



Appeal Decision

Site visit made on 4 June 2024

by S Hunt BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25th June 2024

Appeal Ref: APP/A0665/Y/23/3327371

5 Sutton Hall Drive, Little Sutton, Ellesmere Port, CH66 4UQ

- 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 Michael Parkin against the decision of Cheshire West and Chester Council.
 - The application reference is 22/01861/LBC.
 - The works proposed are the replacement of rear extension with new single storey extension.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. This appeal relates to the former Sutton Hall, which has been subdivided into two separate dwellings no's 5 and 7 Sutton Hall Drive. The works are proposed to no. 5 only. Planning permission has also been refused by the Council but there is no appeal before me.
3. Since the appeal relates to a listed building, I have had special regard to section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).
4. A revised version of the National Planning Policy Framework (the Framework) was published on 19 December 2023. The policies that are material to this decision have not fundamentally changed and I am satisfied this has not prejudiced any party. In reaching my decision I have had regard to the revised Framework.

Main Issue

5. The main issue is whether the works would preserve the Grade II listed building, 'Sutton Hall' (Ref: 1104907), and any of the features of special or historic interest that it possesses.

Reasons

6. Sutton Hall is located off Ledsham Road in Little Sutton. The list description notes that the building has a 17th or early 18th century core and that the building was remodelled in the early 19th century. It is evident that the building has experienced numerous alterations in its lifetime, including its separation into two dwellings in the 1970s. A range of associated outbuildings were removed in the 1930s, and a two-storey rear wing was demolished in the 1970s. Nonetheless, it retains many characteristics of relating to the late

Georgian and Regency periods, both internally and externally. Earlier features of the building also remain, including a priest's hole located to the master bedroom and tunnels originating under the main staircase. The Heritage Impact Assessment also suggests a previous 'ancient mansion' being taken down at the site and the Abbot's Manor House being located nearby, together with an ancient cemetery. Such features enhance the evidential and historical values of the building.

7. The most significant change has been to the building's setting. Historic maps indicate that Sutton Hall previously sat within extensive grounds in a rural area, and it is now surrounded by modern housing development, notably its namesake Sutton Hall Drive. This comprises a low-density development of detached dwellings of neo-Georgian style corresponding with the period in which Sutton Hall was most heavily altered, as demonstrated by the relevant planning history¹, including its subdivision and the single storey rear extension now proposed for demolition.
8. Notwithstanding the changes to the building and its setting in the latter part of the 20th century, for the most part it retains its integrity and authenticity. I find that the special interest of the listed building, insofar as it relates to these appeals, to be primarily associated with its historical and architectural interest, as a fine surviving example of a high-status dwelling of its period. I would agree with the appellant's assessment that the appeal site is of medium significance overall.
9. The proposed works involve demolition of the existing 1970's extension, and the erection of a contemporary single storey structure providing an open plan kitchen/dining/sitting room together with a boot room and WC. It would not project any further rearwards than the existing extension, but would span almost the entire width of the existing building. The main structure would be offset from the rear wall of the house, accessed by a glazed link into the drawing room where modern French doors and steps leading to the garden are currently located.
10. Whilst the existing extension is inoffensive in its design and use of materials, I would agree that it does not positively contribute to the special interest of the listed building. I consider that its removal alone would not result in harm to its special interest, subject to the suitable treatment of the rear wall of the existing dwelling. Internally, alterations to the original building to enable the proposed works would be minimal, with no loss of any historic fabric or architectural features. The appellant intends to re-use two six-panel Georgian doors located within the existing extension, incorporating them into the new structure, albeit it is unclear how this would be achieved.
11. The proposed structure is purposefully modern in its design and use of materials to provide a contrast, with the new structure as denoted by timber cladding under a standing seam metal roof. Whilst a distinct separation can be successful in many cases, here the choice of external materials and the chunky chimney stack to the end gable would give the structure an industrial appearance at odds with the classic Georgian architectural qualities of the existing building. I disagree with the appellant's assessment that it would complement the existing house, and that it is designed to harmonise with its proportions and be subservient to it.

