



Appeal Statement

Appellant:
Site Address:

Mr & Mrs Simon Facey

5 Dearnfield
Upper Cumberworth
Huddersfield
HD8 8NX

Appeal Against:
Planning Ref:
Proposal:

Kirklees Council

2024/62/93470/E

Erection of extensions

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1.0 INTRODUCTION

1.1 RBA Town Planning have been instructed by the Applicant, Mr & Mrs Simon Facey, of Planning Application 2024/62/93470/E to act on their behalf in the preparation and submission of an Appeal against the decision of the Local Planning Authority to refuse Planning Consent for the proposed development.

1.2 Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing. (National Planning Policy Framework 47).

1.3 The Application was refused under delegated powers on 5th February 2025, for the reasons outlined with the issued Decision Notice, which cites policies contained within the Councils Adopted Plan.

1.4 This Statement sets out the Appellant's Case and makes reasoned justification against Adopted Plan Policies cited within the Notice. This statement should be read in conjunction with the proposed plans and all other documentation submitted as part of the original planning application and attached appendices.

1.5 Given the determination date of the Refused Planning Application it is considered that the Appeal is not outside the prescribed time limits for submission and is lodged under the Written Representation Procedure.

2.0 THE SITE

2.1 The appeal site comprises a two storey detached dwellinghouse with substantial gardens surrounding the dwelling. Off street parking is provided by a generous 15m driveway leading from the attached garage to the public highway.

Figure 1. The Appeal Site



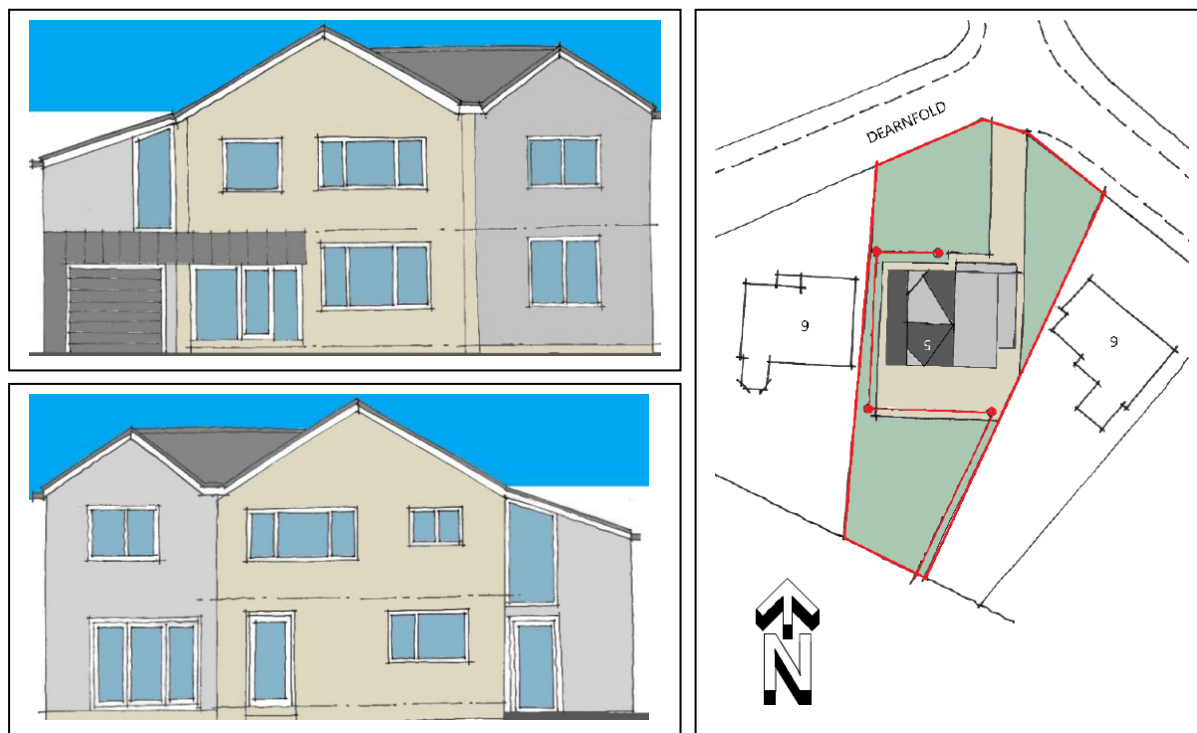
2.2 The property is located on a corner plot where Dearnfield splits into a cul-de-sac branch serving a small number of dwellings. To the southeast of the appeal site, dwellings are sited closely together with minimal separation distance, however, further north and along the cul-de-sac, there is a little additional separation.

