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Design & Access Statement | Heritage Statement

Bramble Cottage, 96 Rose Green Road, Bognor Regis

Statement prepared by Chilcroft Heritage Planning
August 2020



Corporate members of:
The Society for the Protection of Ancient Buildings
Historic Houses Association
The Georgian Group



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1) INTRODUCTION

- 1.1) I am Haig Dalton, founder of Chilcroft Heritage Planning, an established independent heritage consultancy since 2006. In the 3 years before this, I was a local planning authority Design and Conservation Officer, within development control departments. I have worked on a wide range of projects throughout the United Kingdom, predominantly (but not exclusively) for private sector clients.
- 1.2) I hold a masters degree in Historic Building Conservation (MSc); a postgraduate qualification in Architectural History from the University of Oxford (Oxon); I am an Affiliate member of the Royal Institute of British Architects (RIBA) and of the Institute of Historic Building Conservation (IHBC).
- 1.3) Over the last 17 years I have specialised in the historic environment, both in terms of understanding and analysing physical fabric, and in terms of policy application, specifically by assessing impacts, providing advice and supporting development proposals. My experience includes a diverse range of cases relating to the assessment of physical changes to, and development affecting all manner of heritage assets, their settings and historic fabric.
- 1.4) I have undertaken numerous impact assessments where I have considered the impacts of new development on the historic environment (dealing with physical impacts, setting, townscape, views and inter-visibility), including dealing with the effects of development on heritage assets and historic fabric.
- 1.5) I have provided expert written evidence for planning applications and appeals, including public inquiries, on behalf of appellants and planning authorities.

- 1.6) I understand my role in compiling this Heritage Statement; to give independent and objective evidence on matters within my expertise, based on my own independent opinion and uninfluenced by the instructing party; the applicant. I confirm that I have stated the facts and matters on which my opinion is based, and that I have not omitted to mention facts or matters that could detract from my conclusions.
- 1.7) I believe that the facts stated within this Heritage Statement are true and that the opinions expressed are correct. I have drawn attention to any matters where I consider I lack sufficient information to reach anything other than a provisional conclusion. I have adhered to the standards and duties of the professional bodies I am a member of, and will continue to adhere to those standards and duties.
- 1.8) I was first approached in relation to the proposal in July 2020, when I was asked to provide a heritage statement in relation to the planning application on behalf the applicant. My quote was based on several stages/elements, the first of which was an initial case review, including a site visit during August 2020. I confirm that I am able to act as the applicant's heritage expert following this initial work and a site visit.
- 1.9) As an independent expert professional, I have formed my own opinions and have come to my own conclusions about the effects of the proposed development on heritage assets.
- 1.10) This statement will describe the significance of any heritage assets affected, including any contribution made by the setting, as required by Para.189 of the *National Planning Policy Framework* (2019). It will assess the significance of the heritage assets by way of Historic England guidance *The Setting of Heritage Assets* (2015) in accordance with their preferred five-step procedure, identify, assess and explore the significance of their setting and consider the appellant's scheme in relation to them.

2) LEGISLATIVE AND POLICY

- 2.1) Legislation relating to listed buildings and conservation areas is contained in the Planning (Listed Buildings and Conservation Areas) Act 1990. Sections 16 and 66 of the Act place a duty on the decision maker to have special regard to the desirability of preserving listed buildings and their settings.
- 2.2) Section 72 of the Act places similar duty on the decision maker with respect to the desirability of preserving or enhancing the character or appearance of conservation areas, however this does not extend to the setting of conservation areas.
- 2.3) The National Planning Policy Framework (NPPF) constitutes the Government's current national guidance and policy regarding development in the historic environment. It is a material consideration and includes a succinct policy framework for local planning authorities and decision takers. It relates to planning law by stating that applications are to be determined in accordance with the local plans unless material considerations indicate otherwise.
- 2.4) Paragraphs 189 to 192 of the NPPF deal with conserving and enhancing the historic environment with emphasis on "significance", defined in Annex 2 as:

"The value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting. For World Heritage Sites, the cultural value described within each site's Statement of Outstanding Universal Value forms part of its significance"

- 2.5) Annex 2 of the NPPF defines the setting of a heritage asset as:

"The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral"

