

DC Admin

Sent: 17 March 2026 19:12
To: Morgan Braithwaite
Cc: DC Admin
Subject: 2026/6290528/E -Planning Objection March 2026
Attachments: Station Road Conservation Area Plan.pdf; 32-26 France Street Parking Permission.pdf; Historic England Station Rd Conservation .pdf; Kirklees Neighbourhood Planning.pdf; Land Adj 34 France Street .pdf; YMT Email Objection.docx

2026/6290528/E -Planning
34 Masons Lodge Soothill , Batley.

Good Afternoon

Please find attached my Planning Objection for the above.

There are also a number of attachments for ref and in places highlighted.

The objection attached is more in depth and over 500 words.

Thankyou for your time.

Regards

36 Oaks Road,
Soothill
Batley
WF17 6NS

Planning Application 2026/62/90528/E

34 Masons Lodge, Soothill, Batley.

Objection

We object to the proposed plans. We live across from the house and it will vastly impact on our privacy. We have lived in our home for over 30 years and have never been overlooked or had any privacy issues before. Our living room and bedroom windows face the property and privacy will be lost. We are not on ground level living and as such will be exposed.

Front Elevation Window

Our greatest concern is the floor to roof window that is proposed. The design covers virtually the whole of the front elevation from ground level right to the top of the roof lines highest point. It is intrusive given the proximity of our properties.

Kirklees Neighbourhood Planning guidelines state that any facing habitable windows must be at least 21 metres distance. The measurement between the properties on our row is 17.2 metres.

These measurements are also given in the Station Road Conservation Area plan. It must be borne in mind that whilst the applicant may not be in a conservation area, we are. Again, it is important that conservation is preserved as it was intended. Our windows and privacy would be infringed due to distance.

[*Attached copy of 'Kirklees Neighbourhood guidelines'](#)

[*Attached copy of 'Station Road Conservation Area' \(highlighted points\)](#)

Points:-

Residential Areas

Space About Buildings

BE12

Extension to Dwellings

BE13

Privacy

Even if obscured or tinted glass was used given the very large scale of the window it is all we would see, especially at night lit up where tints have no affect and become transparent.

The usual style of house windows on a residential street with houses so close and people on foot outside the property are designed to be at least waist height. There is a

lot of footfall in front of the property and the general public will also be exposed to seeing clearly into their rooms and bedrooms full height.

We will be severely compromised on privacy in our principal rooms namely our living room and bedroom.

Our garden will also be overlooked. Where currently we enjoy our garden in private the upper floor windows will look over to our garden.

Glare & Reflection

Reflection is of great concern given the window scale. The direction of the sun rises and sets on the proposed large window and glare will be an issue for us at certain times of day.

Increased Roof Pitch

The roof pitch is to be increased even further than it is now adding even more height and causing even more overlooking and shadow cast.

It is my understanding that when extending upwards from a single storey building, roof size and pitch cannot be changed.

Street Scene

In the applicants supporting documents emphasise has been focused on the height of other buildings with no mention or photograph evidence made to the direct adjacent bungalow to the property that was designed as a matching pair and agreed in original plans when built (No.36 France Street). The new design will tower over the bungalow that currently also has solar panels on its roof.

Modern Design vs Conservation Area

The property sits on the peripheral of the Station Road conservation area and whilst not classed as in the conservation area previous planning applications have had to take into consideration its positioning and its effect on the conservation area. When the mirror image of No. 34 France Street was proposed on the land adjacent to create No.36 France Street, conservation of the area was taken into account.

[*Attached copy of 'Conservation Notes Land Adj to 34 France Street](#)

Overall look and aesthetics of any property that sits right on the boundary of such an area should always be a consideration when design will have such an impact on a conservation area. Different size and age properties should still sit comfortably with

each other. The size and very modern look of this proposed build really does not achieve that in this location.

Whilst the property could be seen as dated this is subjective. It does at least blend naturally with its surroundings and is in keeping with all other houses around it.

