Planning Inspectorate

Appeal Decision

Site visit made on 2 December 2025

by M J Francis BA (Hons) MA MSc MCIfA

an Inspector appointed by the Secretary of State

Decision date: 22 December 2025

Appeal Ref: APP/Z4718/Y/25/3359952
The Old Chapel, St. Marys Road, Netherthong, Holmfirth HD9 3XR

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) against a refusal to grant listed building consent.
- The appeal is made by Mr Mark Leonard against the decision of Kirklees Metropolitan Council.
- The application Ref is 2024/65/91615/W.
- The works proposed installation of 11Kw solar panels on south facing (garden side) roof of property in order to support reduction in carbon footprint and make energy savings. The solar panels would be built into the existing stone roof lying flush to the remaining stone roof. Any stone removed would be stored. The fitting would require scaffolding to the rear of the property (garden facing). Inverter and battery storage units would be housed in existing buildings.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. For clarity, in the banner heading above I have shortened the description from the application form, removing 'attached (uploaded) are details of the scheme including photographs and specifics of equipment to be used – on application form'.

3. The proposal relates to a listed building within a conservation area. As required by sections 16(2) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act), I have had special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses; and paid special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.

Main Issues

4. The main issues are whether the proposal would:

    - preserve the grade II listed building, or its setting or any features of special architectural or historic interest which it possesses; and

    - preserve or enhance the character or appearance of the Netherthong Conservation Area (CA).

Reasons

Special interest and significance

5. The Netherthong Wesleyan Methodist Chapel is a grade II listed building, now in residential use. Its special interest and significance, in relation to this appeal,

derives from its historical and architectural interest. Built in 1769, it is the earliest Methodist chapel in the Kirklees area, and its association with John Wesley who preached here in 1772, provides historical value.

6. The northern elevation on St Mary's Road is single storey and symmetrically designed. Robustly built, it has a stone slate roof with gable copings on moulded kneelers and moulded stone brackets at eaves level.

7. The southern elevation is two storeys in height. Its two, tall, arched windows, and three, smaller, arched windows at first floor level, all with glazing bars, indicate its former use. This elevation, which is also symmetrically designed, has at either side, two doorways, with fanlights. The dressed stone, string courses, and high quality of the detailing of this façade, point to the architectural interest of the building.

8. To the side of the attached, adjoining property, historic stone steps lead from St Mary's Road, passing several recumbent grave slabs which are within the former burial ground. The footpath crosses over Dene Brook, and through woodland up to Dene Brook Road opposite. This provides a verdant and peaceful valley setting for the chapel, when viewed from the south, and contributes to its significance.

Effect on the listed building

9. The proposal is for an array of 24 panels shown on an image of the southern roof of the appeal site. These would be fixed into the roof, requiring the cutting out and removal of the stone slates so that the panels would be flush with the roof. However, there is no substantive evidence of the existing roof structure and how the solar panels would be fixed to it, or details of how the array would be finished. Moreover, there are no details as to how many roof slates would need to be removed, which would likely result in some slates being damaged or broken. Whilst a photograph of solar panels inserted into a stone slate roof is included in the evidence, there are no details of the location or age of this property and whether it is similarly a listed building.

10. Although the removed roof slates would be stored, based on the size of the roof, this would require significant storage of material, and there is no evidence as to where this would be located. Whilst a suitably worded condition could require the slates to be retained at the property, this would be difficult to enforce and ensure in the long-term that they are not removed elsewhere. Therefore, it is unlikely that a condition would meet the required legal and policy tests[1] as set out in the Planning Practice Guidance and paragraph 57 of the National Planning Policy Framework (the Framework), 2024.

11. The building is described by the appellant as being energy inefficient due to solid wall construction, internal open spaces and no insulation. Alternative energy sources such as ground source heat pumps are considered by the appellant as not yet being a practical or cost-effective solution to provide suitable temperatures within the building during the winter. However, there is limited substantive evidence as to the benefits and limitations that differing energy sources could provide.

