



I write to formally object

West House is a historically significant building . The significance of this designated heritage asset derives not only from the architectural and historic value of the building itself but also from the historic relationship between the building and its surrounding grounds. The openness of the grounds and their spatial relationship with the listed building form an important component of its setting and contribute to its overall heritage significance.

The scale, density and suburban form of the development would substantially alter the historic character of the grounds and erode the established relationship between the listed building and its setting.

In determining this application the Local Planning Authority must give considerable importance and weight to the statutory duty under Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to preserve the setting of listed buildings. This duty has been reinforced by the courts, including R (Jones) v Mordue [2015] EWCA Civ 1243, which confirmed that decision makers must demonstrate that considerable importance and weight has been given to preserving the setting of heritage assets.

The National Planning Policy Framework requires that great weight be given to the conservation of designated heritage assets and that any harm to their significance must be clearly and convincingly justified. The introduction of modern dwellings, including elevated balcony structures, within the grounds of an early nineteenth-century listed building would appear visually incongruous and would harm the character and setting of the asset.

The proposal therefore appears to conflict with Kirklees Local Plan Policy LP35 (Historic Environment), which requires development affecting heritage assets to conserve their significance and setting, and Policy LP26 (Design) which requires development to respond positively to local character, scale and context.

It is also understood that four of the proposed dwellings are intended to be occupied by members of the applicant's family rather than being placed on the open housing market. In these circumstances the public benefit arising from the delivery of new housing is reduced and must be carefully weighed against the harm to the setting of a designated heritage asset.

Elevated balconies would enable direct and sustained overlooking into neighbouring homes and private gardens, resulting in a harmful loss of privacy. The scale and siting of the dwellings may also result in overshadowing and reduced daylight to nearby properties.

There are also highway safety concerns associated with the proposed access from Latham Lane, a narrow road where the site entrance is located close to a blind bend near the junction with Drub Lane. The additional vehicle movements generated by the development would increase activity at this constrained location and raise legitimate safety concerns, contrary to Policy LP22 (Highways).

Kirklees Council has previously refused development where harm to heritage assets has been identified. For example, proposals affecting a listed building at Jim Hill, Chain Road, Slaithwaite were refused and the appeal dismissed by the Planning Inspectorate, reinforcing the importance of protecting the significance and setting of listed buildings.