

Item 3K **15/00702/LBC**

Case Officer **Ian Heywood**

Ward **Chorley North West**

Proposal **Listed building consent for the construction of a green stage within the Walled Garden in Astley Park.**

Location **Walled Garden, Astley Park, Park Road**

Applicant **Chorley Council**

Consultation expiry: **25th August 2015**

Decision due by: **9th September 2015**

Recommendation

It is recommended that this application is approved.

Consultees

Consultee	Summary of Comments received
LCC Archaeology	Have commented that although the proposal lies close to an area of prehistoric activity excavated in the 1970s, the proposed groundworks are of such a limited depth and nature that they are not considered likely to disturb any archaeological remains that might survive within the proposed development area.
Historic England	Support the creation of the Green Stage at Astley Hall subject to the agreement of the detailed design.
Lancashire Gardens Trust	Support the creation of a Green Stage at Astley Hall.

Assessment

Proposed Development

1. This application seeks listed building consent for the construction of a green stage within the Walled Garden at Astley Hall. It has been submitted in conjunction with an application for planning permission that is reported elsewhere on the agenda (15/00701/FUL).
2. The location of the green stage is within the Walled Garden in an area, which prior to the Heritage Lottery Fund project, was the location of the Council's depot. This area was subsequently cleared and a series of planting beds was created as part of the HLF funded project. A series of gravel paths bisect the area linking to the car park, Astley Hall and the Coach House.
3. The proposed green stage is to act as a performance space for outdoor concerts and theatrical productions. It is to be located within the walled garden close to the current bin store and will utilise substantial stepped timber retaining walls (akin to railway sleepers in section) that are to be back filled with earth that will then be grassed.
4. The green stage is to be 0.8 metres high from ground level at the tallest point (front), 12 metres wide and, 17 metres deep. A low brick wall of limited historic significance that currently crosses the site will be retained in situ, protected by vacuum pressure treated timber and buried within the earth fill.

Historic Context

5. Astley Park is an early Victorian park built around listed Grade I Astley Hall. From 1575 the Hall became the principal residence of the Charnock family. It was subsequently passed through marriage to firstly the Brooke family in 1653 then the Towneley-Parker family in 1787. The Hall and park were inherited by Reginald Tatton in 1906 which a few years later he conveyed to Chorley Corporation and dedicated as a War Memorial in 1922 and is still in use as a public park today.
6. Astley Hall sits at the centre of the historic core of the park and dates from C16. It is set in front of a timber framed courtyard house. To the west is situated a Coach House (listed Grade II) and probably of later C18 and immediately north is Astley Farmhouse. The listed buildings are considered to be Heritage Assets in accordance with the Framework. North of Astley Hall sits a walled garden and beyond that the Artisan Garden with a car park beyond.
7. Historic maps show this area as an 'orchard' (1928) and as a 'paddock' (1822). The park stretches from the front of Astley Hall to the west and east and includes the wooded Chor valley to the south covering an area of 12 hectares. Significant renovation took place between 2006 and 2009 as a result of a successful Heritage Lottery bid (HLF). Refurbishment of the Coach House, stable block and courtyard has provided a new café, gallery space and education room with landscaped courtyard and walled garden.
8. Historic England have made the following comments on the application. The grade I status of Astley Hall places it in the top 2.5% of listed buildings nationally. Key elements that add to the high significance of Astley Hall include the survival of early fabric and the evidential value of the development of the house over six centuries; for the high quality design and the craftsmanship in its execution; for the historical association with some of the most important families in this part of Lancashire; and while the designer of the earlier phases of the hall is not known it is associated with one of the most important architectural dynasties in the likely work of Lewis Wyatt.
9. Historic England are happy that the proposals will have minimal impact on the setting of the grade I listed Astley Hall.

