

FORMAL OBJECTION TO PLANNING APPLICATION

Reference: 2026/62/91551/E

Site Address: Shepley Carr House, Shepley, HD8 8BR

Proposal: Erect detached Garage and detached Garden Room

To the Case Officer,

We are writing to formally object to the above planning application for the proposed construction of a detached Garage and a detached Garden Room and Golf Simulator at Shepley Carr House.

As an absolute point of principle, we wish to draw the Case Officer's attention to the previous planning application for this property, which was explicitly refused by the Local Planning Authority. In that decision notice, the Council robustly stated:

"The proposed development, by virtue of design and location, would not be in keeping with the host dwelling or surrounding hamlet. The proposal would therefore result in significant harm to visual amenity and the historic character of a non-designated heritage asset. Therefore, this proposal fails to comply with LP24 of the Kirklees Local Plan (a) in terms of the form, scale and layout, LP35 of the Kirklees Local Plan paragraphs 2 and 3 in terms of harm to the significance of a non-designated heritage asset and historic environment, KDP 2 of the House Extension and Alterations Supplementary Design Guide, and the aims of Chapter 12 and Chapter 16 of the National Planning Policy Framework."

The current proposal fails entirely to address these fundamental reasons for refusal. In fact, by changing the location to a more dominant position, expanding the built footprint, creating self-inflicted parking constraints, omitting critical dimensions, and demanding the destruction of mature trees, it worsens the very harm the Council previously sought to prevent. We urge the Local Planning Authority to maintain consistency and refuse permission based on the following material considerations:

1. Significant Loss to Regional Heritage: The Edward Hughes Architectural Legacy

The status of Shepley Carr House as a Non-Designated Heritage Asset (NDHA) carries profound historical significance that the applicant has entirely ignored.

- **A Rare Surviving Masterpiece:** The host dwelling was designed and built by the prominent 19th-century architect **Edward Hughes (1838–1886)**, a distinguished regional master and former pupil of Sir George Gilbert Scott. Along with being the nephew of the original owner of the property, Hughes was responsible for some of Huddersfield's most

celebrated architecture, including the landmark *Ramsden Building*. Tragically, a high number of his architectural contributions—including his famed *Gothic Market Hall (1878)* and the *Huddersfield Banking Co. building*—were permanently demolished during mid-20th-century urban redevelopments.

- **Direct Breach of Policy LP35:** Because so much of Hughes' local portfolio has been lost to history, Shepley Carr House is an incredibly rare, surviving domestic example of his regional vernacular. Encroaching upon its setting with massive, disconnected modern outbuildings directly erodes the architectural reading of this finite heritage asset. This creates an unmitigated conflict with paragraphs 2 and 3 of **Kirklees Local Plan Policy LP35**, which strictly mandates the preservation of an NDHA's historical significance and setting.

2. Aggravated Breach of the Front Building Line (KDP 2 Violation)

The previous refusal specifically condemned the "location" of the development. This current proposal aggressively worsens the layout by projecting significantly forward of the primary building line into the front facade approach:

- **Breach of the Established Front Facade:** Under Guideline KDP 2 of the House Extension and Alterations Supplementary Design Guide, outbuildings must strictly be positioned behind the primary building line of the original dwelling.
- **Loss of Architectural Preeminence:** Placing a heavy garage structure entirely forward of the house's front door line, and extending the garden room far past the garden front facade, strips the historic asset of its dominance. The front approach is severely cluttered, the historic facade is visually crowded out, and the uniform, open building line of the surrounding hamlet is permanently destroyed. This represents a clear defiance of Chapter 12 of the NPPF.

3. Excessive Scale, Massing, and Unacceptable Acoustic Intrusion

A review of the submitted site plan reveals an egregious issue regarding the cumulative scale of development:

- **Equaling the Footprint of the Host Dwelling:** The combined footprint and floor area of the proposed detached Garage and the elongated Garden Room and Golf Simulator appear roughly equal to the total floor area of the original host dwelling itself, prior to a recent extension.
- **Severe Overdevelopment:** When the historical four-car garage conversion is factored into the total internal habitable space, the property has already been massively expanded. Accumulating an unbuilt certified garage footprint alongside a massive new garage and a

sprawling garden room completely transforms the property from a historic home within a rural garden and parkland setting into a heavily built-up, suburbanised, overdeveloped complex. This massive cumulative scale directly violates **Kirklees Local Plan Policy LP24(a)** regarding form, scale, and layout.

- **Unacceptable Acoustic Intrusion from Intentional Sports Use:** The applicant intends to utilize the proposed Garden Room as an indoor golf simulator. This specific use introduces highly disruptive, industrial-grade noise profiles into a quiet residential hamlet. Physical impact data confirms that a high-velocity club striking a ball generates sharp, airborne peak noises between 90 to 110 decibels (dB) at source, followed by an immediate 85 to 92 dB percussive "thwack" as the ball hits the impact screen at speeds exceeding 100 mph.
- **Structure-Borne Vibration and the "Drum Effect":** Beyond airborne noise, the immense kinetic energy of 100+ mph golf ball impacts will transfer directly into the frame of the outbuilding if it is bolted to the timber studs or masonry. This creates a low-frequency, bass-heavy structural vibration that radiates outward through the ground and boundary lines like a drum skin. This repetitive, unpredictable "thump" cannot be mitigated by standard garden fences or residential double-glazing.
- **Conflict with Amenity Policies:** Because the applicant has failed to provide any construction cross-sections, structural dimensions, or a professional acoustic mitigation strategy, the Local Planning Authority cannot verify whether this structure can successfully contain these high-decibel impacts. To permit an uninsulated, large-scale sports simulator structure in close proximity to neighbouring private gardens and living spaces represents a direct violation of **Kirklees Local Plan Policy LP24(b)** objectives to protect residential amenity and prevent noise nuisance.

