

Listed Building Consent



Mr David Aspin
Liberata UK Ltd
Property Services
Parker Lane
Burnley
Lancashire
BB11 2BY

Mr Andrew Leah
Burnley Borough Council
Town Hall
Manchester Road
Burnley
Lancashire
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Part 1 Particulars of Application: LBC/2022/0103 received 18 February 2022

Proposal: Replacement of existing aluminium window frames and external timber doors

Location: 1, 2 & 3 Towneley Park Cottages Towneley Park Burnley Lancashire
BB11 3RQ

Part 2 Particulars of Decision:

The Council gives notice under the Planning (Listed Building and Conservation Areas) Act 1990 that Listed Building Consent has been Granted for the carrying out of the works in accordance with the application and plans submitted referred to in Part 1 above and subject to the following 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).

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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)

NOTES:

1. Your attention is drawn to the informatory notes at the end of this notice.
2. Please take careful note of the conditions attached to this permission. It is in your own interests to make sure that you satisfy the conditions at an early stage, as it can save unnecessary delay when development starts. The Council can serve a notice, if the conditions are not complied with, which could result in the development having to stop until a particular condition is fulfilled. If you are in any doubt about what you need to do, please contact this office for advice.
Conditions requiring approval of details should be the subject of a formal application for conditions discharge. This can be made via www.planningportal.co.uk and there may be a fee for each request. For conditions relating to listed building consent there is no fee payable, for householder applications the fee is £34, for all other applications the fee is £116.
3. Please remember to remove all site notices which have been displayed in connection with this application.



For Head of Housing & Development Control Decision Date: 22nd July 2022

NOTES RELATING TO MOST TYPES OF DECISION NOTICES

A. APPEALS

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990. If you want to appeal, then you must do so within the period specified below,

If this is an application for planning permission, outline planning permission, approval of Reserved Matters or an application under Prior Approval procedures, and you want to appeal against your local planning authority's decision then you must do so **within six (6) months of the date of this Notice.**

If this is an application under the Planning (Listed Buildings and Conservation Areas) Act 1990, Section 20 (**in the case of applications for Listed Buildings or Conservation Area Consent**) and you want to appeal against your local planning authority's decision then you must do so **within six (6) months of the date of this Notice.**

If this is an application for express consent to display an advertisement, if you want to appeal against your local planning authority's decision then you must do so **within eight (8) weeks of the date of this Notice.**

If this is an application for tree works, appeals must be made **within twenty eight (28) days of the date of this Notice.**

If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so **within twenty eight (28) days of the date of this Notice.**

If this is a decision to refuse planning permission for a minor commercial application, if you want to appeal against your local planning authority's decision then you must do so **within twelve (12) weeks of the date of this Notice.**

If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so **within twenty eight (28) days of the date of this Notice.**

If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within:

- **twenty eight (28) days of the date of service of the enforcement notice, or**
- **six (6) months of the date of this notice, whichever period expires earlier.**

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000. The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order. The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

B. PURCHASE NOTICE OR LISTED BUILDING PURCHASE NOTICE

If either the Local Planning Authority or Secretary of State for the Environment refuses permission to develop land or Listed Building Consent or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state, nor can he render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a Purchase Notice on the Council in whose area the land is situated. This Notice will require the Council to purchase his interest in the land in accordance with the provisions of Part V1 of the Town and Country Planning Act 1990, or the Planning (Listed Buildings and Conservation Areas) Act 1990, Section 32 (Listed Building or Conservation Area Consent).

C. COMPENSATION

In certain circumstances, compensation may be claimed from the Local Planning Authority if planning permission or Listed Building Consent is refused or granted subject to conditions by the Secretary of State on appeal or on reference of the application to him. The circumstances in which such compensation is payable are set out in the Town and Country Planning Act 1990, Section 108 (in the case of permission to develop land) or the Planning (Listed Buildings and Conservation Areas) Act 1990, Section 27 (in the case of Listed Building Consent).

D. ADVERTISEMENTS

A person who displays an advertisement in contravention of the Town and Country Planning (Control of Advertisement) Regulations 2007 shall be liable, on summary conviction, to an offence under Section 224(3) of the Act, to a fine not exceeding Level 3 on the standard scale and, in the case of a continuing offence, a tenth of Level 3 for each day during which the offence continues after conviction.

E. OTHER PERMISSIONS

This Notice relates only to the application as described overleaf. It does not convey a decision under any other enactment, byelaw, order or regulation. Separate applications may be needed for such other approval as may be required, e.g. planning permission, approval of Reserved Matters, Listed Building Consent, express consent to display an advertisement, Building Regulations approval etc. – if in doubt, you are advised to enquire. All references to the Local Planning Authority in this case mean Burnley Borough Council.

Paul Gatrell - Head of Housing and Development

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