Dear Danielle Cooper,

We are writing as the owners and occupiers of Clough Crest regarding planning application **2026/91445**.

Before addressing the amended plans, we would be grateful if you could acknowledge receipt of this representation. Given the importance of the issues raised and the recent publication of the amended plans, I would appreciate confirmation that these comments have been received and will be considered as part of the assessment of the application.

Whilst we acknowledge that amendments have been made to the design, materials, fenestration and the submission of additional topographical and sectional information, we remain concerned that the proposal continues to represent an over-intensive form of development on a constrained site and that several significant planning issues remain unresolved.

1. Overdevelopment of a Constrained Site
The revised proposal continues to accommodate a substantial detached dwelling together with parking, turning space, amenity space, drainage infrastructure and associated boundary treatments within a narrow and irregularly shaped plot.
The amended layout still appears heavily constrained. Of particular concern is the relationship between the proposed turning area and the principal bi-fold doors serving the main living accommodation. The layout leaves very little distinction between vehicle manoeuvring space and private amenity space and reinforces the impression that every available area of the site is being utilised to accommodate the development.
Taken as a whole, the revised plans continue to suggest that the site is being developed to its maximum capacity.

2. Impact on Clough Crest, Loss of Openness and Increased Enclosure
The proposal would replace existing low-level outbuildings and established screening with a substantial dwelling immediately adjoining Clough Crest.
Although additional sectional drawings have now been provided, the development would still introduce a significantly greater amount of built form than currently exists and would fundamentally alter the relationship between the two properties.
The current relationship benefits from mature vegetation, screening and low-level structures. The proposal would replace this with a permanent two-storey dwelling, creating a more enclosed relationship and resulting in a noticeable loss of openness currently enjoyed from Clough Crest.

3. Existing Screening is Not Fully Reflected in the Submitted Drawings
The drawings do not, in our view, fully convey the extent of the screening that currently exists between the sites.
The plans identify existing openings within buildings on the application site. However, at least one such opening has been screened for many years by substantial vegetation and cannot currently be seen from Clough Crest. The practical relationship between the properties is therefore considerably more screened and private than appears from the drawings alone.

The revised plans indicate the removal or reduction of existing screening and its replacement with lower boundary treatments. This would materially change the degree of separation that currently exists.

4. Clough Crest is Not Fully Represented

The submitted drawings appear to show Clough Crest only in simplified form.

The plans do not clearly identify the existing dormer windows facing the application site and do not clearly show the principal patio and amenity areas serving the property, which are among the areas most directly affected by the proposal.

The submitted sections and elevations appear to rely heavily on the relationship shown between the proposed dwelling and neighbouring properties. However, the principal patio area at Clough Crest, from which the development would be most directly experienced, is not clearly identified. Consequently, the plans do not fully convey the effect of the proposal on the primary outdoor amenity space serving the property.

As a result, we do not believe the submitted drawings fully represent the practical relationship between the proposed dwelling and the areas of Clough Crest most affected by the development.

5. Retaining Structures and Site Levels

The difference in levels between the application site and Clough Crest remains a significant concern.

The higher land within the application site is currently retained adjacent to the boundary by concrete posts and concrete panel structure, parts of which are already exhibiting visible bowing in places.

Whilst additional topographical information has been submitted, we have been unable to identify any details explaining:

- How the existing level difference will be permanently retained
- Whether new retaining structures are required
- Whether existing retaining structures are to be replaced
- What engineering works are proposed close to the boundary.

Given the changes in level across the site, I do not consider that sufficient information has yet been provided to properly assess this aspect of the proposal.

The level difference is not simply a design matter but one of the defining constraints of the site. The proposed dwelling, hardstanding, parking and turning areas all rely upon land which is retained above Clough Crest.

6. Drainage and Septic Tank Concerns

Our concerns regarding drainage remain unresolved.

The amended plans indicate a proposed septic tank close to the boundary with Clough Crest and immediately adjacent to our principal patio and amenity area.

However, we have been unable to identify within the submitted documents sufficient supporting information regarding:

- The associated drainage field
- Percolation or infiltration testing
- Foul drainage discharge arrangements
- Long-term maintenance arrangements
- How the system can be accommodated entirely within the application site

Given that Clough Crest lies at a lower level than the application site, we remain concerned that insufficient information has been provided to demonstrate that there would be no adverse impact on neighbouring land or residential amenity.

Our concerns extend beyond foul drainage alone and also relate to the management of surface water. During periods of heavy rainfall, Clough Crest has experienced significant surface water flows originating from higher land above. Councillor Dransfield was provided with video evidence via WhatsApp demonstrating water running down the garden in substantial volumes, flowing across the site, flooding the side of the house and resulting in flooding within the garage beneath the property.

