

**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:	2026/62/90036/W
Site Address:	13, Banks Road, Golcar, Huddersfield, HD7 4LX
Description:	Erection of fence
Recommending Officer:	Joshua Merriman

DECISION – Refusal

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

Danielle Cooper

AUTHORISED OFFICER

Date: 16/03/2026

Officer Report – 2026/90036

Site Description

The application site refers to 13, Banks Road, Golcar, Huddersfield, HD7 4LX, a two-storey semi-detached property faced in brick, with a pitched front gable roof, and uPVC windows and doors. The application dwelling lies in relatively uniform street scene, surrounded by dwellings of a similar size, scale, character, appearance, and age. Furthermore, the application property benefits from garden space to the front and side of the dwelling, as well as a hard-standing parking area to the rear.

Description of Proposal

The Scheme

The applicant is seeking permission for Erection of fence.

The proposed fence would be located to the front of the dwelling, stretching from the shared boundary to the rear parking area. The fence would be 1.5m in height, replacing a 1.8m hedge.

Supporting Information

In addition to the submitted plans the following documents have been submitted to support the application:

History of Negotiations / Amendments Received

No amendments have been requested by Officers.

Relevant Planning History

There is no relevant planning history.

Representations

Publication of the application has been undertaken in accordance with the Council's Development Management Charter (July 2024).

The application has been publicised on the Council's website and by site notice. The expiry date of the publicity period was the 26/02/2026.

Letters of Support

- The fence brings more light and makes it easier to see when pulling out off the road compared to the previous hedges.

Officer Comment: Noted.

- The fence is well built and attractive.

Officer Comment: Noted.

- The fence provides essential privacy for the property occupants.

Officer Comment: Noted.

Consultation Responses

No consultations were deemed necessary for this application.

Allocation and Policy

The site is unallocated within the Kirklees Local Plan (adopted 2019).

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

Kirklees Local Plan

- LP1 Achieving Sustainable Development
- LP2 Place Shaping
- LP21 Highway and Access
- LP22 Parking
- LP24 Design

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 2023, the Planning Practice Guidance Suite (PPGS) first launched 6th March 2014 together with Circulars, Ministerial Statements and associated technical guidance.

A consultation draft of the National Planning Policy Framework (the Framework) was published on 16 December 2025. As a consultation, the document is at an early stage and subject to change. Accordingly, for the purposes of this application, no weight is given to the current consultation document.

The NPPF constitutes guidance for local planning authorities and is a material consideration in determining applications.

- Chapter2 Achieving sustainable development
- Chapter12 Achieving well-designed places
- Chapter14 Meeting the challenge of climate change, flooding and coastal change

Supplementary Planning Documents / guidance

Kirklees Highway Design Guide (adopted November 2019)

The Biodiversity Net Gain Technical Advice Note

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

The following matters are considered in the assessment below –

1. Principle of development
1. Impact upon the character and appearance of the area (including impact upon historic environment)
2. Impact upon residential amenity
3. Impact upon highway safety
4. Climate Change
5. Representations
6. Conclusion

1 – Principle of Development

Policy LP1 of the KLP 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 NPPF.

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 LP2 of the KLP sets out that all development proposals should seek to build on the strengths, opportunities and help address challenges identified in the Local Plan.

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

In terms of extending and making alterations to a property, Policy LP24 of the KLP is relevant, in conjunction with Chapter 12 of the NPPF, regarding design. In this case, the principle of development is considered acceptable, and the proposal shall now be assessed against all other material planning

considerations, including visual and residential amenity, as well as highway safety.

These issues along with other policy considerations will be addressed below.

Considering the above policy, the principle of the development is considered to be acceptable.

2 – Impact on character and appearance of the area

Visual Amenity

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’*.

The proposed fence, at a height of 1.5m, is located in a very prominent location within the street scene, on a corner plot. When assessing the boundary treatments on Banks Road, the use of low boundary walls, fences and hedges are prominent, whereas there is no use of a tall close boarded fencing similar to what is proposed as part of this application. As a result, it is considered that the proposed boundary treatment does not appear sympathetic to the street scene and would have a detrimental impact due to its prominent location. Moreover, the harsh colour of the fence worsens the impacts upon visual amenity, as the development stands out significantly from surrounding development in the street scene.

It is noted that there are taller fences erected on Arran Close, however, as these properties are located not in such a prominent location and the colour of the fences are more acceptable, these are considered not to detriment the street scene so significantly as the application site.

Considering the above, the proposed development does not comply with Policies LP1, LP2, and LP24 of the Kirklees Local Plan and is therefore unacceptable regarding visual amenity.

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.”

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.

Given the acceptable height of the proposed fence at 1.5m, and that it is replacing a 1.8m hedge, it is considered that there would be no increased impacts upon neighbouring properties with regard to overshadowing, overbearing, light, or outlook.

As a result of the above, the proposal complies with Policy LP24 of the Kirklees Local Plan and Paragraph 135 of the NPPF, being considered acceptable in terms of residential amenity.

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 Council’s adopted Highway Design Guide seeks to ensure acceptable levels of off-street parking are retained are also considered to be of relevance.

Although nothing specific is detailed within the submitted plans there will be adequate space on site for waste storage.

The number of bedrooms in the dwelling will be unchanged, therefore, as the hard-standing parking area will remain unaffected post-development, it is considered that the current parking provision on site is acceptable to remain.

A number of comments have been received stating that the introduction of the fence in place of the previous hedge has improved visibility when driving close to the application site. This is considered a positive regarding highway safety.

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, Principle 15 of the Council’s Street Design Guide and Chapter 9 of the National Planning Policy Framework.

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, especially that it is for private use, 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. Representations

All representations have been addressed earlier in this report.

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

Recommendation

REFUSAL

Decision Authorisation: Delegated Powers

Application Number: 2026/90036

Officer Recommendation: Refusal

Reasons for Refusal

1. The proposed fence by virtue of its siting, scale and design would result in an incongruous feature within a prominent location which would detract from the character and appearance of the wider street scene. To permit the proposal would be contrary to Policy LP24 of the Kirklees Local Plan and advice contained within Chapter 12 of the National Planning Policy Framework.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location Plan	-	-	19/01/2026
Boundary Plan	-	-	19/01/2026
Photos of Boundary Fence	-	-	19/01/2026
Photos General	1	-	19/01/2026

Plan Type	Reference	Version	Date Received
Photos General	2	-	19/01/2026
Photos General	3	-	19/01/2026
Photos General	4	-	19/01/2026
Photos General	5	-	19/01/2026
Photos General	6	-	19/01/2026
Photos General	7	-	19/01/2026
Photos General	8	-	19/01/2026
Photos General	9	-	19/01/2026

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 beyond the scope of acceptability given the context of the surrounding street scene.

Report Dated:

13/03/2026