The host dwelling is located directly west of no. 6 Dearnfield which itself has a southwest facing rear elevation and garden.

3.0 PROPOSAL

3.1 The Appellant sought Planning Consent from Kirklees Council for the erection of a two-storey side extension to the west elevation and a first-floor extension above the existing ground floor projection to the east, incorporating a catslide roof to reduce visual massing. The scheme includes associated roof alterations and has been sensitively designed to reflect the character of the host dwelling while ensuring subservience and respecting neighbouring amenity.

Figure 2. Proposed Elevations & Site Plan



4.0 REFUSAL

4.1 The Application was refused under delegated powers on 5th February 2025 for the following reasons;

1. The proposed extensions and alterations, due to the design and scale would not form subservient additions to the property and would result in an unsympathetic appearance which would be harmful to the character of the host property and the surrounding area. To permit the proposals would be contrary to Policy LP24 of the Kirklees Local Plan, KDP1 & KDP2 of the House Extensions & Alterations SPD and advice within Chapter 12 of the National Planning Policy Framework.
2. The property extension, by reason of its massing and proximity to the adjacent 6 Dearnfield would result in an overbearing and oppressive impact on the amenity space together with potential overshadowing in the late afternoon to the detriment of the adjoining neighbour. To permit the proposals would be contrary to Policy LP24 of the Kirklees Local Plan, KDP5 & KDP6 of the House Extensions & Alterations SPD and advice within Chapter 12 of the National Planning Policy Framework.

5.0 POLICY

5.1 Kirklees Local Plan

Policy LP24 Design

Good design should be at the core of all proposals in the district and should be considered at the outset of the development process, ensuring that design forms part of pre-application consultation of a proposal. Development briefs, design codes and masterplans should be used to secure high quality, green, accessible, inclusive and safe design, where applicable. Where appropriate and in agreement with the developer schemes will be submitted for design review.

Proposals should promote good design by ensuring:

- a. the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape;
- b. they provide a high standard of amenity for future and neighbouring occupiers; including maintaining appropriate distances between buildings and the creation of development-free buffer zones between housing and employment uses incorporating means of screening where necessary;
- c. extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details and minimise impact on residential amenity of future and neighbouring occupiers;
- d. high levels of sustainability, to a degree proportionate to the proposal, through:
 - i. The re-use and adaptation of existing buildings, where practicable;
 - ii. design that promotes behavioural change, promoting walkable neighbourhoods and making walking and cycling more attractive;
 - iii. considering the use of innovative construction materials and techniques, including reclaimed and recycled materials;
 - iv. where practicable, minimising resource use in the building by orientating buildings to utilise passive solar design. This includes encouraging the incorporation of

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- vegetation and tree planting to assist heating and cooling and considering the use of renewable energy;
- v. providing charging points to encourage the use of electric and low emission vehicles;
 - vi. incorporating adequate facilities to allow occupiers to separate and store waste for recycling and recovery that are well designed and visually unobtrusive and allows for the convenient collection of waste;
 - vii. designing buildings that are resilient and resistant to flood risk, where such buildings are acceptable in accordance with flood risk policies and through incorporation of multi-functional green infrastructure where appropriate;
 - viii. designing places that are adaptable and able to respond to change, with consideration given to accommodating services and infrastructure, access to high quality public transport facilities and offer flexibility to meet changing requirements of the resident / user.
- e. the risk of crime is minimised by enhanced security, and the promotion of well-defined routes, overlooked streets and places, high levels of activity, and well-designed security features;
 - f. the needs of a range of different users are met, including disabled people, older people and families with small children to create accessible and inclusive places;
 - g. any new open space is accessible, safe, overlooked and strategically located within the site and well integrated into wider green infrastructure networks;
 - h. development contributes towards enhancement of the natural environment, supports biodiversity and connects to and enhances ecological networks and green infrastructure;
 - i. the retention of valuable or important trees and where appropriate the planting of new trees and other landscaping to maximise visual amenity and environmental benefits; and
 - j. the provision of public art where appropriate.

