

Application for Listed Building Consent

Localised repairs and conservation works to the roof, stonework, rainwater goods, windows and internal plasterwork. Alterations and repairs to the North Wing roof and reconstruction of the parapet to the west elevation of the West Wing.

TOWNELEY HALL TOWNELEY PARK BURNLEY

Applicant: Burnley Borough Council  
Agent: Knox McConnell Architects

**The application property and summary of heritage significance:**

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.

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.

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.



Visual grandeur of the building



Great Hall

**Background:**

A Quinquennial Inspection, undertaken in 2020, concluded that the Hall has suffered from a lack of co-ordinated maintenance and has deteriorated significantly in recent years largely due to faulty rainwater disposal systems, poor roof details and deterioration of leadwork, pointing and masonry. It notes that some areas of the roofs have been extremely difficult and unsafe to access which has made maintenance problematic and this has led to water ingress affecting the structure and internal finishes, causing dry rot and decay to historic fabric. Long term damp issues have affected the ceilings in the Long Gallery bedrooms and Regency Room and in the

Great Hall where the highly significant early C18 plasterwork is at risk of collapse. Accordingly it is advised that there is an urgent need to make the building watertight; able to meet the demands of current rainfall patterns by increasing gutter and outlet capacity; and to make the roof easier to maintain by improving access. Following the making good of the external envelope the interior should be repaired with particular attention to the plasterwork ceiling in the Great Hall.

### **Proposal:**

This application seeks listed building consent for essential repairs and conservation work to the exterior and interior of the Hall identified through detailed survey and investigation as described in the submitted Design and Access Statement, Drawings and Schedule of Work, Specialist Reports and Structural Engineer's details. The proposed works involve a number of interventions to improve the overall general condition of the built fabric and the weathertightness of the listed building in order to bring the Hall into a good state of repair and to allow proactive management and maintenance by the Council. The works have been designed to involve, wherever possible, the retention and refurbishment of items rather than replacement and the use of traditional materials and methods of construction.

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 degree of sensitivity of each location, justification for the works; and the impact on significance.

Having regard to the submitted Heritage Statement, a number of the works are considered to fall within the scope of like for like repairs and include:

- a) Replacing failing lead gutters, re-slating roofs and renewing lead roofs
- b) Repairing and redecorating rainwater goods
- c) Removing dangerous and decaying duckboards
- d) High level stonework repair and repointing to all stonework
- e) Repairs to timber windows and overhaul of other leaded and cast iron windows
- f) Replastering
- g) Internal repairs to timber and plaster affected by dry rot in the North Wing

A detailed specification of works and materials has been submitted in support of the application (prepared by Knox McConnell Architects).

Some of the proposed repair works, the purpose of which is to stabilise and protect historic fabric, require greater levels of intervention. A justification for the works which sets out the issues presented by the identified defects and an appraisal of the options to address them is set out in considerable detail in the submitted Heritage Statement. The works are summarised as follows:

- h) Conservation of Great Hall ceiling: Strengthening the structure of the ceiling, substantial conservation of the plasterwork insitu and subsequent redecoration
- i) Repairs to west wing parapet: reinforcing the unstable west wing wall at high level by dismantling and rebuilding the parapet wall and bulging section of the west elevation of the West Wing
- j) Structural repairs to Long Gallery: providing additional structural support to the Long Gallery first floor structure by strapping of the roof trusses, the insertion of additional hangers to partition walls and floor strengthening as necessary. Conservation of south wing ceilings
- k) Slate roof construction build up: remove unsympathetic membranes to slate roof areas and introduce breathable membranes and/or sarking boards to provide a secondary line of defence for waterproofing. Provide additional ventilation details at the ridge and eaves as necessary
- l) Repairs to North Wing roof: Reconfiguring the North Wing roof gutters to improve rainwater disposal and maintenance access by lowering the central spine wall to create a wider valley gutter to be formed from stainless steel, removing corroding cast iron gutters and their

replacement with stainless steel. Installation of discrete railings as edge protection to areas of low parapets and a replacement access stair and walkway.

