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01/2014/1331/LB

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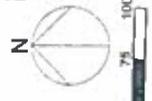


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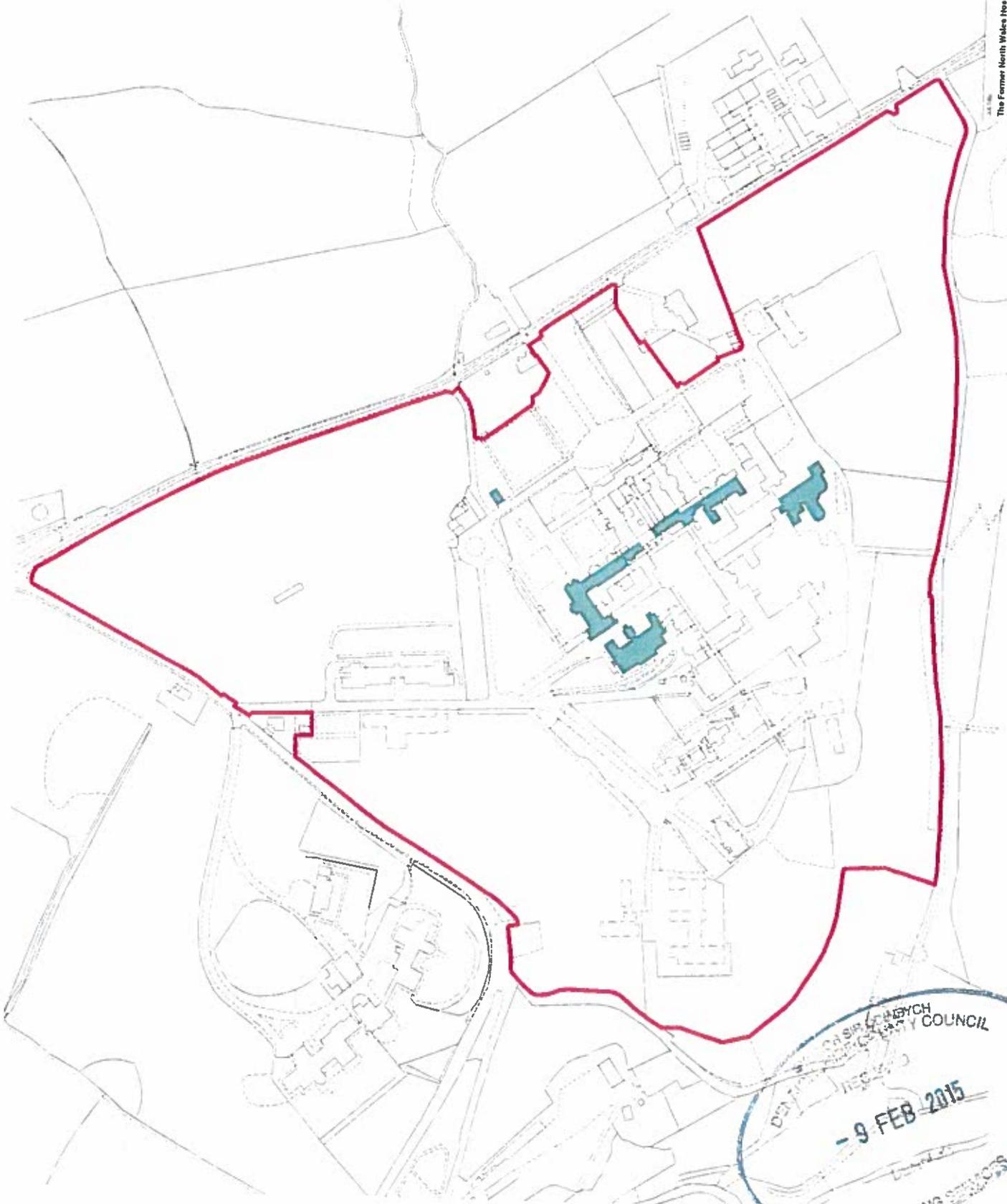
Other listed buildings to be subject of a further application for Listed Building Consent application for demolition



BUILDINGS TO BE DEMOLISHED
01 2014/1330/PF



ADDITIONAL PLAN



Site Name: The Former North Wales Hospital Design
Site Plan as Existing -
Additional buildings to be demolished
Proposed Development

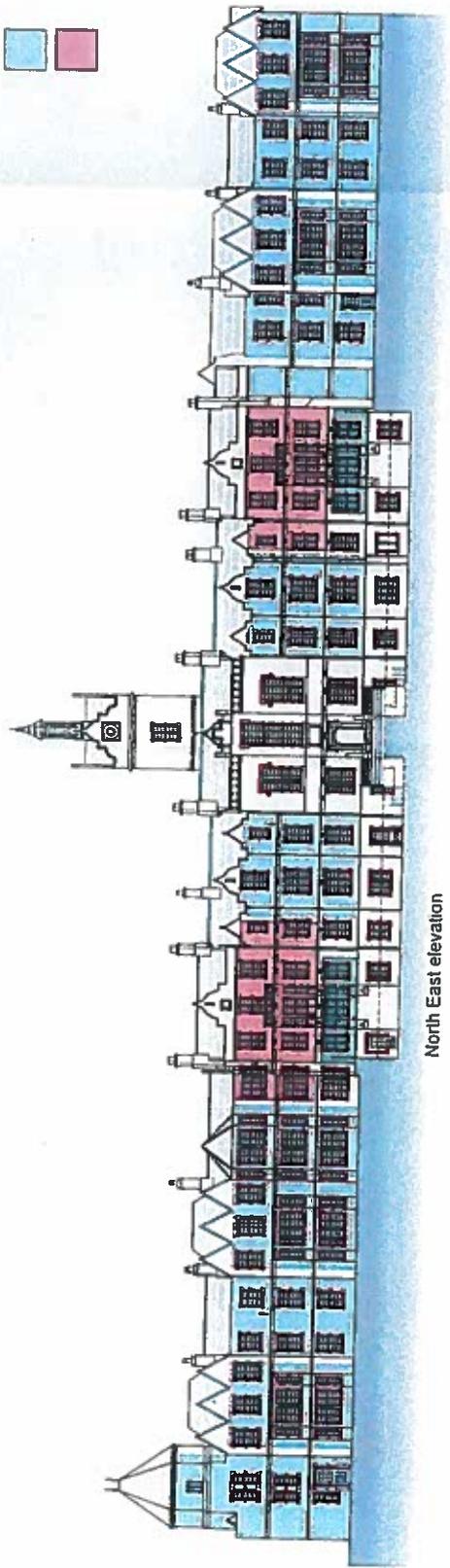
ID: 1314.10
Date: 08.01.14
Scale: 1:2500
Author: Alan
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Project: AL12