- 2.6) Paragraph 189 of the NPPF places a duty on the Local Planning Authority (LPA) to require an applicant to describe the significance of any heritage assets affected by a proposal, providing a proportionate level of detail. The effects of any development on a heritage asset therefore need to be assessed against the four components of its heritage significance: its archaeological, architectural, artistic and historic interests.
- 2.7) Paragraph 190 of the NPPF notes that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.
- 2.8) Paragraph 193 applies specifically to designated heritage assets. It states that great weight should be given to their conservation (requiring a proportionate approach) irrespective of whether any potential harm amounts to substantial or less than substantial harm.
- 2.9) Conservation (for heritage policy) is defined in Annex 2 of the NPPF as:
- “The process of maintaining and managing change to a heritage asset in a way that sustains and, where appropriate, enhances its significance”*
- 2.10) The importance and relevance of this definition is that it does not suggest conservation to be the same as preservation. Indeed, what sets conservation apart is the emphasis on proactively maintaining and managing change and not on a reactive approach to resisting change. In its simplest interpretation conservation could amount to a change that at least sustains the significance of a heritage asset.

- 2.11) Paragraphs 194 to 196 describe two levels of potential harm that can be caused to the significance of designated heritage assets, namely substantial harm and less than substantial harm. These effects are to be weighed in the planning balance according to the guidance set out within paragraphs the paragraphs, bearing in mind the statutory provisions above. Substantial harm to or loss of a grade II listed building should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, including grade I and II* listed buildings should be wholly exceptional.
- 2.12) Paragraph 196 deals with cases of less than substantial harm and notes that any such harm should be weighed against the public benefits of the proposal. Heritage protection and the conservation of heritage assets are recognised as of benefit to the public.
- 2.13) Harm is defined by Historic England as a change which erodes the significance of a heritage asset.
- 2.14) Paragraph 200 of the NPPF notes that local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.
- 2.15) The National Planning Practice Guidance provides advice on enhancing and conserving the historic environment in accordance with the NPPF. The PPG currently relates to the 2012 version of the NPPF but will be updated in due course to reflect NPPF 2019.
- 2.16) With regards to the setting of heritage assets the PPG notes:

“The setting is the surroundings in which an asset is experienced, and may therefore be more extensive than its curtilage.”

2.17) The guidance notes that a thorough assessment of the impact on setting needs to take into account, and be proportionate to, the significance of the heritage asset and the degree to which proposed changes enhance or detract from that significance and the ability to appreciate it.

2.18) In relation to harm the guidance states:

“Whether a proposal causes substantial harm will be a judgment for the decision taker, having regard to the circumstances of the case and the policy in the National Planning Policy Framework. In general terms, substantial harm is a high test, so it may not arise in many cases. For example, in determining whether works to a listed building constitute substantial harm, an important consideration would be whether the adverse impact seriously affects a key element of its special architectural or historic interest. It is the degree of harm to the asset’s significance rather than the scale of the development that is to be assessed. The harm may arise from works to the asset or from development within its setting.”

2.19) Paragraph 020 of the document notes that public benefits can be heritage based and can include:

- Sustaining or enhancing the significance and the contribution of its setting;
- Reducing or removing risks to a heritage asset; and
- Securing the optimum viable use of a heritage asset for the long term.

2.20) The Historic Environment Good Practice Advice in Planning Note 3: The Setting of Heritage Assets (Historic England, 2017) is a document published by Historic England as a second edition in December 2017, replacing the earlier 2015 setting guidance. The document provides for a thorough understanding of the setting of a heritage asset and the relationship of the setting to curtilage, character and context.

2.21) The guidance document notes, in paragraph 18, that the protection of the setting of heritage assets need not prevent change. The document recognises that not all heritage assets are of equal importance and states that the contribution made by their setting to their significance will also vary. Not all settings have the same capacity to accommodate change without causing harm to the significance of the asset.

2.22) As per earlier Historic England guidance, the document advocates a stepped approach to assessing the impact of change within setting on the significance of heritage assets. This stepped approach is:

Step 1: identify which heritage assets and their settings are affected;

Step 2: assess whether, how and to what degree these settings make a contribution to the significance of the heritage asset(s);

Step 3: assess the effects of the proposed development, whether beneficial or harmful, on that significance;

Step 4: explore the way to maximise enhancement and avoid or minimise harm; and

Step 5: make and document the decision and monitor outcomes.

