

From:
Sent: 09 April 2026 16:23
To: DC Admin
Subject: Objection to application 2026/90619
Attachments:

Application Ref: 2026/90619

Location: United Church Marsden, Warehouse Hill Road, Marsden, Huddersfield, HD7 6AB

Relevant Drawings: Proposed Elevations [id 1129504] & Proposed Floor Plans [id 1129501]

Objector Address: 3 Warehouse Hill Road, Marsden, Huddersfield, HD7 6AB

To whom it may concern,

I wish to make clear at the outset that I do not object in principle to the change of use of the former church building to residential flats/townhouses. I recognise that conversion of existing buildings can be acceptable in planning terms.

However, I strongly object to the proposed roof-level balcony, multiple ground-level terraces, and the un-obscured habitable room windows on the elevation facing my property, which together would result in an unacceptable loss of privacy and serious harm to residential amenity. I have detailed all objections below:

1. Ground-Level Terraces Directly Overlooking Private Garden

The submitted floor plans clearly show multiple private ground-level terraces serving several residential units on the side of the building immediately adjacent to mine and neighbouring gardens.

These terraces:

- Run along the shared side of the site boundary
- Include one positioned at the same level as my private garden
- Create direct and unrestricted overlooking into my garden
- Introduce constant activity, noise and visual intrusion

The cumulative effect of several individual terraces in such close proximity is far more harmful than a single patio space. These terraces would fundamentally change the relationship between the site and neighbouring homes, removing any sense of privacy or separation.

This level of intrusion is not characteristic of the surrounding area and represents an over-intensive use of the site.

2. Roof-Level Balcony / Roof Terrace – Severe Overlooking

In addition to the ground-level terraces, the proposal includes a roof-level balcony/terrace on the same elevation.

This elevated feature would:

- Look directly down into my garden and neighbouring private amenity spaces
- Provide a significantly enhanced line of sight into areas that are currently private
- Intensify the sense of surveillance and loss of tranquillity

Roof terraces are widely recognised as one of the most harmful forms of overlooking, particularly where they face existing residential properties. In addition, the roof terrace would compound the impact of the ground-level terraces and result in a cumulative loss of privacy.

3. Un-Obscured Habitable Room Windows Facing Directly into Garden

The drawings also show multiple windows on this same elevation, many of which appear to serve habitable rooms, facing directly towards my private garden.

These windows:

- Are positioned without offset or angling
- Appear to be shown as clear, un-obscured glazing
- Look straight into private garden space

There is no indication within the application that obscure glazing, redesigned window placement, or other mitigation has been considered.

4. Conflict with Kirklees Local Plan Policy LP24 (Design)

Policy LP24 of the Kirklees Local Plan requires all development to:

- Provide a high standard of amenity for neighbouring occupiers
- Maintain appropriate distances between buildings
- Incorporate screening and mitigation where necessary to protect residential amenity

The proposed balconies, terraces and window layouts do not currently meet these requirements, due to direct overlooking and loss of privacy to existing dwellings.

5. Conflict with the Kirklees Council Housebuilders Design Guide SPD – Section 7.3

The Housebuilders Design Guide SPD states at Section 7.3: Maintaining High Standards of Residential Amenity that residential layouts must:

- Avoid overlooking
- Protect privacy, particularly to private gardens
- Demonstrate how window placement, orientation and outdoor space design mitigate impacts

The submitted plans show no meaningful attempt to meet this guidance. There are:

- No setbacks from the boundary
- No privacy screens or walls
- No landscape buffers or tree planting
- No obscure glazing or revised window design

Given the proximity to neighbouring properties, greater mitigation would be required than is shown.

6. Inadequate and Absent Mitigation Measures

In conjunction with the above, the application does not seem to detail proposals for privacy mitigation and provides no assurance that appropriate measures could be secured by condition. Given the proximity and layout, fencing alone would be insufficient, particularly in relation to the roof terrace.

7. Position on Potential Mitigation (Without Prejudice)

While my clear preference is for:

- Complete removal of the roof-level balcony, and
- Removal or substantial redesign of the ground-level terraces and facing windows

If the Council were minded to approve the application, any approval should be subject to strict conditions requiring:

- Removal or significant relocation of any terrace or balcony facing neighbouring gardens and sharing site boundaries
- Permanently obscured glazing to all affected windows

- Substantial, year-round screening, such as increasing the height of the already present wall up to at least 6ft in conjunction with mature pleached trees, appropriate to the character of the area (not lightweight fencing).

To conclude, while residential conversion of the building may be acceptable, the proposal as submitted would cause significant and unacceptable harm to the privacy and living conditions of myself and neighbouring residents.

The combined impact of:

- Multiple ground-level terraces
- A roof-level balcony
- Un-obscured habitable room windows

Is contrary to Kirklees Local Plan Policy LP24 and the Housebuilders Design Guide SPD, and these elements should be removed or substantially redesigned.

The attached photographs illustrate the open and private nature of my rear garden and the close proximity of the proposed development. They demonstrate how the proposed ground-level terraces and roof terrace, as shown on the submitted plans, would result in direct overlooking and a significant loss of privacy.

Kind regards,