

Comment re. AKPlanning's Supporting Statement: Plot 23 and No. 92 Lingards Road

This comment concerns the statements in the AKPlanning supporting material, which describe the relationship between Plot 23 and the existing dwellings on the south side of Lingards Road, including No. 92.

1. Directly opposite dwellings

The dwellings directly opposite Plot 23 are No. 92 and No. 94. Kirklees Council have previously accepted that as fact.

Other dwellings along Lingards Road may form part of the wider streetscene, but they are not the direct opposite dwellings for the purpose of assessing the immediate relationship with Plot 23.

No. 92 is a single-storey bungalow with garage underbuild. It is not comparable in scale, massing, height or frontage to the proposed Plot 23, which presents as a substantially larger multi-level dwelling with a double garage.

AKPlanning describes Plot 23 as being opposite "large detached dwellings". Dwellings meaning plural. That description is not accepted insofar as it relates to No. 92.

The description of the opposite properties as "large detached dwellings" risks materially mischaracterising No. 92 and therefore the planning assessment.



2. Photographic evidence and assessment viewpoint

The photograph relied upon by AKPlanning appears to have been taken from some distance (approximately 48m) and does not provide a close, property-specific assessment of the relationship between Plot 23 and No. 92. The selected photograph (looking north east, not south) also appears to rely on a wider streetscene view, rather than the direct outlook from No. 92 towards Plot 23. The most prominent dwelling in the photograph does not sit opposite Lingards Fold, being situated further up Lingards Road.



No.92



Plot 23

That matters because No. 92 is angled slightly up the valley, meaning that the principal outlook from its front elevation windows is directed more towards Plot 23 than Plot 34. The hedge between No. 92 and No. 90 also affects the outlook from No. 92 and further focuses attention towards Plot 23. A general streetscene photograph cannot substitute for a property-specific assessment from No. 92.

The Council should therefore assess the impact from No. 92 itself, including the front elevation windows and front amenity area, rather than relying only on general photographs or broad descriptions of dwellings along Lingards Road.

More fundamentally, the supporting statement provides no property-specific assessment of No. 92 at all. It does not assess the relationship between Plot 23 and No. 92 in terms of outlook, dominance, enclosure, relative ridge heights, orientation or visual presence. Instead, it relies largely upon wider observations about the streetscene and the character of Lingards Road. Whilst such observations may be relevant to character and appearance, they do not address the specific residential amenity relationship between Plot 23 and No. 92.

3. Vernacular, materials and local character

AKPlanning refers to local vernacular and materials. However, the use of natural stone or sandstone alone does not make the proposal locally appropriate or vernacular in planning terms.

Vernacular character is also concerned with scale, proportions, roof form, massing, ridge height, frontage width, relationship with the slope, boundary treatment and the way buildings sit in the landscape.

No. 92 and other existing dwellings opposite already use stone materials. The material choice therefore does not, by itself, resolve the more important issues of scale, massing, height and relationship with neighbouring dwellings.

There are no four-level dwellings in the immediate relationship opposite Plot 23. The only immediate nearby examples of garage accommodation appear to be underbuild arrangements, rather than a wide double garage attached to the side of a larger dwelling. The proposed relationship at Plot 23 is therefore materially different from the existing pattern of development.

4. Assessed as a whole

It is important that application 2026/91657 is assessed as a whole. The application is not limited to the double garage. It also includes the new basement/lower level, changes to the driveway, changes to the raised patio, and changes to the lower-ground-floor kitchen arrangement. The impact on No.92 must therefore be assessed cumulatively, not by treating each change as isolated or minor.

5. Dominance and height relationship

AKPlanning states that, once the new development is completed, the existing dwellings will still dominate the streetscene because of their elevated position. That assertion is not accepted.

AK Planning provides no measured evidence, sections, verified levels or visual assessment demonstrating that No. 92 would dominate Plot 23. The statement appears to be an assertion rather than a conclusion supported by objective analysis.

The supporting statement contains no assessment of the relationship between Plot 23 and No. 92 in terms of outlook, dominance, enclosure, relative ridge heights, orientation or visual presence. Instead, it relies principally on wider streetscene observations. While



such observations may be relevant to character and appearance, they do not address the site-specific residential amenity relationship that lies at the heart of this objection.

The illustrative image above is based on an aerial view from the direction of Plot 23. It is used to demonstrate the approximate line of sight towards No. 92's front elevation, including the window serving No. 92's second bedroom. This relationship is directly relevant to outlook, privacy, perceived overlooking and residential amenity.

The image does not support AKPlanning's assertion that the existing dwelling at No. 92 would dominate Plot 23 or the streetscene.

Rather, it shows the opposite: Plot 23 would have a direct and elevated relationship with No. 92, facing towards its front elevation and bedroom window. When this is considered together with Plot 23's scale, width, massing and corrected ridge levels, the dominant built form would be Plot 23, not No. 92.

