

Item **08/00143/CB3** **Referred to Full Council for Decision**

Case Officer **Caron Taylor**

Ward **Chorley North West**

Proposal **Installation of pets corner with animal accommodation and adventure play area**

Location **Astley Park Park Road Chorley Lancashire**

Applicant **Chorley Borough Council**

**The application has been brought to the Chairman's Briefing as letters of objection has been received. In addition, as the application is made by the Council it must go to Development Control Committee and Full Council.
Consultation expiry: 26th March 2008
Application expiry: 9th April 2008**

Proposal The application is for the installation of a pets corner with animal accommodation and adventure play area.

Policy LT7, LT14, HT13

Planning History 06/00509/FULMAJ: Demolish existing extensions, buildings and structure and convert the existing Coach House into a new cafe, classroom and exhibition space and shop associated with Astley Hall and the conversion of part of the barn adjacent to the Farmhouse to provide toilet facilities and associated hard landscaping works. The construction of a 2.5m to 3.5m high wall to complete the enclosure of the walled garden. The construction of bin stores. The engineering operations associated with the drainage and de-silting of the lake and pond. The refurbishment and extension of the existing pavilion to provide a new kiosk to serve light refreshments. PERMITTED

07/00232/FUL: Proposed lighting of the main route through Astley Park (4.79m high lighting columns at 28m intervals). PERMITTED

Consultations Council's Conservation Officer
Considers the proposals are acceptable.

Garden History Society
Comments awaited

Representations Seventeen letters of objection have been received. However, many of the issues raised are not planning issues. These include matters of the principle of a pets corner in the park including animal welfare issues, management, supervision and vandalism. The matter of the principle of a pets corner is a corporate issue and the above issues cannot be taken into account as part of the planning application process.

However, the following objections that have been raised are material planning considerations:

- Lack of parking near to pets corner and play area;

- Detrimental impact on neighbouring properties caused by noise and disturbance and congregation of youths;
- Loss of trees.

Applicant's Case

Astley Park is the subject of an ongoing Restoration Project funded by the Heritage Lottery Fund (HLF). The proposal conforms to the Astley Park Restoration Project approved by the Council and the Heritage Lottery Foundation. A public consultation process undertaken in summer 2006, concluded overwhelmingly that a new pets corner facility was desirable, and that the current site was chosen as the most suitable. Chorley Council have accepted an offer from the Brothers of Charity to manage the pets corner. The Brothers of Charity have an existing pets corner at Liseux Hall and propose to move the animals to the Astley Park facility. They would manage the site on a daily basis from 9am until 4pm each day. A new refreshment kiosk will also be constructed, attached to the pavilion. Astley Park already has a dedicated play area but much of the equipment is old and looking tired. A new play area will be developed on land below the pavilion, a number of trees will have to be felled but many of them are dead, damaged or dying at present. The play area envisages three separate levels for different age groups.

Assessment

LT7 Historic Parks and Gardens
 HT13 Historic Parks and Gardens
 LT14 Public, Private, Educational and Institutional Playing Fields, Parks and Other Recreational open Space

Design and Appearance

The proposed pets corner has been designed as an extension to the existing pavilion. It will be clad in cedar timber boarding with a low brick plinth and felt roof with European redwood windows, with attached external fenced runs for the animals. A small office and toilet will also be included in the building, with hard surfacing and seating provided outside. A 2.2m green powder coated fence, surrounded by a mixed native species hedge, will enclose the pets corner compound area.

The site for the proposed pets corner and play area is within a Registered Historic Park (Grade II). However, it is outside the Biological Heritage Site designation that applies to much of the park.

There will be an infants play area surrounded by a 1m fence immediately below the seating area surfaced entirely with safety surfacing, a junior play area immediately below it which will be unfenced, surfaced in tarmac with safety surface around each item of play equipment. A top level will have a seating area, embellished by a series of timber structures some 3-4m high derived from old tree trunks, debarked and set in concrete.

In addition a timber climbing forest will be constructed next to the main drive running through the park accessed by a bound gravel path, further west than the pavilion. This will consist of a series of debarked oak trunks linked with ropes and nets. The timber uprights will be up to 4m in height and there will be a bark floor safety surface with a 1m high fence around the area.

It is considered that the proposals will enhance the attraction of Astley Park and conform to policy LT7 of the Local Plan. The

proposals will also comply with policy LT14 that seeks to retain the recreation and amenity value of parks and other open spaces.

Policy HT13 specifically covers Historic Parks and Gardens. It states that development will not be permitted if it would lead to the loss of, or cause harm to, the historic character or setting of any part of a park or garden of special historic interest. The proposed play area and pets corner is proposed attached to and adjacent the existing pavilion, while the timber climbing forest for older children is sited adjacent to the existing play area next to the main drive through the park. Both of these areas are considered suitable, being areas already more heavily used than some of the more tranquil areas of the park, whilst also being sited away from the more historic areas around Astley Hall itself (a Grade I listed building).

Neighbour Amenity

The pets corner and play area will be approximately 170m from the nearest property to the north and 120m to the east. There will be approximately 120m from the proposed older children's timber climbing area to the houses to the south. It is considered that due to the distances from surrounding properties the proposals will not have a detrimental impact on the surrounding properties in terms of noise and disturbance.

Trees

The proposal will result in the removal of some trees adjacent to the existing pavilion where the play area will be constructed. Some of these trees are dead or dying, however, an inspection by the Council's Arboricultural Officer shows that not all are. The applicants have provided an appraisal of the different sites considered for the position of pets corner and the play area, weighing up the advantages and disadvantages of each. The site currently proposed came out as the preferred option for the following reasons:

- To bring more activity to this area of the park which is currently under-utilised;
- To move the play facility further from the historical core of the park;
- To create a centre of activity around the pavilion.

An earlier proposed site was discarded following concern over safety. The play area was therefore moved to the southern side of the pavilion thus increasing natural surveillance. The trees are being removed to increase surveillance of the play area from the main footpath through the park. The applicants state that although the loss of some trees is regrettable it has been kept to a minimum and this has to be balanced against a suitable location for the proposals and increasing surveillance to the area.

Bats

A single tree was found to contain bat roost potential by way of woodpecker holes in the main stem, which it is proposed to remove as part of the proposals. A bat report has been carried out and it is proposed that this tree is felled in accordance with the recommendations of the bat consultant. This can be made the subject of a condition.

Parking

Parking is provided for Astley Park to the northwest of the site, which is considered sufficient for the proposal.

Conclusion The provision of a new play area and pets corner will enhance Astley Park as a recreation facility and it is considered the proposals comply with the policies LT7, LT14 and HT13 of the Local Plan. The application is therefore recommended for approval.

Recommendation: Referred to Full Council for Decision Conditions

1. The development hereby permitted shall not commence until samples of all external facing materials to the proposed building(s) (notwithstanding any details shown on previously submitted plan(s) and specification) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out using the approved external facing materials.

Reason: To ensure that the materials used are visually appropriate to the locality and in accordance with Policy No. GN5 of the Adopted Chorley Borough Local Plan Review.

2. The proposed development must be begun not later than three years from the date of this permission.

Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.

3. Before the Oak tree (marked tree number 3 on the tree clearance plan AP06 5.21 Rev 1) is removed, nocturnal observations for bats should be undertaken as set out in the Bat Inspection submitted with the application. In addition, one of the options as detailed in this Inspection report shall be adopted, having first being submitted to an agreed to in writing by the Local Planning Authority.

Reason: To avoid adverse effect on a protected species and in accordance with Policy EP4 of the adopted Chorley Borough Local Plan Review.
