RE: Planning Application - 6, Whitley Willows, Lepton, Huddersfield, HD8 0GD.

We have noted that an objection has been raised by No. 4 Whitley Willows.

I believe that the element of the objection regarding development beyond the domestic curtilage has been addressed with the reduction of the extension from 6.0m to 3.3m from the rear wall.

The remaining part of the objection is that the proposed balcony will create "significant overlooking of the private garden area of No. 4 at close quarters" and that we could "look back directly into the windows along the rear of No. 4".

In response, I would like to please make the following comments:

Regarding overlooking of the 'private garden area'.

We agree that there is a possibility for a small area of the private garden of No. 4 to be viewed, at some >20m distance, from the end of the proposed balcony.

As we have come to realise, Whitley Willows has a domestic curtilage. This is shown (approximately) by the orange line on Image 1 below.

The closest point on the boundary with No. 4 from the proposed balcony is 12m away (shown by the purple arrow on Image 1), which is overlooking land that is outside the Domestic Curtilage. As such, this is not 'private garden area' of No. 4.

As the proposed location for the balcony is on the back of our house, the vast majority of the private garden area of No. 4 will be obscured by the pitched roof on the single storey section of our house. (Please see Image 2).

The small area of the private garden of No. 4 that would be visible would be >20m away from the end of the proposed balcony, and to see this we would have to make a deliberate effort to walk to the end and then deliberately look back in the direction of No. 4.

Image 1

Image 2

Also, as the proposed balcony is now to only project 3.3m, and not the initially requested 6m, the ability to look backwards from the end towards No. 4 has been further reduced.

Existing levels of privacy

Both houses already have a much closer view of each other's private garden areas from the upstairs windows, than would be possible from the proposed balcony.

Image 3 – View from existing side window

Image 4

Image 3 is the view from an upper floor window in our side elevation, which looks directly over the private garden area of No 4, and also over the land outside the domestic curtilage.

As indicated by the red line in Image 4, this side window is only 12m from the nearest window in No. 4. Both of these first floor windows in No. 4 and No. 6 are only 6m from the boundary wall, and from both you can clearly look into the private garden area of the other house, at very close proximity (6m).

As seen in Image 2, and as indicated by the blue line in Image 4, very little of the private garden of No. 4 will be visible from the proposed balcony, and to see that you would need to stand at the very end of the balcony and deliberately turn your head to look backwards towards No. 4. You would then see a very small section of the garden of No. 4, at a distance of >20m away.

This demonstrates that the addition of the balcony will not reduce the levels of privacy currently enjoyed by the private garden area of No. 4.

Regarding the ability to look back into the windows of No. 4

By line of sight, the rear wall of No. 4 is >30m away from the proposed balcony, as indicated by the blue line in Image 4.

Given that the Local Planning Guide would typically ask for 20m to 21m between properties with windows directly facing each other, the proposed balcony would be approximately 50% further away than this.

As mentioned above, the red line on Image 4 shows the 12m distance, being window to widow between the properties. With such close proximity, and this level of overlooking having been considered acceptable when planning permission was granted for the development, I would hope that the >30m distance from the proposed balcony to the windows of No. 4 will not give rise for concern.

Additional points of note:

Planning permission was granted for No. 4 to have a balcony, from the end of which people can already overlook the private garden of No. 6, and look directly into the Lounge, Dining Room and Bedroom windows of No. 6 too, as per Image 5 below.

Image 5

Existing overlooking of No. 4 from the public footpath

The red line in Image 6 below indicates a Public Footpath which runs along the boundary of No. 4.

This footpath is elevated above the main area of the land at No. 4, to a height not dissimilar to that of the proposed balcony at No. 6.

Image 7 shows a person on the footpath, taken from the bedroom window of No. 6. People on the footpath clearly have an open view of both the land of No. 4 outside the curtilage and of the private garden of No. 4 too.

No attempt has been made by No. 4 to screen or obscure the view over their property from this public footpath, from which there is overlooking from an elevated position, and at very close quarters.

Image 6

Image 7

As such, the addition of the proposed balcony will not create any negative impact on the current levels of privacy enjoyed by No. 4.

In summary . . . .

When generally using the proposed balcony, we will not be able to see any of the private garden area of No. 4, or the property itself.

To be able to see a small area of the private garden of No. 4, we would have to walk to the end of the balcony and deliberately turn to look backwards towards No. 4, at which point a small section of the private garden area would visible, at some >20m distance, and the rear wall of the property at >30m away.

This, given the current 6m overlooking vantage points each house has over the others private gardens from existing first floor windows, and the 12m vantage points each has to look directly into the others windows, (which were acceptable to the planning department), the proposed balcony could not be considered as having a detrimental impact on the privacy of No. 4.

Glass Balustrade / Screening

We have intentionally proposed the use of plain glass balustrade for the balcony, without handrails, so as not to interrupt the open aspect of the countryside, both when looking outwards from the bedroom windows of No. 6 and also when looking at the property from the outside too.

We are concerned that a 3.3m x 1.8m screen on the end of the balcony would have a far greater negative impact on the openness of the countryside than the proposed clear glass balustrade, and would look unsightly for us, for No. 4 and for anyone using the public footpath.

We hope that after considering the above points, it can be agreed that the addition of the balcony will not reduce the levels of privacy currently enjoyed by No. 4, and that a 3.3m x 1.8m screen would not be beneficial to the overall project.

Thank you.