

Planning Committee

16 April 2008



**Sedgefield Borough Local Development Framework – Consultation Draft
Windlestone Hall Supplementary Planning Document**

Report of Rod Lugg, Head of Environment and Planning

Purpose of the Report

- 1 To advise the Planning Committee of a consultation by Sedgefield Borough Council on a Supplementary Planning Document relating to Windlestone Hall near Chilton. Once adopted, the Supplementary Planning Document will form part of the Sedgefield Borough Local Development Framework. Members are asked to endorse the comments in paragraphs 7 to 13 as the County Council's formal response. Copies of the consultation document have been placed in the Members' Resource Centre.

Background

- 2 The Planning and Compulsory Purchase Act 2004 requires all District or Borough Councils to prepare a Local Development Framework comprising a number of spatial planning documents known as Development Plan Documents to replace their existing Local Plans. In addition Councils can also prepare optional Supplementary Planning Documents. These documents, whilst not forming part of the statutory development plan, can be used to expand policy or provide further detail to policies in Development Plan Documents. Whilst informed by community involvement, unlike Development Plan Documents, they will not be subject to independent examination.
- 3 Windlestone Hall was specifically constructed for the residential use of the Eden Family and is now owned by the County Council. Up until August 2006 the Hall was used by the County Council as a Special School. The area subject to the provisions of the consultation document extends to some 10.3ha and encompasses the Hall with its 1970's extension, stable block, clock tower and other ancillary buildings together with related estate land including former gardens, woodland and pasture land. The site is of historical and architectural importance and contains a large number of listed buildings and structures including two Grade II* Listed Buildings, two Grade II Listed Buildings and seven Grade II Listed Structures. The site also contains part of a Grade II Registered Historic Park and Garden and is designated as a Conservation Area.

- 4 The Hall and the estate was marketed by the County Council during the period April to June 2006 and a preferred developer has now been identified who, subject to securing planning permission, proposes to convert the Hall to residential use. Given the closure of the School in August 2006 and the financial cost to the County Council of maintaining and securing the building the introduction of a viable use which protects, enhances and safeguards the intrinsic qualities of the building and the surrounding site is a priority for the County Council.

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- 5 The consultation document seeks to provide detailed advice and guidance covering the redevelopment of the Hall and the surrounding estate land so that it protects and enhances the intrinsic value of the Grade II* Listed Building, its setting and other constituent elements that are currently being offered for sale by the County Council. The intent is that the document would then constitute a material consideration in the determination of any planning application concerning the Hall and the estate. The document summarises the relevant national, regional and local plan policy context. The Supplementary Planning Document is explicitly linked to the 'saved' Policies E2 and E18 of the adopted Sedgfield Borough Local Plan (October 1996). These policies seek to protect and enhance Historic Parklands (E2) and the built environment in the Borough (E18). In particular Policy E18 seeks to protect and enhance the character and appearance of conservation areas and their settings. The document sets out a development framework for each component of the Hall and estate which includes:

- Windlestone Hall – the Grade II* Listed building should be retained;
- Extension to Windlestone Hall – the 1970s extension to the rear of the Hall detracts from the character of the site and should be demolished;
- Former terraces (south and west of the Hall) – a comprehensive restoration plan and programme should be provided;
- Stable blocks (north and north-west of the hall) – these buildings should be retained and re-used appropriately;
- Clock tower – this feature should be restored in any development proposal;
- Staff accommodation unit – this should be demolished. However, if this is not feasible, its discreet position offers some scope for re-use;
- Other buildings – other unsympathetic buildings should be demolished;
- Listed structures - these structures should be retained and restored;
- Historic Parkland and open spaces – these should be restored, retained and enhanced; and
- Trees and Woodlands – the 2nd largest beech tree in the County should be protected.

- 6 The consultation document also contains a number of key recommendations including that at the outset a thorough appraisal of the archaeological, historical and biodiversity potential of the property is undertaken; that a site wide Conservation Plan must be prepared; that all Listed Buildings within the site must be retained by introducing uses that provide benefits to the local community and will be compatible to the preservation and the enhancement of the historic buildings, structures and biodiversity; that all unsympathetic, uncharacteristic and relatively recent additions to the Hall and its curtilage be removed; that the open spaces and the historic park and garden around the buildings are restored and enhanced. The document also contains a general presumption against any enabling development (this is development that is contrary to established planning policy – national or local – but which is occasionally permitted because it brings public benefits that have been clearly demonstrated to outweigh the harm that would be caused) on the site unless it meets the tests set out in English Heritage’s policy statement “Enabling Development and the Conservation of Heritage Assets”. In addition the document specifies that the appropriate uses for the site are considered to be hotel, office and institutional use before residential, in strict preferential order.

