
Report of the Head of Planning and Development

STRATEGIC PLANNING COMMITTEE

Date: 23-Oct-2025

Subject: Planning Application 2025/91279 Variation condition 2 (plans) on previous permission 2020/91746 for erection of extra care development providing 80 apartments with associated communal facilities and landscaped gardens Land off, Kenmore Drive, Cleckheaton, BD19 3EJ

APPLICANT

Ricky Bowden, Robertson
Construction

DATE VALID

20-May-2025

TARGET DATE

19-Aug-2025

EXTENSION EXPIRY DATE

09-Oct-2025

Please click the following link for guidance notes on public speaking at planning committees, including how to pre-register your intention to speak.

[Public speaking at committee link](#)

LOCATION PLAN



Map not to scale – for identification purposes only

Electoral wards affected: Cleckheaton

Ward Councillors consulted: Yes

Public or private: Public

RECOMMENDATION

DELEGATE approval of the application and the issuing of the decision notice to the Head of Planning and Development in order to complete the list of conditions including those contained within this report and to secure a supplemental S106 (Deed of Variation) agreement to link to the previous S106 which secured the following contributions:

1. The establishment of a management company for the management and maintenance of the on-site area of Public Open Space and an Inspection Fee of £250
2. Secure the residential units as 100% affordable housing; 61 for affordable rent and 19 shared ownership.
3. Travel Plan monitoring fee of £15,000

In the circumstances where the supplemental S106 agreement has not been completed within 3 months of the date of the Committee's resolution then the Head of Planning and Development shall consider whether permission should be refused on the grounds that the proposals are unacceptable in the absence of the benefits that would have been secured; if so, the Head of Planning and Development is authorised to determine the application and impose appropriate reasons for refusal under Delegated Powers.

1.0 INTRODUCTION

- 1.1 This Section 73 (S73) application seeks to vary the approved plans for an extra care housing development (reference 2020/91746). The application granted approval for the erection of 80 apartments with associated communal facilities and landscaped gardens. The amendments sought are to install four air source heat pumps within a new external enclosure, an external plant area and a sub-station. The proposed siting of the compounds and sub-station also necessitates a revision to the siting and size of the approved bin store.
- 1.2 The application is reported to Strategic Planning Committee at the request of Councillor Pinnock.

"I have had a look at the application, and would ask that, if you are minded to approve it, it be decided by committee. I am not completely satisfied that the noise from the heat pumps will not cause a nuisance to neighbours (and possibly to the new residents)"

The Chair of Strategic Planning Committee has confirmed that Councillor Pinnock's request is valid having regard to the Protocol for Planning Committees.

2.0 SITE AND SURROUNDINGS

- 2.1 The application site is 1.68 hectares in size and lies to the north west of Cleckheaton town Centre. The surrounding area is predominately residential and the site is bordered by neighbouring residential properties to all boundaries, including a residential nursing home.
- 2.2 The site slopes from approximately 120mAOD in the south west corner, to approximately 103mAOD in the north east corner. Construction works are underway for the erection of an extra care residential development providing 80 apartments (1 and 2 bedroom) with central communal facilities and landscaped gardens, pursuant to planning application ref 2020/91746. The building has been substantially completed on site.
- 2.3 The whole of the site within the red line boundary comprises a housing allocation in the Kirklees Local Plan; ref HS101.

3.0 PROPOSAL

- 3.1 The original permission was for the erection of 80 extra care apartments with associated communal facilities and landscaped gardens. Works have commenced.
- 3.2 Under this Section 73 (S73) application, the applicant proposes the variation of the drawings approved under condition 2 of the planning permission ref 2020/91746 (dated 25 January 2022) which states:

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 Policies LP1, LP2, LP7, LP11, LP20, LP21, LP22, LP24, LP27, LP28, LP30, LP38, LP52 and LP63 of the Kirklees Local Plan as well as Chapters 2, 5, 9, 11, 12, 14 and 15 of the National Planning Policy Framework.*

The wording of the condition is not sought to be changed, although the associated plans table would be updated to amended plans.

- 3.3 The proposed amendments are to introduce air source heat pumps within an enclosure, an external plant area, a sub-station and revisions to the bin store location and size. The amendments are as follows:

Air Source Heat Pumps and Plant Room

- 3.4 The proposal is for four air source heat pumps to be sited to the south of the extra care residential building within the communal garden area, adjacent to an area of raised planting beds. The air source heat pumps would be contained within a new enclosure. The enclosure would have a concrete base measuring 6.1 metres wide, 4.5 metres deep and the walls would be constructed of feathered edge timber boards, with a maximum height of 3 metres. The design incorporates maintenance access doors and a pergola style roof covering. A proposed plant room would adjoin the air source heat pump compound and measure 5.4 metres wide, 3.1 metres deep and 3 metres in height. It would be of brick construction with a single ply flat roof, with Louvre doors on the front (northern) elevation.

Sub-Station

- 3.5 The proposed sub-station would be sited to the south of the extra care residential building adjacent to the car parking area. It would be of brick construction with a hipped roof, and measure 4 metres in width and depth and 4.3 metres in height with doors on the front (northern) elevation.

Bin Store

- 3.6 The proposed siting of the sub-station necessitates a revision to the siting and size of the approved bin store. The bin store would be located further to the west adjacent to the area of off-street parking. The capacity of the store has been reduced from 22 11ltr bins to 16 11ltr bins. The bin store would be of timber construction with a maximum height of 2.6 metres and would have a pergola style roof.

4.0 RELEVANT PLANNING HISTORY (including enforcement history):

4.1 Application site

2020/62/91746/E – Erection of extra care development comprising 80 apartments with associated communal facilities and landscaped gardens – Conditional Full permission.

2022/44/93722/E - Discharge of conditions 5 (Construction Management Plan), 8 (CEMP Biodiversity), 9 (BEMP), 10 (drainage), 11 (flood routing) and 13 (temporary drainage) of previous permission 2020/91746 for erection of extra care development providing 80 apartments with associated communal facilities and landscaped gardens. Discharge of conditions approved.

2023/44/90995/E - Discharge condition 18 (Phase II Intrusive Site Investigation Report) on previous permission 2020/91746 for erection of extra care development providing 80 apartments with associated communal facilities and landscaped gardens. Discharge of conditions approved.

