

DCAdmin

From:
Sent: 12 August 2024 14:44
To: DCAdmin
Subject: Planning Objection 2024/91834 (not 2025)

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Please accept my apologies..

The planning application was initially typed 2025/91834

This has now been amended to the correct number 2024/91834

Would you be so kind as to email me back to confirm receipt of my objection and that it has been lodged. I understand the cutoff is close but we so unfortunately this has been a difficult time for us.

Thanks

From:
Sent: 12 August 2024 13:21
To: dc.admin@kirklees.gov.uk <dc.admin@kirklees.gov.uk>
Subject: Planning Objection 2025/91834

Please can you accept my objection to the planning application..
2024/91834.

Along with the letter I have enclosed supporting evidence from a company I have entered into contract with regarding this application.. (Objection Letter)

Many thanks

12/08/24

To:
Kirklees Council

Dear Sir/Madam

Re: Objection Letter. 2024/91834

Once again I wish to object to the proposed development
This saga has now been running since 2022 and is causing undue stress and suffering both
physically and mentally on myself and family.

The new (amended) application is merely a few very slight changes that hopes to appease the
planning department in order to pass an almost identical plan from the previous year.
Once again I wish to put on record that the case officer has only visited this site once back in
2022 and met with the Architect and property owner to advise them on the requirements prior
to the initial application being withdrawn.

I have asked for a site visit as I do not believe the plans/drawings to be an accurate
representation of the scale of the plot, or size and distances between the buildings. Again, this
was refused as apparently not part of the process. How can the planning department make an
informed decision when looking at a proposal with drawings and measurements that are wrong
?

My objections which are still current and valid from the last objection are included below along
with supplementary / supporting objection from an independent body who I have employed to
support the objection process and any further processes if so required.
It is in this document that there is more emphasis on your previous reasons for refusal 1 & 3.

Subject: Objecting to planning application 2024/91834

Impact on Visual Amenity...

Looking at the design of the house and the sheer size I believe it would look out of place sat
in between a bungalow and 2 semi detached houses which have been there for well over 60
years.

Highway Safety...

Even though the plans for the house show 5 bedrooms it is pretty obvious than the office and snug on the ground floor could easily be bedrooms and also the huge storage area in the loft could indeed be a bedroom we are potentially looking at a 8+ bedroom house. The amount of vehicles wouldn't support the amount of parking space that's required therefore requiring roadside parking on a main 40mph speed limit road. This would not be allowed so then cars would be parked on grass verges to elevate the congestion.

*****Showing a diagram and traffic flow chart of just 3 vehicles is not representative of a realistic simulation for a house of this size*****

Noise...

As we are looking at a huge house neighbouring ours with what has been described in the planning application as a growing family again the amount of noise created by the cars in the drive would be never-ending. Usually with houses as big as this they come with large plots and therefore neighbours aren't just a few feet away like we are.

Overshadowing / loss of light...

This is massive in my appeal. Whilst in the application states...

"The height and massing of the house have been designed to be considerate of neighbouring properties. The ridge of the roofs runs from north to south, so the roof pitches to the east and west to minimize the impact on neighbouring houses on these sides."

This new house plan would MASSIVELY reduce the natural light coming through both my kitchen window (the only non south facing window in the kitchen). It would also reduce the amount of natural light entering my upstairs landing window and totally remove my east view of the sunrise and any landscape. So no view and natural light, this would then require me to pay for very expensive utilities to light my house to compensate for the light lost.

***** Again, moving the footprint back on a house you have rejected last year for being overbearing and too large for the plot by only a foot will not have any serious benefits to improve the natural light*****

Loss of Privacy...

Again a huge concern with a family and only 1 bathroom in the house the landing window where we exit the bathroom to go to our bedrooms would be overlooked for the 3 west facing roof windows, these would be possibly level or slightly higher than our landing window which would be even worse for privacy.

Our privacy in our back garden where we have _____ would also be eliminated due to the new proposed house.

The windows in the proposed kitchen and lounge would also look into our house again removing our privacy.

At the moment there are NO windows that look into our house from neighbouring properties, this was the main reason for buying this home for my family.

In summary to the proposed application...

I have no objection to any redevelopment that would be of the same height of the current house.

