

Application for Listed Building Consent

Replacement of decayed timber windows to west elevation of West Wing with new and introduction of maintenance access hatches to West Wing roof and tower roofs

TOWNELEY HALL TOWNELEY PARK BURNLEY

Applicant: Burnley Borough Council

Agent: Knox McConnell Architects

1.0 The application property and summary of heritage significance:

- 1.1 This application relates to Towneley Hall, a heritage asset of exceptional significance which is reflected in its Grade I Listing. The Hall dates from c.1400 and has been subject to extensive phases of alteration reflecting significant periods of history, and most notably in the seventeenth to nineteenth centuries to reflect the changing architectural styles by successive generations particularly the baroque and gothic. These different phases are clearly readable in the exterior of the building but are most evident internally.
- 1.2 The hall is built in large sandstone rubble brought to courses, with freestone dressings, and hipped slate roofs concealed by embattled parapets. The Hall was substantially remodelled by Jeffry Wyatt in the nineteenth century who enhanced the presence and grandeur of the building by elevating the South-East wing and adding battlements and turrets considered at the time as a display of architectural and social ostentation. The interior features equally impressive period rooms including the Long Gallery, Great Hall, Red and Green Regency Rooms hung with original C19 paintings and is particularly noted for its fine 16th century (Jacobean) plasterwork, panelling and staircases. The Hall has been in civic use as a museum and gallery since 1903.
- 1.3 The significance of Towneley Hall derives from a number of factors, including the antiquity of parts of its fabric and from the architectural and visual grandeur of the building and its fine interiors. It also has important historic value, providing evidence of changing architectural forms and fashions, as well as allowing an understanding of the evolution of Burnley as a settlement.

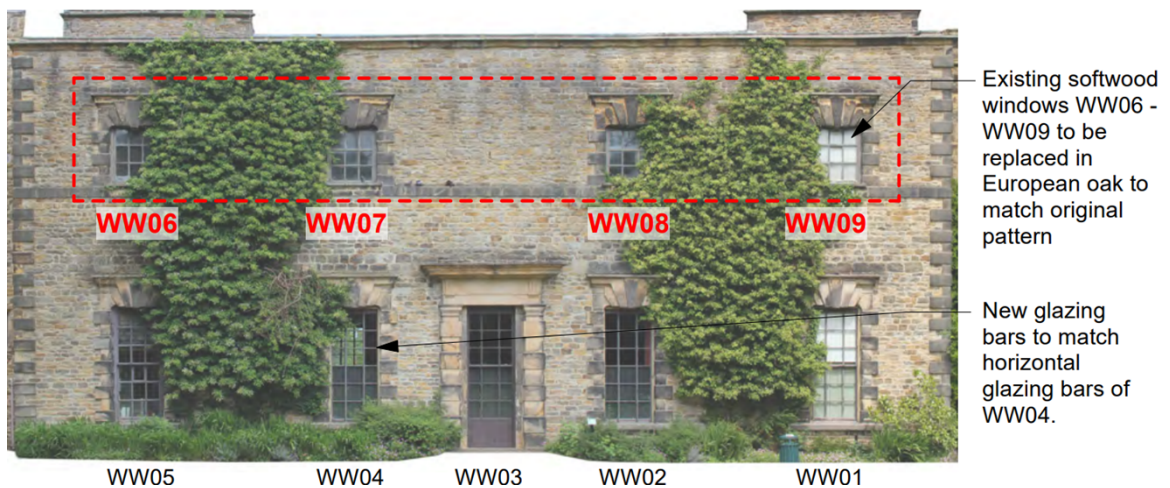


- 1.4 This application relates to the West Wing of the Hall. Its west elevation having been remodelled in the baroque style by Robert Thornton in the 1720s and is therefore highly significant. It is constructed of coursed masonry and has a simple parapet with coping stones and does not have crenelations like much of the rest of the Hall. Sash windows were

also added in this period. The roof has been subject to remodelling and major repair work including re-roofing in the twentieth century

2.0 Proposal:

- 2.1 This application follows the grant of Listed Building Consent for essential repairs and conservation works to the roof and external elevations (Ref: LBC/2021/0651) which is currently proceeding on site. Scaffolding has allowed close inspection of the 4 no. first floor windows of the west (rear) elevation of the West Wing which have been found to have significant decay to the cills, base rails, jambs and joints largely as a consequence of exposure to severe weather, such that they are beyond reasonable and practical repair. Though traditional in their design and construction, the windows are contemporary replacements constructed from softwood with opening casements, large glazing bars and modern glass and thought to date from the 1960s. The frames do however provide a consistent and suitably historic appearance across the elevation of the building thus making a positive contribution to its character and architectural interest.
- 2.2 This application seeks listed building consent for the removal and replacement of the first floor windows. The proposed replacements closely match the existing frames in respect of the size, scale, glazing pattern and overall proportions however they will be designed to be a fixed (non-opening) frame. In addition, it is proposed to match the finer historic glazing bars from the windows below and use machine drawn glass to match. The replacements are also proposed to be constructed from oak for enhanced durability.

