



Appeal Decisions

Site visit made on 3 October 2023

by K A Taylor MSC URP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 November 2023

Appeal A Ref: APP/J4423/W/23/3315251

Grange Barn, 34 Matthews Lane, Sheffield S8 8JS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr Roger Bell, Chantreyland Building Holdings Ltd against the decision of Sheffield City Council.
- The application Ref 22/02883/FUL, dated 3 August 2022, was refused by notice dated 25 November 2022.
- The development proposed is erection of an open-sided veranda with a clear glazed roof.

Appeal B Ref: APP/J4423/Y/23/3315237

Grange Barn, 34 Matthews Lane, Sheffield S8 8JS

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
- The appeal is made by Mr Roger Bell, Chantreyland Building Holdings Ltd against the decision of Sheffield City Council.
- The application Ref 22/02884/LBC, dated 3 August 2022, was refused by notice dated 25 November 2022.
- The works proposed are erection of an open-sided veranda with a clear glazed roof.

Decision

Appeal A

1. The appeal is dismissed.

Appeal B

2. The appeal is dismissed.

Preliminary Matters

3. The two appeals concern the same scheme under different, complementary legislation. I have dealt with both appeals together in my reasoning.
4. As the proposal is in a conservation area and relates to a listed building, I have had special regard to sections 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).

Main Issues

5. The main issues are whether the proposal would preserve a grade II listed building Norton Grange and adjoining wash house, stable and boundary wall, and any of the features of special architectural or historic interest that it possesses, and linked to that whether it would preserve or enhance the character or appearance of the Conservation Area.

Reasons

6. The appeal site relates to an 18th century two-storey linear building, known as the former stables which is situated within the grounds of Norton Grange (grade II listed) and has been converted into a children's day nursery since 2010 when childcare was transferred from the Norton Grange dwellinghouse. The site also falls within the Norton Conservation Area (CA).
7. Norton Grange and adjoining wash house, stable and boundary wall was listed in 1995 (Ref: 1246797). The listing identifies the buildings as early 18th century with later additions and alterations in the late 19th century. I find that the special interest of the listed building, insofar as it relates to these appeals, to be primarily associated with the historic and architectural interest. Its historic interests are primarily in respect of the age of the building and association with the original form and function in connection to the house. The architectural interest utilises the local building materials and its vernacular detail. It is clear from the evidence and my own observations that the building has undergone works and development during the 20th and 21st century including a porch and to fenestration.
8. The CA was designated in 1969 covering the small core area of the settlement, including the Church of St James (grade II listed building), Norton Hall and other residential properties. The immediate area is mainly characterised by single storey and two-storey buildings of a residential nature and has a spacious verdant character. The appeal site and Norton Grange of which it is sited positively contributes to the character and appearance of the CA.
9. The proposal would involve the construction of an open-sided glass veranda canopy which would be sited along the east elevation of the building some 12 metres and project outwards. It would be constructed in clear glass with a grey powder coated aluminium frame. The evidence before me indicates that it would fix to the building by way of bolts drilled into the mortar joints between the stone to accommodate the glass support, and some ground strut fixing.
10. Although it would be a lightweight structure and materials proposed of high aesthetic value, the veranda would still be fixed and attached to the building. This would cause some damage to the historic building fabric and there is limited evidence on the exact positioning of fixings. The design of the proposal would not reflect the architectural style of this vernacular building and due to its notable length in combination with the existing porch would add further clutter along the east elevation. Thus, taken together cumulatively it would add and detract from this simple historic elevation.
11. In addition, due to the design and size it would appear incongruous and be out of character which would fail to harmonise with the detail and care taken in previous restorations of the building. I accept there are several existing free-standing objects associated with the use, however these have a neutral impact on the building itself, given that they are likely to be moved around the playground/courtyard or even taken inside at times.
12. I have had regard to the previous appeal decisions¹ at the appeal site. The proposed works and development in those appeals was of a similar context to the proposal, including an outdoor shelter/veranda/canopy to the eastern

¹ APP/J4423/W/20/3266174 & APP/J4423/Y/21/3268022, APP/J4423/W/20/3244284 & APP/J4423/Y/20/3244282

elevation. I accept the appellant's point there may have been some minor confusion in the descriptive assessment with the wash house and the stables. Nevertheless, caselaw has established that previous appeal decisions that are sufficiently closely related to the issues are capable of being a material consideration. As such, I have no reason to disagree with the findings of the Inspector's in those cases insofar the proposals would have caused harm to the significance of the historic building.

