

APPLICATION REPORT – 21/01020/LBC

Validation Date: 20 August 2021

Ward: Chorley North West

Type of Application: Listed Building Consent

Proposal: Application for listed building consent for repairs and alterations primarily to wall 53 including: structural strapping, lime render application, and reinstatement and addition of stringcourses to wall 53; changes to the sill of window W78 and lintels/sills of window W75 including addition of brick lintel; minor window repairs including re-leading of windows; internal making good following window repairs; addition of leadwork dressings; and addition of pigeon deterrent system across South Range

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

Case Officer: Johndaniel Jaques

Applicant: Chorley Borough Council

Agent: Mr Geoff Maybank, Maybank Buildings Conservation

Consultation expiry: 28 September 2021

Decision due by: 16 November 2021 (Extension of time agreed)

RECOMMENDATION

1. It is recommended that listed building consent is granted, subject to conditions.

SITE DESCRIPTION

2. The application relates to repairs and alterations primarily to wall 53 of Astley Hall, which is a grade I listed building. Astley Hall is a former manor house of fine example dating from the C16 and C17 with early C19 addition; and was repaired and restored from 1949. The Hall is situated within the grade II registered historic park and garden which is of special historic interest and a number of buildings within the curtilage are grade II listed in their own right.

DESCRIPTION OF PROPOSED DEVELOPMENT

3. This is a part retrospective application and the works form additional repairs to the current scheme of repairs and restoration to Astley Hall approved under the previous application (20/00811/LBC). The details of the proposal are fully set out in the Design, Access, Flood & Heritage Statement which accompanies the application for listed building consent and are summarised below:
 - 1) structural strapping, lime render application, and reinstatement and addition of stringcourses to wall 53
 - 2) changes to the sill of window W78 and lintels/sills of window W75 including addition of brick lintel
 - 3) minor window repairs including re-leading of windows
 - 4) internal making good following window repairs
 - 5) addition of leadwork dressings

- 6) addition of pigeon deterrent system across South Range

REPRESENTATIONS

4. No representations have been received.

CONSULTATIONS

5. Historic England – Do not wish to offer any comments.
6. Friends of Astley Hall - No comments have been received.
7. The Gardens Trust - Do not wish to offer any comments.
8. Lancashire Gardens Trust - No comments have been received.
9. Friends of Astley Park - No comments have been received.
10. Lancashire County Council (LCC) Archaeology Service – Have no objections but recommend a condition regarding implementation of a programme of archaeological works.
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

17. The Planning (Listed Buildings and Conservation Areas) Act 1990 (The Act) sets out the principle duty that a Local Planning Authority 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. Great weight and importance is attached to this duty.
18. The National Planning Policy Framework 2021 (The Framework) at Chapter 16 deals with conserving and enhancing the historic environment. It recognises that heritage assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations. The following paragraphs contained therein are considered to be pertinent in this case:
19. Paragraph 197 provides that in determining applications, Local Planning Authorities should take account of:
 - a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
 - c) the desirability of new development making a positive contribution to local character and distinctiveness.
20. At paragraph 199 the Framework provides that 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 (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

21. At paragraph 200 the Framework confirms that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:
 - a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;
 - b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered 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 201 states that where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:
 - a) the nature of the heritage asset prevents all reasonable uses of the site; and
 - b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
 - c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
 - d) the harm or loss is outweighed by the benefit of bringing the site back into use.

22. At paragraph 202 the Framework provides that 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, where appropriate, securing its optimum viable use.

23. Paragraph 205 sets out that Local Planning Authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted.

24. The adopted Central Lancashire Core Strategy (2012) policy 16 (Heritage Assets) states: Protect and seek opportunities to enhance the historic environment, heritage assets and their settings by:
 - a) Safeguarding heritage assets from inappropriate development that would cause harm to their significances.
 - b) Supporting development or other initiatives where they protect and enhance the local character, setting, management and historic significance of heritage assets, with particular support for initiatives that will improve any assets that are recognised as being in poor condition, or at risk.
 - c) Identifying and adopting a local list of heritage assets for each Authority.

