The Black Horse, Climping Street, Littlehampton

On behalf of: Historic Sussex Hotels Limited

Date: August 2019

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ARUN DISTRICT COUNCIL CM/50/19/L

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PART I: Introduction

1. This Heritage Statement has been produced by Ignus Froneman of Cogent Heritage, in consultation with James Wells Architects and the Applicant. The report supports applications for listed building consent and planning permission in relation to proposals for the refurbishment and extension of The Black Horse, a grade II listed public house, to bring the disused building back into use as a pub.

2. This report should be read alongside the application drawings and all other submitted information.

Heritage assets

3. The Black Horse was listed grade II on 20 September 1984, as an 18th century building (according to the list description). The location of The Black Horse is shown on the map extract below, from Historic England's National Heritage List (**Figure 1**).

4. There are no other listed buildings nearby, and the site is not located within, or near, a conservation area.



Figure 1: The location of The Black Horse (highlighted in red) with listed buildings as blue triangles, from Historic England's National Heritage List.

Purpose, scope and structure of the statement

5. The purpose of this document is essentially twofold. It firstly provides an assessment of the special interest of the listed building, to a proportionate degree of detail to enable an understanding of the potential impacts, in accordance with paragraph 189 of the National Planning Policy Framework (NPPF).

6. The proposed works are then described and the impacts are assessed against the significance of the listed building, in accordance with NPPF paragraphs 189 & 190. According to paragraph 190 of the NPPF "*Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal* [...] *They should take this assessment into account when considering the impact of a proposal on a heritage asset* [...]"

7. The remainder of this report is structured into five parts, each with a separate heading but with continuous paragraph numbering throughout:

Part II:	A brief overview of the historic background to the building.
Part III:	An assessment of the significance of the listed building.
Part IV:	An assessment of the impacts of the proposed development.
Part V:	Conclusions.

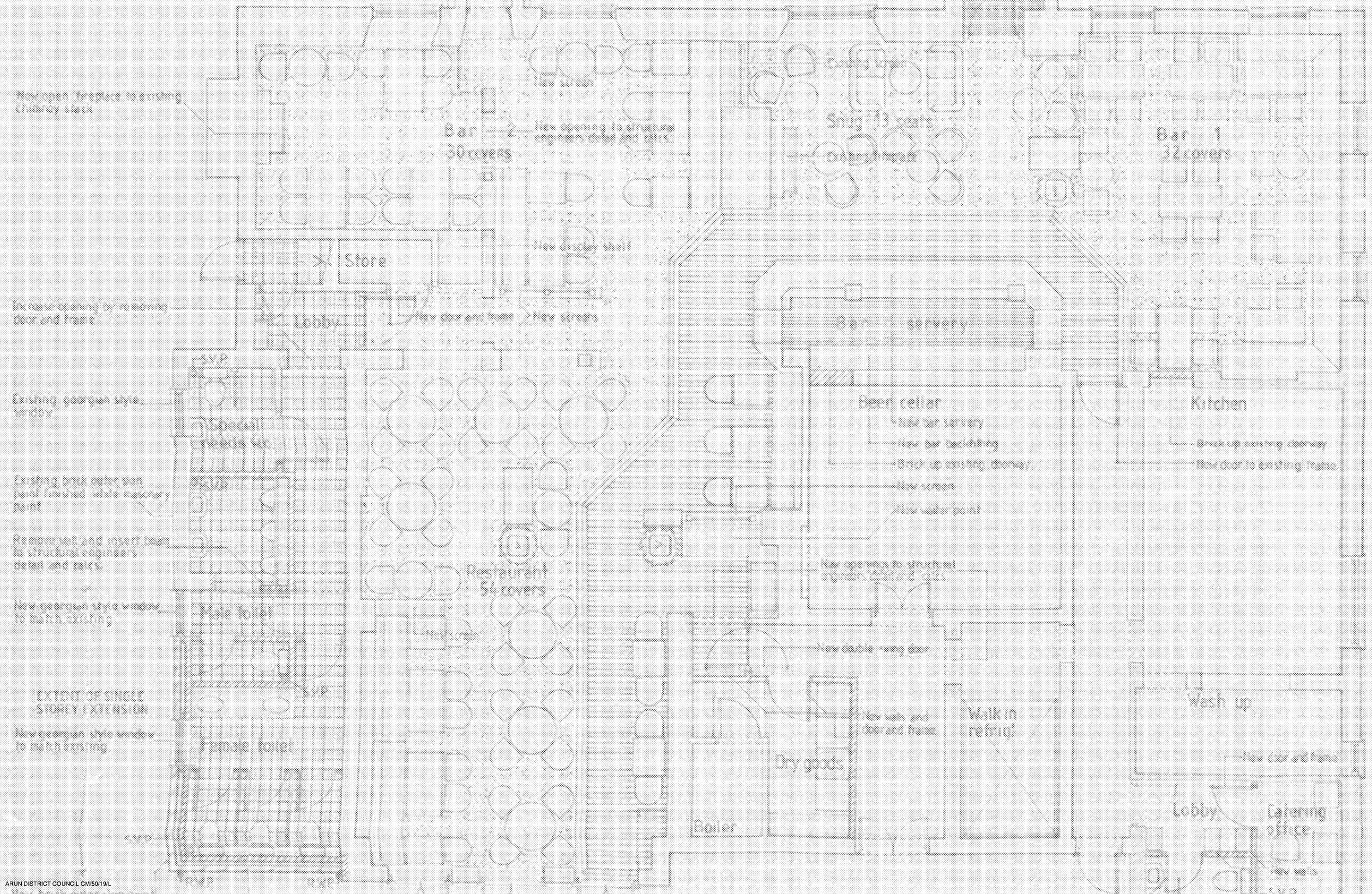
8. The legislation and policy framework applicable to this application is set out at **Appendix I**.

Building inspection and documentary research

9. The assessment was informed by a site visit, in May 2019. The building was inspected both internally and externally (the inspection was non-intrusive). The photos included in this report were taken on the site visit.

10. Documentary research was undertaken into the history and development of the building, including a map regression. Unfortunately, only very limited information could be sourced. It is possible that further information about the building may be held at local archives, but given the nature of the building and the nature of the alterations, the research, alongside observations made on site, was considered sufficient and proportionate to understand the building and determine the application.

PART II: Historic background



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PART II: Historic background

11. The Black Horse (also formerly known as the White Swan and White Horse) is a former Tamplin Brewery public house, located on Climping Street at the crossing of a watercourse (the Rybank Rife), west of Littlehampton (**Figure 1**). It is situated to the south-west of the small village of Climping, on a road heading south towards the coast from Crookthorn Lane. The location of the Black Horse on a thoroughfare not far from the coast may be significant, as it is said to have been a smuggler's pub historically.

12. The *Victoria County History*[2] entry for the parish of Climping states that "*there was an unlicensed alehouse* [in Climping] *in 1625. The Black Horse in Climping village street was recorded from 1843 and perhaps by 1814*".

13. A 1606 estate map of Aetherington Manor (now part of Climping parish), shown in **Figure 2**, does not appear to show a building on the site of the Black Horse, which suggests that it didn't exist at this time. John Cary's map of England, Wales & Scotland (not reproduced), which dates from 1794, does not show a building on the site of the Black Horse, although it should be noted that this is a small-scale map, lacking in specific detail.

14. The first cartographic evidence of development on the site of the Black Horse comes from an Ordnance Surveyors Drawing (Arundel 8). The map is dated 1805, although there is evidence that it was revised in 1817 (**Figure 3**).

15. The same linear development along Climping Street is shown on a First Series Ordnance Survey map from 1813 (**Figure 4**). The evidence of these two early maps produced by the



Figure 3: Extract from the Ordnance Surveyors Drawing 1805, showing ribbon development along Climping Street (circled), including on the site of the Black Horse and south of the stream.

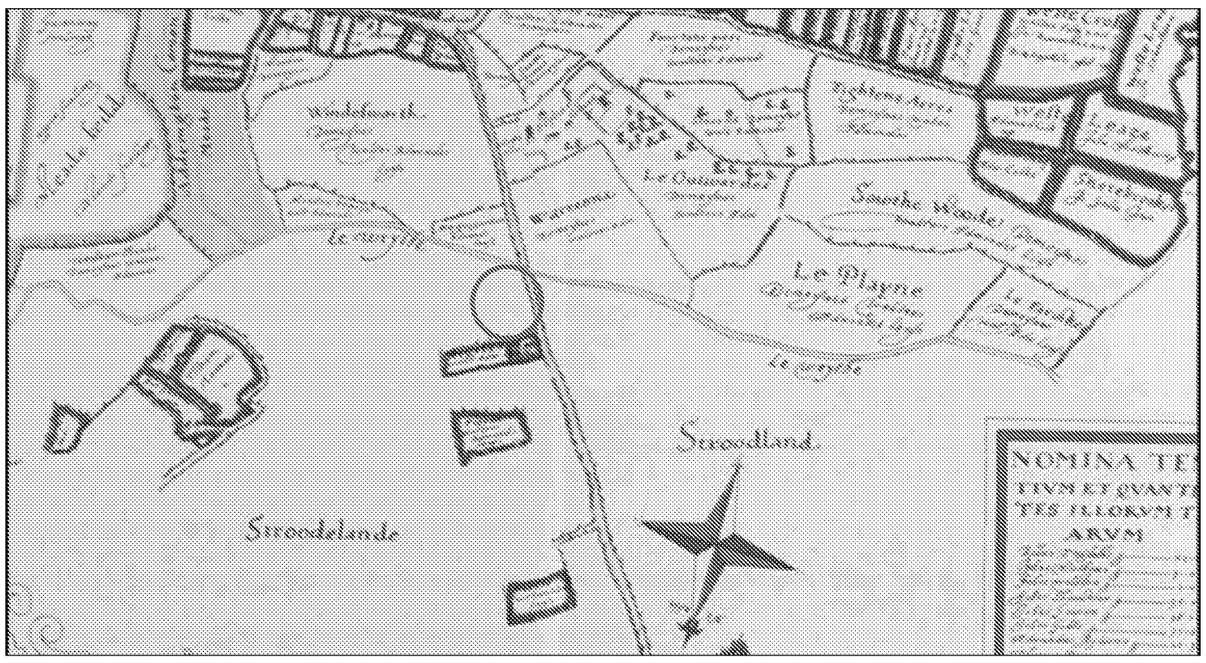


Figure 2: Extract from an estate plan of the Manor of Aetherington, drawn up by John Norden in 1606 – south is to the top. The approximate current location of the Black Horse is circled in red.