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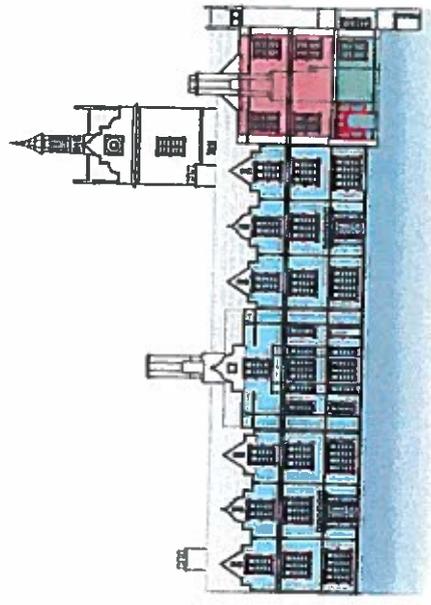
DEVELOPMENT SERVICES
PLANNING SERVICES
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01 2014/1330/PF

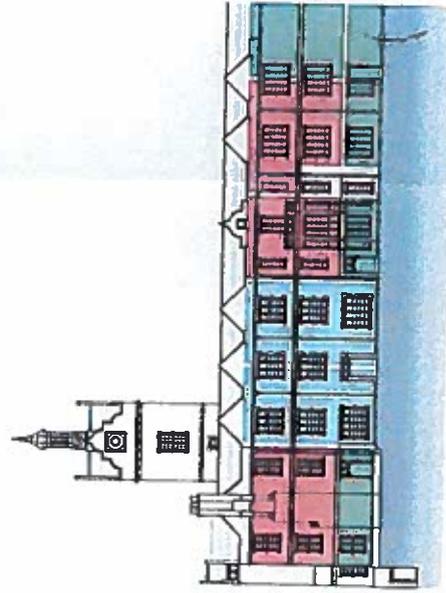
- KEY:
- 1/2 Bed Flat
 - 3/4 Bed Town House
 - 1/2 / 3 Bed Maisonette



North East elevation



South East elevation



North West elevation

MAIN LISTED BUILDING
PROPOSED ELEVATIONS - FRONT SIDES



27 NOV 2014

Job Title	The Former North Wales Hospital Demolish Proposed Development		
Drawing Title	Elevations; as Proposed - Main Listed Building		
Client	06.01.14	Client	
Drawn	1314.10	Scale	1:500 @ A3
Checked		Work Stage	
Drawn by	Graham Frecknall Architecture & Design		
Drawn by Number	1314.10		
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Drawn by Email	AL.0.114		
Rev	(-)		

Revisions

Notes
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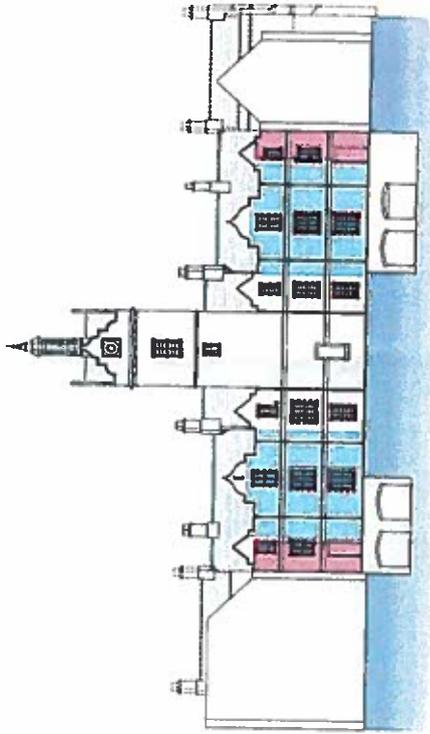
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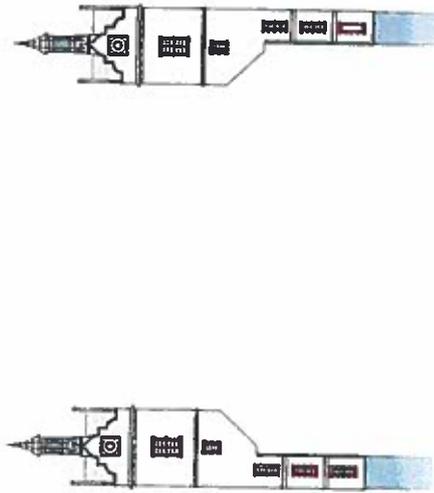
1/2 Bed Flat

3/4 Bed Town House

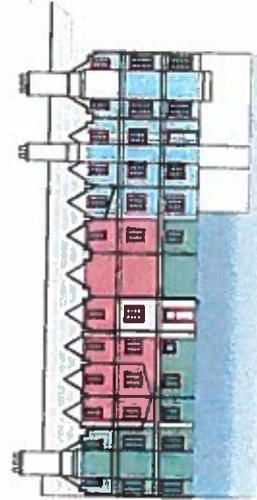
1/2 / 3 Bed Maisonette



South West elevation



North West elevation
27 NOV 2014



South East elevation

MAIN LISTED BUILDINGS
PROPOSED ELEVATIONS -
REAR



Revisions

Note
Use NOT scale of this drawing
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Job Title
The Former North Wales Hospital Denbigh
Proposed Development

Drawing Title
Elevations: as Proposed -
Main Listed Building

Date
08.01.14

Client
Wales Sleeps

Scale
1:400g.a1

Job Number
1314.10

Drawing Number
AL.0.115

Author
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WARD : Denbigh Upper / Henllan

WARD MEMBERS: Councillors Colin Hughes and Geraint Lloyd Williams

APPLICATION NO: 01/2014/1331/ LB

PROPOSAL: Proposed works on main range buildings including partial demolition and reconstruction, and demolition of buildings to rear and north of main range (Listed Building application)

LOCATION: Former North Wales Hospital Denbigh

APPLICANT: Prince's Regeneration Trust

CONSTRAINTS: Listed Buildings

PUBLICITY UNDERTAKEN: Site Notice – Yes
Press Notice – Yes
Neighbour letters - Yes

REASON(S) APPLICATION REPORTED TO COMMITTEE:

Scheme of Delegation Part 2

- Referral by Head of Planning / Development Control Manager

CONSULTATION RESPONSES:

DENBIGH TOWN COUNCIL

“The Town Council does not wish to raise any objections to the application”

DENBIGH CIVIC SOCIETY

No response received

DENBIGHSHIRE HISTORIC SOCIETY

No response received

CLWYD POWYS ARCHAEOLOGICAL TRUST (CPAT)

Advises that prior archaeological assessment has been completed by CPAT for the historic buildings at the site in relation to the 2004 planning application. Additional work will be necessary to bring the basic level of recording up to standard in relation to buildings to be demolished and those for which there was no internal access. Have concerns over the loss of the gasworks buildings which it is considered preferable to retain, but if this is to be permitted, will require a full record up to English Heritage Level 4. Suggests inclusion of a condition on any permission to secure the appropriate level of recording for the buildings.

CADW (ANCIENT MONUMENTS ADMINISTRATION)

No response received

AMENITY BODIES:

ROYAL COMMISSION ON THE ANCIENT & HISTORICAL MONUMENTS IN WALES
Remit permits RCAHMW to comment only on the historical significance and context of a monument or structure and on the adequacy or otherwise of the record. The proposal to retain and restore the mid 19th Century main building is in principle to be welcomed. Request as a condition of consent that the applicant makes a photographic record of the ranges to be demolished for deposit in the National Monuments Record of Wales.

