

**KIRKLEES METROPOLITAN COUNCIL
INVESTMENT & REGENERATION SERVICE**

DEVELOPMENT MANAGEMENT

Town and Country Planning Act 1990 (as amended) – SECTION 70

DELEGATED DECISION TO DETERMINE PLANNING APPLICATIONS

Reference No:	2025/62/90732/W
Site Address:	Parkwood Methodist Church, Parkwood Road, Longwood, Huddersfield, HD3 4TT
Description:	Erection of boundary fence (within a Conservation Area)
Recommending Officer:	Joanna Rednall

DECISION – CONDITIONAL FULL PERMISSION

I hereby authorise the approval of this application for the reasons set out in the officer's report and recommendation annexed below in respect of the above matter.

John Holmes

AUTHORISED OFFICER

Date: 29th July 2025

The Site

Parkwood Methodist Church is a grade II Listed Building located in Longwood, Huddersfield. The Church is dated 1868 and was extended to the north in 1907. The building is surrounded by landscaped memorial gardens and a graveyard to the west.

The application site is located within Longwood Edge Conservation Area and the Green Belt within the Kirklees Local Plan.

The Proposal

The applicant is seeking planning permission for erection of boundary fence (within a Conservation Area).

The fence extends along the north- and east-facing boundaries and stands at a height of 1.5 metres. It is constructed from timber and finished in a green colour.

The information submitted sets out that the fence is required to protect members of the public from an unprotected vertical drop along these boundaries. None of the fences are affixed to any part of the listed building.

History of Negotiations

Amended plans were requested following discussions with KC Conservation and Design to reduce the fence height and alter its colour finish to be more in keeping with the Conservation Area. In response to the Conservation Officers' comments, the revised plans were submitted on 10th July. These amendments addressed the officers' concerns, and the application was progressed to determination on the basis of the updated scheme.

Planning History

Relevant planning history for this site is summarised as follows:-

2020/90479 – Alterations to convert former church to 8 residential units, formation of parking areas and widen vehicular access (Listed Building within a Conservation Area) – Withdrawn

2020/90480 – Listed Building Consent for alterations to convert former church to 8 residential units, formation of parking areas and widen vehicular access (within a Conservation Area) (Revised scheme) – Withdrawn

Publicity & Representations

The Council are currently undertaking the legal statutory publicity requirements, as set out at Table 1 in the Kirklees Development Management Charter. As such, this application has been publicised via a site notice and a press notice as affecting the setting of the Conservation Area and Listed Building.

Final publicity date expired: 31st May 2025

No representations were received as a result of the publicity. The amended plans were not re-publicised as these did not fundamentally change the development applied for.

Consultations

KC Conservation and Design: raised concerns regarding the height and colour finish of the fence with regard to its impact on the setting of the Conservation Area. The applicant submitted amended plans to address these concerns.

Allocation & Policies

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory Development Plan for Kirklees is the Local Plan (adopted 27th February 2019).

The site is within the Green Belt and Conservation Area as identified within the Kirklees Local Plan. The site is within the curtilage of a listed building.

Local guidance and policy is provided by the Kirklees Local Plan (adopted February 2019) as such the following policy, guidance and legislation is considered relevant to the determination of this application:-

Kirklees Local Plan (LP)

- LP1 Achieving Sustainable Development
- LP2 Place Shaping
- LP21 Highway Safety
- LP22 Parking Provision
- LP24 Design
- LP30 Biodiversity
- LP35 Historic Environment
- LP57 The extension, alteration or replacement of existing buildings

National Policies and Guidance

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 12th December 2024, the Planning Practice Guidance Suite (PPGS) first launched 6th March 2014 together with Circulars, Ministerial Statements and associated technical guidance.

The NPPF constitutes guidance for local planning authorities and is a material consideration in determining applications. Considered to be of relevance to the consideration of this application are policies within the following chapters:

-

- Chapter 2 – Achieving sustainable development
- Chapter 9 – Promoting sustainable transport
- Chapter 12 – Achieving well-designed places
- Chapter 13 – Protecting Green Belt land
- Chapter 14 – Meeting the challenge of climate change, flooding and coastal change
- Chapter 16 – Conserving and enhancing the historic environment

Legislation

The Town & Country Planning Act 1990 (as amended).

Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out that in considering planning applications the determination must be made in accordance with the plan unless material considerations indicate otherwise.

Section 72 of the Town & Country Planning (Listed Buildings & Conservation Areas) Act 1990 requires Local Planning Authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of Conservation Areas.

When making a recommendation in respect of a planning application affecting a Listed Building or its setting, attention must be given to Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires the Local Planning Authority to ‘have special regard to the desirability of preserving the building or its setting or any features of a special architectural or historic interest which it possesses’.

Assessment

The following matters are considered in the assessment below –

1. Principle of development
1. Impact upon visual amenity
2. Impact upon residential amenity
3. Impact upon highway safety
4. Other matters
5. Representations
6. Conclusion

1 – Principle of development:

Policy LP1 states that when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. LP1 goes on further to stating that:

The Council will always work pro-actively with applicants jointly to find solutions which mean that the proposal can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

Policy LP2 sets out that all development proposals should seek to build on the strengths, opportunities and help address challenges identified in the Local Plan. Policy LP24 of the KLP is relevant and states that “good design should be at the core of all proposals in the district”.

1.1 - Green Belt

The NPPF identifies that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. All proposals for development in the Green Belt should be treated as inappropriate unless they fall within one of the exception categories set out in paragraph 154 or 155 of the NPPF.

Of particular relevance is Paragraph 154c of the NPPF, which sets out the following exception: *'the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building'*.

Policy LP57 of the Kirklees Local Plan mirrors paragraph 54 of the NPPF, whereby LP57(c) sets out that Proposals for the extension, alteration or replacement of buildings in the Green Belt will normally be acceptable provided that: *'the proposal does not result in a greater impact on openness in terms of the treatment of outdoor areas, including hard standings, curtilages and enclosures and means of access...'*

Also of relevance is LP57(d) which sets out that the extension, alteration or replacement of buildings in the Green Belt will normally be acceptable provided that: *'the design and materials should have regard to relevant design policies to ensure that the resultant development does not materially detract from its Green Belt setting'*.

It is considered that the scale of the development is no more than is reasonably required of the function of the fence, erected to provide safety, security and privacy. It is also considered that the fencing would not appear obtrusive, constructed from timber and of a green colour finish which appropriately harmonises with the setting of the site. The fence would provide health and safety benefits and security benefits to users of Parkwood Methodist Church. Given the design of the fence, and its use in association with the established use of the site, it is considered that its erection is an alteration which is acceptable in this case in light of the aforementioned policies.

The overall impact upon openness both visually and spatially is not considered to be significant, given that the fencing is located on the boundary wall within the amenity space surrounding the Church. Furthermore, it is considered that the proposal is of an acceptable scale. The proposal is not considered to conflict with any purposes of keeping land in the Green Belt as identified within policies contained within Chapter 13 of the NPPF.

As such, the development is considered to preserve the openness of the Green Belt and does not impact upon the purposes of keeping land within the Green Belt. Therefore, it is considered that the fence is an alteration which meets the requirements of LP57 of the Kirklees Local Plan and Chapter 13 of the NPPF.

1.2 – Heritage assets

The site is located within Longwood Edge Conservation Area. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in considering whether to grant planning permission for development which affects a listed building or its setting, the Local Planning Authority should have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

In addition, Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that Local Planning Authorities to pay special attention in order to preserve or enhance the character and setting of buildings or land within a Conservation Area.

Furthermore, policy LP35 states *“development proposals affecting a designated heritage asset...should preserve or enhance the significance of the asset. In cases likely to result in...harm or loss, development will only be permitted where it can be demonstrated that the proposals would bring...public benefits that clearly outweigh the harm”*.