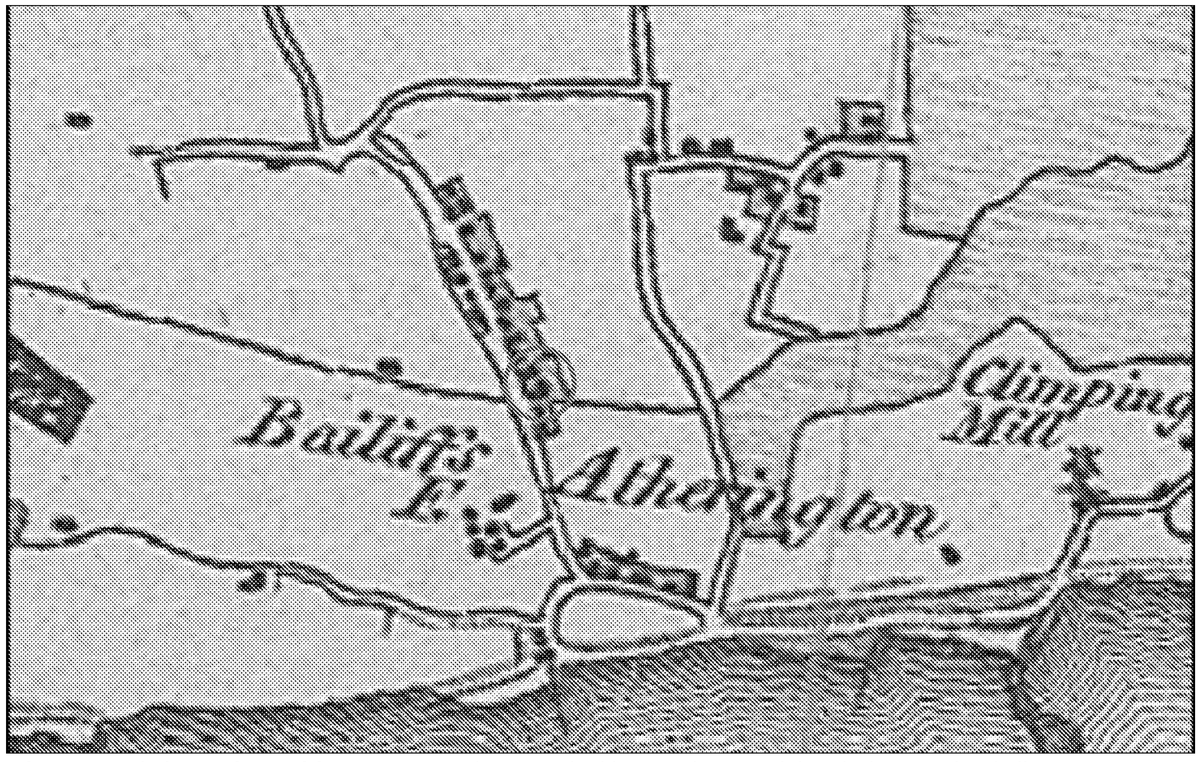


Figure 4: 1813 First Series OS map extract, showing a building on the site of the Black Horse (circled).

1. A P Baggs and H M Warne, 'Climping', in *A History of the County of Sussex: Volume 5 Part 1, Arundel Rape: South-Western Part, Including Arundel*, ed. T P Hudson (London, 1997), pp. 126-147. British History Online http://www.british-history.ac.uk/vch/sussex/vol5/pt1/pp126-147

Ordnance Survey is an indication that the Black Horse, or at least a building on the site, was in place by the early 19th century, although its precise date of construction is unknown.

16. The earliest recorded occupant of the Black Horse was a John Bransbury, who was the innkeeper there in 1841[2].

17. The earliest large-scale cartographic representation of the Black Horse is the 1843 Tithe map of Climping (**Figure 5**). The apportionment accompanying the map describes plot 169 as "*Black Horse inn and garden*" in the occupancy of a William Thomsett. The owners of the pub in that year were George and Robert Henty. It is known that the Henty family owned a hundred properties in Hampshire and Sussex by 1855. They also have a connection to the Tamplin Brewery from 1955, when the Watney Brewery bought it and annexed it to the Henty family firm.

18. A full list of occupants of the Black Horse from 1841 to 1938 is provided below:

Year/Resident/Relationship to Head or Occupation/Age/Where Born/Source.

1841 / John Bransbury / Head, Innkeeper / 70 / Sussex / Census

1841 / Chas Billingshurst / Ag lab / 45 / Sussex / Census

1841 / Sarah Harfield / Housekeeper / 40 / Sussex / Census

1841 / Will L Lansett / ... / 5 / Sussex / Census

1845 / Mrs Charlotte Tomsett /… / Kelly's Directory – named Black Horse

1851 / William Gover / Head, Innkeeper / 48 / London, Middlesex / Census - White Horse

1851 / Charlotte Gover / Wife / 38 / Climping, Sussex / Census

1851 / William Gover / Son, Inn Ass? / 15 / Bersted, Sussex / Census

1851 / Mary Gover / Daughter, scholar / 9 / Bersted, Sussex / Census

1851 / William Gover / Father / 84 / Portsea, Hants / Census

1851 / James Smith, Lodger, Rusioner? / 59 / Woolavington, Sussex / Census

1851 / William Glover /… / Post Office Directory – Black Horse

1861 / William Bransbury / Head, Landlord Farmer / 42 / Climping, Sussex / Census

1861 / Ann Bransbury / Wife / 39 / Russington (Rustington), Sussex / Census

1861 / Ann Bransbury / Daughter / 7 / Climping Sussex / Census

1861 / John Bransbury / Son / 5 / Climping, Sussex / Census

1861 / James Smith / Servant, Labourer / 67 / West Lavington, Sussex / Censu

1867 / William Bransbury /… / Postal & Commercial Directory *

1871 / John Smith /… / Post Office Directory

1871 / John Smith / Head, Publican / 28 / Aldingbourne, Sussex / Census

1871 / Mary Smith / Wife / 27 / Brixton, Surrey / Census

1871 / Louisa Smith / Daughter / 8 months / Climping, Sussex / Census

1878 / John Smith /... / Post Office Directory

1881 / Thomas Adsett / Head, Agricultural labourer / 53 / North Chapel, Sussex / Census

1881 / Charlotte Adsett / Wife / 54 / Climping, Sussex / Census

1891 / Thomas Adsett / Head, Licensed victualler / 62 / North Chapel, Sussex / Census

1891 / Charlotte Adsett / Wife / 61 / Climping, Sussex / Census

1901 / Thomas Adsett / Head, Licensed Victualler / 72 / Northchapel, Sussex / Census

1901 / Charlotte Adsett / Wife / 74 / Climping, Sussex / Census

1905 / Thomas Adsett /… / Kelly's Directory

1907 / Thomas Lamper /… / Kelly's Directory

1911 / Mary Lamper / Head, Licensed Victualler / 44 / Petworth, Sussex / Census

1911 / Albert Thomas Lamper / Son / 14 / Clymping (Climping), Sussex / Census

1911 / William Lamper / Brother in law, Pork Butcher's assistant / 33 / Clymping / Census

1913 / Mary Lamper /… / Kelly's Directory

1915 / John Simms /... / Post Office Directory

1927 / John Simms /… / Kelly's Directory

1930 / Charles J Berryman /… / Kelly's Directory

1934 / Mrs Elizabeth M Berryman /… / Kelly's Directory

1938 / Mrs Elizabeth M Berryman /… / Kelly's Directory

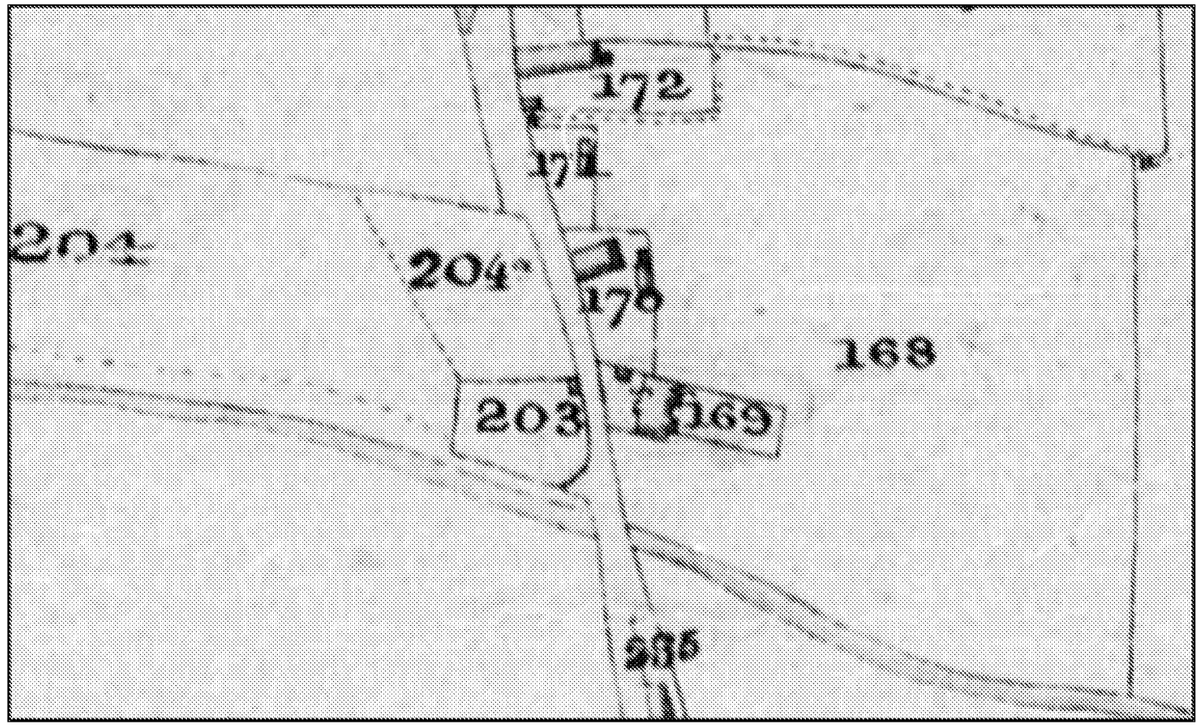


Figure 5: Extract from the 1843 Tithe map of Climping. The Black Horse occupies plot 169.