4. Self-Created Parking Need via Unauthorised Garage Conversion

The applicant's perceived need for a new detached garage is entirely artificial and self-created.

- **Loss of Existing Provision:** The property previously benefitted from an extensive garage capable of securely housing four vehicles. This substantial original structure was converted into internal habitable living space by a previous owner without the required householder planning permission.
- **Exploiting a Policy Breach:** Having unlawfully stripped the plot of its designated four-car parking provision, the applicant is now attempting to use this self-inflicted deficit to justify an entirely new, highly intrusive

detached garage. The Local Planning Authority should not reward unauthorized, historical development by granting full planning permission for secondary, landscape-damaging structures forward of the building line.

5. Disregard for Established Fallback Position (Granted Certificate of Lawfulness)

Compounding the issue of parking space, the site already benefits from a successfully granted Certificate of Lawfulness (Proposed) for a detached garage situated in an alternative, policy-compliant location within the plot.

- **No Operational Justification:** Because the applicant already holds a legally established "fallback position" to construct a garage on the site, there is absolutely no operational or circumstantial justification to grant full planning permission for a second garage.
- **Avoidance of a Less Harmful Route:** Seeking a new, full planning application for a garage in a highly damaging location represents an unnecessary and actively harmful deviation from an already approved, lawful fallback option.

6. Inappropriate External Lighting Design and Visual Light Pollution

The inclusion of down-lighting within the external soffits above the proposed garage doors introduces a suburban, heavily illuminated feature that is entirely hostile to the rural setting of this Non-Designated Heritage Asset (NDHA).

- **Inappropriate, Non-Subservient Design:** Soffit down-lighting is a modern architectural feature typically reserved for contemporary suburban housing developments. Introducing continuous, decorative external feature lighting onto a secondary outbuilding permanently erodes its requirement to remain a subservient, modest structure. Instead, it artificially draws visual focus away from the primary historic facade of Shepley Carr House, failing to preserve the character of the asset under Policy LP35.
- **Environmental Harm and Light Trespass:** The subject site is situated within a tranquil hamlet characterized by low ambient night-time light levels. The applicant has submitted no lighting assessment or technical specifications detailing the lumen output, color temperature, or light spill vectors. Uncontrolled downward glare from multiple garage bays creates severe light pollution and "light trespass" across immediate property boundaries into neighboring gardens, directly conflicting with Kirklees Local Plan objectives to protect residential amenity.
- **Ecological Disruption to Protected Wildlife:** By positioning bright, downward-directed spotlights directly adjacent to the remaining tree

canopy line, the proposal will cause severe ecological disturbance. Continuous artificial lighting in close proximity to mature tree canopies directly disrupts local wildlife corridors and fragments established foraging zones for nocturnal species, specifically bats, which are strictly protected under UK wildlife legislation.

7. Irreversible Environmental Loss: Proposed Destruction and Removal of Mature Trees

Compounding the design flaws that led to the previous refusal, the current application introduces severe and unjustifiable ecological destruction:

- **Felling of Trees T1 and T2:** The proposal seeks the complete, permanent felling and removal of mature trees to clear space for these poorly located footprints. The permanent removal of healthy, visually prominent components like T2 strips the hamlet of its green character and biodiversity.
- **Collateral Root Damage to T4 and T5:** Furthermore, the layout actively threatens surviving canopy cover. The plan indicates that the proposed Garage cuts directly into the critical Root Protection Zone (RPZ) of tree T4, and T5. This combined felling and structural degradation offers zero overriding public benefit.

8. Invalidity of Application: Failure to Show Context and Dimensions

The submitted architectural drawings are fundamentally deficient, lacking basic transparency and context:

- **Concealed Architectural Relationship:** The elevations completely omit to illustrate the proposed detached Garage and Garden Room/Golf Simulator in direct visual relation to the host dwelling (Shepley Carr House). The structures are drawn in total isolation. Because the house is an irreplaceable heritage asset, the applicant has a strict duty to provide contextual elevations under Policy LP35 to demonstrate how the proposal preserves its setting.
- **Omission of Ridge Heights:** The drawings completely fail to state the proposed ridge heights, eaves heights, or exact structural dimensions for either the Garage or the Garden Room. Scale analysis of site plan drawing shows that the proposed Garden Room and Golf Simulator features an elongated footprint measuring approximately **14.5 metres in length** by **4.5 metres in width**, while the Garage measures approximately **10.5 metres in length** by **5.5 metres in width**. Without clear vertical dimensional data matching these large horizontal footprints, the council cannot mathematically evaluate the level of overshadowing to neighboring plots or the visual dominance on the heritage asset. The application remains technically un-assessable.

Conclusion

This application represents a blatant attempt to bypass the Council's previous clear judgment. It seeks to replace parking that was lost via unauthorized development, ignores an already approved fallback position, introduces structures of entirely substandard architectural quality, deliberately conceals the structural relationship between the proposed garage and the historic house, fails to provide essential structural dimensions, equals the size of the original house, aggressively breaches the protected front building line, introduces intrusive suburban external lighting, and demands the outright destruction of mature, healthy trees.

Crucially, it severely threatens the character and setting of a rare surviving domestic asset designed by **Edward Hughes**, a major figure in Kirklees' architectural history whose other regional masterpieces have already been permanently lost.

The proposal continues to stand in direct visual, acoustic, environmental, and structural conflict with Policies LP24 and LP35 of the Kirklees Local Plan, Guideline KDP 2 of the Supplementary Design Guide, and Chapters 12 and 16 of the National Planning Policy Framework.

To maintain planning consistency, uphold enforcement integrity, and protect the historic character of the hamlet, we respectfully request that the Local Planning Authority refuse planning permission.