

Wigan Council

Report to Planning Committee

23rd June 2009

Application No: A/09/72441 (Video)

Speaking arrangements:

Major development. One speaker against for 4 minutes One speaker in favour for 4 minutes.

Applicant: Mr Andrew Bond

Development Proposed: First Phase of full restoration of Mesnes Park, its buildings, structures and features and new facilities including play zone, play shack and for site services.

Application No: A/09/72451LB (Video)

Speaking arrangements:

Minor/Householder development. One speaker against for two minutes One speaker in favour for two minutes

Applicant: Mr Andrew Bond

Development Proposed: First Phase of full restoration of Mesnes Park, its buildings, structures and features.

Location: Mesnes Park Off Mesnes Park Terrace Wigan

Ward: Wigan Central

Representations

33 letters of objection have received including a letter of objection from Councillor Gareth Fairhurst which also requests that the application be considered by Committee. Two documents containing samples of comments made on Wigan World.com have also been forwarded.

Site Description:

Mesnes Park is located about 200m north of Wigan town centre and is roughly pentagonal in shape. Mesnes Park Terrace forms the south east boundary and separates the Park from Mesnes Field. Bridgeman Terrace forms the north east boundary. Parsons Walk forms the south west boundary and is crossed by the main west coast railway line which forms the west park boundary. The northern boundary is contiguous with the boundary of the Pagefield Mill site. The Thomas

Linacre NHS outpatient's facility in 2002 is sited adjacent the south-west corner of the park

Mesnes Park was Wigan's first municipal park, created in 1878 to safeguard open recreation space from development. It occupies 12 hectares of former manorial demesnes land known as the Mesnes adjoining the town centre. The design was the result of a competition won by John McClean of Castle Donnington. His layout utilised the sloping site to create terraces, incorporating an elevated pavilion overlooking a formal gardens. An ornamental lake was created from former marl pits and provision was made for recreational areas. Sport and play facilities were subsequently added to the park.

The Park was designated as grade 2 on the English Heritage Register of Parks and Gardens in 1996. There are seven Grade II listed buildings and structures within the park:-

- Entrance Lodge 1878 (two storey extension added c 1928).
- Entrance Gateway, 1878.
- Pavilion, 1880.
- Double flight of Steps to the South of the Pavilion, c 1880 (Dalton Steps)
- Double flight of Steps to the West of the Pavilion, c 1880 (Dalton Steps)
- Bandstand, c 1880.
- Powell Monument, 1910.

Mesnes Park is also the focus of the Mesnes Park Conservation Area.

Proposals:

These proposals relate to the components and works within the area defined as of Phase 1 of the Mesnes Park Restoration Scheme by the overall masterplan for the whole of the park, and these are listed below;

- Pavilion
- Bandstand
- Dalton Steps
- Shelter
- Playshack
- Footpaths (where they form the surrounding / setting of the main buildings to be restored in this phase)
- Elements of the site services including Meter Housing Building
- Boer War Memorial
- Play Zone
- Powell Monument
- Pulham Rockwork
- Coalbrookdale Fountain

It is important to note that the remaining buildings and areas of the park will be addressed by separate planning applications for listed building consent for Phase 2. Subject to the outcome of an assessment of suitable sites, these proposals are also

likely to include proposals for improved depot facilities, training facilities and car parking.

Phase 1 focuses on those elements which are considered to constitute the 'heritage core' of the park. The Restoration Scheme, as submitted, has been developed in consultation with officers from Wigan Council and advisors from the Heritage Lottery Fund (HLF). The HLF support the restoration proposals and funding has been awarded in respect of proposed works forming Phase 1.

Community groups have been involved in the development and delivery of the Restoration Scheme. Consultation is ongoing with local residents regarding a suitable location and configuration for the proposed depot and training centre facilities. Details of the approach and results of public consultation carried out by Wigan Leisure and Culture Trust in relation to the Mesnes Park restoration project are provided within the submitted document entitled Statement of Community Involvement.

The Restoration Master plan states that the overall design philosophy of the proposals has been to: -

- Consider the restoration of the park from the perspective of how the original designer would have responded to the task, and to recognise and develop the inherent characteristics and themes of the original design when upgrading the park and introducing new features.
- Ensure that all buildings, structures and features be restored with minimal alteration to the existing fabric. Any interventions or additions are considered as contemporary design solutions which complement the original design styles and use of materials.
- Agree that all existing buildings should have a park related fit for purpose use prior to considering any new construction.
- Ensure that issues of access for all are addressed in a non discriminatory manner rejecting the provision of purpose built facilities e.g. ramps in favour of more subtle and inclusive design solutions.

The proposals state that the approach to the restoration of the park's landscape has been to re-establish the original layout and explore the designers' style and intentions in order to reinstate the existing planting and re-design any areas of change in an appropriate manner.

Further details of the main individual elements of the proposals are as follows;

- Pavilion

The fabric of the pavilion is to be fully restored including external and internal repairs, including the replacement of the roofs lantern given the condition of existing ironwork. Dated internal accommodation, of no historical interest, will be replaced with a new contemporary interior for continued use as a café with opportunities for community use. A new raised plinth to be surfaced in high quality material is proposed to enhance the setting of the pavilion and be used as external terrace by patrons of the café. Access for all is achieved by the discreet profiling of the paved

area fronting the main entrance and the use of a small platform lift to provide access to the gallery.

- Bandstand

The ironwork of the bandstand is to be dismantled, repaired and restored to its original pattern. The existing plinth is to be restored and access to the bandstand for performers / users with disabilities will be by means of a removable ramp.

- Dalton Steps The steps will be fully restored and the missing urns will be replaced by replications of a surviving example of the original design. To safeguard the original character of the steps the introduction of handrails has been rejected in favour of an alternative access route to the pavilion based upon the original footpath network, which circumvents the need to use the steps.

- Services and Utilities building

To support the restoration scheme the provision of services to the park has been reviewed to ensure they meet required standards. This review has found that whilst the existing provision of mains electricity is adequate and serviceable, it is not future proof, and consequently a new supply to the whole Park will need to be provided. This will require the construction of a meter housing building (3.0m wide by 2.5m deep) with a height of 3m to the ridge (2m at the eaves) for the incoming services. The proposed location for the building is within the south east corner of the Park, adjacent to Mesnes Park Terrace and the Linacre building.