13. Given the above, I find that the proposal would fail to preserve the special interest of the listed building. Consequently, I give this harm considerable importance and weight in the planning balance of these appeals.
14. Paragraph 199 of the National Planning Policy Framework 2023 (the Framework) advises that when considering the impact of development on the significance of designated heritage assets, great weight should be given to the asset's conservation. Paragraph 200 goes on to advise that significance can be harmed or lost through the alteration or destruction of those assets and that any such harm should have a clear and convincing justification. Given the proposal would result in a negative impact on the historic and architectural interests of the building, I find the harm to be less than substantial in this instance but nevertheless of considerable importance and weight.
15. Where a proposal will lead to less than substantial harm to the significance of a designated heritage asset, paragraph 202 of the Framework advises that this harm should be weighed against the public benefits of the proposal, including, where appropriate, securing its optimal viable use.
16. The appellant is of the opinion that the proposal would be beneficial because it would result in a covered external area which parents or carers could stand at drop off and collection times in inclement weather, whilst also being able to share confidential information with staff under cover and would serve to control infection. I also acknowledge the petition, albeit it is limited in detailed information of who has contributed to it and their association with the nursery.
17. However, I have no substantive evidence that this is a current national requirement for parents to not enter a nursery building, and this appears to have been by a risk assessment by the nursery itself. Nor is there any evidence that there are no other means of preventing infection within the nursery environment or that the pass of confidential information is the only way this can be done by the erection of the proposal. Moreover, the matter of using a pop up-gazebo is one of choice for the appellant and the nursery, and there is no evidence to suggest that the proposal would facilitate a greater educational life experience for the children.
18. Nevertheless, these are private benefits that would only serve the nursery and not sufficient to outweigh the harm that I have identified. In any event, the continued viable use of the appeal property as a children's day nursery is not dependent on the proposal as the building has an ongoing use and provision that would not cease in its absence.
19. Given the above, I conclude that the proposal would fail to preserve the special historic interest of the Grade II listed building, thus failing to satisfy the requirements of the Act, paragraph 199 of the Framework and Policies BE15, BE17 and BE19 of the Sheffield Unitary Development Plan 1998 (UDP), and Policy CS74 of the Sheffield Development Framework Core Strategy, 2009 (CS)

which together amongst other matters seek good design, and to preserve or enhance the special interest and character or appearance of heritage assets.

20. I have found that the proposal would cause harm to the special architectural and historic interest of the listed building. This listed building is an important element in the CA and a positive contributor to its character and appearance. It must follow that if the listed building would be harmed by the proposals, then there would be a similarly harmful impact on both the character and the appearance of the CA. Moreover, as I saw the proposal would be visible from the public realm and CA which it is sited within.
21. I note that this conclusion is at odds with that of an Inspector who determined a previous appeal on the site, and the Council. Nonetheless, I have a duty under the Act and respectfully disagree with their conclusions on the CA as a whole and have set out the reasons above. In that respect the proposal would not comply with the statutory duty, the Framework and Policies BE16, BE17 of the UDP and Policy CS74 of the CS insofar they relate to the CA.

Other Matters

22. The matter of the development and works not being objected too by local residents or expert organisations is a neutral matter that weighs neither for nor against a proposal. I have been directed to a nearby play group where they have recently erected a veranda to meet the requirements for their children and families. However, I have not been provided with any precise details of that case or that it relates to a listed building. Nonetheless, the existence of other development or works in the area does not justify a harmful scheme. In any case, I have dealt with the appeal on the basis of the evidence, and my own site observations.
23. The appellant refers to the lack of co-operation from the Council with no/limited response on certain matters. However, it appears the proposals were dealt with having due regard to the requirements of the Act, and insofar to the relevant development plan policies. The matter of the listing description being inaccurate and having an erroneous narrative, there is nothing before me to suggest that this is incorrect, and the listing presented derives from Historic England.

Conclusion

24. For the above reasons and having regard to all other matters raised I conclude that the appeals should be dismissed.

K A Taylor

INSPECTOR