

Kirklees Council
Planning and Development
PO Box 1720
Huddersfield
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Date : 04.03.2025

RE : Park Barn, Hopton Hall Lane, Mirfield, WF14 8EP

The purpose of this covering letter is to identify the alterations and redesign of the proposed scheme for a new dwellinghouse at Park Barn, Hopton Hall Lane, Mirfield, WF14 8EP following the refusal of the previous application 2024/62/93055/E.

The following reasons were given for refusal set out in the decision notice:

1. The development, due to scale and roofline, would introduce a form of development that fails to consider the wider existing urban grain and topographical features of the landscape. Introducing such a development would harm the sense of place along Fairways, appearing cramped within its locality introducing a scale that departs from the existing character found within the local site context. It would therefore be contrary to Principles 2, 4, 5 & 15 of the Kirklees House Builders Design Guide Supplementary Planning Document, Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.

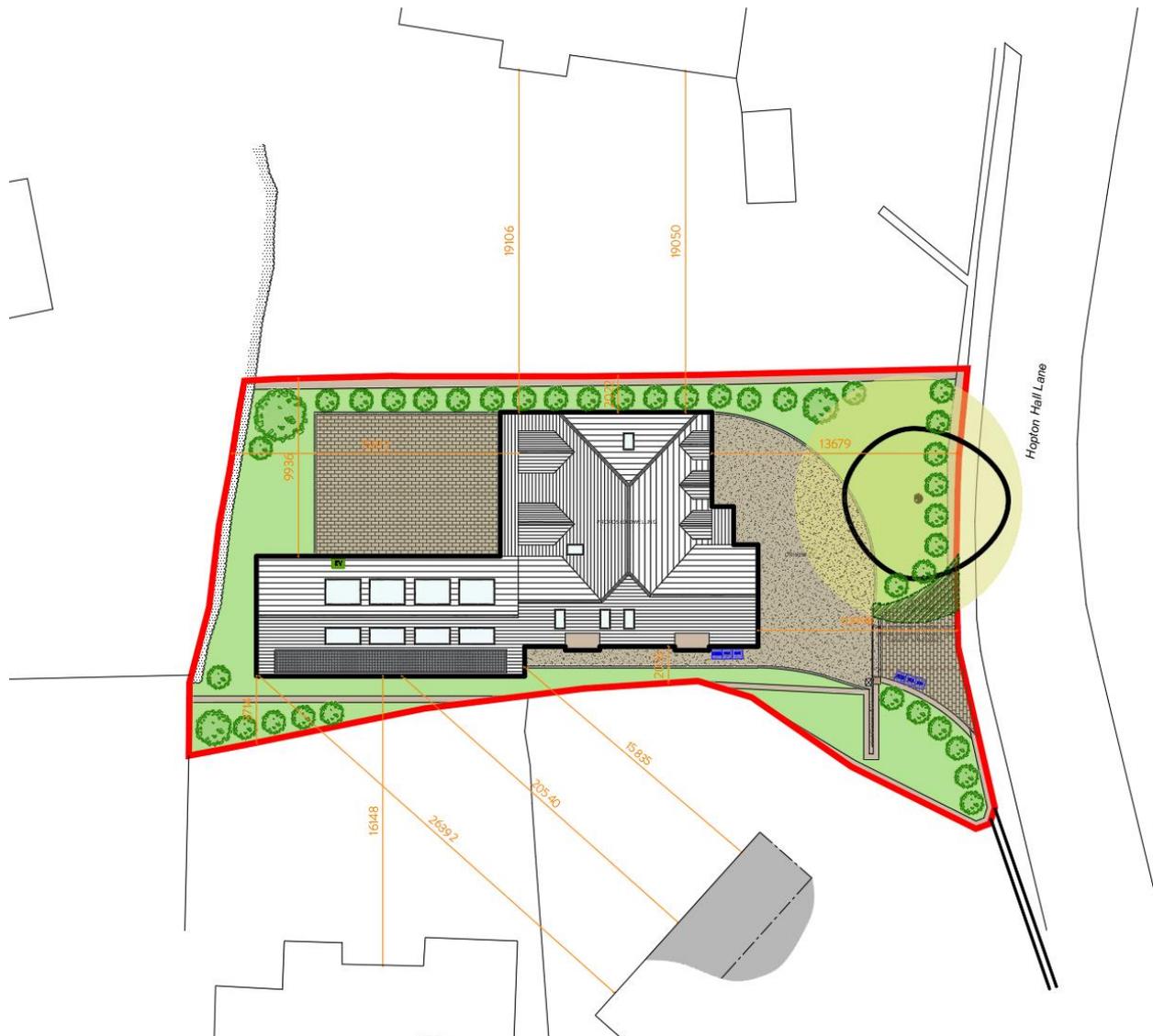
2. The proposed development, by reason of its sitting and window placement would result in an overlooking relationship into neighbouring private amenity space and habitable windows which would significantly reduce the privacy of occupants of 2 Hopton Hall Lane and 5 Chiltern Drive, contrary to Policy LP24 (b) of the Kirklees Local Plan and Principle 6 of the Housebuilder's Design Guide Supplementary Planning Document.