- Coalbrookdale Fountain

The missing fountain will be reintroduced and based upon a close replication of the original feature in its original position close to the base of the Dalton Steps on the main approach to the Pavilion. Its design has been derived from the detailed examination of photographic and other evidence and the availability of patterns from which to recreate the various components.

- Shelter

This open fronted building is sited adjacent to the lake to the south of the pavilion. Its appearance echoes the architectural style of the entrance lodge, being constructed from brickwork and incorporating planted timber, render panels and gable features. It is proposed that the existing fabric of the building is restored and may contain a permanent exhibition of the park and its history, and act as a flexible multi use public facility, for use by school groups etc.

- Powell Monument

The Powell Monument is a life size bronze statue of Sir Francis Sharp Powell mounted on a square stepped base dressed in granite. It is sited in a very prominent location within the formal landscaped area of the park alongside the main approach to the pavilion. The statue and other bronze elements of the statue have developed a staining green tarnish as a result of exposure to the elements. It is

proposed that monument be restored and repaired. This includes the cleaning and rebronzing of the statue back to its original condition with addition of up lighting around its base. The originally proposed addition of stainless steel steps, platforms and handrail monument adjacent to the base of the monument for the purposes ensuring safer access to the statue in association with the tradition of "rubbing the right foot for luck" have been omitted.

- Boer War Memorial

It is proposed that the longstanding granite plinth of the Boer War Memorial, erected in 1903, will be relocated from its present location at the front of the Pavilion to a new site between the lake and the rose garden on the approach from the Parsons Walk entrance to the park. The memorial will be set within a new hard landscaped surround and the granite base will be cleaned.

The original marble statue of a soldier which stood on the plinth was removed in 1965 due to deterioration and vandalism, and was subsequently lost. The applicant states that the replacement of the missing statue remains a longer term objective.

- The Lake & Pulham Rockwork

As the lake and its edging have been found to be in good condition, restoration works focus upon upgrading its perimeter and island landscape, including the reinstatement of original vantage points and duck feeding areas. Proposals for the restoration of the Pulham rockwork include the cleaning of invasive vegetation, the repair and reinstatement of rockwork and replanting of the feature utilising planting pockets and fissures.

- Play Facilities & Playshack

The existing play provision sited to the west of the bandstand and will be enhanced and upgraded within an area of grassland and trees. The play area will incorporate:

- A co-ordinated range of new play equipment. The individual pieces of equipment will be loosely zoned to reflect use by children across the whole age range from under 5's to younger teenagers.
- An area of open grassland to allow free-play activity.
- An internal footpath network which passes through each segment of the play area.
- an upgraded and expanded cafeteria, toilet and community use facilities within an extended playshack which will initially be used as a temporary venue for the pavilion café whilst the pavilion is refurbished. Subsequently the cafeteria/kiosk within the play shack will open as a satellite of the restored pavilion café.

The application is supported by the following documents;

Restoration Masterplan
Community Involvement Statement
Biodiversity Report
Design and Access Statements

Tree Report

All these documents are available for inspection by the Committee on request in the Department

Policy Context

UDP Allocation:

Mesnes Park is a Historic Park subject to Policy EV4D

Within the Mesnes Park Conservation Area

Seven Listed Buildings and/or structures

Relevant Policies/Guidance

EV2D - Species protection

EV3A - Design of New development

EV3D - Landscaping of New Development

EV4A - Development and Design in Conservation Areas

EV4B - Listed Buildings

EV4D - Historic Parks, Gardens and Cemeteries

A1C - Access for All

C1C - Protection of Open Space and Recreation Provision

G1A - Impact of Development on Amenity

Planning Policy Guidance Note 15 - Planning and the historic environment

Mesnes Park Conservation Area Appraisal

Previous Relevant Decisions:

None relevant

Consultations:

Engineering Services (highways) - No objection

Engineering Services (Drainage) - No objection subject to standard drainage informatives.

Environment Agency - No objection subject to an informative in respect of managing and disposing of Japanese knotweed

United Utilities - No objection

Environmental Protection - No objection

Access Committee - No objection subject to appropriate specification of the moveable ramp for the bandstand, potential problems of congestion may occur

within lobby area of the play shack, provision of some seating with arm rests for people with mobility difficulties, provision of a lower counter section within the pavilion, and glass balustrades on the first floor of the Pavilion should have a visual contrast.

Network rail - No objection subject to informatives in relation to works being undertaken adjacent to the railway

Wigan Civic Trust - No objection

GMP Architectural Liaison Unit - No objection, although concerned about the lack of the provision of CCTV and lighting within Phase 1, and that restored features/buildings will need to be robust and be adequately protected from criminal damage and anti-social behaviour.

Sport England - No objection

Archaeological Unit - No objection

English Heritage - No objection

Garden History Society - No comments received

Victorian Society - Concerns raised in relation to the removal of the Boer War memorial plinth, to over-excessively clean the Powell Monument, and the building of a depot on an Edwardian bowling green.

Representations

A total of 33 letters of objection have been received.

30 letters of objection have been received from local residents on the following grounds;

- The relocation of the Boer War Memorial Plinth from its present position on high ground in front of the Pavilion, fails to reflect the reasons for its existing siting which represents Spion Kop, a South African Hill and commemorates those who lost their lives

- the relocation of the Boer War Memorial Plinth would adversely affect the character and also the setting of listed buildings (Pavilion and Dalton Steps) as it forms part of their curtilage
- Appropriate reasons and justification have not been provided for relocating the Boer War Memorial Plinth. The monument should be retained in its present position and restored to its former glory
- The erection of the meter housing building is not needed at this time and be of a siting and design which would be detrimental to the appearance and character of the park. It would be better sited within the existing depot area
- Siting of meter housing has been chosen to avoid prejudicing future relocation of the depot which would be part of a Phase 2 planning application.

