

Planning Application 2026/91657 – Fourth externally expressed level, discrepancies in the lowest-level construction and Green Belt impact

I wish to raise a further objection concerning the lowest level of Plot 23 and the resulting height, scale, massing and external appearance of the dwelling.

Four externally expressed levels

The submitted rear elevation presents four clearly distinguishable horizontal levels:

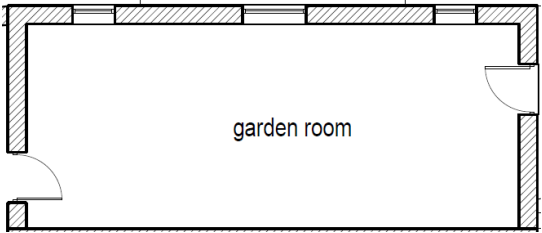
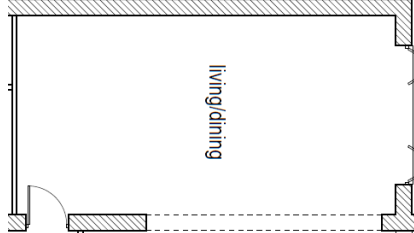
1. the lowest garden-room and store level;
2. the lower-floor level opening onto the raised patio;
3. the floor above containing a further row of windows; and
4. the upper level expressed within the substantial roof form.

The lowest level is not internally connected to the principal accommodation. It is reached externally, either by using the side steps or by leaving the lower floor, crossing the raised patio and descending the external steps.

That does not, however, remove its contribution to the external height, scale, bulk and massing of the building. It contains substantial enclosed floorspace, full-height external entrances and several windows. In my view, when seen from the rear or downhill side, it forms the lowest of four externally distinguishable levels and causes the elevation to appear as a four-storey built form.

The relevant planning issue is therefore not simply whether the applicant describes the space as a garden room, basement, underbuild or ancillary accommodation. Kirklees Council should assess the physical and visual effect of the level as constructed.

Scale and intended use of the lowest level

Plot 23  garden room	Plot 34  living/dining
Area of floor = 41.34 m²	Area of floor = 34.87 m²

The scale of the garden room shown in the current application is particularly striking when compared with the immediately adjacent Plot 34. My more detailed measurements from the submitted plans give the Plot 23 garden room an area of approximately **41.34 square metres**, compared with approximately **34.87 square metres** for Plot 34's principal living/dining room.

The additional garden room at Plot 23 is therefore approximately **6.47 square metres, or 18.6%, larger** than the principal communal living space of the adjoining dwelling.

This is not a marginal comparison. A single room introduced at Plot 23's additional lowest level is substantially larger than the main living/dining room of the neighbouring house. Its scale makes it difficult to characterise as a minor use of residual underbuild or an insignificant ancillary space. It represents a substantial addition to the usable floorspace, built volume and intensity of development at Plot 23.

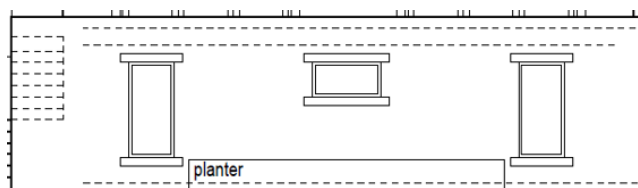
The combination of its floor area, dedicated access, windows and architectural treatment indicates that it is intended to provide substantial usable domestic or ancillary accommodation. Its floorspace and built volume should therefore be included fully when assessing:

- the total scale and floorspace of Plot 23;
- the extent of built development on the plot;
- the height, bulk and massing of the rear elevation;
- the appearance of the dwelling as a four-level structure;
- and the cumulative effect of the building beside the Green Belt.

Kirklees Council should not disregard the planning effect of this level merely because it is externally accessed.

Apparent discrepancy in the garden-room windows

The submitted rear elevation shows two tall outer windows and a much shallower central window, with the central sill beginning several masonry courses above the sills of the windows on either side.



Construction photographs appear to show a potentially different arrangement.