2.23) Guidance under Step 2 notes that the asset's physical surroundings and how the asset is experienced (such as views, noise, tranquillity, sense of enclosure etc.) should be taken in to consideration.

2.24) Step 3 is also important in making it clear that a proposed development should not be assessed in terms of its impact on setting; instead it should be assessed in terms of the impacts on significance. That is to say, what matters is not the extent of visibility of the development or change to the setting of an asset, but the extent of change to its archaeological, architectural, artistic or historic interest. In some circumstances, this evaluation may need to extend to cumulative and complex impacts which may have as great an effect on heritage

assets as large-scale development and which may not only be visual. At the very least the assessment should address the key attributes of the development in terms of its location and siting, form and appearance, additional effects and permanence.

- 2.25) Paragraph 39 notes that options for reducing the harm arising from development may include the relocation of elements of a development or changes to its design. It notes that good design may reduce or remove the harm.
- 2.26) Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990 requires great weight to be given to preserving the setting of a heritage asset. In *Jones v Mordue [2015] EWCA Civ 1243* the court confirmed that if the decision-maker has worked through the relevant heritage paragraphs in the NPPF, they will have complied with the s66 duty.
- 2.27) In *Barnwell Manor [2014] EWCA Civ 137* the court confirmed that great weight should be attached to the desirability of preserving the setting of a heritage asset.

3) DESIGN AND ACCESS STATEMENT

- 3.1) The proposed development will only involve works to the ground floor of the dwelling and focus on two rooms, turning the existing bathroom into a utility room and changing the existing single storey study room into a bathroom.
- 3.2) The primary means of access to the dwelling will remain as existing with a porch leading into the reception hall. The proposed utility room will be immediately forward of this, accessed through the existing doorway with the proposed new bathroom to the right, again accessed through the existing doorway. No additional windows will be created as part of the development. The rear door of the dwelling will also remain as existing, with access from the kitchen.
- 3.3) The dwelling is accessed via Rose Green Road and is visible in part from the highway junction with Grosvenor Gardens just to the south-west (**see Fig 1**). A pair of timber 5-bar gates leads to a gravel driveway directly in front of the principle elevation of the building (**see Fig 2**). The external aspect of the dwelling, its setting and means of access would be unchanged by the proposals.
- 3.4) The proposed works would be centred on rooms to the far side of the dwelling, furthest away from the adjoining dwelling of 98 Rose Green Road. Together the two dwellings are a Grade II listed building.
- 3.5) The proposed utility room would utilise the existing pipeworks and plumbing inside the room to create provision for the proposed utility space. This would not involve the opening up of any walls to effect this and could be done within the confines of the existing building and its fabric.
- 3.6) To adapt the new bathroom space, hot and cold water pipes will be run under the existing floorboards in the proposed bathroom area. A new soil pipe would be run to the outside wall of the single storey building and into a sub stack and external durgo valve, with a small section of the outer wall opened up to connect this. The room would be redecorated and a bath, shower, toilet and basin fitted.

4) ASSESSMENT OF SIGNIFICANCE

- 4.1) Bramble Cottage, 96 Rose Green Road forms part of a single listing with 98 Rose Green Road and is Grade II listed building (**List No. 1191182**). The dwelling dates from the late 16th Century and consists of a pair of Tudor style cottages with casement windows, built over two storeys, with a thatched roof and dormer windows. The building is stone built with brick quoins, three brick built chimney stacks and a whitewashed exterior. The timber frame building is typical of the period and would have originally been built without the stone and brick infill, which was probably added around the time of the late 18th to early 19th Century. The single storey side extension which currently houses the study is of a later construction and is believed to date from the late 19th Century, being brick built with a tiled roof. The garage outbuilding has a corrugated roof and is brick built and believed to date from the early 20th Century.
- 4.2) The cottages were originally constructed as probably three dwellings and have subsequently been made into larger properties, albeit the modern day 96 Rose Green Road was most likely to have originally made up two cottages. The evolution of these buildings and their usage is typical of many former estate cottages, with fewer people living in the space that they were historically intended for.
- 4.3) The proposed utility room occupies an area of the dwelling that dates from the 16th Century. Existing pipeworks exist within this space and its adaptation to a utility room is unlikely to conflict with the historic fabric of the building. By contrast, the proposed new bathroom would be created in the newest area of the dwelling, the single storey late 19th Century addition. Whilst any changes should obviously be kept to a minimum, it is likely that a bathroom in this location would have less upon the historic fabric of the listed building, than if located elsewhere in the 16th Century portion of the building.
- 4.4) The setting of the listed building is made up of a large established curtilage that extends to the north, east and south sides of the dwelling, with modern late 20th Century developments beyond its boundary. It is not in a Conservation Area.