25. Chorley Local Plan 2012 - 2026 policy BNE8 (Protection and Enhancement of Heritage Assets) states that:
 - a) Applications affecting a Heritage Asset or its setting will be granted where it:
 - i. Is in accordance with the Framework and relevant Historic England guidance;
 - ii. Where appropriate, takes full account of the findings and recommendations in the Council's Conservation Area Appraisals and Management Proposals;
 - iii. Is accompanied by a satisfactory Heritage Statement (as defined by Chorley Council's advice on Heritage Statements) and;
 - b) 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:

- i. The conservation of features and elements that contribute to the heritage asset's significance and character. This may include: chimneys, windows and doors, boundary treatments, original roof coverings, earthworks or buried remains, shop fronts or elements of shop fronts in conservation areas, as well as internal features such as fireplaces, plaster cornices, doors, architraves, panelling and any walls in listed buildings;
- ii. The reinstatement of features and elements that contribute to the heritage asset's significance which have been lost or damaged;
- iii. The conservation and, where appropriate, the enhancement of the setting of heritage assets;
- iv. The removal of additions or modifications that are considered harmful to the significance of any heritage asset. This may include the removal of pebbledash, paint from brickwork, non-original style windows, doors, satellite dishes or other equipment;
- v. The use of the Heritage Asset should be compatible with the conservation of its significance. Whilst the original use of a building is usually the most appropriate one it is recognised that continuance of this use is not always possible. Sensitive and creative adaptation to enable an alternative use can be achieved and innovative design solutions will be positively encouraged;
- vi. Historical information discovered during the application process shall be submitted to the Lancashire Historic Environment Record.

The policy also states that development involving the demolition or removal of significant heritage assets or parts thereof will be granted only in exceptional circumstances which have been clearly and convincingly demonstrated to be in accordance with the requirements of the Framework.

26. The works identified in the application are essential repairs/maintenance and are set out above. The application is informed by a Design, Access, Flood & Heritage Statement (Maybank Building Conservation - August 2021). The Heritage Statement sets out the schedule of repairs at Section 6.2.
27. The assessment as set out in the submitted Heritage Statement provides a Heritage Impact Assessment and its findings of some works having a negative impact of change on this part of the building are accepted. Some elements of the historic fabric of the building will be removed, so will cause some visual change. However, the works are considered to be essential maintenance/repairs and are part of a wider project which will enhance the appearance of the building and better sustain the future use of the building as a cultural attraction. It is considered that the proposed works are appropriately justified in the submission.
28. Whilst some visual change will occur this is not considered to translate into significant levels of harm or loss of significance. The proposal seeks to minimise the harm or loss of significance and are adequately justified. Overall, the proposal is considered to represent positive works for the building and will help sustain the use of the Hall into the future, which is afforded significant weight in accordance with the requirements of paragraph 202 of the Framework (which requires the Local Planning authority to consider the desirability of sustaining and enhancing the significance of heritage assets and putting them into viable uses consistent with their conservation). Taking the proposal as a whole, as the Local Planning Authority are required to do, the benefits far outweigh any identified harm and, therefore, on balance it is considered that the application meets the duty to preserve (S.66 of the Planning (Listed Buildings and Conservation Areas) Act 1990) the objectives of Chapter 16 of the Framework, policy 16 of the Core Strategy and policy BNE8 of the Local Plan.
29. It is further considered that the proposal would not harm the significance of the Historic Park and Garden in which Astley hall sits.
30. Details in relation to implementation of a programme of archaeological works is recommended to be secured by condition.

CONCLUSION

31. There will be some negative impacts as a result of removal of the historic fabric of the building and, therefore, some visual change as a result of the proposed works which are essential maintenance/repairs. The impacts are not considered to be a significant level of harm or loss of significance, and any harm has been sought to be minimised. In addition, the proposal is adequately justified. Overall, the proposal is considered to represent positive works for the building and will help sustain the use of the Hall use into the future as a cultural attraction. The benefits of the proposal taken as a whole would far outweigh any identified harm and, therefore, on balance it is considered that the application is acceptable and accords with the duty to preserve (S.66 of the Planning (Listed Buildings and Conservation Areas) Act 1990), the objectives of Chapter 16 of the Framework, policy 16 of the Core Strategy and policy BNE8 of the Chorley Local Plan 2012 - 2026.

32. Suggested conditions

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

Title	Plan Ref	Received On
Location Plan	Astley Hall Conservation Scheme (1:7500 scale)	20 August 2021
Site Plan	Astley Hall Conservation Scheme (1:2500 scale)	20 August 2021
Block Plan	Astley Hall Conservation Scheme (1:1250 scale)	20 August 2021
Ground Floor Plan Existing	3148-001 Rev. A	20 August 2021
First Floor Existing	3148-002 Rev. A	20 August 2021
Basement and Second Floor Plans Existing	3148-003	20 August 2021
Roof Plan Existing	3148-004	20 August 2021
West Elevation Existing	3148-010 Rev. A	20 August 2021
Wall 53 Repair	3148-124 Rev. C (LBC)	20 August 2021
Proposed Stiffening to Wall 53	003 Rev. B	20 August 2021

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

2. The proposed works shall be carried out in accordance with the application, plans, and accompanying documentation, except where modified by any condition.

Reason: For the avoidance of doubt and to specify the proposed works.