2. https://pubshistory.com/SussexPubs/Littlehampton/BlackHorse.shtml

PART II: Historic background

19. The footprint of the Black Horse appears to have changed little from 1843 to 1932, when the Ordnance Survey map at **Figure 6** was produced. By the time of the 1972/5 Ordnance Survey map (not reproduced here) a central rear extension had been added, in between the two rear projections seen on the maps below. This can be seen on the 1976 existing and proposed plans of the Black Horse at **Figure 16**. The central gable was therefore added between the large gap in the Ordnance Survey map sequence, between 1932 and 1972/5. Judging from the detailing, this seems so have occurred in the 1930s and that is confirmed by a series of oblique aerial photos, taken in 1927 and 1934 (**Figures 8-11**). Because of the angle and the graininess of the images, the 1927 photos (**Figures 8 & 9**) are not as useful, although the 1934 photos (**Figures 10 & 11**) clearly show the three gables present. It is therefore possible to date the central gable to the early 1930s. This probably coincided with upgrades to the pub, during a time when improvements and upgrades, often involving wholesale refurbishment to roadside pubs and inns was commonplace.

20. There are no original building plans for the Black Horse at the West Sussex Record Office in Chichester. A search in the same archives of East Preston Rural District Council plan registers (ESRO cat.no. RD/EP/18/1-10 & 1A) did not come up with any records of historical planning applications affecting the public house during the period 1899 to 1933 for which records are kept. The Tamplin Brewery Records are held at the East Sussex Record Office but a search of these records did not reveal any specific records for, or references to, the Black Horse (although it is mentioned amongst the brewery holdings on the National Archives Discovery website).

21. The front of the building is recorded at different angles in a number of undated historic photos (c. 1930s-1950s), replicated at **Figure 7** and **Figures 12-15**. The frontage of the building has not changed very much since then, aside from the obvious removal of the northern porch.

22. The drawings at **Figures 16-23** record existing and proposed elevations associated with applications for changes to the building. The 1976 proposed plan (**Figure 16**) shows opening up at the ground floor, and an extension to the north-east, and the removal/ relocation of the staircase. This was implemented, because the existing floor plan of 1985 (**Figure 18**) shows the floor plan as it was proposed in 1976. At that time (1985) it was proposed to add a sizeable rear extension, the implementation of which is confirmed on the existing plans of 2003 (**Figure 21**). It was at that time (2003) proposed to make minor internal alterations and add a rear extension at the south end of the building, which do not appear to have been implemented. The internal inspection of the building confirms that it has been extensively refurbished in the late 20th century, most likely during an internal refurbishment as part of the 1976 rear extension works.

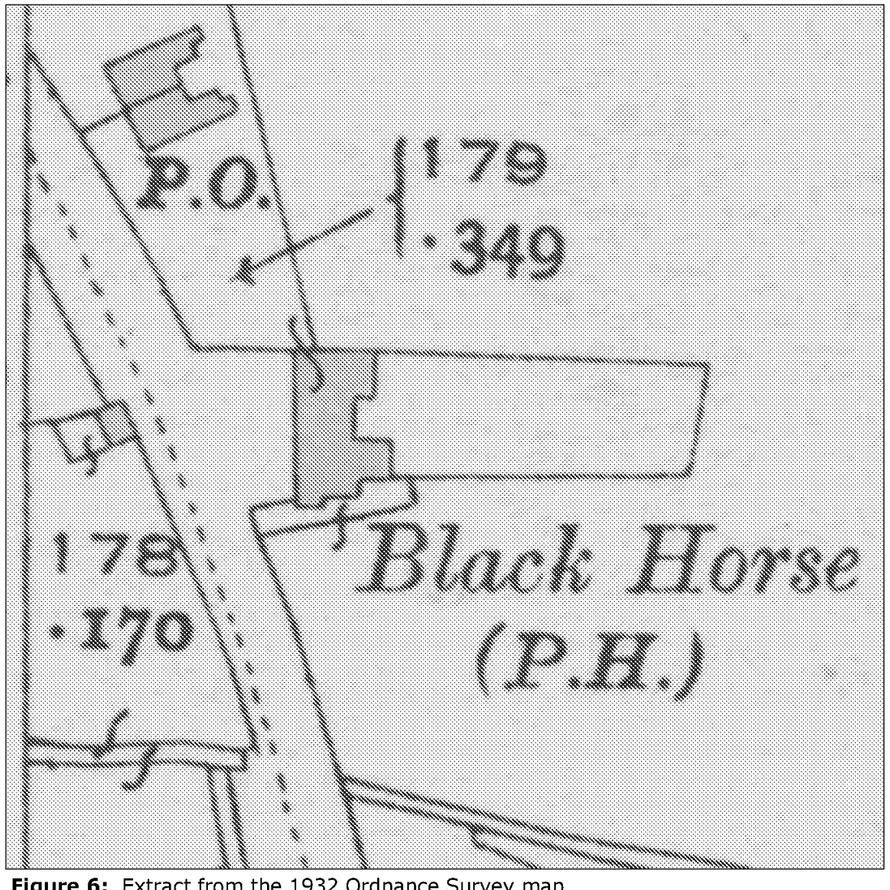


Figure 6: Extract from the 1932 Ordnance Survey map.



Figure 7: The front of the Black Horse during the inter-war period.

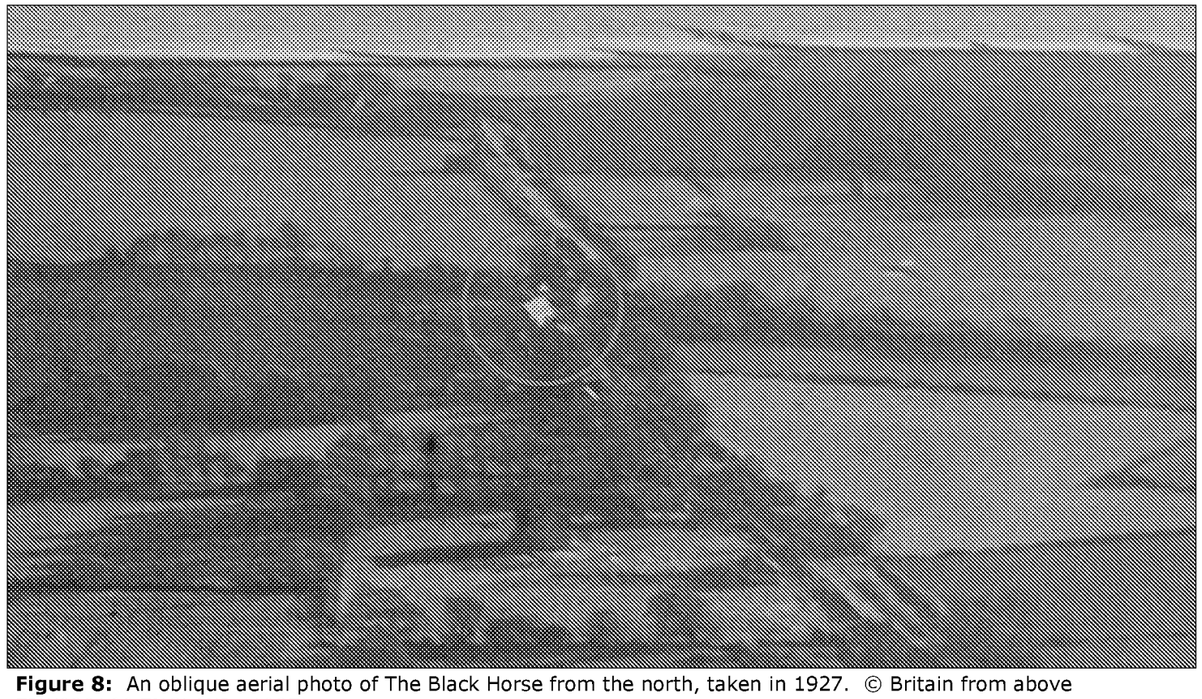


Figure 8: An oblique aerial photo of The Black Horse from the north, taken in 1927. © Britain from above EPW020166 ENGLAND (1927).



Figure 9: An oblique aerial photo of The Black Horse from the south-west, taken in 1927. © Britain from above EPW020172 ENGLAND (1927).

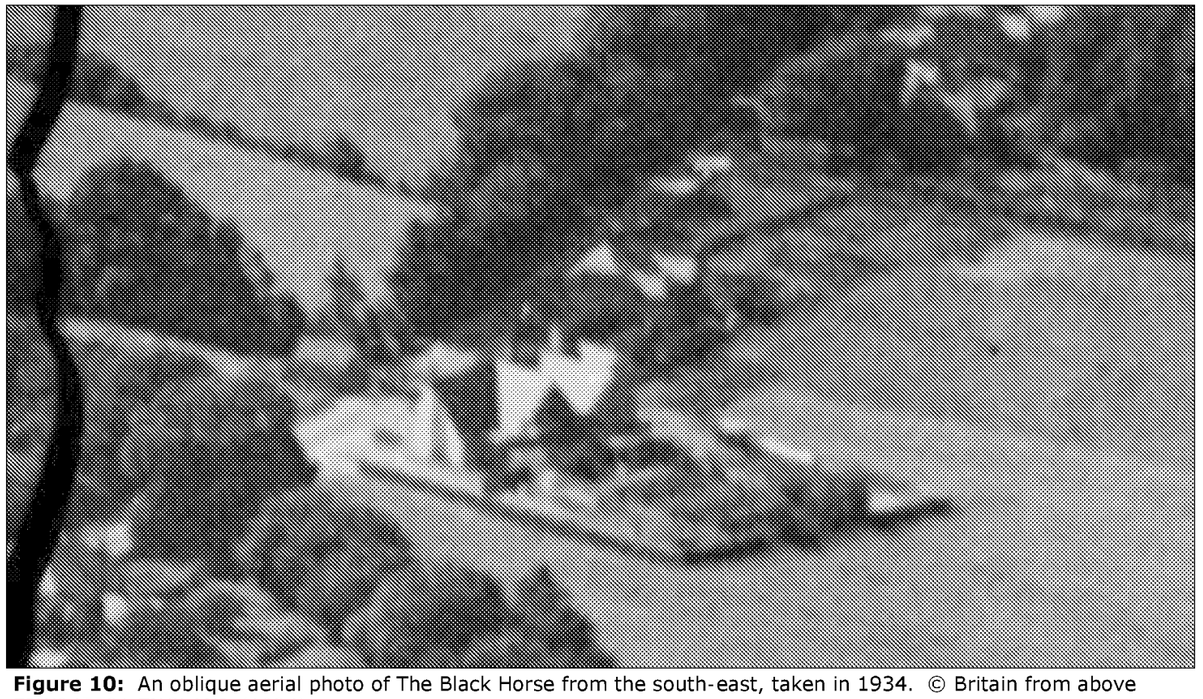


Figure 10: An oblique aerial photo of The Black Horse from the south-east, taken in 1934. © Britain from above EPW045531 ENGLAND (1934).



