

'Hold Date'	
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Bristol City Council Development Management

Delegated Report and Decision

Application No: 21/00761/CPLB **Registered:** 15 February 2021

Type of Application: Cert of Lawfulness -
proposed - LBC

Case Officer: Trisha Jean-Marie **Expiry Date:** 29 March 2021

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.

Ward: Stoke Bishop

Site Visit Date:

Date Photos Taken:

Consultation Expiry Dates:

**Advert
and/or Site
Notice:**

Neighbour:

SITE DESCRIPTION/LISTING DESCRIPTION

The application relates to Grade II Listed no. 47 Downleaze (First Floor Flat), forming part of a listed pair, located in the Downs Conservation Area.

Pair of attached houses. Dated 1898. By Henry Dare Bryan. Snecked limestone rubble and dressings, tile-hung top floor, brick ridge and diagonally-set external gable stacks and double Roman tile gable and hip roof. Double-depth plan. Queen Anne style. 3 storeys and basement; 5-window range. A finely detailed near-symmetrical pair, of which No.47 turns the corner into Julian Road, with entrances set back at the sides, and projecting paired gables to the middle; ground-floor stone-framed windows, first- and second-floor timber windows. Elliptical arches to doorways with winged cupids to the spandrels, beneath a panel with eared architrave, and 2-leaf panelled doors. The central gables are banded with coped tops and ball finials, ground-floor Ipswich windows beneath panels with large cartouches, and first- and second-floor 5-light canted bays set flush with the gable under a wide overhanging brick and stone arch. Outer windows have 3 lights, with fine leaded casements to the left, and forming a balustraded balcony to the right; to the second-floor shallow bracketed eaves dormers with raked roofs; windows to the right have glazing bars to metal casements, with plate glass to the left. Large patterned stacks, and in the left return a matching gable to the front ones. Flat rear elevations with stair windows and single-storey service blocks. INTERIOR not inspected.

SUBSIDIARY FEATURES: attached front garden walls and piers with ball finials. Strongly influenced by Norman Shaw's Bedford Park, 1881. (Gomme A, Jenner M and Little B: Bristol, An Architectural History: Bristol: 1979-: 398).

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RELEVANT HISTORY

20/03144/CPLB Application for a Certificate of Lawfulness (Listed Building) - proposed installation of new boiler. Date Closed INV

APPLICATION

Application for a certificate of lawfulness of works to a listed building for the installation of a new boiler.

RESPONSE TO PUBLICITY AND CONSULTATION

N/A. No consultations carried out, as this submission is a matter of interpretation regarding the need for a formal application for Listed Building Consent, which are set out under Section 7 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

RELEVANT POLICIES

Planning (Listed Buildings & Conservation Areas) Act 1990

National Planning Policy Framework – February 2019

Bristol Local Plan comprising Core Strategy (Adopted June 2011), Site Allocations and Development Management Policies (Adopted July 2014) and (as appropriate) the Bristol Central Area Plan (Adopted March 2015) and (as appropriate) the Old Market Quarter Neighbourhood Development Plan 2016 and Lawrence Weston Neighbourhood Development Plan 2017 and the Hengrove and Whitchurch Park Neighbourhood Development Plan 2019.

In determining this application, the Local Planning Authority has had regard to all relevant policies of the Bristol Local Plan and relevant guidance.

KEY ISSUES

DO THE WORKS DESCRIBED IN THE APPLICATION AFFECT THE CHARACTER OF THE LISTED BUILDING AND THEREFORE REQUIRE LISTED BUILDING CONSENT?

This application is detailed as: 'Application for a certificate of lawfulness of works to a listed building for the installation of a new boiler.'

CONCLUSION

The Planning (Listed Buildings and Conservation Areas) Act, 1990, states that no works to listed building (for its demolition, alteration or extension) in a manner which would affect its character as a building of special architectural or historic interest shall be executed, unless the works are authorised.

Formal consent is required as the work alters the fabric of the building by inserting a boiler flue to the rear which would be visible and introduces new material/s.

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 S.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

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occasion.

EQUALITIES ASSESSMENT

During the determination of this application due regard has been given to the impact of this scheme in relation to the Equalities Act 2010 in terms of its impact upon key equalities protected characteristics. These characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. There is no indication or evidence (including from consultation with relevant groups) that different groups have or would have different needs, experiences, issues and priorities in relation this particular proposed development. Overall, it is considered that this application would not have any significant adverse impact upon different groups or implications for the Equalities Act 2010.

RECOMMENDED Certificate of Lawfulness be NOT ISSUED

Time limit for commencement of development

Pre commencement condition(s)

Pre occupation condition(s)

Post occupation management

List of approved plans

Reason: For the avoidance of doubt.

Advices

- 1 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.

Case Officer: Trisha Jean-Marie

Authorisation: Peter Insole

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