

**OAKLEY HALL, OAKLEY, MARKET DRAYTON**  
**MR AND MRS GHANI**

**21/00219/LBC**

The application is for listed building consent for repairs refurbishment and alterations to the rear façade and interior of Oakley Hall.

Oakley Hall is a Grade II\* Listed Building set within a rural estate and parkland.

The site is located within the open countryside as defined by the Local Development Framework Proposals Map.

**The 8 week period for the determination of this application expires on the 27<sup>th</sup> April 2021.**

**RECOMMENDATION**

**Application 21/00219/LBC**

**PERMIT subject to the following conditions:**

- 1. Time limit.**
- 2. Approved plans.**
- 3. Prior approval of the bricks, including the provision of samples, to be used in this repair and reinstatement of the rear elevation including method statement for structural repair of the rear gable.**
- 4. Prior approval of full details for the proposed window and door**
- 5. In all other respects the permitted repairs and alterations shall be carried out in accordance with the submitted details.**

**Reason for Recommendation**

It is considered that the proposed restoration and alterations would result in less than substantial harm, which would be outweighed by the public benefits arising from the repairs to the listed building and reinstatement of the rear elevation to more appropriate proportions.

**Statement as to how the Local Planning Authority has worked in a positive and proactive manner in dealing with the application**

The proposed development follows pre-application discussions, including revisions following those discussions and is considered to be a sustainable form of development and so complies with the provisions of the National Planning Policy Framework.

**Key Issues**

The application is for listed building consent for alterations and refurbishment to the ground floor rear elevation and internal alterations to three rooms on the rear aspect of the ground floor which include the kitchen, back porch and utility areas.

The only consideration in the determination of this application is the impact of the proposal on the listed building and or its setting.

When making a decision on such an application a local planning authority must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest it possesses.

Saved Policy B4 of the Newcastle Local Plan (NLP) states that the Council will resist total or substantial demolition of a listed building, unless exceptionally, an applicant can convince the Council that it is not practicable to continue to use the building for its existing purpose and

there is no other viable use. The weight to be given to such a policy depends on how much it is in accordance with the National Planning Policy Framework (NPPF).

Saved Policy B5: of the NLP states that the Council will resist development proposals that would adversely affect the setting of a listed building and Saved Policy B6: of the NLP states that the Council will resist alterations or additions to a listed building that would adversely affect its character or its architectural or historic features.

The NPPF, at paragraph 192, states that in determining planning applications, local planning authorities should take account of:

- the desirability of sustaining and enhancing the significance of 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 vitality; and
- the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 193 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset such as a Listed Building great weight should be given to the asset's conservation. 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.

In paragraph 195 it is indicated that where a proposed development would 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 loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:-

- The nature of the heritage asset prevents all reasonable uses of the site
- No viable use of heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- Conservation by grant funding or some form of charitable or public ownership is demonstrably not possible; and
- The harm or loss is outweighed by the benefit of bringing the site back into use

Paragraph 196 of the NPPF states 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.

Consultation responses have been received from Shropshire Council who supports the proposed alterations and reinstatement of proportions of the windows which should enhance the setting of the building providing joinery brickwork and pointing is appropriately detailed and conditioned. The Staffordshire Historic Building Trust (SHBT) considers that this is an acceptable scheme to provide modern family kitchen facilities and that the balance has been achieved between modern requirements and acceptable proposals to re-instate internal spaces and external details.

The proposals in more detail are as follows:

- Removal of rear kitchen window installed in 1970's. The proposal seeks repair and reinstatement of the external wall with openings which reinstate classical proportions and restore the symmetry and rhythm of the rear façade (see photograph on page 25 of the Heritage Statement). This will be done by reinstating the left sash window to historic proportions, matching the cill level of other windows, repairing its adjacent brickwork which requires structural support (see explanation on page 15 of the Heritage Statement) and replace the right window with a similar proportioned door (including step formed and finished with York stone) to match the style of window designs to allow access onto the rear terrace.

