

**Application for Listed Building Consent**

Removal of existing defective render finish to the inner light well wall and encapsulate the wall, structural steelwork and 24 no. window openings with cement fibre cladding panels.  
TOWN HALL MANCHESTER ROAD BURNLEY

Applicant: Burnley Borough Council  
Agent: Property Services (Liberata UK Ltd)

**Application property and summary of heritage significance:**

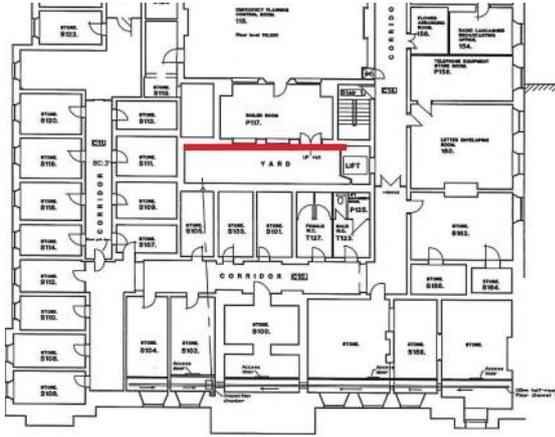
This application relates to Burnley Town Hall. The building dates from c1884-88 and was designed to create a powerful and highly visible landmark within the town centre. It is constructed in a Neo Renaissance design and finished in sandstone ashlar with stone dressings under a slate roof with copper clad domed clock turret. The principal façade features an imposing raised entrance with polished pink granite columns, richly carved rounded headed archway, balustraded balconies with decorative columns and a carved triangular pediment.

Burnley Town Hall is a heritage asset of high significance reflected in its Grade II Listing. The significance of the building has been assessed by the Council's heritage planner and is found to lie chiefly in its architectural and historic interest. It holds high significance as a notable example of Victorian municipal architecture in the Renaissance Revival style, which retains much original detail both externally and internally. The building possesses a high level of architectural interest for its external qualities including its embellishment and degree of intactness. Internally, the building has retained a significant amount of its original plan form, internal fabric, fixtures and features. The effect of these elements are particularly legible in the public areas including the principal entrance, hall and staircase; and the civic suite including the Council Chamber, Reception Room and Mayors Parlour and as such are of high significance. Surviving original finishes and fittings to the office accommodation are of moderate significance, though later 20<sup>th</sup> century fixtures and finishings throughout the building and insensitive service installations have a negative impact in places. The building also holds value at a local level in representing the political history and growth of Burnley; and in terms of its contribution to the architectural quality and character to the townscape.

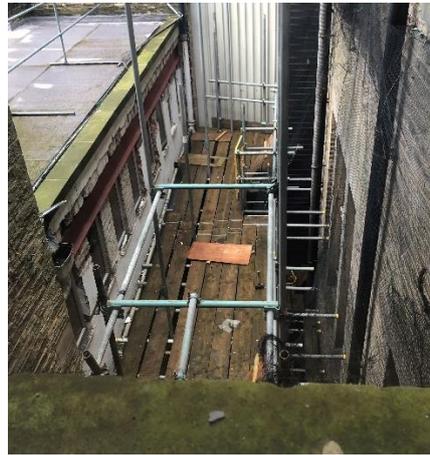
This application relates to a utilitarian part of the building located within its central core and comprising an inner light-well and its elevations including the windows serving the WC's to the ladies and gents toilet areas on levels 2, 3 and 4 (highlighted on the plan below). This part of the building, which is not visible from public view, has been assessed as having a low level of significance, with a low survival of historic elements/features. The area is historic in terms of its plan form but has been subject to past alterations that have removed its significance and therefore its contribution to the special interest of the listed building is neutral when considered as a whole.

**The Proposal:**

This application seeks listed building consent for the removal of the existing defective render to the south-east facing elevation of the inner light-well and its replacement with large format fibre cement architectural panels fixed to the existing masonry. The proposed works will include the removal and bricking up of 24 no. window openings located in the ladies and gents toilet areas on levels 2, 3 and 4 and the renewal of the soil pipes.



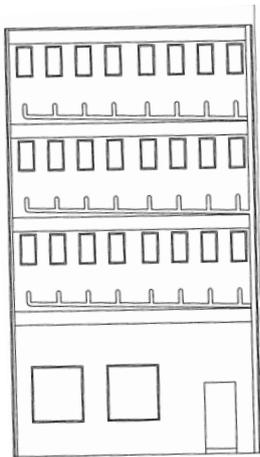
Location of south-east elevation of inner lightwell shown at basement level



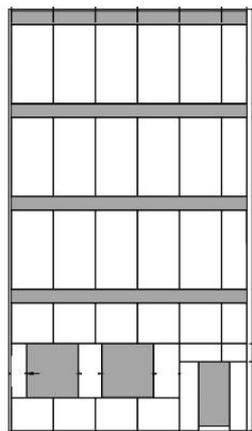
View north-east across the lightwell at level 4

The wall dates from around the 1940s and is constructed of rendered brickwork with exposed structural steelwork carrying the reinforced concrete floor slab at each floor level. The exposed steelwork is suffering from corrosion which needs to be addressed and works undertaken to prevent any further deterioration which could ultimately lead to the weakening of the structure. The least intrusive method is to encapsulate the steelwork and wall in cladding panels. This has the benefit over a render system in that it would allow the steelwork and services to be accessible for maintenance. Mechanical ventilation will be provided to the wc's and suitable provision will be made to allow the wall beneath to breathe and to prevent trapped moisture.

