



Appeal Decisions

Site visit made on 24 October 2022

by S Edwards BA MA TCP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16th December 2022

Appeal A Ref: APP/L3815/W/22/3293423

Forbes Place, Flat 23, King George Gardens, Chichester PO19 6LF

- 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 Matthew Rockel against the decision of Chichester District Council.
 - The application Ref CC/21/03343/FUL, dated 16 November 2021, was refused by notice dated 24 January 2022.
 - The development proposed is altering of non-load bearing partitions and ceiling, removal of boiler and adding 1 no. roof-light.
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Appeal B Ref: APP/L3815/Y/22/3293415

Forbes Place, Flat 23, King George Gardens, Chichester PO19 6LF

- 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 Matthew Rockel against the decision of Chichester District Council.
 - The application Ref CC/21/03344/LBC, dated 16 November 2021, was refused by notice dated 11 January 2022.
 - The works proposed are altering of non-load bearing partitions and ceiling, removal of boiler and adding 1 no. roof-light.
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Decision

1. Appeal A is dismissed.
2. Appeal B is dismissed.

Preliminary Matters

3. The appeal scheme affects a listed building located in a conservation area, and I have therefore 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. As both appeals relate to the same site and the issues raised are of a similar nature, I shall consider them in a single document, in the interests of brevity.

Main Issue

5. The main issue is whether the proposal would preserve Forbes Place, a Grade II* listed building (Listed as 'The Royal West Sussex Hospital' - List Entry Number: 1354267), and any of the features of special architectural or historic interest it possesses.

Reasons

6. Designed by the architect George Draper, the Grade II* listed building was constructed in 1825 as an infirmary for West Sussex. During the nineteenth century, the building was extended significantly either side and additional accommodation was also added at third floor level in the form of a mansard roof, with dormer windows. These additions make an important contribution to the special interest of the building, as they show how the building was adapted over time until its use as a medical institution ceased in 1972.
7. Listed in 1971, the former hospital stands out as an institutional building defined by its monumental, polite design. The stuccoed building, with its rusticated ground floor, is characterised by the impeccable symmetry of its detailing, with a central projecting feature complimented by Doric pilasters and pediment, and strong rhythm provided by the fenestration in particular.
8. Like many other health and welfare buildings constructed around that time, the building combines architectural presence with functional interest. The large size and design of the windows and the substantial chimneys reflect the greater emphasis which was then placed on ventilation and heating. Given the above, and insofar as it relates to these appeals, the significance of this Grade II* listed building derives primarily from its architectural and historic interest as a medical institution, and high level of surviving fabric.
9. As noted above, the distinctive form of the mansard roof adds to the special interest of the listed building. Although other features, such as the dormer windows, have been subject to alterations, these appear to be limited to the shape of the pediments and do not affect the building's overall roof form.
10. Within such a sensitive context, the insertion of a rooflight, albeit discreetly sited, would represent an alien feature which would disrupt the uniformity and consistency of the listed building's roofscape and harmfully erode its significance. Whilst the proposed rooflight would not be widely visible within the street scene, listed buildings have to be safeguarded for their inherent architectural and historic interest, irrespective of whether or not public views of the development and works can be gained.
11. No concerns have been raised by the Council regarding the effect of the proposal on the Chichester Conservation Area, which owes much of its special interest to its strong sense of historic character. Despite the harm identified in respect of the listed building, I am satisfied that the development and works would not be detrimental to the Conservation Area as a whole, and thus preserve its character and appearance. This is because, unlike listed buildings, the significance of a conservation area is dependent upon how it is experienced.
12. However, the appeal scheme would cause less than substantial harm to the special interest of the listed building, to which I nevertheless ascribe considerable importance and weight. In such circumstances, paragraph 202 of the National Planning Policy Framework (the Framework) indicates that the harm should be weighed against the public benefits of the proposal.
13. The appellant's submissions indicate that the proposed development and works would improve the amenity and natural light within the kitchen and living room, though these areas are already served by dormer windows.

Furthermore, this presented benefit would remain of a private nature, as it is primarily aimed at improving the living conditions of existing occupiers. It is also suggested that the appeal scheme would improve the carbon use of heating, though this is not supported by detailed evidence. Overall, I have been presented with no public benefits which would outweigh the identified harm.

14. The proposed development and works would fail to preserve the special interest of the Grade II* listed building, and would therefore not meet the requirements of Section 66 of the Act. The appeal scheme would also conflict with Policy 47 of the Chichester Local Plan: Key Policies 2014-2029 and Section 16 of Framework, which seek to ensure that proposals conserve and enhance the special interest and settings of designated and non-designated heritage assets.

Other Considerations and Conclusions

15. The Council is satisfied that some aspects of the works seeking listed building consent would preserve the significance of this designated heritage asset, and I find no reasons to reach an alternative view. However, whether to issue a split decision is a matter for the Inspector and in view of the difficulties to clearly separate the acceptable works from the ones which would cause harm to the significance of the listed building, I have decided not to pursue this course of action.
16. There are no material considerations, which indicate that the appeals should be determined, other than in accordance with the development plan. For the reasons detailed above, and having regard to all other matters raised, I conclude that both appeals should be dismissed.

S Edwards

INSPECTOR