This is mirrored in Chapter 16 of the NPPF of which paragraph 212 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

The scheme has been amended to address initial concerns and has seen a reduction in the height of the fence and also confirmation the fence shall be a dark green colour. Section 2 considers the impact of the fence in light of the heritage considerations as follows:

2 – Impact upon visual amenity

Policy LP24 (Design) of the Council’s adopted Local Plan sets out that proposals should promote good design by ensuring the form, scale, layout and details of all development respects and enhances the character of the townscape, extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details and minimise impact on residential amenity of future and neighbouring occupiers. Paragraph 135 of the NPPF is also of relevance to the consideration of this application.

In addition, the significance of Longwood Edge Conservation Area and the Listed Building is taken into account within LP35 of the Kirklees Local Plan and Chapter 16 of the NPPF.

The proposal seeks to erect a 1.5m high fence along the north and east facing boundaries and is of a colour finish which will minimise its visual impact within Longwood Edge Conservation Area. It would be at a distance from the Listed Building to the east and amply screened by the existing outbuilding to the north and would not be associated with the Listed Building visually. It is not considered that the fence appears as an incongruous feature. The fence would be of a design and colour finish which appropriately harmonises with the vernacular of the streetscene and the rural Green Belt environment within which the site is situated. In addition, the larger fence to the east is set away and down from Parkwood Methodist Church, as to ensure the historic and cultural significance is not harmed. As such, Officers consider that no harm has been identified that warrant the demonstration of public benefits in this case.

For the reasons outlined above, it is considered that the development does not cause detrimental harm to the visual amenities of the locality. The proposed development is therefore considered to comply with policies within Chapter 12 of the National Planning Policy Framework, policy LP24 of the Kirklees Local Plan. In addition the proposal is considered acceptable with regard to policy LP35, policies within Chapter 16 of the NPPF and requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

To ensure the proposal is undertaken as proposed, conditions would be imposed requiring the development to be in accordance with the amended plans submitted (0003RevP02) and that the fence is of a dark green colour finish.

3 – Impact on residential amenity:

Section B and C of LP24 states that alterations to existing buildings should: *“...maintain appropriate distances between buildings”* and *“...minimise impact on residential amenity of future and neighbouring occupiers.”*

Further to this, Paragraph 135 of the National Planning Policy Framework states that planning decisions should ensure that developments have a high standard of amenity for existing and future users.

The fence would be set approximately 15 meters away from the dwellings to the north (Nos. 9–15 Royles Head Lane), effectively mitigating any significant concerns related to overshadowing or an overbearing impact.

On the east side, the fence would follow the shared boundary with The Stables, which lies at a lower ground level than Parkwood Methodist Church. A 1-meter-high stone wall along this boundary would obscure the majority of the fence, leaving only approximately 0.5 meters visible above it. Given the fence's modest height, any additional bulk or massing near The Stables is not considered to negatively impact the amenity of its occupants. Therefore, the proposed fence at Parkwood Methodist Church is not considered to cause any significant overbearing or overshadowing effects on neighbouring properties.

It is therefore considered that in terms of residential amenity, the proposed would comply with Policy LP24 of the Kirklees Local Plan and advice within Chapter 12 of the National Planning Policy Framework.

4 – Impact on highway safety:

Policies LP21 and LP22 of the Kirklees Local Plan and policies within chapter 9 of the NPPF relate to access and highway safety and are considered to be relevant to the consideration of this application.

The proposed fence would not abut a highway nor would affect parking. The proposed development, therefore, is considered to be acceptable in terms of highway safety and parking and consistent with policies LP21 and LP22 of the KLP.

5 – Other matters:

Ecology

Chapter 15 of the National Planning Policy Framework are relevant, together with The Conservation of Habitats and Species Regulations 2017 which protect, by law, the habitat and animals of certain species including newts, bats and badgers.

Policy LP30 of the Kirklees Local Plan requires that proposals protect Habitats and Species of Principal Importance. Whilst it is acknowledged that the site is located within an identified bat alert area, the proposals are relatively modest, and therefore considered unlikely to have an impact on the bat population. An informative would be included, however, making the applicant aware that if bats are discovered on site during the works, any development shall cease and the applicant is advised to contact Natural England for advice on how to move forward.