Figure 11: An oblique aerial photo of The Black Horse from the south-east, taken in 1934. © Britain from above EPW045533 ENGLAND (1934).



Figure 12: Undated historic photo of the Black Horse, c. 1940s.



Figure 13: Undated historic photo of the Black Horse.



Figure 14: Undated historic photo of the Black Horse, c. 1950s.



Figure 15: Undated historic photo of the Black Horse.

PART II: Historic background

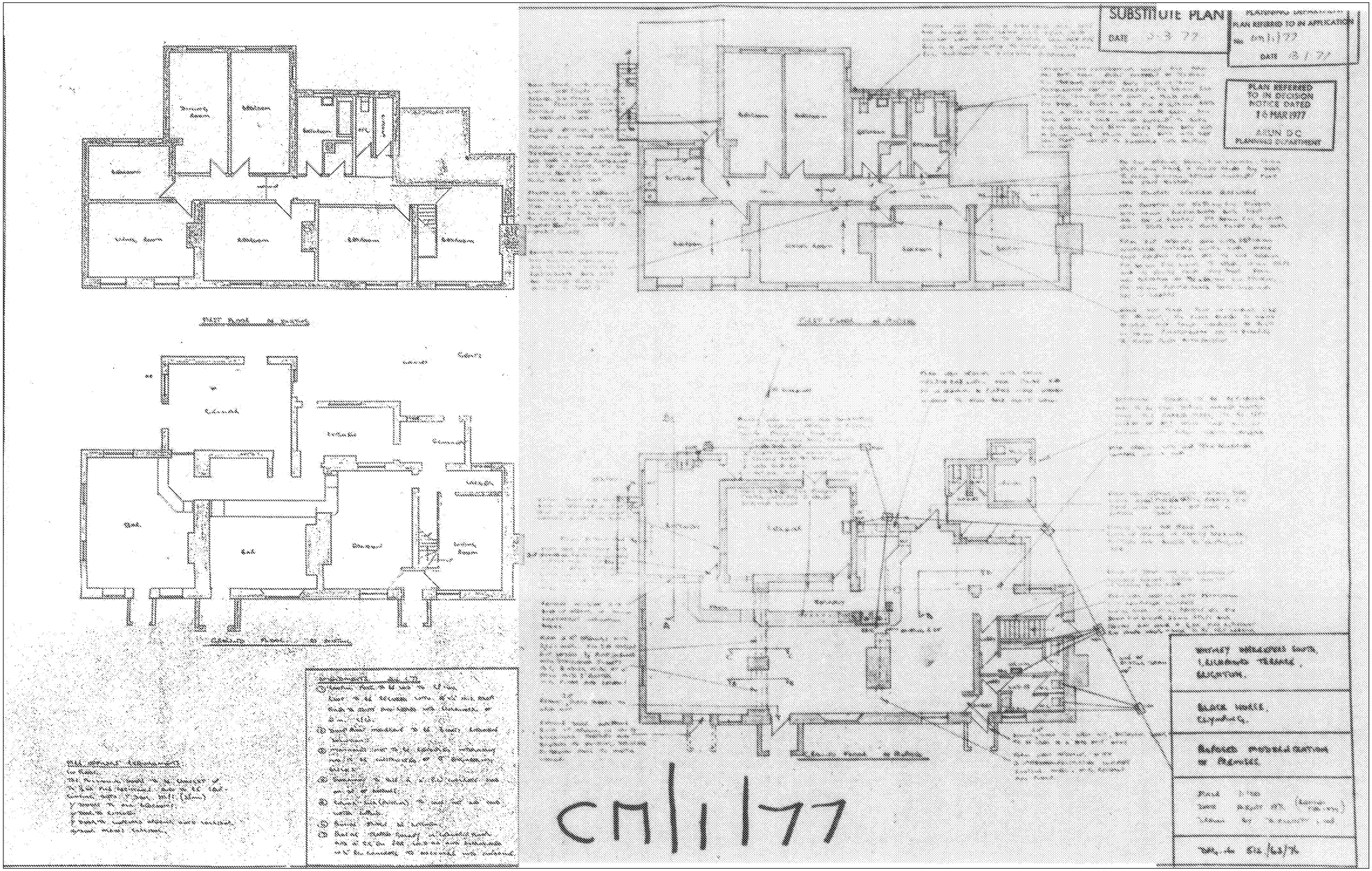


Figure 16: Existing and proposed plans of the Black Horse, 1976.

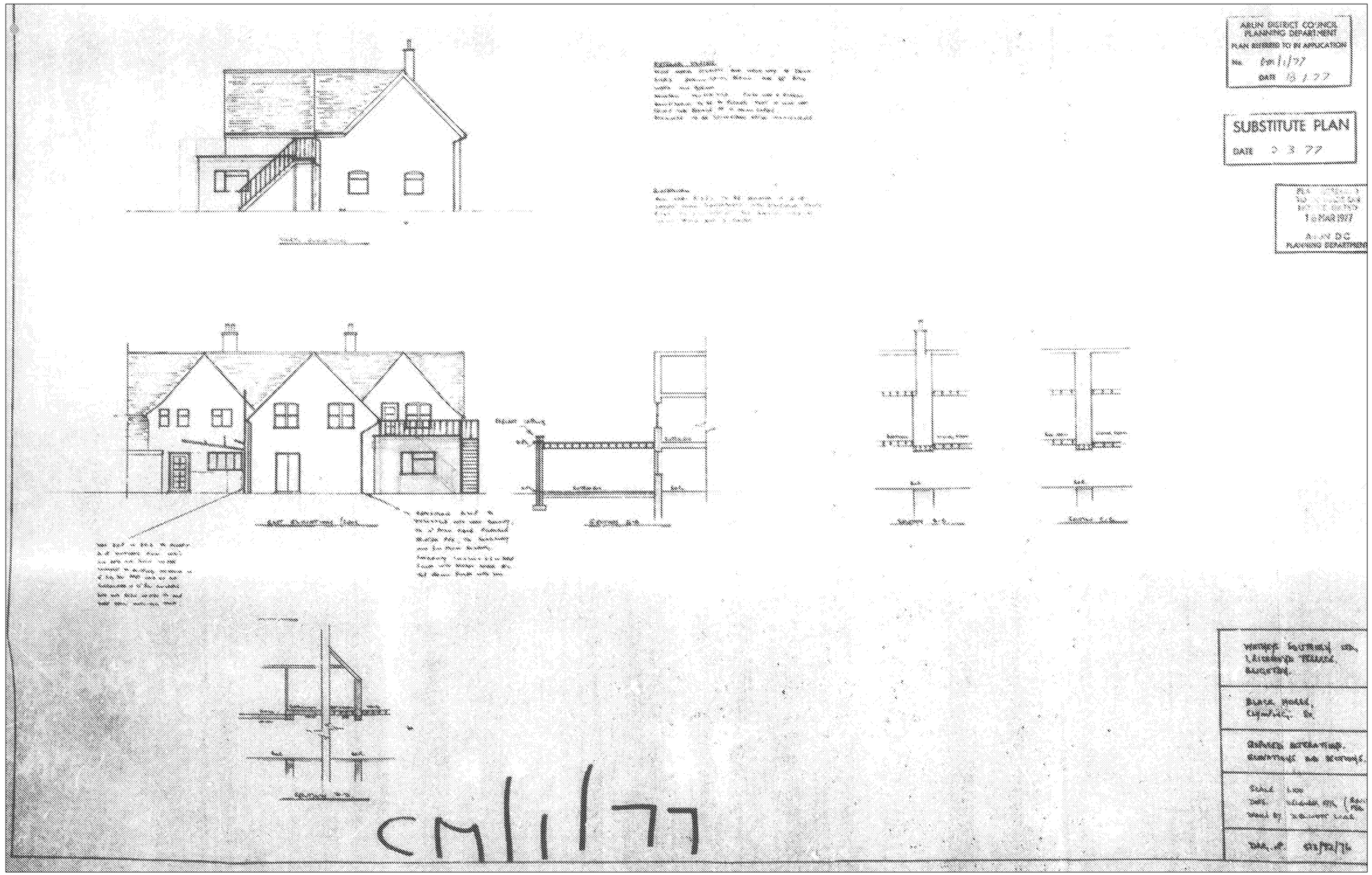


Figure 17: Existing and proposed plans of the Black Horse, 1976.