GEORGIAN GROUP WALES

North Wales Hospital was built between 1844 and 1848, therefore lies outside the Group's date period. Suggest the Victorian Society would be in a more appropriate position to comment.

ANCIENT MONUMENTS SOCIETY

Do not see anything of great concern.

COUNCIL FOR BRITISH ARCHAEOLOGY

No response received

VICTORIAN SOCIETY

No objection to the proposals. Remain supportive of the principle of ensuring the preservation and sympathetic re-use of this exceptionally important site. The Hospital is probably the single most significant building of its type in the country. It is imperative that its more notable elements are preserved and restored. Accepts that whilst regrettable, a certain amount of demolition of some of the later buildings may be necessary in order to limit the extent of enabling development and ultimately to secure the future of the hospital. Extent of demolition should be the minimum required in order to deliver a viable and acceptable scheme.

SOCIETY FOR THE PROTECTION OF ANCIENT BUILDINGS

No response received

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –

Conservation Architect

Reluctantly accepts the need for further demolition and raises no objections, subject to control over the detailing of exposed parts of buildings to be retained. Refers to the background history and addresses the tests in Welsh Office Circular 61/96 in relation to demolition proposals.

Archaeologist

No response received

RESPONSE TO PUBLICITY:

In objection

None

(There are objections on behalf of the owner of the property to the main planning application 01/2014/1330 which deal primarily with viability and ecological matters. These do not contain specific objections to the listed building consent application).

In support

Representations received from:

Roger Jarvis, Castan Manor, Prion Road, Denbigh

Summary of planning based representations in support:

Scheme would save part of Denbigh's heritage

Scheme is feasible as management would rest with a non-profit Trust with experience of such projects

Inward investment to Denbigh would be enormous (jobs, housing, trade skills / local businesses etc.)

EXPIRY DATE OF APPLICATION: 21/01/2015

REASONS FOR DELAY IN DECISION (where applicable):

- additional information required from applicant
- application linked to planning application 01/2014/1330

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

1.1.1 The application seeks listed building consent to carry out works involving the alteration, extension, and part demolition of the main Grade II* buildings, and the demolition of Grade II listed buildings around the main range at the former north Wales Hospital. The location and extent of these proposals is highlighted on the plans at the front of the report.

1.1.2 The proposals involve:

In relation to the Grade II* main block and rear wings – The removal of the rear walls of the buildings and their reconstruction to allow the widening of the building to create space for the conversion to apartments in this part of the block, with associated alterations.

In relation to the demolition of Grade II buildings at the rear of the main block – Demolition of the former Ogwen and Hafan Wards, and the North Wing of the main block, and a detached building to the north of the main range next to the old bowling green.

1.1.3 The proposals are submitted in parallel with planning application 01/2014/1330/PF which relates to the conversion of the buildings, and the development of land in the grounds of the former hospital. This item is the subject of the previous report on the agenda, application 01/2014/1330.

1.1.4 The planning and listed building applications are submitted by a planning consultancy, Asbri Planning Ltd., as agents acting on behalf of the Prince's Regeneration Trust. A comprehensive background to the submissions is outlined in detail in the preceding report on the agenda.

1.1.5 The main documents in the submission which are of relevance to the listed building issues are :

- a Development Brief incorporating a Design and Access Statement and Listed Building justification Statement

- a Development Appraisal
- a Statement of Community Consultation
- a Landscape and Visual Impact Assessment
- a Conservation Statement
- an Arboricultural Statement
- the application forms, ownership certificate, and a range of plans showing the Main Range of buildings and others to be demolished, plans of the restoration of the Main Listed Building and the proposed 'enabling' development

A plan showing the extent of demolition proposed, and elevation and floor plans showing the proposals for the Main Range of buildings are attached at the front of the report.

- 1.1.6 To set the context for the listed building consent application, the proposals for the site involve the change of use and adaptation of the Grade II* buildings and rear wings to 34 apartments, which are linked in the planning application with the phased development of land within the grounds for residential and business / community purposes, as a form of 'enabling development' to fund the works on the listed buildings.

1.1.7 Details of the listed building consent proposals:

The submitted Development Plan is copied at the head of the report and needs to be read in conjunction with the supporting documents to fully understand how the proposals fit in with the ideas for the phasing of the development, which are numbered 1-6 on the Plan.

In summary –The Development Brief states the Phase 1 proposals involve the restoration of the main range Listed Buildings and wider parkland setting, and that the delivery of this element of Phase 1 will be staggered throughout all phases of the development, with the delivery of the residential units within the buildings being anticipated in Phases 2, 3, and 4.

Each of the phases of residential development is linked to restoration works on the main range of listed buildings, funded from the capital receipts from the sale of land. It is indicated that the capital receipts from the sale of the Phase 5 land would fund the development of the business units and any outstanding works to the main listed buildings, completion of infrastructure, landscaping, walkways, cycleways, and open space provision.

The Phase 6 development is intended to fund business units and live/work units, and to facilitate (with match funding) the restoration of the other listed buildings not identified for alternative uses at this stage.

There are no specific proposals in the application in relation to the Nurses Home, the Chapel, Mortuary or Aled Ward buildings, which are indicated as 'buildings that could be retained if a suitable end use is found and viability allows'.

The business and community uses are indicated in the area immediately to the rear of the Main Range buildings to be retained / adapted.

- 1.1.8 A summary of the contents of the aforementioned supporting documents follows. These are all public documents available for inspection:

The Development Brief incorporating a Design and Access Statement and Listed Building Justification Statement

This is a lengthy document produced by Asbri Planning for the Prince's Regeneration Trust. It is split into 8 sections, including an introduction and conclusion, with detailed assessment of the context, history of the site, site description, opportunities and constraints, a planning strategy and justification section, and design objectives.

The Vision Statement at the start of the Brief emphasises this is an exceptional group of historic buildings which has fallen into severe decay but has the potential to be transformed into a highly desirable place to live and work. It refers to the history of the building and its architectural value, and to the collaboration between the County Council, The North Wales Building Preservation Trust, and The Prince's Regeneration Trust in putting together a vision for an exemplar regeneration project to rescue the Hospital. It argues the delivery of the project will not just benefit the town and the locality, but set a standard for heritage regeneration across Wales. It outlines the proposals to restore the key listed buildings and the parkland setting through being brought into appropriate new uses; the intention to deliver a number of phases of new build development, including residential, employment, and community uses, all taking account of the setting of the listed buildings and the constraints of the site, in order to create the highest standard of development.

The document goes into considerable detail in its 8 sections on the background to the current submission, including a review of the application granted permission in 2006, the 2008 listed building consent, and developments since that time, including the service of an Urgent Works Notice and Dangerous Buildings Notice by the Council in 2011, a Repairs Notice in 2013, and a Compulsory Purchase Order Notice in June 2014. It outlines the proposed phases of development and the links to restoration works on the main buildings. It offers detailed guidance on design principles to be adopted in relation to the proposed phases of development. The brief argues the proposals are compliant with the thrust of national and local planning policy and guidance.

