

Dear Laura Yeadon,

We write to you in relation to the planning application submitted by our neighbour at number 51 Woodside Road, Beaumont Park. Having looked at the proposal it seems that it has not taken into consideration the impact it has on neighbouring properties.

We would like you to raise the following concerns we have on the current proposals and the points an applicant is directed to cover under The Kirklees Council House Extensions and Proposals Supplementary Planning Document (SPD):

1. SPD in Section 2.15 headed '***Discussions with neighbours***' '***encourages prospective applicants to discuss their proposals with neighbours before making an application to avoid the element of surprise.*** And references '***address any concerns neighbours may have before submitting an application.***' We bring to your attention that this is the second proposal submitted where no attempts have been made to discuss and explain planning proposals to help clarify or alleviate potential neighbouring concerns as we currently have. This lack of communication has created unnecessary anxiety and concern for our family.
2. SPD sets out at Section 4 '***Key design principle 4: Habitable rooms and side windows Extensions and alterations should consider the design and layout of habitable and non-habitable rooms to reduce conflict between neighbouring properties relating to privacy, light and outlook.***' The proposal is contrary to this and proposes the positioning of windows and a door that directly faces habitable rooms making it an unacceptable proposal that requires clarification on distance, glazing and opening positioning as set out in subsection 4.12. Furthermore, subsection 4.13 stipulates that weight must be given to protecting the right to light for habitable rooms and kitchens. The current proposals length, width and height contravene this as it clearly hinders the passing of light due to its position of **dominance**. Our home is positioned on lower grounding and by the applicants applying the maximum rule it allows the applicant to construct an overbearing and dominating structure that has no consideration for their neighbouring property. We request the Planning Officer to request a reduced height in order for an acceptable amount of light and heat to pass to our property. We note the increased height is to accommodate the build of a basement level workshop however it is unfair and unjust.
3. The SPD sets out, under section 4, **Key design principle 5: Overshadowing/loss of light Extensions and alterations should not adversely affect the amount of natural light presently enjoyed by a neighbouring property.** The proposal is materially affecting the amount of natural light presently enjoyed by our property and the plan, as it currently presents itself it should not be permitted as it will allow the unreasonable overshadowing and dominance over and restrictions of current views enjoyed within habitable rooms and private gardens, especially to the left elevation of our property, the closest to the applicants site proposal.

4. SPD Section 4, sub-section 4.17 sets out an angle rule of 45° which is infringed by the current proposal as an unacceptable amount of light is being lost to the whole of our habitable area in our conservatory when looked at from the side opening windows situated to the left and front. Furthermore, the height of the extension prevents light to project to our habitable area roof windows which have been installed as climate saving measures to provide natural heat and light; this is something we have relied on the most since our occupation of the property and has helped reduce our energy costs. We reiterate, the proposal has failed to consider the elevated positioning it currently sits at, and does not stipulate clearly how tall the proposed height is but from the plan it does position itself as **overbearing and dominating**. It is unjust and unfair to simply allow the maximum rule that is allowed without considering the impact on neighbouring properties.
5. SPD Section 4, sub-section 4.18 stipulates ***‘Consideration should also be given to the position of the proposed extension in relation to the sun’s path and the impacts of different times of day and year when considering the impact of the 45° guidelines’*** The current design does not demonstrate any consideration to have been given as the path will be prevented and our right to acceptable levels of heat and light hindered during the course of the day due to the sheer height of the extension.
6. SPD Section 4 sets out ***Key design principle 6: Preventing overbearing impact Extensions and alterations should not unduly reduce the outlook from a neighbouring property.*** The height and closeness of the stone proposal is extensive, although it is set at a 1 meter distance from our boundary the application of the rule should not be considered as acceptable as each property should be assessed on its individual merits. In this proposal the closeness and height of the proposed extension will clearly add on the dominating, overbearing and intrusive nature of the proposal. It is noted the extension sets itself back from its original side building line however it is also noted that the wrap around balcony/platform would edge all the way to the end of the property line hence the extension being something that has in fact been built to the end of the property line and not wholly in line with the SPD requirements. By allowing the extended height and massing closer to our property is detrimental because it allows it to be an oppressive feature which would tower over our habitable area. It would reduce the natural light to the side elevation windows and roof areas of our property where openings are located. Given the projection of the proposal located close to our boundary it is of our opinion that the works would result in an oppressive development that would be overbearing and dominant when viewed from neighbouring properties including the amenity spaces. It would be appreciated if the applicant could set the extension further away from the shared boundary line and not simply apply the rule and reflect in its plan the advantaged elevation the property sits at.
7. SPD sections 5.4, 5.5 and 5.7 notably set out specific provisions for single storey extensions stipulating ***‘careful consideration should therefore be given to the design of these extensions to ensure their height and windows do not harm the privacy of neighbours’***. It is noted that ***single storey extensions should not project out more than 3 metres from the rear wall of the original house for semi-detached and terraces houses or by 4 metres for detached properties’***. It would be highly considerate and appreciated if the applicants could remain to this rule of 4meters as opposed to projecting out by 5.5meters with the then added extension of a platform / balcony to lead to a wrap around staircase. Furthermore, it is noted a height of 4meters is permitted for a single story extension however it would be highly appreciated and considerate for the applicant to reduce this and perhaps reconsider and not simply apply the rule in this instance due to the elevated position the property