2023/44/93605/E Discharge of condition 25 (PROW) of previous permission 2020/91746 for erection of extra care development providing 80 apartments with associated communal facilities and landscaped gardens. Discharge of conditions approved.

2023/44/93606/E Discharge of condition 6 (landscaping) of previous permission 2020/91746 for erection of extra care development providing 80 apartments with associated communal facilities and landscaped gardens. Discharge of Conditions Approved

2024/44/91104/E Discharge of condition 3 (materials) of previous permission 2020/91746 for erection of extra care development providing 80 apartments with associated communal facilities and landscaped gardens. Discharge of Conditions Approved.

2024/NMA/92159/E Non material amendment to previous permission 2020/91746 for erection of extra care development providing 80 apartments with associated communal facilities and landscaped gardens. Approved.

2025/NMA/90594/E Non material amendment to previous permission 2020/91746 for erection of extra care development providing 80 apartments with associated communal facilities and landscaped gardens - Refused

2025/44/91528/E Discharge of details reserved by conditions 16 (ventilation) on previous permission 2020/91746 for erection of extra care development providing 80 apartments with associated communal facilities and landscaped gardens - Pending a decision

2025/44/91529/E Discharge of details reserved by conditions 8 (CEMP), 10 (drainage strategy), 12 (drainage maintenance), 23 (evc), and 24 (external lighting,) on previous permission 2020/91746 for erection of extra care development providing 80 apartments with associated communal facilities and landscaped gardens – Pending a decision

4.2 Surrounding area

None relevant to the proposal.

5.0 **HISTORY OF NEGOTIATIONS (including revisions to the scheme):**

5.1 During the course of the application officers have negotiated with the applicant to secure:

- A revised scheme to locate the air source heat pump compound further away from the southern boundary and neighbouring property.
- Details of screening/landscaping adjacent the proposed new air source heat pump compound and the site boundary.
- Further details on how the bin store collection will operate.
- Further explanation of the reasons for discounting alternative locations within the site.
- A rebuttal from the applicant's acoustic consultation on the objections raised by third parties.
- A rebuttal from the applicant in response to tree T19.

6.0 **PLANNING POLICY**

6.1 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 (2019)

6.2 The site is unallocated in the Kirklees Local Plan. The following Local Plan policies are considered relevant to the proposal:

- **LP1** – Presumption in favour of sustainable development
- **LP2** – Place Shaping
- **LP3** – Location of new development
- **LP4** – Providing Infrastructure
- **LP7** – Efficient and effective use of land and buildings
- **LP9** – Supporting skilled and flexible communities and workforce

- **LP11** – Housing Mix and Affordable Housing
- **LP20** – Sustainable Travel
- **LP21** – Highways and Access
- **LP22** – Parking
- **LP23** – Core Walking and Cycling Network
- **LP24** – Design
- **LP26** – Renewable and Low Carbon Energy
- **LP27** – Flood Risk
- **LP28** – Drainage
- **LP30** – Biodiversity and Geodiversity
- **LP32** – Landscape
- **LP33** – Trees
- **LP38** – Minerals Safeguarding
- **LP47** – Healthy, active and safe lifestyles
- **LP48** – Community facilities and services
- **LP51** – Protection and Improvement of Local Air Quality
- **LP53** – Contaminated and unstable land
- **LP52** – Protection and improvement of environmental quality
- **LP63** – New Open Space
- **LP65** – Housing Allocations

Supplementary Planning Guidance / Documents

6.3 The following are relevant Supplementary Planning Documents or other guidance documents published by, or with, Kirklees Council:

Supplementary Planning Documents

- Affordable Housing and Housing Mix SPD (2023)
- Highways Design Guide SPD (2019)

Guidance documents

- Kirklees Interim Housing Position Statement to Boost Supply (2023)
- Biodiversity Net Gain Technical Advice Note (2021)
- Planning Applications Climate Change Guidance (2021)
- West Yorkshire Low Emissions Strategy and Air Quality and Emissions Technical Planning Guidance (2016)
- Waste Management Design Guide for New Developments (2020)

National Planning Guidance

6.4 National Policies and Guidance National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF), and the Planning Practice Guidance Suite (PPGS), together with Circulars, Ministerial Statements and associated technical guidance.

6.5 The NPPF constitutes guidance for local planning authorities and is a material consideration in determining applications. The following are the most relevant sections of the NPPF to the application

- **Chapter 2** – Achieving sustainable development
- **Chapter 4** – Decision-making

- **Chapter 5** – Delivering a sufficient supply of homes
- **Chapter 8** – Promoting healthy and safe communities
- **Chapter 9** – Promoting sustainable transport
- **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
- **Chapter 16** – Conserving and enhancing the historic environment

7.0 PUBLIC/LOCAL RESPONSE

7.1 The application was initially advertised via site notices and a press notice with the final publicity expiring 10th July 2025.

7.2 As a result of the above publicity, four representations were received. Full comments are available to view on the Council's website, although in the interests of clarity one objection has been subsequently updated with a request that the previous comments be superseded. A summary of the concerns raised is as follows:

- The proposal represents a significant and harmful departure introducing multiple sources of mechanical noise, vibration and environmental nuisance directly adjacent to a single existing home.
- Concern the introduction of major mechanical elements proposal bypasses the scrutiny they would have received had they been included in the original application.
- The shift from amenity space to industrial mechanical plant represents a fundamental change in character and intent.
- The developer previously attempted to introduce this infrastructure via a non-material amendment which was refused.
- The Noise Report acknowledges a +10Sb excess over background levels at NRS1 during nighttime hours and continues to apply penalties for tonal (+2dB) and intermittent (+3dB) noise characteristics. This brings the total predicted impact to +15dB placing it within the Significant Observed Adverse Effect Level (SOAEL) as defined by National Planning Policy. This level of noise is understood to cause severe disruption to sleep and quality of life, and national precedent confirms where SOAEL is breached, development must not proceed without clear and enforceable mitigation.
- Lack of detailed specifications and no evidence of acoustic properties of the wall or roof materials
- Flawed Operational assumptions; the modelling assumes continuous uniform operation on all four ASHP units and does not account for real-world operations.
- Concern mitigation measures are unforeseeable
- The acoustic kit specification does not constitute a detailed engineering specification.
- Planting does not have an acoustic function.
- The report fails to address the combined noise of the ASHP, substation and commercial kitchen extraction system.
- No vibration modelling has been provided.
- The report models a compound with masonry walls and acoustic roof, the drawings depict a timber enclosure.

