

## DC Admin

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**From:**  
**Sent:** 28 December 2024 13:23  
**To:** DC Admin; Joanna Rednall; Cllr Jo Lawson;  
**Subject:** planning application 2024/62/93007/W – 67a Crosland Hill Road

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### With Reference to planning application 2024/62/93007/W – 67a Crosland Hill Road

Hi Joanna/planning team,

Hope you had a lovely break away over the Christmas Holidays and a Very Happy New Year to you. Apologies in advance for the delayed response regarding my objections to this planning application.

Please find attached my objections to this building application. I would be grateful if you would confirm receipt of this email to myself

I bought the neighbouring property as my 'retirement home' about ten years ago. My  
resides at the property with I plan on retiring in a few years' time to the  
property.

Number 67 (our property) and 69 is the original grade 2 listed property in the row of four. 69a (the barn) is also a Grade 2 listed building.

The storage/sheds that are up for demolishing within this application were built by the people who used to reside in my property many years ago and the land was always used by all the neighbours in this shared lane. Mr and Mrs Wood have since laid claim to the land installing a gate with no permissions from the freeholder.

Although no one from the shared lane actively uses the storage/shed they are still supplied with electricity from my property (No. 67) and there is also still a water meter registered under my address inside the storage/shed. I am not concerned about these supplies as we no longer use the sheds and if the Woods want to remove them at their expense then that's fine with me.

The shed roofs are made from corrugated asbestos sheeting on a timber frame which are in a very poor state of repair and I would need to understand that they would be made to have a complete asbestos survey completed and the removal undertaken by a registered contractor.

There is also an access issue we have and although nothing to do with this application I feel you should know about it anyway. We have under our lease agreement with the land owners an access right to walk around the side and back of their property to access our rear garden. If this application is approved then this right of access, I feel will be ignored as proven so far from lack of response from the Woods to our letter which I had previously copied you into, Joanna Rednall.

There is also a very narrow lane that serves all four properties. The woods are indicating on this application that they have the sole right to this lane, but we all have this right and it is written into our leases. So please do not think that they have the sole right of access to this lane when you are reviewing this planning application.

If there are any questions regarding my objections on the attached PDF please do contact me by return email

Can I also please have confirmation from the planning department that these objections will be added to the planning application 2024/62/93007/W

Kindest regards

Meadow Cottage  
Colonels Meadow  
Oxford Road  
Marlow  
Buckinghamshire  
SI7 2NW

Please note I am also the owner of 67 Crosland Hill Road, Huddersfield, West Yorkshire, HD4 5NZ where                      has been residing for the past ten year.

**Planning application 2024/62/93007/W – 67a Crosland Hill Road, Crosland Hill, Huddersfield, HD4 5NZ.**

**Our objections to this application are as follows:**

**Attachment - Application ID 1067793 – Application for Planning permission**

**Section 1 (Applicant Name & Address)**

- Applicants name states Paul & Vicki whereas details should state full names of Paul & Victoria

**Section 3 (Description of the proposal)**

- Number 67b does not exist, this has just been invented for this application.
- Storage Building/Shed were originally built by previous owners of Number 67
- Electricity supply from the storage shed is still supplied by my property – Number 67
- Water mains from the storage shed are also registered to my property – Number 67

**Has work already started?** Applicants have stated “NO”. This is incorrect due to gate blocking off the shared land installed approx. ten years ago against the terms of the lease which we **all** hold with the free-holder.

**Address.** Site address details listed on this form as Crosland Hill but on application ID 1065247 it states Crosland Moor, Kirklees. They do not match/Incorrect details on one of the forms.

**Section 6. Pedestrian and Vehicle Access, Roads and Rights of Way.** Our property number 67 has access rights down the left-hand side and the rear of number 67a to access our property at the rear. This is written into the land lease on **both** properties but is being ignored in this application. The details provided under section 6 are false.

**Section 9. Materials.**

- WALLS - proposed natural stone – will this be a dressed York sandstone?
- ROOF – proposed is stone slate tiles – are these a local York stone or are they black welsh slate tiles?
- Windows – proposed powder coated aluminium surrounding buildings are not in keeping with surrounding grade II listed buildings on our shared lane.
- Vehicle access & hard-standing – Stone sets is a vague answer. This should also **not** include the shared access drive.

