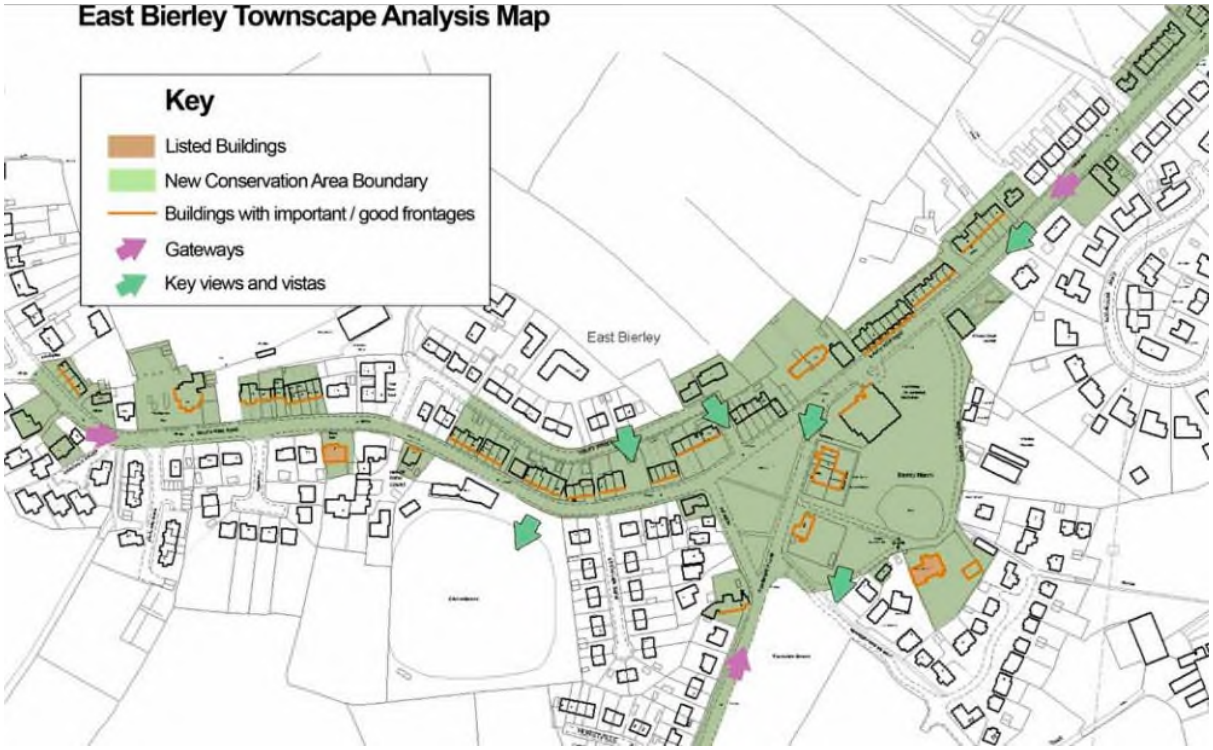
To Jennifer Booth

Application number: 2024/90661

Objection to: Application for a lawful development certificate

For clarification the application for a fence to be erected enclosing the highway verge by Mr Hill is within the protected conservation area, which was extended in 2007 through public consultation, see below mapping from the East Bierley conservation area appraisal.



If Mr Hill is allowed to fence off the area of verge which forms part of the highway so he can extend his parking area does this not set a precedence in law and allow many others to enclose highway verges under the 'ad medium filum' ruling (which does mean only the subsoil is owned).

The application does seem spurious as only the erection of a fence is mentioned in the application not an extension of a driveway/parking area (which carries its own planning implications) on a highway verge within the conservation area.

Another significant point is how Mr Hill claims to have been given permission by Kirklees Council to park on the verge when there is no legal right to park on it, in common law under the Highways Act 1980 which gives the public the right to pass and repass over the full width of the highway (includes roads, pavements and verges).

Please could I respectfully request the authority take in to account the setting of the preservation area as well as highway law and refuse this application.

I wish for this to be posted anonymously and our details kept private.

Kind regards