- The site lies on a sloped and acoustically exposed topography.
- The effectiveness of anti-vibration pads for the sub-station cannot be confirmed without a study.
- The plans are inconsistent.
- Tree T19 was felled without permission and is still shown on the plans. This likely served as a visual and acoustic buffer.
- Concern there is no fire safety plan or ventilation strategy for the sub-station.
- Large refuse containers present a risk of attracting vermin.
- The construction phase has caused ongoing impacts.
- Reasonable alternatives have been rejected on flawed grounds and properties developer logistics over amenity protection.
- The developer has not liaised with residents.
- There is not long-term operation or maintenance strategy.
- Query how the developers did not know an air source heat pump and sub-station were needed at the time of the original application and whether sufficient scrutiny will be applied to the assessment.
- The substation and air source heat pumps will generate additional noise and vibrations and disrupt the lives of residents.
- There has been no consultation from the developer with residents and residents have limited time to object and may be unaware of the proposals.
- Object based on the noise this will generate for existing residents.
- Look forward to the scaffolding coming down to access the footpath from Kenmore Drive to Milton Terrace.
- Object to opening a public right of way on to Milton terrace due to dogs fouling the streets and people using the access late at night.

Amended Plans Publicity

- 7.3 Amended Plans have been received which have reduced the dimensions of the air source heat pump compound, and re-sited it further away from neighbouring property. A reduction in scale of development would not necessitate further publicity, however amended plan neighbour letters have been sent to all interested parties who made comments on the original proposal. The amended plans publicity expired 28th August 2025.
- 7.4 As a result of the amended plans publicity one representation has been received. For clarity the objector requested that the representation be considered as an update to their previous representation. Full comments are available to view on the Council's website and a summary of the concerns raised is as follows:
- The new submissions reinforce many of the original concerns and contradicts national and local planning policy and fails to demonstrate that harm to residential property will be avoided.
 - The drawings do not bind the precise enclosure height, internal linings, door/roof construction, plant models or internal clearances on which the acoustic results depend, so compliance is not enforceable.
 - Concern about flawed operational assumptions
 - There is no robust cumulative model of ASHPs + substation + kitchen extraction/other plan.
 - There is a failure to assess vibration.
 - There is no procedure for servicing, and door opening is an unmanaged acoustic vulnerability

- The updated report offers no justification for adopting a design that brings the ASHPs closer to neighbouring property.
- The way the neighbouring property has been constructed allows for transmitting low-frequency vibration.
- Nova Rev 003 does not explicitly assess low-frequency content from the ASHP units.
- The worst case for the receiver points is not represented.
- The model does not assess peak scenarios.
- A condition that says "Build as per the report" is enforceable.
- The scheme leans heavily on screening/acoustic fencing without evidencing real-world maintained performance.
- Sub-station - there is no vibration/low frequency study and a secured specification, performance remains speculative.
- Tree T19 was felled removing a visual/acoustic buffer
- The revised proposals increase the visual prominence.
- The screen/fencing do not mitigate visual dominance, rather they create an overbearing presence to the neighbouring garden and bedroom. The proposal results in an unacceptable loss of amenity.
- Lack of a fire strategy for the external plant.
- Concern about façade reflections and low-frequency build up.
- The neighbouring property operates a professional music and media studio and maintains non-standard working and sleeping patterns.
- The placement of all disruptive and potentially hazardous systems in a single cluster adjacent to one existing home is unreasonable and the compound impact has not been meaningfully assessed.
- None of this critical infrastructure was accounted for in the original approved plans, the justifications for rejecting alternative sites rely heavily on assumptions, rather than clear planning grounds or proven environmental constraints.
- There is no guarantee that any mitigation measures, visual or acoustic will perform as intended when operational.

Further Amended Plans Publicity

- 7.5 A rebuttal written by the applicant to the original objections has been received which includes input from their noise consultant, Nova Acoustics. As a result, neighbour letters were sent to all interested parties who made comments on the original proposal. The amended plans publicity expired 2nd October 2025.
- 7.6 In response to this publicity one further representation has been received. Full comments are available to view on the Council's website and a summary of the concerns raised is as follows:
- The rebuttal does not address the fundamental deficiencies already identified, nor does it provide necessary evidence to make the proposal policy compliant.
 - The applicant's acoustic consultant continues to reply solely on manufacturer data, asserting that the substation and ASHP array will have a negligible combined impact. No on-site survey data has been produced to validate the claimed background level of 42 Db LA90 nor has any measurement been taken to characterise the exceptionally low ambient sound environment of Kenmore Drive.
 - The rebuttal admits that data below 50 Hz are unavailable. This confirms the absence of low-frequency analysis, despite this being essential where tonal components and structure-borne transmission are likely.

- The claim on an internal level of 24 dB assumes both a partially open window and a uniform frequency spectrum. This is not credible given the reflective geometry and proximity of the equipment compound.
- The revised statements do not constitute a complaint BS 4142 assessment, nor do they satisfy NPPF 185(b) which requires that new development be demonstrated through evidence to be appropriate for its location.
- The rebuttal dismisses the possibility of vibration transmission, claiming it is “speculative”. However, no vibration modelling, data, or attenuation specification has been provided. Given the known pile-supported slab foundation and subfloor cavity beneath adjacent dwellings, this absence of evidence is unacceptable. It also ignores the Environmental Health Service’s own caveat in response to WK202516971, which stated that the lack of vibration assessment left an evidence gap. Under LP52 and NPPF185 (a) the applicant bears the burden of demonstrating that the development will not cause material harm to health or amenity. That test has not been met.
- No final cumulative noise model including the substation, ASHPs and kitchen extract has been provided. The Council should not determine the application until that combined data is publicly available and independently reviewed.
- The developer rejects Mitigation Option 1 (relocation) based on “maintenance and access” grounds, rather than acoustic or planning considerations. These are operational conveniences, not constraints that can override residential amenity.
- The statement that a fully roofed compound would likely a 4m structure confirms the design is over-constrained and acoustically comprised.
- There is no Arboricultural evidence regarding the removal of Tree T19 and this constitutes a brief of the approved landscaping condition.
- The rebuttal asserts that no batteries or inverters are present, yet simultaneously notes that the mechanical and electrical drawings “will need revising”. Until those drawings are issued and verified the Council cannot rely on these assurances.

