

**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:	2025/62/90065/E
Site Address:	6, Summers Drive, Mirfield, WF14 0DY
Description:	Installation of air source heat pump and roof fitted PV solar panels
Recommending Officer:	Jennifer Booth

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.

Emma Thompson

AUTHORISED OFFICER

Date: 20-Jun-2025

OFFICER REPORT

Site Description

6 Summers Drive is a two-storey detached red-brick dwelling located within a modern residential development characterised by properties of similar scale, design, and materials. The property features a pitched roof with gabled elements and UPVC windows arranged symmetrically on the principal elevation.

To the front, the dwelling benefits from a modest open lawn area and a hard-surfaced driveway capable of accommodating a single vehicle, providing off-street parking. The rear of the property is served by an enclosed private garden, bounded by timber fencing, providing a secure and screened amenity area.

The property lies within a uniform streetscape where dwellings exhibit consistent architectural styling and layout, contributing to the cohesive character of the development. Access to the rear garden is available via a gated pedestrian pathway to the side of the dwelling.

Description of Proposal

The applicant is seeking permission for the installation of an air source heat pump and solar panels.

The air source heat pump unit would be sited on the rear elevation in a central position.

The plans show 16 solar panels on the rear roof plane.

Relevant Planning History

None

History of negotiations

Kirklees Development Management Charter together with the National Planning Policy Framework and the DMPO 2024 encourages negotiation/engagement between Local Planning Authorities and agents/applicants, this is only within the scope of the application under consideration. The applicant was asked to provide a screen at the side of the unit as the noise levels would exceed permitted levels. The alteration is minimal and has not been advertised.

Representations

The application was advertised by neighbour letters, which expired on 21/03/2025

As a result of the above publicity, no representations other than progressing the decision, have been received.

Consultation Responses

K.C. Environmental Health – concerns raised regarding noise. Informally discussed mitigation and EH suggested a screen, located to the side of the unit would overcome the concerns

Policy

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 unallocated on the Kirklees Local Plan Proposals Map

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.

Kirklees Local Plan Policies

- **LP 1** – Achieving sustainable development
- **LP 2** – Place shaping
- **LP 22** – Parking
- **LP 24** - Design
- **LP 26** - Renewable and low carbon energy
- **LP 52** - Protection and improvement of environmental quality

Kirklees Council adopted supplementary planning guidance on house extensions on 29th June 2021 which now carries full weight in decision making. This guidance indicates how the Council will usually interpret its policies regarding such built development, although the general thrust of the advice is aligned with both the Kirklees Local Plan (KLP) and the National Planning Policy Framework (NPPF), requiring development to be considerate in terms of the character of the host property and the wider street scene. As such, it is anticipated that this SPD will assist with ensuring enhanced consistency in both approach and outcomes relating to house extensions.

The site is within Mirfield Neighbourhood Area. There is no made Neighbourhood Development Plan (NDP) within the Mirfield Neighbourhood Area at present. Furthermore, there is no emerging NDP to be considered as a material consideration in assessment of this application. Further details on the progress of neighbourhood development plans in the district can be found at:

<https://www.kirklees.gov.uk/beta/planning-policy/neighbourhood-planning.aspx>

However, the Mirfield Design Guide 2002 is still of relevance and requires development to be in keeping with the area.

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, and 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 12 – Achieving well-designed places
- Chapter 14 – Meeting the challenge of climate change, flooding and coastal change

Assessment

Principle of development:

The site is without notation on the Kirklees Local Plan (KLP). 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. In terms of extending and making alterations to a property, Policy LP24 of the KLP is relevant, in conjunction with the House Extensions & Alterations SPD and 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.

Impact on visual amenity:

Key Design Principle 1 of the House Extensions & Alterations SPD does state that extensions and alterations to residential properties should be in keeping with the appearance, scale, design and local character of the area and the street scene. Furthermore, Key Design Principle 2 of the House Extensions & Alterations SPD goes on to state that extensions should not dominate or be

larger than the original house and should be in keeping with the existing building in terms of scale, materials and details.

The proposals consist of two distinct elements which shall be assessed below.

Air source heat pump

The proposed development includes the installation of a modest air source heat pump (ASHP) unit on the rear elevation of the dwelling. The unit is compact in scale and will be positioned at ground level in a discreet location that is not visible from the public realm. As such, it would not detract from the visual amenity of the host property or the surrounding area. The scale, siting, and design of the ASHP are considered appropriate for a domestic setting and ensure that the unit will not appear as a dominant or intrusive feature on the elevation.

In terms of visual impact, the proposal is considered acceptable and compliant with the provisions of both national and local planning policy. Paragraph 161 of the National Planning Policy Framework (NPPF, 2024) states that local planning authorities should “support proposals for renewable and low carbon energy development in appropriate locations,” and that applications should be approved if the impacts are (or can be made) acceptable. The discreet siting and limited visual presence of the proposed ASHP meet this test and ensure a minimal impact on the character and appearance of the property and its surroundings.

