

**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:	2025/62/92212/W
Site Address:	Scholes Junior And Infant School, Wadman Road, Scholes, Holmfirth, HD9 1SZ
Description:	Replacement of perimeter fencing and gates with the addition of 2.4m high anti-climb fencing and gates
Recommending Officer:	Molly Storer

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.

Sarah Longbottom

AUTHORISED OFFICER

Date: 10 October 2025

Officer Report

Site Description

The application site refers to Scholes Junior And Infant School, Wadman Road, Scholes, Holmfirth, HD9 1SZ.

The site sits within a large plot in an urban residential area and consists of the main school, numerous outbuildings and playing fields.

Much of the school site is currently bounded by very low or incomplete fencing, with some areas lacking a secure perimeter altogether.

Description of Proposal

The applicant is seeking permission for the erection replacement perimeter fencing and gates with the addition of 2.4m high anti-climb fencing and gates. The proposal will involve the replacement of the existing low-level fencing and gates, with some areas currently lacking any boundary, with taller, modern mesh fencing. The 2.4m fencing will be located around the entire perimeter of the site with 7 gates (4 double gates and 3 single gates). The fencing and gates will be constructed from Pallas security fencing whereby panels are fully welded and manufactured from heavy gauge wires finished in a green colour.

History of Negotiations / Amendments Received

None deemed necessary.

Relevant Planning History

The most relevant planning history relates to the following planning applications:

- 2009/92341 - Construction of Multi-Use Games Area (MUGA) – Granted.
- 2005/91967 – Erection of storage shed and decking – Conditional Full Permission.
- 2002/91771 – Erection of portable building for use as play school - Conditional Full Permission.

Representations

Publication of the application has been undertaken in accordance with the Council's Development Management Charter.

The application has been publicised via site notice. The expiry date of the publicity period was the 3rd October 2025.

Holme Valley Parish Council – No comments.

Consultation Responses

Sports England – Sports England stated that the development does not fall within our statutory remit (Statutory Instrument 2015/595). Therefore, only general advice was provided.

Allocation and Policy

The site is within land identified as urban green space within the Kirklees Local Plan (adopted 2019). It is also within close proximity to Grade II Listed Buildings to the east and falls within the Holme Valley Neighbourhood Development Plan and is within an associated landscape character area 8 – Settled Slopes of the Holme Valley.

The following legislation, policy and guidance is considered relevant to the determination of this application:-

Kirklees Local Plan

- LP1 Achieving Sustainable Development
- LP21 Highway and Access
- LP22 Parking
- LP24 Design
- LP33 Trees
- LP 35 – Historic Environment
- LP51 Protection and Improvement of Local Air Quality
- LP61 Urban green space

Neighbourhood Development Plans:

- Holme Valley Neighbourhood Development Plan (2020-2031)

The Holme Valley Neighbourhood Development Plan was adopted on 8th December 2021 and therefore forms part of the Development Plan.

- Policy 1 – Protecting and Enhancing the Landscape Character of Holme Valley
- Policy 2 – Protecting and Enhancing the Built Character of the Holme Valley and Promoting High Quality Design
- Policy 12 – Promoting Sustainability
- Policy 13 – Protecting Wildlife and Securing Biodiversity Net Gain

The application site is within Landscape Character Area 8 - Settled Slopes of the Holme Valley

National Policies and Guidance

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 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.

- Chapter 2 Achieving sustainable development
- Chapter 12 Achieving well-designed places
- Chapter 14 Meeting the challenge of climate change, flooding and coastal change
- Chapter 15 – Conserving and enhancing the natural environment
- Chapter 16 – Conserving and enhancing the historic environment

Legislation

- The Town & Country Planning Act 1990 (as amended).
- The Planning and Compulsory Purchase Act 2004.

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.

Assessment

1 – Principle of Development

NPPF Paragraph 11 and LP1 outline a presumption in favour of sustainable development. Paragraph 8 of the NPPF identifies the dimensions of sustainable development as economic, social and environmental (which includes design considerations). It states that these facets are mutually dependent and should not be undertaken in isolation.

The dimensions of sustainable development will be considered throughout the proposal.

Paragraph 11 concludes that the presumption in favour of sustainable development does not apply where specific policies in the NPPF indicate development should be restricted. This too will be explored.

Policy LP61 of the Kirklees Local Plan sets out that development proposals which would result in the loss of urban green space (as identified on the Policies Map) will only be permitted under certain circumstances.