**10. Vehicle Parking** – The area being named “67b” on application used to be communal parking for **all four** houses on the lane. Mr & Mrs Wood “illegally” installed a five-bar gate between our property and theirs, blocking all three other properties vehicle access.

**12. Assessment of flood risk** – It is our opinion that where the proposed extension patio and parking hard standing, will increase flood risk due to heavy rain downpour flowing down onto our shared drive.

**13. Biodiversity & Geological Conservation** – Mr & Mrs Wood have answered “NO” to all questions in this section. This is factually incorrect as the storage/shed does house bats. The storage/shed has little to no disturbances, but does have cracks and crevices and small openings and large roof/internal space for the bats to fly. Could we suggest that the local authority appoint a professional body to investigate the bat dwellings.

**14. Existing use** – Mr & Mrs Wood regularly use this land for parking, but refuse access via the “illegal” gate to any of the neighbouring properties on the shared lane – whom should have the same rights as Mr & Mrs Wood on this land.

- **Land which is known to be contaminated** – Mr & Mrs Wood answered no but this is not correct. The storage/shed roofs are made from **corrugated asbestos sheeting** which are in an extremely poor and crumbly state (hence the bats getting in and out) and the land the sheds stand on will surely be contaminated with the asbestos dust too.

**15. Trees and hedges** – Trees to the boundary fencing were removed approx. one year ago by Mr & Mrs Wood and we now assume this was in preparation for this planning application. There are house sparrows nesting in this area as per the NBN Atlas and which you will know are a protected species as per the Wildlife and Countryside Act 1981. Due to how close in proximity the NBN Atlas shows they are (on the lane) – they could possibly be residing in this storage/shed too.

**18. All types of Development: Non-residential Floorspace (continued)** – Second question has not been answered by Mr & Mrs Wood on this application (Does the proposal include loss or gain of rooms for hotels, residential institutions, or hostels)

**24. Biodiversity Net Gain** – We believe the answer “no” is wrong. This should state yes due to the bats dwelling which is accurate but also the possibility of house sparrow nesting/living.

**25. Ownership Certificates & Agricultural Land Declaration** – The land is owned by the freeholder “New Wharton Holdings Ltd” of Saville Road, London. Also, no notice has been given to us at number 67 and we have right of access around their property (67a) to access the rear of our property. We also have full access rights within our lease for the access lane which runs from the road to the far edge of their property.

**30. Site Visit** – Stated on application “NO” under “can the site be seen from a public road, public footpath, bridleway or other public land”. There are many surrounding homes and from the lane and the road itself.

## Attachment - Application ID 105247 – Application for Planning permission

### Description of proposed works

- It states “single storey extension with pitched roof and roof lights to existing dwelling” – this description is incorrect as the pitched roof lights are not shown on the drawing of the existing building.

**Are you supplying additional information on submitted plans, drawings or a design and access statement:** Answered yes but no record of an access statement in documents attached on the Kirklees Planning Website of this application. Could someone please forward this to me?

**Pedestrian and Vehicle Access, Roads and Rights of Way** – This section is again incorrect. Stated “NO” under rights of way but this is written into **both** our own lease, and the Wood’s lease that we have right of way around their property to access my property and this extension will cut off our access rights.

**Owner/Agricultural Tenant:** - House Name is incorrect. There is no “c/o 14” it should state Saville Row Management Ltd only. Details are wrong.

The below are my reasons to my objections as per the guidance from Kirklees Planning Website and National Planning Policy Framework.

**Conservation of buildings and conservation of the natural environment:** The applicants who are seeking planning permission at Number 67A (Mr and Mrs P & V Wood) whom reside next door to myself at No 67, along with number 69 and 69a are official heritage category grade II listed buildings; list entry number is 1134306.

The official list entry states the three other properties on this lane (which includes mine) are identified as special architectural/historic interest. The following information on the heritage listings are as follows:

- Pitched stone slate roof
- 2 stories
- Coped gable ends with kneelers
- 1<sup>st</sup> floor has two 3-light stone mullioned windows
- Ground floor has 2 C19 tripartite sashes

The proposed dwelling considered would adversely affect the setting of the three listed cottages in this shared access lane by virtue of its mass, dominance, relationship, design, character, and materials (heavily glazed) and thus is contrary to guidance contained within **GPA 1, 2 and 3 – Historic Environment Good Practice Advice in Planning and the NPPF – National Planning Policy Framework, Chapter 16.**

**Effect on trees and the landscape:** Recent trees on the western boundary were removed approx. 12 months ago by No 67a.

