3 St. Marys Avenue, Netherthong
Change of use from highway to garden
Supporting Statement

I would like to apply to change the use of the small area of land currently used as a turn round at what was the end of a cul-de-sac, before the new development was built (see Plan No. 1).

St. Mary's Avenue was originally a small cul-de-sac of 5 dwellings, until around 5 years ago when the new development was built.

A turn round was originally constructed at the end of the cul-de-sac (when St. Mary's was first built in the 1970s) that took space from what is now my garden. A development of 30 houses has now been built and St. Mary's Avenue has now been extended, leaving no requirement for a turn round in this location as there are turning facilities at the end of the new St. Mary's Avenue.

I purchased 3 St. Mary's Avenue in 1972 directly from the developer, my original conveyance dated 19 June 1972 (see Plan No. 2) shows that I own into the middle of the road, since then the land was adopted as highway, but land ownership remained the same. I still own this land, it has been confirmed by the Kirklees Land Ownership Team (see email No. 1) that the Council do not own this land, but that it does form part of the adopted highway (see email No.2), as confirmed by Gary Cooper (Highways Registry).

There is no longer a need for this turn round as it is no longer the end of a cul-de-sac. There have been occasions in the past when a camper van has parked there for an extended period of time; therefore it could not be used for its original purpose. Vehicles can now turn round at the newly developed end of St. Mary's Avenue.

Also, with regard to maintenance, the road sweeper wagon cannot get in to sweep it, so I do it. I clean the weeds and debris out of this area.

I would like to remove my existing garden wall and incorporate the area of land into my garden as indicated on Plans No. 2 and 3. I propose to re-position my garden wall as indicated in green on Plan No.3 and provide a new pavement as shown in blue on Plan No.3.