



NOTICE OF DECISION

The Planning (Listed Buildings) (Certificates of Lawfulness of Proposed Works) Regulations 2014

Certificate of lawfulness for proposed works

Decision :	Certificate of Lawfulness be NOT ISSUED
Application No:	21/00761/CPLB
Type of Application:	Cert of Lawfulness - proposed - LBC
Site Address:	First Floor Flat, 47 Downleaze, Bristol, BS9 1LX.
Description of Development:	Application for a certificate of lawfulness of works to a listed building for the installation of a new boiler.
Applicant:	Miss Sophie V Bailey
Committee/Delegation Date:	26.02.21
Date of notice:	26.02.21

The Reason(s) for refusal associated with this decision are attached

DECISION: Certificate of Lawfulness be NOT ISSUED

The following reason(s) for refusal are associated with this decision:

Reason(s)

1. Listed Building Consent is required as the work alters the fabric of the building by inserting additional cables/services and introduces new materials. Therefore the works result in an alteration and cannot be considered under the legal requirements of the Certificate of Lawfulness (Section 26H & 26I of the Planning (Listed Buildings and Conservation Areas) Act 1990, as inserted by Section 61 of the Enterprise and Regulatory Reform Act 2013). Consequently a formal application for Listed Building Consent as described by The Planning (Listed Buildings and Conservation Areas) Act 1990 and its subsequent amendments IS required on this occasion.

Advice(s)

1. Refused Applications Deposited Plans/Documents

The plans that were formally considered as part of the above application are as follows:-

Site location plan, received 15 February 2021
Existing first floor plan, received 15 February 2021
Proposed kitchen plan, received 15 February 2021
Photo of rear elevation, received 15 February 2021

2. To assist with any future Listed Building Application - the below information is required:
 - (a) Manufacturer's details showing the size and appearance of the Boiler Flue.
 - (b) Internal photographs, including an internal marked photograph showing the proposed location for the boiler.

The right to appeal

You have the right to appeal against this decision. Any such appeal should be made on a form obtainable from The Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or by contacting them on 0303 444 5000. Further information can also be obtained from the Planning Inspectorate's web-site, and it is possible to download copies of appeal forms and questionnaires and booklets giving guidance about the appeal process. The address is www.gov.uk/appeal-planning-inspectorate

You are allowed six months from the date of this notice of decision in which to lodge an appeal.

Negotiations

Before making an appeal, you may wish to contact the case officer who dealt with your application, who may be able to advise you, how the council's objections to your proposal might be overcome if you amend your scheme. Please note that if negotiations are successful, you will need to submit a new planning application, which may, of course, be refused by committee.

Lodging an appeal will not prejudice your negotiations but you may need to agree with the council to postpone the appeal, to allow negotiations to take place.

Complaints

Only planning matters can be considered at an appeal. If you think that the council did not properly consider your application, you can make a complaint under the council's complaints procedures, details can be found on the website www.bristol.gov.uk/complaints-and-feedback or by calling 0117 9223000.