The works have been informed by the findings and recommendations of expert heritage advisors and contractors, following detailed survey, research and options analysis, and has been developed in consultation with the Council's heritage planner and Historic England.

The application is supported by the following documents: Heritage Statement and Specification of Workmanship and Materials prepared by Knox-McConnell Architects Ltd; and detailed structural engineering drawings prepared by Blakett-Ord Conservation Ltd.

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 the NPPF). 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 (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 applications being APP/2021/0011 for renewal of the lath and plaster ceiling to the Jacobean stairwell and APP/2018/0044 for remedial works associated with a dry rot outbreak.

### **Consultation Responses:**

Historic England: Offer their support to the application and note that without the proposed interventions it is clear that the building would be at risk for further decay, which could lead to the loss of important fabric. It is considered that, with the exception of the reconfiguration of the North Wing roof gutters, the proposed works are sensitively specified such that they would not result in any harm to the significance of the Hall. With regards to the North Wing gutters, this would result in the loss of original, but altered, fabric and accordingly would cause a low level of harm to heritage significance. On this occasion the work is considered to be clearly necessary, in order to address the issue of water ingress, and informed through a considered analysis of

potential options. The harm arising is considered to be both justified, and outweighed, by the heritage benefits of robustly addressing the water ingress issue and therefore meeting the requirements of the NPPF.

Advise that copies of technical reports which are referred to in the application, but don't form part of the supporting documentation, are submitted in support of the proposal. This includes the structural survey and plasterwork repair. Also advise that mortar analysis would be beneficial in informing the appropriate mix for repointing.

LCC Archaeology: No objections raised. Welcome the proposal and note that the works would ensure the long term survival of the Hall. Concerns are however expressed as to the reduction of height of the wall understood to be the former exterior wall of the North Wing; and the potential loss of historic graffiti/marks that might be held in the leadwork of the site, left by either the lead workers or visitors to the roof since the lead was placed. Explain that such graffiti is fairly common, due in part to the ease in which lead can be marked and can take a number of forms such as drawn outlines of hands to signatures and initials with dates.

Advise that a programme of building recording and analysis, and the preparation of an archive detailing the work carried out is secured by condition. The programme should include, amongst others, a photogrammetric or similar recording of the areas of stonework to be removed and a survey of the leadwork to record any historical features or graffiti.

Publicity: No comments 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, 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.

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.

The main issue is whether the proposal would preserve the special interest (significance) of the Grade I Listed Building.

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

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 and limited to the minimum loss of historic fabric. 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.

Having regard to the submitted heritage assessment, the impact of the key elements of the proposal on the significance of the listed building have been assessed as follows:

### **Like for Like Structural and Fabric Repairs:**

The heritage assessment finds that the proposed repairs listed in a) to g) above would ensure that the building and its features are protected from water ingress by repairing roofs, gutters and rainwater goods. Stonework would be repaired to retain as much fabric as possible by pinning cracked stone and using lime mortar for repointing to ensure that the building continues to breathe. Repairing windows will also halt further decay and redecoration will lengthen the life-span of the frames. Other interventions will allow for significantly easier maintenance access to difficult to reach roofs. The repairs would therefore ensure that the lifespan of the fabric would be extended, resulting in an overall positive impact on the significance of the building. I have no reasons to depart from this view. Indeed these works, which are sensitively specified, are found to be absolutely necessary to prevent further decay in support of the long term conservation of the building and constitute a very desirable public benefit. As such, any minor negative impacts arising (for example, loss of original fabric) would be regarded as justifiable.

Although extensive, it has been demonstrated the works are appropriately detailed so as to preserve the special interest (significance) of the building without any negative impacts. The works are justified and acceptable and meet with the requirements of Policy HE2, the NPPF and the duty assigned by the LBCA Act.

