

**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:	2025/62/91270/W
Site Address:	Easilift Loading Systems Ltd, Pembroke House, Penistone Road, Fenay Bridge, Huddersfield, HD8 0LF
Description:	Installation of solar panels to roof
Recommending Officer:	Nicole Helliwell

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: 06 August 2025

Officer Report

Reference No. 2025/62/91270/E

Site Address: Easilift Loading Systems Ltd, Pembroke House, Penistone Road, Fenay Bridge, Huddersfield, HD8 0LF

Proposal: Installation of solar panels to roof

Site Description

The application relates to Easilift Loading Systems Ltd, a commercial property situated off Penistone Road in Fenay Bridge, Huddersfield. The site is located within a priority employment area (PEA2) on the Kirklees Local Plan Proposals Map. The wider area comprises a combination of residential and commercial properties of varying materials and architectural styles. The site is not within a conservation area or near any public right of ways. However, the site is located adjacent to a triangular stone boundary post which is Grade II listed.

Description of Proposal

The applicant is seeking planning permission for the installation of solar panels to the roof of the existing building. The submitted plans indicate that the panels would be located within the eastern, western and southern roof planes. It is proposed that 30 Jinko Tiger Neo 440W N-Type all black mono solar panels are to be installed. The submitted details indicate that the panels will be connected to 1 Growatt MOD 12000 TL3-X 3ph inverter, which converts the DC electricity into mains (AC) electricity. The panels would each measure 1134mm x 1762mm and would be black in colour.

History of negotiations/amendments received

No amendments were sought or received during the course of the application.

Relevant Planning History

94/93392: Erection of B1 Unit. [Planning application details | Kirklees Council](#)
– Conditional Full Permission

Representations

The application was publicised by site notice and press advert, which expired on 18th July 2025. As a result of the above publicity, no representations have been received.

Consultation Responses

Not Applicable.

Parish/Town Council Comments

Kirkburton Parish Council – No comments received

Local Ward Members

Not Applicable.

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 located within a priority employment area (PEA2) on the Kirklees Local Plan Proposals Map. The site is also located within the Strategic Green Infrastructure Network. The most relevant policies for consideration in this case are:

Kirklees Local Plan Policies

- **LP 1** - Achieving Sustainable Development
- **LP 2** - Place Shaping
- **LP 8** - Safeguarding Employment Land and Premises
- **LP 9** - Supporting Skilled and Flexible Communities And Workforce
- **LP 24** - Design
- **LP 26** - Renewable and Low Carbon Energy
- **LP 27** - Flood Risk
- **LP 30** - Biodiversity and Geodiversity
- **LP 31** - Strategic Green Infrastructure Network
- **LP 35** - Historic Environment
- **LP 52** - Protection and Improvement of Environmental Quality

In this case, the following SPDs are applicable:

- Biodiversity Net Gain Technical Advice Note (adopted 29th June 2021)

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

Assessment

1. Principle of Development

Priority Employment Area

The site is allocated as a Priority Employment Area (PEA2) 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.

With regard to the land allocation as employment land, LP8 supports development which continues the employment use. The proposed development would enhance the existing business and is therefore considered to be compliant with LP8 of the Kirklees Local Plan.

Renewable Energy

As the proposal relates to renewable energy, Policy LP26 of the Kirklees Local Plan is of relevance. This policy states that *renewable and low carbon energy proposals (excluding wind) will be supported and planning permission will be granted where the following criteria are met:*

- a. the proposal would have an unacceptable impact on landscape character and visual appearance of the local area, including the urban environment;*
- a. the proposal would not have either individually or cumulatively an unacceptable impact on protected species, designated sites of importance for biodiversity or heritage assets;*
- b. the statutory protection of any area would be compromised by the development;*
- c. any noise, odour, traffic or other impact on development is mitigated so as not to cause unacceptable detriment to local amenity;*
- d. and significant effects of the proposal are mitigated by wider environment, social and economic benefits*

The proposed solar panels would be acceptable with regard to criteria a to e and as such, would accord with the requirements of Local Plan Policy LP26. On this basis, 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.

2. Impact on Visual Amenity and Historic Environment

Policy LP24 of the Kirklees Local Plan states 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.

The NPPF offers guidance relating to design in Chapter 12 (achieving well designed places) whereby Paragraph 131 provides a principal consideration concerning design which states: *“The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.”*

Paragraph 135(c) of the NPPF sets out that development should be sympathetic to local character and history, including the surrounding built environment and landscape setting. Furthermore, Policy LP35 of the Kirklees Local Plan requires development proposals affecting a designated heritage asset to preserve or enhance the significance of the asset, retaining those elements of the historic environment which contribute to the distinct identity of the Kirklees area and ensuring that proposals maintain and reinforce local distinctiveness.

Paragraph 210 of the NPPF is also of relevance and states that in determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and the desirability of new development making a positive contribution to local character and distinctiveness.

