

## Application for a Certificate of Lawfulness for Proposed Works

Scope of Works: Repair & Restoration of Exterior Walls including chimneys

The Planning Act (Listed Buildings and Conservation Areas) 1990: Sections 26H and 26I, as inserted by section 61 of the Enterprise and Regulatory Reform Act 2013, established a procedure that enables applications to the local planning authority to determine lawfulness of proposed works to a listed building. If proposed works are deemed to be lawful, a Certificate of Lawfulness for Proposed Works (CLPWs) can be granted in the form of a legal document.

This is a formal application for a CLPWs at the following property address:

Green End  
Sawley Road,  
BB7 4RS

To inform and support this application, guidance from the following has been taken:

- Historic England Listed Building Consent Advice Note 16<sup>1</sup>.
- The Planning Act (Listed Buildings) (Certificates of Lawfulness for Proposed Works) Regulations 2014<sup>2</sup>
- ECAB Planning Portal<sup>3</sup>

The required information is outlined under the subsequent headings:

1. Description of Proposed Works
2. Justification for a CLPWs
3. Statement of Ownership
4. Listed Building Details
5. Plan
6. Appendices

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<sup>1</sup> *Historic England Listed Building Consent Advice Note HEAG304, Page 6, Published June 2021*  
Source: <https://historicengland.org.uk/images-books/publications/listed-building-consent-advice-note-16/heag304-listed-building-consent/>

<sup>2</sup> *The Planning (Listed Buildings) (Certificates of Lawfulness for Proposed Works) Regulations 2014* Source: <https://www.legislation.gov.uk/uksi/2014/552/regulation/2/made>

<sup>3</sup> ECAB Planning Portal Source: [https://ecab.planningportal.co.uk/uploads/1app/guidance/guidance\\_note-certificates\\_of\\_lawfulness\\_listed\\_building.pdf](https://ecab.planningportal.co.uk/uploads/1app/guidance/guidance_note-certificates_of_lawfulness_listed_building.pdf)

## 1. Description of Proposed Works

Repointing of exterior stone masonry walls including chimney stacks.

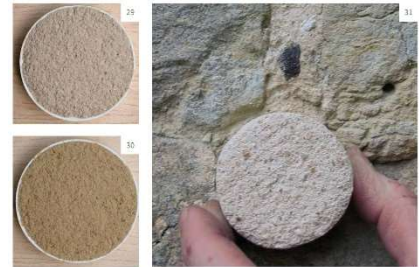
Essential repair is required for the restoration & maintenance of the exterior stone walls. On the property there is evidence of the following:

- Loose or crumbling mortar joints
- Weathered or open joints to such an extent that water is seeping into the masonry
- A hard, impermeable cement based mortar has been used trapping moisture and accelerating the deterioration of the masonry & is visually unsuitable
- An incorrect style of pointing has been used trapping moisture and accelerating the deterioration of the masonry & is visually unsuitable

### Material Specifications

A mortar mix that is compatible with the permeability of the particular stones or bricks in the wall and suitable for the degree of exposure will be chosen. The key principle is that the mortar should be slightly weaker and more permeable than the stone or brick.

Following Historic England guidance, mortar samples will be tested against the masonry and a suitable match will be selected.



**Mortar samples**  
 This shows mortar 'patties' or 'biscuits' that have been based on an analysis of the historic mortar which is sometimes necessary on very significant historic buildings. They can then be used in-situ to check for a suitable match to the existing mortar and the preparation of sample panels.

### Method Statement

Access	Erection of scaffolding
Joint Preparation	Careful removal of incorrect & defective pointing using hand tools (hooked tools or masonry chisels) and without damaging the masonry. Raking out the joint to a depth that's at least one and a half times the width of the joint. Brush out the joint thoroughly to remove any loose material.
Mortar Application	Repointing by hand, to achieve a likeness to what would have been the original pointing. After the mortar has initially set, use a stiff bristle brush to "beat back" the mortar until it's recessed about 1 mm behind the face of the adjacent masonry.
Protection	Once the repointing is underway it is important to protect it from wind, rain and strong sunlight, to avoid damage or rapid drying. Works will not be scheduled under extreme weather conditions such as frost. Surfaces should be protected with ventilated covers (multiple layers of hessian, thick blankets or carpet underlay are often used) and regular mist spraying may be needed to maintain damp conditions as the mortar starts to set. Additional plastic sheeting or tarpaulins draped in front of the hessian covers may also be needed if it is very windy or there is driving rain.

Drying	Protect the pointing from drying out completely for at least seven days by covering it or occasionally wetting it.
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## 2. Justification for a CLPWs

As identified on the document Appendix A Photographs & Plans of Existing External Walls, only those parts that have been repointed with cement strap style pointing or are in significant need of repair are to be addressed. The finished result will see the external walls returned to the original character of the building.

Unsuitable repointing can affect not only the look but also the durability of masonry and is amongst the most frequent causes of damage to the character and fabric of historic buildings.

The front face of the property currently presents cement strap pointing which is widely acknowledged to be damaging through trapping moisture and causing damp issues. The photographs of the external elevations included within Appendix A were taken on a day of moderate rainfall. You can clearly see how damp the exterior walls are, demonstrating the problem.



The existing pointing prevents the wall from releasing moisture, increasing chance of frost damage or damage due to the crystallisation of soluble salts. There is evidence of this on the property suggesting the durability of the masonry walls is being significantly undermined by the current situation.

The proposed works are therefore deemed essential repairs and critical to the maintenance of the property. These works will be carried out by appropriately skilled & experienced contractors, conforming to the physical & visual likeness of the original walls.

See below extracts from Historic England’s Listed Building Consent Advice Note, which deems the proposed works unlikely to effect special interest or require Listed Building Consent.

