

30 January 2018

The Planning Officer
Arun District Council
Arun Civic Centre
Maltravers Road
Littlehampton
West Sussex
BN17 5LF

140 London Wall
London EC2Y 5DN

Birmingham, Cheltenham,
Dorset, Edinburgh,
Kettering, Manchester,
Newark

To whom it may concern:

Land North of Water Lane, Angmering, West Sussex

Proposed Development of c.525 dwellings, employment land, informal open spaces/playspaces, access roads, pavements, footpaths and cycleways.

CGMS Heritage, part of RPS, were appointed as heritage consultants in order to appraise the potential impacts that the Proposed Development may have upon built heritage and archaeological assets in respect of Land North of Water, Lane, Angmering, West Sussex.

The Site comprises c.76.85 acres (31.10 hectares) and is currently formed of agricultural land, pastureland, wasteland and a motor racing track to the north-east. It is bounded by the Arundel Road Bypass (A27) to its southern boundary; a mixture of open farmland and woodland to the east; a pedestrian and cycle way to the south and a combination of farmland, residential/outbuildings and businesses to its west.

The Site does not lie within a Conservation Area and there are no designated or non-designated built heritage assets within its boundaries or in its close proximity, so there will be no direct, material harm to any heritage assets. However, in order to protect the significance of the setting of any heritage assets, an area search of 1km, measured from the centre of the Site, was decided on, based on professional judgement and the extent of the planning application boundary, with the understanding that it would provide a suitable context in order to understand any indirect harm to designated heritage assets within this radius. It also enabled a number of heritage assets to be scoped out from the assessment, following an extensive inspection of views to and from the Site.

The following legislation and planning policy was taken into account so that any indirect harm to heritage assets could be assessed.

Legislation and Planning Policy

Planning (Listed Buildings and Conservation Areas) Act 1990

This extends from the Planning (Listed Buildings and Conservation Areas) Act 1990. Primary legislation extends from Section 16 of the 1990 Act which states that a Local Planning

Authority (LPA) shall have “*special regard to the desirability of preserving... (a) ... building or its setting, or any features of special architectural or historic interest which it possesses.*” It has been made clear from recent case law, that the determining authority needs to ensure that, in its assessment of the application, special regard has been paid to the preservation and enhancement of listed buildings in order to ensure robust decision making.

National Planning Policy Framework (NPPF) (Department of Communities and Local Government (DCLG), March 2012).

NPPF Paragraph 14 states that the presumption in favour of sustainable development should be applied unless certain specific policies indicate that such development should be restricted; these include policies protecting sites identified as designated heritage assets, defined by the NPPF as “*A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest*”.

Section 12: Conserving and Enhancing the Historic Environment

This section contains NPPF Paragraphs 126-141, which relate to development proposals that may have an effect upon the historic environment. Relevant sections are the following:

NPPF Paragraph 128 - In order to determine applications, the framework states that LPAs should require applicants to demonstrate the significance of any heritage assets likely to be affected by development proposals, including the contribution made to their setting. The level of detail provided should be proportionate to each heritage assets’ significance and sufficient to understand what impact will be caused upon their significance. This is supported by **NPPF Paragraph 129**, which requires LPAs to take this assessment into account when considering applications. **NPPF Paragraphs 132-136** consider the impact of development proposals upon the significance of a heritage asset. **NPPF Paragraph 132**, emphasises the need for proportionality in decision-making and identifies that, when a development is proposed, the weight given to the conservation of a heritage asset should be proportionate to its significance, with greater weight given to those assets of higher significance.

Planning Practice Guidance (PPG) (DCLG)

This document states that harm may arise due to development within the setting of a heritage asset. Setting is defined as ‘*the surroundings in which an asset is experienced, and may be more extensive than the curtilage*’. A thorough assessment of the impact of proposals upon 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.