The scheme also accords with Policy LP26 of the Kirklees Local Plan, which supports the integration of renewable and low carbon energy technologies where proposals are designed to minimise harm and are appropriate in scale and appearance. In this instance, the development complements the character of the host building and avoids any unacceptable visual or residential amenity impacts.

Furthermore, the proposal complies with the Kirklees House Extensions and Alterations SPD (2019), Key Design Principle 8 (KDP8), which encourages the sensitive siting of renewable technologies to reduce visual impact. The rear elevation location of the ASHP ensures that the installation is well screened from public viewpoints and does not adversely affect the appearance of the property.

Solar panels

The proposed development includes the installation of 16 photovoltaic (solar) panels on the rear roof slope of the dwelling. The panels would be mounted in a fixed position, flush with the roof plane, and would not protrude beyond the ridge or edges of the roof. Due to their location on the rear elevation, the panels would not be visible from the public realm and would not adversely affect the appearance of the street scene or the visual amenity of the surrounding area.

In terms of design and appearance, the installation is considered appropriate within the domestic context of the property. The use of solar panels on residential buildings is increasingly common and forms part of a wider national and local policy agenda to address climate change and promote sustainable energy solutions.

The proposal accords with Paragraph 161 of the National Planning Policy Framework (NPPF, 2024), which states that local planning authorities should "support community-led initiatives for renewable and low carbon energy" and should "approve applications for renewable and low carbon development unless material considerations indicate otherwise." The development also aligns with Policy LP26 of the Kirklees Local Plan, which encourages the incorporation of renewable energy technologies into new and existing development, provided that the design is appropriate and does not cause harm to the character of the area and KDP 8 of the House Extensions & Alterations SPD.

Having taken the above into account, the proposals would not cause any significant harm to the visual amenity of either the host dwelling or the wider street scene, complying with Policy LP24 of the Kirklees Local Plan (a) in terms of the form, scale and layout and (c) as the extension would form a subservient addition to the property in keeping with the existing building, KDP 1 & 2 of the House Extensions & Alterations SPD and the aims of chapter 12 of the National Planning Policy Framework.

Impact on residential amenity:

Consideration in relation to the impact on the residential amenity of neighbouring occupants shall now be set out, taking into account policy LP24 c), which sets out that proposals should promote good design by, amongst other things, extensions minimising impact on residential amenity of future and neighbouring occupiers. The House Extensions & Alterations SPD does support enhancements in terms of energy efficiency as per KDP8. Policy LP52 of the Kirklees Local Plan states that proposals which have the potential to increase pollution from noise, vibration, light, dust, odour, shadow flicker, chemicals and other forms of pollution or to increase pollution to soil or where environmentally sensitive development would be subject to significant levels of pollution, must be accompanied by evidence to show that the impacts have been evaluated and measures have been incorporated to prevent or reduce the pollution, so as to ensure it does not reduce the quality of life and well-being of people to an unacceptable level or have unacceptable impacts on the environment.

Impact of the air source heat pump

The proposed development involves the installation of an air source heat pump (ASHP) unit on the rear elevation of the host property. The nearest neighbouring dwelling is No. 8 Summers Drive, which is positioned adjacent to the application site and shares a common side boundary. A first-floor window on the rear elevation of No. 8 is located near this boundary and faces

towards the general direction of the proposed ASHP unit, with a separation distance of approximately 5.3 metres.

Based on the manufacturer's specifications, the anticipated operational noise levels of the ASHP are likely to exceed the generally accepted external daytime noise threshold of 42 dB at the nearest noise-sensitive receptor. While this raises a potential concern in terms of residential amenity, the applicant has submitted further details demonstrating how this impact would be mitigated. Specifically, the proposal includes the installation of an acoustic screen to be sited immediately alongside the ASHP unit, positioned between the unit and the shared boundary with No. 8.

The screen is intended to absorb and deflect noise away from the neighbouring property and, when appropriately designed and installed, can significantly reduce the propagation of noise towards nearby receptors. Given the modest scale of the ASHP and the presence of the acoustic screening, the development is not considered to result in any materially harmful impact on the living conditions of neighbouring occupiers. The first-floor window of No. 8 is not directly aligned with the ASHP, and as such, the potential for noise disturbance is further reduced.

The proposal is considered to comply with Policy LP24 of the Kirklees Local Plan, which requires new development to protect the amenity of neighbouring occupiers, including in terms of noise and disturbance. It also accords with Paragraph 165 of the National Planning Policy Framework (2024), which states that planning decisions should ensure that new development is appropriate for its location and that adverse impacts from noise are mitigated and reduced to a minimum.