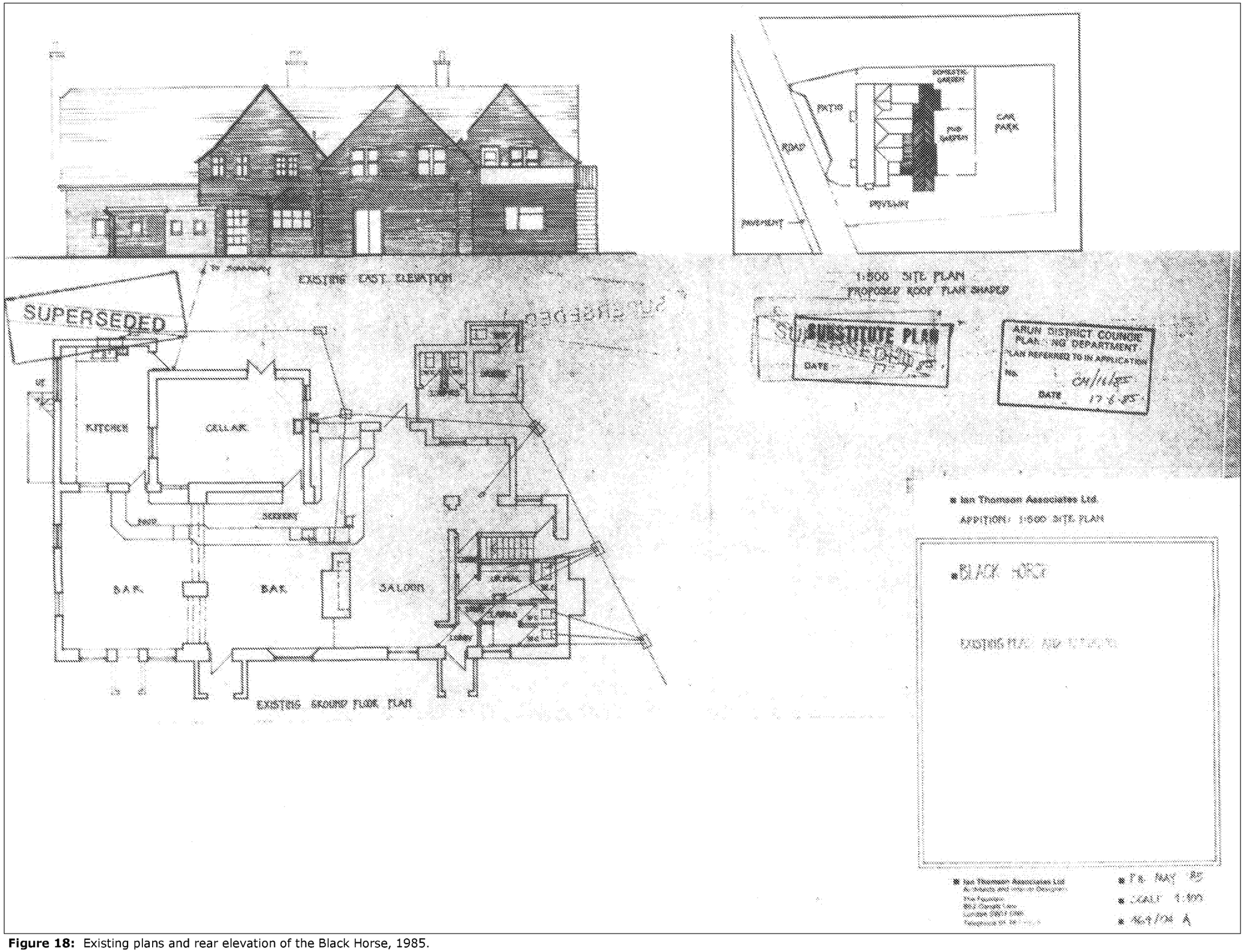


Figure 18: Existing plans and rear elevation of the Black Horse, 1985.

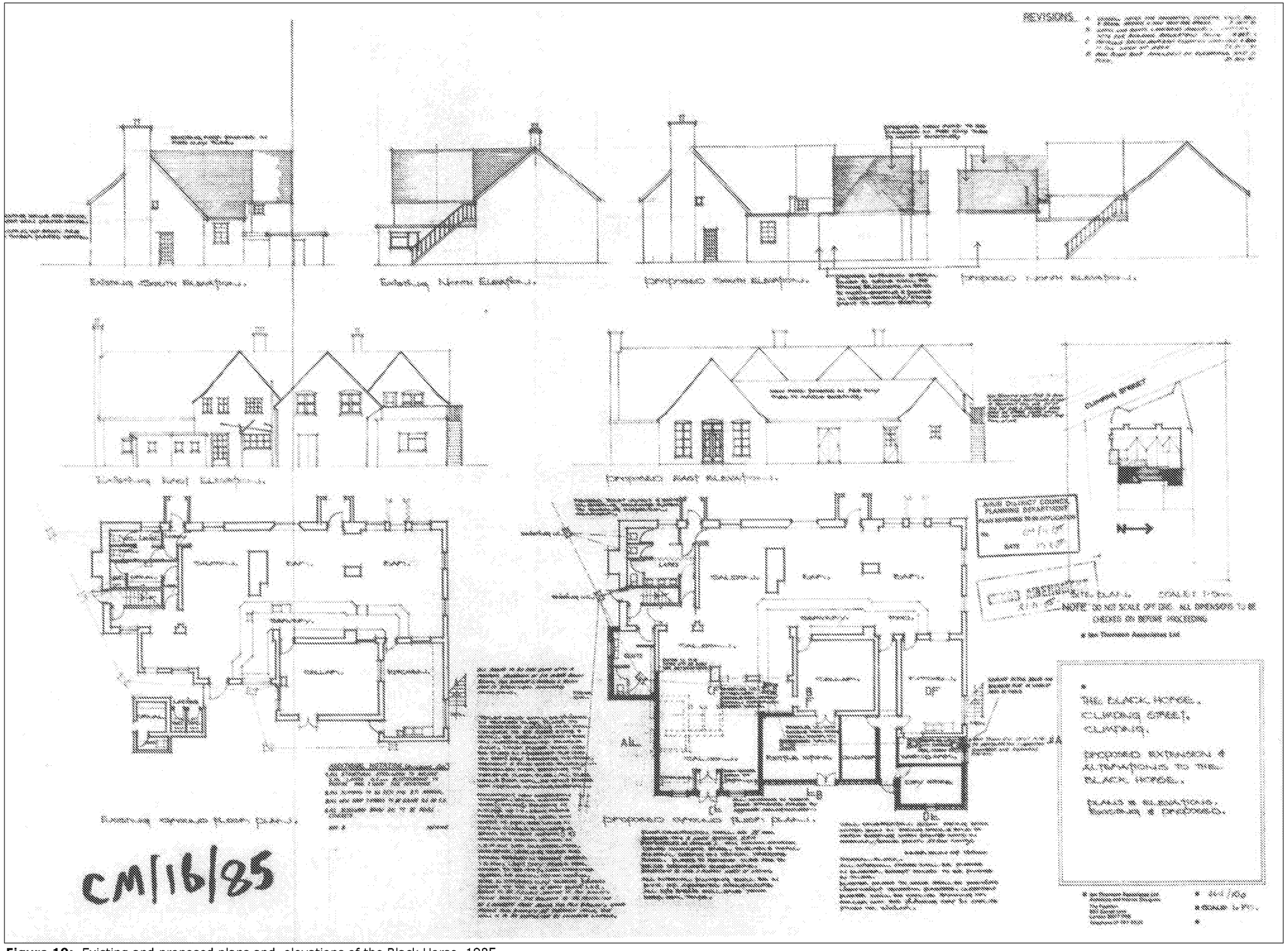


Figure 19: Existing and proposed plans and elevations of the Black Horse, 1985.

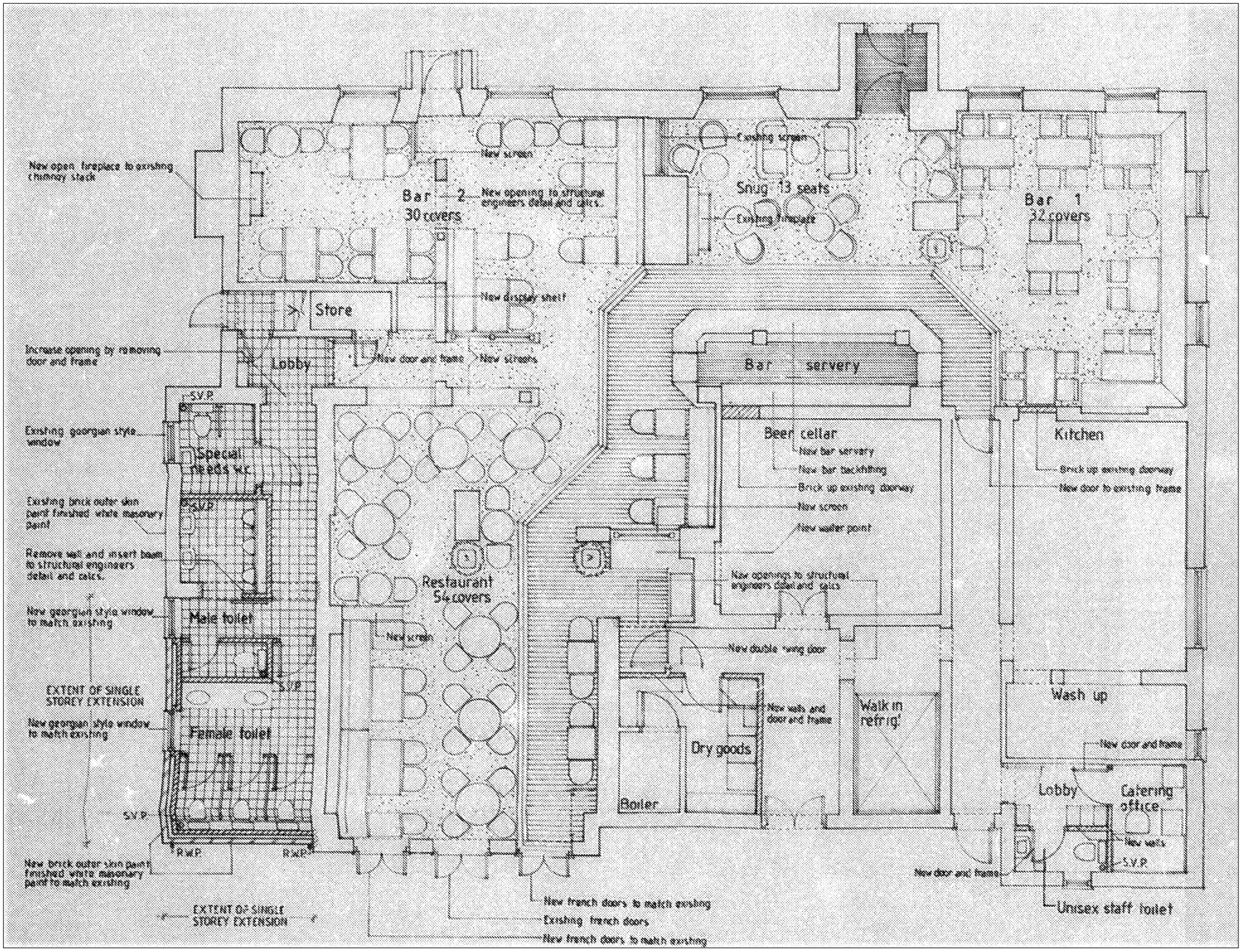


Figure 20: Proposed ground floor plan of the Black Horse, December 2002.