- Development within Mesnes Park contrary to deeds of covenant
- No need for expansion of the play shack for a café or justification for the retention of this building which is detrimental to the character of the Park
- Proposed refurbishment and alterations to the Powell Monument including its cleaning/rebronzing and the provision of stainless steps, platform, handrail and lighting, would adversely affect its historic setting and character
- Only traditional materials should be used
- Phase 2 works relating the proposed relocation of the maintenance depot, loss of bowling green, additional access into the park from Parsons Walk, car parking provision, provision of a training centre, siting of an extreme sports venue will be detrimental to the character of the park and Mesnes Park Conservation Area, and result in highway safety and flooding problems.
- Disturbance to wildlife and habitat
- Loss of tree and shrubs

Two documents containing samples of comments in respect of the proposals which have been made on Wigan World.com website have also been received.

A letter of objection from the War Memorials Trust has been received on the grounds that;

- would not support relocation for reasons of convenience
- relocation can disrupt its physical structure and cause conservation problems in the future
- relocation of the war memorial does not reflect the reasons for its original siting
- separation of the war memorial from its original setting affects its character

A letter (accompanied by background information) received from the Friends of the Boer War, objects to the proposed relocation of the plinth of the Boer War Memorial and considers that it's original, prominent location is in no way confined and restricted, but that it is a focal point within the park.

A letter of objection has been received from Councillor Gareth Fairhurst on the grounds that the approval of phase 1 would set a precedent for phase 2 and harmful impact of works on the statue (Powell Monument) and also requests that that the application be considered by Committee.

A sample of letters is attached.

Assessment
Planning Application Consent
A/09/72441

Material Considerations:

Principle of Development
 Heritage issues
 Design
 Accessibility issues (disabled persons provision)
 Ecology and trees

Observations on Representations Received

The proposals include works to a range of listed buildings/structures within Mesnes Park and therefore need to be assessed against UDP Policy EV4B. This requires that when considering applications for planning permission or listed building consent for works which affect a listed building are required to have special regard to certain matters, including the desirability of preserving the setting of the building and ensuring that proposed alterations are in keeping with its character. The setting is often an essential part of the building's character, especially if a garden or grounds have been laid out to complement its design or function.

Whilst no additional statutory controls follow from the inclusion of a site in English Heritage's Register of Parks and Gardens of Special Historic Interest PPG 15 advise that local planning authorities should protect registered parks and gardens in determining planning applications. The effect of proposed development on Mesnes Park which is a registered park or garden, or its setting, is therefore a material consideration in the determination of a planning application. This requirement is reflected by UDP policy EV4D which states that permission will not be given to any proposal which is likely to adversely affect the character or setting of the historic public park at Mesnes Park.

As the site lies within the Mesnes Park Conservation Area, the proposal also needs to be considered against UDP Policy EV4A. This requires that proposals for development in Conservation Areas should preserve or enhance a Conservation Area. Where a Conservation Area Appraisal (January 2006) was undertaken and given that Mesnes Park is the centre piece of the Conservation area, this report identified the issues, and the need for the regeneration of the park itself and of its important heritage structures and landscape.

As the proposals relate to development on public open space used for recreational purposes, the application also needs to be assessed against the provisions of UDP Policy C1C. This includes the requirement that development is ancillary to the principal use of the site and will not adversely affect the quantity or quality of provision. It is considered that the restoration proposals fully comply with Policy C1C given that the proposal will significantly improve existing facilities within the park and enhance the overall quality of this public open space.

Heritage Issues

The detailed works relating to individual listed buildings and structures are also discussed in respect of the LBC application. In addition, the proposals will have an impact on the setting of listed buildings and this is also addressed below. It is concluded, that the proposed refurbishment of original structures, the settings and character of listed buildings will not be adversely affected by the proposals.

Whilst the Boer War Memorial plinth is not listed in itself, it is considered curtilage to the setting of the Pavilion and Dalton steps. The impact of its relocation needs to be carefully considered on the setting of the pavilion in front of which it stands as well as the affect on the setting of the historic park.

The application proposes the relocation of the memorial on the basis that the Boer War Memorial is not an original element of the parks design and is located uncomfortably, on the parks primary vista from its entrance to the Pavilion. It is also stated that its current position does not provide a dedicated setting which properly reflects its importance, due to its confined and restrictive location in front of the pavilion which will continue to be used as a café with an enhanced outdoor seating area,

The Boer War memorial plinth is located in front of the pavilion and occupies an elevated position, which has been interpreted by some to symbolise Spion Kop a hill in Natal which the Lancashire Fusiliers were charged with taking and holding. However the Council's Conservation Officer considers that whilst significant, the battle for Spion Kop was one of many battles within the Boer war conflict in which Lancashire regiments were involved and it is noted that the plinth commemorates the Boer War as a whole and not an individual battle. It is the case that many such Boer War memorials are to be found in the former Lancashire area to commemorate their loss. Boer War memorials have been relocated and this was recently undertaken in Bury.

After careful assessment of this sensitive issue, it is considered that in this case the emphasis should be on the restoration of the memorial as opposed to its proposed relocation. It is considered that the relocation of the plinth would neither detract from the setting of the listed Pavilion or the overall setting of the park.

Whilst the objectors and the Friends of Wigan's Boer War Memorial do not accept the applicant's rationale for moving the plinth, it is nevertheless considered that the proposed relocation of the memorial to a site close to the entrance into the park from Parsons Walk would provide a dedicated and appropriate setting. A condition is required for the submission and approval of details of the Plinth's mounting, orientation and hard landscape surround.

Whilst it is accepted that the memorial is a longstanding feature of the park, the Pavilion is considered to be the Parks most important built feature and acts as elegant focal point as well as an important landmark structure. Given that the application proposes the restoration of this building, as well as the enhancement of adjacent areas for seating, the refurbishment of the Dalton Steps and the re-introduction of the ornamental Coalbrookdale Fountain, it is considered on balance, that the resiting of the Boer War memorial plinth will have no adverse impact on either the setting or historic character of the pavilion or Mesnes Park.

Given the concerns raised by the objectors and the Council's Conservation Officer, in relation to insensitive aspects of the restoration proposals for the Powell Monument, amended proposals have been submitted. The previous proposed stainless steel steps and platform intended to provide safer public access to the monument to accommodate the tradition of "touching the foot" have been omitted. Whilst concerns have also been raised about the excessively cleaning/rebronzing of the statue, it is considered that some of the green staining is required to be removed to reveal details, and also corrosion and water staining needs to be addressed. Whilst it is intended to restore the statue, a method statement to include precise details of proposed cleaning and rebronzing should be approved

prior to work taking place. This will ensure that restoration work will not be detrimental to its character or setting. In particular it is not necessary to remove all of the green staining (patination) which is a typical feature and inherent characteristic of bronze statues of this age.