Modernisation could be achieved easily with the property without the extreme design change. The proposed design is out of character and indeed jarring in its location.

The modern design is not in keeping with the street scene, 99% of which falls within the Station Road conservation area and will stand out for all the wrong reasons. As previously stated, it is not in keeping with the visual appearance of any of the houses on the street or indeed the surrounding area.

Whilst the rear of the property is not overlooked and design is less of a concern to me as it doesn't affect me directly, consideration still should be given to the visual outlook of conservation area overall and what the finished house would look like from a distance. What do other people see?

Historic England Assessment Reports that the Station Road Conservation Area condition is 'Bad', its vulnerability 'High' and that the trend is 'Deteriorating'.

In my opinion Kirklees have an obligation to preserve what our beautiful town has and indeed build on those historic foundations.

[*Attached copy of 'Historic England Assessment of Station Road Conservation Area'](#)

Carport

The proposed carport comes along way in front of the property line and will look totally out of place.

It will hinder large heavy goods vehicles from turning the corner from France Street to Oaks Road and vice versa as it is a single-track road. On occasions cars have had to be moved from the bungalow properties to allow large vehicles to become unstuck. The lamppost has been knocked over 3 times historically due to vehicles getting stuck. The permanence of a carport structure will not allow any manoeuvrability. What will happen in those circumstances?

The property already has 4-5 spaces off road parking and a carport isn't necessary. It does not increase the number of off-road parking spaces. It serves no purpose.

When planning permissions were granted for the adjacent 32-26 properties it was specified that the parking areas must be kept clear and no garages to be built on them.

[*Attached copy of planning permission '32-26 France Street Parking'](#)

Given the impact this has on our home and all of us on the block of 4. I hope our concerns will be given careful consideration and planning will be denied.

Kind Regards

36 Oaks Road

BATLEY

WF17 6NS



Town and Country Planning Act 1990

Town and Country Planning (General Development Procedure) Order 1995

PLANNING PERMISSION FOR DEVELOPMENT

Application Number: 2003/62/93809/E1

To: JOHN CARR DESIGN

For: K SULLIVAN

In pursuance of its powers under the above-mentioned Act and Order the Kirklees Council (hereinafter called "The Council") as Local Planning Authority hereby permits:-

ERECTION OF ONE BLOCK OF 4 NO. DWELLINGS WITH ASSOCIATED PARKING

At: France Street Soothill, Batley.