Elevation alone does not determine visual dominance. Dominance must be assessed by considering the actual ridge levels, massing, width, roof form, separation, orientation, outlook and the relative scale of the buildings. No. 92 is elevated, but it is a single-storey bungalow with underbuild. No. 94 is not elevated in the same way. The existing opposite dwellings should not be treated as a single uniform group.

Based on the corrected ridge-level calculations already raised, Plot 23's lower ridgeline appears to sit approximately 2.49 metres above No. 92's ridge. Plot 23's highest ridgeline appears to sit approximately 3.47 metres above No. 92's ridge. If those figures are verified, they are inconsistent with the suggestion that No. 92 will visually dominate Plot 23.

The issue is not a private right to a view. The planning concern is outlook, dominance, enclosure, overbearing impact, roofline relationship and residential amenity. Those matters require a specific assessment of No. 92 and Plot 23, not a general statement that existing dwellings opposite are elevated.

The double garage element should also be considered in its own right. It is not a minor or visually subordinate feature. On the submitted Plot 23 elevation, the double garage forms a substantial part of the front elevation and has significant height, width and roof mass. When viewed from No.92, it would contribute materially to the overall bulk and dominance of Plot 23.

This concern is heightened by the measured level discrepancy already raised with the Council. If Plot 23 has been constructed approximately 0.82m above the submitted level, the garage element and the rest of the dwelling would sit materially higher than shown on the drawings. Even without additional elevation, the garage element alone appears capable of having a height relationship comparable with, or exceeding, No.92's single-storey bungalow form. That would be plainly relevant to the assessment of scale, dominance, outlook and residential amenity.

6. 2020/93954 paragraph 10.53 point

Relationship	Approximate level / difference
No. 92 ridge level	207.320m
Plot 23 lower ridgeline, adjusted	209.806m
Plot 23 highest ridgeline, adjusted	210.791m
Plot 23 lower ridge above No. 92	approx. 2.49m
Plot 23 highest ridge above No. 92	approx. 3.47m

The height issue is also relevant because the original residential amenity assessment for 2020/93954 proceeded on a **stated factual basis**: that the *new dwellings fronting Lingards Road would be of equivalent height, or marginally lower, than the existing dwellings to the south of Lingards Road*. The corrected ridge-level figures suggest that, in the case of Plot 23 and No. 92, that stated basis is not borne out by the current relationship.

If Plot 23’s lower ridgeline is approximately 2.49m above No. 92’s ridge, and its highest ridgeline approximately 3.47m above No. 92’s ridge, the relationship is materially different from “equivalent height or marginally lower”. This requires a fresh property-specific assessment.

Paragraph 10.53 of the Delegated Report used the phrase “equivariant height, or marginally lower”. I have understood this to mean “equivalent height, or marginally lower”. If the Council says a different meaning was intended, it should explain what that meaning was and how it was applied to Plot 23 and No.92.

7. Effect on No. 92

Because of the orientation of No. 92, Plot 23 lies within the main outlook from No. 92’s front elevation windows. The hedge between No. 92 and No. 90 also affects the direction and openness of that outlook.

As a result, the impact of Plot 23 on No. 92 is direct and materially different from a simple block-plan comparison or a general statement about dwellings on Lingards Road.

The corrected height relationship, together with the proposed double garage, lower-ground/basement form, frontage width and overall massing of Plot 23, raises clear planning issues concerning dominance, outlook, enclosure and residential amenity at No. 92.



maneuvering, headlight glare/headlight sweep and residential amenity, particularly in relation to No.92's Bed 2 window on the front elevation.

The impact on No.92 is not limited to Plot 23's main ridgelines; the double garage itself forms a substantial elevated built element within the direct outlook from No.92's front elevation.

8. Weight to be given to AKPlanning's assessment

For the reasons above, the AKPlanning supporting statement appears to contain **overgeneralisations** and **unsupported assertions** about the dwellings opposite Plot 23, their elevated position, their dominance within the streetscene and their relationship to the proposed dwelling.

The Council should place limited weight on those assertions unless they are supported by accurate plans, verified levels, representative photographs and a property-specific assessment of the relationship between Plot 23 and No. 92.

In my view, the supporting statement does not provide a reliable basis for concluding that No. 92 will dominate the streetscene or that Plot 23 will have no unacceptable impact on No. 92. A fresh, property-specific assessment is required.

Before determining 2026/91657, the Council should identify whether it accepts or rejects the ridge-level figures set out above. If it rejects them, it should explain what verified levels it relies upon instead, what survey method was used, and how those levels affect the assessment of dominance, outlook, enclosure and residential amenity at No.92.

Height Determination Methodology

The ridge-level figures referred to in this response are based on the submitted lower-floor levels, the ridge-height dimensions taken from the relevant elevation drawings, and the measured as-built increase already raised separately with the Council.

I accept that these figures should be verified by the Council or by an independent measured survey. However, if verified, they materially undermine the assertion that No. 92 will dominate Plot 23 or that Plot 23 will sit comfortably below the existing dwellings opposite.