I have no objection to an increased footprint from the current building, I do however have concerns with the architects' drawings and how accurate the measurements are, in relation to gaps between the houses, height, length, driveway etc. "Design and Access Statement" document, look at the 1246 measurement to the existing garage.... From this measurement a car would not pass and from the photo included one definitely does.

In the "Design and Access Statement" document, to try give weight to the application there are some images of neighbouring houses with out-buildings or extensions.. I must point out ALL of these are single story buildings or extensions.

And in reference to the different houses on the area, these photos are over a wide distance spread on Bradley road over a vast period of time so there is naturally going to be a variety, with planning regulations improving the is now more protection for neighbouring houses and especially around the loss of light.

I also appreciate there has been a revision to last years application but going from a gigantic house to a massive house doesn't then make this application suitable, I do find it disappointing with the supporting evidence that it states the house arrangement does not work for the family's needs.

The family who are applying have never lived in the house and if this was the case, then why not buy a house that did suit there needs instead of one that needed demolishing only to be replaced with one that clearly doesnt fit on the plot size.

A house of this stature 5 if not 8 bedrooms 3 bathrooms, snugs, offices and walk in wardrobes should be on a large enough plot that it doesn't massively impact the area and more specifically the neighbours either side of the huge overbearing house.

I plead with you to AGAIN reject this application and encourage a more suitably sized house to be built.

To:

Kirklees Council

23.07.2024

Dear Sir/Madam

Re: Objection to Application Reference: 2024/91834

This objection letter is written on behalf of our client located at Bradley, Huddersfield, HD2 1PU but takes into context the issues surrounding both properties either side of the planning application to highlight the extent of the objection ('the Site') subject of planning application reference 2024/91834 for the demolition of existing dwelling and erection of detached dwelling ('The Proposal').

One previous planning application for a similar development was refused in 2023 following a withdrawn application in 2022. It is our view that the previous reasons for refusal 1 & 3 have not been addressed with the current application, which should therefore be refused.

We have listed separate reasons for objection to the Application under appropriate headings.

The main considerations for this objection letter are:

- Character and Design
- Residential amenity

Character and design

Policy Context

Paragraph 135 of the NPPF 2023 states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Policy LP24 of the Local Plan states that all proposals should promote good design, ensuring the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape.

Policy LP11 of the Local Plan sets out that all proposals for housing, including those affecting the existing housing stock, will be of high quality and design to contribute to creating mixed and balanced communities.

Principle 2 of the Kirklees Housebuilders Design Guide SPD states that new residential development proposals will be expected to respect and enhance the local character of the area by taking cues from the character of the built and natural environment within the locality. Development should create a positive and coherent identity, complementing the surrounding built form in terms of its height, shape, form and architectural details. Illustrating how landscape opportunities have been used and promote a responsive, appropriate approach to the local context.

Principle 5 of the Housebuilders Design Guide states, amongst other things, that buildings should be aligned and set-back to form a coherent building line and designed to front on to the street.

Assessment

Whilst it is noted that the rear first floor element is has now been set back, this element still projects beyond the rear elevations on either side. In addition, the proposal has not presented a reduction of the rear extension at ground floor, but rather removed a corner adjacent to 378. However, the removal of a corner from the rear extension does not harmonise with the host building and surrounding context, adding an incongruent element which is out of keeping with the surrounding area and thus worsening the compliance with Principle 5 of the above SPD.

Furthermore, whilst the revised scheme proposes a very small set back from No 384, these reductions are nearly imperceptible. Using the application drawings highlights the smallest of movement.

The new dwelling's footprint and scale, despite being very slightly reduced, still provides the plot with a cramped appearance, failing to provide the necessary spatial separation as recommended by Principle 6 of the Housebuilders Design Guide SPD.

In the context of these non-material changes, the accuracy of the dimensions assumes a magnified importance. An preliminary analysis of the plans submitted suggests that the dimensions shown on the annotated plan in the DAS do not correspond to the ones taken on site and therefore the current plans do not provide confidence that the proposed layout in the context of the necessary setback distances can be achieved.

The previous application's Officers report stated that *to the west there would be a separation of ~1.6m, and to the east, given the location and angle of the boundary, the separation distances would vary between 1.1m-2.3m. therefore the proposals would not meet the requirements of Principle 6 and would therefore support Officers concerns in respect of the proposals resulting in a cramped form of development.*

As mentioned above, not only is this increased setback *de minimis*, but the measurements supplied with the planning drawings do not appear to be accurate and therefore the improvement on the above distances (as mentioned by the Design and Access Statement) cannot be confirmed.