8.0 CONSULTATION RESPONSES

K.C Waste Collection Authority – No objections

K.C Environmental Health – The following are the full comments received from K.C. Environmental Health, from their consultation responses dated 11/06/2025 and 02/10/2025.

The comments dated 11/06/2025 are the initial comments from K.C Environmental Health, based on the original submission. The 02/10/2025 are re-consultation comments, following receipt of a detailed noise and vibration-based objection from a local resident, plus a rebuttal from the applicant.

Comments received 11/06/2025

The applicant has submitted a Noise Impact Assessment authored by Nova Acoustics dated 28 March 2025 Ref NP-011418-2 Rev003. It makes reference to condition 17 which states –

17. The combined noise from any fixed mechanical services and external plant and equipment at the development shall be effectively controlled so that the combined rating level of noise from all such equipment does not exceed the background sound level at any time. "Rating level" and "background sound level" are as defined in BS4142:2014+A1:2019.

Reason: To ensure the proposed development does not cause harmful noise pollution within any noise sensitive location or near the site, in the interest of amenity, to comply with the aims and objectives of Policies LP24 and LP52 of the Kirklees Local Plan and chapters 12 and 15 of the National Planning Policy Framework.

Para 1.2 states the proposal is for the installation of 4no. ASHP units (model ref: CAHVR450YA-HPB) within an external ground level plant compound to south of the new residential block along with a Minera 800kVA substation to be installed to serve the residential site. Due to the units being for residential use, it is assumed they could run 24-hours a day, seven days a week. The ASHP units will be installed within a plant compound, however, any designs are speculative at this stage. Figure 1 shows the proposed development and the two layout options and a design is shown for the masonry substation. The report identifies the nearest noise sensitive receptors (NSRs) as a two-storey detached dwelling off Vine Ave approximately 15m from the centre of the proposed ASHP compound (NSR1), a two-story detached dwelling approximately 55m east of the proposed AHSP compound (NSR2) and an end-terrace dwelling approximately 73m west of the compound (NSR3).

Noise monitoring was conducted between the 22nd and the 25th of November 2024 from a single monitoring position as shown in figure 2. The dominant sources were distant road traffic noise emissions from the M62 along with sporadic road traffic noise emissions from the local road network. Figures 3 and 4 show the daytime and night time background noise levels and comment is made that due to a closure of the motorway during part of the monitoring period, the sound levels fell to unusually low levels. The report cross references the data from the previously submitted report in 2020 and it was found that the background sound climate has remained largely the same and with the equivalent background sound levels. This is accepted.

A BS4142 Noise Impact Assessment has been conducted on a worst case scenario basis with a small correction due to the sound pressure levels spectrum provided by the ASHP manufacturer not equating to the stated global A-weighted level. After applying corrections for tonality and intermittency, table 3 shows a +12dB exceedance equating to a significant adverse impact at NSR1 at night time. As such mitigation is required.

Section 4 recommends the mitigation measures giving three options as shown in para 4.1. All three options result in a specific sound level of 35dBA to 37dBA. However the 'worst-case' BS4142 noise impact assessment for option 2 is shown in table 5 which results in no exceedance equating to a low impact to NSR1.

Consideration has been given to low frequency emissions from the electrical substation and table 4 shows no exceedances at NSR1.

The findings of the submitted report are accepted based upon the implementation of one of the three options as described in para 4.1. Any change to these may result in the requirements of the condition being breached. Recommended Conditions This is a compliance condition and must be retained for the duration of the development

Comments Received 02/10/2025

An objection has been received raising a number of specific concerns with the submitted Noise Impact Assessment authored by Nova Acoustics dated 28 March 2025 Ref NP-011418-2 Rev003 along with other matters not within our remit. In response, the applicant has provided a rebuttal and we only make reference to those within our remit.

Apex Acoustics have reviewed the objector's letter and addressed the respective points numbered I to VII in their response dated 11 September 2025. The author caveats the Noise Impact Assessment's findings as a 'worst case' scenario ensuring it errs on the side of protecting residential amenity.

We accept Nova's reasoning and justification in line with accepted guidance and best practice and recommend the Planning Officer accept and condition the offer to return and conduct a further BS4142 assessment in order to ensure all assumptions are validated and any further refinements can be made (if deemed necessary). This would be in line with condition number 17 of the 2020/91746 permission which is repeated below for reference.

17. The combined noise from any fixed mechanical services and external plant and equipment at the development shall be effectively controlled so that the combined rating level of noise from all such equipment does not exceed the background sound level at any time. "Rating level" and "background sound level" are as defined in BS4142:2014+A1:2019.

***Reason:** To ensure the proposed development does not cause harmful noise pollution within any noise sensitive location or near the site, in the interest of amenity, to comply with the aims and objectives of Policies LP24 and LP52 of the Kirklees Local Plan and chapters 12 and 15 of the National Planning Policy Framework.*

In our comments dated 11 June 2025, we referred to the three options for mitigation and we stated any one of those would be acceptable. The submitted document states option 2 has been chosen and we recommend the Planning Officer secure this via condition. Option 2 is repeated below for reference -

- *Retain the proposed ASHP compound location*
- *Fit the Ambient Acoustics 'CAHV-R450YA-HPB Bolt-On Acoustic Kit' to all ASHP units*
- *Increase the height of the compound walls to 2.6m.*

9.0 MAIN ISSUES

- Principle of development
- Residential amenity
- Visual amenity
- Waste Collection
- Other Matters
- Planning obligations
- Representations

