

DC Admin

From:
Sent: 21 July 2026 13:48
To: Katie Chew
Cc: DC Admin
Subject: Objection to Planning Application 2026/91657 – Plot 23, Lingards Road

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Good afternoon, Ms Chew,

I formally object to this application because it seeks to retain a development that departs cumulatively from three fundamental elements of the scheme considered and approved by the Planning Committee:

1. The Committee report stated that the new dwellings fronting the north side of Lingards Road would be equivalent in height to, or marginally lower than, the existing properties on the south side.
2. The approved plans showed a 10-metre separation between Plots 23 and 34.
3. The approved development was described as comprising predominantly two and three-storey dwellings. The split-level design was specifically relied upon to keep the buildings lower and reduce their apparent mass.

The development now being constructed does not preserve any of these important characteristics.

Enlarged footprint and eastward displacement

Plot 23 has been constructed east of its approved position. Its footprint also corresponds with the larger version shown on the Grouped Plans and Elevations, which is approximately 7% wider than the footprint depicted on the Site Plan.

The increased width and eastward displacement are separate departures, but their effects must be assessed cumulatively. The larger footprint occupies more of the plot, while the displacement moves a substantially greater mass of development across the principal outlook from my property.

The Council should establish through an accurate measured survey the extent of the displacement from the approved position and expressly report that measurement as part of its assessment.

The displacement and enlarged footprint also appear to have reduced the approved separation between Plots 23 and 34. The approved plans showed a clear 10-metre gap. The Council should establish what separation has actually been provided and expressly disclose that measurement.

The loss or reduction of the approved visual and physical break between the buildings creates a more cramped arrangement and increases the combined mass of development appearing within the outlook from my property.

Kirklees Council's Housebuilders Design Guide requires separation to be appropriate and proportionate to the scale of the dwellings. As the height and mass of a building increase, adequate separation becomes

increasingly important in preventing an overbearing relationship. In this instance, the development has become wider, taller and more substantial while the approved separation appears to have been reduced.

Additional fourth storey and increased projected ridge height

The Committee-approved scheme was assessed as a development of predominantly two and three-storey dwellings. Plot 23 now incorporates an additional lowest storey containing the garden room, producing a four-storey building.

Although this additional storey is at the lowest level and lies below my property, it is vertically integral to the whole building. The lower floor opens directly onto the roof of the lowest level, which forms the raised patio. The elevation of that structure therefore establishes the lower-floor datum from which the ground floor, first floor and roof rise.

It is not simply an additional room excavated beneath an otherwise unchanged building. Because the lowest level and resulting raised patio have been constructed higher than the submitted levels, that discrepancy is carried upwards through the remaining structure.

Earlier calculations indicated a mean level discrepancy of approximately 0.82 metres. More recent measurements and photographic comparisons suggest that the discrepancy may approach one metre. Because the lowest-level datum establishes the elevation of the floors and roof above, any additional increase is carried through the complete vertical structure. If the discrepancy is one metre rather than 0.82 metres, the projected ridge would be a further 0.18 metres higher than previously calculated.

On the information presently available, the completed ridge of Plot 23 could therefore stand approximately 3.5 to 3.7 metres higher than the ridge of my property.

That is a far cry from the height relationship expressly presented to the Planning Committee and relied upon when approval was granted. The Committee report stated that the new dwellings would be “equivalent in height, or marginally lower” than the existing properties on the south side of Lingards Road—in other words, the same height or lower.

A building potentially standing approximately 3.7 metres higher does not merely depart slightly from that assessment: it reverses the relationship upon which the Committee was asked to approve the development.

A difference of this magnitude cannot reasonably be characterised as a construction tolerance, a minor amendment or a continuation of the approved split-level design. It represents a fundamentally different height, scale and physical relationship with my property. The Council cannot properly rely upon the original conclusion that the development would be the same height or lower while considering an application that could produce a ridge approximately 3.7 metres higher.

The Council should therefore verify the constructed levels and calculate the resulting ridge elevation from a fixed Ordnance Datum. It should then expressly reconcile that evidence with the height relationship presented to the Planning Committee.

The additional lowest storey has produced two distinct but connected changes:

- it has changed Plot 23 from the approved three-storey form into a four-storey building; and
- through the elevation at which its roof and raised patio have been constructed, it has established a higher datum for the floors and roof above.

This is fundamentally different from the lower-profile, split-level development assessed by the Planning Committee. It introduces substantially greater floorspace, volume, height and visible mass than the approved scheme and conflicts with the established character relied upon when permission was granted.

Prior warning and continued construction

The Council and developer were formally notified of the apparent eastward displacement and level discrepancies in August 2025, when construction at Plot 23 had progressed only to the retaining-wall stage.

The Council subsequently made clear that any decision to continue construction before these matters were resolved would be at the developer's own risk. Despite that warning, construction continued, allowing the departures and their consequences to become progressively more extensive.

The fact that the building has now reached an advanced stage should not weigh in favour of granting permission. The developer proceeded with knowledge of the concerns and accepted the risk that the development might not subsequently be approved.

Cumulative harm to residential amenity

The effects of the enlarged footprint, eastward displacement, reduced separation between Plots 23 and 34, additional fourth storey and increased projected ridge height must be assessed together.

Their combined effect would create a substantially greater mass of development across the principal outlook from my property. The loss or reduction of the approved gap, together with the increased width and height of Plot 23, would produce a materially more dominant and overbearing built form than the scheme assessed by the Planning Committee.

This is not simply a loss of a particular view. It is a harmful change in the scale, proximity and physical presence of the development when experienced from three habitable rooms within my property.

Conclusion

This application does not concern one isolated alteration. It seeks to retain the cumulative outcome of multiple interconnected departures from the Committee-approved scheme: an enlarged footprint, eastward displacement, reduced separation, an additional fourth storey and increased building levels.

I therefore request that Kirklees Council:

1. assess these changes cumulatively against the development originally considered by the Planning Committee;
2. establish and disclose the actual eastward displacement of Plot 23 from its approved position;
3. establish and disclose the actual separation between Plots 23 and 34;
4. verify the constructed levels and resulting projected ridge elevation using a fixed Ordnance Datum;
5. expressly reconcile the resulting height with the Committee report's representation that the new dwellings would be the same height or lower than the existing properties opposite;
6. refuse the application because of the resulting scale, massing, overdevelopment and harm to residential amenity; and
7. urgently consider whether a Temporary Stop Notice or other enforcement action is expedient to prevent further construction from compounding the identified departures while they remain unresolved.

Please do not make any of my personal details public.

Yours faithfully,