Development proposals which would result in the loss of urban green space (as identified on the Policies Map) will only be permitted where:

- a. an assessment shows the open space is clearly no longer required to meet local needs for open space, sport or recreational facilities and does not make an important contribution in terms of visual amenity, landscape or biodiversity value; or

- b. replacement open space, sport or recreation facilities which are equivalent or better in size and quality are provided elsewhere within an easily accessible location for existing and potential new users; or
- c. the proposal is for an alternative open space, sport or recreation use that is needed to help address identified deficiencies and clearly outweighs the loss of the existing green space. The protection set out in this policy also applies to smaller valuable green spaces not identified on the Policies Map.

Paragraph 104 of the NPPF sets out the approach to assessing development which is proposed upon existing open space, and sets out the same criteria as outlined within LP61.

Para (f) of Schedule 4 of the Town and Country Planning (Development Management Procedure) Order 2015 (as amended) requires that Sport England is consulted about development which 'is likely to prejudice the use, or lead to the loss of use, of land being used as a playing field or is on land which has been used as a playing field at any time in the last 5 years before the making of the relevant application and which remains undeveloped or is allocated for use as a playing field in a development plan or involves replacement of the grass surface of a playing pitch on a playing field.'

In this case Sports England was consulted and they stated that the proposed development does not fall within their statutory remit (Statutory Instrument 2015/595) and, therefore advised non-statutory planning advice.

In this case the determination of the application must be made in accordance with the plan unless material considerations indicate otherwise. It is considered that the fence would improve security within the site, and would not significantly affect the function and continued operation of the site and area of green space which is used predominantly for sports pitches to serve the school and likely used by community groups for this purpose also. The improvement to security is considered to be a consideration to which weight can be afforded, having cognisance of the scale of the development in this case and fact it has a minimal impact to the operation of the UGS.

Considerations are considered to be present in this case which indicate that nonconformance with policy LP61 does not constitute a reason for refusal in this case.

Given the above, subject to condition ensuring the fence will be finished in a green colour to match the existing fencing elsewhere on the site, it is considered that the proposed development constitutes appropriate development and that the proposal would comply with Policy LP1 and LP61 of the Kirklees Local Plan and policies within Chapters 8 and 11 of the National Planning Policy Framework.

2 – Impact on character and appearance of the area:

Section 12 of the NPPF discusses good design. Good design is a key aspect of sustainable development, it creates better places in which to live and work and helps to make development acceptable to communities. Local Plan Policies LP1, LP2 and most importantly LP24, are all also relevant. All the

policies seek to achieve good quality design that retains a sense of local identity, which is in keeping with the scale of development in the local area and is visually attractive.

Local Plan Policy LP24(a) states that all proposals should promote good design by ensuring the following: *‘the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape’*.

Policy 1 of the Holme Valley Neighbourhood Development Plan (HVNDP) sets out that development proposal should demonstrate how they have been informed by the key characteristics of the Local Character Assessment (LCA 8, detailed in the ‘Policies’ section of this report).

Policy 2 of the HVNDP states that new development should protect and enhance local built character and distinctiveness, strengthen the local sense of place by respecting the existing grain of development in the surrounding area, use local materials and detailing which add to the quality or character of the surrounding environment, respect the scale, mass, height and form of existing buildings in the locality and their setting.

The site is located in close proximity to Grade II Listed Buildings 2 and 3 Marsh Road whose site boundary borders the site and Scholes Methodist Church which is located ~11m from the site both to the east.

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. This relates to Policy LP35 of the Local Plan and Chapter 16 of the National Planning Policy Framework regarding the historic environment.

Furthermore, 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. A consideration of the impact on the heritage assets will be considered below.

With regards to 2 and 3 Marsh Road the section of the boundary between the site and these buildings already has ~2.4m mesh fencing similar to that which is being proposed. Therefore, the replacement of this fence in the same position will not cause any further harm to the setting of these Listed Buildings. With regard to the Methodist Church this is located across the road from the proposed location of the fencing and will maintain a separation distance of ~11m. Whilst this may cause a minimal level of harm this is

considered to be outweighed by the need for security and increased safety at the site. Therefore, in terms of heritage any harm would be outweighed by the public benefits of the proposal.

The fence size and scale of the fence proposed is already somewhat present at the site and it is not considered to be of a significant size or scale which would be out of place for the use of the school. It will be constructed using Pallas security fencing, coated in green. The panels are designed with small vertical spacings, making the fencing difficult to climb and all fixings are tamper proof, providing an acceptable level of security but without an oppressive and intimidating appearance. It is considered that it will appear sympathetic to the local area and the lightweight design will not be intrusive or oppressive.

Considering this, it is considered that the proposal will have no significant impacts on visual amenity and can be considered acceptable in this regard, as well as by Policies LP1, LP2, LP24 and LP35 of the Kirklees Local Plan, Policies 1 and 2 of the Holme Valley Neighbourhood Development Plan and Section 12 and 16 of the National Planning Policy Framework.