To ensure the effectiveness of the proposed mitigation, it is recommended that a planning condition be imposed requiring the acoustic screen to be installed in full prior to the first use of the ASHP and retained thereafter for the lifetime of the development. Subject to this condition, the scheme is considered acceptable in terms of residential amenity.

Impact of the solar panels

The proposed installation of 16 solar panels on the rear roof plane of the dwelling is considered to have a limited and acceptable impact on the amenities of neighbouring properties. The panels will be fixed flush with the roof slope and will not extend beyond the existing roofline, ensuring they do not result in any overbearing effect, overshadowing, or loss of outlook for adjoining occupiers. Given their siting on the rear elevation and alignment with the existing roof plane, the panels will be largely screened from public view and will not introduce any significant visual intrusion when viewed from neighbouring rear gardens or windows.

Having considered the above factors, the proposals are not considered to result in any adverse impact upon the residential amenity of any surrounding neighbouring occupants, complying with Policy LP24 of the Kirklees Local

Plan (b) in terms of the amenities of neighbouring properties and Chapter 12 of the National Planning Policy Framework.

Impact on highway safety:

The proposals will not result in any intensification of the domestic use. As such the scheme would not represent any additional harm in terms of highway safety and as such complies with Policy LP22 of the Kirklees Local Plan along with Key Design Principles 15 & 16 of the House Extensions & Alterations SPD.

Other matters:

Carbon Budget

The proposal is a small scale domestic development to an existing dwelling. As such, no special measures were required in terms of the planning application with regards to carbon emissions. However, there are controls in terms of Building Regulations which will need to be adhered to as part of the construction process which will require compliance with national standards.

There are no other matters for consideration.

Representations:

None

Proposed conditions

Along with the standard timescale condition, which is a requirement of Section 91 of the Town and Country Planning Act 1990, it is considered appropriate to add the following conditions.

Accordance with the approved plans to ensure the development is carried out in line with the officer's assessment.

Screening to the side of the air source heat pump should be conditioned to be installed prior to first use of the unit and retained to ensure the appropriate mitigation of noise impact.

Conclusion:

This application to install an air source heat pump to the rear of 6 Summers Drive has been assessed against relevant policies in the development plan as listed in the policy section of the report, the House Extensions & Alterations SPD, the National Planning Policy Framework and other material considerations.

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.

As set out above, 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: 2025/90065

Officer Recommendation: Approve

Conditions and Reasons

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.

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 so as to ensure the satisfactory appearance of the development on completion, and to accord with Policy LP24 of the Kirklees Local Plan, Key Design Principles of the House Extensions & Alterations SPD and the aims of the National Planning Policy Framework.

3. The screening shown on plan titled 'proposed noise reducing plan for 6 Summers Drive, Mirfield. WF14 0DY' submitted on 12/06/2025, shown sited to the side of the air source heat pump hereby approved shall be installed prior to first use of the air source heat pump and retained thereafter.

Reason: In the interests of visual amenity and to accord with Policies LP24 & LP52 of the Kirklees Local Plan, Key Design Principles of the House Extensions & Alterations SPD and the aims of chapter 12 of the National Planning Policy Framework.

NOTE: The granting of planning permission does not override any private legal rights or consents that may be required. It is the responsibility of the applicant / developer to ensure that all appropriate consents are in place prior to any development commencing; during the period of construction existing access for neighbouring properties is maintained; and no damage is caused to the access driveway or surrounding properties.

NOTE: To minimise noise disturbance at nearby premises it is generally recommended that activities relating to the erection, construction, alteration, repair or maintenance of buildings, structures or roads shall not take place outside the hours of:

07.30 and 18.30 hours, Mondays to Fridays

08.00 and 13.00hours, Saturdays

With no working Sundays or Public Holidays

In some cases, different site specific hours of operation may be appropriate. Under the Control of Pollution Act 1974, Section 60 Kirklees Environment and

Transportation Services can control noise from construction sites by serving a notice. This notice can specify the hours during which the works may be carried out.

Plans and specifications schedule: -

Plan Type	Reference	Web ID	Date Received
Location plan	-	1072686	14/02/2025
Site plan	-	1072684	14/02/2025
Proposed plans	189.10.01 b	1075481	14/02/2025
Photo of rear	-	1072688	14/02/2025
Screening detail	-	-	12/06/2025
Noise assessment	-	1076621	14/02/2025
CCS	-	1075482	14/02/2025
MCS noise	-	1072693	14/02/2025
Heat pump specs	-	1072692	14/02/2025
Solar panel data	-	1072691	14/02/2025
Pv solar	-	1072687	14/02/2025

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 Planning 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.

The applicant was asked to provide a screen at the side of the unit as the noise levels would exceed permitted levels. The alteration is minimal and has not been advertised.

Report Dated

16/06/2025

