KIRKLEES METROPOLITAN COUNCIL
INVESTMENT & REGENERATION SERVICE

DEVELOPMENT MANAGEMENT

Town and Country Planning Act 1990 (as amended)

DELEGATED DECISION TO DETERMINE APPLICATIONS FOR CONSENT, AGREEMENT OR APPROVAL REQUIRED BY CONDITION

Reference No:	2026/44/90283/W
Site Address:	Waverley United Reformed Church, Waverley Road, Huddersfield, HD1 5NA
Description:	Discharge of details reserved by conditions 4 (window PW01), 5 (glazing), 7 (construction details) on previous permission 2023/93715 for alterations to and change of use of teaching institute (use class F1) to form 10 apartments (use class C3) with associated external works including formation of car parking (within a Conservation Area)
Recommending Officer:	William Simcock

DECISION – Discharge of Condition – Approve

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.

Nick Hirst

AUTHORISED OFFICER

Date: 13-Apr-2026

Application: 2026/90283

Site: at Waverley United Reformed Church, Waverley Road, Huddersfield, HD1 5NA.

Proposal: Discharge of details reserved by conditions 4 (window PW01), 5 (glazing), 7 (construction details) on previous permission 2023/93715 for alterations to and change of use of teaching institute (use class F1) to form 10 apartments (use class C3) with associated external works including formation of car parking (within a Conservation Area).

Assessment

Conditions 4 (window PW01) and 5 (replacement glazing)

> *4. Works to replace window PW01 (as referenced in the submitted Window Schedule 2) with a fire escape window shall not commence until full design details have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in full accordance with the details thus approved.*
> ***Reason**: To ensure that the proposed works conserve the character of the historic church and the character of the Greenhead Park / New North Road Conservation Area, and to accord with the aims of Policies LP24(a) and LP35 of the Kirklees Local Plan and Chapter 16 of the National Planning Policy Framework.*
>
> *5. Full details of all replacement glazing shall be submitted to and approved in writing by the Local Planning Authority before any replacement of glazing commences. Notwithstanding the details on the approved internal layout plan, obscure glazing in window EW10 shall not be replaced with clear glazing unless it can be demonstrated that the installation of clear glazing would not result in a line of sight for existing and future occupants between the new dwelling and the habitable room windows of existing dwellings to the west. All replacement of glazing shall thereafter be carried out in accordance with the details thereby approved and thereafter retained as such.*
> ***Reason**: To ensure that the proposed works conserve the character of the historic church and the character of the Greenhead Park / New North Road Conservation Area, to ensure that the development does not lead to compromised privacy for future or existing residents arising from overlooking at close quarters, and to accord with the aims of Policies LP24(a-b) and LP35 of the Kirklees Local Plan and Chapter 16 of the National Planning Policy Framework.*

The following details submitted by the applicant are relevant to conditions 4-5:

- Option 4-Proposed Elevations by Trend Architecture, reference TR-A23-0802-006 Revision I, 08/04/26
- Proposed Layout by Trend Architecture, reference TR-A23-0802-005 Rev G, 27/03/26

- Planning Phase: Window Replacement (a set of elevations and sections for the three types of window) by William J Architectural Services Limited, 02/02/26
- Window Restrictor details by Edenglaze, 02/04/26
- Eden Glaze estimate dated December 2025, submitted 27/03/26
- Proposed window and door schedule 1-2 by Trend Architecture, reference TR-A23-0802-014 and -015 revision I, 27/03/26
- Estimate from Touchstone windows, 10/03/26
- Statement of justification submitted by email, 27/02/26
- Information supplied by email 23/12/25 regarding materials and alternative suppliers.

The drawings show that window PW01 would be replaced by an opening window but that the window aperture would not be enlarged, as was envisaged at the time of the original application. The Proposed Elevations drawing does not show the existing mullions. However, these are shown on the window schedule (a photographic record of the existing windows giving each a reference number) and a note on the elevational drawing states that all stone features are to be retained.

The original plans indicated that the only changes to the windows (other than PW01) would be the replacement of obscure with clear glazing. It did not explicitly say that the leading would be removed or that new window frames installed. It is considered however that the wholesale replacement of the windows that is now proposed still falls within the scope of this condition.

