

Our Ref: 2397/RLP/01

22 November 2023

Kirklees Council
Planning and Development Service
PO Box 1720
Huddersfield HD1 9EL

Dear Sir/Madam

APPLICATION NO 2023/92066 - ERECTION OF TWO SEMI DETACHED DWELLINGS WITH ASSOCIATED ALTERATIONS AT 89 WHITCLIFFE ROAD, CLECKHEATON

I have been asked to review the proposals in respect of the above application and to lodge representations where appropriate. Having assessed the plans which accompany the application, objections are raised to the proposals on behalf of my clients, as follows.

Policy Position

In terms of planning policies, it is considered that policies LP21, LP22 and LP24 of the Local Plan are relevant to this objection as well as the advice at paragraphs 126 and 130 of the National Planning Policy Framework.

Policy LP21 states that proposals should demonstrate that they can be accessed effectively and safely by all users, to ensure the safe and efficient flow of traffic within development and on the surrounding highway network.

Policy LP22 advises that car parking provision in new developments will be determined by the availability of public transport, the accessibility of the site, location of the development, local car ownership levels and the type, mix and use of the development.

Policy LP24 requires design to be at the core of all proposals, with good design ensuring that the form, scale, layout and details of all development respects and enhances the character of the townscape; and a high standard of amenity for future and neighbouring occupiers; including maintaining appropriate distances between buildings.

Paragraph 126 of the Framework advises that good design is a key aspect of sustainable development, creating better places in which to live and work and helping to make development acceptable to communities.

Paragraph 130, amongst other things, requires development to provide a high standard of amenity for existing and future users.

Analysis of Plans

The proposed plans show a pair of 3 bed semi-detached houses, potentially 4 beds given that a study is indicated for each plot.

The dwellings will be set back from the frontage onto South Parade in order to create some external amenity space and there are pedestrian access points to each dwelling from the highway.

The plans have been amended to include 7 parking spaces, two each for the semi-detached plots and three for the existing dwelling at No 89. As originally submitted the plans showed six parking spaces to the front of the dwellings. The parking spaces are now shown to the rear of the site.

Grounds of Objection

There are a number of issues with the proposal.

Firstly, impact on natural sunlight. In designing proposals attention needs to be paid to the position of the proposed dwellings in relation to the path of the sun. My client's property is to the south of the application site and, in mid to late afternoon, sunlight passes over and between the existing gap between No 89 and Grove House into the bay windows at the front of Grove House, together with the patio and garden area. It is highly relevant to note that in the early 1900's the two terraces on South Parade (152 and 150 as shown on the application plans) were combined to create Grove House. The internal layout was altered so that the rooms facing South Parade became the back of the house, with a new central hallway and two reception rooms with bay windows to the front. A new turning circle and driveway were also laid to create a main gated access from Westcliffe Road.

The positioning, density and scale of the development will substantially block out the sunlight currently enjoyed into the front bay windows, patio and garden area at Grove



House. This would be contrary to the provisions of Policy LP24 and paragraph 130 of the NPPF.

The siting of the dwellings just 1.6m from the boundary with Grove House (noting that Grove House's side elevation forms part of the southern boundary) would have a significant impact on the amenity of Grove House through overshadowing and overdominance. It would also create problems in the future in terms of their being insufficient room for maintenance of Grove House and also potential fire spread risks from the closeness of the two properties.

It is noted also that kitchen windows are shown in the side elevation of the plot facing towards Grove House. Whilst the drawings indicate that these will be obscure glazed this is not an ideal solution to overcome what is a shortfall in minimum distance standards. Such windows could easily be changed to clear glass in the future and a better solution would be to have the windows at a high level to prevent any potential conflict.

The impact of the proposals in terms of dominance, overshadowing, overlooking and general loss of privacy and amenity to Grove House is contrary to Policy LP24 and paragraph 130.

Policy LP24, along with paragraph 126 of the NPPF, emphasises the importance of high quality design in development. The properties along South Parade on the same side of the road as the application site, are all of a traditional and aged appearance, and have their front elevations within a metre of the back of the footway. They also have a consistent building line at the rear. The proposed semi-detached dwellings would be set back some distance from South Parade and will also project further to the rear, which on both counts would be out of keeping with the general grain of the area and the character and layout of existing buildings. This would be contrary to Policy LP24 and paragraph 126.

In order to resolve the objections raised in the initial consultation response from Kirklees highways, the impact of providing parking at the rear of the site, has resulted in garden space being lost. For three bedroom dwellings, the level of garden space provided is inadequate and would not provide a high standard of amenity for future occupants, contrary to paragraph 130.

The parking layout, whilst in theory providing sufficient parking for the houses, is by necessity of the siting of the dwellings, set out in a tandem form, which in practice does not work and would likely result in vehicles parking on the roadside rather than in the spaces proposed. The provision of pedestrian footpaths to the dwellings at the front from South Parade would also encourage roadside parking. South Parade is full of cars during peak school times in the morning and afternoon, and this also becomes the case in the

evening and early morning when the owners of cars at the properties on South Parade are at home, noting that there is very little in the way of off-street parking available. The development would add further parking onto the street and this would be to the detriment of highway safety. On that basis the requirements of Policies LP21 and LP22 cannot be met with the current amended scheme.

Summary

In summary, there are numerous shortcomings in the application proposals, and they would be detrimental to the amenity and privacy of Grove House as well as resulting in design and highway safety issues.

In its current form the application should be refused.

Yours sincerely