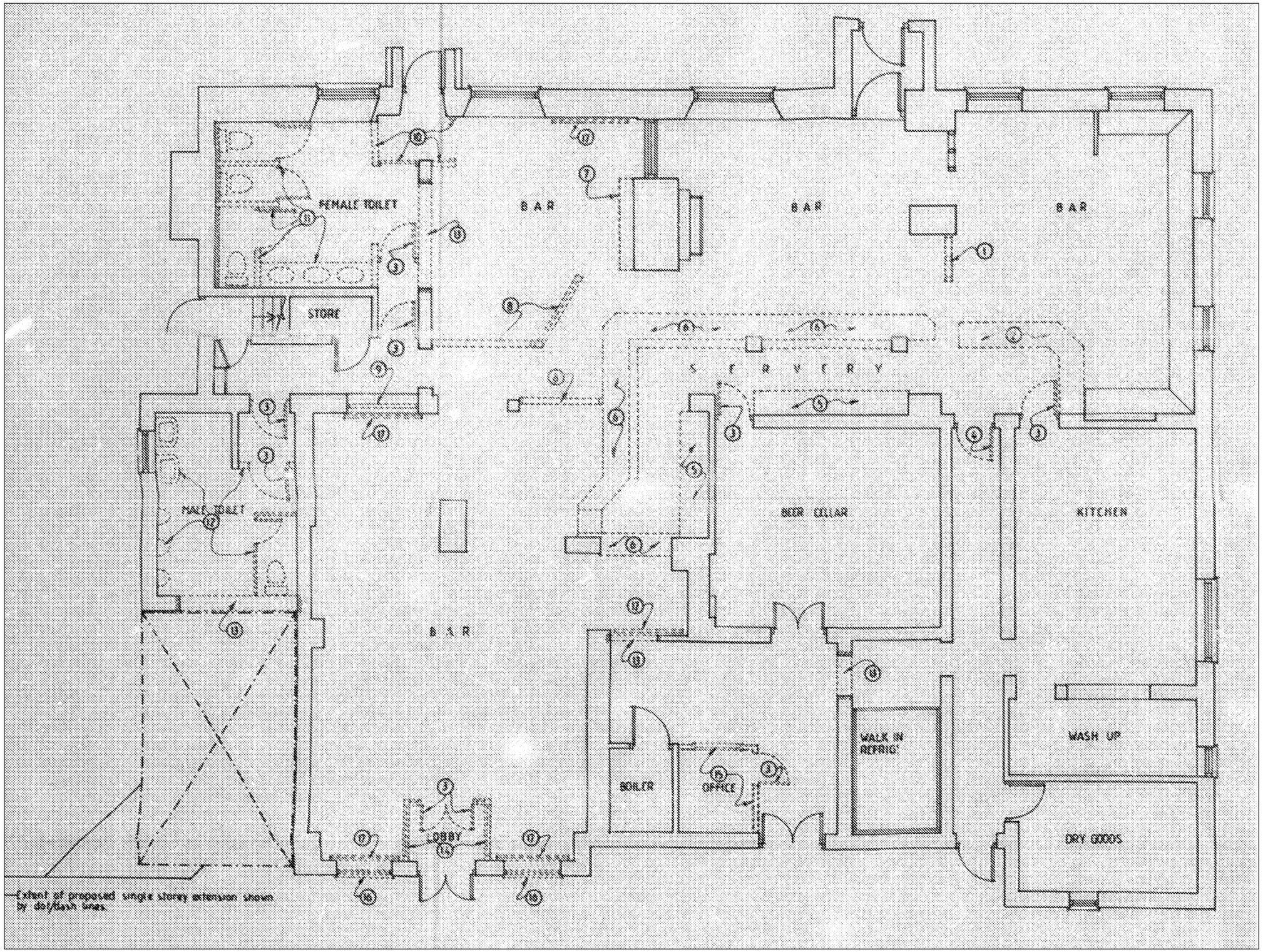


Figure 21: Existing ground floor plan of the Black Horse, February 2003.

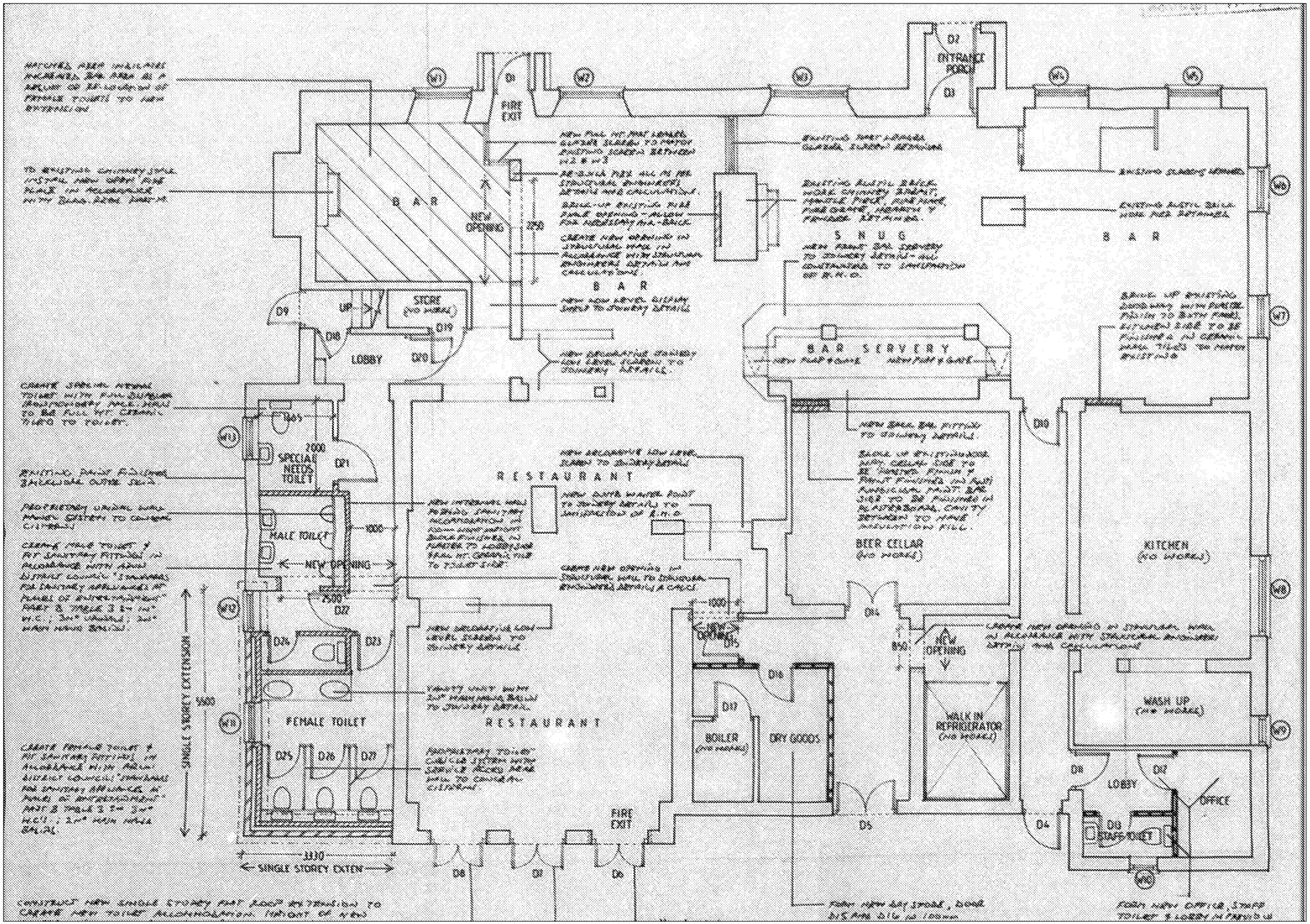


Figure 22: Proposed ground floor plan of the Black Horse, February 2003.

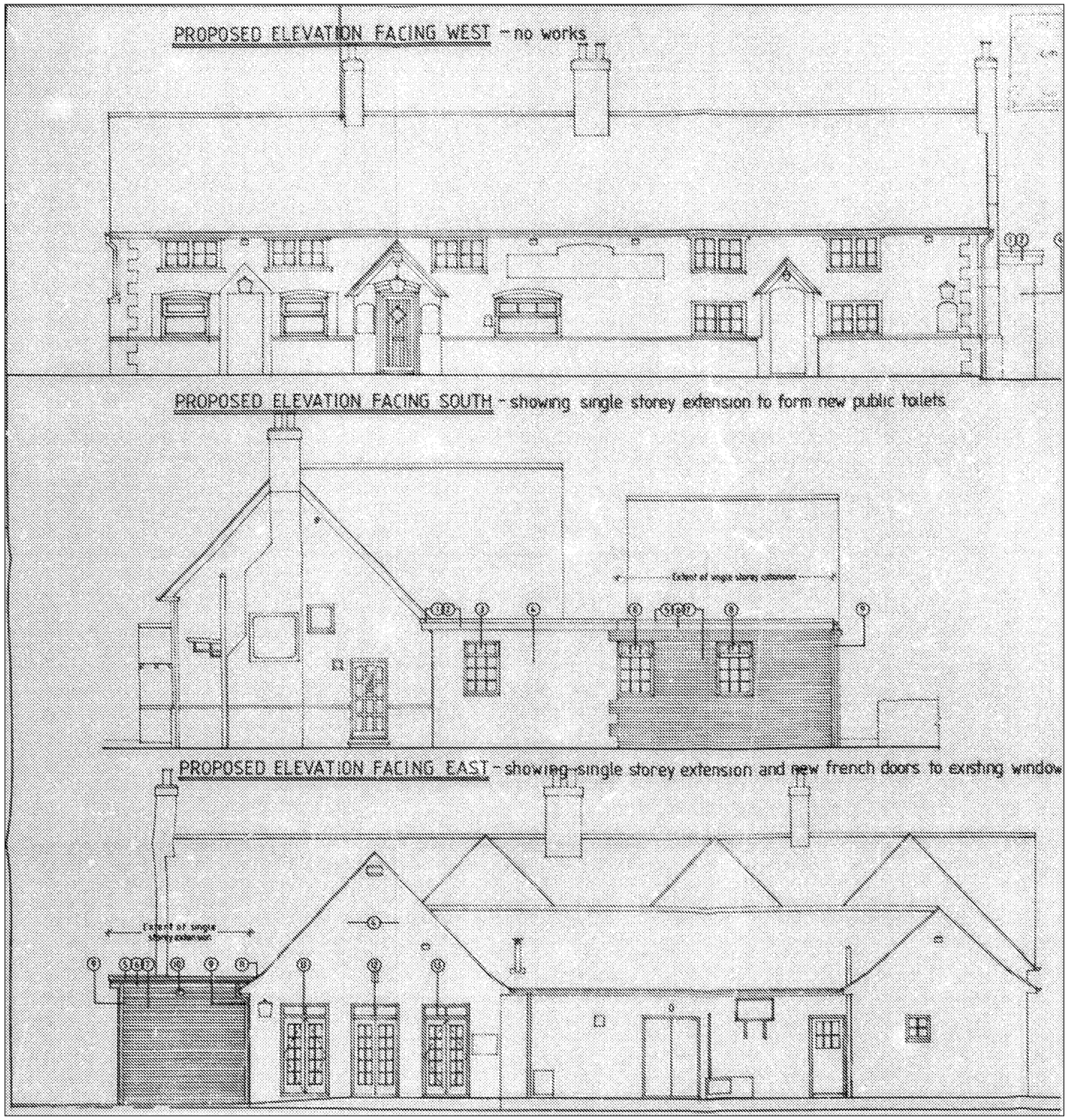


Figure 23: Proposed elevations of the Black Horse, December 2002.