A photograph taken while the garden-room inner leaf was being formed appears to show the lower parts of all three window openings beginning at the same datum: *see right, with a yellow line identifying the bottom of apparent openings*. If the central window were genuinely intended to begin several courses higher, it would ordinarily be expected that blockwork would have been constructed beneath it up to the intended sill level. It remains possible that the lower part of the central opening will subsequently be infilled. However, that possibility is not evident from the construction photographed and reinforces the need to confirm the final opening dimensions.



A later photograph shows three steel lintels positioned above the garden-room window openings. The number and general positions of the openings appear broadly capable of alignment with the floor plan. I do not presently assert that the window widths have conclusively been shown to differ, because the steel lintels extend beyond the finished openings to provide bearing.

However, the construction evidence continues to raise a significant question regarding the **height and depth of the central window**. It suggests that the central opening may ultimately be as deep as the two outer openings rather than the shallow window represented on the published elevation.

If all three windows are full-depth, this would:

- materially alter the appearance and proportions of the lowest elevation;
- introduce substantially more glazing than shown;
- strengthen the external appearance of the level as usable domestic accommodation;
- and make the four externally expressed levels of the rear elevation more pronounced.

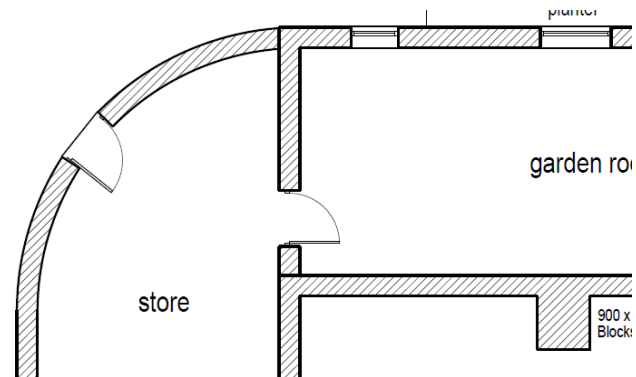
Kirklees Council should therefore obtain the as-built rough-opening dimensions and final proposed dimensions of all three garden-room windows before determining the application.

Curved store wall and masonry junction

The submitted floor plan appears to show the curved store wall as a continuation of the solid external wall extending from the straight garden-room wall.

However, photographs show the sandstone at the relevant junction brought to a neat, finished vertical stop-end. The blockwork behind it also terminates on a straight line.

That does not prove that the curved store wall will be formed from a different material. It remains possible that a separately tied curved masonry wall with matching stone facing will subsequently be added.



Nevertheless, the visible construction suggests that the curved wall may be introduced as a separately constructed element rather than as a continuously bonded continuation of the wall represented on the plan. This creates legitimate uncertainty over:

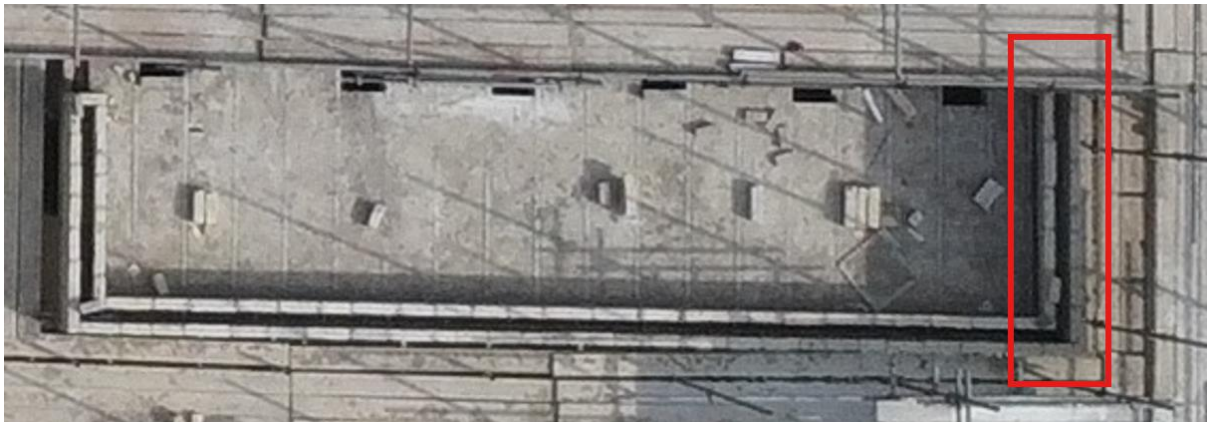
- the structural system;
- wall thickness;
- precise radius and position;
- method of connection;
- external facing material;
- and whether the completed built form will correspond with the published floor plan and elevations.