For the historic arched windows within the church, the glazing is not set in frames but is affixed to the stonework itself. The smaller, rectangular windows have glazing in timber frames. The proposal is that new windows (in frames) are installed which would sit behind the tracery (in the case of the arched windows) or behind the heads, cills, jambs and mullions (in the case of the rectangular windows) instead of within the stonework. The frames would be in woodgrain effect UPVC (frame thickness 570mm). The new windows would be mostly non-opening. Each arched window would contain a tilt-and-turn (opening horizontally and vertically) opening light, whilst other new opening windows would be casements (opening horizontally or vertically only). The new windows would have leadwork applied in a horizontal / vertical rectangular lattice pattern.

One window – the large, central window facing Waverley Road – would remain in situ and unaltered.

The site lies within the Greenhead Park / New North Road Conservation Area. The building is not Listed, but owing to its age, design quality and the survival of most of the existing architectural features, it is considered by officers to be a non-designated heritage asset. From the point of view of aesthetics and heritage conservation it would have been preferable for (i) the existing windows to be retained, with secondary glazing or encapsulation to improve energy performance or (ii) new windows to be set into the stonework. These options

would have ensured that the external appearance of the building would undergo minimal change.

The proposed windows would result in a noticeable change to the appearance of the building owing to their means of installation (being behind, rather than within the stonework), frame materials, style and dimensions. Whilst the outer frames would be largely concealed by the stonework of the window aperture, the horizontal and vertical subdivisions would be more clearly visible, and the introduction of opening lights would give the appearance of thicker frame members because of the need to provide an inner frame for the opening light).

The applicant has provided, in brief, the following justification for the new windows and the with above two options cannot be used:

- Retaining the originals (with addition of secondary glazing) would not be reasonably practicable since there is already extensive damage, with many panes needing replacement. Furthermore, in the interests of future residents' amenity it is preferred that habitable room windows have clear-glazed windows allowing a view out.

- In an email sent to the case officer 23/12/25 (before the application was made), it stated that total of nine suppliers had been approached and asked to provide an estimate. Five manufacturers said they would be unable to undertake the works (presumably due to its specialist nature). A further two were rejected because they were unable to provide assurance that leadwork would match existing patterns, were unable to form arched windows, or because the blanking panels they would use would be visually intrusive, or a combination of these factors;

  This leaves two suppliers that the applicant viewed as open to consideration. One, Touchstone, would supply double-glazed windows in metal frames which would fit within the existing stonework. The other, Edenglaze, which is the one preferred by the applicant on the grounds of cost, would provide double-glazed windows that would be installed behind the existing stonework.

- The solution chosen by the developer would cost approximately £65,000 including VAT according to the submitted estimate. For the alternative, that would allow new windows to be fitted within the existing tracery, the supplier's estimate is £155,000 for plain glass windows (i.e., without the leading). Leading, if sought, would add a further £25,000.

- The applicant has also claimed that in addition to the above costs, mechanical ventilation would be required for the Touchstone windows since it would not meet energy performance requirements with opening windows. It has not been possible to verify this – KC Building Control advise that the energy performance (U-value) of a building will depend upon the several factors and cannot be assessed without examining a project in a holistic way. It is noted that both suppliers make windows

with the same 20mm argon-filled gap between the panes. Energy efficiency considerations will therefore not form part of this assessment.

- The applicant has also cited the increased delays / speed of ordering as something that will add further to costs. It seems plausible that the Touchstone solution would be more labour-intensive owing to the need to fit a large number of small custom-made panes of glass within the tracery openings. However, the length and cost of time delays cannot be quantified as it not been backed up by independent evidence, so no substantial weight will be placed on this factor.