PART III: Assessment of significance



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THE BLACK HORSE

PART II: Assessment of significance

Introduction and exterior

23. The building was listed on 20 September 1984 and it has a very short list description, which is quoted below from Historic England's National Heritage List:

"C18. Two storeys. Four windows. Faced with flints, now painted. Tiled roof. Casement windows. Two gabled porches."

24. The significance of The Black Horse is not substantively derived from archaeological or artistic interest, although it does have a degree of aesthetic value. Whilst there is some potential for archaeological interest in the form of evidence of the building's adaptation and use, this is unlikely to be of inherent special interest, or of considerable heritage significance. Neither can The Black Horse be described as having any considerable artistic interest.

25. The significance of The Black Horse stems primarily from its architectural and historic interest. The historic interest derives from its age and is primarily 'illustrative'. Historic interest is described in Historic England's (formerly English Heritage) *Conservation Principles: Policies and Guidance for the Sustainable Management of the Historic Environment* (April 2008). Historical value derives from the ways in which past events, people, and aspects of life can be connected to the present through a building or place (paragraph 39). Illustrative value is a strand of historic interest that illustrates aspects of history – the perception of a place as a link between the past and present – and has the power to aid interpretation of the past through making connections with, and providing insights into, past communities and their activities through shared experience of a building (paragraph 41). This explanation essentially summarises the historic value of the pub, which can be seen on the photos on this page (**Plate 1-3**).

26. Architecturally, The Black Horse is a legible as a historic vernacular building, although it has the appearance of a series of modest cottages, rather than a pub. This can be seen in the series of stacks, corresponding with the three separate entrances (though the northern of these has been adapted and has lost its porch).



Plate 2: Oblique view of façade of The Black Horse, from the south.



Plate 1: Frontal view of The Black Horse.

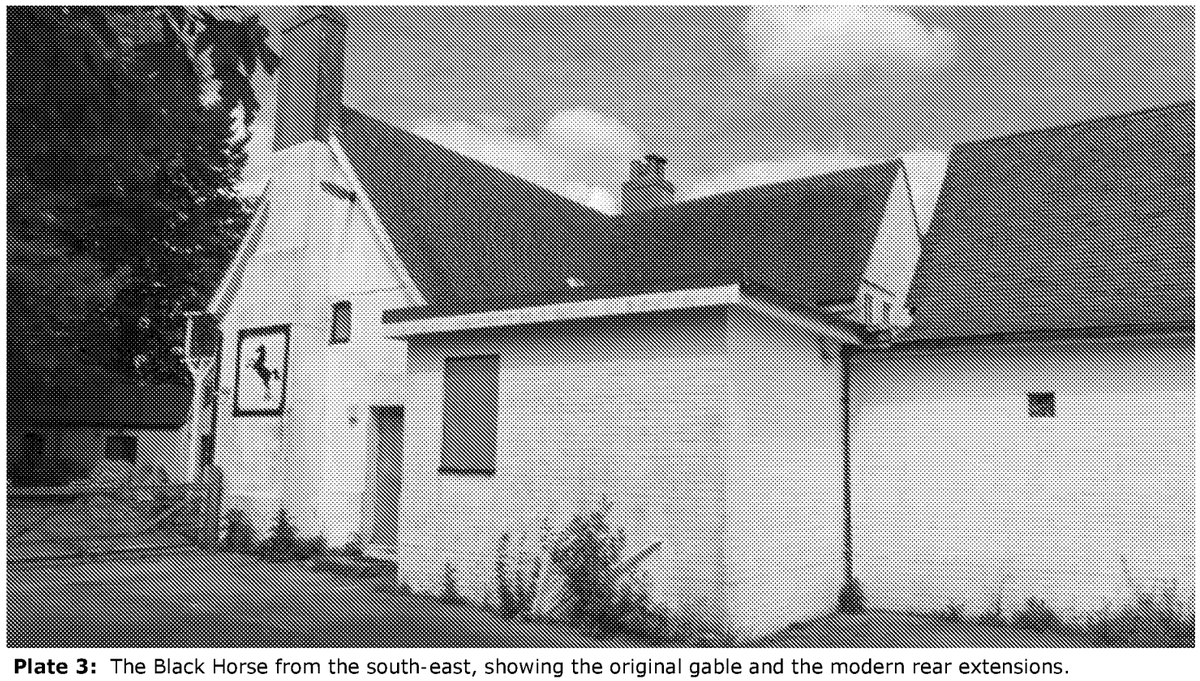


Plate 3: The Black Horse from the south-east, showing the original gable and the modern rear extensions.

PART II: Assessment of significance



Plate 4: The back of the Black Horse, now dominated by the modern rear extension. The tops of the three gables at the back can just be seen.

27. Given the historic references, it is not clear when the cottages became a pub, but the reference to an alehouse would probably explain its origins as an informal 'establishment' of a modest nature and perhaps there is some truth in an alehouse associated with smuggling having been established in a cottage, which later became more formally established as a licensed inn associated with the Tamplin Brewery.

28. In any event, it is evident that the building today, despite being recognisably historic, probably once looked very different. The modern tiled roof would likely once have been thatched, with river/estuary having provided an easy source of thatching material. It is also clear from the disturbed wall that the straight lintels of the southern windows are later modifications—these would have been arched like the others. The façade would not have been painted.

29. However, it is at the back of the building where the greatest changes have occurred. As has been noted, the pub in the 19th century had two gabled projections at the rear (most likely non-original additions), recorded from the tithe map onwards. In the early 1930s a third, larger gable with a shallower pitch (probably because it was never thatched, unlike the other two) was added in between them, with a deeper projecting footprint. This can be seen on the photo at **Plate 6**. However, the earlier gables have in turn been largely obscured by the c. 1985 rear extension (**Plates 4-6**). There have also been the addition of flat roofed structures to the rear at both the north and south. The southern of these, although fortunately only a single storey structure, stands out as particularly intrusive because of the way in which it projects from the footprint of the building (**Plate 3**).

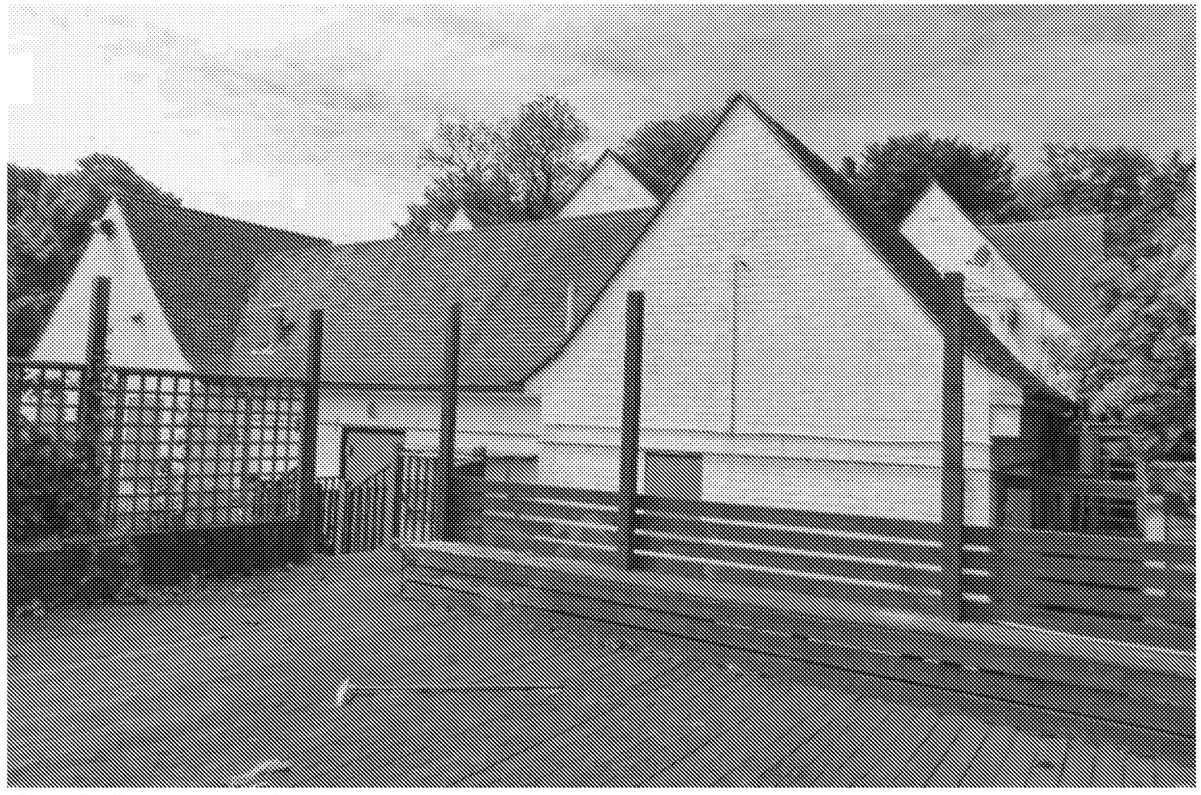


Plate 5: The back of the Black Horse, from the north.



Plate 6: The view south along the back extension from the flat roof to the north of the Black Horse. The northern of the three gables can be seen on the right.