3. The proposed development, by reason of its design, mass and siting adjacent to the boundary with 2 Hopton Hall Lane & 1 Fairways, would result in an overbearing and oppressive feature, partially reducing the outlook from habitable windows, which would be to the detriment of the residential amenity of the occupant's contrary to Policy LP24 (b) of the Kirklees Local Plan and Principle 6 of the Housebuilder's Design Guide Supplementary Planning Document.

4. The proposed development would result in damage to the roots of a significant tree in terms of age and stature, which provides public benefits due to its location close to the public highway and collection of buildings. No public benefits are apparent which would outweigh the benefits of the tree. The proposed development would therefore contravene policy LP33 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

Below sets out how the amended scheme overcomes the issues raised in the previous application following on from the decision notice

1. The redesign has seen the width of the house being reduced and moved further away from the southern boundary. Along with the reduction in width, we have proposed to hip the roof structure which enables a greater distance between plots and allows a more harmonious flow along the street scene and topography omitting large gable walls to allow the roofline to flow down the street to the lower houses. The ridge line of the main house has been reduced along with the ridge and eaves of the garage block, coupled with the move away from the southern boundary results in a more open space between properties and plots. Minimum distances have been adhered to and with the indirect relationship between the proposed house (garage section) and 1 Fairways, the impact would be zero in terms of retaining 1 & 3 Fairways private amenity space with no overlooking.
2. Minimum separation distances from windows to boundaries and windows to dwellings have been actively designed into the scheme and the omission of the dormer windows to the garage block has reduced all overlooking concerns in regards to 2 Hopton Hall Lane and with the dwelling placement on site along with the distance of 15.8m to the closet boundary from the rear window and an indirect distance of 27m from the window to 5 Chiltern Drive means that private amenity space to 5 Chiltern Drive is maintained.
3. The reduction of the eaves and ridge level of the garage block reduces the impact on 1 Fairways and their outlook (there is no right to a view). This along with the level changes and 1 Fairways being set higher than the proposed plot means that 1 Fairways elevated position again reduces impact on the outlook. The levels and boundary treatments that all that will be visible is a roof sloping away from 1 Fairways and with the minimum distance between the rear of 1 Fairways (window) and the eaves of the garage block being 15.8m, this means that there is no direct impact on the amenity space to 1 Fairways or the outlook.
4. A tree survey has been carried out and within this modified proposal the root pruning of the tree is limited to 6% with guidance being at 20% meaning that this proposal is well below that threshold. Mitigation measures will actively be sought such as Cellweb panels to create the vehicle access.



We hope the above and the attached drawings show how we have proactively looked at redesigning the scheme to benefit not only the current occupier but future occupiers as well as considering neighbouring plots and their wellbeing.

Yours Sincerely,

Edward Gribbin

Architectural Designer

Orange Design Studio Limited