



---

## Appeal Decision

Site visit made on 2 December 2025

by **L Wilson BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 11<sup>th</sup> December 2025

---

### Appeal Ref: 6001372

#### 35 Moor Park Avenue, Beaumont Park, Huddersfield HD4 7AL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 1, Class AA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (the GPDO).
  - The appeal is made by Mr Tayyib Abrar against the decision of Kirklees Metropolitan Council.
  - The application Ref is 2025/91906.
  - The development proposed was originally described as first floor extension and single storey rear extension.
- 

### Decision

1. The appeal is dismissed.

### Preliminary Matters

2. Given the requirements of the GPDO, the appellant has provided updated drawings. These omit the single storey rear extension and retain the existing side window, should such amendments be considered necessary. Consideration of these drawings is only necessary should I be minded to allow the appeal.

### Background and Main Issue

3. Schedule 2, Part 1, Class AA of the GPDO permits the enlargement of a one storey dwellinghouse consisting of the construction of one additional storey, immediately above the topmost storey of the dwellinghouse, together with any engineering operations reasonably necessary for the purpose of that construction. This is subject to limitations and conditions.
4. The Council consider that the proposal does not comply with the requirements of paragraph AA.2(3)(a)(ii) of the GPDO. The Council do not raise any further issues with compliance with the GPDO within their submission and I have no evidence before me to conclude differently. Therefore, the main issue is the effect of the proposed additional storey on the external appearance of the dwellinghouse (AA.2(3)(a)(ii)).

### Reasons

5. The host dwelling is a detached bungalow located within a residential area. In the wider street scene are one-and-a-half and two-storey dwellings that vary in terms of scale, character, appearance, and age. There are also examples of bungalows positioned next to two-storey properties. However, the host dwelling forms part of a group of bungalows that are of a similar scale, character, appearance, and age.

Thus, the host dwelling, visually and spatially, has a greater relationship with the surrounding bungalows than the two-storey dwellings.

6. The proposed roof profile and materials would match those of the existing dwelling. The additional storey has also been designed so that its fenestration aligns with the existing openings.
7. The proposed additional storey would substantially change the character and appearance of the host dwelling as it would significantly alter the proportions of the building and increase its massing. The dwelling would appear notably taller and bulkier than the surrounding bungalows which the host dwelling is closely associated with and are characteristic of this part of Moor Park Avenue. Whilst the site is not particularly prominent in the streetscene, the proposed additional storey would be conspicuous from the highway. For these reasons, the proposed external appearance would be out of keeping and unduly obtrusive with the host dwelling and this part of Moor Park Avenue due to the proposal's height, scale and massing.
8. My attention has been drawn to appeal decisions<sup>1</sup>. However, the specific contexts of the sites cannot be directly compared, and I have considered the appeal on its own merits.
9. For the reasons given above, and considering the highlighted legal judgement<sup>2</sup>, the proposed additional storey would have an unacceptable and harmful effect on the external appearance of the dwellinghouse (AA.2(3)(a)(ii)).
10. Insofar as it is a material consideration, the proposal would conflict with Policy LP24 of the Kirklees Local Plan (2019). This states that proposals should promote good design by ensuring all development respects and enhances the character of the area, as well as ensuring extensions are subservient to the original building, and are in keeping with the existing buildings. The proposal would also not align with Chapter 12 of the National Planning Policy Framework (the Framework) which states developments should be sympathetic to local character. Nor would it align with Key Design Principles 1 and 2 of the Council's House Extensions and Alterations Supplementary Planning Document (2021). This seeks to ensure extensions are in keeping with the existing building as well as the local character of the area and the street scene, and should not dominate the original house.

### **Other Matters**

11. The appellant sets out that the proposal contributes positively to sustainable development by enabling gentle densification and optimising use of existing housing stock, in accordance with paragraphs 125 and 131 of the Framework. Furthermore, the proposal seeks to modernise and adapt the dwelling to meet contemporary living needs for the appellant and their growing family. Nonetheless, considering the requirements of the GPDO, the other matters highlighted do not outweigh the harm found nor change my findings on the main issue in this appeal.

### **Conclusion**

12. For the reasons given above, I conclude that the appeal does not succeed.

*L Wilson*                      INSPECTOR

---

<sup>1</sup> Including APP/L5240/D/24/3352750 and APP/B5480/D/24/3354096

<sup>2</sup> CAB Housing Ltd v SSLUHC & Broxbourne BC [2023] EWCA Civ 194