In accordance with the plan(s) and applications submitted to the Council on

11 Sep 2003, subject to the condition(s) specified hereunder:-

- (1) The development shall be begun not later than the expiration of five years beginning with the date on which permission is granted.
- (2) The development hereby permitted shall be carried out in complete accordance with the approved plans and specifications except as may be required by other conditions.
- (3) The dwellings shall be externally faced with natural regular coursed stone.
- (4) No development shall take place until samples of all facing and roofing materials has been submitted to and approved in writing by the Local Planning Authority, and the development shall be constructed of the approved materials.
- (5) No development shall take place until details of the height, design and materials to be used for the erection of screen wall(s)/fence(s) between the points marked A-B-C-D and pedestrian access railings shown on the approved plan have been submitted to and approved in writing by the Local Planning Authority. The approved walls/fences shall be erected before the development hereby approved is occupied/brought into use and shall thereafter be maintained.
- (6) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order) 1995 no walls or fences other than those approved in accordance with Condition 5 shall be erected in front of the main front wall of the dwelling (or side wall in the case of a corner site).
- (7) No development shall take place until a comprehensive scheme for landscaping treatment of the site prepared in accordance with the Local Planning Authority`s Code of Practice Note 2 has been submitted to and approved in writing by the Local Planning Authority.
- (8) Any planting, seeding or tree management works forming part of the landscaping scheme referred to in Condition 7 shall be carried out during the first planting, seeding or management season following the commencement of development, or as otherwise may be agreed in writing by the Local Planning Authority, and shall be maintained for a period of five years from the completion of planting works. All specimens which die within this period shall be replaced.
- (9) The balcony screens as indicated on the approved plan (rear elevation/side elevation) shall be constructed before the first occupation of each dwelling and maintained whilst the development subsists thereafter, unless otherwise agreed in writing by the Local Planning Authority.
- (10) Unless otherwise agreed in writing by the Local Planning Authority no additional light or other opening shall be made in any part of the wall(s) of the side elevations of the dwellings other than as shown on the approved plan or in the roof of the buildings.
- (11) Side elevation wc/bath windows of Plot 4 as indicated by an asterisk (*) on the approved plan, shall be obscurely glazed prior to the occupation of the dwelling prior to the occupation of the dwelling and retained thereafter whilst the development subsists, unless otherwise agreed in writing by the Local Planning Authority.
- (12) Unless otherwise agreed in writing by the Local Planning Authority no development shall be commenced until a noise survey and report has been undertaken and submitted to the Local Planning Authority for approval in respect of potential noise emanating from industrial development to the south. The report shall detail the findings and remediation measures, which shall be incorporated into the development prior to occupation and retained thereafter. The report shall determine (i) the existing night and day noise climate, (ii) predict noise climate for gardens (day time) and bedrooms (night time), and include attenuation measures, including ventilation, in dealing with (i) above.
- (13) The garage or parking space intended to serve the dwelling(s) shall be provided and the parking spaces shall be drained, sealed and surfaced in accordance with details to be approved by the Local Planning Authority before the dwelling(s) is/are occupied and shall not thereafter be used for any purpose other than parking and turning of vehicles.
- (14) A 1.8m wide footway and any associated alterations to drainage and lighting shall be provided to the rear of the kerbline before the development is occupied/brought into use.
- (15) The areas shown for parking on the approved plan shall be kept clear of all obstructions to such use and shall not be used for the erection of garages.
- (16) The gradient of the access shall not exceed 1 in 8 with suitable vertical curves at the access and any change in gradient.
- (17) No development shall take place until provision has been made for the parking, loading and unloading of contractors` plant and equipment and the parking of vehicles of the workforce within the site.

NOTE The applicant is advised to contact the Design Engineer Flint Street, Fartown, Huddersfield (01484 225400) to arrange for the works to form the verge/footway crossings.

NOTE Samples of materials will need to be inspected before written approval can be given. Telephone Development Control on 01484 221595 (direct line) to make arrangements for viewing.

The reasons for the Council`s decision to grant permission for the development subject to compliance with the conditions specified are:-

(1) Pursuant to Section 91 of the Town and Country Planning Act 1990.

(2) So as to ensure the satisfactory appearance of the development on completion and to safeguard the amenities of nearby residents and to accord with Policy D2 of the Unitary Development Plan.

(3/4) So as to ensure that the development shall harmonise with its surroundings and to accord with Policies D2 and BE11 of the Unitary Development Plan.

(5) So as to ensure that the development shall harmonise with its surroundings and so as not to detract from the amenities of the adjoining property by reason of loss of privacy and to accord with Policy D2 of the Unitary Development Plan.

(6) So as to ensure that the development shall harmonise with its surroundings and to accord with Policy D2 of the Unitary Development Plan.

(7/8) In the interests of visual amenity and to accord with Policy D2 of the Unitary Development Plan.

(9/11) So as not to detract from the amenities of the adjoining property by reason of loss of privacy and to accord with Policy D2 of the Unitary Development Plan.

(12) In the interests of the amenities of the future occupants of the dwellings and to accord with Policy D2 of the Unitary Development Plan.

(13/17) In the interests of the free and safe use of the highway and to accord with Policies D2 and T10 of the Unitary Development Plan.

Building Regulations Approval is required for most work involving building operations and/or structural alterations. It is the applicant's responsibility to find out if the work permitted by this planning permission needs approval under the Building Regulations, and if necessary to submit an application. If you are not the applicant can you please ensure the applicant is aware of this requirement. Contact Building Control on Telephone: (01484) 221550 for more information.