The detailed proposals in respect of the full restoration of the pavilion, bandstand, Dalton Steps, the existing Shelter, Pullman Rockwork/ and the reintroduction of the Coalbrookdale Fountain are supported. However conditions are recommended requiring details of the materials to be used in the restoration of the Dalton Steps, and for surfacing of existing and proposed footpaths and paved surfaces to safeguard the setting of listed building and the Historic Park.

After detailed assessment of the refurbishment proposals for the Pavilion a condition is recommended to secure the insertion of dummy doors as opposed to the bricking up of unused door entrances. This will avoid problems in trying to match existing brickwork and the use of dummy doors is a well used conservation based technique and works to keep the existing character of the building intact. Conditions are also recommended in respect of detailed aspects of the restoration work to the Pavilion such as treatments and repairs to the existing fabric of the building. It is also considered that window security bars/grills are not in keeping with character of building and a condition should be imposed requiring alternative details for external/internal security. It is important to note that security measures for the park as a whole will form part of the proposals for phase 2 of the parks restoration scheme and include comprehensive CCTV coverage and improved lighting.

Siting and Design of other Phase 1 Features

The proposed utilities building is primarily required to accommodate metering equipment in respect of the need for a new electricity supply being provided for the whole park to ensure that future demand generated by enhanced facilities can be satisfactorily met. Its proposed location is considered acceptable given that it would not constitute an unduly prominent feature alongside Mesnes Park Terrace or from vantage points within Mesnes Park. To ensure that its visual impact will be satisfactorily minimised this small building will be sited at a level 2m lower than the footway of Mesnes Park Terrace and will be positioned within an existing landscaped area close to the most southerly corner of the park. However, it is considered that its elevations should incorporate timber and render work in a similar style to that of the nearby entrance lodge building, and also roofed with slate. This will ensure that it is of a satisfactory appearance which respects the setting of the historic park and nearby listed buildings

The small extension to the play shack will achieve a satisfactory visual and architectural relationship with the existing building. The proposals ensure that the octagonal shaped elements of this relatively recent structure (circa 1978) remain dominant, to closely reflect the character of the nearby Pavilion and Bandstand.

The refurbished and extended Play shack is to serve as the heart of the new play area. Housing a satellite refreshment facility to be operated by the current Pavilion tenants (Fredericks), in combination with a flexible multi-purpose space. The multi-

purpose space is to be available for use both as a café in connection with Frederick's operation, and for other play zone activities such as youth diversionary activities.

In relation to the enhanced play area provision, it is proposed that much of the shrubbery will be removed and be replaced by grass lawn to facilitate improved circulation and use around the play shack. However areas of shrubs/trees will be left to provide interest and break the open nature of the area. A proposed picnic area will be planted up on three sides, with back drops of groups of trees being retained and enhanced sympathetically to accord with the overall soft landscaping restoration of Mesnes Park. I therefore consider that the proposed play area and extended play shack building will not adversely affect the setting of the historic park or nearby listed buildings, particularly given the screening provided by the proposed planting Scheme.

Impact on Trees and planting

The soft landscape restoration of Mesnes Park is an integral part of the complete restoration plan and accordingly has been developed as an element of the overall proposals and it is not intended to be considered in isolation. However the soft landscape itself is of paramount importance for the setting of historic buildings and monuments.

The overall aim of the proposals is to recreate and reinforce the structure of the original landscape through restoration, to express the designer's original intentions (views, vistas, settings of buildings/structures).

The proposed areas of work broadly include;

- Tree removals and arboricultural works to recreate the spatial, physical and visual design structure of the original layout.
- Removal and restructuring of overgrown and over extensive shrub areas.
- Removal of inappropriate flower beds and herbaceous beds.
- Replanting of trees, shrubs and flower beds to MacLean's principles and historical records.
- The construction of selective enhancements within the context of MacLean's design framework for reasons of visual enhancement, amenity and nature conservation interest.

It is considered that the proposed soft landscape restoration has satisfactorily demonstrated through its sensitive treatment of formal geometric garden layout, the lake area and the overall approach to tree cover/planting that an appropriate setting will be provide for listed buildings and historic features within Mesnes Park.

The Council Tree and Woodlands Officer has no objections in principle to the works proposed, although it is considered that tree removal is phased in an appropriate manner to limit its impact on the landscape of the park.

Ecology

The Council's Ecologist considers that due to the generally formal nature of the park and its main features, the ecological implications of the proposed restoration are limited, particularly in terms of protected species or habitats. The buildings on site have been surveyed by a suitably experienced and licensed bat consultant. Therefore I am satisfied that provided the recommendations set out within the document from The Tyrer Partnership are implemented there should be no adverse impact upon bat species.

It is also recommended that the timing of works will need to take account of the breeding bird season (March to August inclusive) and any programme for works to the buildings and vegetation will need to take account of this. Ideally any works should take place outside the breeding season however should it not be possible to programme all vegetation removal outside of the season, then a survey of the vegetation will be necessary immediately prior to the commencement of the work. This will need to be carried out by a suitably experienced consultant to ensure that should breeding birds be present then work is re-programmed to start following the fledging of any young.

The proposals provide an opportunity to re-consider the long-term management of the park and in particular the chance to focus on the biodiversity value of this managed urban space. In this case a scheme for the enhancement of the biodiversity of the park should be submitted to the LPA as part of the Council's biodiversity duty under the Natural Environment and Rural Communities Act 2006. A condition is recommended which requires the submission of such a scheme which should include a range of measures such as bat roosting and bird nests opportunities, habitat creation and/or enhancement and the management of such features.

Accessibility

The proposals have satisfactorily addressed key access issues relating to provision of access to all the parks facilities for all park users in respect of the proposals within phase 1.

Key access issues relating to the movement of pedestrians around the Park and obstacles to movement for pushchair and wheelchair users relate to constraint built in to its original design. The original design solution exploited and enhanced the then existing landform to create a central promontory on which to site the Pavilion. The resulting landform and prominence of the Pavilion was expressed through a radial footpath network and the provision of the impressive Dalton Steps. In order to provide access to the Pavilion without recourse to ramps and handrails on the listed steps the proposed design solution reinstates elements of the original footpath network to ultimately provide, as originally intended, a circuit around the Park which provides access to all its features. This avoids unnecessarily steep gradients and flights of steps.