¹ Table 3.1 Relevant Planning History, Heritage Impact Assessment (May 2022)

12. Rather, I find its scale, siting and contrasting materials would be unsympathetic and significantly detract from its classical proportions, light coloured walls and fine architectural features. The location of the structure to the rear of the house would not diminish its impact as listed buildings are protected for their inherent architectural and historic interest irrespective of any views. Even if this were not the case, I find that it would be seen from the road in stark contrast to the distinctive circular bays and large galleried landing window to the side elevation. This would not be mitigated to any significant extent by the boundary vegetation.
13. I acknowledge that the rear windows appear to be modern additions, nonetheless the views out of and towards them would be partially obstructed by the bulk and height of the new metal-clad roof. Whilst respectful of the pitch of the existing house, the roof would be much steeper and striking in appearance than that of the extension which the works would replace.
14. The set-back from the rear wall of the house with a glazed link would enable the rear wall of the house to be revealed. I saw that there is a lack of historic or architectural features to this elevation. I am mindful that the wall which adjoins the existing extension was previously internal (to the two-storey wing), however the treatment of this wall following demolition lacks detail within the submission, and this adds to my concerns.
15. Drawing all of the above together, I find that the proposed works would fail to preserve the special interest Grade II listed building. Consequently, I give this harm considerable importance and weight in the planning balance of the appeal.
16. Paragraph 205 of the Framework advises that when considering the impact of a proposed development on the significance of designated heritage assets, great weight should be given to their conservation. Paragraph 206 goes on to advise that significance can be harmed or lost through alteration or destruction of the heritage asset and that this should have clear and convincing justification.
17. Given the extent of the works relative to the building as a whole, I find the harm to the listed building to be less than substantial in this instance but, nevertheless, of considerable importance and weight. Where a proposal would lead to less than substantial harm to the significance of designated heritage assets, paragraph 208 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.
18. The appellant states that the replacement structure would be of sustainable construction and more energy efficient, and these are public benefits to which I give positive weight. Although paragraph 164 of the Framework requires significant weight to be given, irrespective of any energy efficiency improvement and the scale of any associated carbon reduction, it does not disapply those parts of the Framework set out above or the need to give any resulting heritage harm great weight in the public benefit balance.
19. The primary outcomes of the proposed works, namely the appellant's desire for light and open plan, accessible, contemporary and flexible living space would be solely of private benefit to the appellant. Although I acknowledge their desire to adapt the building to their personal requirements, this should not

involve works which would compromise the building's special interest and significance to an unacceptable degree.

20. Furthermore, I am not convinced that securing some or all the identified benefits could not be achieved in a more sympathetic and less harmful way. There is no compelling evidence before me that the property would not be a useable or viable dwelling without such works, and as such the identified harm to its significance has not been clearly and convincingly justified.
21. Given the above, and in the absence of any public benefits sufficient to outweigh the harm I have identified, I conclude that the works would fail to preserve the Grade II listed building of Sutton Hall, and the features of special or historic interest that it possesses. This is contrary to the requirements of the Act and section 16 of the Framework.
22. Insofar as relevant the works are also inconsistent with policy ENV5 of the Cheshire West and Chester Local Plan (Part One) 2015 and policy DM47 of the Cheshire West and Chester Local Plan (Part Two) 2019 which, taken together and amongst other matters, seek to protect and safeguard or enhance the significance of listed buildings and their setting, and only permit the alteration or extension of a listed building that would not have a detrimental impact on the significance, character, structure, scale, design, or appearance or setting of the building.

Other Matters

23. The archaeological potential of the site has been referred to in the evidence, in particular there is reference to the existence of older buildings, a priest hole and tunnels. However, there is no report before me on such matters, nor is there a consultation response from the relevant archaeological service. Given that I am dismissing the appeal for other reasons I have not pursued this matter further.
24. The appellant has provided details of their case in relation to potential effects on area character and living conditions of neighbours. However, these are matters to be considered as part of the planning application, which I understand has also been rejected by the Council, but no valid appeal submitted.

Conclusion

25. For the reasons given above I conclude that the appeal should be dismissed.

S Hunt

INSPECTOR