

DC Admin

From:
Sent: 30 November 2025 22:14
To: Louise Bearcroft; DC Admin
Subject: Objection Re: Planning Application 2025/61/92713 and 2025/44/92737

Louise,

Planning Application 2025/61/92713

Please see below my revised response in relation to Minimum Separation Distances. These supersede the comments submitted on 28.10.2025 id[1111357].

Can you please ensure that these comments are considered by Kirklees Council and uploaded against the case files for Planning application Numbers, 2025/61/92713 and 2025/44/92737, on your planning website, as they both relate to the same planning development?

Minimum Separation Distance

The separation distance between 21 Summerdale and Plot 10 is less than the minimum specified in Kirklees SPD's.

21 Summerdale has a habitable lounge window looking out onto the development Plot 10's boundary. Plot 10 has two non habitable bathroom windows and a doorway in the wall nearest this existing residence. **Therefore the minimum separation distance between Plot 10 and 21 Summerdale should be 12 metres.**

In the outline planning permission 2022/92100, at Committee, the Kirklees planning case officer, Alice Downham, stated that the distance between Plot 10 and the nearest dwelling was **only 7 metres**; she stated that this was acceptable to Kirklees Planning Officers. How is it possible that Kirklees can just say "its acceptable." and not follow their own guidelines?

Alice Downham's report states: "10.28 Principle 6 of the adopted Housebuilders Design Guide SPD sets out the typical minimum separation between new and existing dwellings. These are:

- 21m between rear habitable room windows;
- 12m between habitable and non-habitable room windows;"

This current application 2025/92713 is showing the new proposed Plot 10's house even closer.

This current planning application is for 10 far larger houses and therefore all the houses are more cramped in and have been moved further east, closer to our boundary. There is only a one metre wide footpath between Plot 10's house wall and our boundary fence. A doorway entrance/exit for Plot 10 is onto this footpath.

The distance between Plot 10's house wall and our existing house wall has been reduced yet again in these plans and is much closer than what was in the Outline Planning Permission 2023/92079(Approved) and 2022/92100 (Refused).

In Kirklees Housebuilders Design Guide SPD Page 26 it specifies we should have 12 metres minimum separation distance.

Also in the developer's quest to get much larger houses on this site, they have only allowed 1 metre footpath between most of the plots, which again is contrary to Kirklees Design Guide SPD.

Kirklees Housebuilders Design Guide SPD-Separation Distances states:

7.19 For two storey houses typical minimum separation distances are advised:

- * 21 metres between facing windows of habitable rooms at the backs of dwellings;
- * 12 metres between windows of habitable rooms that face onto windows of a non-habitable room;
- * 10.5 metres between a habitable room window and the boundary of adjacent undeveloped land;
- * and for a new dwelling located in a regular street pattern that is two storeys or above, there should normally be a minimum of a 2 metres distance from the side wall of the new dwelling to a shared boundary.

Also on Kirklees planning website regarding SPD's it states: "When applying the guidance set out in the SPDs a 'comply or justify' approach will be used. Proposals which comply with the guidance are more likely to progress through the planning process quickly and successfully. **Proposals which depart from the guidance will need to provide full justification.**"

What justification has been supplied to Kirklees, that they have found it is acceptable, to allow the developer to build so close to our house, ignoring their own SPD guidance?

Everything in this proposed development plan submitted to Kirklees planning department benefits the developer only, with no regard for the existing residents.

21 Summerdale has a conservatory to the rear of the property which is a habitable room with windows on all sides.

This conservatory, when built, was keyed into the original stonework, not just joined to the existing wall and therefore forms part of the structure of the house. It is 3.5 metre deep and built with matching Yorkshire Stone.

This conservatory is a lot closer to the proposed wall of Plot 10 than No 21 habitable lounge window.

Also as Plot 10 has an entrance door in the western wall, which overlooks this existing dwelling, conservatory and garden, there will be a constant flow of people passing through this doorway, close to the boundary fence, which will result in loss of privacy to 21 Summerdale.

As can be seen, on the plans submitted with this application, the topography of Plot 10 is a lot higher than the topography of 21 Summerdale. This fact means that Plot 10, a large 5 bedroomed house, will be higher, combined with the fact that it is located closer than the allowable minimum distance, it will therefore overlook and overshadow the house, conservatory and gardens at 21 Summerdale.

This planning application will seriously impact on the residential amenity of 21 Summerdale in terms of loss of privacy, overbearing, overlooking, overshadowing and loss of light.

This proposal conflicts with Kirklees Housebuilders Design Guide SPD and adopted Kirklees Local Plan policy, LP24.

Policy LP24

Design

Proposals should promote good design by ensuring:

b. They provide a high standard of amenity for future and neighbouring occupiers; including maintaining appropriate distances between buildings

Policy justification

11.10 The form of development concerns the shape and size of different buildings and how these relate to one another, The distance between buildings should reflect local development densities, take into account topography and still ensure that the design of development does not allow for overlooking

Based on the above information this planning application should be refused or an amended plan resubmitted to address these issues.

Thank you