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:	**2026/62/92177/E**
Site Address:	West Barn, Heymoor Farm, Abbey Road, Shepley, Huddersfield, HD8 8EP
Description:	Installation of 20 no roof mounted solar photovoltaic (PV) panels and erection of associated inverter enclosure
Recommending Officer:	Laura Yeadon

DECISION – Full Conditional 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.

Kirsty Nicholls

AUTHORISED OFFICER

Date: 08-Oct-2026

Officer Report

Weblink

Site Description

West Barn is a two storey semi-detached former barn conversion located within the Green Belt as defined within the Kirklees Local Plan. The building is constructed from stone with a stone slate roof. Garden space is located to both the front and rear of the dwelling with the rear elevation facing southward.

Description of Proposal

The application seeks planning permission for the installation of 20 no. roof mounted solar photovoltaic (PV) panels and erection of associated inverter enclosure.

The panels would be placed in 2 no. rows and mounted on a frame to the existing roof form with each panel measuring 1800×1134×30mm. No further alterations to the roof form are proposed.

The inverter enclosure is a detached outbuilding and would be located to the side of the property. The dimension of the building is 1.6m x 0.8m x 1.9m with the base being surrounded by a stone lintel with the walls constructed from green treated softwood sleepers which would be stained to match the fence.

History of negotiations/amendments received

No negotiations have taken place with the applicant/agent due to the application being acceptable in its submitted format.

Relevant Planning History

2000/91706 – Change of use of exiting barn to 2 dwellings and erection of two double garage buildings – Conditional Full Permission

2003/90357 – Re-use, extensions and adaptation of exiting barn to form two dwellings with detached double garage/implement stores – Conditional Full Permission

Representations

We are currently undertaking the legal statutory publicity requirements, as set out at Table 1 in the Kirklees Development Management Charter. As such, we have publicised this application via site notice.

Final publicity date expired 18th September 2026 – no representations received

Kirkburton Parish Council – replied with no comment

Consultation Responses

None required

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).

Kirklees Local Plan:

- LP 1– Achieving sustainable development
- LP 2 – Place shaping
- LP24 – Design
- LP26 – Renewable and low carbon energy
- LP30 – Biodiversity
- LP57 – The extension, alteration or replacement of existing buildings

National Policies and Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 2026, 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 3 – Decision Making Policies
- Chapter 4 – Achieving Sustainable Development
- Chapter 5 – Meeting the challenge of climate change
- Chapter 10 – Securing clean energy and water
- Chapter 13 – Protecting Green Belt land
- Chapter 14 – Achieving well designed places
- Chapter 17 – Pollution, public protection and security
- Chapter 19 – Conserving and enhancing the natural environment

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

Principle of development:

Policy GB6(1) of Chapter 13 of the NPPF sets out that Development in the Green Belt is inappropriate unless it falls within one of the categories in policy GB7.

Policy GB6(2) details that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Such circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness and any other harm resulting from the proposed development, is clearly outweighed by other considerations. In making this assessment, substantial weight should be given to the harm to the Green Belt which would be caused, including harm to its openness.

Policy GB6(3) relates to proposals for renewable and low carbon energy development within the Green Belt and details that very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources.

Policy LP57 The extension, alteration or replacement of existing buildings
Proposals for the extension, alteration or replacement of buildings in the Green Belt will normally be acceptable provided that:

a. in the case of extensions the original building remains the dominant element both in terms of size and overall appearance. The cumulative impact of previous extensions and of other associated buildings will be taken into account. Proposals to extend buildings which have already been extended should have regard to the scale and character of the original part of the building;
b. in the case of replacement buildings, the new building must be in the same use as and not be materially larger than the building it is replacing;
c. the proposal does not result in a greater impact on openness in terms of the treatment of outdoor areas, including hard standings, curtilages and enclosures and means of access; and
d. the design and materials should have regard to relevant design policies to ensure that the resultant development does not materially detract from its Green Belt setting.

Chapter 5 of the NPPF sets out policies relating to meeting the challenge of climate change. The objective of the policies in chapter 5 are details as being to support the transition to net zero by 2050 and to shape places in ways which are more resilient to the effects of climate change. It does this by setting out policies to shape places in ways that contribute to radical reductions in greenhouse gas emissions and adapt to the full range of current and potential impacts of climate change, by minimising vulnerability and improving resilience.

