



Appeal Decision

Site visit made on 12 February 2026 by A Morrison MTCP MRTPI

Decision by C Shearing BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31 March 2026

Appeal Ref: 6001920

69 Chapel Lane, Heckmondwike WF16 9JR

- 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 Saqib Hussain against the decision of Kirklees Metropolitan Council.
 - The application Ref is 2025/62/91940/E.
 - The development proposed is described as single storey front extension, two storey side extension, single storey rear extension with balcony above, partial dropped kerb and new fence to the rear and part road side of the property.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issues

3. The main issues are;
 - The effect of the proposed development on the character and appearance of the host dwelling and area; and,
 - The effect of the proposed development on highway safety having particular regard to visibility.

Reasons for the Recommendation

Character and appearance

4. The appeal property is a two storey semi-detached dwelling with a hipped roof and rendered walls, located within a mainly residential area. It occupies a prominent corner plot, with low stone walls marking the site's front and side boundaries. Although sitting closer to Green Avenue than the dwellings to its rear, the dwelling's setback still provides for a welcome sense of openness in views along the road. Neighbouring properties are largely similar semi-detached houses, many extended to the side and rear with hipped-roof additions, although a broader mix of house types is present in the vicinity. By reflecting the general character and form of neighbouring development, the appeal dwelling currently makes a positive contribution to the character and appearance of the area.

5. The proposed two storey side extension would align with the dwelling's principal elevation and span across to the boundary to abut the pavement. It would introduce a gable end, with the existing roof also altered from a hip to gable. The scale of this increase in roof volume, combined with the fundamental change to its shape, would markedly change the dwelling's existing proportions and appearance. Owing to its resulting gabled form and unduly bulky massing beside the highway, the dwelling would stand in pronounced contrast to the retained hipped roofs of neighbouring properties of the same original style, including its adjoining semi. In addition, its position would create a substantial blocking mass that would erode the current sense of openness within the streetscene.
6. The proposed rear extension includes a roof-level balcony, the sides of which would be enclosed by raised wall sections extending towards the main roof's eaves and a glazed balustrade spanning most of its width. This elevated addition would be discordant to the appearance of the host dwelling and, due to its height and situation, would be seen clearly from Green Avenue as an incongruous feature within the locality.
7. From the evidence before me, it is apparent that the Council raise no objection to the single storey front extension, whether in relation to its design or effect on the character and appearance of the streetscene. I agree that this more modest addition would appear suitably subservient to the original dwelling.
8. The appeal scheme includes fencing, piers and gates positioned on top of, and infilling a gap within, the retained section of existing side boundary wall to the rear of the proposed extension. A matching wall and fence enclosure would also be constructed along the rear boundary line. While I acknowledge that the site's rear curtilage offers little existing privacy, this openness to Green Avenue is a longstanding feature of the property. By reflecting the limited height of neighbouring boundary walls, the existing treatment contributes to the degree of spaciousness which helps define the streetscene. Consequently, the proposed much taller fencing, piers and gates beside the highway would appear at odds with the character of the area.
9. For these reasons, the proposed development would have a harmful effect on the character and appearance of the host dwelling and area. It would conflict with Policy LP24 of the Kirklees Local Plan Strategy and Policies (2019) (LP) which promotes good design by requiring development to, amongst other things, be of a form and scale that respects and enhances the character of the townscape, and for extensions to be in keeping with the existing building. In addition, the scheme would be contrary to Key Design Principles 1 and 2 of the House Extensions and Alterations SPD (2021) which echo the aims of Policy LP24.

Highway safety

10. The scheme includes a dropped kerb to provide formal access to vehicle parking at the rear of the site, to be reached through the proposed gates. Although the plans do not show pedestrian visibility splays, I observed that because of their design, height and position, the gates and adjoining piers would constrain visibility for a driver emerging from the site until well onto the adjacent footway. More so if the vehicle was reversed onto the highway.
11. Given this restriction in visibility, conflict between vehicles and pedestrians passing across the dropped kerb is foreseeable, to the detriment of pedestrian safety. While

I acknowledge that Green Avenue is a no-through road serving a limited number of properties, the potential for a collision would nevertheless remain. I am therefore not satisfied that the proposal would provide safe and suitable access and consider that it would be likely to harm highway safety having particular regard to visibility. It would thus conflict with Policy LP21 of the LP, which seeks to ensure development avoids detrimental impacts on highway safety.

Other Matters

12. During my visit I looked at other developments in the area, including those cited in the appellant's evidence. The two storey extensions to Nos 71, 73 and 75 Chapel Lane feature hipped roofs consistent with the form of their original dwellings, while the gabled roof at No 77 Chapel Lane forms part of a distinctly different, traditional design. I also noted that the rear of No 67 Chapel Lane abuts the Green Avenue pavement opposite, though dissimilarly this relates to a modestly sized single storey addition to an older end-terrace property.
13. Owing to clear differences in their siting within the streetscene, roof form, massing and relationship with their host dwellings, none of these examples are directly comparable to the proposal before me, which I have assessed on its own merits. Moreover, none include a first floor balcony or new boundary enclosures along the highway. Consequently, these developments do not lead me to a different conclusion on the first main issue.
14. I recognise that no objections have been raised to the proposal from neighbouring occupiers, however this is a matter which would neither weigh in support nor against the development.

Conclusion and Recommendation

15. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

A Morrison

APPEAL PLANNING OFFICER

Inspector's Decision

16. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

C Shearing

INSPECTOR