Planning Inspectorate

Appeal Decision

Site visit made on 13 October 2026

by A Caines BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23rd October 2026

Appeal Ref: 6015893
7 Osborne Road, Birkby, Huddersfield HD1 5HB

- 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 Muhammad Asif against the decision of Kirklees Metropolitan Council.
- The application Ref is 2025/62/93519/W.
- The development proposed is a hip-to-gable and rear dormer.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The submitted drawings include a parking space and access ramp at the front of the property. However, the Council's concerns relate solely to the proposed roof alterations. Furthermore, the officer report indicates that the parking and access ramp may be permitted development. I have therefore confined my considerations in this appeal to the effect of the proposed roof alterations.

Main Issue

3. The main issue is the effect of the proposed roof alterations on the character and appearance of the area, including the significance of the Birkby Conservation Area and whether the proposal would preserve or enhance its character or appearance.

Reasons

4. The appeal property is a hipped roof semi-detached dwelling of traditional stone facing and slate roof construction, located within the Birkby Conservation Area (the BCA). Although there is some variation in building form, materials and detailing, the area displays a strong degree of visual cohesion. This includes a largely intact and consistent roofscape which contributes significantly to local character.

5. No conservation area appraisal has been provided. Nevertheless, from the evidence before me and my own observations, the significance of the BCA appears to derive in part from its collection of late nineteenth and early twentieth century residential development, the widespread use of traditional stone and slate materials, the consistent pattern of development, and the coherent roofscape formed by largely unaltered historic roof forms. The appeal property contributes positively to that significance through its traditional appearance and as one half of a matching pair of semi-detached dwellings with corresponding hipped roofs.

6. The proposal would replace the existing hipped roof with a gable and construct a substantial flat-roofed dormer across much of the rear roof slope. The combined effect of the hip-to-gable alteration and large dormer would fundamentally alter the existing roof form and appearance of the dwelling. The existing hipped roof contributes to the balanced composition of the semi-detached pair. The gable alteration would disrupt that symmetry and introduce a noticeably more assertive roof form. In doing so, it would diminish the visual cohesion and balance presently exhibited by the pair. Whilst there are other gabled terrace properties within the street, they do not detract from the contribution made by the matching hipped roofs of the appeal dwelling and its adjoining neighbour. Accordingly, the presence of those properties does not overcome the harm that would arise from the loss of the existing balanced roof form.

7. Furthermore, the dormer would occupy a significant proportion of the enlarged rear roof slope. Although set in from the sides and eaves, its width and overall scale would result in a substantial and visually dominant addition. Rather than appearing subordinate to the host roof, it would erode much of the original roof plane and introduce a bulky feature that would sit uncomfortably within the established roof form. This is at odds with the guidance in Council's House Extensions & Alterations Supplementary Planning Document that dormers should retain a substantial area of the original roof slope.

8. I have carefully considered the appellant's references to other dormers within the BCA. However, the examples identified appear sporadic and do not demonstrate that such forms of development are characteristic of the area. Several are materially smaller than the proposal before me. The wider area remains characterised by a largely traditional and coherent roofscape notwithstanding the existence of some alterations. Consequently, the examples cited carry limited weight in my assessment.

9. The appellant also draws attention to a substantial rear roof alteration at 19 Osborne Road. However, the presence of a single unsympathetic example in the street does not establish the prevailing character of the area. Nor does it justify further development that would result in similar harmful effects.

10. I have also considered the appellant's contention that the dormer would not be visible from public viewpoints. Whilst it would not be readily apparent from Osborne Road itself, the rear roof slopes are visible from the lane behind the properties and other accessible locations to the rear. As such, the dormer would not be wholly concealed from view.

11. In any event, the effect on the BCA does not depend solely upon visibility from the principal street frontage. The significance of the BCA derives in part from the survival of coherent and largely intact roof forms. By replacing the hipped roof with a gable on one side of the semi-detached pair and introducing a substantial box dormer, the proposal would erode the consistency of the roofscape that contributes positively to the area's significance.

12. Taking these matters together, I find that the roof alterations would disrupt the balanced appearance of the semi-detached pair and introduce a dominant and incongruous form of development that would harm the coherent and largely intact roofscape that characterises the area. For similar reasons, the development would

fail to preserve the character or appearance of the BCA and would harm its significance as a designated heritage asset.

13. The harm to the significance of the BCA would be confined to a limited part of the conservation area and would not fundamentally undermine its overall significance. Nevertheless, Policy HE6(1) of the National Planning Policy Framework (the Framework) requires substantial weight to be given to the conservation of designated heritage assets, irrespective of the level of harm to significance. In addition, Policy HE6(3) states that any harm to a designated heritage asset is a matter of considerable importance and weight. Policy HE6(4) requires the effect on the asset and its significance to be weighed against any public benefits resulting from the proposal.

14. The appellant identifies that the proposal would provide additional accommodation and increased flexibility for the occupiers, including the provision of space capable of supporting the specific home working needs of the occupiers. I also note the reference in the officer's report to energy and water efficiency improvements. Whilst these are benefits of the proposal, they would primarily benefit the occupants of the appeal property and would give rise to only limited wider public benefits. Consequently, I attach limited weight to those benefits.

15. Having regard to the substantial weight that must be given to the conservation of designated heritage assets and the considerable importance and weight that must be attached to the identified heritage harm, I conclude that the public benefits would not outweigh the identified harm to the significance of the BCA.

16. The proposal therefore conflicts with Policy LP24 of the Kirklees Local Plan (2019) (the KLP), which promotes good design by ensuring development respects local character and distinctiveness. It would also conflict with KLP Policy LP35, which seeks to conserve the significance of designated heritage assets and maintain the qualities that contribute to local distinctiveness.

Planning Balance

17. Policy S4 of the Framework sets out that development proposals within settlements should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in the Framework.

18. I have had regard to the benefits arising from the additional accommodation and flexibility that the proposal would provide, as well as potential energy and water efficiency improvements. In those regards, the proposal accords with the Framework's policies relating to the effective use of land and meeting the challenge of climate change.

19. However, I have found that the roof alterations would harm the significance of the BCA and that the public benefits would not outweigh that harm through the application of Policy HE6 of the Framework. Furthermore, as the proposal would not integrate with and enhance its surroundings there would be conflict with Policy DP3(1) of the Framework. Given the considerable importance and weight that the Framework attaches to the identified heritage harm, together with the conflict with the Framework's design policies, these adverse effects attract substantial weight in the planning balance.

20. Taking all matters into account, I find that the benefits of granting permission would be substantially outweighed by the identified adverse effects when assessed against the Framework's national decision-making policies taken as a whole. Accordingly, the proposal fails to satisfy Policy S4 of the Framework.

Conclusion

21. I have found that the roof alterations would harm the significance of the BCA and fail to preserve or enhance its character or appearance. They would also harm the character and appearance of the semi-detached pair and the area more generally. Consequently, the proposal conflicts with Policies LP24 and LP35 of the KLP and therefore with the development plan when read as a whole. I find those policies to be broadly consistent with the Framework's design and heritage policies and attach full weight to them. I have also found that the proposal fails to satisfy Policy S4 of the Framework because its adverse effects would substantially outweigh its benefits when assessed against the Framework's national decision-making policies taken as a whole.

22. Accordingly, the material considerations, including the Framework, do not indicate that the appeal should be decided other than in accordance with the development plan. Therefore, the appeal is dismissed.

A Caines

INSPECTOR