sits at and our property being situated lower. By allowing the extended height and projection would be detrimental. To have the overall scale in terms of height and massing closer to our property is detrimental because it allows it to be an oppressive feature which would tower over our 3 meter by 3 meter single storey rear extension. It would reduce the natural light to the side elevation windows and roof areas of our property where openings are located. Given the projection of the proposal located close to our boundary it is of our opinion that the works would result in an oppressive development that would be overbearing and dominant when viewed from neighbouring properties including the amenity spaces.

We would also like to point out that aside from the SPD under the Human Rights Act it is the responsibilities of the council under Protocol 1, Article 1 to allow a person the right to peaceful enjoyment of all their possessions, which includes the home and other land. Additionally, Article 8 of the Human Rights Act states that a person has the substantive right to respect for their private and family life.

We have attached photographs, marked appendix A to evidence how our property sits and to provide a realistic insight on the overbearing, dominating and overshadowing impact the proposal, that maximises the rule, will have on us. May we point out that the rule is not designed to hinder or strip away neighbouring properties of light, view and space they enjoy or at a disadvantage and in this proposal it allows this.

To conclude, it would be highly appreciated and be more considerate of the applicants to scale back on their proposed plans and have plans that reflect that they have thought about and had a sympathetic interest towards their neighbouring property. A plan that remains within the 4 meter projection rule would be more considerate; a plan that scales down the height of the development would be less dominating and overbearing; a plan that shifts the massing further away from the house boundary line would allow the reduction of an overbearing and dominating effect as well as a reduction in the invasion of privacy with the proposed door and windows that currently face our habitable areas.

I would really appreciate it if we could arrange a time to meet to discuss our concerns and see if the applicant could reconsider some of his proposal to reflect sympathetic consideration for his neighbouring property.

Kind regards.

49 Woodside Road, Beaumont Park. HD4 5JF

Appendix A



OUR HOME: 49 Woodside Road.

2 meter distance from the end of the original wall.

Low roof first part is 3 meters high. Roof window light to provide heat and light to lower ground floor.

Windowed conservatory with openings at a height of 2.5meters.

Applicant property: 51 Woodside Road



A height of the nature proposed will clearly dominate, over shadow and be overbearing due to the elevated position the property is at. From the plan we have been left to interpret, the proposed height is marked by the red line; the yellow boxing indicates the extent of the overshadowing and overbearing mass proposed under the plan, it will directly impact our lower and upper floor habitable spaces of light, heat and view. This is not deemed acceptable under the SPD.