Dated: 4 Mar 2004

Signed:

Keith Faragher
Head of Planning Services

Address to which all communications should be sent:

Planning Services, PO Box B93, Civic Centre, Off Market Street, Huddersfield, HD1 2JR

Station Road - Batley, Batley - Kirklees

Site Details

Designated Site Name: Station Road - Batley

Heritage Category: Conservation Area

Local Planning Authority: Kirklees

Site Type: Wide mix of uses

Location

Locality: Batley

County: West Yorkshire

District / Borough: Kirklees

Parliamentary Constituency: Dewsbury and Batley

Region: North East and Yorkshire

Assessment Information

Assessment Type: Conservation area

Condition: Very bad

Vulnerability: High

Trend: Deteriorating

Priority: C - No action/strategy identified or agreed (where trend is stable or improving)

Designation: Conservation Area, 19 LBs

CA Survey Uid: 3114



Contact Details

Sue Brooks (LPA) 01484 221000

4.3 Neighbouring properties

4.7

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Proposals for extensions and alterations need to consider the impact on residents of neighbouring properties and should not cause undue harm to neighbour's amenity. Proposals will need to consider the following key design principles.

Key design principle 3: Privacy

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[Add Comments](#)

Extensions and alterations should be designed to achieve reasonable levels of privacy for both inhabitants, future occupants and neighbours.

Relevant Local Plan Policy

Policy LP24 Design (b)

4.8

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A reasonable amount of space should be provided around new extensions in the interests of the amenity of future residents and to prevent overlooking and undue loss of privacy to any existing residents.

4.9

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The principal criteria for determining space requirements should be good design, respect for site levels, and the achievement of privacy through well planned layouts whilst retaining adequate amenity space for existing and future residents.

4.10

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In general the following minimum separation distances and those shown in Figure 7 should be considered to ensure reasonable privacy between the original house and neighbouring properties. A minimum separation of:

- no less than 12 metres is recommended between windows of habitable rooms that face onto windows of a non-habitable room
- no less than 21 metres is recommended between facing windows of habitable rooms

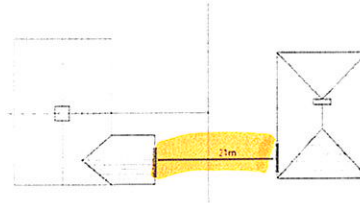


Figure 6: 21m recommended distance between habitable rooms (Popup full image)

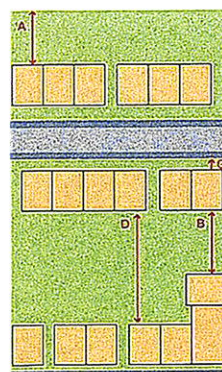
4.11

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These distances should have regard to the character of the original house, local context and topography of the site. Proposals that do not comply with these distances will need to be justified.

Minimum recommended distances to maintain residential amenity



A: Distance from habitable window to undeveloped land - 10.5 metres

B: Distance from habitable to non-habitable window - 12 metres

C: Recommended setback from the street - 2 metres

D: Distance between habitable rooms - 21 metres

Figure 7: Minimum recommended separation distances (Popup full image)

4.12

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In certain situations, harmful overlooking can be avoided by using obscure glazing in rooms or areas of a dwelling which are non-habitable and by appropriate screening at ground floor level, such as boundary treatments which protect the privacy of neighbouring properties.

Key design principle 4: Habitable rooms and side windows

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Extensions and alterations should consider the design and layout of habitable and non-habitable rooms to reduce conflict between neighbouring properties relating to privacy, light and outlook.

Relevant Local Plan Policy

Policy LP24 Design (b)

4.13

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Both light and outlook can be of greater importance for some rooms than others. Limited weight will be given to protecting light and outlook from non-habitable rooms. Greater weight and protection will be afforded to rooms that most people spend much of the day in, known as habitable rooms. In relation to kitchens greater weight will be given to protecting light and outlook where they include a dining area.