In this case 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 proposed housing unit would be limited to a structure with the footprint being 1.6m x 0.8m, will be discretely located to the side of the exiting dwelling, would be limited in height to 1.9 metres and constructed from sympathetic materials. It is not considered that the unit would result in a visual intrusion into the Green Belt.

It is therefore considered that the development in totality would fall within the exceptions of LP57 (a and c) and does not constitute inappropriate development in the Green Belt. Therefore, the proposal is acceptable in principle and there is no requirement to demonstrate very special circumstances in this case.

Impact on residential amenity:

Policy LP24 of the Kirklees Local Plan and Chapter 17 of the National Planning Policy Framework seeks to ensure development has an acceptable impact upon the amenity of neighbouring occupiers. Key Design Principles 3, 4, 5 and 6 of the Council's adopted House Extensions & Alterations SPD seek to ensure development does not have a detrimental impact upon privacy of neighbouring occupiers, cause unacceptable levels of overshadowing or be unacceptably oppressive / overbearing.

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.

Other matters:

Climate Change - Chapter 5 of the NPPF sets out policies relating to meeting the challenge of climate change. The objective of the policies in chapter 5 are details as being to support the transition to net zero by 2050 and to shape places in ways which are more resilient to the effects of climate change. It does this by setting out policies to shape places in ways that contribute to radical reductions in greenhouse gas emissions and adapt to the full range of current and potential impacts of climate change, by minimising vulnerability and improving resilience.

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.

Due to the limited nature of the development proposed, it is not considered that specific mitigation measures are required to facilitate this development.

Biodiversity – Policy N2 of Chapter 19 of the National Planning Policy Framework are relevant, together with The Conservation of Habitats and Species Regulations 2017 which protect, by law, the habitat and animals of certain species including newts, bats and badgers.

Policy LP30 of the Kirklees Local Plan requires that proposals protect Habitats and Species of Principal Importance.

The application site is within a 'Bat Alert' layer on the Council's GIS system. Whilst formal comments have not been requested from an Ecology & Biodiversity Officer it is considered that a Bat Survey was not required in this instance. This is due to the fact that albeit the extension will connect into the existing roof, the property in this case appears to be well sealed and maintained with little opportunity for bats.

As a cautionary measure, and to ensure accordance with the aims of Chapter 19 of the National Planning Policy Framework, a footnote shall be attached to the permission setting out that, should any bats be found using the building then works must cease and appropriate advice sought.

Coal legacy – The site is located within the Coal Authority's "Development Low Risk Area". There is no statutory requirement to consult the Coal Authority regarding development within the "Development Low Risk Area", instead an informative note can be appended to the decision notice which constitutes the deemed consultation response. The application site falls within an area at low risk of ground movement as a result of past mining activities as determined by the Coal Authority. As such it is considered that it is unnecessary in this case to require a survey of land stability to be carried out with regard to previous mining activity which may have taken place within the locality. It is recommended that the Coal Authority's standing advice is provided with any grant of approval. As such it is considered that the proposal is acceptable with regard to ground stability in accordance with Policy P2 of the National Planning Policy Framework.

<u>Representations</u>:

None received

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: 2026/92177

Officer Recommendation: Approve

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 51 of the Planning and Compulsory Purchase Act 2004.

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, LP24, LP26, LP30 and LP57 of the Kirklees Local Plan and to accord with Policies within Chapters 3, 4, 5, 10, 13, 14, 17 and 19 of the National Planning Policy Framework.

NOTE: The Council's GIS system indicates that the property is within a bat roost area and 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 to 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.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location Plan	PP-15089563v1		5th August 2026
Existing Block Plan	TQRQM26216191551651		5th August 2026
Proposed Block Plan	TQRQM262161729225		5th August 2026
Proposed Arial Plan and Site Plan	Appendix 1		5th August 2026
Enclosure Elevations	Appendix 2		5th August 2026
Design and Access Statement	Appendix 3		5th August 2026
Images	Appendix 4		5th August 2026
Solar Panel Specification	Longi		5th August 2026
Climate Change Statement	Appendix A		5th August 2026
Application Form	PP-15089563		5th August 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 2015 and otherwise actively engaged with the applicant in dealing with the application.

The Case Officer did not undertake any negotiations with the applicant due to the application being acceptable in its submitted format.

Report Dated: 2nd October 2026

Coal – low