<b>20 Works to chimneys</b>	Chimneys should be kept in good repair and minor repairs to chimneys do not affect special interest; LBC is not required for the following works to chimneys: a) The replacement of a pot to match. b) Re-flaunching and re-pointing chimneys in material to match existing, i.e. lime mortar where that has been used.	Dismantling a chimney, rebuilding a missing or dismantled chimney or adding a new chimney, is always likely to affect special interest and therefore to need LBC. See note 42 below for internal works relating to chimneys and fireplaces. Whilst placing a woodburning or solid-fuel stove within an existing fireplace or in a room is unlikely to affect special interest, creating a new flue opening or installing the flue may well require alterations that affect special interest and may need LBC. Furthermore, removal of a historic timber fire-surround to comply with safety regulations or other alterations to the existing fireplace, fittings, surround or hearth may also affect special interest and need LBC (see also note 42 below).
<b>The main exception is:</b>		
(i) Adding a cowl to a chimney.		

Historic England Listed Building Consent Advice Note HEAG304, Page 40

Source: <https://historicengland.org.uk/images-books/publications/listed-building-consent-advice-note-16/heag304-listed-building-consent/>

Short description of the proposed works	Works for which listed building consent is not required, with exceptions highlighted	Further information and discussion
<b>Exterior walls</b>		
<b>13 Re-pointing</b>	<p>Re-pointing is an essential repair for listed buildings in masonry and brick and, with care, compatible repairs can be carried out without affecting special interest. LBC is not generally required for careful removal of failed or defective pointing using hand tools and without damaging the masonry, and re-pointing of walling by hand, to match the original pointing in terms of material, texture, quality, colour, width and finish.</p>	<p>The impact of re-pointing on special interest and on the performance of the wall can be such that it may be best to check with a specialist advisor or with the LPA that LBC is not needed.</p> <p>However, careful re-pointing, physically and visually compatible, using an appropriately skilled and experienced craftsman, is unlikely to affect special interest and therefore to need LBC (see paragraphs 34-36 for the importance of professional and craft advice). Historic England has published advice on re-pointing – see <a href="#">Repointing Brick and Stone Walls: Guidelines for Best Practice</a>.</p> <p>Re-pointing is a recurring problem in terms of decisions on the need for LBC because while matching the existing pointing may in some cases not be difficult, in others it may be a more complex matter. While many historic buildings are pointed in lime mortar, others may have joints of earth mortar protected simply with limewash, or of natural cement or early artificial cement.</p> <p>Re-pointing is not just a matter of the right materials – the style of pointing is also important. Various special joint finishes were used, particularly for brickwork, including bird's beak, penny-struck and tuck pointing, and special attention should be paid to replicating these joint finishes. This requires the appropriate skills and experience. Ribbon or strap pointing is often thought to be modern but it was once quite common. It is generally only appropriate where there is evidence of its use, using lime mortar; in cement, it can trap moisture.</p>
<b>The main exceptions are:</b>		
	<p>(i) The use of materials incorrect in substance or style, such as mortar that is less permeable than masonry in place of original lime mortar or use of an incorrect joint finish, such as recessed joints, can damage a listed building physically and visually and would therefore affect special interest and need LBC.</p>	<p>Recessed pointing is neither historic nor technically beneficial as it increases the risk of water penetration even where executed in lime mortar.</p>
	<p>(ii) LBC will always be likely to be needed for proposals to remove old pointing mechanically (such as with an angle grinder or other machinery) because of the high risk of damage to the masonry or brickwork. A full risk assessment and method statement and justification is always needed.</p>	<p>The damage to brick- and stonework in mechanical removal of pointing can lead to accelerated deterioration of the brickwork or stonework and it is therefore very likely to affect the special interest of listed buildings.</p>

### **3. Statement of Ownership**

I, Yasmin Haslam, am the sole, legal owner of the property Green End, Sawley Road, BB7 4RS.

My daughter, Megan Haslam, is assisting me with the project management of any restoration or improvement works required, including the drafting and submission of applications for CLPW such as this. Her address is:

Megan Haslam  
Green End Cottage  
Sawley Road  
BB7 4RS

Appendix B Driving License Proof of Address

Appendix C Proof of Purchase

### **4. Listed Building Details**

The property is Grade II Listed, the full Listing Entry has been submitted along with this application.

Official List Entry Number 1072150.  
Heritage Category: Listed Building  
Grade: II  
Date first listed: 16/11/1954  
List Entry Name: Green End

County: Lancashire  
District: Ribble Valley  
Parish: Grindleton  
National Grid Reference: SD7729146713

Detail:

House, possibly late C17th, altered. Sandstone rubble with stone slate roof. 2 storeys.

To the right of the modern gabled stone porch is a 2-light window having C17th jambs with inner cyma and outer chamfer, a plain lintel and square mullion.

To the left of the porch is a tripartite window with plain stone surround and square mullions. At the far left is a circular one-light chamfered window. On the 1<sup>st</sup> floor are 2 2-light mullioned windows. The left-hand one has a plain stone surround and square mullion. The right-hand one has an inner cyma moulding and outer chamfer. The left-hand gable has imitation chamfered quoins in render and a projecting stack.

Please see Appendix D for the full Listing Entry.

### **5. Plan To Identify Listed Building**

*Green End, Sawley Road, BB7 4RS*  
*Application for a Certificate of Lawfulness for Proposed Works*  
*Repair & Restoration of Exterior Walls*



## 6. List of Appendices

Appendix A Photographs & Plans of Existing External Walls

Appendix B Proof of Address

Appendix C Proof of Purchase

Appendix D Historic England Listed Building Entry 1072150 Green End