



Appeal Decisions

Site visit made on 16 January 2024

by E Worthington BA (Hons) MTP MUED MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 21 February 2024

Appeal A: APP/J4423/W/23/3323280

The Old Rectory, Norton Church Road, Sheffield, S8 8JQ

- 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 and Mrs Nieto against the decision of Sheffield City Council.
 - The application Ref 22/04364/FUL, dated 3 December 2022, was refused by notice dated 9 March 2023.
 - The development proposed is described as 'alterations and extension for the improvement of the existing kitchen and utility room'.
-

Appeal B: APP/J4423/Y/23/3323279

The Old Rectory, Norton Church Road, Sheffield, S8 8JQ

- 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 and Mrs Nieto against the decision of Sheffield City Council.
 - The application Ref 22/04365/LBC, dated 3 December 2022, was refused by notice dated 9 March 2023.
 - The works proposed are described as 'alterations and extension for the improvement of the existing kitchen and utility room'.
-

Decisions

Appeal A

1. The appeal is dismissed.

Appeal B

2. The appeal is dismissed.

Procedural Matters

3. Since 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).
 4. On 19 December 2023 the government published its revised National Planning Policy Framework (the Framework). Whilst this post-dates the evidence provided by the main parties in relation to these appeals, since the revised Framework's approach to the main issues in this case has not altered significantly, I confirm that all references to the Framework in this decision are to the updated 2023 version.
-

Main Issues

5. The main issues are whether the proposal would preserve a grade II listed building, Old Rectory (Ref: 1246799) and any of the features of special architectural or historic interest that it possesses; and whether it would preserve or enhance the character or appearance of the Norton Conservation Area.

Reasons

The listed building and the conservation area

6. The appeal property is part of the listed building at the Old Rectory. Dating to the early 18th century with mid 18th and late 19th century additions and alterations, it is built of coursed rubble and squared dressed stone with ashlar dressings on a T plan form. The principal elevation faces west with three bays and a central gable.
7. The building was divided to create three dwellings in 2001. Two are provided in the main part of the house which was divided along a central line with the introduction of a new wall. The eastern extension to the building forms a third unit. The appeal property includes the building's northern projecting two storey wing which is rendered with exposed sandstone quoins to its rear gable end. The other elevations are built of stone. It has a modest later single storey extension with a lean-to roof.
8. Despite these alterations, the building retains its historic character and attractive appearance as an important former rectory building. It remains a good example of an early 18th century dwelling of some standing and status in the settlement, and of historic interest in relation to its association with the Church of St James the Great and the village of Norton prior to its incorporation into the city suburbs of Sheffield.
9. Given the above, I find the special interest of the listed building, insofar as it relates to these appeals, to comprise its historic architectural design, including its features, openings, traditional materials and historic fabric. It also stems from what remains of its historic plan form along with its historic interest as a rectory and association with the church.
10. The appeal property is also within the Norton Conservation Area. This incorporates the former grounds of Norton Hall, now part of Graves Park with its wide open spaces and leafy ambience. It is characterised by the quiet atmosphere of the former village's historic centre and includes a high concentration of listed buildings where the use of local stone is prevalent.
11. The appeal building is situated in what would have been the core of the village prior to it becoming a suburb of Sheffield. It has a strong street presence at the junction of Norton Lane and Norton Church Road, and is identified as making a key contribution to the conservation area's special interest. As such, it contributes positively to the character and appearance of the conservation area and its significance as a heritage asset in relation to these appeals.

