
Sent: Friday, September 13, 2024 10:21 AM
To: DC Admin <DC.Admin@kirklees.gov.uk>
Cc: Molly Storer <Molly.Storer@kirklees.gov.uk>
Subject: OBJECTION Application 2024/92024 - 14 Bankfield Terrace

To whom it may concern,

Dear Ms. Storer,

Application 2024/92024 - 14 Bankfield Terrace
Erection of a single storey side extension and alterations.

Please accept this letter as a formal objection to the current planning application, which is a revised submission of a previously dismissed scheme (Appeal Decision Ref: APP/Z4718/D/24/3342457). Upon reviewing the supporting documents for the new application, which proposes a single storey extension to no. 14, it is noted that modifications have been made, including a 150mm reduction in floor level and the removal of bi-folding doors. However, these changes do not adequately address the key issues identified by the Planning Inspector in the previous appeal decision.

The Inspector's decision highlighted two primary concerns: (1) the negative impact on the character and appearance of the area, and (2) the adverse effect on the living conditions of the residents of 16 Bankfield Terrace, particularly regarding the loss of privacy and outlook. These concerns remain relevant to the current application. Additionally, there are serious concerns about the safety and procedural aspect of the proposed development. These are detailed below.

Residential Amenity

Kirklees Local Plan policy LP24 emphasises the need for proposals to promote good design and minimising impacts on residential amenity, which includes that of neighbouring occupiers. The House Extensions & Alterations Supplementary Planning Document (SPD) Key Design Principle 3 (privacy) and 6 (prevent overbearing impact) are also relevant. Specifically, the SPD states that front extensions should not 'unreasonably affect neighbouring properties' and for extensions 'it is important that neighbours do not feel unduly 'hemmed-in' by such proposals.'

Despite the removal of the bi-folding doors and reduction in height, the substantial massing of the extension remains a significant concern. There appears to be a window to the outward facade and the extension still extends considerably beyond the building line. As the immediate neighbouring property, no. 16, along with other properties on the terrace are very likely to feel 'hemmed-in' by the extension dominating the small area of space left on the Bankfield Terrace.

Consequently, the application remains inconsistent with the aims of Chapter 12, paragraph 135 of the National Planning Policy Framework (NPPF), LP24b, LP24c, KDP3 and KDP6. Therefore, the application should be refused.

Visual Amenity

LP24 and SPD Key Design Principle 1 (local character and street scene) and 2 (impact on the original house) relate to visual amenity. The properties on Bankfield Terrace are mid to late 19th century stone dwellings. The previous appeal due to the proposed extension's failure to respect the form, scale, and layout of the existing property and its immediate surroundings. The primary concern was the proposed extensions visual dominance, detracting from the historic stone frontage and period detailing of the properties. The new application, although it includes a reduction in the extension's height, it does not meaningfully reduce the visual dominance of the structure. The overall height, position, and form remain largely unchanged, and the extension would still compete with the existing buildings on Bankfield Terrace, resulting in an inconsistent and harmful impact on the character and appearance of this small, distinctive area. Any attempt to screen the extension would further impact the character and appearance. There is simply not enough space for such a scheme.

This demonstrates that the proposals are contrary to the aims of Chapter 12, paragraph 135 of the National Planning Policy Framework (NPPF), LP24a, LP24b, KDP1 and KDP2 and should be refused.

Safety

Paragraph 190 of the NPPF, states that the responsibility for ensuring a safe development rests with the developer and/or landowner, specially where contamination or land stability issues are present. Policy LP53 addresses development land at risk of instability.

There have been historic stability issues with the retaining wall adjacent the proposed extension site, including a previous collapse. The planning application documents do not adequately address these concerns. There are fears the retaining wall may collapse again, which is a safety risk to all residents of Bankfield Terrace. Additionally, the proposed green wall could exacerbate instability issues by adding extra weight. Any mitigation measures, such as buttresses, would further limit access and contribute to the overbearing nature of the scheme.

The proposals have not demonstrated that they will not compromise the safety of the occupiers of Bankfield Terrace, making them contrary to Chapter 15, Paragraph 190 of the NPPF and Policy LP53 of the Kirklees Local Plan.

Ownership and Notification

Lastly, there are also procedural issues to consider. The applicant does not own this land as noted in the application form. They have also failed to comply with the notification requirements set out in the Town and Country Planning (Development Management Procedure) (England) Order 2015. Not all interested parties have received written notice of the proposals, which is a breach of the applicants' obligations under Article 14.

This procedural flaw renders the application potentially invalid and is an additional ground for objection.

In conclusion, while the modifications compared to the original scheme are acknowledged, the proposals continue to fall short of addressing the significant concerns raised by the Inspector in the previous appeal decision. There are additional reasons why the application should be refused. The application continues to negatively impact residential amenity, safety, and the character of the area. For these reasons, it is respectfully requested that the Council refuse this application.

Thank you for considering this objection.