The submitted information (including the financial viability statement) does not amount to a formal viability appraisal and has not been independently tested by a council appointed expert. However, based on the applicant's assessment of build costs and the likely rental income obtained, officers accept that the proposals atypical window arrangements would be an abnormal cost and the development is likely to be of marginal viability. It is reasonable to accept that adopting a more traditional solution (consisting of metal-framed glazing within the existing stonework) would add substantially to costs and possibly jeopardize the viability of the project. Keeping the existing windows, which are non-opening, would mean that most residents would have no natural ventilation and that mechanical ventilation would be required, which would affect efficiency, be an additional cost and would possibly have some adverse impact on the appearance of the building owing for the need for external vents (potentially per flat, causing cumulative harm). Furthermore, the existing arched windows have obscure glazing which would not allow a view out, which would detract from the amenities of future occupiers. For all of these reasons it is therefore considered that the option of retaining the existing glazing in situ, with the addition of secondary glazing, would not be a reasonable solution.

Under paragraphs 212-215 of the National Planning Policy Framework (NPPF), any harm to designated heritage assets, whether substantial or less than substantial, must be outweighed by a proportionate public benefit. Furthermore, paragraph 216 states that in weighing applications that directly or indirectly affect non-designated heritage assets (which may include non-Listed buildings within a Conservation Area), a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

KC Conservation and Design commented on the proposals in their consultation response dated 06/03/2026. Their comments were, in summary, that the proposed new windows would cause harm to the significance, external appearance and character of the former church which is considered a non-designated heritage asset within the Conservation Area. The degree of harm was deemed to be less than substantial harm (albeit of a high to moderate level), and in accordance with LP35 and paragraph 215 of the NPPF the level of harm should be balanced with the public benefit proposed by the conversion which could include securing the optimum viable use of the building; the final judgement being for planning officers to make.

It is considered that the design solution chosen by the developer would cause harm to the character and significance of the building (which, as noted before, is deemed to be a non-designated heritage asset), as well as the wider Greenhead Park and New North Road Conservation Area. For the avoidance of doubt, the harm to the Conservation Area would also be less than substantial, and on the lower end of that scale, giving due regard to the overall size and character of the conservation area; a change in the window design on this building would not significantly detract from the value of the conservation area as a heritage asset.

A design solution like the Touchstone proposal, of having metal-framed windows in the existing frames, would have been preferred, since the windows' relationship to the existing stonework as well as the thinner frame members would have resulted in an appearance more in keeping with the building's age and character. The applicant's reasons for rejecting this alternative are however considered to be valid.

It is noted that aside from the windows, no features other than doors (for which approval of details must be sought separately under condition 8) would be lost. All original stone features would be retained, and the building as altered would continue to make a significantly positive contribution to the character of the Conservation Area. The degree of harm caused would be further mitigated by the use of black woodgrain UPVC which it is considered would be less visually intrusive than white UPVC, by the use of leading which would closely replicate the existing leading, and by the use of black (as opposed to yellow-orange) sealant.

Weighing the above considerations, on balance, it considered that the developer has demonstrated that the solution proposed is the best reasonably practical option, and that the degree of harm that has been identified would in this instance be outweighed by the public benefit of securing the optimum viable use for the building, securing the delivery o housing at a time of need, while also ensuring its long-term conservation, which would in turn help to maintain the character and significance of the Greenhead Park / New North Road Conservation Area through ensuring the buildings continued use (and maintenance).

Condition 5 explicitly highlights privacy as being a potential concern for window EW10 (upper floor, western elevation) which the original officer's report acknowledges would be 18.5m from the nearest facing habitable room window (belonging to 8 Wentworth Street) which is at a lower level. It is noted that the elevational drawing shows this window to have grade 5 obscure glazing and that it would only open to a limited degree (full details of this are provided in the product information sheet by Edenglaze, permanent window restrictor), allowing natural ventilation but not an unrestricted outlook. It is considered that these measures would be sufficient to protect the privacy of both the existing neighbouring property and the future occupants of this apartment.

The officer's report for the original application, reference 2023/93715, recognises that the two south-facing ground floor windows (referenced PW01

and EW14 on the plans) might have privacy implications for dwellings on the opposite side of Back Waverley Road, and advises that obscure glass be retained or replaced with an equivalent alternative. It did not advise that they should be retained as non-opening or have restricted opening. In fact, the *existing* windows PW01 and EW14 do not appear to have obscure glazing, but they were shown to have obscure glazing on the "as proposed" plans that were approved (although the grade of obscurity was, at the time, unspecified). The latest plans confirm that the glazing would be grade 5. It is considered that impact of openable but obscurely-glazed windows being installed in the existing openings would not result in a material loss of privacy for existing or future residents.

