



Appeal Decision

Site visit made on 25 June 2026

by **D Hartley BA (Hons) MTP MBA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 25 June 2026

Appeal Ref: APP/Z4718/C/25/3368585

Land and property at 86a Sheepridge Road, Sheepridge, Huddersfield, HD2 1HG

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended).
 - The appeal is made by Mr Jaswant Singh Bhullar against an enforcement notice issued by Kirklees Metropolitan Council.
 - The notice was issued on 30 May 2025.
 - The breach of planning control as alleged in the notice is without the benefit of planning permission, the erection of an extension to the rear and side of the property.
 - The requirements of the notice are to a) dismantle the rear and side extensions from the site, b) dismantle/break up the base and foundations of the rear and side extension at the site, and c) remove all dismantled resulting material from the site.
 - The period for compliance with the requirements is 60 days after the notice takes effect.
 - The appeal is proceeding on the grounds set out in section 174(2)(a), (f) and (g) of the Town and Country Planning Act 1990 (as amended). Since an appeal has been brought on ground(a), an application for planning permission is deemed to have been made under section 177(5) of the Act.
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Decision

1. The appeal is dismissed, the enforcement notice is upheld, and planning permission is refused on the application deemed to have been made under section 177(5) of the 1990 Act as amended.

Preliminary Matter

2. A draft National Planning Policy Framework 'Plan-making and national decision-making policies' was issued by the Government for consultation on 16 December 2025 (Consultation Draft Framework). I afford the Consultation Draft Framework limited weight as a material planning consideration. This is relative to the published National Planning Policy Framework 2024 (the Framework) to which I afford full weight as a material planning consideration.

Ground (a) appeal and the deemed planning application

Main Issue

3. The appeal made on ground (a) of section 174(2) of the Act is that planning permission ought to be granted in respect of the breach of planning control alleged in the notice. I have considered the reasons for issuing the notice and the main issue is whether the development constitutes good design and its effect on the character and appearance of the area.

Reasons

4. The extension which is the subject of this appeal is to the side and rear of the property. It is constructed from corrugated sheet metal and has somewhat of a temporary and industrial appearance which fails to assimilate well with the proportions, materials, character and appearance of the development to which it is attached, as well as that which surrounds it.
5. While much of the development is not visible from public view (part is visible from the public footpath leading from Sheepridge Road to Riddings Close), it is nonetheless conspicuous when seen from the rear of gardens of the terraced dwellinghouses to the rear which are positioned off Riddings Close. Indeed, such a relationship is shown, in part, in respect of 'image 5' in the Council's statement of case. The poor design of the appeal extension is very apparent when seen from the rear gardens and windows of these properties and from glimpsed views from the public footpath.

Other Consideration

6. I acknowledge that the extension serves the purpose of providing secure and weatherproof storage for stock and equipment. I do not doubt that it seeks to support the continued and viable use of the associated shop. While these are matters which weigh in favour of granting planning permission, the positive weight that I afford to such matters is tempered by the fact that it may be possible to still achieve some additional storage associated with the shop, but in a manner where any such extension is more proportionate in scale, and of an appropriate design.

Conclusion

7. For the above reasons, I find that the development is of poor design and that it has caused significant harm to the character and appearance of the area. The other consideration does not outweigh this conclusion. Consequently, the development does not accord with the design, character and appearance requirements of policy LP24 of the Kirklees Local Plan 2019, the Council's House Extensions and Alterations Supplementary Planning Document 2021, and chapter 12 of the Framework.
8. I conclude that the development does not accord with the development plan for the area taken as a whole and there are no material considerations that indicate the decision should be made other than in accordance with the development plan. Therefore, the ground (a) appeal fails.

Ground (f) appeal

9. The appeal on ground (f) is made on the basis that the steps required by the notice to be taken, or the activities required by the notice to cease, exceed what is necessary to remedy any breach of planning control, or to remedy any injury to amenity which has been caused by any such a breach.
10. The notice requires the removal of the unauthorised extension from the land. The purpose of the notice is therefore to remedy the breach of planning control. The requirement to remove the extension from the land is not therefore an excessive requirement as it remedies the breach of planning control.

11. The appellant considers that the requirement to remove the whole of the development from the land is excessive and that I should consider an alternative scheme which improves external finishes and/or the partial reduction in the size of the extension. The appellant has not provided me with any details relating to changes to external finishes, or indeed a scheme showing a reduction in the size of the appeal development. These are not therefore matters which I have been able to consider as part of the ground (a) appeal and the deemed planning application.
12. For the above reasons, I conclude that the ground (f) appeal fails.

Ground (g) appeal

13. The appeal on ground (g) is made on the basis that the period specified in the notice in accordance with section 173(9) of the Act falls short of what should reasonably be allowed.
14. The appellant makes the case that the compliance period should be extended from 60 days to 120 days to enable him to *'dismantle the structure, especially given the logistics of relocating stock and coordinating safe deconstruction in a commercial setting'*.
15. On the evidence that is before me, I find that a period of 60 days strikes a proportionate and reasonable balance between removing the harmful development from the land in the public interest, while also affording the appellant reasonable time to move stock elsewhere and to ensure that the development is safely removed from the land. Therefore, I conclude that the ground (g) appeal fails.

Conclusion

16. For the reasons given above, I conclude that the appeal should not succeed. I shall uphold the enforcement notice and refuse to grant planning permission on the application deemed to have been made under section 177(5) of the 1990 Act (as amended).

D Hartley

INSPECTOR