

KIRKLEES METROPOLITAN COUNCIL GROWTH AND REGENERATION SERVICE

DEVELOPMENT MANAGEMENT

Town and Country Planning (General Permitted Development) (England) Order 2015(as amended) - Schedule 2, Part 14, Class OA , Installation, alteration or replacement of a solar canopy within an area lawfully used as off-street parking other than for a dwellinghouse or a block of flats

DELEGATED DECISION FOR DISCHARGE OF CONDITION - NOTIFICATION OF DEVELOPMENT UNDER THE ABOVE PROVISIONS

Reference no. 2026/CL/90915/W

Site Address	Cummins Turbo Technology, St Andrew's Road, Huddersfield, HD1 6RA
---------------------	--

Description	Prior approval for installation of solar photovoltaic (PV) canopies and associated works
--------------------	---

Recommending Officer	Joshua Merriman
-----------------------------	------------------------

DECISION – PRIOR APPROVAL GRANTED

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.

Kirsty Nicholls

AUTHORISED OFFICER

Date: 30-Jun-2026

THE SITE

The application site refers to Cummins Turbo Technology, St Andrew's Road, Huddersfield, HD1 6RA, a large site consisting of office space, warehouses, construction areas, and a large car park area which is the subject of this application. The application site lies within a relatively uniform street scene considering the surrounding building are of a similar business and warehouse use, with no residential usage lying in the immediate vicinity of the application property.

THE PROPOSAL

The Scheme

The applicant is seeking Prior notification for installation of solar photovoltaic (PV) canopies and associated works.

The proposed would see the erection of multiple solar canopies covering the existing hard-standing parking area on site. The canopies would be 3.5m in total height.

The Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2023 amended part 14 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 updated on 21st December 2023 and are the regulations against which this application is submitted.

Supporting Information

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

- Planning Statement
- Climate Change Statement

PLANNING HISTORY

The most relevant planning history relates to the following applications:-

96/90232 - ERECTION OF ILLUMINATED SIGN – Advertisement Consent Granted.

2000/93606 - ERECTION OF SIGNAGE – Advertisement Consent Granted.

2007/94619 - ERECTION OF ILLUMINATED AND NON-ILLUMINATED SIGNS – Advertisement Consent Granted.

2017/92268 - Erection of extensions, alterations to roofs and elevations and installation of sprinkler tank and pump house – Conditional Full Permission.

2018/92134 - Discharge conditions 5 (materials), 6 (landscape/ecology), 9 (surface water drainage) on previous permission 2017/92268 for erection of extensions, alterations to roofs and elevations and installation of sprinkler tank and pump house – Discharge of Conditions Split Decision.

2023/91709 - Prior notification for installation of roof mounted solar photovoltaic equipment – Details Approved.

2023/92258 - Discharge of conditions 3 (Phase II Intrusive Site Investigation Report) and 4 (Validation Report) of previous permission 2017/92268 for erection of extensions, alterations to roofs and elevations and installation of sprinkler tank and pump house – Discharge of Conditions Refused

2023/93313 - Discharge of conditions 3 (Implementation of Remediation Strategy) and 4 (Validation Report) of previous permission 2017/92268 for erection of extensions, alterations to roofs and elevations and installation of sprinkler tank and pump house – Discharge of Conditions Approved.

REPRESENTATIONS

Publication of the application has been undertaken in accordance with the Table 1 of the Kirklees Development Management Charter. As such, this application has been publicised by site notice. The expiry date of the publicity period was the 08/05/2026.

Letters of Objection

None

Letters of Support

None

Letters of Comment

None

CONSULTATIONS

No consultations considered necessary.

PROCEDURAL MATTERS AND POLICY CONTEXT

The proposal constitutes development as defined within Section 55 of the Town and Country Planning Act 1990. Class OA of Part 14 of Schedule 2 of The General Permitted Development (England) Order 2015 (as amended), permits the following development:

The installation, alteration or replacement of a solar canopy within an area lawfully used as off-street parking other than for a dwellinghouse or a block of flats.

The proposal is considered to be covered within this Class, and is thus authorised subject to the restrictions, conditions and prior notification procedure outlined in Paragraphs OA.1 and OA2 of the Town and Country Planning (General Permitted Development) Order 2015 (England) (as amended).

Paragraph OA.1 is broken down into 6 subsections, covering a wide array of solar canopy-based development. Subsection 1 is relevant to the proposed development.