In conclusion, it is considered that the submitted details are acceptable for the purposes of conditions 4 and 5 since they would ensure that minimal harm to the character and significance of the building and the Conservation Area would occur, and that the privacy of existing and future residents would be safeguarded. It is recommended that the submitted details are approved.

Notwithstanding the above, the conditions each have an ongoing requirement which prevents full discharge currently. A note of the ongoing requirement is recommended to be included on the decision notice.

Condition 7 (construction details)

> *7. Before any new dwelling is brought into use, construction details demonstrating how the first-floor structure will interact with the windows shall be submitted to and approved in writing by the Local Planning Authority. The details thus approved shall be implemented in full before any new dwelling is first brought into use.*
> ***Reason**: To ensure that the proposed works conserve the character of the historic church and the character of the Greenhead Park / New North Road Conservation Area, and to accord with the aims of Policies LP24(a) and LP35 of the Kirklees Local Plan and Chapter 16 of the National Planning Policy Framework.*

A drawing entitled Window Details, by Trend Architecture, reference TR-A23-0802-016 Revision I, has been submitted, 02/04/26.

This shows the inclusion of a band of obscure glazing (grade 3) into the new windows at the level of the proposed first-floor joists so as to disguise the first-floor structure.

KC Conservation & Design were informally consulted on this drawing, and in comments (via email on 07/04/26) separate to their main response, advised that this would be an acceptable solution.

Officers consider that the proposed use of grade 3 obscure glazing would disguise the appearance of the proposed new floor whilst not having a significant impact on the external appearance of the building. It is considered

that the proposed details are sufficient to fulfil the initial purpose of the condition and are hereby recommended for approval.

Notwithstanding the above, the condition has an ongoing requirement which prevents full discharge currently. A note of the ongoing requirement is recommended to be included on the decision notice.

Conclusion

The details submitted for each of the applied for conditions (4, 5, and 7) are acceptable and may be approved.

Recommendation: Approve details

Report Dated: 10/04/2026

Proposed Letter Text

Conditions 4 (window PW01) and 5 (glazing)

You have submitted the following details pursuant to conditions 4 and 5:

- Option 4-Proposed Elevations by Trend Architecture, reference TR-A23-0802-006 Revision I, 08/04/26
- Proposed Layout by Trend Architecture, reference TR-A23-0802-005 Rev G, 27/03/26
- Planning Phase: Window Replacement (a set of elevations and sections for the three types of window) by William J Architectural Services Limited, 02/02/26
- Window Restrictor details by Edenglaze, 02/04/26
- Eden Glaze estimate dated December 2025, submitted 27/03/26
- Proposed window and door schedule 1-2 by Trend Architecture, reference TR-A23-0802-014 and -015 revision I, 27/03/26
- Estimate from Touchstone windows, 10/03/26
- Statement of justification submitted by email, 27/02/26
- Information supplied by email 23/12/25 regarding materials and alternative suppliers.

The submitted details are considered satisfactory for the purposes of conditions 4 and 5 and are hereby approved. The initial requirement of each condition is thereby complied with.

Notwithstanding the above, you are reminded that conditions 4 and 5 have the following ongoing requirements which must be adhered to, to ensure continued compliance with the conditions:

Condition 4

> *The works shall be carried out in full accordance with the details thus approved.*

Condition 5

> *All replacement of glazing shall thereafter be carried out in accordance with the details thereby approved and thereafter retained as such.*

Condition 7 (construction details)

You have submitted a drawing entitled Window Details, by Trend Architecture, reference TR-A23-0802-016 Revision I, submitted 02/04/26. This shows a band of obscure glazing (grade 3) placed at the level of the proposed first-floor joists.

It is considered that the proposed details are sufficient to fulfil the purposes of the condition and are hereby approved.

Notwithstanding the above, you are reminded that condition 19 has the following ongoing requirements which must be adhered to, to ensure continued compliance with the condition:

> *The details thus approved shall be implemented in full before any new dwelling is first brought into use.*