Archaeological significance

10. There have been a number of archaeological finds over the past 50 years the first of which was in 1963. Work at Astley Hall Farm uncovered a number of pottery fragments and created remains identified as dating back to the Bronze Age some 3000 years before the construction of Astley Hall. The finding of a Neolithic tranchet arrowhead in 1998 within the walled garden led to excavations the following year led by Chorley Young Archaeologists. This resulted in the findings

of a number of pottery fragments of storage vessels and ointment pots dating from early 18C. Work during the HLF project in 2006 uncovered a stone lined water tank in the walled garden which is believed to be part of a ramp pump water supply system for Astley Hall. However in respect of this part of the park the Archaeologist at LCC has confirmed that the proposals are not considered likely to disturb any archaeological remains that might survive within the proposed development area.

Impact on the appearance of listed buildings and structures and the impact upon the significance of designated heritage assets:

11. Paragraphs 66 and 72 of The Planning (Listed Building and Conservation Areas) Act 1990 are relevant to the 'Special considerations affecting planning functions'.

Section 66 states:

- In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- Without prejudice to section 72, in the exercise of the powers of appropriation, disposal and development (including redevelopment) conferred by the provision of sections 232, 233 and 235(1) of the principal act, a local authority shall have regard to the desirability of preserving features of special architectural or historic interest, and in particular, listed buildings.

Section 72 states:

- In the exercise, with respect to any buildings or other land in a conservation area, of any powers under any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.
- The provisions referred to in subsection(1) are the planning acts and Part 1 of the Historic Buildings and Ancient Monuments Act 1953.

12. In this case it is considered that the appearance of the listed buildings, Astley Hall, the Coach House and the Walled Garden wall will be preserved as a consequence of the proposed development. The proposed development is considered to be sympathetic to the historic style and appearance of these structures by virtue of the choice of appropriate design and complementary materials.

13. Paragraphs 129, 132, 133 and 134 of the Framework (National Planning Policy Framework) are pertinent as are policy 16 of the Adopted Central Lancashire Core Strategy (2012) and policy BNE8 of the Adopted Chorley Local Plan 2012 – 2026.

14. Within the Framework paragraph 129 states that, '*Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.*'

15. Paragraph 132 states, '*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. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.*'

16. Paragraph 133 states, '*Where a proposed development will lead to substantial harm to or loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:*

- *The nature of the heritage asset prevents all reasonable uses of the site; and*
 - *No viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and*
 - *Conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and*
 - *The harm or loss is outweighed by the benefit of bringing the site back into use.'*
17. Paragraph 134 states, *'Where a development 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, including securing its optimum viable use.'*
18. The Adopted Central Lancashire Core Strategy (2012), policy 16 refers to Heritage Assets. This policy mirrors that given in the Framework and states that it seeks to, *'Protect and seek opportunities to enhance the historic environment, heritage assets and their setting by:*
- *Safeguarding heritage assets from inappropriate development that would cause harm to their significances.'*
19. The Adopted Chorley Local Plan 2012 – 2026, Policy BNE8 refers to the Protection and Enhancement of Heritage Assets. Essentially this policy mirrors the Framework. Paragraph b, states that, *'Applications will be granted where they sustain, conserve and, where appropriate, enhance the significance, appearance, character and setting of the heritage asset itself and the surrounding historic environment and where they show consideration for the following: iii, The Conservation and, where appropriate, the enhancement of the setting of heritage assets.'*
20. In this case the significance of the Walled Garden itself is quite limited as the whole area was, prior to the recent HLF funded works, used as a Council yard and depot. It is the boundary walls within the garden that contain the most significance.
21. Clearly there is a potential for any works within the Walled Garden to have an impact upon the setting of Astley Hall and the Coach House.
22. In this case as a result of detailed pre-application discussions, including Historic England, the design chosen for the project is considered to be sympathetic to and harmonious with the historic setting of the buildings. As such the proposed development is considered to sustain the significance of the designated heritage assets and to therefore conform with the aforementioned policies.