All facilities within phase 1 have level access. Whilst the Access Officer has identified some detailed issues which need to be addressed, these are however

relatively concerns minor. It is considered that the proposals will secure a satisfactory standard of disabled access within the park, particularly given the constraints and the provision of lift access to the first floor of the Pavilion. It is however anticipated that the access issues which have been raised can be satisfactorily addressed during the implementation of the scheme

Observations on Representations Received

- Objections have been raised in relation to elements of the overall master plan which will form part of Phase 2 of the restoration scheme. These elements will be the subject of a future planning application.
- It is not considered that proposed elements of Phase 1, such as the siting of the utilities building, would prejudice or dictate the potential siting of any future elements within Mesnes Park. The Utilities building is a small structure which is sited in a location that minimises its visual impact whilst meeting the requirements of the utility companies for a point next to the site boundary with unrestricted access to their equipment/meters.
- All issues raised in respect of the impact of the proposals (including the relocation of the Boer War Memorial plinth and restoration of the Powell Monument) on the setting and character of listed buildings, the historic park and the Mesnes Park Conservation Area are addressed above.
- Wildlife and tree issues are addressed above
- Issues relating to the extension of play shack and its future use are addressed above
- the issues arising from Deeds of Covenant affecting the park have been considered, but do not prevent the determination of the planning or LBC applications.

Assessment

Listed Building Consent

A/09/72451LB

Material Considerations:

Principle of Development

Detailed Issues

Historic Landscape

These proposals include works to a range of listed buildings /structures which form part of Phase 1 of the Mesnes Park Restoration Scheme, and therefore need to be assessed against UPP Policy EV4B. This requires that when considering applications for planning permission or listed building consent for works special regard must be taken of the desirability of preserving the setting of the building and ensuring that proposed alterations are in keeping with its character. The setting is often an essential part of the building's character, especially if a garden or grounds have been laid out to complement its design or function.

National government guidance of PPG 15 also requires that proposals for listed building consent must be demonstrated to be justified. It will need to show why works which would affect the character of a listed building are desirable or necessary. Applicants are required to provide the Local Planning Authority with full information, to enable them to assess the likely impact of their proposals on the special architectural or historic interest of the building and on its setting.

PPG 15 identifies the issues that are generally relevant to the consideration of all listed building consent applications and which are:

- the importance of the building, its intrinsic architectural and historic interest and rarity, in both national and local terms
- the particular physical features of the building (which may include its design, plan, materials or location) which justify its inclusion in the list:
- the building's setting and its contribution to the local scene, which may be very important, e.g. where it forms an element in a group, park, garden or other townscape or landscape, or where it shares particular architectural forms or details with other buildings nearby
- the extent to which the proposed works would bring substantial benefits for the community, in particular by contributing to the economic regeneration of the area or the enhancement of its environment (including other listed buildings).

In this case that I consider that the applicant has provided detailed information of satisfactory quality on which to assess the impact of the proposals. In particular individual design and access statements and assessments, detailed drawings and illustrative material have been submitted in respect of each element of the proposals. It is considered that the detailed information which has been provided address the key issues identified by PPG 15 (listed above) and the requirements of UDP policy EV4B.

Furthermore the restoration of Mesnes Park and the provision of enhanced facilities for visitors would represent the significant enhancement of the Mesnes Park Conservation Area and result in substantial community benefits. These proposals are supported by the HLF, and have the overall objective of securing the long term future of the park, listed buildings, its important historic feature and landscape.

Issues of detail

Whilst the Boer War Memorial plinth is not listed itself it is considered to be curtilage to the Pavilion and the Dalton Steps. The impact of its relocation needs to be carefully considered on the setting of the Pavilion in front of which it stands as well as the affect on the setting of the historic park.

Whilst it is accepted that the memorial is a longstanding feature of the park, the Pavilion is considered to be the Parks most important built feature and acts as elegant focal point and important landmark structure. Given that the application proposes the comprehensive restoration of this building as well as the enhancement of adjacent areas for outdoor seating, the refurbishment of the Dalton Steps and the re-introduction of the Coalbrookdale fountain, it is considered, that on balance, the

resiting of the Boer War memorial plinth will have no adverse impact on either the setting or historic character of listed buildings.

After detailed assessment of the refurbishment proposals for the Pavilion a condition is recommended to secure the insertion of dummy doors as opposed to the bricking up of unused door entrances. This will avoid problems in trying to match existing brickwork and the use of dummy doors is a well used conservation based technique and works to keep the existing character of the building intact. Conditions are also recommended in relation to the use of materials to include details of terracotta castings, cast iron casts for gutters etc and railings, all windows doors, windows, brickwork, glazing. A comprehensive method statement is also required to be submitted and approved of all works, including the method of cleaning, pointing, raking out, replacement of brickwork and terracotta work/tiles and panels, and of full details of works to internal and external metal work.

Whilst the extended setting of the pavilion, provided by the enlarged external seating area, is considered acceptable, a condition is recommended which requires the approval of appropriate surfacing materials which will satisfactorily respect the setting of this listed building.

It is also considered that window security bars/grills are not in keeping with character of building and a condition should be imposed requiring alternative details for external/internal security.

The detailed proposals in respect of the full restoration of the bandstand, Dalton Steps, the shelter, Pullman Rockwork/ lake, and the re-introduction of the Coalbrookdale Fountain are supported. However conditions are recommended requiring details of the materials to be used in the restoration of the Dalton Steps, and for surfacing of existing and proposed footpaths and paved surfaces to safeguard the setting of listed building and of the Historic Park.

As referred to previously in association with the planning application the previously proposed stainless steel steps and platform intended to be erected to the Powell Monument have been omitted. Whilst concerns have also been raised about the excessively cleaning/rebronzing of the statue, it is considered that some of the green staining is required to be removed to reveal details, and also corrosion and water staining also needs to be addressed. A method statement to include precise details of proposed cleaning and rebronzing will be required by condition.