- Proposed “slim” double glazed new window and door to the rear elevation (further details to follow).
- Remove internal stud partition plasterboard walls erected in the 1970s within rooms on ground floor between kitchen and utility room.
- Block up a doorway and create a doorway.
- Partially demolish brick internal wall between kitchen and utility to form opening to a height of 2.5 metres with bifold doors (leaving the original plan form still readable) with option to create large kitchen diner.

Considerable alterations and changes have been made to the building throughout its existence most particularly in the 1970’s when much of the interior was changed in some way or added to, and perhaps the most significant change being the stripping of internal plaster walls to brick, lining with plasterboard to create a cavity which has been filled with polystyrene insulation and pipework for a heating system. Changes in the past have been undertaken to the windows, window openings with a doorway access into the stone plinth onto the rear terrace from the left hand bay and externally the building was historically rendered. Considerable work has been undertaken to understand the changes for the purposes of this application however the applicant plans to engage a historic building specialist to unpick these changes further which will inform all future work.

A description of works is set out in the bullet points above and on submitted plans. Proposed works are restricted to three of the rear service rooms of the Hall. Much of the work is removing development undertaken in the 1970s including stud walls and the inappropriate window to the rear. The cavity wall is to remain unchanged given the disruption that would be caused. The proposal includes partial loss of an original internal wall and replacement with bifold doors to create an opening into a large kitchen dining room and partial removal of another small section of wall.

Existing windows are glazing bar sash windows with moulded stone/cement surrounds except for two which were removed in the 1970s to create a large window to the rear kitchen. This proposal (see above) proposes to reinstate the window surrounds and sash window to the west (rear) elevation and add a doorway onto the terrace.

The Society for the Protection of Ancient Buildings (SPAB) objected to the previous recent and similar proposal. This application was withdrawn to allow for the provision of further information and clarification. SPAB considered the heritage statement to be inadequate in its assessment of significance and potential impact. Their biggest concern were that the drawings may need checking and that the archive material is also checked, and the building considered by an appropriately qualified professional to ensure aspirations for the building are soundly based. They considered that a case could be made for the removal of the 1970s window on the rear elevation but that there may be another solution. They also specifically objected to the creation of a large opening between the current kitchen and utility rooms and strongly recommend that the proposals are revised to retain more historic fabric and historic plan, and minimise the harm. The Society also commented on the lack of information to enable full assessment of the proposal for double glazing and argue that it is therefore contrary to the NPPF. Their comments on the current application have not as yet been received.

The proposals have been re-submitted with amendments and clarification. The survey drawings external and internal have addressed a drafting error to reflect the current situation as it was accepted this was creating confusion. The applicant has also given further clarification within the heritage statement and justification for the proposals by using archive information. The opening between the kitchen and utility has been reduced in height and the proposed external window cill height has been raised to reflect the cill height of other windows on the rear elevation.

Given the significance of this important building as an early 18<sup>th</sup> century country manor house built in the classical style with 11 bays and a symmetrical form, this proposal, no doubt, results in some loss in authenticity and therefore some harm, albeit less than substantial, to the significance of the building but it also proposes to reinstate that symmetry. This provides

an opportunity with this change to better reveal and enhance the significance of the Hall – in line with Historic England's good practice advice.

Historic England in its technical advice to owners of historic buildings, has much to offer on changing historic windows. It sees the loss of traditional windows from historic buildings one of the major threats to our heritage. The windows not affected by this proposal at Oakley Hall are large single glazed sash windows with glazing bars but are not original. They were replaced probably in the 1970's – certainly the archive photographs show that some of the upper floor windows were 2 over 2 probably sash late Georgian/Victorian windows. Now they are all modern multi-paned sash windows, 6 over 9. An assessment of the significance of a window or windows and the contribution they make to the overall significance of a building is the key first step in deciding the right course of action. Replicas or recreations of fenestration of aesthetic quality will maintain this value and so whilst the windows at Oakley are not original they are good and sensitive copies which match the quality and fine details of the historic windows i.e. the glazing bars are slim and so help to retain the significant fine aesthetics of the building.