### **Conservation of Great Hall Ceiling:**

The proposal involves urgent repairs to strengthen the ceiling structure including works to conserve the C18 plasterwork below. The works have been carefully considered following conservator, structural engineer and timber decay specialist advice to ensure that the ceiling construction is understood as a whole. It is considered that the proposals are sensitively specified and demonstrated as absolutely necessary to stabilise the structure and prevent further decay in support of the long term conservation of the building constituting a very desirable public benefit. The works are justified and acceptable and meet with the requirements of Policy HE2, the NPPF and the duty assigned by the LBCA Act.

### **Repairs to West Wing Parapet:**

The proposal is to dismantle and rebuild the parapet and detached upper section of wall to the west elevation of the West Wing in order to ensure structural stability and protect the West Wing roof above the Great Hall and the exceptionally significant plaster ceiling connected to it. Having regard to findings and recommendations of structural engineer and the supporting drawings it is considered that the proposals are sensitively specified and demonstrated as absolutely necessary to stabilise the structure and prevent further decay in support of the long term conservation of the building constituting a very desirable public benefit. The works are justified and acceptable and meet with the requirements of Policy HE2, the NPPF and the duty assigned by the LBCA Act.

### **Structural Repairs/Strengthening to the Long Gallery:**

The proposal aims to address cracks and deflection associated with structural movement by strapping the existing roof trusses, inserting ties within the timber panelled partition walls and floor strengthening as necessary. Cracked plaster to the Regency Rooms and Long Gallery bedrooms would be repaired on completion. The submitted heritage assessment finds that the disruption caused by the removal of the timber panelling to introduce the ties would have a minor adverse impact on significance (at the lower end of the 'less than substantial' scale of harm) in that they will result in minor compromise of historic fabric. Taking into account that the substantive part of the listed building would not be adversely affected by the proposal and

would therefore not result in any real change in the ability to understand and appreciate the overall significance of the heritage asset. I have no reason to depart from this view.

Having regard to the supporting documents and drawings, it is considered that the applicant has adequately demonstrated that the alteration is necessary and unavoidable in order to address the identified structural defects. The works are appropriately specified so as to mitigate any harm arising and when considered against the heritage benefits resulting from the retention and good repair of historic building fabric 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.

### **Slate Roof Construction Build Up:**

The proposal is to remove unsympathetic modern membranes to slate roof structures which are causing the timbers below to decay from condensation build-up and through water ingress from damaged slating. The works will involve the installation of breathable membranes and/or sarking boards and provision of additional ventilation details at the ridge and eaves as necessary. The roofs will be re-slatted with the existing and non-original Welsh slate replaced with coursed Lancashire blue/grey slate. The submitted heritage assessment quantifies the impact on significance as beneficial in that the works will ensure that the building and its valuable contents would be protected from water ingress. Having regard to the contribution of the slated roof structures to the significance of the listed building, I have no reason to depart from this view.

It is considered that the proposals are sensitively specified and demonstrated as absolutely necessary to provide a secondary line of defence against water ingress which will protect the fabric and contents of the historic interiors below and to prevent further decay in support of the long term conservation of the building constituting a very desirable public benefit. The works are justified and acceptable and would preserve the special interest of the listed building thus meeting the requirements of Policy HE2, the NPPF and the duty assigned by the LBCA Act.

### **Repairs to North Wing Roof:**

The submitted heritage statement explains sets out a number of problems with the current configuration of the north wing roof and its rainwater goods. It explains that despite numerous past interventions water ingress and ongoing maintenance continue to present issues. Without works to address the inherent defect, water ingress can only be dealt with on a reactive basis which places the highly valuable interior and artifacts at risk, particularly in storm events.

Following a detailed options appraisal, summarised in the submitted heritage assessment, the proposal is to remove the top courses of the existing central spine wall (previous external wall) of the North Wing to allow a new stainless steel valley gutter to be constructed, over the remnant wall to increase the capacity of the gutter for rainfall disposal. This will result in the loss of historic fabric, however the number of junctions on the roof are reduced decreasing the risk of leaks. The gutter can also be walked on to allow inspection and maintenance. Rusting cast iron gutters would also be removed and replaced with larger stainless steel gutters to cope with increased intensity of rainfall and reduce the risk of blockages by having steeper falls and larger outlets. Edge protection will be introduced to areas with low parapets. A replacement stair would be installed and an additional inspection hatch created allowing for improved maintenance access.

