

Report to: Cabinet
Planning Committee

Date: 11 December 2008
6 January 2009

Subject: Pennington, Leigh Conservation Area Appraisal

Report of: Executive Director Environmental Services

Contact officer: Lorraine King 01942 - 404250

Purpose / summary: To report the results of a consultation of Pennington Leigh Conservation Area appraisal and management proposal.

Alternative options considered and reason for selecting the one recommended: Local authorities are required to review the boundaries of conservation areas from time to time.

The council could decide not to extend the conservation area boundary. However having undertaken a review of the Conservation Area and there having been no objections it is now appropriate to formally adopt the revised appraisal.

Recommendation / decision:

- 1) That Planning Committee notes the revised Pennington conservation area appraisal which will become a material consideration in the assessment of future planning applications.
- 2) That Cabinet adopts the revised Pennington conservation area appraisal and management proposal.
- 3) That Cabinet approves the extension of the Pennington conservation area to include Pennington Hall Park and Pennington Avenue under Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Key Decision:

This report does not involve a key decision. The decision made as a result of this report will be published within **48 hours** and cannot be actioned until **seven working days** have elapsed, i.e. before 23 December 2008

Risks / Implications:

Financial: None arising from this report
 Staffing: None arising from this report
 Policy: Replacement Unitary Development Plan Policies EV3 and EV4, specifically EV4.
 Equal Opportunities - Has a Diversity Impact Assessment been conducted? Yes
 Wards affected: Leigh South

Property Implications – Does the proposal involve a reduction, addition or change to the Council’s asset base or its occupation?

Yes

If yes, have the property implications been agreed with the Corporate Property Officer?

Yes

Does this proposal have significant implications for the Council and the local population?

A diversity impact assessment is not necessary at this stage, however, equality and diversity implications have been considered when producing this report.

Does this proposal involve a new policy or procedure or significant changes to an existing policy or procedure?

A diversity impact assessment is not necessary at this stage, however, equality and diversity implications have been considered when producing this report.

Has the Director of Legal and Property Services confirmed that the recommendations within this report are lawful and comply with the Council’s Constitution?

Yes *

Has the Director of Finance and IT confirmed that any expenditure referred to within this report is consistent with the Council’s budget?

Yes *

Are any of the recommendations within this report contrary to the Policy Framework of the Council?

No *

* delete which applicable

For Cabinet reports only :

Categorisation of the report:	X
Discussion leading to a decision	
Monitoring	
Sharing for corporate understanding	

	X
Discussion	
Decision	X
Information	

Tracking/Process:

	Consultation	Ward Members	Partners
Panel	Overview & Scrutiny	Cabinet	Council
Planning 06.01.09		11.12.08	

List of Background Papers in accordance with Section 100D of the Local Government Act 1972:

Document	Date	File Reference	Place of Inspection
Consultation Responses	23.07.08 – 08.08.08	5-32-100/P	Environmental Services, Civic Buildings, New Market Street, Wigan, WN1 1RP
Conservation Area Appraisal	November 2008		Members Library, Town Hall

Proper Officer Martin Kimber

Date 26 November 2008

D/LK/JP/1.0
24 November 2008

1.0 Background

- 1.1 Under the Planning (Listed Buildings and Conservation Areas) Act 1990, Section 69 of the Act imposes a duty on local authorities to designate as Conservation Areas any 'areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance'.
- 1.2 The replacement Wigan Unitary Development Plan Policy EV4 Conservation states that:

The Council will conserve the historic built environment by:-

- Designating new Conservation Areas and reviewing the boundaries of existing ones where the quality and interest of the area is of special architectural or historic interest due to:
 - The historic layout of properties, boundaries and thoroughfares;
 - The particular mix of uses;
 - The use of characteristic materials;
 - The appropriate use of scaling and detailing on buildings;
 - The quality of advertisements, shop fronts, street furniture and hard and soft surfaces;
 - The quality of vistas along streets and between buildings; or
 - The extent to which traffic intrudes and limits pedestrian use of space between buildings.

The Council originally designated Pennington Conservation Area in December 1989.

2.0 Proposals

- 2.1 There is one proposed boundary change to the existing Conservation Area (see map on p.30 of the appraisal which can be viewed in the Members Library). During the review process it was identified that the current boundary should be extended to promote the historic development of the area and the significance of the old Pennington Hall grounds. Therefore it is proposed to extend the boundary to include Pennington Hall Park in its entirety.

This extension to the area was felt to be logical and would help to safeguard key townscape elements in the future.