**Design, appearance and layout:** The design of the proposal we do not consider to be in keeping with local character and identity by virtue of architectural style, external appearance, materials, layout, dominance and the sheer mass of the extension which is approx. twice the size of their existing property.

**Effect on the character of an area:** As the listed homes on this shared lane is of historical interest, dating back to approx. 1720; we feel that consideration should be taken for the likelihood of unidentified heritage assets of historical or archaeological interest.

**Noise, disturbance and odour:** The proposed dwelling is in a high radon area which produces a radioactive dust in the air we breathe. The dust is trapped in our airways and emits radiation that damages the inside of our lungs. The higher the level, the greater the risk will be. By disrupting the ground, the risk will increase. **Note:** We are in a red area.

**Impact on highway safety and traffic:** The proposed building site being served by our shared lane has not been constructed in a way to carry any construction traffic. On the application it states there will be bulk deliveries to site, this is impossible as the lane is narrow and would not fit a vehicle larger than a standard van.

The narrow entrance from Crosland Hill Road into the narrow-shared lane for our four properties is not accessible for anything bigger than a transit van.

Crosland Hill Road itself, has very little available on-road parking and consideration should be taken for the increase in construction workers parking and the affect this will have on neighbouring properties.

There will also be concerns over parking on the shared lane by the construction workers, denying access for the residents of the shared lane.

**Previous planning applications:** Application number 91/65/02415/B3 for Number 67 Crosland Hill Road applied for listed building consent for erection of small front porch – this was refused by Kirklees Council in May 1991 due to affecting the setting of a heritage asset. We feel the proposed application for 67A should be refused on the same grounds.

#### **Development Plan policies, Supplementary Planning Guidance and other planning policies:**

- NPPF, Contents 16 – Under paragraph 203 section D – *“the desirability of sustaining and enhancing the significance of heritage asset”* This extension will not enhance the local heritage assets in this lane or surrounding area.
- NPPF, Contents 16 – paragraph 203, section F – *“the desirability of a new development should make a contribution to the local character and distinctiveness”* We note on the plans they propose to use inappropriate modern LARGE powder coated aluminium windows, this will not be in keeping with the surrounding properties.
- NPPF, Contents 16 – paragraph 203, section G – *“opportunities to draw on the contribution made by the historic environment to the character of a place”*
- NPPF, Contents 16 – paragraph 207 – *“In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation”* In the planning application there has been no mention towards the architectural grade II listed assets of historic & architectural interest on the site which will be affected. There has been no verbal or written consultation with us regarding the grade II listed building next door to them, which we are the custodians of at No 67 Crosland Hill Road either.
- NPPF, Contents 16 – paragraph 208 *“Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset’s conservation and any aspect of the proposal”* The local authority needs to take into consideration the heritage assets of the grade II listings of Number 67, number 69 and number 69a on this shared lane as this would go against the National Planning Policy Framework.
- NPPF, Contents 16 – paragraph 210 *“In determining applications, local planning authorities should take account of: (a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; (b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and (c) the desirability of new development making a positive contribution to local character and distinctiveness”* In our consideration this development does nothing towards enhancing the significance of a heritage asset.
- NPPF, Contents 16 – paragraph 212 *“When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance”* We do not consider allowing the proposed extension to be

passed on this application, due to the plans of building directly onto listed property - Number 67 as this would not in any way enhance the heritage asset.

- NPPF, Contents 16 – paragraph 213 “Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of: (a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional. Again, Significant harm would come to number 67 Crosland Hill Road due to the proposed extension connecting onto our property. Our property at 67 Crosland Hill Road is classed as a semi-detached, grade II listed building, if this proposal of extension was to go ahead then we would be downgraded to mid-terraced losing value to the property.
- NPPF, Contents 16 – paragraph 215 Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. Allowing this application to be built onto a designated heritage asset will have no public benefit.

**What the building or development will look like:** This extension is far too large for the site, almost double the size of the existing house as well as being built on land that is negotiable for ownership. The shared driveway/lane is a right of access for all four houses. The planning application suggests this is sole ownership to number 67a which is factually incorrect.