Fig 1: The proposed development would only involve changes to the interior of the building and would not impact the setting of the listed building or its wider appreciation from the public highway.

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Fig 2: The listed building consists of two semi-detached cottages, with the larger of these being Bramble Cottage. The existing access to the dwelling from Rose Green Road would remain unchanged.

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Fig 3: The Grade II building dates from the late 16th Century with a single storey side extension from the late 19th Century. The proposals would be internal and not adversely impact the significance of the heritage asset.

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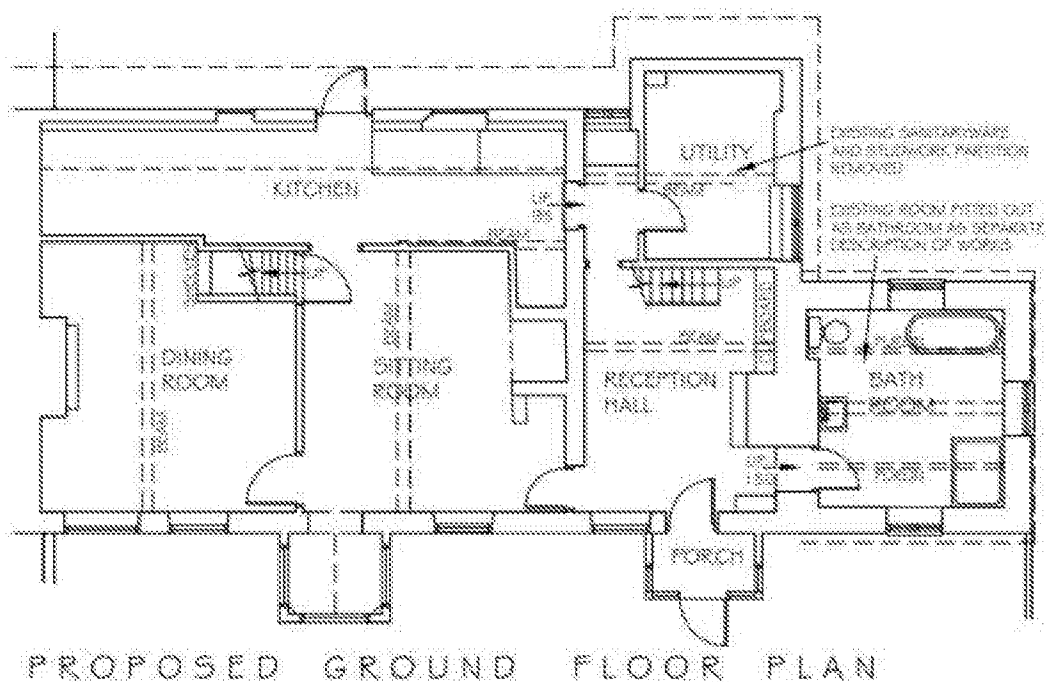


Fig 4: The creation of the utility room would use existing pipework, without the need to impact historic fabric. The soil pipe in the new bathroom would be confined to a late 19th Century portion of the building.