The Justification Statement of Demolition and the protection of the setting of the main range of listed buildings suggests certain demolition is unavoidable as a consequence of the deterioration of a number of the buildings and the constraint they impose on viable redevelopment of the site. It is argued that the extent of demolition is required to facilitate the redevelopment, in order to secure the most important historic assets, identified as the main range of the original hospital buildings. There is reference to this principle being accepted in the handling of the 2004 planning application. The statement contains Aesthetic and Economic justification for the demolition and alludes to previous conclusions reached on the case for demolition in studies for previous owners and the Council, concluding that the approach to demolition is supported by Welsh Office Circular 61/96 and the Council's Development Brief adopted in May 2014.

The Concluding section of the brief reiterates the background to the proposals and the reasons for the promotion of the planning and listed building consent applications to facilitate the preservation of the Hospital, involving funding via

enabling works within the grounds. It is argued that the extent of development required to fund restoration works on the main listed buildings is determined by the Development Appraisal and is the minimum required to secure the funds to preserve these buildings; that the principle of the developments is acceptable in relation to planning policy, and has been consented to previously; that the provision of additional residential land will benefit the County Council in light of the shortfall in its housing land supply; and that the local impacts of the developments would not be unacceptable. The final paragraph states – “ The DB (Development Brief) demonstrates the proposed development will secure the long term future of the North Wales Hospital, which is an important Heritage asset, whilst also meeting the necessary planning policy requirements and providing economic and social benefit to the local community”.

The Development Appraisal

This is a 21 page document with appendices prepared by Strutt and Parker in June 2014, providing advice on the viability of the proposed development for the regeneration of the former Denbigh Hospital.

The Executive Summary indicates that the report offers opinion on the potential revenue from the conversion of the Grade II* Building into residential units, the potential revenue from the sale of enabling land to generate funds towards the restoration of the Grade II* building and the proposed business units, in the context of the policies of the Local Development Plan.

The summary of the findings is that the income from the sale of converted units, the sale of ancillary properties, and the sale of enabling land (£3.5m) would be £11.85m. The costs, including build costs, finance, developer profit (less savings due to completed remedial works) would be £12.2m – hence without the sale of enabling land, there is a potential shortfall of £3.74m. The report provides commentary on the assumptions which underpin the appraisal, which it is accepted could affect different values / costings.

The Summary and Conclusions section contains the following statement – “ Our conclusions suggests that the proposed scheme, including the revenue from the sale of Enabling Development land is marginal and will need some outside funding to support the infrastructure and possibly the building of the commercial units”. The appraisal suggests that on the information available, the best case scenario is break even assuming no further grant funding. It stresses that any analysis is sensitive to small fluctuations in sales prices, costs, and timescales, and that with the whole scheme being marginal, it is important that these are as accurate as possible. It stresses the need for a comprehensive appraisal of likely infrastructure costs which could have a considerable bearing in the viability of the project.

Statement of Community Consultation

This report prepared by Asbri Planning provides information on a consultation exercise undertaken on the 12th November 2014 in the form of a public exhibition of the proposals in Denbigh Library.

It suggests the exercise was successful in engaging with the local community in communicating the plans, and that the proposals are largely supported to ensure an important part of Denbigh's history is saved. The exhibition was attended by 78 persons, 16 completed a response form; 12 in favour of the development, 3 against and 2 neither for nor against. The points of concern

were the need for residential development, traffic generated along Love Lane, and proximity to a private dwelling.

The Landscape and Visual Impact Assessment

This report was prepared by Anthony Jellard Associates and advises its assessment is in accordance with nationally agreed best practice standards for addressing impacts, including at and after construction stage, and when mitigation planting becomes established.

The conclusions are that while the landscape character of the site itself will significantly change, the overall effects on the surrounding landscape will not be significant; that there will only be limited and localised changes to topography; the indicative masterplan will create a strong landscape structure for the development; the essential setting of the listed buildings will be maintained; there are no significant residual visual significant effects identified for residential receptors, road users, or Public Rights of Way around the site; no cumulative landscape and visual effects have been identified; and no designated landscapes have been identified as being affected. It suggests the proposal complies with applicable policies relating to landscape and that the regeneration proposals would bring this fine collection of listed buildings back into positive use within a high quality landscape setting.

The Conservation Statement

This 55 page Statement, with appendices, provides a detailed review of the significance of the Listed buildings, and includes a summary of their history and analysis of their architectural character; the vulnerabilities and conservation issues, and provides a guide for the emerging project in best protecting the significance of the buildings. It sets out the Denbigh Hospital Steering Group's vision for the site (to retain the key listed buildings and their parkland setting into appropriate new uses, and to protect views into and out of the site especially from the town).

The conclusions suggest Denbigh Hospital has a high level of significance but is in a critical condition and at risk of being lost for ever if further action is not taken to bring it back into use. It is suggested that it is capable of adaptive reuse to a viable future that will celebrate its heritage; including primarily residential, but also commercial and community uses; that tight controls are necessary over work on the buildings and their setting, in order to preserve the key historic character. The final section highlights the fact that there are few places in the UK which illustrate this type of Victorian institution, and the relative completeness and architectural quality stand as a key example of how previous generations cared for the sick. It states the hospital is of immense importance to the history of Denbigh and features in the memories of many, and that the proposals offer a chance to rescue important buildings but also to deliver high quality heritage led regeneration for the benefit of the town.

The Arboricultural Statement

The Cheshire Woodlands Statement provides an assessment of trees on the site in the context of the development proposals, in accordance with best practice guidelines. It suggests the proposals involve the removal of several low or moderate quality trees which would have only a minor impact on amenity and can be mitigated by new trees and landscaping, and the protection of retained trees and hedges can be achieved through planning conditions. It is concluded that the proposals are sustainable in arboricultural

terms.

- 1.1.9 It is understood that the North Wales Building Preservation Trust would be assisted throughout the project by the Prince's Regeneration Trust. It would be responsible for managing the project and would access funding through the disposal of enabling development land and from a range of potential funding bodies. This would involve engaging the relevant consultants, seeking the statutory consents, overseeing development to ensure compliance with quality standards, including the repair of the listed buildings, and seeking end user(s).
- 1.1.10 The application has been the subject of publicity by way of a Press Notice, site notices, and notification to owner / occupiers of properties in the vicinity of the site. A range of consultation bodies have been notified of the application. Representations received up to the time of drafting this report are referred to in the Consultation responses and response to publicity sections above.
- 1.1.11 Members are referred to the preceding report on the agenda which sets out the full background history and factual information of relevance to the merits of the planning application under consideration (application 01/2014/1330/PF).
- 1.1.12 If the Committee are minded to grant listed building consent, the application has to be referred to CADW, who would then decide whether to authorise the Council to issue the consent, or to instigate a 'call in' for determination of the application by the Planning Inspectorate.

