

2. The refurbishment of the pathways, access from Colne Road and disabled parking improvements
3. The conservation and restoration of the Pavilion to provide an activity and exhibition room, new toilets and kitchen and servery
4. The conservation and restoration of the octagonal shelter
5. Works to the Boathouse, deck and setting to provide a café
6. Conservation and restoration of Lake Bridge and River Brun bridges
7. Works to the Lake
8. Refurbishment of the paddling pool and new fencing
9. Enhancement and refurbishment of Play Area
10. Refurbishment of toilets
11. Conservation and restoration of Italian Garden – sunken garden, pergolas, shelters, provision of disabled access
12. Conserve and restore the Rose Garden
13. Tree works
14. New planting, lawns, naturalistic areas with wildflower meadows and pond creation
15. Street furniture – restoring traditional park benches, installing new litter bins, new/refurbishment signage.

The only part of the scheme which requires planning permission involves:

- the change of use of the Pavilion building to provide for community use, a café and offices
- the conversion of the Boathouse to a café
- the provision of new 6 metre high 'space net' equipment in the play area

No objections have been received to the application. It is referred to members because the applicant is Burnley Borough Council.

Relevant Policies:

Burnley Local Plan Second Review

CF13 – Restaurants, cafes, public houses and hot food take-aways

CF14 – Provision, retention and enhancement of community facilities

E12 - Development in or adjacent to Conservation Areas

E15 - Locally important buildings, features and artefacts

E17 - Historic parks and gardens

E7 - Water bodies and water courses

GP1 - Development within the Urban Boundary

GP3 - Design and Quality

GP5 – Access for All

GP9 - Security and Planning Out Crime

National Planning Policy Framework (NPPF)

The Planning (Listed Buildings and Conservation Areas) Act 1990

Consultation Responses:

1. Highway Authority – raise no objections to the application on highway grounds

2. Environmental Protection – No objections are raised to the application. It is recommended that conditions are imposed to limit the hours of construction to normal working hours in order to protect nearby residents; no combustion of materials shall take place on the site; requiring a scheme for the ventilation and odour control system to be submitted for approval.

(Conditions are recommended accordingly)

3. Lancashire Constabulary (Designing out Crime Officer) – raises no objections to the scheme but as there have been high volumes of crime reported around the site, a number of security measures are recommended to be considered in the design of the scheme, in order to reduce crime risks where possible.

(The applicant has noted the recommendations and confirmed that wherever possible the suggested measures will be incorporated)

Planning and Environmental Considerations:

The main issues for consideration relate to the impact and benefits of the refurbishment of the buildings; their proposed uses; and provision of the new play equipment in the park, having regard to the character, appearance and setting of the Grade II Listed Park, the adjacent Conservation Areas and the surrounding area.

Impact on the significance of the heritage assets

The Planning (Listed Buildings and Conservation Areas) Act 1990 requires local planning authority to pay special regard to the impact of proposals on the character, appearance and setting of Listed Buildings and Conservation Areas.

The NPPF sets out that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal, including by development affecting the setting of a heritage asset. This assessment should be taken into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.

Paragraph 131 of the NPPF set out that in determining planning applications local planning authorities should take account of

- the desirability of sustaining and enhancing the significance of the heritage assets and putting them to viable uses consistent with their conservation
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic viability
- the desirability of new development making a positive contribution to local character and distinctiveness.

The application is supported by a comprehensive Heritage Assessment which sets out the historical, social and environmental significance of Thompson Park.

The proposals have been designed with special regard to the significance of the park and aim to maintain the original design of the park whilst responding to the modern requirements.

Overall, the scheme will significantly enhance the park and its significance by the conservation of its heritage through restoration and sympathetic interpretation of historic features and the enhancement of the existing landscape character. It will involve local people in the future of the park by creating opportunities for them to explore the heritage, development and management of the park and to participate as volunteers. It will increase the use, appreciation and enjoyment of the park by local people and visitors to the area and attract a wider audience to the park throughout the year. It will improve the quality of maintenance, environmental sustainability and ecological value of the park.

There would be a positive impact on the heritage asset and there are no identified adverse impacts. The scheme will deliver considerable public benefit.

There would be no adverse impact on the adjacent Canalside and Top O Th' Town Conservation Areas.