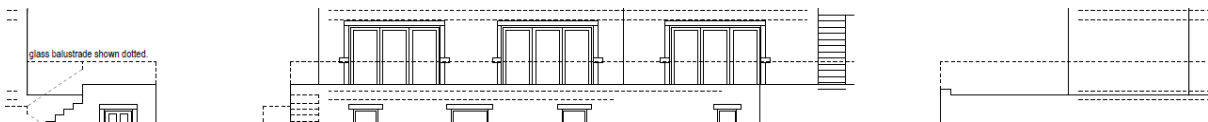
A detailed plan and section of this junction should therefore be required, identifying the complete wall build-up and finished external appearance.

Apparent subdivision of the raised patio

A further construction photograph raises concern about the arrangement of the raised patio above the garden-room level.



The published drawings appear to depict the raised patio as a substantially continuous terrace extending across the rear of the lower floor, with a low perimeter wall and toughened-glass balustrade along its exposed outer edge. No internal cross-wall or balustrade dividing the terrace is clearly shown.



The construction photograph, however, appears to show a permanent masonry wall or substantial upstand projecting from the lower-floor elevation into the patio area. It is positioned broadly above the point where the wall of the additional lowest level changes direction towards the kitchen.

The photograph also shows what appears to be a horizontal damp-proof course, cavity tray or waterproofing membrane emerging from the lower-floor wall at a level materially above the present block-and-beam deck. Although the final patio build-up will raise the current surface, the membrane provides an indication that the completed patio level is likely to remain below it. This makes it unlikely that the projecting masonry will simply disappear within the finished floor construction.

If the masonry remains above the completed patio surface and is surmounted by the proposed glass balustrade or another guarding system, it would create a permanent barrier across the terrace. The raised patio would consequently be divided into separate areas, and it would not be possible to move freely along the patio from its eastern side towards the dining-room side in the manner apparently suggested by the published plans.

This would affect:

- the usable extent and circulation of the raised patio;
- the position and length of the glazed balustrade;
- the relationship between the patio and the accommodation behind it;
- the appearance and articulation of the rear elevation;
- and the relationship between the patio and the additional enclosed level beneath.

I recognise that construction is incomplete and that the exact function and final height of the masonry cannot be established from the photograph alone. Nevertheless, it appears to be a substantial and permanent element that is not clearly disclosed by the published plans.

The applicant should therefore provide:

- a dimensioned plan of the completed raised patio;
- its finished surface level;
- the purpose and level of the visible membrane;
- the position, length and final height of the projecting masonry;
- the complete proposed balustrade arrangement;
- details of any opening or route around the feature;
- a section through the patio, wall and additional level beneath;
- and an elevation showing how the completed arrangement will appear.

If the raised patio is to be subdivided, or if its wall and balustrade arrangement differs materially from the published plans, accurate revised drawings should be placed on the public planning file and made available for meaningful public comment before the application is determined.

Reliability and completeness of the published drawings

The continuing uncertainty over the lowest-level construction raises a wider concern regarding whether the drawings presently available provide sufficient information to understand the intended completed development.



Planned elevation

Potential as-built elevation
based on construction observed to date

Construction photographs raise issues that are not readily explained by the published floor plans and rear elevation. These include:

- the apparent common lower datum of the three garden-room window openings;
- the separately terminated masonry at the curved store-wall junction;

- the apparent permanent subdivision of the raised patio by a masonry wall or upstand not clearly shown on the published drawings; and
- the external expression of the lowest level as part of a rear elevation containing four distinguishable levels.