3. Impact on Residential Amenity

Sections 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.*”

Policy 2 of the HVNDP sets out that proposals should be designed to minimise harmful impacts on general amenity for present and future occupiers of land and buildings and prevent or reduce pollution as a result of noise, odour, light and other causes. Light pollution should be minimised and security lighting must be appropriate, unobtrusive and energy efficient. 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 properties most likely to be affected are those bordering the site. Impact to these properties will be assessed below:

Impact to Dene Crest, Granville, East View and 1-3 Marsh Road – properties to the east of the site.

These properties border the site to the east, whereby their rear gardens back onto the playing fields at the school. The proposed fence is to be positioned on this boundary. However, it should be noted that this section of the perimeter of the school already has ~2.4m mesh fencing similar to that which is being proposed. Therefore, the replacement of this fence in the same position is not considered to cause any further harm to these properties.

Impact to 3 Wadman Road – property to the north of the application site.

This property borders the playing fields to the north of the site. The current boundary treatment between the two sites consists of a stone wall with a hedge above. Whilst the fence would introduce a structure which is taller than the existing it would be lightweight with spacing in-between. It is considered that the fence would not significantly increase overbearing or overshadowing as the existing boundary treatment would screen the majority of the fence and the green colour would enable the system to blend into the environment.

With regard to other properties, it is considered that given the limited scale and materials of the proposed fencing, the structure will provide an acceptable level of security without an oppressive and intimidating appearance. Considering the above assessment, it is considered that the proposal is acceptable regarding residential amenity, Policy LP24 of the Kirklees Local Plan, Policy 2 of the Holme Valley Neighbourhood Development Plan and Paragraph 135 of the National Planning Policy Framework.

4. Impact on Highway Safety

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

The entrance to the school via Wadman Road and access around site will ensure all deliveries to and from site can be undertaken without any disruption to the school and neighbouring properties. The proposed roads into the site will be appropriately fenced off with all the required safety signage being clearly displayed segregating site operatives from the school pupils and staff. All site cabins and welfare facilities are to be located on the school's enclosed car parking area, which will be cordoned off. The cabins will be located within a self-contained compound with perimeter fencing and all the required health & safety signage clearly visible.

It is considered that the boundary fencing will not interfere with any parking areas on the site, turning circle, and dropping off areas, therefore, there will be no significant impacts on parking provision.

It is therefore considered that in terms of access and highway safety / parking the proposed would comply with Policies LP21 and LP22 of the Kirklees Local Plan.

5. 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 predates 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 scale and 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. The proposed development would therefore comply with Chapter 14 of the National Planning Policy Framework.

6. Impact upon Trees

Policy LP33 of the Kirklees Local Plan states that the Council will not grant planning permission for developments which directly or indirectly threaten trees or woodlands of significant amenity.

There are no TPOs on site with the closest being located 65m away from the proposed fence therefore it is considered that this tree will not be affected.

There are mature trees located close to the fences proposed positioning however these are not protected by a TPO and the extent of ground intrusion in proximity to these trees is not considered to be such that it would be reasonable of the LPA to insist upon submission of a tree survey in this case given they would not be for the length of the fence and just in the locations for the siting of the supporting poles.

7. Representations

No representations have been received.

8. 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, the proposed development would constitute sustainable development and is therefore recommended for approval.

**Recommendation
PERMISSION**

CONDITIONAL FULL

Decision Authorisation: Delegated Powers

Application Number: 2025/92212

Officer Recommendation: Conditional Full Permission

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).

1. 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, LP33, LP35 LP51 & LP61 of the Kirklees Local Plan, Policies 1 and 2 of the Holme Valley Neighbourhood Development Plan and Policies within Chapters 2, 9, 12, 14 and 16 of the National Planning Policy Framework

2. The fence hereby approved shall be of a green colour finish to match that of existing fencing at the site, and thereafter retained as such.

Reason: In the interests of visual amenity and in accordance with Policies LP01, LP02 & LP24 of the Kirklees Local Plan and policies within Chapter 12 of the National Planning Policy Framework.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location plan	S9 10706-P-01	-	05/08/2025
Proposed elevations – single gate elevations.	S9 10706-P-05	-	05/08/2025
Proposed elevations – Double gate elevations	S9 10706-P-04	-	05/08/2025
Proposed site/block layout	S9 10706-P-02	-	05/08/2025
Proposed elevations – fencing	S9 10706-P-03	-	05/08/2025
Design and access statement	-	-	05/08/2025
Application form	-	-	05/08/2025

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. No amendments were sought as it was considered that the proposal was acceptable as submitted.

Report dated: 6th October 2025