Overall Conclusion

23. The successful HLF bid enabled the renovation of an historic park for the benefit of the local community and visitors to Chorley thus enabling promotion of Astley Park and its facilities as a visitor attraction in the North West. The proposed glass house will enhance the visitor offer that the Park offers and assist in attracting further visitors to it.
24. The location of the green stage ensures that its visual impact is sympathetic to this historic location. It is not considered that the proposals will adversely impact on the significance of designated heritage assets close to the site in accordance with the Adopted Central Lancashire Core Strategy (2012) Policy 16; Emerging Chorley Local Plan 2012 – 2026, BNE8 and Section 12 of the Framework.

Planning Policies

The Planning (Listed Building and Conservation Areas) Act 1990 states that the Local Planning Authority has a primary duty in relation to listed buildings to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Policy 16 of the Central Lancashire Core Strategy, 'Heritage Assets' and Policy BNE8, 'Protection and Enhancement of Heritage Assets' of the Adopted Chorley Local Plan (2015) seek to protect and enhance the Borough's heritage. Also of relevance is Section 12 of the Framework.

Planning history

Ref: 96/00253/LBC **Decision:** PERLBC **Decision Date:** 17 September 1996
Description: Application for Listed Building Consent for the erection of an 2 metre black chainlink fence on steel posts to part of boundary and erection of 2 metre close boarded timber fence on timber posts to part of boundary,

Ref: 15/00307/FUL **Decision:** PERFPP **Decision Date:** 18 June 2015
Description: Reinstatement of Chelsea Flower Show Garden (Artisan Garden)

Ref: 15/00643/FUL **Decision:** PDE **Decision Date:** Pending
Description: Construction of a new lean to mono pitch glass house, installation of cold frames and alterations to the paths within the walled garden. Removal and replanting of fruit trees.

Ref: 15/00644/LBC **Decision:** PDE **Decision Date:** Pending
Description: Listed building consent for the construction of a new lean to mono pitch glass house, installation of cold frames and alterations to the paths within the walled garden.

Ref: 15/00645/FUL **Decision:** WDN **Decision Date:** 8 July 2015
Description: Construction of a new mono pitch glass house against the south facing wall within the walled garden of Astley Park. The location proposed is centred on the existing lawn area and will be a powder coated aluminium frame on a low brick dwarf wall. The design includes a central porch entrance with double doors and single doors to either end. Internally the space will be partitioned into three distinct zones and ventilation will be achieved by both automatic window openers and manual window openers. Externally there will be a water butt at either end of the structure and a number of additional cold frames constructed of a brick base with aluminium openers. Additional works will be carried out to the path work resulting in the removal of four fruit trees (which will be relocated within the garden). An additional path will be constructed between the central entrance of the glass house and the central circular raised bed.

Ref: 15/00701/FUL **Decision:** PDE **Decision Date:** Pending
Description: Construction of a green stage within the walled garden in Astley Park.

Ref: 15/00703/FUL **Decision:** WDN **Decision Date:** 20 July 2015
Description: Construct a green stage within the walled garden in Astley Park. The provision of the green stage involves the installation of a raised platform constructed of vacuum pressure impregnated timber colour brown backfilled with subsoil and surfaced with grass.

Ref: 80/00782/FUL **Decision:** PD **Decision Date:** 13 August 1980
Description: Erection of new chimney in existing boiler house

Suggested Conditions

No.	Condition						
1.	<p>The proposed development must be begun not later than three years from the date of this permission.</p> <p>Reason: Required to be imposed by Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.</p>						
2.	<p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <table border="1"><thead><tr><th>Title</th><th>Received date</th></tr></thead><tbody><tr><td>Green Stage Layout and Location Plan</td><td>15th July 2015</td></tr><tr><td>Drawing details AP_GS02</td><td></td></tr></tbody></table> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p>	Title	Received date	Green Stage Layout and Location Plan	15th July 2015	Drawing details AP_GS02	
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