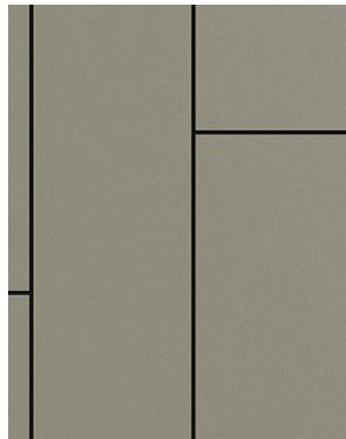
The colour of the proposed cladding is Equitone Natura N892 Fossil Grey which compliments the colour tone of the existing stonework in the light well. The cladding panels are classed as having limited combustibility (fire classification of A2-S1,d0) and a life expectancy exceeding 50 years.



Existing Elevation



Proposed Elevation



Sample Panel

The application has been submitted following pre-application engagement with the Council's heritage planner who is satisfied that the proposal reflects the options discussed and the advice provided.

This application is presented to Committee as the applicant is Burnley Borough Council.

## **Relevant Policies:**

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 200 and 201). 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.

The National Planning Policy Framework (July 2021): Section 16 of the NPPF gives guidance on conserving and enhancing the historic environment. 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 (i.e. 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 including, where appropriate, securing its optimum viable use .

Planning (Listed Buildings and Conservation Areas) Act 1990: Sections 16 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.

## **Relevant Recent Site History:**

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 application being APP/2017/0561 for re-roofing works including structural repairs to defective chimney stacks, lift shaft and clock dome; and stone and leadwork conservation.

**Consultation Responses:** None received.

## **Assessment:**

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. 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. Local Plan Policy HE2 requires proposals to avoid harm to the significance of Listed Buildings. In order to avoid harm to significance, alterations should conserve, and where appropriate repair or reinstate, those elements that contribute to the significance of the heritage asset including its design, character, architectural features of interest, appearance, structure and principal components.

The main issue is the impact of the proposal on the significance (special interest) of the Listed Building.

### **Impact on the significance of the Listed Building:**

The application is supported by a heritage assessment, supplemented by the Council's heritage planner, which provides a well-considered analysis of significance of the listed building. The supporting information explains the reasons for the proposed works and demonstrates a good level of understanding of both the heritage significance and the construction and behaviour of traditional buildings and materials. Having regard to this document, the proposed works are considered to be thoughtful and sensitive, working with the building as far as practically possible thereby ensuring its character is not adversely affected.

Although the proposal will change the appearance of the elevation its utilitarian character will remain. The visual impact is considered to be outweighed by the benefit of ensuring essential repairs and ongoing maintenance.

Despite the potential removal of original building fabric and change in appearance, the area affected is minimal and of low heritage interest, and the proposed works are necessary to securing the proper preservation of the building. Furthermore, halting the deterioration of the built fabric through works to protect the fabric from the effects of weathering is considered to constitute a desirable public benefit.

Taking the above into account, it is considered that the works are justified and proportionate and would facilitate the essential repair and good maintenance of the building in support of its long-term conservation. It is considered the proposed works will not result in harm to the significance of the heritage asset and accordingly will preserve the special architectural and historic interest of the building in accordance with Policy HE2, the NPPF and the duty assigned by the LBCA Act.

### **Conclusion:**

In giving considerable importance and weight to the duties at Section 16(2) and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in consideration to the objective of the NPPF and Policy HE2 of Burnley's Local Plan I would recommend that listed building consent be granted.

### **Recommendation: Approve with conditions**

1. The works hereby permitted shall begin before the expiration of three years from the date of this consent.

Reason: As required by Section 18 of the Planning (Listed Buildings and Conservation Areas) 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 specifications as indicated on the approved drawings except where modified by the conditions of this consent. The approved drawings are: GA-1001 (Proposed Elevation Panel Layout) received on the 19 August 2021.

Reason: To ensure the development is implemented in accordance with the approved plans and to avoid ambiguity.

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

4. This approval is limited to the works shown on the approved drawings and does not indicate approval for associated or enabling works that may be necessary to carry out the scheme. Any further works must be submitted to and approved in writing by the Local Planning Authority prior to any works commencing.

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).

5. 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