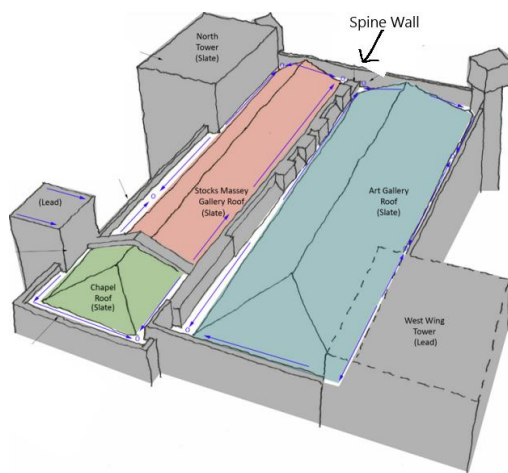
The heritage assessment identifies the remnant spine wall (albeit in a heavily altered form) as highly significant in terms of its archaeological value in that its survival assists in understanding the phased evolution of the building. It is noted that evidence of the original external wall survives elsewhere and that the proposal only removes the top courses and should the stainless steel be lifted, evidence of the wall and chimney flues would remain evident beneath.



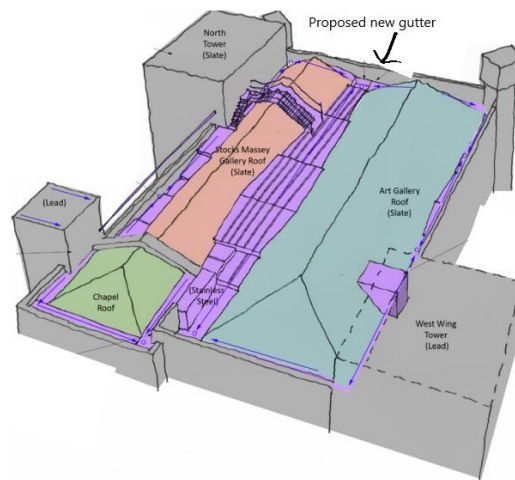
Spine wall between roofs looking east



Spine wall looking west



Existing Roof



Proposed Roof

Having regard to the findings of the Heritage Statement, the magnitude of impact on heritage significance, resulting from the loss of original, but altered fabric, is assessed as falling within the lower end of the broad category of “less than substantial harm” in that it would not result in any real change in the ability to understand and appreciate the overall significance of the Hall. On this occasion the works are considered to be clearly necessary, in order to address the issue of water ingress, and informed through a considered analysis of potential options. The harm arising is considered to be both justified, and outweighed, by the heritage benefits of robustly addressing the water ingress issue thus protecting the unique and irreplaceable nature of the Hall and the artifacts contained within. Accordingly, the proposal is justified and acceptable and meets with the requirements of Policy HE2, the NPPF and the duty assigned by the LBCA Act.

**Conclusion:**

The proposed works are informed by a sound understanding of the significance of the heritage asset. The options available have been fully considered and the proposed interventions limited to what is reasonably necessary to enhance the overall condition of the structure and improve its resilience to rainfall/weathering. The works have been designed to minimise harm to historic fabric and visual impact; and are robustly justified against the considerable public benefits associated with bringing the Hall into an improved state of repair.

Having regard to the significance of the heritage asset it is considered the proposals are justified and proportionate and would facilitate the continued use of the building as a visitor

attraction in support of its long-term conservation. Accordingly, the proposal is considered to comply with the NPPF, Policy HE2 and the relevant statutory duty.

**Recommendation:**

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.