The effect of the proposal

12. The proposed single storey extension would be on the rear wall of the appeal property adjoining its northern projecting wing and would replace the existing lean-to extension there. It would have an initially sloping lean-to section with a tiled roof which would reflect the height and profile of the existing extension, but would then incorporate a further section of what would in practical terms appear as a flat roof. There would be two conservation style roof lights in the lean-to section of the roof. The extension would be constructed in stone with a large glazed area including a door to the north elevation which would serve the new dining area.
13. A section of the existing rear elevation of the building (including the ground floor window) would be removed in order to open up the internal area to create a larger kitchen/dining area and to allow internal circulation space. The window would be re-used as part of the rear elevation of the extension adjacent to the glazed section (to serve a utility room), and would reflect the pattern and scale of the property's existing windows. The walling, stone parapet, copings and capstones from the existing extension would also be incorporated into the new structure.
14. I appreciate that the proposal has been carefully designed with a number of options considered, and was the subject of pre-application advice from the Council which informed changes to the scheme. The design is intended to give a simple geometric form rather than a pastiche appearance, and incorporates a glazed elevation so that it reads as a later addition. The extension would not be particularly large in relation to the size of the building overall. The appellants estimate that the floor area that would be created would be 12.9 square metres which is 2% of the total floor area of the existing building. I also note the appellants' view that the proposal would incorporate high standards of building work, materials and detailing.
15. That said, as things stand, the existing extension has a limited width and allows much of the existing historic fabric and the ground floor window on the building's rear/north elevation to be seen. As a result, the building's rear elevation remains clearly visible and legible. In contrast, the proposed extension would extend from close to the appeal property's boundary with the adjacent property to the east, right up to the appeal property's northern wing. It would also project further rearwards into the garden area beyond the existing extension and would introduce a much bulkier single storey addition with a considerable flat roof section.
16. As such, it would be deeper and much wider than the existing extension and would cover almost all of the rear elevation of the appeal property at ground floor level. In doing so it would obscure much of the existing historic fabric of the rear wall and the window opening there. Whilst the appellants indicate that the window's joinery and glazing are more modern, it is accepted that the stone window surround to be removed is likely to date from the 18th century. Although the window would be re-used in the rear wall of the extension, in moving it to a new location, it remains that its historic position and context as well as its importance and legibility as a traditional architectural feature and opening on the historic rear wall of the listed building would be lost.

17. Additionally a section of the rear wall of the building (which would be internalised as a result of the scheme) would be removed. The appellants indicate that the total area of wall to be removed would be 7.79 square metres which is around 1.14 or 1.2% of the total area of the existing external wall. Nevertheless, a good deal of the historic fabric of the rear wall of the appeal property at ground floor level would be lost in order for the proposed extension to be opened up to the main part of the property.
18. I appreciate that the rear of the building and the windows there are not part of the listing description. I also acknowledge that the first floor window, variation in stonework across the building's principal façade and roof structure would remain unaltered. However these factors do not alter my view that in concealing and removing a good deal of the important historic fabric and the distinctive traditional window opening on the rear wall of the appeal property, the proposal would detract from the historic authenticity of the host building.
19. In opening up its ground floor layout, the proposal would also affect the building's plan form. That said, I am mindful that this has already been significantly compromised by the sub-division of the house and the insertion of the separating wall. Whilst some rooms in the building have retained their original proportions and layouts, that is not the case for the kitchen area of the appeal property where the original room was split in two. No sense of the traditional layout of the building is evident there and the historic proportions of that room have already been lost. As such, I am not persuaded that the proposal would cause any additional harm to the special interest of the building in this regard. However, this does not alter my concerns outlined above.
20. Taking all these factors into account, despite the re-use of the existing historic materials and features, for the reasons given I find that the proposal would introduce an incongruous addition that would dominate the appeal property's rear elevation. In eroding its historic fabric and traditional openings, it would undermine the building's distinctive architectural form and traditional appearance and diminish its legibility. In doing so it would also detract from the sense of the building's historic purpose as a former rectory and diminish further the ability to appreciate it as such. Thus I am not persuaded that the proposal would preserve elements of the building's phasing and complexity or contribute positively to any sense of its further growth and phasing.
21. This being so, despite my findings in relation to its impact on the building's plan form, I consider that overall the proposal would impair the building's historic legibility and significance and fail to preserve its special interest. That the rear of the building is in an enclosed garden area and is not widely visible does not affect my findings. Listed buildings are safeguarded for their inherent architectural and historic interest irrespective of whether or not public views of the building can be gained.
22. In coming to this view I have had regard to the appellants' argument that the proposal would see the removal of existing down pipes on the building's rear elevation. Whilst this would remove some visual clutter from the first floor window and enhance the external appearance of this part of the building, it would do little to mitigate the visual impact of the proposal overall. As such it would not outweigh the harm to the listed building that I have identified.

