

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:	2026/62/90499/W
Site Address:	21, Birchwood Close, Lindley, Huddersfield, HD3 3GZ
Description:	Installation of air source heat pump to rear elevation
Recommending Officer:	Sarah Longbottom

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.

John Holmes

AUTHORISED OFFICER

Date: 17-Jul-2026

Officer Report

SITE DESCRIPTION

The application site comprises a mid-terraced three storey dwelling located on a large modern residential development. There is an enclosed garden to the rear and private driveway leading to a shared garage block with parking and turning area.

The surrounding area is predominantly residential with the exception of Lindley District Centre to the east.

DESCRIPTION OF PROPOSAL

Permission is sought for the installation of an air source heat pump (ASHP) to the rear of the dwelling, close to the southern boundary and affixed to the ground. The dimensions of the ASHP are as follows:

Length: 0.85m

Height: 1.12m

Depth: 0.595m

The submitted plans indicate that the ASHP would have a black cased external finish.

HISTORY OF NEGOTIATIONS/AMENDMENTS RECEIVED

Through the course of the application, a Noise Assessment was requested and received from the agent.

RELEVANT PLANNING HISTORY

None relevant.

REPRESENTATIONS

The application was publicised by site notice. No representations have been received as a result of site publicity.

CONSULTATION RESPONSES

KC Environmental Health: Following receipt of Noise Assessment, confirmed they have no objections to the proposal.

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.

Kirklees Local Plan (LP):

- **LP1** – Achieving sustainable development
- **LP2** – Place shaping
- **LP24** – Design
- **LP26** – Renewable and low carbon energy
- **LP51** – Protection and Improvement of Local Air Quality
- **LP52** – Protection and Improvement of Environmental Quality

National Policies and Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 19th February 2019, 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 4 Decision-making
- Chapter 11 Making effective use of land
- 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

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.

Legislation

The Town & Country Planning Act 1990 (as amended).

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
- 2) Impact on visual amenity
- 3) Impact on residential amenity
- 4) Impact on highway safety
- 5) Other matters
- 6) Representations
- 7) Conclusion

1 – Principle of development:

The proposal seeks permission for the installation of an air source heat pump to serve the existing dwelling. Air source heat pumps are a form of low-carbon technology which can assist in reducing greenhouse gas emissions and reliance on fossil fuels. As such the proposal is considered to support the objectives of Chapter 14 of the NPPF and Policy LP26 of the Kirklees Local Plan which collectively seek to support the transition to low carbon future.

The principle of development is therefore considered acceptable, subject to consideration of its impact on the character of the area and neighbouring amenity. These matters are assessed below.

2 –Impact on 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 ASHP would be located close to the southern boundary (occupied by a 1.8m high timber fence) of the site, a distance of 1.0m from the rear elevation of the existing building. It would be floor mounted and would be of a modest scale and appropriate siting so as not to dominate the character of the host building nor would it be readily visible from public vantage points. The submitted plans demonstrate that it would have a black cased external finish. The unit would be viewed in the context of the existing building and surrounding features, and it is not considered that it would appear unduly prominent or visually intrusive.

As such, it is considered that the ASHP would be of an acceptable design quality and would not cause adverse harm to the visual amenity of the area or

the host building. The proposed development is considered to comply with Chapter 12 of the NPPF, LP2 and LP24 of the Kirklees Local Plan.

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.

The size and scale of the proposal and nature of the development is such that it would not be unduly oppressive or overbearing, lead to overshadowing or impact upon the privacy of neighbouring occupiers.

Noise

Policy LP52 of the Kirklees local Plan seeks to protect and improve environmental quality by ensuring that development does not result in unacceptable levels of pollution or nuisance, including noise impacts that could adversely affect the amenity of neighbouring occupiers.

Similarly, Chapter 15 of the National Planning seeks to prevent development from contributing to, or being adversely affected by, unacceptable levels of pollution. These policies are relevant in this instance as air source heat pumps can generate operational noise. Accordingly, consideration has been given to the siting, specification and operation of the proposed unit to ensure that it would not result in an unacceptable impact on the living conditions of nearby residents.

The application property comprises a mid-terraced three storey townhouse, with the most affected neighbouring properties being the adjoining 19 and 23 Birchwood Close. The proposed ASHP would be located particularly close to the boundary (occupied by a 1.8m high timber fence) with No. 19.

The applicant has submitted an unreferenced Noise Impact Assessment, dated 25th of June 2026, prepared by Anita Pullmanova in support of the application. The report identifies that the predicted external Rating Noise Level (L_{Ar,Tr}) at the neighbouring assessment positions 19 and 23 Birchwood Close is 38 dB(A) and 41 dB(A) respectively.

KC Environmental Health have been consulted in relation to the submitted Noise Assessment and have confirmed that the proposed installation of the Cosy 6 Air Source Heat Pump will be acceptable, based on a noise level of 41dB (A) at the nearest noise sensitive receptor.

On the basis of the above, the proposal would accord with Policies LP24 and LP52 of the Kirklees Local Plan and Chapters 12 and 15 of the National Planning Policy Framework.

4 – Impact on highway safety:

The proposal would have no impact upon highway safety.

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 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.

A Climate Change Statement has been submitted in support of the application. The application is for an ASHP, which would provide a low carbon energy source which, in turn, would reduce the carbon footprint at the building. Therefore, the proposed development is considered to comply with Chapter 14 of the NPPF and Policies LP26 and LP51 of the Kirklees Local Plan.

6 – Representations:

No representations were received as a result of site publicity.

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 that the development would constitute sustainable development and is therefore recommended for approval.

Recommendation

Approve

Decision Authorisation - Delegated Powers

Application Number: 2026/90499

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 Policies LP1, LP2, LP3, LP24, LP26, LP51 and LP52 of the Kirklees Local Plan and Policies within Chapters 2, 4, 11, 12, and 14 of the National Planning Policy Framework.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Site Location Plan			20.02.2026
Site Plan as Existing	01		20.02.2026
Site Plan as Proposed	02		20.02.2026
Elevations as Existing	03		20.02.2026
Elevations as Proposed	04		20.02.2026
Planning Statement			20.02.2026
Cosy 6 Technical Specification			20.02.2026
Climate Change Statement			20.02.2026
Noise Assessment		25 June 2026	26.06.2026

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. Through the course of the application, a Noise Assessment was submitted to demonstrate that the proposal would be acceptable from a noise perspective.

