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## Appeal Decisions

Site visit made on 16 September 2025

by **S Ashworth BA (Hons) BPI MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 1 October 2025

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### **Appeal A Ref: APP/R0660/W/25/3361041**

#### **Upton Grange, 214 Prestbury Road, MACCLESFIELD, SK10 4AA**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
  - The appeal is made by Danny O'Sullivan, Upton Grange Care Home - CRH Trust against the decision of Cheshire East Council.
  - The application Ref is 23/4093M.
  - The development proposed is new rear extension and new accommodation block at Upton Grange Care Home, in order to bring the premise's residential accommodation up to modern living standards in order to allow the care home to function to its full potential.
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### **Appeal B Ref: APP/R0660/Y/25/3361044**

#### **Upton Grange, 214 Prestbury Road, MACCLESFIELD, SK10 4AA**

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) against a refusal to grant listed building consent.
  - The appeal is made by Danny O'Sullivan, Upton Grange Care Home - CRH Trust against the decision of Cheshire East Council.
  - The application Ref is 23/4094M.
  - The works proposed are new rear extension and new accommodation block at Upton Grange Care Home, in order to bring the premise's residential accommodation up to modern living standards in order to allow the care home to function to its full potential.
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## **Decisions**

1. Appeal A: The appeal is dismissed.
2. Appeal B: The appeal is dismissed.

## **Applications for costs**

3. An application for costs is made by CRH Trust against Cheshire East Council. This application is the subject of a separate decision.

## **Preliminary Matters**

4. Upton Grange is a grade II listed building. Accordingly, I have had regard to the statutory duties in respect of sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) which require the decision maker 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.

5. As the description of the proposal is the same for both the planning appeal and the listed building appeal, in order to reduce repetition, I have dealt with both appeals together in one decision letter.

### **Main Issue**

6. The main issue is whether the proposal would preserve the special interest of the listed building and its setting.

### **Reasons**

7. The listed building, which dates from 1820, was originally constructed as a house set within extensive landscaped grounds suggesting, as set out in the appellant's Heritage Assessment (HA), that Upton Grange was a dwelling of high status. The building is constructed in a Regency style with two full-height curved bays flanking a classically designed porch and entrance. It is two storeys in height with a white stucco finish and a pitched slate roof with axial chimney stacks. The building has been altered and extended over time but nevertheless the front elevation has remained largely intact, some internal features have been retained, and the modest scale and appearance of the original building is still apparent. Later additions to the building at the rear are not included in the list description. The significance of the listed building as a heritage asset lies in its age, its architectural design which is typical of the Regency period, its original fabric and its historic value as a country residence.
8. The HA notes that the house and grounds and plots of land next to it originally comprised a house, yard, buildings and pleasure grounds. Parts of the land associated with the house were sold off in the early 20<sup>th</sup> century but nevertheless the building still sits in a large, pleasant garden which incorporates areas of lawn and extensive planting intersected by pathways. The garden provides a visual setting to the listed building, allowing the building to be appreciated within the site. Importantly, as a planned feature of the original development, the garden contributes to the historic value of the listed building. It thereby makes a positive contribution to the significance of the heritage asset.
9. The proposal comprises two elements: a two-storey extension to a 1960's rear addition to enable existing bedrooms to be enlarged and provided with en-suite bathroom facilities, and a single storey extension to the west side of the house to form 10 additional bedrooms, a lounge and extended dining room.
10. The Council has raised no objections to the two-storey extension to the rear. Given its limited bulk and projection from the existing block, which in itself has limited architectural merit, and its position away from the listed building I am satisfied that this element of the proposal would not harm the significance of the listed building.
11. The single storey extension would be substantial in terms of its size and projection from the main part of the building. Given it would be attached to a newly added conservatory it would not affect any historic fabric. It would be set back behind the front elevation of the conservatory and further back still from the important front elevation of the listed building. In terms of its appearance, the extension would have a flat roof, full height windows, and external materials of rendered blockwork and aluminium cladding with window frames to match

those of the conservatory. As a result of the contrast in building styles, the extension would be read as a contemporary addition.