Habitable rooms

- Dining kitchens (e.g. kitchen with an open shared dining room)
- Living rooms
- Dining rooms
- Bedrooms
- Studies
- Conservatories

Non-habitable rooms

- Kitchen
- Bathroom
- Toilets
- Stairways
- Landings
- Small porches
- Garages

4.14

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In some cases, properties may have habitable rooms with windows on the side of the house (secondary windows). In the circumstances of secondary windows, development may be allowed closer to an affected main window.

4.15

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Side windows should not be included in extensions where they would unacceptably overlook neighbouring gardens or otherwise constrain the development potential of adjoining land.

Key design principle 5: Overshadowing/loss of light

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[Add Comments](#)

Extensions and alterations should not adversely affect the amount of natural light presently enjoyed by a neighbouring property.

Relevant Local Plan Policy

Policy LP24 Design (b)

4.16

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Any house extensions or alterations are expected to not materially affect the amount of natural light presently enjoyed by a neighbouring property. Therefore, extensions will not be permitted if they unreasonably overshadow neighbouring habitable rooms and private gardens.

4.17

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When assessing the impact of overshadowing on neighbouring properties, the council will, as a starting point, have regard to the 45° guidelines. A line will be drawn from the midpoint in the nearest habitable room window of the adjacent property, at an angle of 45°, across the proposed extension. The extent to which the line infringes upon the proposed extension will indicate the levels of light that may be lost to the neighbouring property. In appropriate circumstances, where local context supports this, larger guidelines may be considered on a case by case basis.

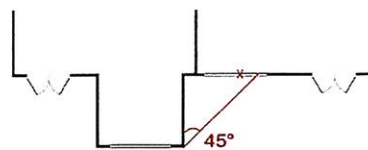
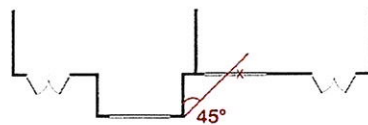


Figure 8: The top image shows an extension which passes the 45 degree rule, while the bottom image shows one that has failed the 45 degree rule (Popup full image)

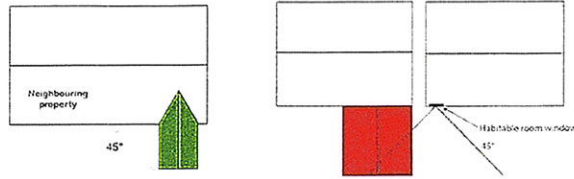


Figure 9: The image on the left shows an extension which achieves the 45 degrees rule while the image on the right does not achieve the 45 degree rule (Popup full image)

4.18

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Consideration should also be given to the position of the proposed extension in relation to the sun's path and the impacts of different times of day and year when considering the impact of the 45° guidelines.

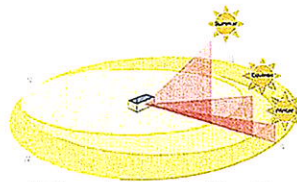


Figure 10: Sun path diagram for different times of year. (Popup full image)

Key design principle 6: Preventing overbearing impact

[View Comments \(0\)](#)

[Add Comments](#)

Extensions and alterations should not unduly reduce the outlook from a neighbouring property.

Relevant Local Plan Policy

Policy LP24 Design (b)

4.19

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Consideration of the outlook of neighbouring properties will also be considered in the assessment of extensions and alterations. Dominance and outlook relate to how an extension will change the character of the neighbouring house and garden and affect the outlook from a neighbour's window. Proposals which would result in a poor or reduced outlook from neighbouring properties will not be acceptable.

4.20

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When assessing the impact that an extension or alteration may have on outlook, regard will be given to the established character of an area and the existing feeling of openness. It is important that neighbours do not feel unduly 'hemmed-in' by the proposals.

Key design principle 7: Outdoor space

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Extensions and alterations should ensure an appropriately sized and useable area of private outdoor space is retained. Normally at least half the garden area should be retained as part of the proposals.

Relevant Local Plan Policy

Policy LP24 Design (b) and (c)

4.21

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Proposals should seek to retain adequate and useable private outdoor space for the occupiers of the building, such as garden space, paved or patio areas. If, following the proposed extension, the outdoor space is too small or significantly out of character with the local area permission will be refused.

