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Planning Development

By Email Only

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Kirklees Council
Planning – Development Control

FAO Joanna Rednall

**OBJECTION TO PLANNING APPLICATION FOR ERECTION OF GARAGE WITH RAISED PATIO
(RETROSPECTIVE) AT 167 BRADLEY ROAD, BRADLEY, HUDDERSFIELD, HD2 1QF**

LPA: 2024/93151

Dear Madam,

Robert Halstead Chartered Surveyors and Town Planners have been instructed to submit an objection letter to Kirklees Council on behalf of the occupants of No. 165 Bradley Road. Our clients are concerned that the proposed development would detrimentally affect their residential and visual amenity. These matters will therefore form the basis of this objection.

Preliminary Matters

- 1) The description of the application, “Erection of garage with raised patio” is considered to be incorrect as there is no mention of the lower ground floor extension on which the garage and raised patio would be situated. The lower ground floor extension measures 8m x 5m and is therefore not an insignificant addition to the property. The extension has not received planning permission previously and would not benefit from permitted development rights as it exceeds the limitations set out in the Town and Country Planning (General Permitted Development) Order.¹ It is therefore requested that the description be amended to include “Erection of lower ground floor extension”.
- 2) The existing floor plans and elevations are also misleading / incorrect as they include the lower ground floor extension. This element of the proposals is only ‘existing’ because the application is part retrospective. It is therefore also requested that the lower ground floor extension be omitted from the existing plans in order to reflect the true ‘as existing’ position. i.e. that the lower ground floor extension also requires planning permission and is being applied for.

¹ Class A, Part 1, Schedule 2

- 3) The proposed garage wouldn't be able to function as a garage. Paragraph 5.15 in the Kirklees Highways Design Guide SPD states: *'For a garage to be treated as a parking space, the minimum internal dimensions should be: single garage 6.0m long x 3.0m wide.'* The proposed garage only measures 5.0m long x 2.3m wide internally. It is therefore too small. Furthermore, it is unclear how a car would enter / exit the garage given it is meant to be built on the raised patio (see photograph below). It is therefore requested that clarification is sought on this issue.

Relevant Policy and Guidance

Local Plan Policy LP24 states: *'Proposals should promote good design by ensuring:*

b. they provide a high standard of amenity for future and neighbouring occupiers.

c. 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.'

The Kirklees House Extensions and Alterations Supplementary Planning Document (SPD) "provides detailed guidance regarding the standard of development that will help achieve a well-designed house extension or alteration as required by the Council ... Supplementary Planning Documents are a material consideration in planning decisions, adding further detail to the Local Plan ... The Council expects

proposals for new house extensions and alterations to comply with the guidance and key design principles.”²

Residential Amenity Impact

Key Design Principle 3 in the SPD states: *‘Extensions and alterations should be designed to achieve reasonable levels of privacy for both inhabitants, future occupiers and neighbours.’*

Paragraph 5.28 in the SPD also states: *‘Balconies and roof terraces on existing buildings should not negatively affect neighbouring properties. Balconies and roof terraces should be positioned, and screened if required, so that they do not overlook neighbouring homes and gardens.’*

the height of the proposed raised patio exceeds the height of our clients’ boundary fence quite considerably. Should the garage element of the development not be constructed, the raised patio would result in significant overlooking and a loss of privacy for our clients when they are out in their garden. Even if the garage is constructed, the height and depth of the raised patio would still cause a degree of overlooking and loss of privacy to an unacceptable level.

Providing a screen around the perimeter of the raised patio may reduce overlooking / loss of privacy; however, due to the height of the raised patio and any additional screening, the development would then have an overbearing impact (see point below).

² Paragraphs 1.3, 1.5 & 1.10

Key Design Principle 6 in the SPD states: *'Extensions and alterations should not unduly reduce the outlook from a neighbouring property.'*

Paragraph 4.19 in the SPD also states: *'Dominance and outlook relate to how an extension will change the character of the neighbouring house and garden.'*

The garage is proposed to be built on the raised patio, which, as stated above already exceeds the height of our clients' boundary fence. Our clients' property is a detached single storey dwelling, and as such, the overall height and close proximity of the proposed garage to our clients' house and garden would have an overbearing impact and reduce their outlook when they are out in their garden.

The SPD guidance also sets out specific criteria on which single storey rear extensions (paragraph 5.6) will be considered by the Council, based on their impact on neighbouring properties and gardens. It is considered that the proposed extension does not comply with all of the guidance for the following reasons:

- The applicant's property is a modest semi-detached house which has previously been extended at the rear. The addition of the proposed development, also at the rear of the property, would be completely out of keeping with the scale and style of the original house.

- The existing single storey rear extension projects out from the rear wall of the original house by 3 metres. The proposed development would extend out by an additional 5 metres giving an overall projection of extensions from the rear wall of the original house of 8 metres.
- The proposed development not only projects out by more than 3 metres, but the eaves height of the garage element, when measured from ground level, measures 4.9 metres and therefore exceeds the 2.5 metre allowance.
- The gap between the proposed development and the shared boundary only measures 0.76 metres.

Visual Amenity Impact

Key Design Principle 2 in the SPD states: *'Extensions should not dominate or be larger than the original house and should be in keeping with the existing building in terms of scale, materials and detail.'*

Key Design Principle 9 in the SPD states: *'Extensions and alterations should seek to use innovative construction materials and techniques, including reclaimed and recycled materials where possible.'*

The original house is a modest two-storey semi-detached property constructed of natural stone. By contrast, the proposed lower ground floor extension essentially comprises a large (5m x 8m) concrete block with no windows or architectural detailing. Even when completed, the development, including the raised patio and detached garage, would result in an intrusive and incongruous feature that dominates the original house and is not in keeping in terms of scale, materials or details. It is considered the development would have a detrimental impact on visual amenity and local character.

No. 169 Bradley Road

Whilst the proposed development would have a greater impact on the residential amenity for our clients are No. 165 Bradley Road, the occupier of No. 169 Bradley Road would also be affected. Although the occupier of No. 169 has an existing raised patio, the proposed raised patio is at a higher level and is much greater in depth. As a result, even with the addition of screening around the parameter of the raised patio, the height and depth of the raised patio would result in a degree of overlooking and loss of privacy for the occupier of No. 169 when they are in their house and garden.

Summary

Given the above, it is considered that the proposed development does not comply with Local Plan Policy LP24, Key Design Principles 2, 3, 6, and 9 and the criteria regarding single storey rear extensions in the Kirklees House Extensions and Alterations SPD or the guidance relating to the size of garages in the Kirklees Highways Design Guide SPD. Allowing the development would have a detrimental impact on the residential and visual amenity for the adjacent neighbouring dwellings.

Our clients strongly object to the proposals, and we therefore respectfully request that the application is refused.

Yours faithfully,