12. Nevertheless, the extension would have a very sizeable footprint, considerably greater than that of the original building, and be of significant bulk. Consequently, I am not persuaded that it would be subservient to the original dwelling. Viewed from within the garden, the extension would dominate the modest form of the house and from the end of the access drive it would be a distracting feature.
13. The arboricultural assessment (AA), dated May 2023, indicates that a significant number of trees and shrubs, including a very sizeable willow tree, would be removed to facilitate the development. Taking into account the concerns of the Council's Environmental Planning Team about the limited level of detail contained in the AA, other trees may also be under threat. The trees and shrubs that would be lost are not protected but nevertheless without mitigation in the form of a replacement planting scheme or landscape strategy, the proposal would undermine the leafy character of the grounds and make the extension more apparent.
14. Moreover, the proposal would introduce a large amount of built form onto much of the garden where historically there has been no development. Consequently, it would undermine the original purpose of the space. Furthermore, it would create a significant visual subdivision of the grounds into smaller sections as such reducing its openness and its original design intent as 'pleasure grounds'.
15. Accordingly, drawing all these matters together, the extension would have a harmful effect on the setting of the heritage asset in both visual and spatial terms. Moreover, the development would undermine the historic value of the garden. On that basis the proposal would not preserve the setting or special interest of the listed building and would not accord with the weighty statutory requirements of the Act. It would also fail to comply with Policies SD1, SD2 and SE1 of the Cheshire East Local Plan Strategy (CELPS) which require developments to, amongst other things, ensure sensitivity of design in proximity to designated heritage assets and their settings, and respect and where possible enhance the significance of heritage assets.
16. For the reasons set out above, the proposal would cause less than substantial harm to the significance of the heritage asset. Given that some of the garden would remain and the fabric of the listed building would be untouched, it seems to me that the level of harm would be at the lower end of the scale. The approach in the National Planning Policy Framework (the Framework) is that where a proposal would result in less than substantial harm to the significance of a designated heritage asset, that harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
17. The Framework is clear that any harm to the significance of a designated heritage asset, including from development within its setting, should require clear and convincing justification. Similarly, Policy SE 7 of the CELPS requires development proposals that cause harm to a designated heritage asset and its significance, including its setting, to provide clear and convincing justification as

to why that harm is considered acceptable. Where that case cannot be demonstrated, proposals will not be supported.

### **Planning Balance**

18. There is no dispute that the bedrooms in the 1960's extension no longer meet the standards expected by residents of a care home particularly regarding the need for accessible, ensuite bathroom facilities. The proposal would allow those 10 bedrooms to be upgraded. The construction of the new wing would provide accommodation for existing residents while the extension was being carried out. However, given that evidence suggests that between 19 and 21 of the 24 bedrooms in the home are generally occupied at any one time, it is unclear why an extension of the size proposed is required for that purpose. In any event these matters are of private benefit to the residents and management of the home rather than a public benefit.
19. The proposal would allow the care home to be expanded by a further 10 bedrooms, a sizeable increase over the existing facility, providing additional specialist accommodation in the area. However, the Vulnerable and Older Persons Housing Strategy 2020-2024 provided by the appellant in support of the appeal, indicates that there is a need for extra-care units in the area - for those not yet in need of residential or nursing care. It notes that Macclesfield and other larger towns are well served by residential care and nursing homes. A statement from the appellant indicates that there is demand for space at Orton Grange but the lack of detailed evidence on the matter limits the weight I can give to it as a public benefit.
20. The proposal would provide additional jobs within the care home and economic benefit during the construction period which carry additional weight in support of the proposal. I note that Macclesfield Town Council expressed support for the listed building application, albeit in response to the planning application requested that the proposed materials were in keeping with the character of the listed building. The support expressed carries limited additional weight. Accordingly, the public benefits cumulatively attract moderate weight in support of the proposal.
21. On the other side of the balance, the Framework indicates that great weight should be given to the conservation of a heritage asset. Consequently, on the basis of the evidence before me, the public benefits associated with the proposal do not outweigh the harm I have identified. Accordingly, the proposal would not accord with the requirements of the Framework.

### **Conclusion**

22. As clear and convincing justification for the proposal has not been demonstrated it follows that the proposal is contrary to Policy SE 7 of the CELPS and would not accord with the development plan considered as a whole. There are no other considerations before me which would indicate that permission should be granted other than in accordance with the development plan. On that basis the appeal is dismissed.

*S Ashworth*

INSPECTOR