1.2 Description of site and surroundings

- 1.2.1 The listed building complex lies within the grounds of what remains of the original north Wales Hospital site. The site is located immediately to the south of the town of Denbigh, lying between the Nantglyn Road (B4501) on the north west side, Pont Ystrad Road on the North East side, with its southern boundary defined by the track from Pont Ystrad Road to the dwellings at Kingsmills Cottages.
- 1.2.2 The site is in an attractive open setting surrounded by fields and scattered agricultural buildings and detached dwellings.
- 1.2.3 In the immediate vicinity are buildings to the north west which formed part of the old hospital complex, but have been in use as a regional centre for children with autism; open land to the north and north east between the site and residential development at Ael y Bryn and the grounds of Denbigh castle; buildings at Pennant Farm on the opposite side of Pont Ystrad Road, which were formerly in use for agricultural purposes in connection with the hospital use, but now converted to residential use; land to the south which formed the old sports fields associated with the hospital; and to the south west, private properties at Kingsmills and at Cai Dai. The ruins of Denbigh Castle are approximately 600 metres to the north of the main range of buildings at the hospital.
- 1.2.4 The general condition of the buildings and the grounds is poor.

1.3 Relevant planning constraints/considerations

- 1.3.1 In relation to the Local Development Plan, the site is outside the development boundary of the town of Denbigh, which runs along the southern boundaries of existing housing development at Ael y Bryn, Llewelyn's Estate and Bryn Stanley to the north.
- 1.3.2 With the exception of one field parcel which runs south from the junction of the B5401 (Nantglyn Road) and Ystrad Road, the site is annotated as being the subject of Policy VOE 4 of the Local Development Plan, which relates to Enabling Development (see later paragraphs of the report). The field parcel referred to is annotated as part of a Green Barrier, being subject to policy RD2 of the Development Plan.
- 1.3.3 The Clwyd Powys Archaeological Trust records show the western boundary of the Ystrad Character Area of the Vale of Clwyd Registered Historic Landscape Area runs along Pont Ystrad Road, hence the site is outside this designation.
- 1.3.4 There are a number of significant listed buildings within the site. The main buildings are Grade II* and many of the remaining buildings around it are of Grade II status.
- 1.3.5 There are no Scheduled Ancient Monuments within the site, although there are a number in close proximity, including Denbigh Castle, which is on higher ground to the north of the site.

1.4 Relevant background information and planning history

- 1.4.1 The site has a significant history and there is a lengthy recent background to the listed building application, which sets a relevant context for the proposals now before the Authority. This is summarised in the following paragraphs of the report.
- 1.4.2 The original sections of the North Wales Hospital complex were built between 1844 and 1848 as a facility for the care of Welsh speaking people suffering from mental illnesses. It was known as the North Wales Counties Lunatic Asylum. There were a number of subsequent phases of expansion which created a massive complex which housed up to 1500 patients in 1956, and there were some 700 staff at peak operation. The main building is a Grade II* Listed Building and many of the surrounding and individual buildings within the grounds are Grade II buildings.
- 1.4.3 A reorganisation in the provision of adult Health Services in the former county of Clwyd culminated in the Health Authority approving plans in 1987 for the phased closure of the entire Hospital complex. Welsh Office funding approval enabled an acceleration of the proposed 10 year closure programme, and the hospital was finally vacated in late 1995.
- 1.4.4 The former Health Authority sought to secure alternative uses for the building complex, and to market the site. The failure of these efforts reflected the difficulties arising from the sheer scale of the complex of Listed Buildings, and the practicality of adapting buildings to new uses to meet modern standards. Options considered were a Category C prison, Army Barracks, Army Personnel Centre, a Welsh Medium Tertiary College, a National Lottery Site, Central Government Office Relocation, Welsh National Equestrian Centre, Hotel Leisure Operators, a museum for Wales and a base for the Welsh

Assembly.

- 1.4.5 The first significant planning applications to be submitted since the closure of the Hospital in 1995 were by Kerringtons Ltd, in 1996 and 1997.
- The 1996 applications involved 12 ha of new build residential development on land between the Gwynfryn site and the town, (220-270 dwellings) and the conversion of the hospital buildings to residential use (100 units). This was refused in 1997 on a number of grounds, including conflict with the development plan at the time (Glyndwr District Local Plan), prematurely in relation to the production of the Denbighshire Unitary Development Plan (UDP), the scale of development and impact on local highways, the setting of the hospital buildings and Denbigh Castle.
 - The 1997 application involved 3.4ha of new build residential development (100 units) on land and the conversion of the hospital buildings into residential use. This was refused in 1997 on the basis of conflict with the Glyndwr Local Plan, absence of information to support the case for 'enabling development', prejudging the outcome of the UDP process, and impact on the setting of the Hospital buildings and Denbigh Castle.
- 1.4.6 A separate company Monoplas Industries Ltd submitted planning and Listed Building consent applications in late 1997 for a mixed use development including industrial, commercial, residential, education and research, hotel leisure and sports, and partial demolition of buildings to the rear of the principal buildings. The planning application was reported to the May 1998 Planning Committee with an officer recommendation for refusal of permission. The recommendation was based on inadequate safeguards to secure the restoration and long term use of the key listed buildings and conflicts with the Glyndwr Plan policy arising from inadequate links between the different elements of the scheme and the release of housing land, such development being premature in advance of the production of the UDP and the prejudicial to its outcome in determining decisions on the size, scale and location of new development. Immediately prior to consideration at the Committee, Monoplas lodged an appeal against non-determination of the application, which prevented Denbighshire from making a formal decision. Although the Planning Committee subsequently resolved for the purposes of defending the appeal that it would have refused the application in accordance with the officer recommendation, Monoplas did not pursue the appeal, which was withdrawn.
- 1.4.7 The Health Authority sold the site in 1999 to a company NWH Limited. NWH Limited submitted applications in 2000 for a number of developments including changes of use of smaller buildings within the complex to dwellings, workshops, and an Adult Education Unit, and to erect 21 dwellings on 2.7ha of land around the former Nursing Home. The applications were never progressed as the agents were unwilling to furnish additional information requested by the Authority. NWH subsequently placed what remained of the hospital complex on the market in 2002, when Acebench Investments Ltd took it over.
- 1.4.8 In the course of 2000, the County Council commissioned Chesterton Plc to prepare a development appraisal of the site, aimed at producing an updated assessment of the costs of restoring the Hospital buildings, market demand for future uses of the site and buildings, availability of funding and recommendations on Unitary Development Plan policy. The appraisal concluded that a flexible planning approach needed to be adopted to the main

building to allow the owners opportunity for exploration of potential uses, sourcing of grant aid opportunities, and the need for a clear legal agreement linking any enabling new build development to the reuse of the main buildings. Policy MDA 4 of the Unitary Plan ultimately encompassed the main recommendations of the Chesterton report in setting out a framework against which to assess proposals for securing the future of the key listed buildings and related development.