5.2 House Extensions & Alterations SPD

Key design principle 1: Local character and street scene

Extensions and alterations to residential properties should be in keeping with the appearance scale design and local character of the area and the street scene.

Key design principle 2: Impact on the original house

Extensions should not dominate or be larger than the original house and should be in keeping with the existing building in terms of scale, materials and detail.

Key design principle 5: Overshadowing/loss of light

Extensions and alterations should not adversely affect the amount of natural light presently enjoyed by a neighbouring property.

Key design principle 6: Preventing overbearing impact

Extensions and alterations should not unduly reduce the outlook from a neighbouring property.

6.0 ASSESSMENT

6.1 It is considered the main issues of the appeal are the impact of the development on the character of the host property and the surrounding area, in addition to the impact on the rear amenity space of the neighbouring property, no. 6 Dearnfield.

6.2 The delegated report expresses concern that the proposal would "significantly increase the scale, bulk and massing of the property," and that extensions to both sides, together with the combination of roof forms, would result in an "unsympathetic appearance" and a lack of subservience to the original dwelling.

6.3 The design has been carefully considered in light of Policy LP24 of the Kirklees Local Plan and the House Extensions & Alterations SPD, which require extensions to remain subordinate and respectful of local character, but do not prohibit extensions to both sides of a dwelling. Indeed, Dearnfield itself displays a range of architectural forms and plot widths, allowing for a degree of variety in its streetscene.

6.4 The immediate context of the appeal site, as demonstrated by the three neighbouring properties to the south-east, is defined by considerable architectural variety and individuality. Notably, there is no prevailing roof form in the streetscene.

Figure 3. Dwellings to the South East



Each property exhibits different combinations of gables, dormers, and roof slopes, resulting in a rich and varied roofscape. This diversity ensures that the introduction of a catslide roof and associated roof

alterations at the appeal site would not appear alien or incongruous, but rather would be in keeping with the established character of the area.

To the west of the appeal site, the neighbouring property has a gabled frontage to the principal elevation with a hipped roof running perpendicular to this.

Figure 4. Dwelling Immediately West



As such, in terms of the character of the area, the proposed development takes its cue from the surrounding dwellinghouses.

6.5 Furthermore, the dwellings show a range of external detailing, with contrasts in window design, garage treatment, and façade articulation. The use of materials and finishes, while locally sympathetic, varies from property to property, contributing to a sense of architectural interest rather than repetition. The appeal scheme proposes matching materials and appropriate detailing, which will maintain harmony with this context while allowing for a distinctive design.

6.6 It is also clear that each of these neighbouring properties benefits from a substantial frontage and overall massing. The broad appearance of these houses, with significant width and presence, underlines that increased scale or extensions to the sides are already an

established part of the local character. As such, the proposed additions at 5 Dearnfield will not introduce a discordant element, but will sit comfortably alongside other generously proportioned dwellings in the vicinity.

6.7 While the extensions are flush with the principal elevation and do not incorporate a first-floor set back, subservience is nonetheless achieved through the careful reduction of ridge heights, use of a catslide roof form to the east, and a clear distinction in massing between the host property and the additions. These elements ensure the original dwelling remains visually dominant and that the proposed extensions, although present on both sides, do not overwhelm the host building.

Figure 5. Proposed Front Elevation



The original dwellinghouse remains the dominant feature of the design, being significantly wider than the extensions to either side. As mentioned previously, the two storey extension to the west has a lower ridge height than the original dwellinghouse which ensures subservience.

6.8 The proposed catslide roof has been specifically employed to break up the bulk of the extension and reduce its perceived scale when viewed from the street and neighbouring

plots. The roof forms provide visual interest and are proportionate to the size of the extensions, successfully avoiding the monotony or overbearing appearance sometimes associated with large, unbroken two-storey additions.

6.9 The use of matching materials further ensures that the extensions integrate seamlessly with the host property, maintaining visual harmony. The overall form is balanced, with neither side extension projecting forward or dominating the principal elevation.