- 2.2 The draft Pennington Conservation Area was subject to targeted consultations with all property occupiers and key stakeholders, including ward members during a 7 week period from the 23 June 2008 to 8 August 2008. This period was then extended until the 26 August to facilitate further meetings with the local Township Forum and a public open evening. All occupiers in the existing and proposed boundary were notified of the appraisal and were provided with copies of a summary document and comments sheet. The full document was available on request and on the council website. Several responses were received and these are outlined with the Council's reply in the table below:

Name of Consultee	Summary of Comments	Response and Action
V Halliwell	<ul style="list-style-type: none"> • Concern at past planning consents re. window replacements and extensions; • Boundary treatments on Pennington Gdns in need of repair; • Green area at Pennington Gdns poorly maintained ; • Query as to why Pennington Ave not included in boundary. 	<ul style="list-style-type: none"> • Acknowledged • This is responsibility of owners as private residences; • Acknowledged and mentioned in report; • Advised will be assessing boundary and will consider. Decision taken to include this area.
Mr & Mrs Fisher	<ul style="list-style-type: none"> • Why is Pennington Park not included in boundary? • Development rumours, despite planning permission being refused; • Questioning why individual development permitted. 	<ul style="list-style-type: none"> • Advised will be assessing boundary and will consider. Decision taken to include; • Confirmed permission refused and appeal upheld; • Advised each application assessed on own merit and many factors used to decide.
I. Moss	<ul style="list-style-type: none"> • In agreement to include Pennington Hall Park; • Generally the report reiterates what is already known locally in terms of issues; 	<ul style="list-style-type: none"> • Acknowledged; • Advised exercise will highlight issues to relevant departments and help move things forward.
L. Grime	<ul style="list-style-type: none"> • In agreement with document; • Would like to see improved maintenance; • In agreement with proposed extension. 	<ul style="list-style-type: none"> • Acknowledged
J. Wood	<ul style="list-style-type: none"> • Agrees with main points raised on character & appearance; • Concern over parking area to the north of the conservation area; • Keen for proposed boundary extension to be formalised. 	<ul style="list-style-type: none"> • Acknowledged; • Advised not in boundary; • Acknowledged

P. Taylor	<ul style="list-style-type: none"> • Suggestion of highlighting area by use of coloured street furniture; • Use of notice boards/ information boards; • In support of Pennington Ave & park being included. 	<ul style="list-style-type: none"> • Not feasible at the moment with works schedule and budgets, may consider in future; • Acknowledged. Park management may take forward? • Acknowledged.
K. Parr	<ul style="list-style-type: none"> • Is financial help available for repairs; • Double yellow lines to prevent parking on street; 	<ul style="list-style-type: none"> • Advised none at the moment from council, possible English Heritage; • Road wide enough, cars not causing excessive hazard.
Township Forum	<ul style="list-style-type: none"> • Generally in support of report and proposals; • Concern over what means for councillors. 	<ul style="list-style-type: none"> • Acknowledged; • We will write to councillors with a summary to ensure they are able to help constituents.
Property Division	<ul style="list-style-type: none"> • In support of extension to include Pennington Hall Park 	<ul style="list-style-type: none"> • Acknowledged

2.3 Key Issues identified in the appraisal:

Poor quality street surfacing:

- The surfacing around Pennington Hall Park is of poor quality.
- Mismatched materials and poor repairs detract from the overall quality of the park area.

Lack of general maintenance:

- Some properties were showing signs of lack of maintenance in terms of paint and woodwork. Peeling paint featured on several upper floors.
- Poor boundary treatments detract from the architectural quality of buildings. Damaged walls in need of repair do little to enhance the appearance of the conservation area.

3.0 Alternative options considered and reason for the recommended option

3.1 Local authorities are required to determine which parts of their areas are of special architectural or historic interest and to designate those as conservation areas and to review the boundaries from time to time.

3.2 Following the review of the conservation area, production of an updated draft appraisal and following public consultation there have been no objections, it is now not an option but to formally adopt the appraisal.

4.0 Conclusions

- 4.1 That Planning Committee notes the revised Pennington Conservation Area Appraisal which will become a material consideration in the assessment of future planning applications.
- 4.2 That Cabinet adopts the revised Pennington Conservation Area Appraisal and Management Proposal.
- 4.3 That Cabinet approves the extension of the Pennington Conservation Area to include Pennington Hall park and Pennington Avenue under Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Diversity Impact Assessment form

Section: Policy and Projects

Policy/Service Area: Implementation

Person Completing Form: Lorraine King

Date: 24.11.08

Do any of the below groups suffer specific disadvantage (please indicate)

	Yes	No		Yes	No
Race		X	Disability		X
Ethnicity		X	Gender		X
Age		X	Religion		X
Class		X	Sexual Orientation		X

Is there evidence of disadvantage or associated problems?

No

How was the information collected and/or who have you consulted with?

All affected residents, local businesses, Local Ward Members and Local Township

Action Plan – *What specific actions are planned to tackle any disadvantage identified?*

N/A

Is the policy in line with current equality legislation and relevant codes of practice?

Yes

Timescale	
Responsibility	
Comments	

Are the actions specified included in any other documents/plans?

Departmental Service Plan	
Section/Team Plan	
Other (Specify)	

Date for further review
