

Application for Listed Building Consent
Replacement of existing aluminium window frames and external timber doors.
1, 2 AND 3 TOWNELEY PARK COTTAGES TOWNELEY PARK BURNLEY BB11 3RQ

Applicant: Burnley Borough Council

The application property and summary of heritage significance:

This listed building consent application relates to Towneley Park Cottages which are located approximately 100m east of Towneley Hall, a Grade I Listed country house dating back to the fourteenth century as a substantial county residence for the Towneley family. The Hall is sited within extensive parkland formerly laid out in the late C18 by Charles Towneley and comprises a land holding of around 440 acres which included a collection of ancillary and service buildings some of which survive and are listed in their own right. The estate remained in the Towneley Family until it was acquired by Burnley Corporation in separate parcels over a 30 year period. The Corporation opened the landscaped parklands and woodlands as a municipal park in 1902 following the initial purchase of 62 acres. In 1927 the Corporation acquired the woods and plantations of Thanet Lee and this required the employment of a forester and woodsman in addition to the existing grounds staff. In 1929, the C19 servants wing at Towneley Hall was demolished and Townley Park cottages were built as staff accommodation using the reclaimed stone in the early C20 Arts and Crafts style.



The three cottages adjoin to form a terrace. They are constructed from coursed dressed sandstone with a stone slate roof and are noted for their vernacular architectural features

including stone mullioned windows and drip moulded Tudor-arched door surrounds. The existing window frames are modern replacements being aluminium with faux leaded double glazed units that hold no historic value. The external doors are constructed of timber and are of a traditional design.

Section 1(5) of the Planning (Listed Buildings and Conservation Area) Act 1990 provides that buildings and other structures that pre-date July 1948 and are within the curtilage of a listed building are to be treated as part of the listed building. The Courts have found that there are three factors to be taken into account with regard to curtilage listing. These are physical layout between the principal listed building and the ancillary building; their ownership both historically and at the date of listing; and their use and function historically and at the time of listing. As set out above the cottages are former ancillary service buildings that have a clearly documented physical and functional relationship to the Hall and its parkland and have been in the same ownership as the Hall since its listing (1951) and their construction (c1929). Accordingly, although the cottages are unsuitable for Listing in their own right they are considered to meet the tests for curtilage listing and are therefore considered part of the listing of Towneley Hall. Alterations affecting the character and appearance of the cottages are therefore controlled through the listed building consent regime.

Having regard to the above, the significance of Towneley Cottages is derived from its ancillary and functional relationship to Towneley Hall and to some degree its aesthetic interest (historic fabric, materials and architectural features) that is representative of local building traditions at the time of construction.

Proposal:

This application seeks listed building consent for the replacement of all the existing windows to improve energy efficiency and to enhance the visual appearance of the curtilage listed buildings. The existing frames are a combination of poor quality modern aluminium and uPVC replacements that have reached the end of their serviceable life. Despite a number of repairs to the component parts, the current condition is such that they are considered to be beyond reasonable and practical repair. It is proposed to replace the windows with high quality aluminium double glazed frames that respect traditional proportions and design. The frames will maintain traditional slender framing profiles, maximum sightline of 74mm, to allow the frame to sit flush within the mullion and with opening casements that align with the frames, so they appear flush. The finish will be white.

Listed building consent is also sought for the like-for-like replacement of the existing external doors which are beyond practical repair.

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 including their settings.

The National Planning Policy Framework: 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, great weight should be given to the asset's conservation (and the more important the asset the greater the weight should be).

Planning (Listed Buildings and Conservation Areas) Act 1990: Sections 16 and 66 as set out below.

Relevant Recent Site History: None

Consultation Responses: None

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. 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.

Having regard to the relevant policy and legislation, as set out above, the main issue is whether the proposal would preserve (not cause harm to) the special interest (significance) of Towneley Cottages as a curtilage listed building.

Impact on the significance of the Listed Building

The building's special interest, in so far as it relates to this application is primarily associated with its ancillary and functional relationship to Towneley Hall and to some degree its aesthetic interest that is representative of local building traditions at the time of construction

The application is supported by a Heritage Statement. This document has been assessed by the Council's Heritage Planner who raises no objections to the outcomes and conclusions of the assessment.

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:

Proposed replacement windows: Though there is no evidence of the original window frames, it is likely that there were a slim profile metal frame with leaded lights, fixed directly into the stone mullions. The existing frames are a combination of aluminium and uPVC faux leaded double glazed windows, there is no indication of when these frames were installed but it is clear that they have reached the end of their lifetime.

In general, where original features of a listed building survive, it is desirable to replace them on a like-for-like basis in the same material so as to preserve the character of the building. However, in the case of the application property all the original/traditional windows have already been lost through earlier alterations. In particular, those on the front elevations which would have been the most significant in determining the appearance of the building. While this is regrettable, it would not be changed by the proposed alterations, which would be seen to preserve the special interest (significance) of the building in that they would have a neutral impact.

Having regard to the status of the cottages and their contribution to the significance of Townley Hall, the proposed high quality modern aluminium framed window with slim sightlines are, in the circumstances of this case, justified and acceptable.

Proposed replacement doors: It is recognised conservation best practice that the replacement of doors of historic or architectural interest will only be acceptable where they have clearly

deteriorated beyond practical repair and in the event that new doors can be justified, these should be designed to replicate the originals in all respects.

In this case, the doors and frame have significant decay, largely as a consequence of exposure to severe weather, and are beyond practical repair. The condition has been verified by a site visit. The replacement of the doors in their entirety is therefore justified and is accepted in this particular case subject to their accurate reproduction.

The proposed replacement doors will replicate the existing in all respects. As such the proposal is considered to be minor in scale in that it is simply seeking to replace something which currently exists. The resulting impact would therefore be neutral.

Whilst the proposal involves the loss of historic fabric rather than repair, having regard to the status of the cottages and their contribution to the significance of Townley Hall it is considered that in the circumstances of this case, the proposals are justified and acceptable.

Conclusion:

The heritage significance has been assessed and the impact of the proposal has been examined. On balance it is considered that the proposal would have a neutral impact on significance and would therefore preserve the special interest of the curtilage listed building insofar as it contributes to the significance of the principal listed building (Towneley Hall) in accordance with Policy HE2, the NPPF and 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, and in consideration to NPPF Section 16 and Policy HE2 of Burnley's Local Plan it is recommended that the listed building consent is approved subject to conditions.

Conditions and Reasons:

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

Reason: Required to be imposed pursuant to 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 approved window specification: Optio 58BW Flush System submitted 18 February 2022.

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 submitted specifications 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, having regard to the special historic interest and character of the listed building, in accordance with Policy HE2 and SP5 of Burnley's Local Plan (July 2018).

4. Prior to the removal of the external doors to the front (east) elevation, full and precise joinery details shall be submitted to and approved in writing by the Local Planning Authority. Once approved by the Local Planning Authority the works shall be carried out and

completed fully in accordance with the approved details and shall be retained as such thereafter.

Reason: In order to ensure the replacement doors are an accurate reproduction and to comply with Policies SP5 and HE2 of Burnley's Local Plan (July 2018)

EEP (Principal Planner) 12 July 2022