

OAKLEY HALL, OAKLEY, MARKET DRAYTON
MR AND MRS GHANI

21/00503/LBC

The application is for listed building consent for refurbishment and alterations to the partial 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 14th July 2021 and an extension of time has been agreed until 22nd July 2021.

RECOMMENDATION

Application 21/00503/LBC

PERMIT subject to the following conditions:

- 1. Time limit.**
- 2. Approved plans.**
- 3. Approval is sought, prior to installation, for the details of fixings for new partition walls.**
- 4. Approval of details for the proposed interior panelled door design and architraves with appropriate mouldings**
- 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 alterations would result in less than substantial harm, which would be outweighed by the public benefits arising from the refurbishment to the listed building.

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 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 internal alterations to rooms on the front south corner of the ground floor which includes an apartment.

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

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. Policy B4 relates to total or substantial demolition of a Listed Building which in this case does not apply. Policy B5 refers to the setting of a Listed Building and all of the work is internal and does not apply.

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 Loggerheads Parish Council who have no objections and Historic England who have no comments to make and defer to the Council's specialist advice.

The proposals, which are restricted to front southern corner of the Hall, are as follows.

- Removal of lightweight partitioning to current bedroom(2) bathroom and passageway within apartment and erect new partition walls to create new boot room and utility. Form new opening off the main side corridor into Boot room. Removal of suspended ceiling and re-open up existing chimney breast from behind partition.
- Create a shower room in the current store, infill doorway and create new doorway. Re-order the existing lobby and WC off the main hall moving stud walling.
- Create new family room in former bedroom(1) and lounge by re-opening doorway and enlarging it to 1.8m wide and 3m high. Infill doorway from bedroom (2) into family room. Open up blocked chimney breast in corner.

Extensive 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 including 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 and externally the building was historically rendered. Considerable work has been undertaken to understand the changes and a comprehensive heritage statement provides more detail on the heritage significance of the building. A description of works is set out in the bullet points above and on submitted plans. An original floor plan on Plate 148 of the Heritage Statement also aides understanding of the various changes the building has undergone.

Given the significance of this important building as an early 18th century country manor house built in the classical style with 11 bays and a symmetrical form, this proposal, results in some loss in authenticity and therefore some harm, albeit less than substantial, to the significance of the building. The Heritage Statement assesses the apartment as having medium heritage significance overall, due to the level of change this section of the Hall has undergone, the individual rooms are seen as having low-medium heritage significance.

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.

The existing lightweight partition walls are non-original fabric, as is the existing suspended ceiling and harm the ability to appreciate that original room, so their careful removal will cause no harm to the heritage significance of the building. The removal of the walls and ceiling will thus better reveal the plan form of this area. The proposed erection of two new partition walls to create a Boot Room and a Utility Room will again subdivide this area but to a lesser degree, as its full width will be revealed and will enable it to be better appreciated. The new partition walls will be lightweight stud walls, lightly fixed to the existing walls and will be reversible, without causing any damage to historic fabric. If the original plaster cornice survives, it will be conserved.

It is proposed that a condition will be added to ensure that the new door into the boot room will have an appropriate panelled design and architraves with appropriate mouldings and that any minor damage to any historic plaster will be made good with lime plaster. It is proposed that the existing doorway into the existing Bedroom 1 will be infilled with salvaged bricks but with a straight joint so that it is potentially reversible without causing any damage to historic fabric.

Opening the wall between the new family room involves a small loss of historic fabric but: a) it will not involve the loss of any decorative fabric; b) substantial sections of the wall will be retained on each side of the opening and; c) a substantial area of wall will be retained over the opening. The original wall and its role in separating the rooms will thus remain fully legible and the harm to the original floor plan will thus be minimal.

In the circumstances it is considered that the proposed alterations to this part of the Hall would result no overall harmful impact to the heritage significance of Oakley hall. The balance has been achieved between modern requirements and acceptable proposals to re-instate internal spaces and external details - no net harm is caused, as stated in the information provided by the applicant. The proposed works provide an opportunity to better reveal the buildings significance and have been informed by the understanding of the significance of the building through the Heritage Statement.

Reducing Inequalities

The Equality Act 2010 says public authorities must comply with the public sector equality duty in addition to the duty not to discriminate. The public sector equality duty requires public authorities to consider or think about how their policies or decisions affect people who

are protected under the Equality Act. If a public authority hasn't properly considered its public sector equality duty it can be challenged in the courts.

The duty aims to make sure public authorities think about things like discrimination and the needs of people who are disadvantaged or suffer inequality, when they make decisions.

People are protected under the Act if they have protected characteristics. The characteristics that are protected in relation to the public sector equality duty are:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

When public authorities carry out their functions the Equality Act says they must have due regard or think about the need to:

- Eliminate unlawful discrimination
- Advance equality of opportunity between people who share a protected characteristic and those who don't
- Foster or encourage good relations between people who share a protected characteristic and those who don't

With regard to this proposal it is considered that it will not have a differential impact on those with protected characteristics.

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 \(PPG\) \(March 2014\)](#)

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
21/00219/LBC	Repairs refurbishment and alterations to the rear façade and interior of Oakley Hall.	APPROVED

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.

Loggerheads Parish Council has no objections

The **Conservation Advisory Working Party** accepted the alterations but wanted to ensure that any details, like architraves and the fireplace, that were uncovered were repaired and reinstated as appropriate. There are also no details of proposed new internal doors and this should also be conditioned for approval by the LPA to ensure the design is sensitive to the Grade II* Listed Building. Concern was raised over the ventilation of the wet room, given its location in the centre of the property. The Group wanted to condition an architectural watching brief at each stage of the process so that informed judgements could be made on findings and how to treat these.

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 Statement (May 2021)
- Heritage Statement (May 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)

Date Report Prepared

5 July 2021