Therefore refusal reason no 1 still stands: *the proposed dwelling by virtue of the layout of the dwelling, its cramped appearance on the plot, scale and massing, and its prominent and open location on Bradley Road, would represent a contrived form of development that would fail to sympathetically integrate with the existing development in the locality. It is therefore considered to be out of keeping with the immediate area and would fail to harmonize with the character of the street, introducing an incongruous addition to Bradley Road. It is therefore considered that the proposal would not accord with Policies LP1, LP2, LP11 and LP24(a) of the Kirklees Local Plan, Principles 2, 5, and 6 of the Housebuilders Design Guide SPD and Chapter 12 of the National Planning Policy Framework.*

Residential amenity

Policy context

Policy LP24 Design of the Local Plan states that Proposals should promote good design by ensuring that extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details and minimise impact on residential amenity of future and neighbouring occupiers.

Principle 6 of the Housebuilders Design Guide SPD highlights that the space between buildings can help maximise residential amenity in terms of maintaining privacy, reducing overlooking and ensuring natural light is able to penetrate the buildings...normally new build development should seek appropriate separation distances for servicing, accommodating future adaptations and creating attractive street scenes. These should be in keeping with the character and context of the site and proportionate to the scale of the dwellings. Paragraph 7.19 of Principle 6 states that for houses two-storeys or above, there should normally be a minimum of a 2m distance from the side wall of the new dwelling to a shared boundary.

Assessment

The pre-application response stated that *a 3m single storey extension may be acceptable to the rear of the property but this would need to be assessed in more detail through any future application.* Despite this initial advice, the revised proposals still project beyond the 3m from the rear elevation at ground floor.

In relation to No 378, the rear elevation of No 378 does not align with the existing conservatory at 382 as shown on the plans, which means that even though a corner is being removed from the rear extension, the impact upon no 378 is not resolved, as the house is set further back into the plot and will therefore still

suffer from a loss of light and overbearing feeling as a result, with the extension still projecting circa 4m at ground floor from no 384.

This discrepancy in the plans and measurements provided also means that the first storey element would continue to project beyond the rear elevation at No 378 by about 1.5m ~ 2m resulting in an overbearing feeling.

For the reasons detailed above refusal reason no 2 still stands: *the proposed residential development, by reason of its siting, scale, massing, orientation and close proximity to neighbouring land would have a significant overbearing and oppressive impact upon the amenity and outlook of no. 378 Bradley Road. To permit such a development would be contrary to policy LP24 (b) of the Kirklees Local Plan, Principle 6 of the Council's adopted Housebuilders Design Guide SPD and Chapter 12 of the National Planning Policy Framework.*

Furthermore, the previous application Officer's report states that *from looking into previous planning history at no. 384, it appears that a window located within the eastern elevation of no. 384 relates to a shared kitchen/dining room and is the only window used to provide light into this area. It is acknowledged that the increase in scale and massing of the proposed dwelling in this location, and the orientation of the proposed dwelling which is to be located just 3m away from the eastern elevation of no. 384. It is therefore considered that the proposals would also have an undue overbearing impact on this window, resulting in a loss of outlook and light.*

The proposed changes do not address this issue, with the very minor setback proposed from no 384 not sufficient to address these concerns and the proposed second storey set back, still projecting beyond the existing building lines on either side, also not sufficient to resolve the aforementioned concerns.

Therefore refusal reason no 3 still stands: *the proposed residential development, by virtue of its location, scale, massing and orientation of the proposed dwelling to a kitchen window within adjacent neighbouring property no. 384 Bradley Road, it is considered that the proposals would have an overbearing impact upon the residential amenity of the occupiers of no. 384 Bradley Road, resulting in a loss of outlook and light. To permit such a development would be contrary to policy LP24 (b) of the Kirklees Local Plan, Principle 6 of the Council's adopted Housebuilders Design Guide SPD and Chapter 12 of the National Planning Policy Framework.*

Conclusion

The proposals result in an unacceptable impact upon residential amenity as well as harmful impacts related to character, design. They are contrary to Local Plan Policy as well as the Policies in the NPPF.

Due to the reasons above we propose that the Application be refused. Please acknowledge receipt of this objection by return.

Yours Sincerely,

Planning Voice

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