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5) IMPACT ASSESSMENT

- 5.1) Whilst the living arrangements and use of a property cannot be a primary consideration in the case of a listed building, they will undoubtedly feature in any renovation works and done sympathetically, can also preserve or enhance the significance of a heritage asset. Chilcroft Heritage Planning has worked closely with the applicant to facilitate this and ensure that the listed building remains of primary consideration.
- 5.2) The proposed development will only involve works to the ground floor of the dwelling and focus on two rooms, turning the existing bathroom into a utility room and changing the existing single storey study room into a bathroom. The exterior of the building will remain unchanged, as will its setting.
- 5.3) The reuse of the existing bathroom for the proposed utility room will allow for the reuse of existing hot and cold pipes, including the use of the soil pipe, without the need to drill out any new holes in the walling. This is particularly important as this space is contained within the oldest parts of the building, from the 16th Century, and any damage to the historic fabric of the building for this purpose could not be justified. The reuse of the existing bathroom for the proposed utility room will therefore not harm the historic fabric of the listed building and could be achieved without any loss of significance.
- 5.4) The proposals would include the laying of hot and cold pipes under the existing floor of the proposed new bathroom. As part of this, the existing modern 21st Century floorboards will be removed and replaced with tiles, resulting in no loss of historic fabric. Whilst the insertion of new hot and cold water pipes will involve some adaptation to the room, the work is capable of being carried out sympathetically to the listed building. Furthermore, this work would solely be carried out in the late 19th Century portion of the building. Whilst this would indeed represent a part of the buildings historic fabric, it is of least significance to the listed building, compared to that found in the oldest parts of the dwelling.

- 5.5) The provision of a new bathroom in an old building needs to be carried out with care, particularly in relation to the creation of drainage and how this may impact the historic fabric of a listed building. As Historic Building Consultants, we were involved from the outset and directed that the placement of this bathroom should not be in the oldest 16th Century portion of the building, where it would be likely to do the most harm. Instead, the proposed bathroom would be sited in a late 19th Century single storey side extension to the building, an area of the building where more modern fabric is found.
- 5.6) The proposed new bathroom would not involve the cutting through of the historic 16th Century frame of the building or any stonework. The proposal would be focused on a late 19th Century portion of the building and involve a single soil pipe being inserted into the outer wall, through more modern brickwork. The provision of all other parts of the proposed works would be internal only and amount to the redecoration of the room, including the insertion of a bath, shower, toilet and basin. On balance, the proposed works are therefore considered to be capable of preserving the significance of the listed building.
- 5.7) In coming to a conclusion, the proposal is capable of being achieved without impacting the historic fabric of the 16th Century building. Where a single soil pipe is needed, this would be located in a late 19th Century extension to the building and be through an area of more modern brickwork. The modern floorboards do not represent any historic fabric value and so there is no necessity to reinstate them. The internal redecoration of both the proposed utility room and bathroom is capable of being achieved harmoniously with the interior of the building and would not involve any removal of historic features to the building that would constitute a part of the historic fabric of the listed building. The proposals would not impact the outward appearance of the designated heritage asset or its setting. As a whole, the proposals are therefore considered to be capable of preserving the significance of the listed building.

6) CONCLUSIONS

- 6.1) The proposal is mindful of the historic building and has correctly identified it as Grade II listed building. The proposal has therefore met with the requirements of para.189 of the NPPF (2019) to consider the impact of the proposal on a heritage asset in accordance with the significance of the heritage asset.
- 6.2) The proposal would not impact on the external appearance of the listed building or its curtilage and would therefore preserve the setting of the designated heritage asset, in accordance with Historic England *The Setting of Heritage Assets* (2018) and the NPPF (2019).
- 6.3) The proposal has been steered around the significance of the listed building and its historic fabric, rather than the desire of the applicant, ensuring that the designated heritage asset remains the primary consideration.
- 6.4) The proposed utility room would utilise the existing pipework from the bathroom, without the need to impact any historic fabric in the 16th Century section of the building. The proposed new bathroom would be located in a late 19th Century single storey side extension to the building, thereby reducing any impact to the most important parts of historic core of the dwelling. The single soil pipe would be placed in an area of more modern brickwork and the hot and cold water pipes run under modern 21st Century floorboards. The proposals have been thought out with care and on balance, are capable of being carried out sympathetically to the listed building. The internal changes to the building would therefore preserve the overall significance of the listed building.
- 6.5) The proposal is considered to represent a modest change to the listed building and would not involve the enlargement of the dwelling to enhance the living space. In so doing, the proposals represent a balanced approach to the continued usage of the building as a residential dwelling and constitute a neutral change to the significance of the listed building and its setting.

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