- 1.4.9 It is understood that Acebench Ltd purchased the site in 2002, and sought to progress matters by setting up a steering group with the Prince of Wales Phoenix Trust, representatives of Denbighshire County Council, the WDA, and CADW. The group appointed King Sturge (property Consultants) and Butress Fuller Alsop Williams (Architects) to undertake a further feasibility study to assess the potential re-use options for the site in order to restore and preserve the principal Listed Buildings and Parkland. The appraisal led to the submission of a planning application in the name of Acebench Investments Ltd in November 2004.
- 1.4.10 The 2004 application sought permission for a mixed use scheme involving the conversion of hospital buildings to residential, business and community uses, and the development of 17 acres of land for residential, commercial and parkland uses, essentially as 'enabling' development. The emphasis in this application was on employment development but included some 6.9 hectares for housing. Full Council eventually resolved to grant permission in May 2005 subject to completion of a Section 106 Agreement, which included the provision of a bond to secure obligations to repair the listed buildings if this was not delivered by the end of September 2009. The planning permission was issued on completion of the Section 106 Agreement in September 2006.
- 1.4.11 A listed building consent application was submitted in the name of Freemont (Denbigh) Ltd in 2007 in relation to the demolition of a number of listed buildings on the site. This was granted in 2008.
- 1.4.12 Demolition works on some of the later rear extensions and the former Erddig Ward building were carried out in late 2008. These were not however completed as the buildings supported a bat population and the necessary licence to carry out relevant works was not in place. It is understood that no further works have been carried out since this time, albeit that the listed building consent remains extant. The current listed building consent application relates to buildings other than those which were subject to the 2008 consent for demolition.
- 1.4.13 The Main hall building serving the hospital was destroyed in a fire in November 2008.
- 1.4.14 The 2006 planning permission lapsed in 2009.
- 1.4.15 The Hospital buildings are on the Council's Buildings At Risk Register.
- 1.4.16 A steering group was set up in June 2011 as a result of the deterioration of the Hospital buildings with the aim of securing their restoration and new use. The steering group comprises The Prince's Regeneration Trust, the North Wales Building Preservation Trust and Denbighshire County Council. The North Wales Building Preservation Trust was set up with the view to develop and manage the site in the long term to preserve the most important buildings

in perpetuity.

1.4.17 Denbighshire County Council served an Urgent Works Notice and Dangerous Structures Notice on the owners in June 2011, and subsequently undertook emergency repairs on the main buildings. A Repairs Notice was served in 2013 and the County Council subsequently served a Compulsory Purchase Order Notice with an offer to purchase the site, in June 2014. A 3 week Inquiry was held in relation to this Order in March 2015. The Order was granted in September 2015.

1.4.18 Officer advice on the approach to assessing the application is the same as in relation to the planning application, i.e. notwithstanding the background history and the current situation at the site, consideration should be based solely on the acceptability of the proposals in relation to current legislation and guidance, in this case pertaining to the merits of listed building applications. Respectfully, the identity of the applicants, the Council's involvement in the aforementioned steering group and its actions in relation to the buildings, the ownership of the site, and the Compulsory Purchase Order proceedings should have no bearing on the determination.

1.5 Developments/changes since the original submission

1.5.1 The applicant's agents have clarified the extent of demolition proposed, to address questions over inconsistencies between different plans / documents in the submissions, confirming that it is not intended to demolish the former gas works and farm buildings.

1.6 Other relevant background information

1.6.1 None relevant to the listed building application.

2. DETAILS OF PLANNING HISTORY:

2.1 Applications prior to closure in 1995 were for a range of minor extensions and alterations to parts of the complex in relation to its use as a hospital. The main applications since are referred to below :

1/595/96/PO – Development of 12ha (29.6 acres) of land for residential purposes and conversion of existing former hospital buildings to residential use (outline application) (Kerringtons application) – REFUSED permission at January 1997 Planning sub-committee for the following reasons:-

1. “ The release of residential land outside the development boundary of the town would be contrary to policies of the operative development plan (Glyndwr District Plan and Clwyd County Structure plan: First Alteration) in particular the housing provision policies of the local plan including H1 and H2 and F5 (ii), and B2 and B3 of the Structure Plan.
2. The grant of permission would be premature in advance of the production of the Unitary Development Plan and would prejudice the outcome of the plan process, in that it would predetermine decisions on the development strategy, scale, location and phasing of new development which ought properly to be taken in the development plan context.
3. The number of residential units which would result from the new housing development would, together with existing commitments, be in excess of the likely need or demand for housing in the town over the next 15 years.

4. The local highway network is considered inadequate to accommodate the likely volume of traffic which would result from the development.
5. The scale of development proposed is considered likely to have an unacceptable impact on the town in terms of the effect on its character and community services.
6. The new housing development and associated works is considered likely to have an adverse impact on the setting of the hospital buildings, the Castle, the local landscape, and archaeological remains.”

The decision certificate was dated 10th January 1997.

01/55/97/PO – Development of 3.4ha (8.4 acres) for residential purposes and conversion of existing former hospital buildings to residential use (outline application). (Kerringtons application) – REFUSED permission at April 1997 planning sub-committee for the following reasons:-

1. “The release of residential land out the development boundary of the town would be contrary to policies of the operative development plan (Glyndwr District Local Plan and Clwyd County Structure Plan : first alteration), in particular the housing provision policies of the local plan including H1 and H2 and B2 and B3 of the structure plan.
2. The grant of permission solely on the basis of enabling development in the absence of any proven detail financial feasibility study would, having regard to the previous proposal, make it difficult for the Council to refuse permission for additional residential land to fund the reuse of the hospital site. This prejudice the outcome of the development plan process in that it would predetermine decisions on the development strategy, scale, location and phasing of new development which ought properly to be taken in the development plan context.
3. The new build housing development is considered likely to have an adverse impact on the setting of the Hospital buildings and local landscape.”

The decision certificate was dated 3rd April 1997.

1/926/97/PO – Proposed use of land and buildings for mixed use development including : - industrial, commercial, residential, education and research, hotel/leisure/sports including recreation (incorporating details of Monoplas Development) (Monoplas application)
WITHDRAWN - following appeal against non determination in May 1998.

1/927/97/LB – Partial demolition of listed building to rear of main front block (mainly 20th century buildings, including main hall, adjoining block canteen and workshops) (Monoplas) –
WITHDRAWN – Following appeal against non determination in May 1998

The following 6 applications were submitted in 2000 by NWH Limited but were never progressed to formal determination on the basis of insufficient information to allow for proper consideration of key issues.

01/2000/172/PF – Change of use of isolation ward to workshop/training facility (Use Class B1 & D1), and alterations to existing vehicular and pedestrian access (full application)

01/2000/173/PF – Change of use of former Erddig Ward to adult education unit (use class D1), and alterations to existing vehicular and pedestrian access (full application).

01/2000/174/PF – Use of former Nurses' home and adjacent land for educational purposes and alterations to existing vehicular and pedestrian access (full application)

01/2000/175/P – Development of 2.7 ha of land for residential purposes (21 dwellings) and alterations to existing vehicular and pedestrian access (outline application)

01/2000/176/PF – change of use of former chapel to dwelling (full application)

01/2000/177/LB – Listed Building consent for alterations in connection with change of use of former chapel to dwelling.

The most recent applications are -

01/2004/1445/PF – Restoration and partial demolition and change of use of former north Wales hospital to residential, business and community uses, and development of adjacent land and buildings for residential, commercial, and parkland uses, including change of use to B1 (Business Use), creation of new access and landscaping (outline application) – GRANTED 29/09/2006
This permission expired in September 2009.