The Proposals subject of the application

The three aspects of the development which require planning permission relate to the Pavilion building; the Boathouse and the new Play equipment as follows:

The Pavilion



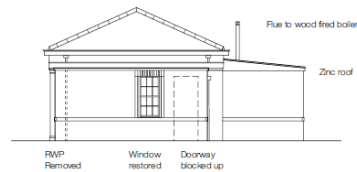
Pavilion building circa 1930's



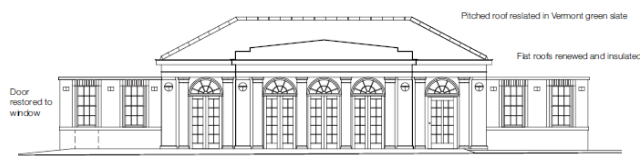
Pavilion as it now stands



South Elevation



West Elevation



North Elevation



East Elevation

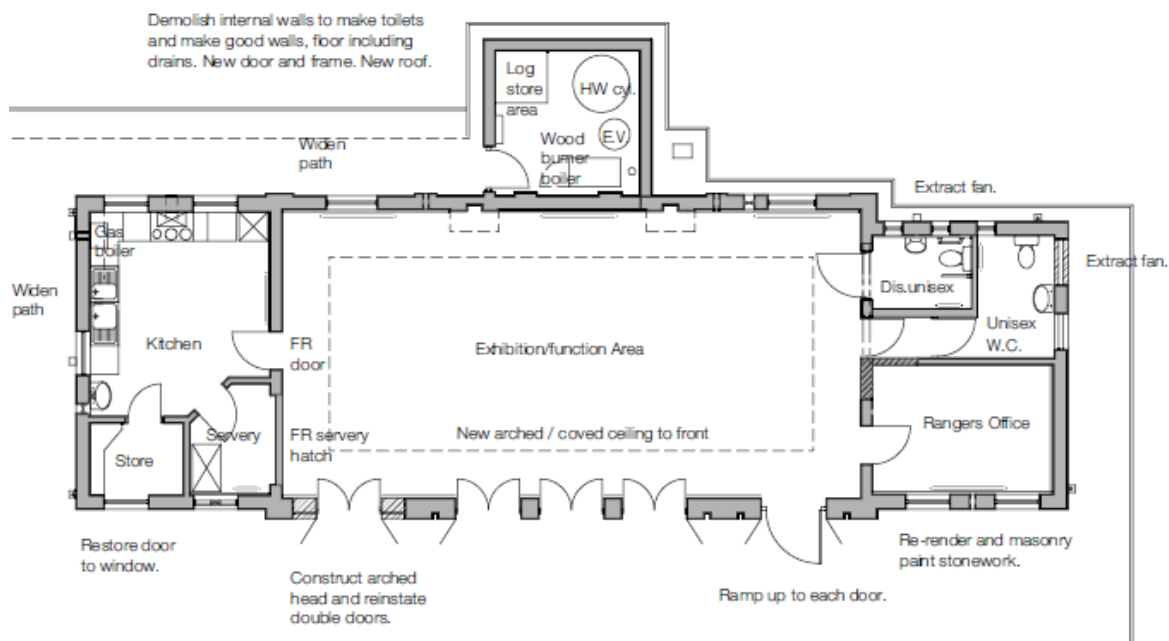
Proposed elevations of the refurbished building.

The pavilion in its current location was constructed as part of the original park in 1930. It is typical of the period with a hipped roof in Westmorland slate, brick /render walling and cast masonry detailing.

It has now lost its primary function as a tearoom and over time has fallen into disrepair and the fabric of the building and its materials have deteriorated although the basic structure of the building is robust and in reasonable condition. The original plan form has been retained but latterly it has been used as a garage and store and there have been unsympathetic changes and repairs to the building including the insertion of garage doors, infilling of the gutters, altered openings, etc.

The rockery to the front of the building has been removed, the terrace, steps, brick walls and planters are in poor condition and the views of the lake, bridges and boat house have been obscured due to intervening vegetation.

It is proposed to restore the pavilion to reflect its original appearance, form and massing within the park and to provide a space for events, with catering and toilets. It would house a ranger base offering security and supervision for the park.



The original façade would be restored, the roof repaired, there would be new doors and windows, new electrics, plasterwork, drainage new rendering and pointing, kitchen and toilets.

The proposal would have a positive impact on the historical, social and environmental significance of the park and the renovated pavilion would serve to reflect its status and appearance as a focal point within the park.

