



Appeal Decision

Site visit made on 4 February 2025 by J Reed MPlan

Decision by B Plenty BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28th March 2025

Appeal Ref: APP/Z4718/D/24/3354710

72 Savile Road, Savile Town, Dewsbury WF12 9PJ

- 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 Ismail Kara against the decision of Kirklees Metropolitan Council.
 - The application Ref is 2024/62/92034/E.
 - The development proposed is raising of roof height and erection of second storey accommodation and erection of three storey rear 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.

Main Issues

3. The main issues are:
 - The effect of the proposal on the character and appearance of the host dwelling and wider area; and
 - The effect of the proposed development on the living conditions of the occupants of 74 Savile Road (No 74) with particular regard to outlook.

Reasons for the Recommendation

Character and appearance

4. The appeal property is a two storey terraced dwelling of stone construction with a gable roof. It is located on Savile Road, a mainly residential street primarily characterised by other two storey terraced dwellings. I observed that some of the properties have also converted lofts with either dormers or an additional storey. By complementing the general character and form of neighbouring development, the appeal dwelling makes a positive contribution to the character and appearance of the area.
5. The Council's Householder Extensions and Alterations SPD (2021) ('the SPD') states that extensions and alterations to residential properties should be in keeping with the appearance, scale, design and local character of the area and the street scene. At 5.4, this states that roof extensions should reflect the character of the

area and the poorly designed roof extensions can make a building appear top-heavy, cluttered and asymmetrical.

6. The proposed roof extension would consist of raising the height of the entirety of the existing roof space to form a third storey resulting in a large dominant addition to the property. This would appear as an overbearing extension and adversely alters the existing dwelling's simple character and design. Although the extension would use appropriate materials its massing and height would make it highly prominent within the street scene. Furthermore, it would include windows that are off centre making the proposal discordant to the architectural features of the main dwelling.
7. Whilst there are some other properties with extensions to the roof space within the locality this does not represent the predominant character of the area with the majority of roof slopes being unaltered and dwellings being two-storey. The appellant references a street scene drawing showing the proposed development insitue with the other roof extensions. However, this has not been provided as part of the evidence submitted and in any event the existence of similar development does not justify further harmful development.
8. There would be a certain degree of screening at particular times of the year provided by the large tree adjacent to the appeal site's frontage. Nevertheless, the addition of the extension would still be highly visible from numerous public vantage points within the street scene, when travelling along Savile Road, and would be read as an incongruous feature of the existing property. Furthermore, whilst the appellant asserts that the proposal would restore the original symmetry of the terraced row, I find that the minor benefit of this would not outweigh the overall harm it would cause to the streetscene.
9. The proposed three storey rear extension would be clad in matching stonework with a pitched roof slope that would run counter to that of the host dwelling. The extension would significantly enlarge the footprint of the existing dwelling and thus would not be visually subordinate to the host building when viewed from the adjacent public highway. The resultant development would fail to harmonise with the original architectural composition of the host dwelling and diminish the setting of the existing property. As a result, the proposal would unacceptably erode the uniformity of rear elevations to Savile Road.
10. The proposed extension would significantly enlarge the dwelling's footprint and reduce the available space in the rear courtyard, limiting the usefulness of the retained external space for occupier's use. As such, the resultant development would be a visually oppressive incongruous addition which would lack cohesion with the existing dwellings design.
11. For the reasons set out, the erection of a second storey to the main dwelling and the three storey rear extension would have an adverse effect on the character and appearance of the host dwelling and area. As such, it fails to comply with the relevant provisions of policy LP24 of the Kirklees Local Plan (2019)(LP) and chapter 12 of the National Planning Policy Framework (the Framework) . These require, among other matters, for the form, scale, layout and details of all development to respect and enhance the character of the townscape. The proposal would also be contrary to the guidance set out in KDP1 and KDP2 of the SPD which outlines that extensions and alterations to residential properties should be in

keeping with the appearance scale design and local character of the area and the street scene.

Living conditions

12. The appeal scheme would result in a three metre deep, tall flank wall alongside the shared boundary with No 74. This neighbouring property includes rear windows, at ground and first floor, that appear to serve rear facing habitable rooms.
13. The scale of the extension, coupled with its blank appearance and proximity to the shared boundary, would dominate views gained from the windows of the adjacent dwelling. This visual dominance would unacceptably reduce the quality of outlook from neighbouring windows creating an overbearing sense of enclosure to the detriment of the living conditions of occupants of No. 74.
14. For the reasons as set out the proposed development would harm the living conditions of the occupants of No. 74 with particular regard to outlook. As such, it would fail to accord with LP Policy LP24 and chapter 12 of the Framework as well as the guidance set out in policy KDP6 of the House Extensions and Alterations SPD (2021) which all cumulatively seek amongst other things to safeguard amenity of neighbouring occupiers.

Other Matters

15. In regard to the other rear extensions within the locality referenced by the appellant, I consider there to be a substantial difference between the examples provided and the appeal scheme. In the examples cited neighbouring properties have rear extensions whereas, in the case of the appeal scheme the neighbouring property at No.74 does not and there are windows directly adjacent to the shared boundary. Therefore, these examples do not alter my conclusions on the main issue. Furthermore, the roof extensions referenced at Grosvenor Street, West Street, Savile Road, Orchard Street, Warren Street and Wharf Street all appear to have been approved under a previous development plan and I cannot be certain that these were approved within the same policy context.
16. I have also noted the appellant's comments outlining the absence of objections from neighbouring occupiers to the appeal scheme. Nevertheless, this would be a matter which would neither weigh in support nor against the development. I also have had regard to the appellant's comments in noting that the plans could be amended altering the windows of the roof extension. However, such amendments are not before me and, in any event, would not materially address the harm caused by the proposal.
17. I have been provided with a previously approved decision at the appeal site 2020/62/91134/E. However, this was determined against a previous local plan and only related to changes to the roof. It was therefore a substantially different scheme that was also determined in a different policy context, thereby having a limited bearing on the merits of the proposal before me. In any event a scheme must be assessed on its own merits against the latest policy.
18. A guide has been provided by the appellant titled 'Extending Upwards' by Kirklees Council outlining requirements for upwards extensions. However, no publication date nor details on whether this document is still in use has been put before me. In any event the proposed scheme would fail to satisfy some of the guidance outlined

in the document in regard to window rhythm and cohesion with neighbouring roofing.

Conclusion and Recommendation

19. The proposal would not accord with the development plan, when taken as a whole, and there are no material considerations of sufficient magnitude to indicate that the appeal should be determined other than in accordance with the development plan.
20. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

J Reed

APPEAL PLANNING OFFICER

Inspector's Decision

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

B Plenty

INSPECTOR