

**From:** The Molloy's <Redacted>  
**Sent:** 01 June 2021 10:34  
**To:** Planning Enforcement <Planning.Enforcement@kirklees.gov.uk>  
**Subject:** 2020/62/90812/W - Disregard for Planning Consent

**PRIVATE & CONFIDENTIAL**

Dear Sir/Madam

I would like to make remarks relating to the disregard of the planning consent for building/demolition/conversion work to 8 Giles Street and 6 Giles Street conversion. These directly affect my adjacent properties and change the outlook of the road at the centre of the village, and go against or extend the planning consent provided. We have all been deliberately misled:

**Issue 1**

On the South Elevation (rear), the retaining wall was due to be stripped back and assessed on its stability. It was then due to be built up to 1100mm with stone copings on top.

I am not sure what assessment has been made of this wall, however we have seen considerable movement of wall debris inside our sheds since the building works commenced. We see no evidence of stone copings, either. We are not clear whether the wall has indeed been built up and stabilised, or the agreed stone copings added.

If you can assure me that the revised wall has been assessed by your planning dept.; that it has been adequately retained, with the copings atop; and that the owners are responsible for any subsequent damage to our property and any road users should our property collapse as a consequence of their building works (or lack of), then I am satisfied.

**Issue 2**

To exacerbate Issue 1, the owners have built up the ground level of the rear elevation behind our property, placing more pressure on the 'retaining wall' and our property. This was certainly not in the planning application - the Deck Area in the plans merely extended to the rear of number 6, not to the back of our shed properties.

The owners have then built a dwarf fence and can now overlook not only the road, but directly into what was our private seating area opposite. This is not at all in keeping with this road, and has ruined its outlook. There needs to be privacy redressed - for our property opposite and road users from the open nature of the outlook.

Potentially a 2m fence above the re-built wall will suffice for the perimeter of the garden facing the road and the new parking (from the height of the new decking area); or the removal of the extended decking area that has not been

submitted/approved, and would not have been, as it impinges on privacy. Also, had it been in the original plans, we would have objected!

### **Issue 3**

The front facing wall has been partially demolished and rounded. This should have been stated in the the planning application. The owners should have to apply for planning permission retrospectively, having changed the front facing appearance of their property in a conservation area without consent. This has been deliberately taken out of the application, as this changes the outlook in a conservation area - it was known that this would be rejected, it never being able to be replaced, and losing the original aspect of the road.

Finally, are there any planning rules around the installation of CCTV cameras in either a built up village or conservation area? Again, cameras have been installed on the property at the same time as the building work, directed both straight at our property and at road users. I understand that property owners have the right to monitor their property but surely not others, whether that be adjacent properties or road users? If there is nothing that can be done, I would propose that the owners should have to at least place visible notices on the outside of their property that CCTV is in operation, and who to contact should people have data protection issues and wish to gain access to their personal data. One camera only points at the road, not on their property.

I trust you will take these matters seriously and enforce the planning consent to the letter relating to the property's building work, as it does not conform to the constraints of the consent given and now impacts my property and the road users and nature of the village in general.

Please do not hesitate to contact me for more information if required.

Regards

Steve Molloy

13 Giles Street

Netherthong

HD9 3EF

Redacted



—Original message—

From: Charlotte Dixon <[Charlotte.Dixon@kirklees.gov.uk](mailto:Charlotte.Dixon@kirklees.gov.uk)>

To: The Molloy's <[molloyen@aol.com](mailto:molloyen@aol.com)>

Sent: Wed, 14 Jul 2021 11:45

Subject: COMP/21/0286 6-8 Giles Street

Good Morning Mr Molloy,

I hope you are well.

After further investigation and consultation with other members of my team, I have considered that it is not expedient to take further action upon the matters in your complaint. My reasoning behind this are as follows:

I have spoken to a conservation officer in the council, and she does not consider the installation of the CCTV and the alteration to the front wall, detrimental to the character of the listed building. I will however be warning the owners to submit a listed building consent application for any future works to the house.

In terms of 6 Giles street, the decking area is not in the conditions of the decision notice; it does not say that the seating area must be contained behind the property, and unfortunately, we cannot enforce upon annotations on submitted plans. Though the 1800mm fence should ideally be erected to allow the development to be in accordance with the submitted plans, again, this is considered to be *di minimis*, meaning it is so minor to not have any legal consequence. Equally, the area where the seating area was previously paved and the only difference is that they have put some gravel down and created a seating area, which is not considered development.

Kind regards,

Charlotte Dixon  
Planning Enforcement Officer - Development Management  
Planning & Development, Economy & Infrastructure  
Civic Centre 1, High Street, Huddersfield HD1 2NF  
Tel: 01484 221000  
Website: [www.kirklees.gov.uk](http://www.kirklees.gov.uk)



*Disclaimer: Any planning advice by email/letter/in person/telephone is informal and always subject to the formal written decision of the Council i.e. a planning permission and caution/independent legal advice is recommended before proceeding on the basis of any informal advice.*



[Website](#) | [News](#) | [Email Updates](#) | [Facebook](#) | [Twitter](#)

This email and any attachments are confidential. If you have received this email in error – please notify the sender immediately, delete it from your system, and do not use, copy or disclose the information in any way. Kirklees Council monitors all emails sent or received.