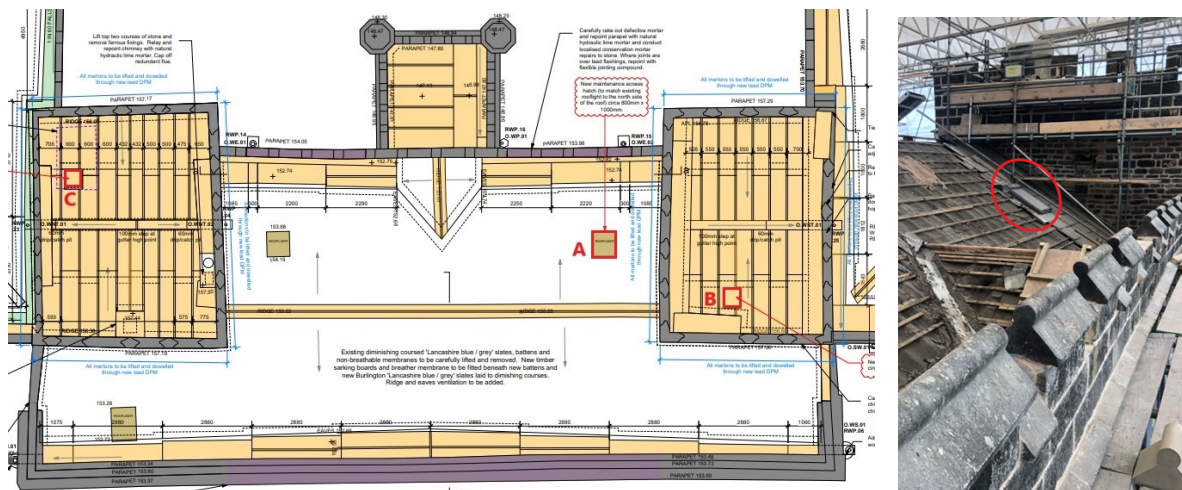


West Elevation of West Wing



Images showing extent of timber decay at cills, glazing bar joints and jambs

- 2.3 Access improvements are also proposed, the purpose of which is to allow proactive management and maintenance by the Council. This includes the insertion of an aluminium framed egress rooflight, measuring 800mm by 1000mm, to the north elevation of the West Wing roof to allow inspection and access to the south side of the gutter. There is an existing rooflight to the north side of the gutter which it is proposed to match, both of which are positioned such that they are hidden from view behind the parapet. A steel maintenance access hatch, measuring 600mm by 600mm, is also proposed to each tower to allow for routine inspections and to provide access for clearing blockages and other small maintenance tasks.



Proposed rooflight (A) and inspection hatches (B and C)

Existing Rooflight

- 2.4 The purpose of the proposed works is to facilitate ease of inspection and improve maintenance access to difficult to reach roofs; and to protect the historic fabric from water ingress and decay. The proposal has been informed by the findings and recommendations of expert heritage advisors, following detailed survey and options analysis, and has been developed in consultation with the Council's heritage planner.
- 2.5 The application is supported by a Heritage Statement which clearly explains the background, requirements and benefits of the works; and sets out in detail the justification for the works and the impact on the special interest (significance) of the listed building.
- 2.6 This application is presented to Committee as the applicant is Burnley Borough Council.
- 3.0 Relevant Policies:**
- 3.1 Burnley's Local Plan (July 2018): Policy HE2 (Designated Heritage Assets) outlines the key requirement for proposals to have regard to the desirability of sustaining and enhancing the significance of listed buildings and, where appropriate, securing a viable use most consistent with their conservation. All levels of harm should be avoided. The policy adopts the NPPF's categories of 'substantial' and 'less than substantial' harm and the corresponding policy tests (as set out in NPPF 195 and 196). In summary, these tests provide an opportunity for an applicant to demonstrate that there would be public benefits arising from a proposal which may outweigh heritage harm.
- 3.2 The National Planning Policy Framework (NPPF): It is the conservation of heritage assets in a manner appropriate to their 'significance' which is the focus of the NPPF. In particular Paragraph 199 advises that when considering the impact of a proposed development on the significance of a designated heritage asset (ie listed building), great weight should be given to the asset's conservation. This is irrespective of whether any potential harm amounts to substantial harm, total loss, or less than substantial harm to its significance. Paragraph 200 sets out that any harm to, or loss of, the significance of a designated heritage asset should require clear and convincing justification. Paragraph 202 explains 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.

