



Appeal Decisions

Site visit made on 25 June 2024

by David Cliff BA Hons MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 03 September 2024

Appeal A Ref: APP/L3815/W/24/3339696

Rats Castle, Linchmere Road, Hammer, Haslemere, GU27 3QG

- 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 Mr Stanley against the decision of Chichester District Council.
 - The application reference is LM/23/01907/DOM.
 - The development proposed is described in the application form as a 'subterranean extension'.
-

Appeal B Ref: APP/L3815/Y/24/3339705

Rats Castle, Linchmere Road, Hammer, Haslemere, GU27 3QG

- 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 Mr Stanley against the decision of Chichester District Council.
 - The application Reference is LM/23/01908/LBC.
 - The works proposed are described in the application form as a 'subterranean extension'.
-

Decisions

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

Preliminary Matters

3. I have used above the address as stated in the Council's decision notices as it most accurately and concisely describes the location of the site.
4. The appellant has submitted amended plans with its appeal documents, reducing the dimensions of the proposed internal staircase leading to the extension and retaining an existing internal wall at the entrance to the existing bathroom. The Council has had an opportunity to comment on these plans through its appeal submissions. I have taken account of these amended plans in my decisions and consequently do not consider that any party has been unfairly prejudiced.
5. As the appeal relates to a listed building, I have had special regard to sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 ('the Act').

Main Issues

6. The main issues are (i) whether the proposal would preserve a Grade II listed building known as, 'Rats Castle' (Ref: 1025944), and any of the features of special interest it possesses and (ii) the effect on the character and appearance of the site and surrounding area.

Reasons

Listed building

7. Rats Castle is a modest two storey timber-framed dwelling dating from the 16th or 17th century. The sandstone and redbrick clad rectangular core of the building, with a simple internal plan form, appears to have been extended on its north side with a later, yet still historic, catslide roofed addition. It was subsequently extended in the early 20th century through a two-storey red brick and tile hung gable ended addition on its western side. Census records from around that time indicate that it was occupied by two separate families, with it being likely that the later extension was originally constructed as a separate dwellinghouse. The entire building has since been occupied as a single residence. The building is set below the level of the adjacent Linchmere Road. Whilst the historic front elevation faced towards the road, the building is now accessed from the north. The building enjoys sizeable sloping gardens incorporating a pond which is understood to have been used by a previous occupier, the engineer Robert Lochner, in preparation for the D-Day landings in 1944.
8. Given the above, I find the special interest of the listed building, insofar as it relates to these appeals, to be primarily associated with the legibility of traditional materials and construction techniques associated with its timber framed core, its external appearance with local sandstone walls, along with the legibility of its historic domestic plan form. The extensive sloping garden around the building forms part of its setting, contributing to its understanding and special interest, including the historic associative links with the engineer Robert Lochner.
9. The proposed subterranean extension to the east side of the building would be set within the sloping garden, partially beneath an existing lawn area. The extension would be accessed through a new staircase leading down from the existing bathroom in the front ground floor catslide part of the building. Other internal alterations are proposed, though these are not part of the Council's objections.
10. The extension would be of a substantial size and, whilst proposed to be partially built into the existing topography of the site, it would require considerable reprofiling of this part of the existing sloped garden leading to an area of landscaped flat roof projecting from the existing slope profile, with a new hedge along its front edge to form a guard. A further proposed hedge on its western side would screen the side elevation of the extension adjacent to the existing dwelling, albeit there are not detailed drawings of the proposal from this side. As such it is not very clear how this elevation would be designed and maintained. However, from the details provided, the change in ground levels in proximity of the listed building along with its west elevation, albeit screened by hedging, would result in a distinctly formal appearance that would erode the traditional appearance and natural setting of the building.
11. The predominantly glazed and curved north elevation would be more clearly apparent from within the lower garden area. It would be disproportionate in size in relation to the modest proportions of the listed building and would represent a highly incongruent addition within the garden. Given the extent of glazing, its presence would be likely to be yet more obvious when it is lit during evenings and nighttime. Therefore, taking account of its considerable size, it

would significantly undermine the historic and architectural integrity of this modest vernacular dwelling.

12. Despite there being no public views, the building is listed for its intrinsic architectural and historic interest and public visibility of the proposed works is not a determining factor in considering whether they would preserve its special interest.
13. The appellant has provided details of previous underpinning work in the existing ground floor bathroom area. I consider there to be uncertainty from the details provided as to the actual form and extent of such previous work and the degree to which it might have affected any historic fabric. Notwithstanding the reduction in the size of the proposed staircase that would lead down to the proposed extension, it would require significant excavation beneath this historic part of the building, including beneath the side wall. Despite the previous works, the details of which are unclear, there would still be a significant risk of damage to historic fabric in this part of the building. Given this uncertainty and as the staircase is critical in providing access to the proposal, this is not a matter than can reasonably be resolved through a condition as suggested by the appellant.
14. Given all the above, I find that the proposal would fail to preserve the special interest of the listed building. Consequently, I give this harm great weight.

Character and appearance

15. Furthermore, taking account of my reasoning above, the size and appearance of the proposed extension would not respond positively to the form, scale and architectural style of the existing building. Whilst it would not be prominent in public views it would nevertheless detract from the appearance of the existing building and its setting within the site.
16. Consequently, although the harm to the wider area would be minimal, the proposal would be contrary to the aims for the highest standards of design and to respect the character of the site as set out in Policy 33 of the Chichester Local Plan: Key Policies 2014-2029 ('the Local Plan').

Planning balance

17. Paragraph 205 of the National Planning Policy Framework ('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 any harm to, or loss of, significance of a designated heritage asset through its alteration or destruction should require clear and convincing justification. Given that the proposal would potentially affect only a small part of the historic fabric of the building and would not directly affect its principal elevations or historic floor plan, I find the harm to the listed building to be less than substantial in this instance, but nevertheless of considerable importance and weight.
18. Under such circumstances, paragraph 208 of the Framework states that this harm should be weighed against the public benefits of the proposal, which includes, where appropriate, securing the optimal viable use of the heritage asset. The proposal would provide for enhanced living accommodation for existing and future residents. However, this is a private benefit and does not fall to be considered in the balance. Furthermore, the continued viable use of

the building as a residential dwelling is not dependent on the proposal as the building has an ongoing residential use that would not cease in its absence.

19. Given the above and in the absence of any defined public benefit, I conclude that the proposal would fail to preserve or enhance the special interest of the Grade II listed building. It would also not fulfil the more general policy aims to achieve the highest standards of design and to respect the character of the site. This would fail to satisfy the requirements of the Act and would be contrary to the relevant heritage and design aims of Policies 25, 33 and 47 of the Local Plan, and the Framework.

Conclusion

20. For the above reasons I conclude that the appeals should be dismissed.

David Cliff

INSPECTOR