light of the above, the proposals are considered to be unacceptable with regard to residential amenity, as they would cause undue harm to our clients by way of overshadowing, loss of privacy and loss of outlook. The development is therefore contrary to Local Plan Policy LP24, Principle 6 in the SPD and paragraph 130 in the NPPF.

Other Matters

Our clients have concerns regarding future drainage of the site. The applicant has excavated a significant amount of material from the site already. As such, this could result in the dwelling being built at a lower level to the road. If this is the case, how will drainage be achieved and what impact will surface water drainage have on our clients property and garden, situated at a lower level ? Our clients would appreciate some clarification on this issue.

Our clients are also concerned there is a lack of detail concerning the proposed air source heat pumps in terms of location and potential noise. The concern is that habitable room windows and garden amenity space could be detrimentally affected by noise. It is suggested that further information should be required from the applicant in this regard.

Given the reasons outlined above, our clients strongly object to the proposed development. It is therefore respectfully requested that the Council refuse this application.

Yours faithfully,