

17 Kistvaen Gardens
Meltham
Holmfirth
HD9 5NQ

Kirklees Council
Planning and Development

24 April 2024

Dear Sirs,

Proposed erection of detached building with detached garage at
Occupation Road, off Birkby Road, Birkby, Huddersfield, HD2 2ES
(application 2024/90461)

I am acting on behalf of the residents of 5, Birchroyd Close, Birkby in their objection to the above application.

You have already received an objection from my clients relating to direct adverse impacts on their property should permission be granted.

This objection on their behalf relates to more general but highly pertinent issues.

1) A cramped form of development – the width of the site is extremely narrow being constrained on its eastern side by leylandii hedging approximately 6 metres high and on its western side by the access track.

The proposed dwelling will occupy virtually the full width available resulting in a contrived and incongruous layout and design contrary to

Policy LP24(a) of the Kirklees Local Plan and paragraph 135 of the National Planning Policy Framework (NPPF)

2) Out of character – the proposal would fail to sympathetically relate to existing development in the locality by reason of its cramped form contrasting with the preponderance of individual detached dwellings in plots of a much greater width. As such the proposed dwelling would appear as a visual intrusion detrimental to the visual amenity and overall character of the area. As such the proposal is contrary to policies set out at Section 1 above.

3) Undue Impact – the proposed dwelling will have an overbearing impact on the outlook from No. 1 Birchroyd Close and will result in unacceptable overlooking of the rear garden and windows of No. 3 Birchroyd Close.

Furthermore, the close relationship with these properties would result in the proposed dwelling having an unsatisfactory level of privacy.

As such the proposal would fail to provide a high standard of amenity for occupants of both existing and proposed dwellings, contrary to Policy LP24(b) of the Kirklees Local Plan and Chapter 12 of the NPPF.

4) Undue Shading – Insufficient light will enter the proposed living room and main bedroom as the proposed main windows are north-facing, because of the high boundary hedge and because of the early mature Norway Maple in the rear garden of 3, Birchroyd Close (whose adverse impact will only increase over time, especially when in leaf).

5) Protected trees – the trees in the garden of 360, Birkby Road are protected by a Tree Preservation Order. The works proposed to improve the access will likely adversely affect the roots of 3 No. of those trees.

No arboriculture impact assessment has been submitted to show that the works to improve the access will not have an adverse impact on the health of those trees which enhance the visual amenity of this part of Birkby Road.

6) Housing Need – It is considered that the disbenefits outlined above more than outweigh the benefit of providing just one new dwelling to meet the Council's housing delivery target.

For all the above reasons it is considered that the application should be refused.

Yours sincerely,