



Appeal Decision

Site visit made on 29 April 2026 by T Morris BA (Hons) MSc MRTPI

Decision by B Plenty BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 June 2026

Appeal Ref: 6005823

223 Wakefield Road, Dewsbury WF12 8ER

- 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 Y Bhayat against the decision of Kirklees Metropolitan Council.
 - The application Ref is 2025/62/92804/E.
 - The development proposed is a first floor extension over side extension.
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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.

Application for costs

3. An application for costs has been made by the appellant against Kirklees Metropolitan Council. This is subject of a separate decision.

Main Issues

4. The main issues are the effect of the proposed development on:
 - i) the character and appearance of the host dwelling and the surrounding area; and
 - ii) the living conditions of occupiers of 225 Wakefield Road (No 225), in terms of outlook, daylight and sunlight.

Reasons for the Recommendation

Character and appearance

5. The appeal site comprises a detached dwelling situated in a residential area. The dwelling is orientated with its front elevation facing a footpath which connects Wakefield Road and Beverley Drive. Although properties in the area vary in appearance, the appeal property is within a group which are similar in terms of their two-storey scale, pitched roofs and their external appearance. Extensions to these dwellings tend to be limited to single storey, such as the existing extension at the appeal property. Overall, the regular scale and order of this group of dwellings, which includes the appeal property, contributes positively to the character and appearance of the surrounding area.

6. I have had regard to the guidance in the Council's House Extensions and Alterations Supplementary Planning Document (2021) (SPD). Key design principles 1 and 2 advise that extensions should be in keeping with the local character of the area and should not dominate or be larger than the original house. The supporting text at paragraph 4.5 states that extensions should normally be smaller in scale than the original property and should be set back from the existing building line.
7. Due to the excessive width of the proposed first floor extension combined with its lack of setback from the existing building line or set down from the roof ridge, it would appear as a bulky and dominant addition to the host dwelling. Consequently, the extended dwelling would appear excessively wide and out of scale with the other dwellings in the group. Accordingly, the extension would appear as an incongruous addition to the host dwelling and would harmfully contrast with the regular order and scale of the dwellings nearby.
8. Even though the front elevation of the property does not face Wakefield Road, this does not justify the proposed first floor extension, given that it would still appear discordant when viewed from the footpath to the front of the property and from the rear on Beverley Drive. Furthermore, the use of matching materials would not be sufficient to successfully integrate the extension with the host dwelling and its surroundings.
9. Consequently, the proposed development would have a harmful effect on the character and appearance of the host dwelling and the surrounding area. It would conflict with Policy LP24 of the Kirklees Local Plan Strategy and Policies (2019) (KLP) in consideration of the effects on character and appearance. This requires that extensions be subservient to the original building and that development respects and enhances the character of the townscape.

Living conditions

10. No 225 is a detached dwelling located adjacent to the appeal property. Its rear elevation contains windows at the ground floor and the first floor. The existing ground floor extension at the appeal property already projects beyond the rear elevation of No 225, albeit its single storey height limits its impact in terms of outlook, daylight and sunlight. The gap between the appeal property and the neighbouring property is also narrow.
11. The guidance in the SPD advises that extensions should consider the impact on the amenity of residents in neighbouring properties. Key design principle 5 advises that extensions should not adversely affect the amount of natural light presently enjoyed by a neighbouring property. Key design principle 6 advises that extensions should not unduly reduce the outlook from a neighbouring property.
12. Even though the proposed first floor extension would follow the footprint of the existing ground floor extension, due to its additional height together with its close proximity to the side boundary with No 225, it would have a harmful enclosing effect when experienced from habitable rooms which are served by windows on the rear elevation of the neighbouring property. It would similarly enclose the rear garden of No 225. Consequently, the extension would have an overbearing effect when experienced from habitable rooms on the rear elevation and from the rear garden area of the neighbouring property. For the same reasons, it would also result in a reduction of ambient daylight to these areas.

13. With regards to the effect of the proposed first floor extension on direct sunlight to No 225, the Location Plan indicates that the extension would be sited to the north-west of the neighbouring property. Therefore, any loss of direct sunlight would be limited to at the end of the day only. Although this would not be significantly harmful in itself, it does not justify the harm in terms of outlook and ambient daylight.
14. Consequently, the proposed development would be harmful to the living conditions of occupiers of No 225, in terms of outlook and daylight. It would conflict with Policy LP24 of the KLP in consideration of the effect on living conditions. This requires that developments provide a high standard of amenity for neighbouring occupiers. For the same reasons, the proposal would conflict with the guidance in the SPD which seeks to protect the amenity of residents in neighbouring properties.

Other Matters

15. The appellant states that the foundations for the existing ground floor extension were constructed to accommodate a first-floor extension. Even so, this does not justify the harm of the proposal to the character and appearance of the area and to the living conditions of occupiers of No 225.
16. Although the appellant refers to other two storey extensions in the area including on Lichfield Road and Whitby Crescent, there is insufficient details of such extensions before me in order to make a direct comparison. In any case, I have considered the appeal on its own individual planning merits.
17. The absence of objections from neighbouring residents, as well as the absence of harm in terms of a change of use, highways, infrastructure and overlooking are all neutral factors which do not weigh in favour of the appeal.
18. Whilst I recognise that the appellant is frustrated at not having the opportunity to amend the plans, this is not a reason to allow the appeal. Furthermore, although they have also indicated that they would be willing to amend the plans, the appeal process should not be used to evolve a scheme.

Conclusion and Recommendation

19. The proposed development would conflict with the development plan as a whole, and there are no other considerations which would outweigh this conflict. Consequently, I recommend that the appeal should be dismissed.

T Morris

APPEAL PLANNING OFFICER

Inspector's Decision

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

B Plenty

INSPECTOR