Because construction remains incomplete, the photographs do not establish whether these features are temporary, whether they arise from construction details not shown on the planning drawings, or whether the completed development will differ materially from the published design. I make no allegation regarding the applicant's motive. However, the information presently available does not allow those possibilities to be distinguished.

The possible differences could materially affect:

- the dwelling's external appearance;
- its scale, bulk and massing;
- the use and character of the lowest level;
- its relationship with the adjoining Green Belt and rural edge; and
- the accuracy of the assessment undertaken during the public consultation.

Kirklees Council should therefore require sufficient plans, elevations, sections and construction details to establish precisely what is intended and how the completed development will appear.

Unless adequate and accurate information is provided, the Council may not have a sufficiently reliable basis upon which to assess the proposal.

Conflict with the original committee assessment

Paragraph 3.2 of the committee report for application 2020/93954 described the dwellings as predominantly split-level, with some being one/two storeys and most being two/three storeys. Paragraph 10.30 subsequently stated that dwellings facing uphill would be predominantly one or two storeys, while those facing downhill would be two or three storeys. Paragraph 10.39 repeated that most dwellings would present as one/two storeys uphill and two/three storeys downhill.

The officer's assessment relied upon the split-level design to:

- keep dwelling heights lower;
- reduce reliance upon prominent retaining structures;
- reduce apparent massing;
- and respond appropriately to the site's topography.

The submitted and emerging rear elevation of Plot 23 appears materially different from that description. It displays a substantial enclosed lowest level, at a lower datum beneath and/or alongside three further externally distinguishable levels.

Kirklees Council should therefore state expressly whether it considers the rear elevation of Plot 23 to present as four storeys.

If it concludes that it does not, the officer's report should explain how the approximately 41-square-metre garden room, separate store, full-height entrances, windows and visible lowest wall have been treated in assessing the building's scale and massing.

Effect upon outlook and amenity at No. 92

From the published plans, levels and supporting material, we understood that the relationship between Plot 23 and No. 92 would principally involve the ground-floor and first-floor elements of the dwelling. The Plot 23 supporting statement expressly said that the additional lower-ground floorspace could not be seen from Lingards Road and that there would consequently be no height or overlooking issues.

Emerging construction indicates a materially different visual relationship. From the front lounge window of No. 92, there is an oblique but direct sightline towards the east side of Plot 23. The north-east corner of the raised patio and the upper edge of its eastern wall are already visible. The intervening tree currently obscures much of the development but is not intended to remain, and its removal is likely to expose substantially more of the built form.

This visual relationship is further affected by the apparent discrepancy in the constructed levels. My measurements indicate a mean ground-floor level approximately **820 mm higher than shown on the current application drawings**. That figure has not yet been independently verified, but if confirmed it would raise the dwelling, raised patio and associated eastern-side structures relative to No. 92 and the intervening ground.

An increase of this magnitude would be capable of exposing more of the lowest level, patio wall, external steps and doorway than would have been visible had the development been constructed at the submitted levels. It would also increase the visibility of people using the patio, steps and lowest-level entrance.

This is particularly significant because the applicant's supporting 2024/91236 statement presented the additional lower-level floorspace as concealed below ground and stated that it could not be seen from Lingards Road. Emerging construction, viewed from the principal lounge window at No. 92, indicates that parts of all four levels may instead be perceptible, with the extent of visibility potentially increased further by the apparent 820 mm level discrepancy and the planned removal of the intervening tree.

Parts of all four levels of Plot 23 are expected to be perceptible from No. 92, including:

- the additional lowest garden-room and store level;
- the lower-floor and raised-patio level;
- the ground floor; and
- the first-floor and roof level.

The external steps descending from the raised patio to rear-garden level are also expected to be visible, together with the external doorway immediately behind or adjoining them. The effect upon No. 92 is therefore not confined to viewing static walls. Movement between the raised patio, steps, garden level and lowest-level doorway may also be visible from the principal lounge window.