Furthermore as referred to above it is also considered that the siting and design of the extended play shack and the utilities buildings will not detrimentally affect the setting of nearby listed buildings, particularly given the provision of soft landscaping. Although it is important to note that condition is recommended requiring the approval of the elevational treatment of the utilities building to ensure that it reflects that of the listed entrance lodge.

Historic Landscape

The soft landscape restoration of Mesnes Park is an integral part of the complete restoration plan and accordingly has been developed as an element of the overall

proposals, and it is not intended to be considered in isolation. However the soft landscape itself is of paramount importance to the setting of listed buildings and monuments. The overall aim of the proposals is to recreate and reinforce the structure of the original landscape through restoration, to express the designer's original intentions (views, vistas, settings of buildings/structures).

It is considered that the proposed soft landscape restoration has satisfactorily demonstrated, through its sensitive treatment of formal geometric layouts for gardens, the lake area and overall approach to tree cover/planting that an appropriate landscaped setting will be provide for listed buildings and historic features within Mesnes Park.

Observations on Representations Received

The issues raised in respect of the impact of the proposals on the setting and character of listed buildings are addressed above.

Conclusion:

This report relates to 2 applications which are inter-related but have different assessments

It is considered that, on balance, the proposals comprising phase 1 of the Mesnes Park Restoration Scheme would not adversely affect the setting or character of the historic park, the setting or special historic and architectural interest of listed buildings. Furthermore the proposals would preserve and enhance the character and appearance of the Mesnes Park Conservation Area.

Recommendations:

A/09/72441 Planning Application –

Having taken into consideration the submitted information and the comments of the consultation bodies, approve with conditions.

A/09/72451 Listed Building Consent –

Authorise the Executive Director of Environmental Services to forward the application to the Secretary of State in accordance with Regulation 13 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990 and Section 12 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and indicate that the LPA would be minded to approve the application subject to conditions.

A/09/72441

Approved with Conditions

1. With the exception of the detailed matters referred to by the conditions of this consent, the development hereby approved shall be carried out in accordance with the details shown on plan references below or any other plan agreed in writing as a working amendment by the Local Planning Authority;

BH-FIGURE 4 (Phase 1 Works)

2003-01_101 Rev A Pavilion Proposed Ground Floor Plan
2003-01_102 Rev A Pavilion Proposed First Floor Plan
2003-01_103 Rev A Pavilion Proposed Roof Plan
2003-01_104 Rev A Pavilion Proposed South Elevation.
2003-01_105 Rev A Pavilion Proposed West Elevation.
2003-01_106 Rev A Pavilion Proposed East Elevation.
2003-01_107 Rev A Pavilion Proposed North Elevation.

2003-02_101 Rev A Bandstand Proposed Plans
2003-02_102 Rev A Bandstand Proposed Elevations
2003-02_103 Rev A Bandstand Proposed Section A-A and Perspective

2003-04a_101 Rev A Upper South Dalton Steps Proposed
2003-04b_101 Rev A Lower South Dalton Steps Proposed
2003-04c_101 Rev A Upper West Dalton Steps Proposed
2003-04d_101 Rev A Lower West Dalton Steps Proposed.

2003-9a_101 Rev A Meter Housing Building Proposed Location Plan.
2003-9a_102 Rev B Meter Housing Building Proposed Plan & Elevations.

2003-11_101 Rev A Coalbrookdale Fountain Proposed
2003-13_101 Rev A Shelter Proposed
2003-16b_101 Rev A Pulham Rockwork Proposed

2003-17_101 Rev A Playshack Proposed Plans
2003-17_102 Rev A Playshack Proposed Elevations and Section

2003-14_101 Rev B Powell Monument Proposed Plan
2003-14_102 Rev B Powell Monument Proposed Elevations

Soft Landscape Drawings

1C0101 – Design Layout Analysis
1C0102 – Key Views
1C0103 – Hierarchy of Historic Vegetation treatment
1C0104 - Vegetation Treatment Overview
1C0105 – Soft Landscape layout.
1C0106 – Pulham planting schedule

- 1C0107 – Bedding Schedule
- 1C0108 – Hedge Detail to Bandstand
- 1C0109 – Bridgeman Terrace Cross Section
- 1C0110 – Shelter Cross Section
- 1C0111 – Lake Islands Cross Section
- 1C0112 – Lake Edge Cross Section
- 1C0113 – College entrance cross section
- 1C0114 – Pavilion and structural backdrop cross section
- 1C0115 – Pavilion, bandstand & playshack Cross section
- 1C0116 – Pavilion, bandstand & playshack 2 cross section
- 1C0117 – Rear of Lodge Cross Section
- 1C0118 – Rose Garden Cross Section
- 1C0119 – Soft landscape existing
- 1C0121 – Soft landscape proposals

Play Area Drawing

PR_08_01g – Play Area Proposal

2. Before any works commence in pursuance of this consent, a comprehensive and detailed schedule of works, together with detailed drawings and a schedule of materials (including colours and finishes) shall be submitted to and approved in writing by the Local Planning Authority. The schedule and drawings shall include all proposed work to glazing, windows, doors, brickwork stonework, including bonding and plaster jointing, timber work (including jointing), ironwork, plasterwork, roof material and rainwater goods and shall include details of design and appearance.
3. Notwithstanding the details shown on the approved plans and application particulars, no works to footpaths, areas of hard landscaping, the Dalton Steps or external seating areas adjacent to the Pavilion shall take place until details of surfacing materials have been submitted to, and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with such approved details.
4. Notwithstanding the details submitted with the application, no works to the Pavilion shall take place until a Method Statement has been submitted to, and approved in writing by the Local Planning Authority which includes details of the cleaning methodology for existing materials; pointing; replacement of brickwork and terracotta work/tiles/ panels; the removal and replacement of internal/external metal work. The restoration scheme shall be undertaken in accordance with the approved details.
5. Notwithstanding the details submitted with the application, no works to the Pavilion shall take place until a scheme of measures to secure windows and doors of the building have been submitted to, and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with such approved details.
6. Notwithstanding the details submitted with the application, no works to the Pavilion shall take place until details of a Mechanical and Electrical Strategy have been submitted to, and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with such approved details.