10.0 APPRAISAL

- 10.1 This application is made under S73 of the Town and Country Planning Act 1990, which allows for the 'determination of applications to develop land without compliance with conditions previously attached'. In addition to removing conditions, S73 enables the varying of a condition's wording. The effect of a granted S73 application is the issuing of a fresh planning permission. Therefore, all previously imposed conditions should be retained if they remain relevant. Conversely, the time limit for development to commence cannot be extended through a S73. When considering a S73 application, the previously granted planning permission (2020/91746), which must carry significant material weight. This will be considered, where necessary, throughout this assessment.
- 10.2 However, consideration must first be given to whether any material changes in circumstances have taken place. This includes the policy and local context. In terms of local context, there have been no changes in the environment (including built and natural) which would impact on the assessment of the application. In light of the above, consideration must be given to the specific changes proposed and their interaction with adopted planning policy. In terms of policy, the original application 2020/91746 was assessed against the Local Plan (2019), which remains the development plan and therefore the assessment criteria will be consistent. It should be noted that, at the time of writing, the council is unable to demonstrate a 5-year housing land supply, which is a material change in circumstances. However, given the nature of the amendments now proposed, the housing land supply in Kirklees is not considered to be a key consideration of relevance to this Section 73 assessment. Beyond this, the NPPF has had several revisions since the original application was assessed, however none of the changes are considered directly pertinent to the current proposal.
- 10.3 In this instance, the principle of residential development on this site has already been established by planning application 2020/91746, to which this application relates. More specifically, the number of apartments would not change. Therefore, the proposal remains an effective and efficient use of the housing allocation, as required by Local Plan policies LP7 and LP11.

Assessment of variation to condition 2 (plans table)

Impact on Residential Amenity

- 10.4 Kirklees Local Plan Policy LP24 states that:

"...proposals should provide a high standard of amenity for future and neighbouring occupiers, including maintaining appropriate distances between buildings and the creation of development-free buffer zones between housing and employment uses incorporating means of screening where necessary'.

Noise, Vibration and Disturbance Issues

- 10.5 Officers note significant concern has been raised in the representations received regarding the impact arising from potential noise and vibration impacts of the proposed air source heat pumps and sub-station on neighbouring properties. Officers note the specific concerns raised by the owners/occupiers of neighbouring property 4 Coach House Paddocks, Vine Avenue, which is sited adjacent to the southern boundary of the application site. The concerns include that the proposal represents a significant and harmful departure introducing mechanical noise, vibration and environmental nuisance. Concerns have also been raised regarding the robustness of the submitted noise report in respect of its conclusions. All the concerns raised are summarised in the representations section above whilst a full copy of the comments is available to view on the Council's website.
- 10.6 A Noise Impact Assessment has been submitted and assessed by K.C Environmental Health. The report references condition 17 of the original planning permission (2020/91746) which is a compliance condition regarding noise from mechanical services and external plant). The wording of condition 17 is included below, for reference:
- 17. The combined noise from any fixed mechanical services and external plant and equipment at the development shall be effectively controlled so that the combined rating level of noise from all such equipment does not exceed the background sound level at any time. "Rating level" and "background sound level" are as defined in BS4142:2014+A1:2019.*
- Reason:** *To ensure the proposed development does not cause harmful noise pollution within any noise sensitive location or near the site, in the interest of amenity, to comply with the aims and objectives of Policies LP24 and LP52 of the Kirklees Local Plan and chapters 12 and 15 of the National Planning Policy Framework.*
- 10.7. K.C Environmental Health note paragraph 1.2 of the report states the proposal is for the installation of 4no. ASHP units (model ref: CAHV-R450YA-HPB) within an external ground level plant compound to south of the new residential block along with a Minera 800kVA substation to be installed to serve the residential site. Due to the units being for residential use, it is assumed they could run 24-hours a day, seven days a week. The ASHP units will be installed within a plant compound.
- 10.8 The report identifies the nearest noise sensitive receptors (NSRs) as a two-storey detached dwelling off Vine Ave approximately 15m from the centre of the proposed ASHP compound (NSR1 4 Coach house Paddocks, Vine Avenue), a two-story detached dwelling approximately 55m east of the proposed AHSP compound (NSR2 12 Milton Terrace) and an end-terrace dwelling approximately 73m west of the compound (NSR3 14 Kenmore Drive).
- 10.9 Noise monitoring was conducted, and the dominant sources were distant road traffic noise emissions from the M62 along with sporadic road traffic noise emissions from the local road network. Figures 3 and 4 of the report show the daytime and night time background noise levels. The report comments that due to a closure of the motorway during part of the monitoring period, the sound levels fell to unusually low levels. The report cross references the data from the previously submitted report in 2020 and it was found that the background sound climate has remained largely the same and with the equivalent background sound levels. K.C Environmental Health accept this position.

10.10 K.C Environmental Health note a BS4142 Noise Impact Assessment has been conducted on a worst case scenario basis with a small correction due to the sound pressure levels spectrum provided by the ASHP manufacturer not equating to the stated global A-weighted level. After applying corrections for tonality and intermittency, table 3 shows a +12dB exceedance equating to a significant adverse impact at NSR1 at night time. As such mitigation is required.

10.11 Section 4 recommends the mitigation measures giving three options as shown in para 4.1. The options are as follows:

Option 1:

- Relocate the ASHP compound to at least 30m from any NSR.
- Increase the height of the compound walls to 2.2m.
- Line the internal faces of the compound walls with a Class C absorption panel (e.g., iKoustic Noisestop Essential Barrier).

Option 2:

- Retain the proposed ASHP compound location
- Fit the Ambient Acoustics 'CAHV-R450YA-HPB Bolt-On Acoustic Kit' to all ASHP units.
- Increase the height of the compound walls to 2.6m.

Option 3:

- Retain the proposed ASHP compound location.
- Fit the Ambient Acoustics 'CAHV-R450YA-HPB Bolt-On Acoustic Kit' to all ASHP units.
- Increase the height of the compound walls to 2.4m.
- Line the internal faces of the compound walls with a Class C absorption panel (e.g., iKoustic Noisestop Essential Barrier).

