



Appeal Decision

Site visit made on 4 December 2025

by J D Clark BA (Hons) DpTRP MCD DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 December 2025

Appeal Ref: APP/Z4718/D/25/3375022

24 Deighton Road, Huddersfield HD2 1UF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Mohammed Saleem against the decision of Kirklees Council.
 - The application Ref is 2025/62/91285/W.
 - The development is proposed drop kerb and vehicular crossing.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The decision notice describes the development as the formation of a vehicular access. As this is what actually requires planning permission, I shall refer to the proposal in this context.

Main Issues

3. The main issues are the effect of the proposal on:
 - the character and appearance of the surrounding area; and
 - pedestrian safety.

Reasons

Character and Appearance

4. The appeal site is a mid-terraced stone faced two-storey house. The area to the front of the house has already been hardsurfaced in concrete but there is currently no dropped kerb. The proposal to create the vehicular access includes hardsurfacing the area in front of the house and the installation of a dropped kerb. Most of the terrace is characterised by low boundary stone walls some with railings and/or hedges and pedestrian gate piers. The wall and piers have been removed from No 24.
5. The walls and piers to these stone faced houses denote the character and appearance of the area. The works carried out so far to create the vehicular access have taken away this important feature, opening up the frontage and removing an intrinsic characteristic of the house and the terrace as a whole. The intended use of this area for parking a car would further spoil the appearance of the house by allowing vehicles to dominate the frontage.

6. There are no parking restriction on the highway and parked cars are fairly dominant in the street. However, parking within the curtilage of this mid-terraced house would introduce parked vehicles directly within the curtilage and thereby highlighting the prominence of parked vehicles. The appellant refers to other examples in the area, including in Deighton Road, where the frontage has been hardsurfaced. This is a very long road and whilst there are examples of open frontages and driveways, there are none in the immediate vicinity of the appeal site. Therefore, I do not accept that this is an acceptable arrangement.
7. The proposal would conflict with Local Plan¹ Policies LP2 and LP24 which, amongst other things seek to ensure development respects and enhances the character of the townscape. Also relevant is Policy LP1 which, in line with the National Planning Policy Framework (the Framework) sets a precedent in favour of sustainable development that accords with the policies in the Local Plan. SPD² Key Principle 2 addresses the impact of development on the existing house. Paragraph 4.43 seeks to retain the garden boundary and any soft landscaping where possible. It states that proposals should not result in street scenes dominated by large areas of hard surfaces and parked cars. Therefore, it aims to avoid proposals such as this one.
8. Consequently, the proposal would have a harmful effect on the character and appearance of the house and the surrounding area in conflict with the development plan policies as set out above.

Pedestrian Safety

9. The area in front of the house would provide a small area of parking space. It would be below the Council's standard, particularly in terms of its depth and whilst the appellant states there is space to park a car, the space is restricted. This would mean that vehicles may overhang onto the pavement thereby causing an obstruction to passing pedestrians. I note that the appellant's own car can fit in the space but larger cars would not.
10. In citing examples, the appellant refers to another property in the Borough where permission was given but where a vehicle overhangs the pavement. Whilst I cannot dispute that there will be instances of such circumstances in the Borough, I have little information about the property or the application referred to. In any case, this is an example of what the development plan policies, referred to below, aim to avoid and so does not justify perpetuating this arrangement in other locations.
11. Local Plan Policies LP21 and LP22 seek to protect highway safety including the safety of pedestrians, amongst other things. SPD key design principle 15 requires extensions and alterations to maintain appropriate access and off-street parking but the text in paragraph 4.43 aims to avoid dominating the frontages of housing with cars and hardsurfacing. Furthermore, paragraphs 115 and 116 of the Framework require safe and suitable access and advises that permission for development should only be prevented or refused where there would be an unacceptable impact on highway safety.
12. Due to the restricted space available, the proposal would have a harmful effect on pedestrian safety in conflict with these policies.

¹ Kirklees Council – Kirklees Local Plan Strategy and Policies Adopted 27 February 2019.

² Kirklees Council – House Extensions and Alterations SPD June 2021 (Supplementary Planning Document).

Conclusion

13. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. Consequently, for the reasons set out above, the appeal should be dismissed.

J D Clark

INSPECTOR