Response to Consultation

- 7 The detailed development framework for the Hall is generally welcomed as it provides explicit guidance to potential developers about what type of development, repair or restoration would be acceptable including the retention of Listed Buildings and structures and the demolition of unsympathetic, uncharacteristic and relatively recent additions in order to preserve and enhance the historic buildings and their setting. An amendment is, however, suggested to the proposed wording in relation to the clock tower. This is because listed building legislation imposes an objective limitation on repair works so that the maximum that can be required is for the restoration of a building to the “state at which the building was listed” and not “restoration to former splendour”.
- 8 The majority of the key recommendations contained within the document for the Hall generally appear appropriate. However, it is considered that the approach of specifying appropriate uses within the document i.e. hotel, office and institutional uses before residential, in a strict preferential order (key recommendation (c)) may not be appropriate and should be reconsidered in order to reflect the provisions of national guidance.
- 9 Planning Policy Guidance Note 15 (PPG15) ‘Planning and the Historic Environment’ specifies that, ‘The best use will very often be the use for which the building was designed, and the continuation or reinstatement of that use should certainly be the first option when the future of a building is considered’, ‘Policies for development and listed building controls should recognise the need for flexibility where new uses have to be considered to secure a building’s survival’, (paragraph 3.10 of

PPG15). 'Generally the best way of securing the upkeep of historic buildings and areas is to keep them in active use. For the great majority this may mean economically viable uses if they are to survive, and new and even continuing uses will often necessitate some degree of adaptation' (paragraph 3.8 of PPG15). 'New uses may often be the key to a building's or area's preservation, and controls over land use, density, plot ratio, day lighting and other planning matters should be exercised sympathetically where this would enable a historic building or area to be given a new lease of life. The Secretary of State is not generally in favour of tightening development controls over changes of use as a specific instrument of conservation policy. He considers that, in general, the same provisions on change of use should apply to historic buildings as to all others. Patterns of economic activity inevitably change over time, and it would be unrealistic to seek to prevent such change by the use of planning controls' (paragraph 2.18 of PPG15).

- 10 Planning Policy Statement 7 (PPS7) 'Sustainable Development in Rural Areas' indicates that the 're-use of buildings in the countryside for economic development purposes will usually be preferable, *but residential conversions may be more appropriate in some locations, and for some types of building*'. PPS7 also specifically highlights, 'the need to preserve, or the desirability of preserving buildings of historic or architectural importance or interest, or which would otherwise contribute to local character' (paragraph 17 of PPS7). Taking into account the guidance in PPS7 it is suggested that the key test should be that the applicant needs to demonstrate that the re-use of the Hall and estate preserves and enhances the character and setting of the listed buildings and structures. Should the Borough Council retain the approach of encouraging hotel, office and institutional uses before residential uses, it is recommended that the document clarifies how this preferential approach would be applied and provides details of the specific tests that should be applied in considering alternative uses.
- 11 The document refers to a presumption against 'enabling development' as defined at paragraph 6. However, it needs to provide clarity for those exceptional cases where some additional new development may be the best solution for conserving the listed buildings. The document could usefully set out the approach to new buildings in the grounds of the Hall and estate, for example PPG15 specifies that, 'the design of new buildings intended to stand alongside historic buildings needs very careful consideration. In general it is better that old buildings are not set apart, but are woven into the fabric of the living and working community. This can be done, provided that the new buildings are carefully designed to respect their setting, follow fundamental architectural principles of scale, height, massing and alignment, and use appropriate materials.'
- 12 The document refers to the accessibility of the Hall in relation to the highway network and the need for the applicant to seek detailed guidance from the County Highways Authority. This is welcomed. The County Highways Authority has provided detailed highways comments on the document and these will be forwarded to the Borough Council for

their attention. These comments include the need for a detailed assessment of junction arrangement onto the A689 and the potential for highway improvements including a relocated access onto the A689 and improvement to both the nearby bus stop arrangements and the public footways from the gated entrance to the existing bus stops.

- 13 The implementation plan seeks to provide clarity on what information should be submitted by an applicant. An omission which needs to be rectified is the lack of any reference to the long term maintenance of the Hall and estate, particularly if these are to be in multiple ownership.

Conclusion

- 14 Windlestone Hall and the surrounding estate are of considerable importance to the County's cultural, architectural and historic heritage. Subject to preceding comments, the draft document is welcomed given the pressing need to find a new and viable use for the Hall and the estate, which recognises the site's significance and the requirement to preserve and enhance the historic buildings and their setting within the Windlestone Hall Conservation Area and surrounding Historic Park and Garden.

Recommendation and Reasons

- 15 The Committee is recommended to endorse the comments in Paragraphs 7 to 13 as the County Council's formal response to the consultation on the draft Windlestone Hall Supplementary Planning Document.

Background Papers:

Draft Windlestone Hall Supplementary Planning Document March 2008

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Appendix 1: Implications

Local Government Review - Does the decision impact upon a future Unitary Council?

The Government has urged local authorities in areas affected by future Unitary Authorities not to delay preparation of LDFs and it is important for the County Council to continue to respond to district council consultations in the interim.

Finance

Continuing ownership of the Hall and Estate obliges the Council to maintain and provide security to the Hall and estate.

Staffing

None.

Equality and Diversity

None.

Accommodation

None.

Crime and Disorder

None.

Sustainability

The Supplementary Planning Document seeks to provide a framework for the redevelopment of Windlestone Hall. The redevelopment and re-use of existing buildings for alternative uses is a key element of sustainability. A sustainability appraisal report also accompanies the draft Supplementary Planning Document.

Human Rights

None.

Localities and Rurality

The Supplementary Planning Document focuses on Windlestone Hall and its immediate surroundings only.

Young People

The planning system promotes community involvement including that of young people.

Consultation

Sedgefield Borough Council requires a response on the consultation document by 28 April 2008.

Health

None.