

## **APPLICATION REPORT – 18/00178/CB3**

**Validation Date: 26 February 2018**

**Ward: Chorley North West**

**Type of Application: Chorley Regulation 3**

**Proposal: Creation of covered event and performance space within the Walled Garden adjacent to Astley Hall.**

**Location: Astley Hall Astley Park Park Road Chorley PR7 1NP**

**Case Officer: Mr Ian Heywood**

**Applicant: Mrs Lindsey Blackstock**

**Agent: N/A**

**Consultation expiry: 27 March 2018**

**Decision due by: 27 April 2018**

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### **RECOMMENDATION**

1. Permit full planning permission.

### **SITE DESCRIPTION**

2. 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.
3. 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.
4. 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 education room with landscaped courtyard and walled garden.
5. Historic England previously made the following comments on an application to create a 'green stage' in the same area as the proposed performance space. "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."

6. Historic England were happy that the previous proposal would have minimal impact on the setting of the grade I listed Astley Hall. It is considered that the current proposal would have the same limited impact.

#### Archaeological significance

7. 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 proposal is not considered likely to disturb any archaeological remains that might survive within the proposed development area.

### **DESCRIPTION OF PROPOSED DEVELOPMENT**

8. This application seeks planning permission for the creation of a covered event and performance space within the Walled Garden adjacent to Astley Hall. This is the same area in which consent was previously granted for the creation of a 'Green Stage'. A concurrent application for listed building consent is also under consideration at this time.

### **REPRESENTATIONS**

9. No comments have been received.

### **CONSULTATIONS**

10. Historic England: Has no comments to make on this application.

11. Ancient Monuments Society: No comments have been received.

12. The Council For British Archaeology: No comments have been received.

13. SPAB: No comments have been received.

14. The Georgian Group: No comments have been received.

15. The Victorian Society: No comments have been received.

16. Twentieth Century Society: No comments have been received.

### **PLANNING CONSIDERATIONS**

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

16. 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.

17. In this case it is considered that the appearance of the listed buildings, Astley Hall, the Coach House and the Walled Garden wall would 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.

18. Paragraphs 129, 132, 133 and 134 of the National Planning Policy Framework (the 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.

19. 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.'*

20. 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.'*

21. 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.'*

22. 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.'*

23. The Central Lancashire Core Strategy 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.'

- 24.The 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.*'
- 25.In this casem, the significance of the Walled Garden itself is quite limited as the whole area was, prior to the previous HLF funded works, used as a Council yard and depot. It is the boundary walls within the garden that contain the most significance.
- 26.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.
- 27.In this case, as a result of 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 to be in conformity with the aforementioned policies.
- 28.The location of the performance space ensures that its visual impact is sympathetic to this historic location. It is not considered that the proposal would 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; Chorley Local Plan 2012 – 2026, policy BNE8 and Section 12 of the Framework.

## **CONCLUSION**

- 29.The proposed development is considered to be in conformity with the aforementioned policies and is, therefore, recommended for approval.

## **RELEVANT HISTORY OF THE SITE**

**Ref:** 07/00243/LBC **Decision:** PERLBC **Decision Date:** 19 November 2007  
**Description:** Construction of 2.7m to 2.1m high brick wall between lean to of boiler house and corner of the rear of Astley Hall.

**Ref:** 08/00060/LBC **Decision:** WDN **Decision Date:** 14 August 2008  
**Description:** Listed Building Consent for the installation of six CCTV cameras on Astley Hall and The Coach House,

**Ref:** 08/00884/CB3 **Decision:** PERFPP **Decision Date:** 4 February 2009  
**Description:** Installation of a CCTV system including six cameras (located on Astley Hall, The Coach House, wall mounted and on poles in the grounds) and eight loudspeaker horns on the roof of Astley Hall and The Coach House

**Ref:** 08/00885/LBC **Decision:** PERLBC **Decision Date:** 4 February 2009  
**Description:** Listed Building Consent for the installation of a CCTV system including six cameras (located on Astley Hall, The Coach House and wall mounted in the grounds) and eight loudspeaker horns on the roof of Astley Hall and The Coach House,

**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:** PERRG3 **Decision Date:** 9 September 2015  
**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:** PERLBC **Decision Date:** 9 September 2015  
**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:** 15/00701/FUL: **Decision:** PERRG3 **Decision Date:** 9 September 2015  
**Description:** Construction of a green stage within the walled garden in Astley Park

**Ref:** 15/00702/LBC **Decision:** PERLBC **Decision Date:** 9 September 2015  
**Description:** Listed building consent for the construction of a green stage within the walled garden in Astley Park

**Ref:** 18/00179/LBC **Decision:** PCO **Decision Date:** Pending  
**Description:** Listed Building Consent for: Alterations to structure within the Walled Garden adjacent to Astley Hall to create a covered events and performance space.

**RELEVANT POLICIES:** In accordance with s.38 (6) Planning and Compulsory Purchase Act (2004), the application is to be determined in accordance with the development plan (the Central Lancashire Core Strategy, the Adopted Chorley Local Plan 2012-2026 and adopted Supplementary Planning Guidance), unless material considerations indicate otherwise. Consideration of the proposal has had regard to guidance contained within the National Planning Policy Framework (the Framework) and the development plan. The specific policies/guidance considerations are contained within the body of the report.

#### Suggested conditions

1. 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.*

2. The development hereby permitted shall be carried out in accordance with the approved plans below:

Title	Plan Ref	Received On
Location Plan	N/A	26.02.2018
John Everiss Design – Garden of Reflection	N/A	26.02.2018

*Reason: For the avoidance of doubt and in the interests of proper planning.*

3. Prior to their installation samples of all external facing and roofing materials (notwithstanding any details shown on previously submitted plan(s) and specification) shall be submitted to and approved in writing by the Local Planning Authority. All works shall be undertaken strictly in accordance with the details as approved.

*Reason: To ensure that the materials used are visually appropriate to the locality.*