10.12 The applicant proposes option 2. This follows the applicant's own review of four possible alternative locations (so as to explore option one) to site the air source heat pump compound and sub-station within the application site. Officers requested a further detailed explanation for the reasons why alternative sites were discounted. A summary of the locations which were considered by the applicant and the reasons why the applicant discounted them is detailed below:

Location 1 – North of the extra care residential building, within the private communal gardens

- Restricted access for maintenance, and restricted access for any plant replacement – both vehicle and pedestrian. Duty of regular maintenance all items of plant require a dedicated service plan. Equipment ranges in weight up to 360kg so access needs significant consideration.
- Varying levels and planting would be impacted
- Physically obtrusive from the adjacent area of Public Open Space

Location 2 – West of the extra care residential building, within the private communal gardens

- Restricted access for maintenance, and restricted access for any plant replacement – both vehicle and pedestrian.
- Security Risk – close to the same level public footpath
- Negative to aesthetics
- Impact on adjacent property which has a deck balcony

Location 3 – *Void under the Ground Floor Slab of the extra care residential building*

- Insufficient height above the ASHP and available Louvre to provide the necessary airflow
- Insufficient space to create an internal plant room and the existing piles for the building would require extensive reinforcement.

Location 4 (Proposed) *To the south of the extra care residential building within the private communal gardens*

- Chosen as the most practical and workable location in terms of access, maintenance and security.
- Due to the considerations for access and maintenance it is preferable to allow for vehicular access for mechanical loading of equipment and plant via the flat level surface.
- Sub-station - legally bound to provide in front of the substation, vehicular access at all times, a flat and unhindered surface 1.8 meters in depth and the full width of the substation.

- 10.13 Officers note the comments in the representations received, that alternatives have been rejected on flawed grounds with developer logistics promoted over amenity protection. Officers consider however that the issues raised regarding access, maintenance and security risk are reasonable considerations to ensure the equipment can be adequately accessed for maintenance and that it doesn't pose a security risk in respect to the adjacent area of Public Open Space and Public Rights of Way. This assessment is based on the four options shown on the document submitted with the application. Nonetheless the impacts of the applicants chosen location must be scrutinised, including any potential impacts on the nearest neighbouring property, 4 Coach House Paddocks which is a two storey property located on a private gated development to the south of the site, and whose side elevation fronts onto the development site.
- 10.14 K.C Environmental Health note all three options result in a specific sound level of 35dBA to 37dBA. However, the 'worst-case' BS4142 noise impact assessment for option 2 is shown in table 5 which results in no exceedance equating to a low impact to NSR1. Consideration has been given to low frequency emissions from the electrical substation and table 4 shows no exceedances at 4 Coachhouse Paddocks, Vine Avenue. K.C Environmental health note the findings of the submitted report are accepted based upon the implementation of one of the three options as described in para 4.1.
- 10.15 Notwithstanding the supportive conclusions above, officers secured amended plans to reduce the dimensions of the air source heat pump enclosure and thereby site it further away from the boundary with the neighbouring property. Additional landscaping has also been secured, to over attractive visual screening. As a result of the publicity of this amended plans a new objection

was received. The objection raises detailed technical matters to which officers requested a full written rebuttal from the applicant's acoustic consultant. They have reviewed the objector's letter and addressed the respective points numbered I to VII in their response. The author caveats the Noise Impact Assessment's findings as a 'worst case' scenario ensuring it errs on the side of protecting residential amenity.

- 10.16 The applicant's rebuttal has been assessed by K.C Environmental Health. In summary, they accept Nova's reasoning and justification in line with accepted guidance and best practice. They recommend officers accept and condition the offer to return and conduct a further BS4142 assessment in order to ensure all assumptions are validated and any further refinements can be made (if deemed necessary). This would be in line with condition number 17 of the 2020/91746 permission that requires all combined noise from fixed mechanical services and external plant and equipment does not exceed background sound level at any time. For ease of reference, the wording of condition 17 is as follows:

17. The combined noise from any fixed mechanical services and external plant and equipment at the development shall be effectively controlled so that the combined rating level of noise from all such equipment does not exceed the background sound level at any time. "Rating level" and "background sound level" are as defined in BS 4142:2014+A1:2019.

Reason: *To ensure the proposed development does not cause harmful noise pollution within any noise sensitive locations within or near to the site, in the interest of amenity, to comply with the aims and objectives of Policies LP24 and LP52 of the Kirklees Local Plan and Chapters 12 and 15 of the National Planning Policy Framework.*

For the avoidance of doubt, it is recommended that condition 17 be repeated as worded above.

- 10.17 K.C Environmental Health also refer to their previous comments to the three options for mitigation and state any one of those would be acceptable. The submitted document states option 2 has been chosen and it is recommended this be secured via condition. Accordingly, the new conditions proposed are:

26. The hereby approved development shall be undertaken in accordance with the 'option 2' mitigation options as detailed on page 13 of the Noise Impact Assessment referenced NP-011418-2 by Nova Acoustics. This shall include fitting the Ambient Acoustics 'CAHV-R450YA-HPB Bolt-On Acoustic Kit' to all ASHP units and using 2.6m height compound walls. Thereafter, unless otherwise agreed in writing by the Local Planning Authority, it shall be so retained.

Reason: *In the interest of mitigating potential noise pollution, in accordance with Policies LP24 and LP52 of the Kirklees Local Plan.*

27. Prior to the hereby approved development being brought into use, but after the works required by condition 26 having been undertaken, a Noise Impact and Mitigation Validation Report, to be undertaken in accordance with BS4142, shall be submitted to, and approved in writing by, the Local Planning Authority. The report shall demonstrate whether that the mitigation measures implemented via condition 26 have been successful. In the scenario where they have not, a further noise mitigation strategy shall be detailed for approval. Thereafter, if required, the approved further noise mitigation shall be implemented prior to the approved development being brought into use.

Reason: *In the interest of mitigating potential noise pollution, in accordance with Policies LP24 and LP52 of the Kirklees Local Plan.*

- 10.18 In conclusion officers note the comments made in the representations which include concerns about the technical merits of the Noise Report and its conclusions. Officers however support the recommendations from K.C Environmental Health that the findings are accepted based upon the implementation of one of the three mitigation options and that the proposal would not result in an undue detrimental harm to the neighbouring property in respect of noise, vibration and nuisance.

Other Impacts

- 10.19 In respect of other impacts on residential amenity, a sectional drawing was requested to show the relationship of the compound and plant area to the neighbouring property, 4 Coach House Paddocks. The submitted section demonstrates that the air source heat pump compound and plant area will sit below ground level of the neighbouring property, and the continuation of the retaining wall will allow for a mitigative planting scheme to be provided between the compound and the boundary of the site, as additional planting to the approved landscaping scheme. The additional landscaping includes a tall native shrub mix to provide a level of greater screening, as well as an additional tree to mitigate for the loss of T19 (proposed to be retained in the original application but subsequently felled). This is recommended to be secured via the following condition wording:

28. Prior to the hereby approved development being brought into use, the Tall Native Mix Planting and three proposed Heavy Standard Trees, as shown on plan ref. CLK-BBA-XX-ZZ-DR-90-SK016 rev. P05 and further detailed on the plan R/2336/1 rev. K shall be planted.