The proposed replacements are slim double glazed timber windows which can retain the proportions of the windows whilst providing some additional energy efficiency measures. To enable a full evaluation of this aspect of the proposal and how it will affect the significance of the house further details and assessment are required. It is therefore proposed to add a condition to the application for the applicant provide further details on the glazing units. This and perhaps a sample will make it possible to decide if this is the right approach for the two new openings. If it is not possible then these windows will be single glazed.

Policy B4 relates to total or substantial demolition of a Listed Building which in this case does not apply. Policy B5 refers the setting of a Listed Building and arguably much of the work is internal and does not apply. The wider setting is the presence of the Georgian Hall within its parkland setting by the lake and the external change is the reinstatement of the window proportions to the rear elevation. This aspect of the proposal does not affect the wider setting of the hall within its parkland, and if it has any local effect from the lakeside view then it is a positive effect by reinstatement of the window proportions.

Oakley is a large hall and, as set out above, has already undergone many changes both to its structure internally and externally. It has still retained its significance as a large country house set in its parkland setting. Its plan form internally can still be read although this too has undergone changes through the centuries and decades. In the circumstances it is considered that the proposed alterations to three rooms would result in less than substantial harm to the designated heritage asset (the Listed Building). Such harm, however, is outweighed by the public benefits arising from the repair to the listed building on the rear elevation and to removing the insensitive window which damaged the uniformity and harmony of the rear façade which provides an opportunity to better reveal the buildings significance.

## APPENDIX

### **Policies and Proposals in the Approved Development Plan relevant to this decision:-**

[Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy \(CSS\) 2006 – 2026](#)

Policy CSP2: Historic Environment

[Newcastle-under-Lyme Local Plan \(NLP\) 2011](#)

Policy B4: Demolition of Listed Buildings

Policy B5: Control of Development Affecting the Setting of a Listed Building

Policy B6: Extensions or Alterations to Listed Buildings

### **Other Material Considerations**

[National Planning Policy Framework \(2019\)](#)

[Planning Practice Guidance \(PPG\) \(March 2014\)](#)

[Historic England: Traditional Windows: their care, repair and upgrading \(2017\)](#)

[Historic England: Traditional Windows: their care, repair and upgrading](#)

### **Relevant Planning History**

NNRLB9 (1972)	General improvements and restoration to the Hall	PERMIT
21/00056/LBC	Repairs refurbishment and alterations to the rear façade and interior of Oakley Hall.	WITHDRAWN

### **Views of Consultees**

On the basis of the information available to date **Historic England** do not wish to offer any comments and are happy to defer to the Council's detailed knowledge of the building.

The **Staffordshire Historic Buildings Trust** has considered the amended submission and thinks that an acceptable scheme to provide modern family kitchen facilities has been proposed. The Trust finds the balance has been achieved between modern requirements and the acceptable proposals to re-instate internal spaces and external details.

**Loggerheads Parish Council** has no objections

**Shropshire Council** supports the proposed alterations and reinstatement of proportions of the windows which should enhance the setting of the building providing joinery brickwork and pointing is appropriately detailed.

The **Conservation Advisory Working Party** will consider the application at its meeting on 23 March.

The views of the **Georgian Group; Twentieth Century Society; Victorian Society; and The Society for the Protection of Ancient Buildings** have been sought and will be reported if received.

### **Representations**

None received.

### **Applicant/agent's submission**

The applications are supported by the following documents;

- Design and Access and Heritage Statement (amended 8 March 2021)

The documents can be viewed by following the links below

<http://publicaccess.newcastle-staffs.gov.uk/online-applications/PLAN/21/00219/LBC>

#### Background Papers

Planning File

Planning Documents referred to

Historic England's - Managing Significance in Decision-making in the Historic Environment

Good practice advice note (2) (2015)

Historic England – Traditional Windows: their care repair and upgrading (2014)

#### Date Report Prepared

15 March 2021