

**KIRKLEES METROPOLITAN COUNCIL  
INVESTMENT & REGENERATION SERVICE**

**DEVELOPMENT MANAGEMENT**

**Town and Country Planning Act 1990 (as amended) Section 191/192**

**DELEGATED DECISION FOR APPLICATION FOR CERTIFICATE OF  
LAWFUL DEVELOPMENT**

Reference no.: 2025/CL/91158/W

Site: Wooldale Community Centre, Robert Lane,  
Wooldale, Holmfirth, HD9 1XZ

Description: Certificate of lawfulness for proposed installation of  
solar panels to roof (within a Conservation Area)

Case Officer: Laura Yeadon

**Decision Reference: PROPOSED OPERATIONS GRANT**

**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.**

Kevin Walton

**AUTHORISED OFFICER**

**Date 16-Oct-2025**

## **Officer Report**

[Weblink](#)

### **Site Description**

Wooldale Community Centre is a stone built, detached building that was formerly a school. The building is of Victorian design with three gabled roof features to the principal elevation of the building.

The property is located within the Wooldale Conservation Area and is located within a primarily residential area with properties varying in age, size and design.

### **Application proposal**

The application is for a certificate of lawfulness for proposed installation of solar panels to the roof of the Community Centre (within a Conservation Area). The onus is on the applicant to provide evidence which states why the proposal fits with the permitted development legislation.

The solar panels would be located on the south elevation roof slopes of the building with the proposed equipment being as follows:

- Section of roof highlighted green – Roof A – 18 panels
- Section of roof highlighted orange – Roof B – 8 panels

The applicant has confirmed by email that the panels would not project more than 0.2 metres from the roof plane.

### **Relevant Planning History**

2009/92209 Erection of Children's Centre and related external works (within a Conservation Area – withdrawn

2011/91783 Installation of solar panels (within a Conservation Area) – refused

2024/91573 Certificate of lawfulness for proposed installation of solar panels to roof (within a Conservation Area) – refused

### **History of Negotiations**

Scaled plans were requested demonstrating the roof slopes which specifies the distance the solar panels would be from the external edges of the roof as well as how much the solar panels would protrude from the plane of the roof slope. In response scaled drawings indicating the number of panels and the distance the panels would be set in from the external edges of the roof slopes. An email has been received to confirm that the panels would not project 0.2 metres from the plane of the roof.

## **Consultations**

This is an application for a Lawful Development Certificate and, for this reason, no consultations are necessary.

## **Law**

The site has no policy-based constraints in respect of Permitted Development. As such, the application falls to be considered under the relevant legislation as follows:

The Town and Country Planning Act 1990 Section 55 and the Town and Country Planning (General Permitted Development) (England) Order 2015(as amended).

This roof slope would be clearly visible from Robert Lane and given the number of panels proposed, the appearance of the external appearance of the building would be materially altered thus constituting development as defined by section 55 of the Town and Country Planning Act 1990.

## **Assessment:**

Applications for Certificate of Lawful Developments for the installation of solar equipment on non-domestic premises are assessed against the general permission conferred by the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). Specifically, Schedule 2, Part 14, Class J of the Order sets out the Permitted Development Rights which relates to the '*installation or alteration etc of solar equipment on nondomestic premises*'.

The property is a non-domestic property and therefore Class J is considered the appropriate permitted development class for the type of development proposed.

## **Part 14 – Renewable energy**

*Class J – installation or alteration etc of solar equipment on non-domestic premises*

### **Permitted development**

**J. The installation, alteration or replacement of –**

- (a) Microgeneration solar thermal equipment on a building;
- (a) Microgeneration solar PV equipment on a building; or
- (b) Other solar PV equipment on the roof of a building, other than a block of flats

### **Development not permitted**

**J.1** Development is not permitted by Class J if –

- (a) the solar PV equipment or solar thermal equipment would be installed on a pitched roof and would protrude more than 0.2 metres beyond the plane of the roof slope when measured from the perpendicular with the external surface of the roof slope;

**Comment:** *The panels would not protrude more than 0.2 metres beyond the plane of the roof slope.*

- (a) the solar PV equipment or solar thermal equipment would be installed on a flat roof, where the highest part of the solar PV equipment would be higher than 1 metre above the highest part of the roof (excluding any chimney);

**Comment:** *The solar PV equipment would not be installed on a flat roof.*

- (b) the solar PV equipment or solar thermal equipment would be installed in a roof and within 1 metre of the external edge of that roof;

**Comment:** *Plans have been submitted that demonstrate that the panels would not be installed in a roof and within 1 metre of the external edge of the roof.*

- (c) the solar PV equipment or solar thermal equipment would be installed on a site designated as a scheduled monument; or

**Comment:** *The solar PV equipment would not be installed on a site designated as scheduled monument.*

- (d) the solar PV equipment or solar thermal equipment would be installed on a listed building or on a building within the curtilage of a listed building.

**Comment:** *The solar PV equipment would not be installed on a listed building or on a building within the curtilage of a listed building.*

**J.2** Development is not permitted by Class J(a) or (b) if –

- (a) the solar PV equipment or solar thermal equipment would be installed on a wall and would protrude more than 0.2 metres beyond the plane of the wall when measured from the perpendicular with the external surface of the wall;
- (a) the solar PV equipment or solar thermal equipment would be installed on a wall and within 1 metre of a junction of that wall with another wall or with the roof of the building; or

(b) in the case of a building on article 2(3) land, the solar PV equipment or solar thermal equipment would be installed on a wall which fronts a highway.

**Comment:** *The solar PV equipment would not be installed on a wall.*

Paragraph J.4 provides for a prior approval requirement for solar equipment falling into the description of development in J(c). In this instance, then power generation does not exceed the output as set out in section 82(6) of the Energy Act 2004 and there is consider to be microgeneration solar equipment as described in paragraph J (a) and prior approval is not required.

### **Conclusion**

The proposal has been considered against the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and is recommended for approval. The solar panels must be installed in accordance within the parameters of J.1(a) and (c) of Schedule 2, Part 14, Class J.

### **Recommendation :**

### **Decision Authorisation – Delegated Powers**

**Application Number:** 2025/91158

### **Officer Recommendation;**

The proposed installation of solar panels would benefit from a general planning permission granted by virtue of Article 3(1) and Schedule 2, Part 14, Class J of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) subject to the conditions as stated in paragraph J.4 of the same Order.

The applicant is advised that the panels must be installed in accordance with the parameters of J.1(a) and (c) of Schedule 2, Part 14, Class J.

**NOTE:** The applicant is advised that the panels must be installed in accordance within the parameters of J.1(a) and (c) of Schedule 2, Part 14, Class J.

Plans and specifications schedule:-

| Plan Type                 | Reference      | Version | Date Received                  |
|---------------------------|----------------|---------|--------------------------------|
| Location plan             | PP-13969182v1  |         | 28 <sup>th</sup> April 2025    |
| Satellite Image of panels |                |         | 7 <sup>th</sup> May 2025       |
| Supporting information    |                |         | 28 <sup>th</sup> April 2025    |
| Scaled drawings           |                |         | 4 <sup>th</sup> September 2025 |
| Email from applicant      | John Lightfoot |         | 9 <sup>th</sup> October 2025   |

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 Planning 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.

**Dated:** 3<sup>rd</sup> October 2025