



Appeal Decision

Site visit made on 14 October 2025

by **C Evans MTCP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 18 December 2025

Appeal Ref: APP/Z4718/D/25/3372056

62 Spen Valley Road, Ravensthorpe, Dewsbury, Kirklees WF13 3EZ

- 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 Mohammad Abrar against the decision of Kirklees Metropolitan Council.
 - The application Ref is 2025/62/91422/E.
 - The development proposed is a double storey rear extension & single storey front extension.
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Decision

1. The appeal is dismissed.

Main Issue

2. The Council has not raised any concerns regarding the proposed single storey front extension and based on the information before me I have no reason to take a different view. The main issue in dispute is the effect of the proposed double storey rear extension on the living conditions of the occupiers of 60 Spen Valley Road, with regard to outlook, sunlight and daylight.

Reasons

3. The appeal property is a mid-terraced house located in a predominantly residential area. Properties are set back from the road and feature front gardens and driveways. Other houses in the row are similar in appearance, although some have been altered and extended. The appeal dwelling has an existing single storey extension to the rear whereas the adjoining properties on either side have not been enlarged. Both No 62 and its neighbours have outbuildings in their back gardens.
4. The proposed rear extension would span the width of the host property and it would have a total depth of around 5m, of which 3m would be two-storey. This would be a substantial block of development, which would be sited directly alongside the boundary with both neighbouring properties. There is an existing large extension at No 58, which adjoins No 60 on the opposite side. The combination of this existing extension and the proposal would result in a tunnelling effect at No 60, creating an undue sense of enclosure. The height and mass of the proposed extension would make the development overly dominant and oppressive for the occupiers of No 60. It would lead to a gloomy living environment and result in unacceptable loss of outlook from their rear windows and garden area.
5. There is no challenge to the Council's contention that the proposed rear extension would not achieve the 45 degrees rule, as detailed in the House Extensions and Alterations Supplementary Planning Document (SPD), when applied to a first-floor bedroom window in the rear of No 60. Although this is a rule of thumb only, and not

determinative in and of itself, the failure to adhere to the SPD guidance is a material consideration weighing against a grant of permission.

6. It is common ground that the development would cast a shadow across the bedroom window of No 60 for at least part of the day. This would reduce the levels of sunlight to the bedroom. No daylight and sunlight study has been submitted to quantify the impact and so I must rely on my own planning judgement. Bedrooms are habitable spaces, which should provide a good quality of environment in the daytime. Access to natural light, and daylight in particular, is necessary to achieve this. The loss of sunlight that would be caused by this proposal would have an unacceptable impact on the occupants of the affected bedroom towards the end of the day.
7. Advice in the House Extensions and Alterations SPD (2021) is also relevant. Key Design Principle 5 requires proposals to not adversely affect the amount of natural light presently enjoyed by a neighbouring property. Key Design Principle 6 seeks to prevent proposals from having an overbearing impact and to not unduly reduce the outlook from a neighbouring property. The proposal would not meet these guidelines.
8. The appellant refers to the existing extension at No 58 and argues that it demonstrates that this size of addition is acceptable. However, no details have been provided regarding this extension for me to confirm the specifics or the circumstances under which any planning permission was granted. In addition, whilst the extension at No 58 may be comparable in scale, mass and siting, it has not resulted in a property having a large two-storey extension flanking it on both sides. On this basis, the impact is materially different.
9. I conclude that the proposed rear extension would cause material harm to the living conditions of the occupiers of No 60, with regard to outlook, sunlight and daylight. The proposal would therefore conflict with Policy LP24 of the Kirklees Local Plan (2019) insofar as it seeks to ensure that extensions minimise impact on residential amenity of future and neighbouring occupiers.

Conclusion

10. For the reasons highlighted above, I dismiss the appeal.

C Evans

INSPECTOR