23. Turning to its effect on the conservation area, I acknowledge that the proposal would be to the rear of the building which is for the most part obscured from view by land levels, the host building, its boundary wall and intervening vegetation. However, as set out above, I have found that the building contributes to the character and appearance of the conservation area. Whilst the proposal would not be highly visible from public vantage points, it would nevertheless be appreciated to some limited extent from nearby properties. I therefore consider that it would cause some minimal harm to the significance of the conservation area and would fail to preserve its character and appearance.
24. Taking all these factors into account, I therefore conclude that the proposal would fail to preserve the special interest of the listed building or the character or appearance of the conservation area. That there are no objections from Historic England does not alter my view. I give this harm considerable importance and weight in the balance of these appeals.

Heritage balance

25. The Framework advises at paragraph 205 that when considering the impact of a proposal on the significance of a designated heritage asset, great weight should be given to the asset's conservation. I find the harm to the heritage assets to be less than substantial in this instance, but nevertheless of considerable importance and weight. Paragraph 208 requires that less than substantial harm should be weighed against the public benefits of the proposal, including where appropriate, securing its optimum viable use.
26. Improvements to the heritage asset itself are public benefits. I appreciate that the appellants are keen to retain the character of their home and have always sought to protect the significant parts of the building. As a result of the subdivision of the building, the appeal property has been left with a small kitchen area relative to the rest of the property and the sizes of the other rooms. The proposal would provide a larger and more useable kitchen and linked dining area to complement the property and provide a functional hub more suited to modern day life.
27. I accept that this would help to secure the future of the building going forwards and support the long term sustainability of the heritage asset. However, whilst the appellants indicate that the rectory was divided in order to avoid its dereliction, I have seen no evidence to suggest that the residential use of the appeal property (or the building overall) would cease in the absence of the appeal proposal, or that its long term sustainability or conservation would necessarily be compromised if the appeal were not to succeed.
28. As set out above, the proposal would see the removal of the existing soil pipe to the rear of the building which would enhance the external appearance of this part of the building. However, this would be a minor improvement to the heritage asset, and the public benefits in this regard would be very modest.
29. Accordingly, even when taken together, I find that the public benefits of the proposal would be limited, and insufficient to outweigh the harm to the designated heritage assets that I have identified.

30. For these reasons the proposed development and works would fail to satisfy the requirements of the Act and paragraph 203 of the Framework. There would also be conflict with Policy BE15 of the Sheffield Unitary Development Plan (UDP) which states that development which would harm the character or appearance of listed buildings or conservation areas will not be permitted. Additionally the proposal would be at odds with UDP Policy BE16 which indicates that permission will only be given for proposals which would preserve or enhance the character or appearance of the conservation area.
31. It would also fail to support UDP Policy BE17 which expects a high standard of design using traditional materials for alterations and extensions to existing buildings in the conservation area, and would conflict with UDP Policy BE19 which advises that that proposals for internal or external alterations which would affect the special interest of a listed building will be expected to preserve the character and appearance of the building and, where appropriate, to preserve or repair original details and features of interest. Furthermore, the proposal would be contrary to Policy CS74 of the Sheffield Development Framework Core Strategy which expects high quality development which respects, takes advantage of and enhances the distinctive features of the city, its districts and neighbourhoods.

Other Matters

32. The Council raises no objections to the proposal in terms of its potential impact on the amenities of nearby residents, or any concerns in terms of privacy. The level of private amenity space associated with the appeal property would not be compromised, and there are no objections in terms of highway safety. The absence of harm in these regards counts neither for, nor against the proposal.
33. The appellants question the reliability and impartiality of the Georgian Group's representation to the scheme, and refer to the lack of objections from the Georgian Group when the rectory was subdivided. However that is a matter between the appellants, the Council and the Georgian Group which has no bearing on my decisions. I confirm that I have considered the appeal scheme on its own merits, taking into account the evidence provided, and have made my own assessment as to its impact.

Conclusion

34. For the above reasons, and taking all other matters raised into consideration, I conclude that both appeals should be dismissed.

E Worthington

INSPECTOR