

I write to formally object to the determination of planning application 2024/91236 (Plot 23, Lingards Road) under delegated powers. The proposal represents a material departure from the committee-approved full permission for the site and meets multiple thresholds under Kirklees Council's Scheme of Delegation that require referral to the District Wide Planning Committee.

## **Grounds for Referral**

### **1. Departure from Committee-Approved Parameters**

The original full permission for the site approved dwellings of two and three storeys, with massing and ridge heights designed to respect the surrounding context. The proposed dwelling at Plot 23 exceeds these parameters—standing noticeably taller (~2 metres) than the bungalow directly opposite. This represents a clear departure in scale and visual impact from what was originally approved.

### **2. Elevated Position and Visual Dominance**

Plot 23 occupies the **highest position on the estate**, making its scale and elevation especially sensitive. The lower floor, currently under construction, sits **above road level**, meaning the front door and garage will be raised significantly above the street. This creates a visually dominant and disproportionate presence on Lingards Road, which is otherwise characterised by modest, low-profile dwellings.

### **3. Public Concern and Amenity Impact**

Objections have been raised by residents and neighbours who feel the proposed dwelling is too large, too tall, and out of keeping with the area. Concerns include:

- Overbearing impact on the street scene
- Loss of visual harmony with adjacent properties
- Disappointment that the highest plot is being used for one of the largest dwellings

These concerns reflect legitimate public interest and amenity impact, warranting elected member oversight.

### **4. Breach of Delegated Authority**

Under Kirklees' adopted Scheme of Delegation, case officers may not approve applications that:

- Represent a **material departure** from a previously approved scheme;
- Attract **significant public objection**;
- Raise **public interest or precedent risks** that warrant committee scrutiny.

The proposal for Plot 23 meets all of these criteria. Officer determination under delegated powers would constitute a breach of procedural safeguards and expose the Council to reputational and legal risk.

### **5. Precedent: Application 2020/93954**

In the case of 2020/93954, Kirklees officers correctly referred the application to committee due to its scale, public interest, and material impact. That decision reflects an established procedural standard:

where a proposal materially alters the approved development form, committee oversight is required. The same principle must apply here.

### **Request for Action**

I respectfully request that:

- Application 2024/91236 be referred to the **District Wide Planning Committee** for determination;
- Delegated powers not be exercised in this case due to material departure, elevated impact, and precedent implications;
- The Council uphold the integrity of its planning process and ensure elected member oversight where warranted.