

**KIRKLEES METROPOLITAN COUNCIL  
INVESTMENT & REGENERATION SERVICE**

**DEVELOPMENT MANAGEMENT**

**Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) – SECTION 16**

**DELEGATED DECISION TO DETERMINE APPLICATIONS FOR LISTED BUILDING CONSENT**

Reference No:	<b>2025/65/92325/E</b>
Site Address:	Rashid Rabbani Madni Jamia Masjid, Northgate, Dewsbury, WF13 1DZ
Description:	Listed Building Consent for replacement of existing timber windows to ground and first floors (within A Conservation Area)
Recommending Officer:	Edward Cheseldine

**DECISION – REFUSE LISTED BUILDING CONSENT**

**I hereby authorise the refusal of this application for the reasons set out in the officer's report and recommendation annexed below in respect of the above matter.**

Sarah Longbottom

***AUTHORISED OFFICER***

**Date: 17-Dec-2025**

## **Officer Report**

2025/92325 - Rashid Rabbani Madni Jamia Masjid, Northgate, Dewsbury, WF13 1DZ

### **Site Description**

The Rashid Rabbani Madni Jamia Masjid is a substantial former Salem Methodist Chapel dated 1863 and situated within the Dewsbury Town Centre Conservation Area. This Grade II listed building is two storeys high with a basement level and is constructed from ashlar stone with a five-bay front elevation and ranges of sash windows. This elevation is well-detailed, with a richly decorated pediment and parapet balustrade. The side bays are setback, and each have a flight of steps leading to an over boarded panelled double door. The rear elevation is also in ashlar stone with a pediment and is simpler in design.

On the ground and first floors are two over-two timber sash windows, with stained-glass windows in arched heads on the façade. Many of the frames have been damaged, some of which are boarded up.

Basement windows have been changed to slim line double glazed units with wooden frames.

### **Description Proposal**

The applicant is seeking Listed Building Consent for the replacement of 47 windows on the ground and first floors with new timber framed double-glazed sash windows, painted in Moss Green (RAL 6005) and with a central glazing bar. Stained glass windows will be replaced and replicated using archival imagery. One set of stained-glass windows will be preserved via an encapsulation method preserved for archival purposes.

### **History of negotiations / amendments received**

The agent was contacted to submit a window schedule, provide details of the replication (or sample) and encapsulation methods for the stained-glass windows, provide drawings of the existing windows.

Elevation drawings were provided however there is no reference to which windows will be installed within the openings. No further information was submitted and therefore the application is assessed on the information provided.

### **Relevant Planning History**

2022/93785 - Listed Building Consent for replacement of 10 existing basement windows – Consent granted

2024/90915 - Listed Building Consent for replacement of existing timber windows to ground and first floors (within A Conservation Area) – Refused

### **Access Considerations**

None required as consent is sought for window replacements.

### **Climate Change Emergency**

On 12th November 2019, the Council adopted a target for achieving ‘net zero’ carbon emissions by 2038, with an accompanying carbon budget set by the Tyndall Centre for Climate Change Research. National Planning Policy includes a requirement to promote carbon reduction and enhance resilience to climate change through the planning system and these principles have been incorporated into the formulation of Local Plan policies. The Local Plan predates the declaration of a climate emergency and the net zero carbon target, however it includes a series of policies which are used to assess the suitability of planning applications in the context of climate change. When determining planning applications, the Council will use the relevant Local Plan policies and guidance documents to embed the climate change agenda.

The proposed alterations are for the replacement of existing single glazed sash windows, which are in a poor condition. The proposed replacements incorporate double glazed units with a 16mm gap. Such measures would greatly improve the thermal performance of the windows and would be compliant in so far as meeting the climate emergency requirements. However, the application is not supported on heritage grounds and it is considered that notwithstanding the thermal benefits that may be afforded, this does not outweigh the harm that would be caused to the special interest of the heritage.

### **Consultation Response**

KC Conservation & Design – Officer report has been compiled in compliance with Conservation & Design Officer assessment.

### **Representations**

The application was advertised by a site notice and press notice.

Press notice expiry: 26-May-2025

Site notice expiry: 30-May-2025

As a result of the publicity, there were no public representations.

### **Policies & Legislations**

The building is Grade II listed and therefore Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) requires the Local Planning Authority to ‘have special regard to the desirability of preserving

the building or its setting or any features of a special architectural or historic importance which it possesses’.

### *Kirklees Local Plan*

The statutory Development Plan for Kirklees is the Local Plan (adopted 27th February 2019). The following policies are considered relevant to this application:

LP 1 – Achieving Sustainable Development  
LP 2 – Place Shaping  
LP 24 – Design  
LP 35 – Historic Environment

### *National Policies and Guidance*

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published December 2024, the Planning Practice Guidance Suite (PPGS) first launched 6th March 2014 together with Circulars, Ministerial Statements and associated technical guidance.

Chapter 2 – Achieving sustainable development  
Chapter 12 – Achieving well-designed places  
Chapter 16 – Conserving and enhancing the historic environment

### **Assessment**

The applicant proposes the replacement of 47 windows on the ground and second floors with new timber framed sliding sash windows. The proposed windows are painted in Moss Green (RAL 6005) with a central glazing bar and 24mm double-glazed units with a 16mm gap.

The basement windows which were replaced under Listed Building Consent application 2022/93785 were in poor condition and had been altered significantly over time, with the insertion of casement opening lights in sub-frames within the sash windows, and the replacement of historic glass with Georgian wired glazing. External grilles had also been fitted. The replacement windows matched the historic sash windows in terms of material, design, dimensions and detailing, albeit with a deeper section to accommodate double-glazing and slightly wider central glazing bar in each window to accommodate the weight of double glazing. The replacement glazing was justified as the existing glass was not historic and the replacement of Georgian wired glass was an enhancement, and the 24mm double-glazed units would be hidden by the obscured glazing.

