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:	**2026/62/91452/E**
Site Address:	23, Abbey Road, Shepley, Huddersfield, HD8 8EP
Description:	Installation of roof mounted solar panels
Recommending Officer:	Kerri Simpson

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: 11-Aug-2026

Officer Report – 2026/91452

Site Description

The subject building is a large stone built, slate roof two-storey semi-detached dwellinghouse, located on the eastern side of Abbey Road, off an unadopted road. The application pertains to the southern roof slope of the building.

The application site is subject to the planning policy designations and constraints:

- Green Belt
- Bat Alert Zone
- Swift Nesting Records
- Development Low Risk (Coal)

Description of Proposal

The proposal is to install 18.no solar panels on the south-facing roof slope of the dwelling. The panels would be arranged in two horizontal rows, mounted parallel to the existing pitched roof on a metal frame. The submitted product information indicates that each panel would measure 1.76m by 1.13m and project circa 30-55mm above the mounting system. No alterations to the dwellings overall roof form are proposed.

History of Negotiations / Amendments Received

No amendments or negotiations were submitted by the applicant nor requested by officers.

Relevant Planning History

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

Reference Number: **2025/93510**
Description: Erection of extensions and associated alterations
Decision: Conditional Full Permission (20.03.2026)

Reference Number: **2016/91310**
Description: Erection of detached garage
Decision: Conditional Full Permission (16.06.2016)

Reference Number: **2016/90196**
Description: Certificate of Lawfulness for detached garage
Decision: Certificate of Lawful Proposed Development Refused (01.04.2016)

Reference Number: **2003/92594**
Description: Erection of 2 storey extension
Decision: Conditional Full Permission (05.08.2003)

Reference Number: **2003/90842**
Description: Erection of extensions and alterations
Decision: Conditional Full Permission (16.04.2003)

Reference Number: **2002/94525**
Description: Erection of extensions and alterations
Decision: Conditional Full Permission (06.02.2003)

Reference Number: **2002/92744**
Description: Erection of 2-storey extension
Decision: Conditional Full Permission (03.10.2002)

Reference Number: **86/02669**
Description: Porch extension to front elevation
Decision: Granted Conditionally (18.07.1986)

Representations

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

The application has been publicised on the Council's website and by site notice The expiry date of the publicity period was the 27th July 2026.

There were no letters of representation received

Consultation Responses

No internal or external consultations were required.

Allocation and Policy

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
LP24 Design
LP26 Renewable and low carbon energy
LP30 Biodiversity and Geodiversity
LP57 The extension, alteration or replacement of existing buildings

National Policies and Guidance

National planning policy and guidance are set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) which was last update in February 2025, 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 13 Protecting Green Belt Land
Chapter 14 Meeting the challenge of climate change, flooding and coastal change

Legislation

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

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. Climate Change
4. Other matters – e.g. trees/ecology (e.g. bats)
5. Representations
6. Conclusion

1 – Principle of Development

NPPF Paragraph 11 and LP1 outline a presumption in favour of sustainable development. Paragraph 8 of the NPPF identifies the dimensions of sustainable

development as economic, social and environmental (which includes design considerations). It states that these facets are mutually dependent and should not be undertaken in isolation.

The NPPF (December 2024) strengthens the emphasis on climate change adaptation and mitigation, reinforcing the importance of integrating renewable and low-carbon energy technologies into development proposals.

Policy LP1 of the Kirklees Local Plan aligns with the NPPF in promoting sustainable development. While Policy LP2 requires development to respect and enhance the distinctive character of places.

The proposals compliance with these policies is assessed in detail within the relevant sections of this report.

Green Belt

Paragraph 154 (c) of the National Planning Policy Framework establishes that the extension or alteration of an existing building is not inappropriate development in the Green Belt, provided it does not result in disproportionate additions over and above the size of the original building. The proposal must also be considered against Policy LP57 of the Kirklees Local Plan.

The proposed solar panels would be mounted parallel to the existing roof slope and would project only marginally above the roof surface. They would not extend the footprint of the dwelling, materially increase its size or massing, or alter its established roof form. Consequently, the proposal would not represent a disproportionate addition and would have no material effect upon the openness of the Green Belt. It would be viewed both visually and spatially within the context of the existing roofscape.