Thereafter the landscaping shall be managed and maintained, for a minimum of five years, in accordance with the wider strategy approved pursuant to condition 6. Any trees or plants removed, dying, being damaged or becoming diseased within that period shall be replaced in the next planting season with others of similar size and species to those originally required to be planted unless the council gives written consent to any variation.

Reason: *In the interest of visual and residential amenity, in accordance with Policy LP24 of the Kirklees Local Plan.*

By virtue of the layout, topography, and above condition, it is considered there would be no detrimental overbearing impact on the neighbouring property from the proposed compounds, taking into account the difference in land levels, and the proposals would not lead to a detrimental loss of outlook for the occupiers of this neighbouring property.

Impact on visual amenity

- 10.20 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.

10.21 Kirklees Local Plan Policies LP1, LP2 and significantly LP24 all also seek to achieve good quality, visually attractive, sustainable design to correspond with the scale of development in the local area, thus retaining a sense of local identity. Policy LP24 states that proposals should promote good design by ensuring: “a. the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape...”

10.22 Principle 2 of the Kirklees Housebuilders Design Guide SPD states that:

“New residential development proposals will be expected to respect and enhance the local character of the area by:

- *Taking cues from the character of the built and natural environment within the locality.*
- *Creating a positive and coherent identity, complementing the surrounding built form in terms of its height, shape, form and architectural details.*
- *Illustrating how landscape opportunities have been used and promote a responsive, appropriate approach to the local context.”*

The changes proposed have been outlined below:

Air Source Heat Pumps and Plant Room

10.23 The air source heat pumps would be contained within a new enclosure. The proposed design includes walls constructed of feathered edge timber boards with a pergola style roof covering. The design is lightweight and functional and is not considered there would be undue detrimental harm to visual amenity. The proposed siting of the compound would result in the loss of some of the raised planting beds shown on the original site plan, however residents would still have access to an area for planting, albeit slightly reduced in size. The proposed plant room would adjoin the timber structure and would be of brick construction with a single ply flat roof. This is a heavier design, yet functional for the purpose it will serve and it is not considered there would be any undue harm to visual amenity.

Sub-Station

10.24 The proposed sub-station would be sited to the south of the extra care residential building adjacent to the car parking area. It would be of brick construction with a hipped roof, and measure 4 metres in length and width, and 4.3 metres in height with doors on the front (northern) elevation. Again, this is a heavier design, yet functional for the purpose it will serve, and it is not considered there would be any undue harm to visual amenity.

Bin Store

10.25 The bin store would be of timber construction with a maximum height of 2.6 metres and would have a pergola style roof. Again, the design is lightweight and functional and is not considered there would be any undue harm to visual amenity.

10.26 In conclusion, it is considered the proposed ASHP compound, plant room, sub-station and bin store would not have a detrimental impact on visual amenity and would accord with Policy LP24 of the Kirklees Local Plan.

Waste Collection Matters

- 10.27 The proposed siting of the compounds and sub-station necessitates a revision to the siting and size of the approved bin store. The bin store would be located further to the west adjacent to the area of off-street parking. The capacity of the store has been reduced from 22 1ltr bins to 16 1ltr bins.
- 10.28 The anticipated waste generated by the residents per week would be 9,330ltr. Due to alternating residual waste and recycling waste collections the storage needed would be 18,660 litres per fortnight which equates to 16 x 1,100ltr bins or 28 x 660ltr bins. The Waste Collection Authority raises no objection to the reduction in number of bins to be provided.
- 10.29 The Waste Collection Authority raised some queries regarding the proposal which included:
- Concern the bin store is crowded, and who would be responsible for moving full bins to ensure empty bins are available to be used.
 - Query who would be responsible for pulling the containers out on collection day and returning them.
 - Query regarding provision of storage for food waste, as part of the UK's new Simpler Recycling legislation introduced on 1st April 2025.
 - Details regarding any storage of clinical waste generated at the site.
- 10.30 The applicant has submitted correspondence to satisfy the concerns of the Waste Collection Authority. Waste will be housed with the external bin store in 1,100 litre containers, however the applicant intends to revisit the strategy to utilise smaller bins so that 50% can be internal and 50% external allowing full bins to be swapped for empty ones by staff. In the event of a failed waste collection, internal wastes can be located fully within the external compound. The bins will be pulled out by staff on collection day, although due to the reduced number of bins and smaller sizes they expect this to be possible by the waste collection team. In respect of food waste, the applicant has confirmed 1 no. of the recycling bins can be changed to a food waste at such time that Kirklees may offer a food waste collection service. No storage of clinical waste is required, however if this changes a collection service can be arranged. In conclusion the Waste Collection Authority have confirmed these matters are acceptable to them to adequately address waste collection issues.

Other matters

- 10.31 The variation is not considered to impact upon any other material planning considerations such as landscaping, ecology, public rights of way, crime and safety, land contamination etc. which remain as previously assessed within the parent application (ref 2020/91746).

Previous conditions and obligations

- 10.32 As this is an application under Section 73 of Town and Country Planning Act 1990 (TCPA 1990), an approval would in effect result in the issuing of a new permission. Planning Practice Guidance confirms that for the purpose of clarity, decision notices for the grant of planning permission under Section 73 should set out all the conditions imposed on the new permission, and restate the conditions imposed on earlier permissions that continue to have effect. Application 2020/91746 was granted with 25 conditions. The following is an assessment of the previously imposed conditions:

- 10.33 Condition 1 (time limit) is to be removed, as the development has commenced, and therefore it no longer serves a purpose.
- 10.34 Condition 2 has sought to be amended, which is recommended to be approved. While the condition wording would stay the same, the plans table would be updated to reflect the change.
- 10.35 All other conditions are to be retained, as they continue to serve a purpose. While some of these has been discharged via a separate Discharge of Condition applications (see section 4.0 for planning history), in the interest of consistency and expediency the conditions are to be repeated as originally imposed alongside a note relating to the previously submitted information, via DOC application, remaining relevant.
- 10.36 As noted in paragraph 10.17 and 10.19 three new conditions have been recommended.
- 10.37 The original application required the following contributions to make the development acceptable:
- Securing the development as affordable housing: 61 affordable rent and 19 shared ownership.
 - Details of Management and Maintenance of Public Open Space and an inspection fee of £250.
 - Travel Plan Monitoring fee of £15,000

The need for these remains unchanged. Given that a S73 approval would result in a 'new' decision, it is recommended that these provisions be re-secured via a Deed of Variation to the original Section 106 agreement. Once drafted, the S106 would be published online for a period of time, for review by third parties.