The windows at ground and first floor levels are the subject of this application and are quite different to the replaced basement windows as there is extensive surviving historic fabric including stained glass. They therefore need to be

assessed based on their contribution to the special interest and significance of the asset and the information and justification submitted with the application.

*North-East elevation (including returns)*

This is a prominent facade, constructed in ashlar sandstone and with a highly ornate carved pediment and two doorways accessing the former chapel. Below this are ranges of arched head four over two sash windows with narrow glazing bars. The four lower panes of each window are either missing and boarded up or retain glazing which is either obscured glass or coated in obscured film. The two arched upper panes in each window are beautifully painted stained-glass windows which are likely to be original.

The basement windows are at pavement level on this elevation, with the ground and first floor windows at a higher level when viewed from Northgate.

*South-West elevation (including returns)*

This is another prominent elevation, constructed in ashlar sandstone and with a decorative carved panel within the pediment, although overall less ornate than the north-east façade. Below this are ranges of arched head four over two sash windows with narrow glazing bars. The four lower panes of each window are either missing and boarded up or retain glazing which is either obscured glass or coated in obscured film. Some of the arched upper windows have been replaced with a single obscured pane, while many of those on the south-east return retain the two arched stained-glass upper panes in each window. The frames generally appear to be in poor condition,

*Small south-east elevation to the rear of a main entrance*

In this elevation are four two-over-two sash windows with obscured glass and boarding. There is no evidence of stained-glass in these sashes.

The Heritage Statement is accompanied by a detailed window condition statement. It suitably addresses the current condition of the glazing, stained glass and original frames. It provides a justification for full window replacement within Section 6 of the condition statement whilst providing a condition assessment. Repair attempts have been detailed.

The submitted proposed joinery details show an elevation and section drawings of a two-over-two flat headed sash window with plain glazing bars and 24mm double-glazed units (4:16:4). These do not show the arched heads or historic stained glass incorporated into the windows and there are no existing joinery details to compare them with.

Existing drawings of each elevation have been submitted but are not cross referenced to the proposed windows in the submitted Wincotech schedule. This schedule shows different window types with a low level of detail and no indication of their location within the building. These do not all correspond with the existing window types.

The applicant has specified the stained glass will be replicated with one pane of the original glass encapsulated to preserve for historical purposes. The

method of replication and encapsulation has not been provided by a manufacturer.

The level of information submitted within the application is insufficient to make an informed assessment, and no further information has been submitted. The replacement of all existing windows with new timber framed sash windows and clear 4:16:4 double-glazing will result in the extensive loss of historic fabric, including the stained glass, and will cause a high level of harm to the significance and architectural interest of the building. It has not been demonstrated where windows will be replaced or the methods for the replication or encapsulation of the stained glass.

## **Conclusion**

Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires, that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

The replacement of all ground and first floor windows will result in the loss of a significant amount of historic fabric. It is not considered that the architectural and historic interest of the listed building is preserved.

Section 72 (1) requires that with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

As this is a prominent building within the conservation area and highly visible from different aspects, this proposal does not preserve its character or appearance.

Paragraph 212 of the NPPF states that:

*“When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.”*

Paragraph 215 goes on to state that:

*“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.”*

The proposal leads to less than substantial harm to the significance of the listed building by the loss of all the historic sash windows on the ground and first floor

including the stained glass within the arched heads, and the introduction of 4:16:4 double glazing.

Limited details have been submitted to show how the proposed windows compare to the existing, with an inadequate window schedule and limited detail. Based on the information submitted, in addition, insufficient public benefits have been demonstrated for the replacement of all upper floor windows to outweigh the identified harm.

It is therefore concluded that the proposed development does not accord with the requirements of policies LP1, LP2, LP24 and LP35 of the Kirklees Local Plan, policies within Chapters 2, 12 and 16 of the National Planning Policy Framework and Section 66(2) & 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

This application has been assessed against relevant policies in the development plan and other material considerations. It is considered that the less than substantial harm caused by granting listed building consent would outweigh any public benefits of the proposal when assessed against policies in the NPPF, particularly Chapter 16, and other material considerations.

**Recommendation      Refuse Consent**

**Decision Authorisation - Delegated Powers****Application Number:** - 2025/92325**Officer Recommendation:** Refuse Consent**Conditions and Reasons:**

The applicant has failed to demonstrate sufficient public benefits to outweigh the harm of replacing the windows. The existing windows are historic and contain some high-quality detailing and stained glass. Most of them are highly prominent and make a strong contribution to the significance of the listed building. There is inadequate information within the application, there is no record of the existing windows, or a window schedule and the methods of replication of the stained-glass windows and encapsulation has not been suitably demonstrated. The proposal will not preserve the building or features of architectural interest which it possesses. It therefore fails to accord with Policy LP35 of the Kirklees Local Plan, paragraphs 212 and 215 of the National Planning Policy Framework (NPPF) and Section 66 (2) and 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

**Plans and specifications schedule: -**

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Location plan	-	-	18 August 2025
Existing elevation - West	-	-	18 August 2025
Existing elevation - North	-	-	18 August 2025
Existing elevation – East	-	-	18 August 2025
Proposed window section	-	-	18 August 2025
Proposed window section - 5671	-	-	13 November 2025
Proposed window section - 5672	-	-	13 November 2025
Proposed window section - 5673	-	-	13 November 2025
Proposed window section - 5674	-	-	13 November 2025
Design and heritage statement	-	-	18 August 2025
Window statement	-	-	18 August 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 has, where possible, made a pre-application advice service available, complied with the Kirklees Development Management Charter 2024 and otherwise actively engaged with the applicant in dealing with the application.

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