



Appeal Decision

Site visit made on 16 December 2025

by **Laura Bartle BA(Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 22 January 2026

Appeal Ref: 6001250

42A Station Road, Fenay Bridge HD8 0AD

- 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 Gary Oldroyd against the decision of Kirklees Metropolitan Council.
 - The application Ref is 2025/62/91627/W.
 - The development proposed is the erection of extension.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a two storey extension to the side and front, balcony to the rear and associated external alterations at 42A Station Road, Fenay Bridge HD8 0AD in accordance with the terms of the application, Ref 2025/62/91627/W, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with drawing nos PP-14094793v1, 01, 02, 03, 04, and 05.
 - 3) The extension hereby permitted shall not be first occupied until the first-floor window on the front elevation has been fitted with obscured glazing and no part of that window shall be capable of being opened below 1.7 metres above the internal floor level. The obscured glazing shall be retained thereafter.

Preliminary Matters

2. The description of development above is taken from the planning application form. However, the submitted plans and supporting information show that the proposal also includes a rear balcony and associated external alterations. The Council determined the application on this basis, as have I. For the avoidance of doubt, and to ensure accuracy, I have adopted the description used on the decision notice and appeal form in my formal decision above.

Main Issue

3. The main issue is the effect of the development on the character and appearance of the existing building and the surrounding area.

Reasons

4. The appeal relates to a detached split-level dwelling set back from Station Road. The proposed extension would alter the simple form and footprint of the property, with the dual-pitched addition creating an L-shaped building. While the ridge height would remain consistent with the existing dwelling, the raised eaves would allow

for additional first-floor accommodation. Although the extension would be shallower than the host building, its span across the ridge line would be greater. As a result of its scale and form, the extension would not fully reflect the character or proportions of the host dwelling. The changes would be readily visible from within the appeal site and, to a lesser extent, from within garden areas of immediate neighbours, including 44, 46 and 48 Station Road. Nevertheless, the overall design is considered to respond appropriately to the site's context and would achieve an acceptable degree of cohesion with the existing building, ensuring that the extension would not appear unduly ostentatious.

5. The lack of subservience would not result in harm to the appearance of the property or appear overly cramped within the plot. The introduction of composite cladding boards would add a contemporary material not widely used in the surrounding area. However, their application would be restricted to only parts of the extension, and as such they would not be highly prominent.
6. Due to the extension's position within the site and its hillside setting, it would be largely screened by neighbouring properties, particularly 44 and 46, in viewpoints along Station Road. Partial views would capture the upper roof within the wider roofscape, and the use of matching roof tiles would effectively assimilate it into its surroundings. Furthermore, given the varied composition and character of dwellings in the vicinity, the proposal would not disrupt any established building line or pattern of plot density within the street scene.
7. From lower vantage points within the valley, views from the west would be directed towards the partially clad and glazed gable end of the proposed extension, as well as the altered rear fenestration and proposed balconies. Taken together, the changes to the rear elevation would not appear incongruous in the wider hill-scape. Moreover, given the largely oblique and interrupted nature of views in this direction, the scheme would not be clearly visible.
8. In conclusion, the proposal would not have a harmful effect on the character and appearance of the existing house or the surrounding area. Although the extension would not be subservient to the host property and would therefore conflict with part of criterion C of Policy 24 of the Kirklees Local, the overall design and limited visibility would mitigate that harm. The scheme otherwise accords with the additional requirement in criterion C for materials and detailing to be in keeping with the original dwelling. Furthermore, criterion A of Policy 24 requires the form, scale, layout and details of development to respect and enhance the character of the area and the scheme is compliant in this regard. Accordingly, there is no overall conflict with Policy 24 of the Local Plan or with Principles 1 and 2 of the House Extensions and Alterations Supplementary Planning Document, which together seek to ensure that proposals achieve good design.

Other Matters

9. The ground level along the shared boundary with No 44 is notably lower within the appeal site, thereby reducing to an acceptable degree the amount of the extension that would be visible from within the neighbouring garden and appearing above the retaining wall and boundary fencing. In addition, given the relative orientation of the rear garden at No 44, any resulting shadowing would be limited in both extent and duration. Accordingly, the development would not have an overbearing effect

on neighbouring residents or cause undue overshadowing. It would also not unduly reduce the amount of outdoor space for its occupiers.

10. The use of obscure glazing to the window on the east-facing elevation and above eye level velux–vertical combination windows on the north-facing elevation, are appropriate design responses. These measures would ensure that any potential overlooking is suitably mitigated.
11. Although the development would alter the view currently enjoyed from neighbouring properties, the planning system does not safeguard private views. The key consideration is whether the proposal would result in an unacceptable impact on outlook or appear overbearing. For the reasons set out, the proposal would not give rise to such harm.
12. The potential for the development to impact on sewerage pipes is outside the scope of the appeal, so it has not influenced my decision. In addition, there is no substantive evidence that the development would result in damage to a neighbouring tree or cause any erosion.

Conditions

13. In addition to the standard time-limit condition, it is necessary to require that the development is carried out in accordance with the approved plans, in the interests of certainty. The plans indicate obscure glazing to the first-floor window on the east elevation, and it is important that this is installed prior to the occupation of the extension to safeguard the privacy of the neighbouring property when its garden is in use. A condition to this effect is therefore justified.

Conclusion

14. For the reasons given above the appeal should be allowed.

Laura Bartle

INSPECTOR