The development therefore falls within the exception set out at Paragraph 154(c) of the NPPF and Policy LP57 of the Kirklees Local Plan and does not constitute inappropriate development in the Green Belt. The proposal is acceptable in principle, and there is no requirement to demonstrate Very Special Circumstances.

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 130 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 proposed panels would be fixed to the existing roof and would not significantly increase the heigh or footprint of the dwelling. They would therefore

have no material effect upon neighbouring occupiers in terms of loss of outlook, privacy, daylight or sunlight. Given the fixed position parallel to the south-facing roof slope, the relationship with surrounding properties and the intervening distances between, the proposed solar panels would not be expected to result in any significant glare or other disturbance to neighbouring occupiers. The proposal is therefore considered acceptable in respect of residential amenity.

4. Ecology and Biodiversity

The Biodiversity Net Gain (BNG) Technical Advice Note provides local context on implementing BNG and reflects the statutory requirement introduced by the Environment Act 2021, which mandates a minimum 10% biodiversity net gain for most developments. As the proposal relates to minor works on an existing building, it does not trigger the requirement for measurable Biodiversity Net Gain.

Chapter 15 of the NPPF (December 2024) seeks to protect and enhance the natural environment by securing measurable biodiversity net gains, safeguarding irreplaceable habitats, and ensuring that harm to biodiversity is avoided, mitigated or, only where absolutely necessary, compensated.

Policy LP30 of the Kirklees Local Plan seeks to ensure that development proposals protect and enhance the natural environment. This includes safeguarding species and habitats of principal importance, avoiding significant harm to biodiversity, and securing measurable biodiversity net gains wherever possible.

The site lies within a Bat Alert Zone and an identified Swift Nesting Area. The proposal is limited to the installation of solar panels on a mounting frame above the existing roof tiles, with no alterations proposed to the roof space, eaves, ridge or soffits. Given the nature and limited extent of the works, it is not considered proportionate to require a protected species survey in this instance.

An informative should be attached advising that, should bats, nesting birds or evidence of either be encountered during the works, works must cease and advice be sought from a suitably qualified ecologist. It is therefore considered that the proposal would comply with Policy LP30 of the Kirklees Local Plan.

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.

The proposal would generate renewable energy for use at the property, reducing its reliance upon electricity obtained from non-renewable sources and assisting in reducing operational carbon emissions. The submitted Climate Change Statement also indicates that local contractors would be used where possible to reduce travel-related emissions during installation.

As the development would be confined to the existing roof, it would not increase the extent of hard surfacing, affect existing drainage or result in the loss of vegetation or habitat. The proposal represents an appropriate climate-change mitigation measure and its contribution towards renewable and low carbon energy generation weighs positively in the assessment. The proposed development would therefore comply with Chapter 14 of the National Planning Policy Framework.

6. Other Matters

None.

7. Representations

There were no letters of representation.

8. 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 constitute sustainable development and is therefore recommended for approval.

Recommendation **APPROVE**

Decision Authorisation: Delegated Powers

Application Number: 2026/91452

Officer Recommendation: Full Conditional Permission

Conditions

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 (as amended).

1. 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, LP24, LP26, LP30 and LP5 of the Kirklees Local Plan, Chapters 2, 12, 13, 14 and 15 of the National Planning Policy Framework.

NOTE: The applicant is reminded that bats and nesting birds (including swifts) are protected under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017. If evidence of bats, nesting birds, or other protected species is discovered during the works, all activity must cease, and advice should be sought from a suitably qualified ecologists before proceeding.

NOTE: Noisy construction related activities shall not take place outside the hours of:
07.30 to 18.30 hours Mondays to Fridays 08.00 to 13.00 hours, Saturdays With no noisy
activities on Sundays or Public Holidays.

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.

Plans and specifications schedule:-

Plan Type	**Reference**	**Version**	**Date Received**
Location Plan	3671 (LP) 01	Rev A	02/06/2026
Block Plan	3671 (LP) 03	-	02/06/2026
Proposed Solar Panels GA	3671 (0-) 14	Rev A	02/06/2026
NEOSTAR 2S Mono-Glass Module 440W – 470W Technical Sheet	-	-	02/06/2026
Renusol Europe GmbH System Datasheet	-	-	02/06/2026

Plan Type	Reference	Version	Date Received
Climate Change Statement	-	-	02/06/2026

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. There were no amendments or negotiations necessary to make the development acceptable.

Report Dated: 11/08/2026