4.22

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In general circumstances, front gardens will not be considered adequate useable private amenity space due to the lack of overall privacy for occupants.

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Station Road - Batley, Batley - Kirklees

Site Details

Designated Site Name: Station Road - Batley

Heritage Category: Conservation Area

Local Planning Authority: Kirklees

Site Type: Wide mix of uses

Location

Locality: Batley

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Assessment Type: Conservation area

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Vulnerability: High

Trend: Deteriorating

Priority: C - No action/strategy identified or agreed (where trend is stable or improving)

Designation: Conservation Area, 19 LBs

CA Survey Uid: 3114



Contact Details

Sue Brooks (LPA) 01484 221000

CONSERVATION AND DESIGN CONSULTATION RESPONSE

APPLICATION NUMBER: 2010/92285

ADDRESS: Land Adj, 34 France Street, Soothill, Batley

INTRODUCTION:

Thank you for seeking the views of the Conservation and Design Team, regarding the above application. This application seeks permission for the erection of a detached dwelling with integral garage.

RELEVANT POLICIES & GUIDANCE:

As the property is situated on the periphery of the Station Road Batley Conservation Area and therefore may have an affect on its setting, it is considered that this application needs to be assessed against the following polices and guidance:

UDP

BE1 (Good quality design, creates and retains a sense of local identity and visually attractive);

BE2 – Quality of design

BE5 – Preservation/enhancement of conservation areas

BE11 – Materials

BE13 – Extensions to dwellings (design principles)

PPS5

HE 7.2 (Take into account the significance of the heritage asset and the value it holds for this and future generations);

HE 7.4 (Desirability of sustaining and enhancing the significance of heritage assets and utilising their positive role in place-shaping);

HE7.5 (Desirability of new development making a positive contribution to the character and local distinctiveness of the historic environment);

HE9.1 (There should be a presumption in favour of the conservation of designated heritage assets and the more significant the designated heritage asset, the greater the presumption in favour of its conservation should be. Once lost, heritage assets cannot be replaced and their loss has a cultural, environmental, economic and social impact. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. Loss affecting any designated heritage asset should require clear and convincing justification.);

HE9.4 (Where a proposal has a harmful impact on the significance of a designated heritage asset which is less than substantial harm, in all cases the Local Planning Authority should:

- i) Weigh the public benefit of the proposal against the harm; and

- ii) Recognise the greater the harm to the significance the greater the justification will be need for loss);

HE9.5 (When considering proposals , the Local Planning Authority should take into account the relative significance of the element affected and its contribution to the significance of the World Heritage Site or Conservation Area as a whole. Where an element does not make a positive contribution to its significance, the Local Planning Authority should take into account the desirability of enhancing or better revealing the significance of the World Heritage Site or Conservation Area.)

GUIDANCE DOCUMENTS

- Station Road, Batley Conservation Area Appraisal
- PPS5 Planning for the Historic Environment Practice Guide

SIGNIFICANCE OF SITE

The site in question is largely vacant and unkempt, only occupied by a disused garage/store building. It is surrounded by various architectural forms of housing ranging from terraces to large detached dwellings. Despite the variety of styles displayed in the immediate vicinity the use of stone provides a strong sense of place.

ADVICE:

It is considered that the proposal for a single detached dwelling would not adversely affect the setting of the Station Road, Batley Conservation Area and therefore could be supported in principle.

Focusing initially on the principle of development, it could be argued that some form of development on the site in consideration could serve to enhance the setting of the conservation area, given its current neglected appearance.

Given the architectural variety exhibited in this part of the conservation the design and fabric of the proposed new dwelling would sit comfortably, especially given the proposed use of stone for the scheme, and therefore would satisfy stipulated policies from the local UDP and PPS5.

CONCLUSION:

Thank you once again for your consultation; I trust that the above advice is helpful. Please do not hesitate to contact me should you wish to discuss the comments of the application further.

Kind regards,
Anna Blaxall