3.3 Planning (Listed Buildings and Conservation Areas) Act 1990: As set out below.

4.0 Relevant National Guidance:

4.1 Traditional Windows: Their Care, Repair and Upgrading (Historic England): This guidance advises that historic windows and windows whose design follows historic patterns make a positive contribution to the significance of a listed building and should be retained and repaired where possible. If beyond repair, they should be replaced with accurate copies. Their replacements should be single glazed, in order to replicate authentically the detailing of the original windows and avoid reflective double images that would unacceptably harm character and appearance.

5.0 Relevant Recent Site History:

5.1 The site has an extensive planning history which mainly relates to internal and external works to maintain the upkeep and safeguard the viability of the building, the most relevant recent applications being LBC/2021/0651 for repairs and conservation works to the roof, stonework, rainwater goods, windows and internal plasterwork.

6.0 Consultation Responses:

6.1 Historic England: Provide no comment on this application.

6.2 Publicity: No comments received.

7.0 Principal Issues:

7.1 The main issue for consideration is the provisions of the Planning (Listed Buildings and Conservation Areas) Act 1990. Section 16(2) and 66 confer upon local planning authorities a duty to have special regard to the desirability of preserving the special interest of a listed building, its setting or any features of special architectural or historic interest that it possesses. With regard to the NPPF and Local Plan Policy HE2 this can be defined as the impact of the proposal on the significance (special interest) of the Listed Building affected with 'preservation' in this context meaning doing no harm to the significance as opposed to keeping it utterly unchanged and considerable weight should be given to any harm found to arise.

7.2 The NPPF and Local Plan Policy HE2 sets out that any harm to, or loss of, the significance of a designated heritage asset should require clear and convincing justification, including whether there are any suitable alternative solutions which cause less or no harm. In cases where a 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.

7.3 Having regard to the relevant policy and legislation, as set out above, the determining issue is whether the proposal would preserve (not cause harm to) the special interest (significance) of the Grade I Listed Building.

8.0 Impact on the special interest (significance) of the Listed Building:

8.1 The application is supported by a heritage assessment prepared by Knox McConnell Architecture. This document has been assessed by the Council's Heritage Planner who advises that the proposed works are informed by a sound understanding of the significance of the heritage asset, the buildings construction and the likely causes and extend of the defects. The options available have been fully considered and the proposal is robustly

justified. The proposed approach and methodology for undertaking the works is considered appropriate and sympathetic to the historic fabric and significance of the building, only removing fabric where necessary and reinstating with materials and techniques that match and are appropriate to the existing.

8.2 Having regard to the submitted heritage assessment, the impact and acceptability of the individual elements of the proposal have been assessed as follows.