7. Notwithstanding the details submitted with the application, the restoration of the Powell Monument shall not commence until a Method Statement detailing bronze cleaning and rebronzing methodology has been submitted to, and approved in writing by the Local Planning Authority. The restoration scheme shall be undertaken in accordance with the approved details.
8. The development shall be carried out in accordance with the recommendations as set out within the Bat Report prepared by the Tyrer Partnership Ecology Consultants dated 20.09.2008.
9. Notwithstanding the particulars accompanying the application, and before any restoration works commence, a scheme for the enhancement of the biodiversity of Mesnes Park which should include a range of measures such as bat roosting and bird nesting opportunities, habitat creation and/or enhancement and the management of such features, shall be submitted to, and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with such approved details.
10. Notwithstanding the details shown on the approved plans and application particulars, no work to the Pavilion shall take place until a detailed scheme for the insertion of dummy doors within unused door entrances, have been submitted to, and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with such approved details.
11. Prior to the relocation of the Boer War Memorial Plinth to the position shown on approved drawing BH-FIGURE 4 (Phase 1 Works), details of the Plinth's mounting, orientation and of its hard landscape surround, including surfacing materials, shall be submitted to, and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with such approved details.
12. Prior to the installation of play equipment in the positions shown on drawing PR_08_01g - Play Area Proposal, details of its design, specification, materials and colour shall be submitted to, and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with such approved details.

Reasons:

1. For the avoidance of doubt, and having regard to Policy EV3A of the replacement Wigan UDP.
2. To ensure that the external appearance of the buildings is satisfactory, having regard to Policies EV3A, EV4A, EV4B, EV4D of the replacement Wigan UDP.
3. To ensure the provision of satisfactory surfacing which can assimilate with its surroundings, having regard to Policies EV3A, EV3D, EV4A, EV4B and EV4D of the replacement Wigan UDP.
4. To ensure that the external appearance of the building is satisfactory, having regard to Policy EV3A, EV4A, EV4B, EV4D of the replacement Wigan UDP.
5. To ensure that the external appearance of the building is satisfactory, having regard to Policies EV3A, EV4A, EV4B, EV4D of the replacement Wigan UDP.
6. To preserve the character and appearance of the Listed Building having regard to Policy EV4B of the replacement Wigan UDP.

7. To ensure that the details of the development are satisfactory, having regard to Policies EV3A, EV4A, EV4B and EV4D of the replacement Wigan UDP.
8. To safeguard protected species and their habitat in accordance with Policy EV2D of the Replacement Wigan UDP.
9. To secure an enhancement of the biodiversity of the Mesnes Park with regard to Policies EV2 and EV2D of the Replacement Wigan UDP.
10. To preserve the character and appearance of the Listed Building having regard to Policy EV4B of the replacement Wigan UDP.
11. To ensure that the details of the development are satisfactory, having regard to Policies EV3A, EV4A, EV4B and EV4D of the replacement Wigan UDP.
12. To ensure that the details of the development are satisfactory, having regard to Policies EV3A, EV4A, EV4B and EV4D of the replacement Wigan UDP.

A/09/72451LB

Approved with Conditions

1. With the exception of the detailed matters referred to by the conditions of this consent, the development hereby approved shall be carried out in accordance with the details shown on plan references below or any other plan agreed in writing as a working amendment by the Local Planning Authority;

BH-FIGURE 4 (Phase 1 Works)

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 2003-01_106 Rev A Pavilion Proposed East Elevation.
 2003-01_107 Rev A Pavilion Proposed North Elevation.

2003-02_101 Rev A Bandstand Proposed Plans
 2003-02_102 Rev A Bandstand Proposed Elevations
 2003-02_103 Rev A Bandstand Proposed Section A-A and Perspective

2003-04a_101 Rev A Upper South Dalton Steps Proposed
 2003-04b_101 Rev A Lower South Dalton Steps Proposed
 2003-04c_101 Rev A Upper West Dalton Steps Proposed
 2003-04d_101 Rev A Lower West Dalton Steps Proposed.

2003-9a_101 Rev A Meter Housing Building Proposed Location Plan.
 2003-9a_102 Rev B Meter Housing Building Proposed Plan & Elevations.

2003-11_101 Rev A Coalbrookdale Fountain Proposed
 2003-13_101 Rev A Shelter Proposed
 2003-16b_101 Rev A Pulham Rockwork Proposed

2003-17_101 Rev A Playshack Proposed Plans
2003-17_102 Rev A Playshack Proposed Elevations and Section

2003-14_101 Rev B Powell Monument Proposed Plan
2003-14_102 Rev B Powell Monument Proposed Elevations

Soft Landscape Drawings

1C0101 – Design Layout Analysis
1C0102 – Key Views
1C0103 – Hierarchy of Historic Vegetation treatment
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1C0111 – Lake Islands Cross Section
1C0112 – Lake Edge Cross Section
1C0113 – College entrance cross section
1C0114 – Pavilion and structural backdrop cross section
1C0115 – Pavilion, bandstand & playshack Cross section
1C0116 – Pavilion, bandstand & playshack 2 cross section
1C0117 – Rear of Lodge Cross Section
1C0118 – Rose Garden Cross Section
1C0119 – Soft landscape existing
1C0121 – Soft landscape proposals

Play Area Drawing

PR_08_01g – Play Area Proposal

2. Before any works commence in pursuance of this consent, a comprehensive and detailed schedule of works, together with detailed drawings and a schedule of materials (including colours and finishes) shall be submitted to and approved in writing by the Local Planning Authority. The schedule and drawings shall include all proposed work to glazing, windows, doors, brickwork stonework, including bonding and plaster jointing, timber work (including jointing), ironwork, plasterwork, roof material and rainwater goods and shall include details of design and appearance.
3. Notwithstanding the details shown on the approved plans and application particulars, no works to footpaths, areas of hard landscaping, the Dalton Steps or external seating areas adjacent to the Pavilion shall take place until details of surfacing materials have been submitted to, and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with such approved details.
4. Notwithstanding the details submitted with the application, no works to the Pavilion shall take place until a Method Statement has been submitted to, and approved in writing by the Local Planning Authority which includes details of the cleaning methodology for existing materials; pointing; replacement of brickwork and terracotta work/tiles/ panels; the removal and

replacement of internal/external metal work. The restoration scheme shall be undertaken in accordance with the approved details.