**Conditions:**

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:

BTH07/P010 (Basement Floor Plan Proposed Repairs at 1:100 Scale)  
BTH07/P011 (Ground Floor Plan Proposed Repairs at 1:100 Scale)  
BTH07/P012 (First Floor Plan Proposed Repairs at 1:100 Scale)  
BTH07/P013 (Second Floor Plan Proposed Repairs at 1:100 Scale)  
BTH07/P014 (Third Floor Plan Proposed Repairs at 1:100 Scale)  
BTH07/P020 (South Wing Elevations Proposed Repairs at 1:100 Scale)  
BTH07/P021 (West Wing Elevations Proposed Repairs at 1:100 Scale)  
BTH07/P022 (North Wing Elevations Proposed Repairs at 1:100 Scale)  
BTH07/P100 (North Wing Plan Proposed at 1:50 Scale)  
BTH07/P101 (North Wing South Gutter Sections Proposed at 1:50 Scale)  
BTH07/P102 (North Wing Central Gutter Sections Proposed at 1:50 Scale)  
BTH07/P103 (North Wing North Gutter Sections Proposed at 1:50 Scale)  
BTH07/P104 (North Wing, East and West Gutter Sections Proposed at 1:50 Scale)  
BTH07/P105 (West Wing Plan Proposed at 1:50 Scale)  
BTH07/P108 (South Wing Plan Proposed at 1:50 Scale)  
BTH07/P200 (Proposed North Wing Valley Gutter at 1:10 Scale)  
W89/104 (Great Hall Ceiling at 1:100 Scale)  
W89/200 (Great Hall: Ceiling Joist Repairs at 1:200 and 1:10 Scale)  
W89/201 (Great Hall: External Wall Repairs at 1:00 Scale)  
W89/202 (Great Hall: Cornice Strapping Detail at 1:200 and 1:10 Scale)  
W89/210 (South Wing - First Floor Plan First Floor Strengthening at 1:100 Scale)  
W89/211 (South Wing - Roof Plan First Floor Strengthening at 1:100 Scale)  
W89/212 (South Wing Sections First Floor Strengthening at 1:50 Scale)  
W89/213 (South Wing Details First Floor Strengthening at 1:10 Scale)  
W89/214 33 (South Wing - Section C-C First Floor Strengthening at 1:100 Scale)

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. The development hereby permitted shall be carried out strictly in accordance with the Specification of Materials and Workmanship (V3 20201) prepared by Knox-McConnell Architects Ltd received on the 21.10.21 unless approved otherwise in writing by the Local Planning Authority.



Reason: 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).

4. 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).

5. Before the repointing hereby granted consent is carried out, details of the mortar(s) to be used for re-pointing (including mortar mix, colour, texture and pointing finish) shall be submitted to and agreed in writing by the Local Planning Authority. The specification shall be informed by an analysis of existing historic mortar mixes the results of which shall be submitted with the details of the mortar. The works shall be carried out only in accordance with the agreed details.

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).

6. 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).

7. 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).

8. No development shall take place on the site until the applicant, or their agent or successors in title, has secured the implementation of a programme of building recording and analysis, and the preparation of an archive detailing the work carried out. This must be carried out in accordance with a written scheme of investigation, which shall first have been submitted to and agreed in writing by the Local Planning Authority. The programme of works should comprise the creation of an appropriate record of those areas of the building affected by the works, with photogrammetric or similar recording of the areas of stonework to be removed and a survey of the leadwork to record any historical features or graffiti. It should include a full description of the areas affected, drawn plans, elevations and sections which may be derived from the documentation already prepared for the works, and a full photographic coverage, inside and out. The record should also include a rapid desk-based assessment, putting the building and its features into context. This work should be undertaken by an appropriately qualified and experienced professional contractor to the standards and guidance of the Chartered Institute for Archaeologists ([www.archaeologists.net](http://www.archaeologists.net)). A digital copy of the report and the photographs shall be placed in the Lancashire Historic Environment Record and other appropriate archives.

Reason: To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the buildings/site in accordance with Policy HE2 of Burnley's Local Plan (July 2018).