Overview: Historic Environment Good Practice Advice in Planning Notes (GPAs)
GPA3: The Setting of Heritage Assets (March 2015)

As with the NPPF the document defines setting 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*’. Setting is also described as being a separate term to curtilage, character and context. The guidance emphasises that setting is not a heritage asset, nor a heritage designation, and that its importance lies in what it contributes to the significance of the heritage asset.

Whilst setting is largely a visual term, with views considered to be an important consideration in any assessment of the contribution that setting makes to the significance of an asset,

setting, and thus the way in which an asset is experienced, it can also be affected by other environmental factors including noise, vibration and odour, while setting may also incorporate perceptual and associational attributes pertaining to the asset's surroundings.

It is stated that the protection of the setting of a heritage asset need not prevent change and that decisions relating to such issues need to be based on the nature, extent and level of the significance of a heritage asset, further weighing up the potential public benefits associated with the proposals. It also notes that the contribution made to the significance of heritage assets by their settings will vary, depending on the nature of the heritage asset and its setting and that different heritage assets may have different abilities to accommodate change within their settings, without harming the significance of the asset and therefore setting should be assessed on a case-by-case basis.

Local Planning Policy

The local planning authority for the Site is Arun District Council and development on the Site is subject to compliance with their Development Plan Documents. The following policies contained within Medway Council's Development Plan Documents were taken into account.

Arun District Local Plan 2003 - Saved Policies

Section 2 - Area Policies

Policy Area2 – Conservation Areas

Planning permission will be granted for development which preserves or enhances the character or appearance of a Conservation Area or its setting.

Section 3 - Specific Types or Forms of Development

Design and Listed Buildings

Policy Dev 11 - Setting of Listed Buildings

Proposals which adversely affect the setting of a Listed Building, or group of listed buildings will be resisted.

Emerging Policy

The emerging Local Plan was submitted for examination in 2014, and examination sessions took place between January 2015 and September 2017. The Council published their main modifications to the plan following the Inspectors comments on 12th January 2018, which is currently undergoing a six week public consultation until 23rd February.

Arun District Council Modified - Arun Local Plan - January 2018 Consultation

Policy HER SP1 - The Historic Environment

The Local Planning Authority will grant planning permission or relevant consent for development proposals that conserve or enhance the historic environment of the District, based on the following approach:

- Designated heritage assets including listed buildings, structures and their settings; and Conservation Areas will be given the highest level of protection and should be conserved and enhanced in a manner appropriate to their significance
- Non-designated heritage assets including locally listed heritage assets (Buildings or Structures of Character and Areas of Character) and their settings will also need to be conserved and enhanced in a manner appropriate to their significance and contribution to the historic environment;
- Development likely to prejudice any of the above, including their settings, will be refused. Any proposals for development will be required to comply with all other

relevant policies and reflect any relevant appraisals or management proposals adopted by the Local Planning Authority.

Assessment

A Site visit was carried out in November 2015 which determined that it does not lie within, adjacent to or in close proximity to a Conservation Area and that there are no designated or non-designated buildings within it or within close proximity.

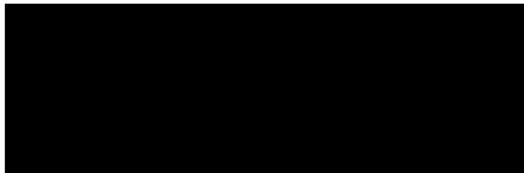
The setting of heritage assets was also taken into consideration and it was determined that there would be no impact on the setting of any built heritage assets due to the proposed development, as it is not possible to experience any built heritage assets from the Site. In respect of these conclusions, the proposed development is considered to be neutral in respect of any impact upon built heritage assets.

It accords with both national and local planning policies and guidance and as the proposed development would be neutral in respect of any impact upon built heritage assets, there are no heritage reasons to justify refusal of planning permission on the grounds of heritage impact.

We therefore respectfully request that the Development Proposal is accepted by Arun District Council.

Kind regards.

Yours sincerely



Elizabeth Da Silva
Associate Director