[1] Paragraph: 003 Reference ID: 21a-003-20190723

12. The image shows a large expanse of the southern roofscape being covered by the array. This is at the rear, overlooking woodland, and shown on photographs as a wooded dene with a dense tree canopy. The appellant considers that this would mean that the panels would not be visible for much of the year. However, I visited in winter when there were no leaves on the trees. The public right of way that passes to the side of the neighbouring property up to Dean Brook Road, means that the rear of the building and its roofscape are clearly visible both from the footpath and from this road.

13. Notwithstanding the visibility of the roof, the cutting and removing of the roof slates would harm the building and its evidential value. Even if the solar panels are flush with the roof, their material and appearance would be discordant, compared to the natural, traditional and weathered roof slates. Additionally, the extent of the solar panels, which would cover a large proportion of the roof, would cause considerable harm to the appearance of the listed building.

14. Given the above, I find that the proposed works would fail to preserve the listed building and its setting and any features of special architectural or historic interest which it possesses. This would harm the significance of the heritage asset, to which I must give considerable importance and weight.

Effect on the conservation area

15. The CA straddles the Dene Brook and its wooded valley and includes the historic centre of the village and key routes into Netherthong. Located in the Holme valley, the village was a centre for clothmaking with several mills located here. The significance of the CA, as it relates to this appeal, is the quality and character of the robust stone buildings within the valley setting, including the appeal site, which would have been an important communal building within the village from the late 18th century onwards.

16. Whilst the chapel covers a small part of the CA, with its distinctive and high-quality features, it is an important building overlooking the Dene brook. Removing most of the traditional stone roof slates from a prominent roof slope would cause harm by the erosion of historic and architectural detail of a key building within the CA. The proposed works would, therefore, fail to preserve or enhance the character or appearance of the CA.

Other Matters

17. Although there may have been several local housing schemes within the conservation area where solar panels have been fitted, these were on new houses, rather than on listed buildings. The circumstances are, therefore, different to that of The Old Chapel. The appellant has also referred to examples where listed building consent has been granted for the installation of solar panels on Methodist chapels and churches in several places in England. However, I do not have full details of these works and whether they are comparable to the appeal site. In any case, I have determined the appeal on its own merits, based on the evidence before me.

18. Whilst there were no objections from the occupiers of neighbouring properties, and the Parish Council supported the scheme, this does not outweigh my concerns regarding the main issues.

Public Benefits and Balance

19. Paragraph 212 of the Framework advises that when considering the impact of development on the significance of designated heritage assets, great weight should be given to the asset's conservation. Paragraph 213 goes on to advise that significance can be harmed or lost through the alteration or destruction of those assets and that any such harm should have clear and convincing justification. I find the harm to the listed building to be less than substantial, and whilst this is moderate in scale, it is, nevertheless, of considerable importance and weight. The harm to the CA is also less than substantial, but in this case the level of harm is minimal.

20. Where a proposal would lead to less than substantial harm to the significance of designated heritage assets, paragraph 215 of the Framework advises that this harm should be weighed against the public benefits of the proposal, including, where appropriate, securing its optimum viable use. The Planning Practice Guidance[2] sets out what may be regarded as public benefits, such as works to a listed private dwelling which secures its future as a designated heritage asset. Whilst there would be some limited economic benefits from the proposed installation, the property is already a private house and therefore has an optimum viable use as a dwelling. Therefore, this would be a limited public benefit.

21. I give significant weight to the need to support energy efficiency, and reduce carbon emissions, and I appreciate that the proposed works would enable the appellant to secure the building for the future and reduce electricity bills. However, the overall benefits are limited in scale and are not sufficient to outweigh the harm that I have identified.

22. Therefore, in the absence of any significant public benefit, I conclude that the proposal would fail to preserve the special historic interest of the Grade II listed building, and the character or appearance of the CA would be neither conserved nor enhanced. This would fail to satisfy the requirements of the Act and paragraph 212 of the Framework. It would also conflict with Policy LP35 of the Kirklees Local Plan, 2019, which requires proposals affecting a designated heritage asset to preserve or enhance the significance of the asset.

Conclusion

23. For the above reasons and having regard to all other matters raised, I conclude that the appeal should be dismissed.

M J Francis

INSPECTOR

[2] Paragraph: 020 Reference ID: 18a-020-20190723, 23 July 2019