01/2007/0750/LB – Listed building consent for partial demolition of listed buildings – GRANTED 19/03/2008

01/2014/1330/PF - Conversion, restoration, part demolition and adaptation of main range of listed buildings to residential use (34 dwellings), and development of land within the hospital grounds for mixed uses as enabling development, including up to 200 no. residential units and up to 1114 square metres of business units, access and associated works (Prince's Regeneration Trust current undetermined planning application).

01/2015/0252/CT – Application for Certificate of Appropriate Alternative Development – re. redevelopment of the former hospital site - (Freemont (Denbigh) Ltd) - current undetermined application.

3. RELEVANT POLICIES AND GUIDANCE:

Denbighshire Local Development Plan
Policy VOE4 – Enabling Development

Government Policy / Guidance

Planning (Listed Buildings and Conservation Areas) Act 1990

Planning Policy Wales 8, 2016.

Welsh Office Circular 61/96 - Planning and the Historic Environment: Historic Buildings and Conservation Areas.

4. MAIN PLANNING CONSIDERATIONS:

Section 7 of the 1990 Act sets out the requirement for listed building consent for works for the demolition, alteration or extension of a listed building in any manner which would affect its character as a building of special architectural or historic

interest; and it outlines the requirements for the making and processing of applications for consent.

Planning Policy Wales 8, Section 6.5.7 – 6.5.15 refers to general principles to be applied in considering applications for listed building consent. It confirms that there is no statutory requirement to have regard to the provisions of the Development Plan in making a decision on listed building consent applications. It reaffirms the general presumption in favour of preservation, whilst recognising the need for flexibility where new uses have to be considered to secure a building's survival. It sets out the primary material consideration is the statutory requirement to have special regard to the desirability of preserving the building, or its setting, or any features of special architectural or historic interest which it possesses. Applicants are expected to justify their proposals to show why alteration or demolition is desirable or necessary.

In recognising the Planning Policy Wales statement that there is no statutory requirement to have regard to the provisions of the Development Plan in consideration of listed building applications, it is to be noted that Policy VOE 4 of the Development Plan relates to 'enabling development' and applies to proposals at the site. The tests of acceptability of proposals set out in VOE4 reflect considerations outlined in Welsh Office Circular 61/96, so are considered of relevance to proposals relating to the 'at risk' listed buildings at the North Wales Hospital.

Welsh Office Circular 61/96, Paragraphs 91-99 provide specific advice on the considerations to be applied by Local Planning Authorities when dealing with demolition, alterations and extensions to listed buildings. Paras 92 and 93 set out detailed considerations to be given in the determination of applications involving total or part demolition; and Paras 93-99 provide guidance on considerations to be given to proposals to alter or extend.

The main issues to address in relation to the application are therefore considered to be:

The acceptability of the proposals having regard to the tests of PPW 2016, Policy VOE4 of the Development Plan, and Welsh Office Circular 61/96

The report outlines the case advanced in the application documents in support of the grant of listed building consent for works on the rear of the main range buildings and the demolition of other buildings in the vicinity. There is a volume of material setting out arguments that the proposals would assist in securing the future of the Grade II* block, without adversely affecting the character and appearance of the listed buildings or materially harming their setting.

There are no consultation responses expressing objection to the listed building consent application. The Conservation Officer reluctantly accepts the need for further demolition and raises no objections, subject to control over the detailing of exposed parts of buildings to be retained, and suggests the proposals meet the tests in Welsh Office Circular 61/96 in relation to demolition proposals. The Victorian Society are the main Amenity Body with an interest in buildings of the age of those at the Hospital site, and have no objection to the proposals, whilst regretting a certain amount of demolition of some of the later buildings may be necessary in order to limit the extent of enabling development and ultimately to secure the future of the main buildings.

Taking all the background information into account, in addressing the issues in the context of PPW advice, policy VOE 4 of the Development Plan, and in particular the

tests of Welsh Office Circular 61/96, Officers' comments are as follows:-

In respect of the **demolition proposals** and in relation to the specific considerations outlined in – Paragraphs 91 and 92 of Circular 61/96 :

It is suggested there is clear evidence to show that all reasonable efforts have been made to sustain existing uses and to find viable new uses, but these efforts have failed ;

The proposals are submitted by a Preservation Trust, which is referred to as a possible approach for assisting future preservation of a heritage asset ;

Conversion and part redevelopment as proposed would produce substantial benefits for the community and it is fair to suggest this would decisively outweigh the loss resulting from the actual demolition proposed;

The proposals do not involve redevelopment which is economically more attractive than repair and re-use of a historic building, indeed the scheme is entirely geared at saving the Grade II* block;

This is not a situation where the applicants have acquired the buildings at a price reflecting the potential for redevelopment rather than the condition and constraints of the existing historic buildings;

The proposals clearly attempt to address the condition of the main block, the cost of repairing and maintaining it in relation to its importance and to the value derived from its continued use;

The costs of restoration of the Grade II* block are such that the only prospect of retention is through the funding released through the proposed enabling development, although the prospect of grants etc from public or charitable sources may be more realistic once the sums involved are smaller at the later stages of the development;

The efforts to retain the buildings in use have been extensive, as highlighted in the report;

The site is in private ownership;

There are no alternative proposals for the site to allow assessment of their merits;

There plans show proposals for the adaptation of the Grade II* buildings which are considered acceptable in terms of the character and appearance of the buildings and the detailing of reconstructed sections and the conversion works can be further controlled through conditions on any consent;

The proposals clearly involve the incorporation of the Grade II* listed buildings as part of a conversion scheme associated with the demolition works, and the plans show an imaginative approach to design to achieve the salvation of the main block.

In relation to the **alterations and extensions** to the Grade II* main block – Paragraphs 93 – 99 of Circular 61/96 –

Due regard has been given to the viability and impacts of the new use proposed for the Grade II* block in formulating the proposals, in terms of effects on the

special interest of the listed building, and it is not considered a residential use is a potentially damaging use;

Due regard has been taken of the physical impacts of the proposals on the character and appearance of the listed buildings;

It is suggested the buildings have a capacity for accommodating change without loss of special interest;

The Grade II* listing is recognised as a significant consideration but the proposals are considered to show a sensitivity to the special interest of the buildings;

The proposals are considered to show imagination and strike a proper balance between the need to respect the special interest of the listed building and need to adapt the buildings to a viable 21st century use;

Much of the internal detailing has been lost as a consequence of the deterioration in the physical condition of the Grade II* buildings over time, hence the proposals are unavoidably designed around façade retention;

In relation to the general requirements in Planning Policy Wales, Officers would suggest that the proposals are compliant with the general presumption in favour of preservation, and embrace the need for flexibility where new uses have to be considered to secure a building's survival. It is accepted that the application involves the loss of listed buildings of lesser quality at the rear of the Grade II* block, but its prime objective is to ensure the future of the key buildings and has full regard to the tests for preserving these buildings, their setting, and features of special architectural or historic interest which they possess. It is suggested that the applicants have justified their proposals and show why alteration and a degree of demolition is desirable and necessary.