Representations

- 10.38 As a result of the above original publicity, five representations have been received. In so far as the comments raised have not been addressed above:

- Concern the proposal bypasses the scrutiny of the original application.

Officer Comment: The application would constitute a new planning permission and is subject to the same scrutiny as the original application.

- Planting does not have an acoustic function.

Officer Comment: The planting would serve as a visual screen to the proposed development and is not intended to have an acoustic function. K.C Environmental Health's review of the Noise Report has confirmed the proposal is acceptable subject to mitigation outlined in the report.

- Tree T19 was felled without permission and is still shown on the plans. This likely served as a visual and acoustic buffer.

Officer Comment: Whilst the loss of a tree is undesirable, no trees on the site are subject to a Tree Preservation Order (TPO). The updated landscaping scheme shows an additional tree to mitigate for the loss of T19.

- Concern there is no fire safety plan or ventilation strategy for the sub-station.

Officer Comment: This matter is covered by separate legislation.

- Large refuse containers present a risk of attracting vermin.

Officer Comment: This matter is pest control and covered by separate legislation.

- The construction phase has caused ongoing impacts.

Officer Comment: This is noted but it is not a reason to refuse the application. A Construction Management Plan was secured on the original application and a condition will be imposed for compliance.

- There is no long-term operation or maintenance strategy.

Officer Comment: This will be the responsibility of the developer who has considered this in the alternative locations assessment and details are not required to make the application acceptable.

- There has been no consultation from the developer with residents and residents have limited time to object and may be unaware of the proposals.

Officer Comment: This is noted, however officers have undertaken statutory publicity comprising of site notices and a press notice.

- Look forward to the scaffolding coming down to access the footpath from Kenmore Drive to Milton Terrace.

Officer Comment: This is noted.

- Object to opening a public right of way on to Milton terrace due to dogs fouling the streets and people using the access late at night.

Officer Comment: This is noted, however dog fouling incidents on adjacent streets is not a material planning consideration. In respect of access to the public routes through the northern part of the site, this application does not impact on the approved Public Rights of Way or Crime Prevention matters considered as part of the original application.

11.0 CONCLUSION

11.1 This application does not provide an opportunity to revise or reconsider the original grant of planning permission. This application only relates to the consideration of the variation of condition 2 as indicated. The proposed changes are considered acceptable in respect of residential amenity and visual amenity, as well as the operation of waste collection from the site.

11.2 The NPPF 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. The proposed development has been assessed against relevant policies in the development plan and other material considerations. Subject to conditions, it is considered

that the proposed development would constitute sustainable development (with reference to paragraph 11 of the NPPF) and is therefore recommended for approval subject to conditions and planning obligations to be secured via a supplemental Section 106 agreement.

11.3 As this is a Section 73 application, all conditions not fully discharged on the original planning permission will be repeated/adapted as required. There are two current discharge of condition applications pending a decision, which also seek to re-discharge some of the approved conditions. As such the list below is likely to be subject to change, and any required amendments will be reported to Members in the update.

12.0 CONDITIONS (Summary list. Full wording of conditions including any amendments/additions to be delegated to the Head of Planning and Development)

Conditions from previous application

1. Omit. Condition to be marked [deleted] to avoid affecting subsequent condition numbering, for ease of review.
2. Development shall be carried out in complete accordance with the plans and specifications schedule. With updated plans table to reflect recommended approval.
3. Details of all facing and roofing materials
4. The proposed car park shall be laid out surfaced, marked out into bays and drained.
5. Construction Management Plan (CMP).
6. Detailed Scheme of hard and soft landscaping.
7. Replacement Landscaping within five years.
8. Construction Environmental Management Plan (CEMP: Biodiversity).
9. Biodiversity Enhancement & Management Plan (BEMP)
10. Details of foul, surface water and land drainage.
11. Details of Assessment of the effects of 1 in 100- year storm events
12. Details of the operation, maintenance and management of the surface water drainage infrastructure
13. Details of scheme, detailing temporary surface water drainage for the construction phase (after soil and vegetation strip)
14. Site to be developed with separate systems of drainage for foul and surface water on and off site.
15. All works that form part of the sound attenuation scheme shall be completed and retained thereafter.

16. Details of a Ventilation Scheme

17. The combined noise from any fixed mechanical services and external plant and equipment at the development shall be effectively controlled so that the combined rating level of noise from all such equipment does not exceed the background sound level at any time. "Rating level" and "background sound level" are as defined in BS 4142:2014+A1:2019.

18. Phase II Intrusive Site Investigation Report

19. Remediation Strategy

20. Revised Remediation Strategy

21. Validation Report -

22. Reporting of unexpected contamination

23. Electric Vehicle Charging Points

24. External Lighting

25. Design and construction specifications of the proposed Public Rights of Way (PROW)

New/additional Conditions

26. All works that form part of the Option 2 mitigation identified in the Noise Report shall be completed and retained thereafter.

- Retain the proposed ASHP compound location
- Fit the Ambient Acoustics 'CAHV-R450YA-HPB Bolt-On Acoustic Kit' to all ASHP units
- Increase the height of the compound walls to 2.6m.

27. Validation report for the assumptions on the Noise Report (a further BS4142 assessment)

28. Condition to deliver the proposed mitigative planting scheme to screen the air source heat pump compound and plant compound.

Background Papers

Application and history files.

Application file:

[Planning application details | Kirklees Council](#)

Original Planning Application File (2020/91746):

[Planning application details | Kirklees Council](#)

Certificate of Ownership

Certificate A signed.