



Appeal Decision

Site visit made on 6 October 2025 by S Manson DipTP

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 October 2025

Appeal Ref: APP/Z4718/D/25/3372661

43 Tanhouse Street, Ravensthorpe, Kirklees, Dewsbury WF13 3ES

- 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 Amir Hussain against the decision of Kirklees Metropolitan Council.
 - The application Ref is 2025/62/91545/E.
 - The development proposed is a single 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 Issue

3. The main issue is the effect of the proposed development on the living conditions of the occupiers of Number 45 Tanhouse Street (No. 45) with specific regard to outlook and light.

Reasons for the Recommendation

4. The appeal property comprises a two-storey mid-terrace dwelling, which appears to have been extended over two storeys to the rear. The proposed single-storey extension would further elongate the built form along the shared boundary with No. 45, an unaltered property with a narrow rear garden, already flanked by another two storey rear extension. The proposal would create a continuous, tall, and featureless brick elevation. As a result, it would be oppressive to the occupiers of No. 45 to the extent that it would present an overbearing effect leading to an unacceptably poor standard of outlook from both the rear ground floor window and doorway, and users of the garden space immediately to the rear of the house.
5. Likewise, the increased massing would intensify overshadowing effects, resulting in a reduction in the availability of natural daylight to the sole rear ground floor window of No. 45, which serves a habitable room. This would cause the room to become noticeably darker, particularly in the mornings due to the orientation of the property, contributing to an unacceptably poor standard of living conditions for the occupiers of No. 45.
6. There are examples of development that demonstrate a similar orientation and design to this proposal, in particular Number 41 Tanhouse Street. However, due to

existing development these examples do not have the same effect on the living conditions as I have identified to No. 45. The appeal proposals would therefore conflict with Policy LP24 of the Kirklees Local Plan Strategy and Policies (2019), and guidance contained in the House Extensions and Alterations Supplementary Planning Document (2021) which, amongst other things, both seek to ensure development minimises the impact on residential amenity of neighbouring occupiers.

Other Matter

7. I understand, as well as meeting the needs of a growing family, the appellant requires the additional space to assist in the accommodation of an elderly family member with mobility needs. I have had regard to the Public Sector Equality Duty set out under section 149 of the Equality Act 2010, particularly the need to eliminate discrimination against persons with protected characteristics of age and/or disability, advancing equality of opportunity for those persons and fostering good relations between them and others.
8. However, it has not been adequately demonstrated that the proposal is the only way of providing for those personal circumstances at the site. Therefore, the potential benefits of the proposal would not outweigh the harm that has been identified and interference with the duty under the above act is proportionate in this case and the refusal of planning permission justified given the harm itself would be wide ranging and long lasting.

Conclusion and Recommendation

9. For the reasons given above, the appeal proposals 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

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

John Morrison

INSPECTOR