Finally, in relation to Policy VOE4 of the Development Plan, Officers' opinion is that the tests relevant to the listed building considerations are met. The proposals are not considered to materially detract from the historic or architectural interests of the heritage asset, will avoid fragmentation of the asset, will secure its long term future, recognise the inherent needs of the asset and the absence of sufficient financial assistance, demonstrate the amount of enabling development is the minimum necessary and that the disbenefits of such development are outweighed by the value or benefit of the survival and enhancement of the heritage asset.

5. SUMMARY AND CONCLUSIONS:

5.1 The report refers to current policy and guidance to be applied to the listed building application, to inform Members on the key issues, in the context of the submissions from the applicants and consultation responses.

5.2 The case advanced by the applicants is that the scheme developed has been carefully thought through and offers an opportunity to secure the retention of the key Grade II* buildings. The extent of demolition work at the rear of the Grade II* buildings is considered essential to create apartments of a commercially viable size, and the demolition of the other listed structures nearby is considered justified as these are more modern additions, are in a state of dereliction, and their removal is necessary to open up areas of land

for enabling development to assist with the funding of restoration of the Grade II* range.

5.3 No representations have been received from the consultation bodies expressing concerns over the proposals. There are no objections from the Victorian Society, and the Council's Conservation Architect considers the tests of Circular 61/96 are met.

5.4 In concluding on the application, Officers suggest that there is a stark reality to face here in relation to the parlous state of the buildings, and there is an urgency necessary to facilitate reasonable proposals which offer a prospect of securing the future of the original main range of buildings, which at Grade II* status are considered to be of national significance.

5.5 Officers' recommendation therefore, having due regard to the substance of the submissions and responses, and to the structural condition of the buildings, in the context of the tests of PPW, Circular 61/96, and Development Plan Policy VOE4, is that there is a justifiable case to support the proposals for works to the main block and the associated demolition. It is considered this is an instance where the benefits from retaining significant listed buildings outweigh the loss resulting from the demolition works proposed in conjunction with those works, and merit the Council's support.

5.6 The recommendation following is subject to the imposition of a number of conditions requiring further approval of detailed plans and referral of the listed building consent application to CADW for consideration, and authorisation from CADW that consent can be issued by local planning authority.

RECOMMENDATION: - GRANT subject to the following conditions:-

1. The proposals shall be carried out in strict accordance with details shown on the following submitted plans and documents unless specified as otherwise within any other condition pursuant to this consent;
 - (i) Site plan as existing - Site boundary (Drawing No. AL.05) received 27 November 2014
 - (ii) Site plan as existing - Buildings to be demolished (Drawing No. AL.07B) received 9th February 2015
 - (iii) Basement floor plans as existing - Main Listed Building (Drawing No. AL.100) received 27 November 2014
 - (iv) Ground floor plan as existing - Main Listed Building (Drawing No. AL.101) received 27 November 2014
 - (v) First floor plan as existing - Main Listed Building (Drawing No. AL.102) received 27 November 2014
 - (vi) Second floor plan as existing - Main Listed Building (Drawing No. AL.103) received 27 November 2014
 - (vii) Elevations as existing - Main Listed Building (Drawing No. AL.104) received 27 November 2014
 - (viii) Elevations as existing - Main Listed Building (Drawing No. AL.105) received 27 November 2014
 - (ix) Ground floor plan as existing - Eryri and Hafan Wards (Drawing No. AL.108) received 27 November 2014
 - (x) Ground floor plan as existing - Aled and Ogwen Wards (Drawing No. AL.107) received 27 November 2014
 - (xi) Site Plan as Existing – additional buildings to be demolished (Drawing AL.12)

received 9th February 2015

2. The works hereby permitted shall be begun before the expiration of two years from the date of this consent.
3. No demolition shall be permitted to commence on the rear walls of the main range buildings until a contract for the carrying out of the works on the reinstatement of the walls and restoration of the buildings has been made, and evidence of the contract has been submitted to the Local Planning Authority.
4. Development shall not begin until an appropriate photographic survey of the existing buildings on the site has been carried out in accordance with details to be submitted to, and approved by, the local planning authority. The resulting digital photographs should be forwarded on a CD or DVD to the Local Planning Authority, The National Monuments Record of Wales, the Royal Commission on the Ancient and Historic Monuments in Wales, Plas Crug, Aberystwyth, Ceredigion, SY23 1NJ, and the Development Control Archaeologist, Clwyd-Powys Archaeological Trust, 41 Broad Street, Welshpool, Powys, SY21 7RR.
5. Notwithstanding the details shown on the submitted plans, no works on the demolition or conversion of the main range buildings shall be permitted to commence until the written approval of the Local Planning Authority has been obtained to all of the following:
 - a. A drawn and measured survey of all existing internal features, including cross sections and joinery repair schedule, to include external frames to doors and windows (including doors, windows, beams, trusses, stalls, hay feeders etc) of the existing buildings.
 - b. Detailed section drawings at a scale of 1:10 of all new internal and external joinery details
 - c. The specification, colour, and sample of any external materials to be used in conjunction with the development including stonework, slates, coping stones, render, pointing, painting and paving works and fencing details
 - d. All hard and soft landscaping details, including boundary walls and fencing, the surfacing of accessways and the treatment of the courtyard areas, proposed planting including species and numbers; and the maintenance thereof.

The development shall be carried out strictly in accordance with the approved details.
6. Unless otherwise agreed in writing by the Local Planning Authority, in relation to the works on the main range buildings,
 - a) All rainwater goods on the shall be in cast iron, the profile of which shall be submitted to and agreed by the Local Planning Authority in writing and painted to an agreed colour
 - b) There shall be no visible roof or window vents.
 - c) Any existing openings to be blocked up and / or existing walls / stonework to be restored in accordance with the approved plans shall be carried out with materials that match those used in the existing walls of which they form part, in texture, type, colour, mortar and pointing.

The reason(s) for the condition(s) is (are):-

1. For the avoidance of doubt and to ensure the works are completed to a satisfactory standard.
2. To comply with the provisions of the 1990 Listed Buildings Act..
3. To ensure works are carried out on the main range buildings following demolition works
4. To ensure a suitable record of the buildings is made.
5. To ensure the detailing of works on the buildings are appropriate to the character and appearance of the listed buildings
6. To ensure the detailing of works on the buildings are appropriate to the character and appearance of the listed buildings

NOTES TO APPLICANT:

1. In connection with Condition 4 of the consent, you are referred to the attached CPAT Photographic Guidance Note for Applicants and you are advised to contact Richard Suggett/Nicola Roberts at the RCAHMW, Plas Crug, Aberystwyth, Ceredigion, SY23 1NJ. (Tel. No. 01970 621211).
2. You are reminded of the developer's responsibilities for compliance with protected species legislation, and in particular with reference to the potential presence of bats in buildings to be demolished.
3. You are encouraged to contact the County Council's Planning and Conservation Officers in connection with the development, in particular in respect of the preparation of detailed plans in relation to the main buildings, proposals for retained listed buildings, and the details relevant to the conditions of this consent.