
Appeal Decision

Site visit made on 17 August 2026 by S Manson DipTP MRTPI

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 September 2026

Appeal Ref: 6009626

54 Meltham Road, Huddersfield HD1 3UP

- 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 Bilal Altaf against the decision of Kirklees Metropolitan Council.
 - The application Ref is 2026/62/90733/W.
 - The development proposed is a change of use from dwelling (C3 use) to form 2no residential apartments (C3 use).
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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.

Preliminary Matter

3. A Revised National Planning Policy Framework (the Framework) was published on 17 August 2026. I am however satisfied that, having reviewed the relevant changes, they do not have a material bearing on the substance of the main issue or indeed the arguments of the main parties thereon. Since they would not therefore be prejudiced, I have proceeded without further consultation with the main parties.

Main Issue

4. The main issue is the effect of the proposed development on the living conditions of future occupiers with particular regard to daylight, outlook and floorspace.

Reasons for the Recommendation

5. The appeal property is a mid-terraced dwelling with a basement level. It is proposed to subdivide of the existing dwelling to create two self-contained apartments, each over two levels with separate accesses.
6. As well as expressing concern about the floor space of the flats against the Nationally Described Space Standards (NDSS) which I shall come onto, I take it from the Council's evidence that their other concerns translate to a lack of an acceptable level of daylight and poor standard of outlook to the basement living accommodation for Apartment 1. This area would rely on a single window in the front elevation as its only source of natural daylight. The submitted plans indicate

that this window would also be positioned behind a porch structure, meaning that any daylight entering the room would be filtered through that space.

7. Furthermore, due to the basement's subterranean position, the outlook from this window would face onto the retaining brick wall of the front garden. This would further restrict the amount of daylight capable of reaching the window and the living accommodation it would serve. Consequently, the main living area would receive a very limited level of natural daylight and would appear enclosed, with a poor outlook. The occupiers of Apartment 1 would likely have to rely heavily on artificial lighting throughout much of the day.
8. The NDSS does not form part of the adopted development plan policies but is referenced in the Housebuilders Design Guide Supplementary Planning Document, 2021 (SPD), which is guidance only. Moreover, the Council's assessment for each apartment is based upon occupation by two persons. Whilst it is possible that the accommodation could provide an acceptable amount of space for a single occupant, the proposal before me does not specify or secure such an arrangement, and there would be no effective mechanism to ensure that occupation remained limited in that way.
9. Nevertheless, even if I were to reach a favourable conclusion regarding the amount of floorspace provided and the application of the NDSS, this would not overcome my concerns regarding the poor levels of natural daylight and outlook afforded to the occupiers of Apartment 1. Those shortcomings would remain and would, in themselves, result in unacceptable living conditions for future occupiers.
10. Accordingly, the proposal would fail to provide a satisfactory standard of accommodation for future occupiers, contrary to Policy LP24 of the Kirklees Local Plan, Strategy and Policies, 2019 and guidance in the SPD, which amongst other things seek to ensure development provides a high standard of amenity for future occupiers.

Other Matters

11. Whilst the apparent lack of engagement from the Council has caused frustration, these matters are between the main parties and do not affect my consideration of the main issue. Any concerns relating to conduct are best addressed through direct engagement with the Council, utilising any complaints procedure that it may have. The absence of neighbour objections is a neutral matter.

Planning Balance, Conclusion and Recommendation

12. Policy S4 of the Framework indicates 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.
13. Whilst adding housing in an apparent undersupply situation, the appeal scheme would provide only one additional unit in net terms. The benefits associated therewith would therefore be limited in their scope and scale. I would accordingly give the benefits of the proposals moderate weight. The proposals would provide poor living conditions for future occupiers due to the inadequate levels of natural daylight and outlook. Consequently, it would conflict with Policies L2 and P3 of the

Framework, and its objectives of ensuring healthy living conditions. Given the permanent and enduring nature of that harm, I attach substantial weight to it.

14. The limited benefits arising from the provision of one additional dwelling would be substantially outweighed by the identified adverse effects. Accordingly, the proposal does not satisfy the requirements of Policy S4 and the presumption in favour of sustainable development does not indicate that planning permission should be granted.
15. For the reasons given above, the appeal scheme would conflict with the development plan and there are no sufficiently weighty material considerations to indicate a decision other than in accordance therewith. I therefore recommend that the appeal should be dismissed.

S Manson

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.

John Morrison

INSPECTOR