Objection to Planning Application 2025/62/90116/W, 42 Birmingham Lane

The objection to this planning application is based on the following material considerations;

1. Overlooking/Loss of privacy.
   It should be noted that the development at 42 Birmingham Lane exceeds permitted development rules 2025.

   The extension exceeds both height and area, and as such overlooks 44 Birmingham Lane and causes a loss of privacy.

2. Loss of light or overshadowing.
   It should be noted that the development at 42 Birmingham Lane exceeds permitted development rules 2025.

   The extension exceeds both height and area as such overshadows 44 Birmingham Lane and causes a loss of light.

3. Parking.
   The application shows parking on the front of 42 Birmingham Lane for three motor vehicles. This number of spaces is insufficient to support the current number of vehicles in use by the residential occupants of the property, as on street parking is also used.

   These spaces are not available for use by the customers of the nursery for either pick or drop off.

   Birmingham Lane, is very congested and this is a particular concern should a there be a need to evacuate 42 Birmingham Lane or for emergency vehicles to access the school or surrounding properties. Given its location opposite the only vehicle entrance to the school.

   The nursery at 42 Birmingham Lane adds to this issue both in volume of traffic and safety issues related to children crossing to the school at peak traffic times.

   Parking has become a particular issue during school (Meltham Moor Primary) opening and closing. Leading to residents driveways being blocked on many occasions and is often a source of unpleasant comments directed toward my residents by school parents who believe they have the right to block access to residents property.

   Additionally, it should be noted that the nursery operates all year round and not just during school term time.

4. Noise
   The nursery generates a significant amount of noise during its operation and the measures taken to manage this noise are insufficient.

   It should be noted that this is semi detached property as such it impossible to manage the noise generated by the nursery at 42 Birmingham Lane.

This constitutes environmental pollution and is a nuisance.

It should be noted that this noise is distinct and separate from the school, which is separated by distance, screened by trees and has it play area at the rear of the building.

The nursery operates all year round and not just during school term time.

5. Government Policy

   The proposed application could be considered contrary to Chapter 15 of the NPPF. Clause 187, Sect e, “preventing new developments from unacceptable levels of noise…wherever possible improve environmental conditions”

   The development will have negative impact with increased noise pollution, both from the nursery and increased traffic and footfall.

6. Proposals in the Development Plan

   The proposed application is contrary to Policy LP52, protection and improvement of environmental quality.

   The development will have negative impact with increased noise pollution, both from the nursery and increased traffic and footfall.

7. Previous Planning Decisions, 2020/62/93873/W, 10 Hall Close, Meltham
   This planning application was refused on noise pollution considerations, with reference to loss of Residential Amenity.

   In particular Policy LP52 which relates to protecting the environmental quality. The development would have resulted in an increase in pollution from noise and as such would reduce residential amenity of nearby occupants.

   There were additional concerns about vehicle noise due to an increase in traffic movements and parking in vicinity.

   The property in question was detached and the noise generated was not considered acceptable, 42 Birmingham Lane is semi-detached making the noise generated even more of a nuisance.

8. Additional Observations - Comments
   It would appear that a large number of comments have been made on the application these comments are not material, there is also concern about the source of these comments.

   These comments should be redacted unless it can be proved that they have been made by residents of Birmingham Lane, who will be directly affected by the planning application.

   It is noted that the planning applicant via social media has encouraged third parties to make comments in support of their application, “even if they don’t live in the area”.