

270 STAINCLIFFE ROAD

DEWSBURY

WF13 4RB

KIRKLEES COUNCIL

24TH MAY 2024

PLANNING DEPARTMENT

PO BOX B93

CIVIC CENTRE 3

HUDDERSFIELD

HD1 2JR

FAO JO SCRUTTON/ JENNIFER BOOTH

RE APPLICATION NUMBER 2023/62/92863/E

@12 DEWSBURY GATE ROAD, DEWSBURY, WF13 4DD

Dear Jo Scrutton/ Jennifer Booth,

I write to you to above application number, at 12 Dewsbury Gate Road, Dewsbury, WF13 4DD.

I am the owner of 10 Dewsbury Gate Road. Myself and the rest of the neighbours were not informed of the planning application to which we feel the Council should have done so. If we are not informed or its not brought to our attention, we cannot put forward our comments, opinions or objections. therefore the Council should revert back to its original policy of informing neighbours as some might be on holiday, illness or due to change of circumstances are unable to get planning information in their area especially the elderly who may not be computer literate and the Council/ Planning Department should have a grace period to allow for late objections and they should not be ignored.

I would like to draw your attention to section 8 of the Application for Planning Permission, Town and Country Planning Act 1990 form that was submitted by the applicant. We feel that the council and the planning department should not include section 8 "Authority Employee/ Member" as this suggests or may implicate favouritism towards the application of an employee of the council which can be discriminative for anyone raising an objection as it would be ignored and maybe somewhat against the law as it would favour the outcome of the decision for the applicant/ employee.

This letter is to inform you that myself and some of the neighbours strongly object through the erection of fencing and a Pagoda, which were built a few years ago to which we all objected at that time and did not give permission to this as it was being built on a car parking area and the land belongs to somebody else and not number 12. The applicant is not the owner of the land.

The right of way which has been here for over 100 years, the gate is always locked on the inside by number 12 and it is causing everyone inconvenience and harassment.

There has been an ongoing civil matter with the solicitors (representing number 10 myself) regarding the obstructed right of way and a new path created by number 12 to which all the neighbours objected to. Court proceedings were to start, however it was agreed by number 12/ the applicant to reinstate the right of way as it originally was. But recently, number 12 has started locking the gate again, causing inconvenience and making it difficult for us and especially our children to use the right of way. The path is closed off and not in use and the right of way is the only access out for all us neighbours at the back of all the properties. My solicitor has been informed of this and is on the case as we speak.

The fenced off area and parking area (gable end) does not belong to number 12, it belongs to others. This is originally a car park for number 14-20 as it is marked on drawing number 2009/62/190683/E1- outlined in red (attached), a previous application. The Council agreed the car park for number 14-20 in order for the drawings of 4 bungalows to be passed as these houses would be unable to park outside their properties as it became an adopted road. But number 12 fenced it off even though all the neighbours objected to this. I hope the Council and the Planning Department will do the research and reject the planning permission.

With this car parking now not available, it is causing major problems to park everyone's vehicles.

The Pagoda and fencing are also a major "eye sore" and look out of area, they do not go with the surroundings.

I hope the Council/ Planning Department will be able to correspond and inform all of us neighbours of the decision.

There have been many problems here, involving number 12, disputes regarding bins, and neighbours cars been vandalised which was reported to the Police and this all started when the fence, Pagoda went up and blocking off the right of way. There had been incidents where the applicant had told the neighbours and myself she had brought this car park from the Council

I asked for proof of this ownership, it could not be provided and hence started legal proceedings and this civil matter still continues.

The Council should be able to do their own research but however if you are unable to do so, I can provide the details of the Law firm I employed. Also section 23 "Ownership Certificates" should be void as it does not apply.

We all neighbours used to have a very peaceful, enjoyable life and getting on with everyone respectfully.

I hope common sense will prevail, and make the decision to demolish Pagoda, remove fences and the car park reinstated to those it belongs to and for their use only.

If your unable to reach this immediate decision to demolish, then at least delay this until all the civil matters come to an end (right of way) and you should get this in writing from all the neighbours.

I hope the Planning Department will receive my letter and I will be sending this in an email as well to yourselves which I hope do not get lost in the post.

Yours sincerely,