Climate Change

On 12th November 2019, the Council adopted a target for achieving 'net zero' carbon emissions by 2038, with an accompanying carbon budget set by the Tyndall Centre for Climate Change Research. National Planning Policy includes a requirement to promote carbon reduction and enhance resilience to climate change through the planning system and these principles have been incorporated into the formulation of Local Plan policies. The Local Plan pre-dates the declaration of a climate emergency and the net zero carbon target, however it includes a series of policies which are used to assess the suitability of planning applications in the context of climate change. When determining planning applications the Council will use the relevant Local Plan policies and guidance documents to embed the climate change agenda.

Considering the modest nature of the proposed development, it is considered that the proposed development would not have an impact on climate change that needs mitigation to address the climate change emergency. A Climate Change statement has been submitted with this application.

6 – Representations:

None received

7 – Conclusion:

The NPPF has introduced a presumption in favour of sustainable development. The policies set out in the NPPF taken as a whole constitute the Government's view of what sustainable development means in practice.

This application has been assessed against relevant policies in the development plan and other material considerations. It is considered that the development would constitute sustainable development and is therefore recommended for approval.

Recommendation

APPROVE

Decision Authorisation - Delegated Powers

Application Number: 2025/90732

Officer Recommendation: Approve

Conditions

1. The development hereby permitted shall be begun within three years of the date of this permission.
Reason: Pursuant to the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall be carried out in complete accordance with the plans and specifications schedule listed in this decision notice, except as may be specified in the conditions attached to this permission, which shall in all cases take precedence.
Reason: For the avoidance of doubt as to what is being permitted and to accord with Policies LP01, LP02, LP21, LP22, LP24, LP35 and LP57 of the Kirklees Local Plan and Policies within Chapters 2, 9, 12 and 14 of the National Planning Policy Framework

3. The fence hereby approved shall be a dark green colour finish which shall thereafter be retained.
Reason: In the interests of visual amenity to accord with Policies LP24, LP35 & LP57 of the Kirklees Local Plan, and the aims of Chapters 2, 9, 12, 13 & 16 of the National Planning Policy Framework.

NOTE: Due to its location, a bat roost may be present on site. Bats are a European protected species under regulations of the Conservation of Habitats and Species Regulations 2017. It is an offence for anyone intentionally to kill, injure or handle a bat, disturb a roosting bat, or sell or offer a bat for sale without a licence. It is also an offence to damage, destroy or obstruct access to any place used by bats for shelter, whether they are present or not. If bats are discovered on site development shall cease and the applicant is advised to contact Natural England for advice.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location Plan	0001	PO1	22/04/2025
Site Plan	0002	PO1	22/04/2025
Elevations	0003	PO2	10/07/2025
View on other Eastern boundary (potential fall risk)	-	-	22/04/2025
View on other side eastern boundary	-	-	22/04/2025

Plan Type	Reference	Version	Date Received
(potential fall risk)			
View of northern boundary existing	-	-	22/04/2025
View of northern boundary existing	-	-	22/04/2025
View of eastern boundary existing	-	-	22/04/2025
View of eastern boundary existing	-	-	22/04/2025
View of eastern boundary existing	-	-	22/04/2025
Heritage Statement	-	-	10/07/2025
Application form	-	-	18/03/2025
Application for Perimeter Fence	-	-	18/03/2025
Climate Change Statement	-	-	10/07/2025

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 and guidance in the National Planning Policy Framework, the Local Authority have, where possible, made a pre-application advice service available, complied with the Kirklees Development Management Charter 2024 and otherwise actively engaged with the applicant in dealing with the application. Amended plans were requested following discussions with KC Conservation and Design to reduce the fence height and alter its colour finish to be more in keeping with the Conservation Area. In response to the Conservation Officers' comments, the revised plans were submitted on 10th July. These amendments addressed the officers' concerns, and the application was progressed to determination on the basis of the updated scheme.

Report Dated: 22/07/2025

Low coal

