

**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:	2026/62/90118/W
Site Address:	26, Swallow Lane, Golcar, Huddersfield, HD7 4LU
Description:	Installation of replacement door and frame (Listed Building within a Conservation Area)
Recommending Officer:	Joshua Merriman

DECISION - REFUSED

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.

Emma Thompson

AUTHORISED OFFICER

Date: 30-Apr-2026

Officer Report – 2026/90118

Site Description

The application site is 26, Swallow Lane, Golcar, Huddersfield, HD7 4LU, a Grade II Listed Building faced in stone, with a pitched tiled roof, and timber windows and doors.

The site lies in a slightly varied street scene, surrounded by properties of mostly a similar size and scale, with slightly differing characters, appearances, and ages given not all surrounding buildings are listed. The site also benefits from a small area of amenity space to the front, as well as a hard-standing parking area.

Description of Proposal

The Scheme

The applicant is seeking permission for Installation of replacement door and frame (Listed Building within a Conservation Area).

This application has been submitted as a result of enforcement case COMP/25/0040.

Supporting Information

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

- Design and Access Statement
- Climate Change Statement
- Conservation/Heritage Assessment

History of Negotiations / Amendments Received

No amendments have been requested by Officers.

Relevant Planning History

The most relevant planning history relates to the following planning applications

2009/91556 - Listed Building Consent for replacement door and frame (within a Conservation Area) – Consent Granted.

Representations

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

The application has been publicised as affecting the setting of a listed building, affecting the setting of a conservation area, on the Council's website, by site notice and by press advertisement. The expiry date of the publicity period was the 19/04/2026.

Consultation Responses

KC Conservation & Design (Informal) – The use of a composite door on a Listed Building is unacceptable as it significantly harms the historic character of the building and surrounding Conservation Area. Only a matching replacement (timber) would be considered acceptable in this case.

There is an objection on these grounds.

Allocation and Policy

The site is unallocated but within the Golcar Conservation Area within the Kirklees Local Plan (adopted 2019). The site is also an allocated Grade II Listed Building.

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
- LP35 Historic Environment

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.

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.

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

Supplementary Planning Documents / guidance

Kirklees Highway Design Guide (adopted November 2019)
House Extensions & Alterations SPD (adopted June 2021)
The Biodiversity Net Gain Technical Advice Note

Legislation

The Town & Country Planning Act 1990 (as amended).
The Town & Country Planning (Listed Buildings & Conservation Areas) Act 1990
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

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 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.

The site is located within the Golcar Conservation Area on the Kirklees Local Plan. Policy LP1 of the Kirklees Local Plan 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 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.

As the site is located within the Golcar Conservation Area; therefore Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 needs to be considered, which requires 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.

LP35 states that:

‘Development proposals affecting a designated heritage asset...should preserve or enhance the significance of the asset. In cases likely to result in substantial harm or loss, development will only be permitted where it can be demonstrated that the proposals would bring substantial public benefits that clearly outweigh the harm’.

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 the House Extensions and Alterations SPD and Chapter 12 of the NPPF, regarding design. In this case, the principle of development is considered unacceptable, 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.

The works relate to replace the door and frame may be acceptable subject to the design and materials when considering the appropriateness to preserving the special architectural merit of the building.

2 – Impact on character and appearance of the area (including impact upon historic environment):

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’*.

Key Design Principles 1 and 2 of the Council's adopted House Extensions & Alterations Supplementary Planning Document (SPD) seek to ensure development is subservient to the host property and in keeping with the character of the locality.

Historic Environment

Section 66 of the Planning (Listed Buildings & Conservations Areas) Act (1990) states that for development which affects a listed building or its setting, the local planning authority shall 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.

Section 66 of the Planning (Listed Building & Conservation Areas) Act (1990) is mirrored in Policy LP35 of the Kirklees Local Plan and Chapter 16 of the National Planning Policy Framework.

Furthermore, LP35 states that: *“development proposals affecting a designated heritage asset...should preserve or enhance the significance of the asset. In cases likely to result in substantial harm or loss, development will only be*

permitted where it can be demonstrated that the proposals would bring substantial public benefits that clearly outweigh the harm.”

Following an informal consultation with KC Conservation & Design it was considered that the visual impacts of the replacement door and frame would be unacceptable due to its design and materials.

The replacement door is a composite material and would be at odds with the historical authenticity and visual integrity of the building. Listed buildings are protected to specifically to preserve their original features, materials and craftsmanship. Due to the surface texture, proportions of paneling there would be a noticeable visual difference. In replacing the door the works would detract within the street scene and from the character of the conservation area.

The use of modern materials would appear unsympathetic and detract from the character and appearance of the building undermining the special historic interest contrary to Policies LP1, LP2, LP24, and LP35 of the Kirklees Local Plan, and Policies within Chapter 12 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.”

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.

Key Design Principles 3, 4, 5 and 6 of the Council’s adopted House Extensions & Alterations SPD seek to ensure development does not have a detrimental impact upon privacy of neighbouring occupiers, cause unacceptable levels of overshadowing or be unacceptably oppressive / overbearing.

The scale of the development is not significant as it is for a replacement door. Due to the scale of works there will be no detrimental impact on any nearby occupant on light, outlook, overshadowing, overbearing, or privacy.

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, 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 Council’s adopted Highway Design

Guide and Key Design Principle 15 of the adopted House Extensions & Alterations SPD which seek to ensure acceptable levels of off-street parking are retained are also considered to be of relevance.

Principle 19 of the Council's adopted House Extensions & Alterations Supplementary Planning Document (SPD) requires the provision for waste storage and recycling must be incorporated into the design of new developments in such a way that it is convenient for both collection and use whilst having minimal visual impact on the development.

It should be noted that although nothing specific is detailed on the submitted plans, the site will retain adequate space for waste storage.

The number of bedrooms in the property will not increase as a result of the development, and the parking area on the application site will be unaffected, therefore, the current parking provision is acceptable to remain. Furthermore, the proposal will have no significant impact on highway safety as the dwelling, and proposed works, is set well back from the closest highway.

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

No representations have been 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, the proposed development would not constitute sustainable development and is therefore recommended for refusal.

Recommendation

REFUSAL

Decision Authorisation: Delegated Powers

Application Number: 2026/90118

Officer Recommendation: Refusal

Reason for Refusal

1. The replacement door with a composite door, because of its modern materials, detailing and appearance would fail to preserve the character and appearance of the listed building. The development would result in the loss of traditional fabric and would introduce an incongruous feature that is not sympathetic to the building's historic significance and would also detract from the street scene. As such the works result in harm to the special architectural and historical interest of the designated heritage asset and Golcar Conservation Area, contrary to the statutory duty under Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990, Chapters 12 and 16 of the National Planning Policy Framework, and Policies LP1, LP2, LP24, and LP35 of the Kirklees Local Plan.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location Plan	-	-	09/03/2026
Block Plan	-	-	09/03/2026
Indicative Door Make Up	-	-	09/03/2026
Existing and Proposed Elevations	(BBM) PD 01	-	09/03/2026
Application Forms	-	-	09/03/2026
Design and Access Statement	-	-	09/03/2026
Climate Change Statement	-	-	09/03/2026

Plan Type	Reference	Version	Date Received
Conservation/Heritage Assessment	-	-	09/03/2026

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 unacceptable in principle.

Report Dated:

20/04/2026