



Appeal Decision

Site visit made on 15 September 2023

by C Shearing BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4th October 2023

Appeal Ref: APP/U1430/D/22/3312655

Ellen Archers, Castle Hill, Bodiam, East Sussex TN32 5UE

- 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 Rafferty against the decision of Rother District Council.
 - The application Ref RR/2022/2089/P, dated 19 August 2022, was refused by notice dated 7 October 2022.
 - The development proposed is a first floor extension to modern garage building to form home office and lift access.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the setting of the listed building of Ellen Archers.

Reasons

3. Ellen Archers is a grade II listed building, situated in an elevated position at the northern end of a group of properties which together line the eastern side of Castle Hill. It is an architecturally distinctive timber-framed hall house with plaster infilling and a ground floor rebuilt in painted brick and stucco. Its significance is derived from its architectural character and appearance, historic value and as an important archaeological standing building.
4. The combination of its character and position in the settlement result in Ellen Archers being a prominent feature in the street and in views from the south along Castle Hill, which is part of the main route through the village of Bodiam. As such, the setting in which the building is experienced is formed of both its surrounding domestic gardens as well as the historic development on this side of Castle Hill. These features contribute positively to both the significance of the heritage asset and its ability to be appreciated. As such, the proposed development would affect the setting of the listed building.
5. The proposal would substantially increase the height of the garage structure. In combination with its raised position, siting forward of the main building line on this side of Castle Hill, and its proximity to the road, the garage would appear visually prominent in the street scene. This would particularly be the case in views along Castle Hill from the south, where the garage would terminate the group of properties and would visually detract from Ellen Archers and substantially dilute its ability to be appreciated.

6. While the proposal may be lower in height and physically separate to the listed building itself, its comparative scale and proximity to the building would nonetheless heavily detract from its setting as set out above. For these reasons, the proposal would cause harm to the setting of the listed building.
7. This harm would be less than substantial for the purposes of assessment against the National Planning Policy Framework (the Framework), and great weight must be given to the asset's conservation. Accordingly, paragraph 202 of the Framework requires that this harm be weighed against the public benefits of the proposal.
8. The appellant states that there would be a public benefit through the alteration of the existing flat roof garage. This is of no historic or architectural merit. However, it is low level and has the appearance of being partially recessed into the hillside and woodland to the north. The appellant's heritage statement describes the garage as being wholly subservient, with its roof being lower than the ground level immediately abutting the listed house. Given these characteristics, I ascribe moderate weight to the benefit of its alteration. For these reasons, the public benefits here would not outweigh the harm to the heritage asset.
9. The proposal would allow the new upper floor level of the garage to be wheelchair accessible. While not necessarily a public benefit, this is nonetheless an important attribute which would be of value to any disabled occupants. However, having considered the evidence before me, this benefit would not outweigh the harm which has been found to the heritage asset, which would be significant and long lasting.
10. In conclusion, the proposal would cause harm to the significance of the heritage asset through causing harm to its setting. The proposal would conflict with Policy EN2 of the Rother Core Strategy 2014 which sets out requirements for development affecting the historic built environment, including that which is statutorily listed and preservation of locally distinctive building forms and their settings. The proposal would also conflict with the objectives of the Framework relating to heritage assets, as set out above.

Other Matters

11. Bodiam Castle, a grade I listed building and Scheduled Ancient Monument exists further to the east. The historic linear development of Castle Hill forms a part of its wider setting. The effect of the proposal on this setting is not in dispute and, given the proposal would continue to read as a part of the linear development, and given the presence of intervening structures, it would preserve the setting of the Castle.

Conclusion

12. The proposal would conflict with the development plan as a whole and there are no other considerations, including the provisions of the Framework, which outweigh this finding. Therefore, for the reasons given, the appeal is dismissed.

C Shearing

INSPECTOR