3. Within 3 months of the date of this decision a full standing watching brief report that has been undertaken by an appropriately qualified and experienced professional contractor shall be submitted to and approved in writing by the Local Planning Authority. The report shall include a detailed record of the fabric of the area dealt with by this application, to the standards and guidance set out by the Chartered Institute for Archaeologists, as well as full details of the works undertaken

Reason: To ensure that matters of archaeological/historical importance associated with the building are documented.

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.

RELEVANT HISTORY OF THE SITE

Ref: 90/00253/COU **Decision:** PERFPP **Decision Date:** 3 July 1990

Description: Change of use of agricultural dwelling to office accommodation

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: 12/00750/LBC **Decision:** PERLBC **Decision Date:** 13 November 2012

Description: Repairs to stone archway, gates, side pillars and adjacent landscaping including: re pointing ashlar stonework; stone repairs with lime repair mortar; stone piecing-in repairs; renovation of gates; replacing corroding iron cramps; lifting and re bedding coping stonework; fitting of new metal capping to head of archway; making good adjacent landscaping

Ref: 18/00178/CB3 **Decision:** PERFPP **Decision Date:** 25 April 2018

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

Ref: 18/00179/LBC **Decision:** PERLBC **Decision Date:** 25 April 2018

Description: Listed Building Consent for: Alterations to structure within the Walled Garden adjacent to Astley Hall to create a covered events and performance space

Ref: 18/00608/DIS **Decision:** PEDISZ **Decision Date:** 3 July 2018

Description: Application to discharge condition no.4 (sample materials) to permission granted under 18/00178/CB3: Creation of covered event and performance space within the Walled Garden adjacent to Astley Hall

Ref: 20/00811/LBC **Decision:** PERLBC **Decision Date:** 7 October 2020

Description: Application for listed building consent for repairs and alterations to the south range of Astley Hall to include: (1) the removal of failing C19th concrete render to the exterior. (2) repair of the exposed C17th brick and stone façade. (3) repointing of brickwork and masonry. (4) stitching of movement cracks with stainless steel helical bar. (5) new leadwork cappings. (6) redecoration of the facade with limewash or breathable paint (if required). (7) rebuilding of the second-floor leaded light windows, retaining glazing. (8) replacement of the failing ground and first floor timber windows. (9) new chimney and buttress stone capping. (10) internal lime plaster repairs. (11) repair to internal window boards. (12) minor oak panelling repair and re-fixing. (13) provision of new access ramp to the west door

Ref: 20/00930/LBC **Decision:** PERLBC **Decision Date:** 9 December 2020

Description: Application for listed building consent for repairs and minor alterations to the north-eastern cottage wing of the Astley Hall to include: (1) repointing brickwork and stonework, (2) re-facing or replacement of a stone plaque (3) render repairs (4) tying back of a brick gable, (5) window repairs and replacement (6) timber frame repairs, (7) replacement of failing cementitious infill panels, (8) leadwork renewal, (9) roof repairs and recovering and (10) improvement of rainwater goods

Ref: 21/00118/DIS **Decision:** PEDISZ **Decision Date:** 26 April 2021

Description: Application to discharge conditions nos.6 (details of ramp) and 7 (details of windows) of listed building consent 20/00811/LBC (Application for listed building consent for repairs and alterations to the south range of Astley Hall to include: (1) the removal of failing C19th concrete render to the exterior. (2) repair of the exposed C17th brick and stone façade. (3) repointing of brickwork and masonry. (4) stitching of movement cracks with stainless steel helical bar. (5) new leadwork cappings. (6) redecoration of the facade with limewash or breathable paint (if required). (7) rebuilding of the second-floor leaded light windows, retaining glazing. (8) replacement of the failing ground and first floor timber windows. (9) new chimney and buttress stone capping. (10) internal lime plaster repairs. (11) repair to internal window boards. (12) minor oak panelling repair and re-fixing. (13) provision of new access ramp to the west door)

Ref: 21/00316/DIS **Decision:** PCO **Decision Date:** Pending

Description: Application to discharge condition no.5 (repair methodology) of listed building consent 20/00811/LBC (Application for listed building consent for repairs and alterations to the south range of Astley Hall to include: (1) the removal of failing C19th concrete render to the exterior. (2) repair of the exposed C17th brick and stone façade. (3) repointing of brickwork and masonry. (4) stitching of movement cracks with stainless steel helical bar. (5) new leadwork cappings. (6) redecoration of the facade with limewash or breathable paint (if required). (7) rebuilding of the second-floor leaded light windows, retaining glazing. (8) replacement of the failing ground and first floor timber windows. (9) new chimney and buttress stone capping. (10) internal lime plaster repairs. (11) repair to internal window boards. (12) minor oak panelling repair and re-fixing. (13) provision of new access ramp to the west door)