The Boat House



At the front of the Boat House circa 1930

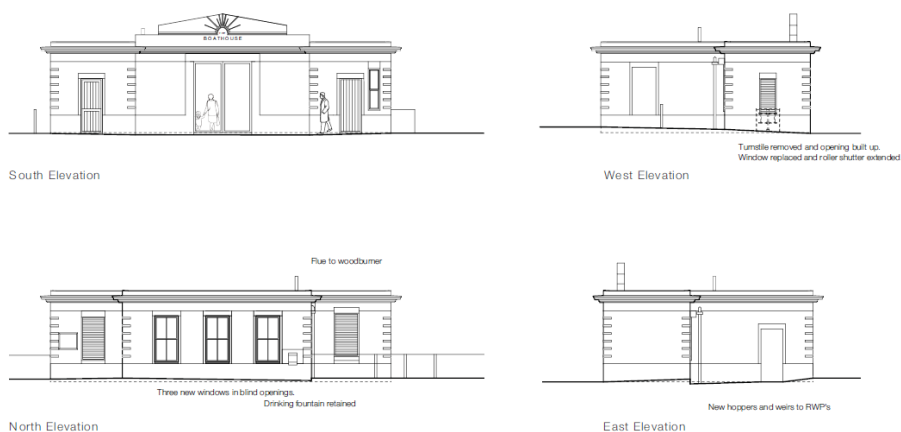


Boat House as constructed



Boat House 2016

Figure 5.12

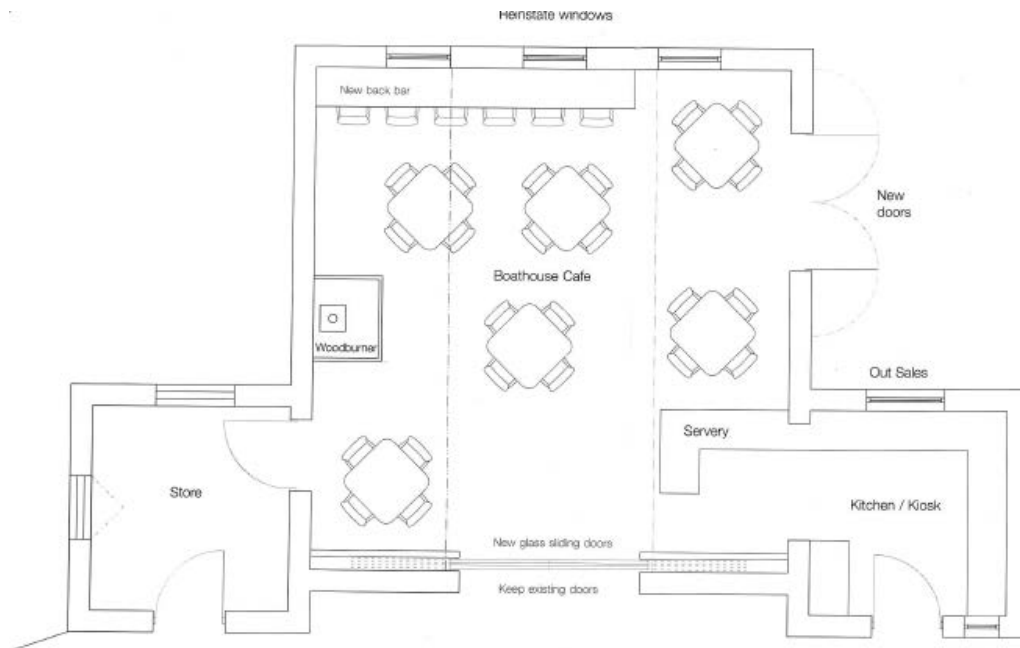


Proposed refurbished elevations

The boat house was constructed as part of the original park in its present location and is an integral part of the designed landscape. The layout of the building remains generally intact and the surviving fabric is in good condition. It has changed little over time retaining its original use and role and retaining its status and appearance as a focal point within the park.

Some external elements require repair or renewal and it is proposed to retain the boat house's original appearance, form and massing within the park. New heating, railings, jetty and a gravel forecourt to the café area would be provided.

The building will be utilised to form a hub for park events in the centre of the park and it would provide an increased catering offer with year round indoor café space.