Subsection 1	
(a)if any part of the development— (i)exceeds 4 metres in height above ground level; (ii)is within 10 metres of the curtilage of a dwellinghouse or a block of flats;	Pass: The maximum height of the development is 3.5m and is not within 10m of the curtilage of a dwellinghouse or a block of flats.
(b)within the curtilage of a dwellinghouse or a block of flats;	Pass: The development is not within the curtilage of a dwellinghouse or block of flats.
(c)on a site designated as a scheduled monument or on land within the curtilage of a scheduled monument;	Pass: The application site is not designated as a scheduled monument or land within the curtilage of a scheduled monument.
(d)within the curtilage of a listed building;	Pass: The development is not within the curtilage of a Listed Building.
(e)for the display of an advertisement; or	Pass: The development will not be used for the display of an advertisement.
(f)if the off-street parking area is in use by virtue of Class B (temporary use of land) of Part 4 (temporary buildings and uses).	Pass: The off-street parking area is not a temporary use of land or uses.

The proposal has been assessed to comply with Paragraph OA.1. Thus, the proposal is authorised via Class OA, subject to the conditions and restrictions outlined in Paragraph OA.2 of The Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2023.

Paragraph OA.2 outlines a set of six conditions that the developer must adhere to. Condition (4) stipulates the need for the developer to comply with paragraphs J.4(3) to J.4(12), which includes the requirement to submit an application for Prior Notification from the Local Planning Authority.

Prior Notification is required for the following considerations:

- Siting
- Appearance

Furthermore, under the procedures outlined in paragraphs J.4(3) to J.4(12), the Council is required to consult relevant bodies and advertise the application by site notice, this has been undertaken.

Legislation

The relevant legislation is Class OA of Part 14 of Schedule 2 of The General Permitted Development (England) Order 2015 (as amended).

ASSESSMENT

Design and Appearance

As the solar canopies are to be located on a large area of hard-standing tarmac, in an area heavily populated with large warehouse type buildings and business operations, it is considered that the solar panels would not appear visually intrusive or out of keeping within the industrial setting of the site.

The section of St Andrews Road along which the proposal would be sited, is relatively open given the site is a flat area of land. The character of the locality has an urban feel, where development such as that which is proposed is not uncommon or not expected to be in place.

There is to be a slight contrast with the existing open hard-standing parking area, however, as the solar panels will be finished in a non-reflective coating, the appearance of the street scene is not considered to be significantly impacted by the solar canopies.

Glare

The proposed panels will be visible from public vantage points such as the pedestrian footpath adjacent to the application site, however, given the angle of the solar panels and height of the canopy it is considered that light would be reflected upwards, away from public vantage points and surrounding development.

Highway Safety

The proposal would see the siting of solar canopies at the rear of the pavement, set back from the adopted highway.

There is excellent visibility along this stretch It is considered that in this case, notwithstanding that there has not been a response of the Highways DM Team, it would be unreasonable of the LPA to refuse the siting of the proposal on the basis of impact upon access and highway safety. The proposal is therefore concluded to be acceptable in this regard and in accordance with the aforementioned policies.

Siting

Given the distance of the proposal from the nearest neighbouring residential properties, and scale of the proposal it is considered the impact to properties to the nearest neighbouring properties would not be of such a degree that the proposal would be unacceptably oppressive.

The proposal is therefore concluded to be acceptable in terms of its visual impact and impact upon the residential amenity of neighbouring occupiers.

CONCLUSION

The proposal is concluded to have an acceptable visual impact. The development is not considered to be detrimental to access and highway safety or the health of the wider public.

It is therefore considered that the principle of the development is acceptable, subject to the impact upon siting and appearance – in this case the impacts of such on access and highway safety / visual amenity being concluded to be acceptable.

The proposal is therefore considered to be acceptable, prior notification is therefore recommended to be approved.

Recommendation: PRIOR APPROVAL GRANTED

Decision Authorisation: Delegated Powers

Application Number: 2026/90915

Officer Recommendation: Approve

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location Plan	26C07-FBA-ZZ-SI-DR-A-0700-P01	-	31/03/2026
Existing Site Plan	26C07-FBA-ZZ-SI-DR-A-0200-P03	-	31/03/2026
Proposed Elevations	26C07-FBA-CP-ZZ-DR-A-2100-P03	-	31/03/2026
Car Port Proposal	26C07-FBA-Cp-ZZ-DR-A-2100-P03	-	31/03/2026

Plan Type	Reference	Version	Date Received
Proposed Car Park Layout	26C07-FBA-CP-SI-DR-A-2010-P03	-	31/03/2026
Application Forms	-	-	31/03/2026
Planning Statement	-	-	31/03/2026
Climate Change Statement	-	-	31/03/2026

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 acceptable as submitted.

Report Dated:

21/05/2026