6.10 The context of Dearnfield, with its established variation in architectural style, plot arrangement, and roof forms, allows for a modest degree of individuality in new development. The proposal is therefore well-related to its setting and does not result in an incongruous or harmful addition to the streetscene. Importantly, no terracing effect is created and generous spacing to the plot boundary is maintained.

6.11 The second reason for refusal is concerned with the perceived 'overbearing and oppressive impact on the amenity space together with potential overshadowing in the late afternoon'. However, the proposed extension has been sensitively designed to minimise any risk of overbearing or oppressive impact on the neighbouring property at no. 6 Dearnfield. A key design mitigation is the catslide roof, which begins at the eaves level of the original dwellinghouse. This means the mass of the extension rapidly drops away, significantly reducing perceived bulk when viewed from the garden or windows of no. 6. The effect is a visually lighter form, much less imposing than a traditional two-storey gable.

6.12 Furthermore, the orientation and position of the extension relative to no. 6 works strongly in favour of the appeal proposal. As demonstrated in the attached photographs and block plan, the extension is located to the northwest of no. 6, with both properties enjoying substantial, open rear gardens. The open nature of the rear gardens on this side of Dearnfield ensure there is ample separation and no sense of enclosure. Views to the rear

remain open and expansive, and the proximity of mature planting further softens the interface between properties.

6.13 It is acknowledged that several objections were received from neighbouring residents, with a clear pattern of recurring concerns related to scale, character, overdevelopment, amenity, and parking. However, these representations do not introduce any new or substantive planning issues beyond those already anticipated and assessed. Each of the matters raised has been comprehensively considered and thoroughly addressed within this statement.

Importantly, the current proposal is a careful redesign of a previously refused scheme; the new plans have specifically responded to the reasons for refusal identified by the Local Planning Authority. The proposed development responds positively to its context, drawing on the established variety of architectural forms and plot arrangements found within Dearnfield. Specific design measures—such as the use of a catslide roof and high-quality, matching materials—ensure a well-integrated and visually harmonious addition that avoids both overdevelopment and harm to local character. The design has also been carefully formulated to protect residential amenity, with appropriate separation to neighbouring dwellings, thoughtful site orientation, and no introduction of significant new overlooking. Furthermore, concerns regarding parking and highway safety have been fully examined by the Local Planning Authority with existing on-site parking provision deemed sufficient. Accordingly, the objections raised do not outweigh the merits of the proposal or its clear accordance with local and national planning policy.

6.14 The potential for overshadowing arising from the proposed development has been carefully considered. Importantly, the neighbouring property at no. 6 Dearnfield is situated to the south-east of the host dwellinghouse. As a result, the position of the sun throughout the day means that any overshadowing from the proposed extensions will be minimal, with

the greatest effect occurring only during late afternoon and affecting a limited portion of the garden.

Furthermore, the only element of the proposal that could generate any additional shadowing to no. 6 Dearnfield is the first floor extension to the east elevation. This has been deliberately designed with a catslide roof, ensuring that its highest point does not exceed the eaves level of the existing house. This sensitive design choice dramatically limits the vertical extent of the new structure and, in turn, any potential for shadowing of no. 6 or its amenity space.

It should also be noted that the extension has intentionally been located to the side of the dwelling, rather than projecting to the rear, avoiding any loss of sunlight to the main garden areas of no. 6 Dearnfield. By retaining an open rear aspect, the proposal ensures that neighbouring outdoor space continues to benefit from generous levels of natural light throughout the day.

7.0 CONCLUSION

7.1 The National Planning Policy Framework (NPPF) states in paragraph 10 to ensure that “sustainable development is pursued in a positive way, at the heart of the framework is a presumption in favour of sustainable development”. The proposal comprises sustainable development when considered against guidance in the NPPF. The framework advises that developments should respond to local character and history and reflect the identity of local surroundings and materials, whilst not discouraging appropriate innovations.

7.2 It has been evidenced in the assessment above that the proposed development would not result in the harm considered by the Local Authority and that it does conform in all regards to the Councils Development Plan and guidance within the National Planning Policy Framework.

7.3 It is respectfully requested that the appeal is upheld and permission granted for the proposed development subject to appropriate conditions.