The submitted plans confirm that 30 solar panels would be installed within the eastern, western and southern roof plane of the existing building. It is proposed that 30 Jinko Tiger Neo 440W N-Type all black mono solar panels are to be installed, each measuring 1134mm x 1762mm. The submitted details indicate that the panels would be connected to 1 Growatt MOD 12000 TL3-X 3ph inverter, which converts the DC electricity into mains (AC) electricity. The panels would generate renewable energy at the property which would lead to a reduction in carbon emissions. Whilst the solar panels would have some visibility from public vantage points along Penistone Road, they would not appear overly prominent and are not considered to have a

significant impact on the visual amenity of the host property, surrounding area and the significance of the adjacent Grade II listed boundary post.

Having taken the above into account, the proposed development would not cause any significant harm to the visual amenity of the wider street scene, complying with Policy LP24 of the Kirklees Local Plan and the aims of Chapter 12 of the National Planning Policy Framework. Furthermore, the proposal would not cause any detrimental harm to the significance of the Grade II Listed Building and would comply with Policy LP35 of the Kirklees Local Plan, Chapter 16 of the NPPF and the requirements of Section 66 the Town & Country Planning (Listed Buildings & Conservation Areas) Act 1990.

3. Impact on Residential Amenity

Consideration in relation to the impact on the residential amenity of neighbouring occupants shall now be outlined, 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 submitted plans confirm that no residential properties located north, east, west or south of the site would be affected by the proposed works.

Impact on Ashford Court

Ashford Court is an apartment building located south-east of the application site. It is noted that a separation distance of approximately 30.5m would be retained between the host property and Ashford Court. Given that the separation distances retained would be substantial, it is considered that the proposal would have an acceptable impact on the neighbour's residential amenity.

Having considered the above factors, the proposed works 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 Paragraph 135(f) of the National Planning Policy Framework.

4. Impact on Highway Safety

Local Plan Policies LP21 and LP22 of the Kirklees Local Plan are relevant and seek to ensure that proposals do not have a detrimental impact on highway safety and provide sufficient parking. Furthermore, Paragraph 116 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The proposed development would not materially intensify the use or affect the existing highway access and parking arrangements on site. Therefore, it is considered that the proposal would not cause detrimental harm to the safe and efficient operation of the highway network, in accordance with Policies LP21 and LP22 of the Kirklees Local Plan, guidance within the Council's Highways Design Guide SPD, and Chapter 9 of the National Planning Policy Framework.

5. Other Matters

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.

In this case, due to the nature of the proposal is not considered reasonable to require the applicant to put forward any specific resilience measures.

Biodiversity Net Gain

The application form states that the development subject to the de minimis exemption, would be exempt from providing Biodiversity Net Gain. At this stage, Officers are only able to assess this on the basis of submitted information. Should the proposal be considered not exempt by reason of not being this or other relevant categories for the scale of the development then an appropriate condition, supported by a BNG metric submitted for the approval of the LPA, would be required to ensure on-site BNGs would last for at least 30 years to meet the requirements of this legislation.

Bat Alert

Whilst the site is located in an area identified as being within a 'bat alert' layer on the Council's mapping system, in this instance, the nature of the works is considered unlikely to have a detrimental impact on the bat population. However, a footnote will be added to the decision notice to provide the applicant with advice should bats or bat roosts be found during construction. This would accord with the aims of Policy LP30 of the Kirklees Local Plan, the

Council's Biodiversity Net Gain Technical Advice Note, and Chapter 15 of the National Planning Policy Framework.

Flood Risk

The application site is located within the Flood Zone 2 and 3. However, as the proposed works relate to the roof of the building, officers did not consider it necessary to consult the Environment Agency or the Lead Local Flood Authority.

There are no other matters relevant to the determination of this application.

6. Representations

No representations were received following the statutory publicity.

7. Conclusion

This application for the installation of solar panels to the roof at Easilift Loading Systems Ltd has been assessed against relevant policies in the development plan as listed in the policy section of the report, the National Planning Policy Framework and other material considerations. Given the acceptable design and lack of harm in terms of visual and residential amenity, the proposed extension is considered to be acceptable.

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: 2025/91270

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 to ensure the satisfactory appearance of the development on completion, and to accord with Policies LP1, LP2, LP8, LP9, LP24, LP26, LP27, LP30, LP31, LP35 and LP52 of the Kirklees Local Plan and the aims 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 regulation 41 of the Conservation of Habitats and Species Regulations 2010. 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.

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: Kirklees Council has powers under Section 60 of the Control of Pollution Act 1974 to control noise from construction sites and may serve a notice imposing requirements on the way in which construction works are to be carried out. It has additional powers under Sections 80 of the Environmental Protection Act 1990 to prevent statutory nuisance including noise, dust, smoke and artificial light and must serve an abatement notice when it is satisfied that a statutory nuisance exists or is likely to occur or recur. Failure to comply with a notice served using the above-mentioned legislation would be an offence for which the maximum fine on summary conviction is unlimited.

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	Revision	Date Received
Location Plan	PP-14002421v1	-	08/05/2025
Existing Site Plan	-	-	08/05/2025
Proposed Site Plan	-	-	08/05/2025

Proposed Site Plan			08/05/2025
Roof Plan	-	-	08/05/2025
Technical Details	-	-	08/05/2025
Performance Estimate	-	-	08/05/2025
Climate Change Statement	-	-	08/05/2025

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. In this case, the design of the original scheme has been found acceptable. No further amendments or details were sought thereafter.

Dated: 19/07/2025