5. Notwithstanding the details submitted with the application, no works to the Pavilion shall take place until a scheme of measures to secure windows and doors of the building have been submitted to, and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with such approved details.
6. Notwithstanding the details submitted with the application, no works to the Pavilion shall take place until details of a Mechanical and Electrical Strategy have been submitted to, and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with such approved details.
7. Notwithstanding the details submitted with the application, the restoration of the Powell Monument shall not commence until a Method Statement detailing bronze cleaning and rebronzing methodology has been submitted to, and approved in writing by the Local Planning Authority. The restoration scheme shall be undertaken in accordance with the approved details.
8. Notwithstanding the details shown on the approved plans and application particulars, no work to the Pavilion shall take place until a detailed scheme for the insertion of dummy doors within unused door entrances, have been submitted to, and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with such approved details.

Reasons:

1. For the avoidance of doubt, and having regard to Policy EV3A of the replacement Wigan UDP.
2. To ensure that the external appearance of the buildings is satisfactory, having regard to Policies EV3A, EV4A, EV4B, EV4D of the replacement Wigan UDP.
3. To ensure the provision of satisfactory surfacing which can assimilate with its surroundings, having regard to Policies EV3A, EV3D, EV4A, EV4B and EV4D of the replacement Wigan UDP
4. To ensure that the external appearance of the building is satisfactory, having regard to Policy EV3A, EV4A, EV4B, EV4D of the replacement Wigan UDP.
5. To ensure that the external appearance of the building is satisfactory, having regard to Policies EV3A, EV4A, EV4B, EV4D of the replacement Wigan UDP.
6. To preserve the character and appearance of the listed building having regard to Policy EV4B of the replacement Wigan UDP.
7. To ensure that the details of the development are satisfactory, having regard to Policies EV3A, EV4A, EV4B and EV4D of the replacement Wigan UDP.
8. To preserve the character and appearance of the Listed Building having regard to Policy EV4B of the replacement Wigan UDP.

Plans Attached to Report

Location Plan

P/TAYLOR/A/09/72441/A/09/72451LB

Application No: A/09/72441 and A/09/72451LB (Video)

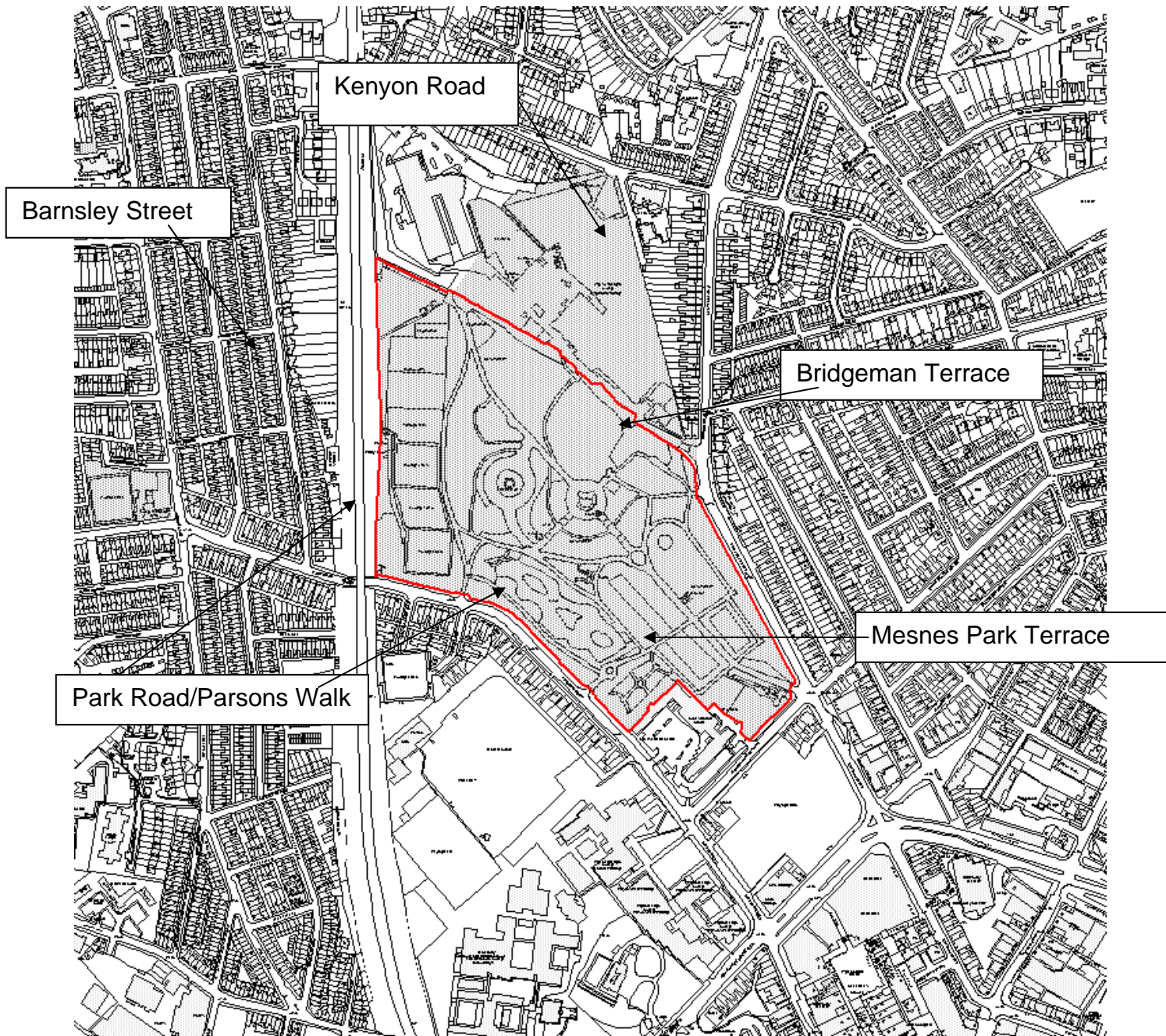
Development Proposed:

A/09/72441 - First Phase of full restoration of Mesnes Park, its buildings, structures and features and new facilities including play zone, play shack and for site services.

A/09/72451LB – First Phase of full restoration of Mesnes Park, its buildings, structures.

Location: Mesnes Park Mesnes Park Terrace Wigan

Ward: Wigan Central



Site Area