Proposed internal layout of the Boat House

The proposed change of use of the building to a café use would be acceptable and in keeping with the character of the park. The works to restore the building and facilitate the use would enhance the building and have a positive impact on the character, appearance and setting of the park with no detriment to the significance of the heritage asset.

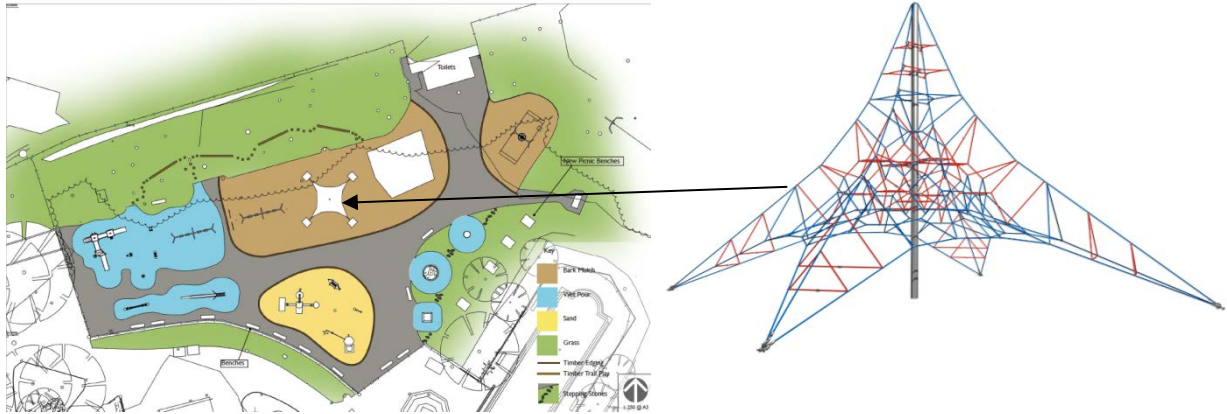
Provision of new play equipment within the existing play area



Historic photograph children playing on the play area



View of current play area



Layout of play area showing location of space-net equipment

The play area was introduced to the park in its present location in 1932 and is now tired and in need of refurbishment. It is proposed to refurbish and improve the play area so that it provides updated play equipment and a safe environment for children aged 2 -12.

New equipment would be provided and the equipment to be retained would be refurbished. Parts of the play area would be resurfaced.

The introduction of the 'space-net ' would be consistent with modern play equipment in local parks. It would have some impact on the character and appearance of the park because it would be approximately 6 metres in height.

However, the within the context of the existing park area and together with the other improvements to the park, its impact on the character, appearance and the setting of the park, would not be significant. The public benefits of the proposals are considered to outweigh any minor harm.

Conclusions

Overall, the proposals represent significant improvements to Thompson Park and these would deliver substantial public benefits.

The character, appearance and setting of the park will be enhanced by the works and the proposed change of use of the buildings. There are no other considerations relating to those elements of the proposal which require planning permission to indicate that planning permission should not be granted.

Recommendation:

It is recommended that planning permission be granted for the development, subject to the following conditions:

Conditions

1. The development must be begun within three years of the date of this decision.
2. The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing No:16-004-02, 16-004-03, 16-004-10, 16-004-

11A, 16-004-04A, 16-004-05, 16-004-12B, 16-004-13A, Location plan, Fig3.1, 3.2, 3.3, 3.4, 3.5, 3.6, 3.7, 3.8 Fig 5.1, 5.2, 5.3, 5.4, 5.9,5.10, 5.11, 5.12, Fig 9.1, 9.2,9.9,9.10Fig 0.1 received 24 April 17.

3. The use of the café areas hereby permitted shall not commence until details of a suitable ventilation and odour control system are submitted to and approved in writing by the local planning authority, if kitchen appliances which require ventilation and odour control are to be installed.

The approved systems shall be installed in accordance with manufacturer's recommendations and thereafter maintained as necessary to the satisfaction of the local planning authority.

4. No construction work shall take place on the site outside the hours of 0800 hours to 1800 hours Monday to Friday, 0800 hours to 1300 hours on Saturday and not at any time on Sundays and Bank Holidays.

Reasons

1. Required to be imposed by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. To ensure the development is implemented in accordance with the approved plans and to avoid ambiguity.
3. To safeguard the appearance of the building and minimise the impact of cooking smells and odour.
4. In order to protect the amenities of nearby residents.