9.0 Proposed Replacement Windows:

- 9.1 With respect to fenestration, the long-term heritage objectives to “preserve” the special interest of listed buildings should be to replace windows of historic or architectural interest only where they have clearly deteriorated beyond practical repair. Where replacement windows can be justified, these should be designed to replicate the originals in respect of their style, detail, construction and materials with particular regard to accurately reproducing traditional joinery profiles and mouldings such as glazing bars. Where historic windows have been replaced with ones whose design does not follow historic patterns, their replacement with authentically detailed designs provides an opportunity to enhance the significance of the building, which is the desired outcome under national policy.
- 9.2 The Heritage Assessment finds that the existing C20 windows have little historic interest and detract from the symmetry of the elevation as they have casements in different positions and larger (non-traditional) glazing bars when compared to the ground floor windows. Moreover, it has been demonstrated that they are significantly decayed such that they are beyond practical repair. The condition has been verified by a site visit. The replacement of the windows in their entirety is therefore justified and is accepted in this particular case subject to their reproduction with an authentically detailed design.
- 9.3 The proposed replacement frames will replicate the general form and proportions of the windows in terms of the width of the jambs and the glazing arrangement such that they are a very close match to the existing. They will differ from the existing in that the glazing bars will be slimmer in profile and hold machine drawn glass to will match those on the ground floor and they will be constructed from oak for enhanced durability. The key variation being the loss of the casement opener in favour of a fixed window to limit the number of joints and therefore potential for water damage to the Great Hall Ceiling below. As such the proposal is considered to be minor in scale in that it is simply seeking to replace something which currently exists. The main effects therefore relate to the change in materials, glazing bar dimensions and method of opening.
- 9.4 The submitted drawings demonstrate that the variations in design and materials do not prejudice the overall appearance of the windows which are considered an enhancement in terms of authenticity. In terms of the loss of the casement openers, it is not considered that would cause any easily apparent visual impact within mid-to-long range views. On close inspection the visual differences may be discernible however it is considered that the impact would be considerably mitigated by the enhancements in design and construction.
- 9.5 The proposal would result in the loss C20 fabric which, although not historically authentic, contributes to the architectural interest in that they provide a consistent and suitably historic appearance across the elevation of the building. Accordingly, their loss would cause a minor adverse impact on significance (at the lower end of the ‘less than substantial’ scale of harm). In this case, the replacement windows are considered to be clearly necessary due to their condition. The harm arising is considered to be both justified, and outweighed, by the heritage benefits of arresting deterioration of the building, therefore ensuring its proper preservation, and introducing a more authentic frame in terms of design and construction therefore meeting the requirements of Policy HE2, the NPPF and the duty assigned by the LBCA Act.

10.0 Proposed Inspection and Access Hatches:

- 10.1 The proposed new access rooflight to the West Wing roof and new maintenance access hatches to the tower roofs are considered fundamental to ensuring the increased frequency of visual inspections and ease of routine maintenance to these difficult to reach locations in order to ensure the effective functioning of the roof and rainwater disposal thus ensuring that the building and its valuable contents would be protected from water ingress.
- 10.2 Alternative means of accessing the roof have been assessed and ruled out as being less effective or involving visually intrusive additions at roof level.
- 10.3 The West Wing roof and towers are highly significant however their coverings, which will be the main areas affected, are not historic having been renewed in the C20 and as part of the current works permitted under LBC/2021/065. Nonetheless the new openings constitute an alteration to the original design and therefore are considered to cause a minor adverse impact on significance (at the lower end of the 'less than substantial' scale of harm) when having regard to the contribution of the affected roof structures to the special interest of the listed building as a whole.
- 10.4 The proposed interventions, which are sensitively specified, are found to be necessary to allow an increase in the frequency of inspection and provide for easier maintenance access to difficult to reach roofs ensuring that the lifespan of the fabric would be extended in support of the long term conservation of the building and its valuable contents. This would constitute a very desirable public benefit and as such are sufficient to outweigh the identified less than substantial harm to significance in accordance with Policy HE2, the NPPF and the duty assigned by the LBCA Act.

11.0 Recommendation: Approve with Conditions

- 11.1 In giving considerable importance and weight to the duties at Section 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in consideration to NPPF Section 16 and Policy HE2 of Burnley's Local Plan I would recommend that listed building consent be granted subject to conditions.

12.0 Conditions and Reasons:

1. The development must be begun within three years of the date of this decision.

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall not be carried out other than to the approved drawings and specification of works noted thereon except where modified by the conditions of this consent. The approved drawings are Drawing Numbers: BTH07/P014 (Third Floor Plan Proposed Repairs at 1:100 Scale); BTH07 P105 (Proposed West Wing Roof Plan at 1:50 Scale); and BTH07-SK004B (Proposed Window Details at 1:20 and 1:5 Scale) received 12 May 2023.

Reason: To ensure the development is implemented in accordance with the approved plans and to avoid ambiguity; and to preserve the character and special interest of the building in accordance with Policy HE2 of Burnley's Local Plan (July 2018).

3. All materials to be used in the approved scheme shall be as stated on the application form and approved drawings and shall not be varied without the prior written approval of the Local Planning Authority.

Reason: To ensure that the development will be of a satisfactory appearance in accordance with Policies HE2 of Burnley's Local Plan (July 2018).

4. Any works of making good to the retained fabric, shall be finished to match the adjacent work with regard to the methods used and to colour, material, texture, and profile, except where indicated otherwise on the drawings hereby approved

Reason: In order to safeguard the special architectural and historic interest of the listed building and to comply with Policy HE2 of Burnley's Local Plan (July 2018).

EEP (Principal Planner) 23 August 2023

Background Papers:

<https://publicaccess.burnley.gov.uk/online-applications/applicationDetails.do?keyVal=RUK18UDTMI700&activeTab=summary>