Given the site's topography and the level differences between the application site and surrounding land, we remain concerned that the introduction of additional built form, hardstanding, parking and turning areas has the potential to exacerbate existing drainage and runoff issues unless supported by a clear and robust drainage strategy.

In addition, historic title documents confirm the existence of established septic tank rights and drainage infrastructure serving neighbouring properties within Clough Head. Whilst we appreciate that private legal rights are separate matters from the planning process, these documents demonstrate that foul drainage arrangements within the locality are already established and potentially complex.

The application does not clearly confirm whether the proposed dwelling will be served by a wholly independent foul drainage system, nor does it demonstrate that no reliance will be placed upon existing private drainage infrastructure. From the information submitted, it remains unclear whether the existing arrangements are capable of accommodating an additional dwelling or whether entirely separate infrastructure is proposed.

In the absence of clear technical information regarding foul and surface water drainage, there remains uncertainty as to how drainage will be managed in practice and whether the development can be accommodated without implications for existing systems, neighbouring land or residential amenity.

7. Flat Roof Adjacent to the bedroom window

The revised plans include a flat roof area adjacent to the proposed bedroom window, which will be over looking Clough Crest

Whilst the drawings indicate the presence of solar panels, I would welcome clarification that this area is not intended to function as a balcony, roof terrace, external seating area, or further build form.

Should planning permission be granted, I would ask that consideration be given to a condition preventing the flat roof from being used as a terrace, balcony, roof garden, or further build form in the interests of neighbouring amenity.

8. Highway Context

The proposed access arrangements should also be considered in the context of the existing driveway and garage located directly opposite and associated with No. 2 Clough Head. Given the constrained nature of this section of road, existing accesses, site levels and the proposed turning arrangements, I trust that these matters will be carefully assessed by the Highway Authority.

9. Historic Planning Sensitivity

Previous planning decisions demonstrate that neighbour amenity has long been recognised as a sensitive issue at this location.

Planning permission granted in 1996 for the erection of a single-storey extension, detached garage and stable at 1 Clough Head included **Condition 9**, which stated:

"No light or other opening shall be made in any part of the wall(s) marked A-B on the approved plan."

The reason given by the Council was:

"So as not to detract from the amenities of the adjoining property by reason of loss of privacy."

Whilst the current application must be determined on its own merits, the planning history demonstrates that the impact of openings and development on neighbouring amenity has previously required specific control at this site.

10. Relevant Pre-Application Advice

Pre-application advice issued by Kirklees Council in relation to adjacent land identified residential amenity, privacy, overlooking, drainage, levels and site constraints as matters requiring careful consideration.

The response acknowledged the sensitivity of development in this immediate area and highlighted the need for careful treatment of relationships between neighbouring properties and amenity spaces.

Whilst pre-application advice does not determine the outcome of any planning application, it demonstrates that this locality is recognised as constrained and that neighbour relationships require particular scrutiny.

In our view, the amended submission does not fully demonstrate that these site constraints have been satisfactorily resolved.

11. Cumulative Impact

Whilst each individual concern may be capable of mitigation in isolation, the application should be considered as a whole.

The combination of significant level differences, retaining requirements, drainage constraints, reduced screening, the proximity of the proposed dwelling to Clough Crest and the intensive use of a restricted plot raises concerns that the site is being required to

accommodate more development than can comfortably be achieved without harm to neighbouring amenity.

12. Site Visit Request
Given:

- The significant differences in ground levels
- The proximity of the proposed dwelling to Clough Crest
- Concerns regarding retaining structures
- Unresolved drainage and septic tank issues
- The loss of existing screening
- The fact that the submitted drawings do not fully illustrate the relationship with Clough Crest

We respectfully request that a site visit be undertaken from Clough Crest before any determination is made.

The submitted plans do not, in our opinion, fully convey the practical relationship between the proposed development, our patio and garden areas, our dormer windows and the existing screening currently present between the properties.

For the reasons set out above, I remain of the view that the proposal represents an over-intensive form of development on a constrained site and that significant concerns remain regarding neighbour amenity, site levels, drainage and the overall relationship between the proposed dwelling and Clough Crest.

We also continue to support Councillor Dransfield's earlier request that the application be referred to Committee and that Members undertake a site visit. Following his visit to Clough Crest, Councillor Dransfield raised concerns regarding privacy, site levels, septic tank outflow, topography and the stability of the build area. Whilst additional information has subsequently been submitted, we do not consider that the practical relationship between the properties can be fully understood from the plans alone.

I would be grateful if you could confirm safe receipt of this email and that these further representations have been added to the application file.

Thank you for your consideration.

Yours sincerely,

Clough Crest,
Clough Head
Slaithwaite Gate
HD7 4NW

Cc: Councillor S Dransfield