The principal concern is increased visual presence, activity, bulk and complexity within the outlook from No. 92. There may also be privacy implications if users of the raised patio, steps or doorway have views towards No. 92, although the precise sightlines should be established from accurate plans and sections rather than assumed.

Kirklees Council should therefore assess the completed east-side profile of Plot 23 from the actual viewpoint of the front lounge window at No. 92, including:

- which parts of each level will be visible;
- the raised patio and eastern wall;
- the external steps and doorway;
- the likely visibility of people using those features;
- the effect of removing the intervening tree;
- and the cumulative consequences for outlook, visual dominance, activity and privacy.

Sensitive position beside the Green Belt

Plot 23 occupies a particularly sensitive position at the western edge of the development, immediately beside the Green Belt and open countryside.

The original committee assessment relied upon:

- lower-density development;
- spacing between the western dwellings;
- reduced apparent building heights;
- low-profile roof forms;
- and landscaping to provide a sensitive transition from the built settlement into the rural landscape.

The present form appears less consistent with those objectives.

The four-level rear presentation, substantial garden room, separate store, raised patio, substantial roof form and proposed double garage create a dwelling of considerable height, volume and architectural emphasis.

Rather than becoming more restrained and recessive as the development reaches the Green Belt, Plot 23 appears to become more conspicuous and visually assertive.

This concern would be intensified if the ground-floor level is confirmed to be approximately **820 mm higher than shown on the current application drawings**, as indicated by my repeated measurements. The actual as-built levels, eaves and ridge heights must therefore be established reliably before the scale and landscape impact can properly be assessed.

Information required before determination

Before application 2026/91657 is determined, I respectfully request that the Local Planning Authority **requires the applicant to submit, and then publishes on the application file, sufficient information including:**

- reliable surveyed lower-floor and ground-floor levels;
- the garden-room finished floor level;
- the actual eaves and ridge levels;
- a dimensioned rear elevation showing the whole building from the lowest adjoining ground level to the roof;
- the gross internal area and intended use of the garden room and store;
- the rough-opening and finished dimensions of all three garden-room windows;
- confirmation of whether the central window will have the shallow form shown on the published elevation;
- a detailed construction drawing of the curved store wall and its junction with the completed sandstone wall;
- the final wall build-up, structural system and external facing material;
- a dimensioned plan and section of the completed raised patio;
- confirmation of its finished level and the purpose of the visible membrane;
- the finished height and purpose of the projecting masonry;
- the complete balustrade arrangement and pedestrian circulation route;
- and confirmation that the constructed wall lines, openings, materials and levels accord with the plans presently before the public.

Revised plans and further public consultation

If the intended completed construction differs materially from the published floor plans or elevations, accurate revised drawings should be placed on the public planning file before a decision is made.

The Council should then determine whether a further period of consultation is necessary, having regard to the nature and significance of the amendments and their possible effects upon neighbouring residents, the building's appearance and its relationship with the adjoining Green Belt.

The application should not be determined by reference to materially revised or additional information without affected residents having a fair and meaningful opportunity to inspect and comment upon it.

If sufficient time for meaningful comment does not remain within the existing consultation period, I request that the period be extended or that a further consultation be undertaken before determination.

Conclusion

The evidence does not merely raise a question over what the lowest space should be called. It indicates that Plot 23 contains a substantial, purpose-designed enclosed lowest level providing approximately 41.34 square metres of usable domestic or ancillary accommodation.

Construction photographs also raise specific questions over whether:

- the central garden-room window will be substantially deeper than shown;
- the curved store wall will be constructed in the form represented on the plan;
- the published elevations accurately depict the building being constructed;
- the raised patio is being subdivided by a permanent wall and balustrade arrangement not clearly represented on the published plans; and
- the published drawings fully and accurately represent the intended completed scheme.

These matters are material to the assessment of scale, massing, visual prominence, landscape integration, residential amenity and the building's sensitive relationship with the adjoining Green Belt.

Application 2026/91657 should not be determined until the true as-built levels, dimensions, window arrangement and lowest-level construction have been established and accurately represented in publicly available plans.