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Kirklees Council

Planning and Development Services
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26 November 2024

Dear Sirs,

Proposed demolition of existing garage and erection of 2 storey side and rear extension at 31 Stafford Hill Lane, Kirkheaton, Huddersfield, HD5 0EE.

Application reference 2024/92912

I am acting on behalf of _____ in
respect of their objection to the above application.

Their grounds of objection are twofold: firstly, the inappropriateness of the proposals in terms of their adverse impact on the character of the area; and secondly, their undue impact on _____ living conditions.

I will deal with each issue in turn but before doing so reference the key national and local policy and guidance background relevant to the making of the decision on this application.

Firstly, the National Planning Policy Framework (NPPF) advises (para 2) that planning law requires that application for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise.

It includes that planning policies and decisions should ensure that developments will add to the overall quality of the area (para 135a); and development that is not well

designed should be refused, especially where it fails to reflect local design policies (para 139).

Secondly. The Kirklees Local Plan (KLP) comprises the development plan. Policy LP24 relating to design includes that proposals should promote good design by ensuring: a) the form, scale, layout and details of all development respects and enhances the character of the townscape; and b) they provide a high standard of amenity for neighbouring occupiers; and c) 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.

Thirdly, the Council's House Extensions and Alterations Supplementary Planning Document (HEASPD) is a material consideration in planning decisions, adding further detail to the local Plan (para 1.5).

The guidance has been produced based on the principle of 'comply or justify' (para 1.90).

Various design principles are set out at Principle 5 including that extensions should not adversely affect the amount of natural light presently enjoyed by a neighbouring property.

Section 5 sets out detailed guidance on various types of extensions including two-storey extensions to the rear (paras. 5.8- 5.10) and side (paras. 5.19- 5.22).

I now address the proposals in terms of their failure to comply with policy and guidance.

IMPACT ON THE QUALITY OF THE AREA.

The application property occupies the right- hand of a pair of semi- detached properties as seen from Stafford Hill Lane. Neither property has been extended. The proposals will upset the symmetry of the pair of properties.

Given the orientation of the two properties, the proposals will block out late afternoon and evening sunlight resulting in an even greater adverse effect on the level of amenity

In conclusion, the proposals fail to meet the requirements of national and local policy and guidance, and for that reason should be refused unless material considerations indicate otherwise. None have been put forward by the applicant.

The development will not add to the overall quality of the area, and because it fails to reflect local design policies as set out in the HEASPD, should be refused as advised in the NPPF.

The proposal fails to comply with KLP Policy LP24 and in the detailed respects set out above, fails to meet the guidance in the HEASPD that proposals should comply or justify.

In the light of the above, any decision other than to refuse the application for the reasons above would be perverse.

Yours sincerely,