Interior: Ground floor

30. The interior and plan form of the building has been extensively remodelled since 1976, as can be seen from the comparative floor plans at **Figures 24-27** (the ground floor plans are below at **Figures 24 & 25**). That is in the historic context that the building was remodelled in the 1930s, when the central rear gable was added.

31. As a result, there is today very little by way of historic features, even of Victorian date (**Plates 7-12**). The ground floor of the pub has been through successive phases of renewal and it has a modern character, in spite of the use of reclaimed brick and faux timbering and segments of re-used bead-moulded boards and church benches to create a 'pub character'. The external windows are modern. There are some re-used 1930s windows/partitioning inside (e.g. **Plates 7 & 9**), but these are fragmentary and not of interest in their own right. In broad terms, insofar as it can still be discerned, the four-cell plan form is of interest, where it can be read—though that is hard to appreciate without looking at a plan. There are no other features of note and no decorative elements, such as cornicing, that is of any great age, or notable for any reason.

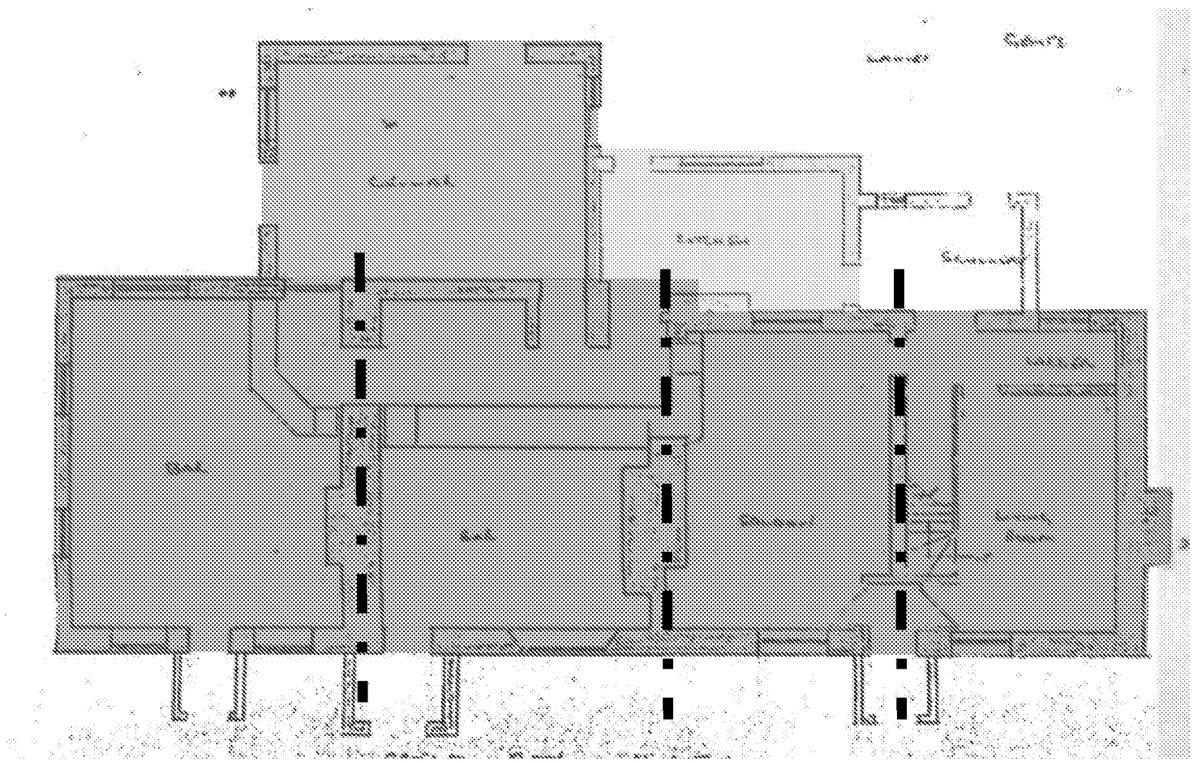


Figure 24: The existing floor plan of 1976, annotated with the three main historic phases of development.

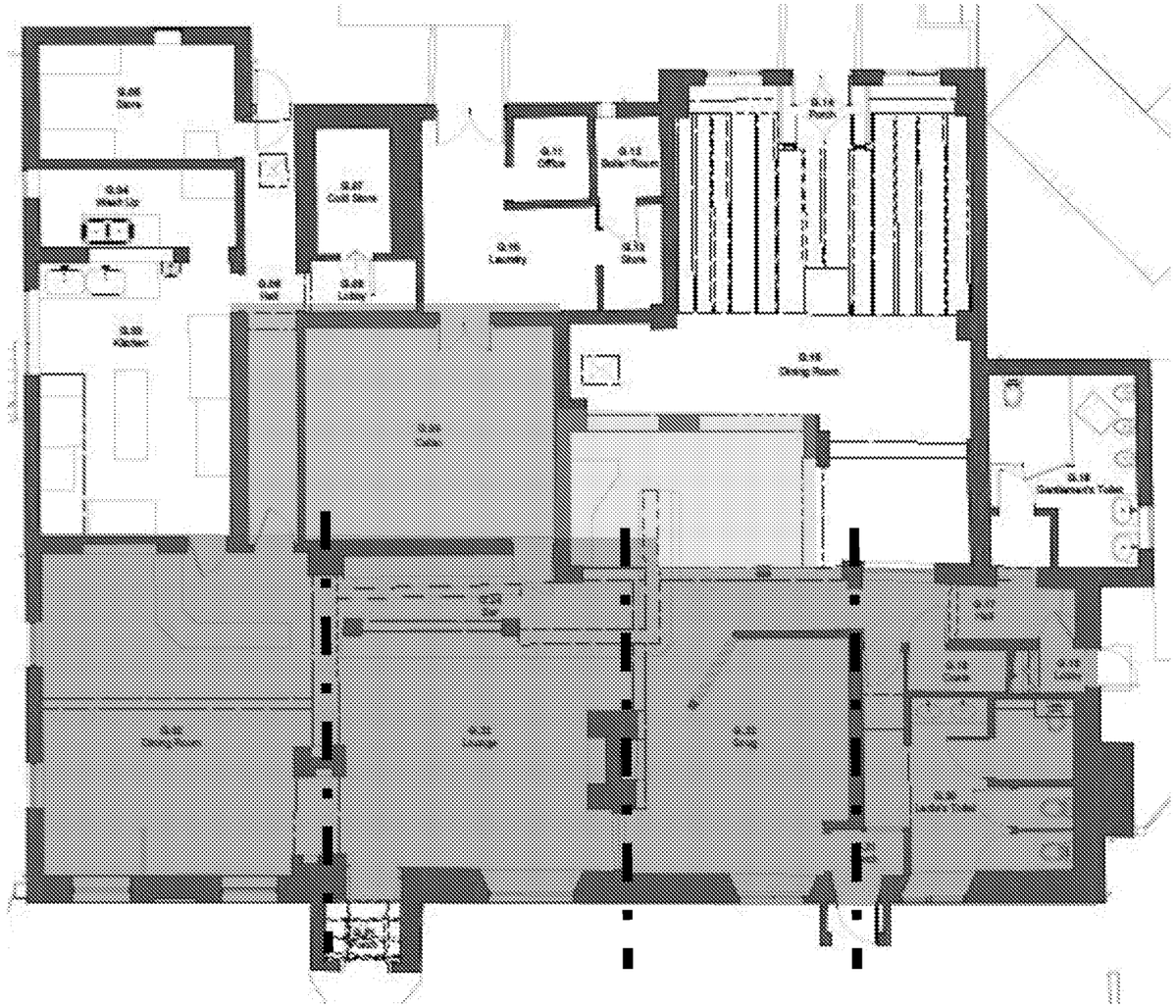


Figure 25: The present existing floor plan, overlaid with the three main historic phases of development.



Plate 7: General view of the central part of the ground floor of the pub.

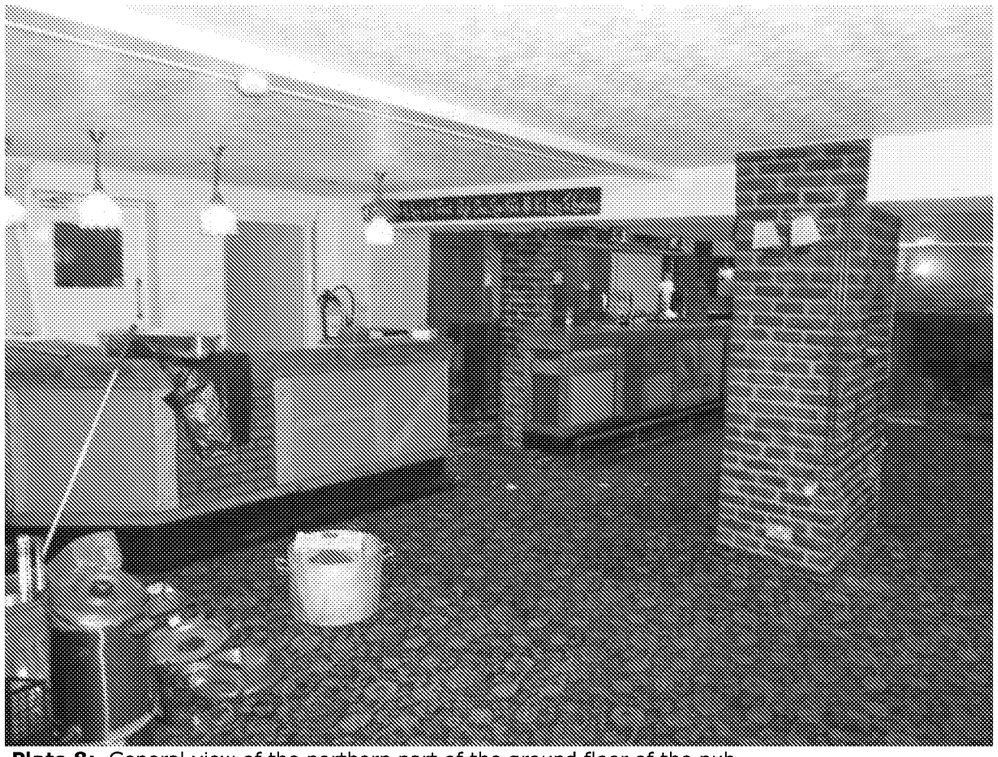


Plate 8: General view of the northern part of the ground floor of the pub.

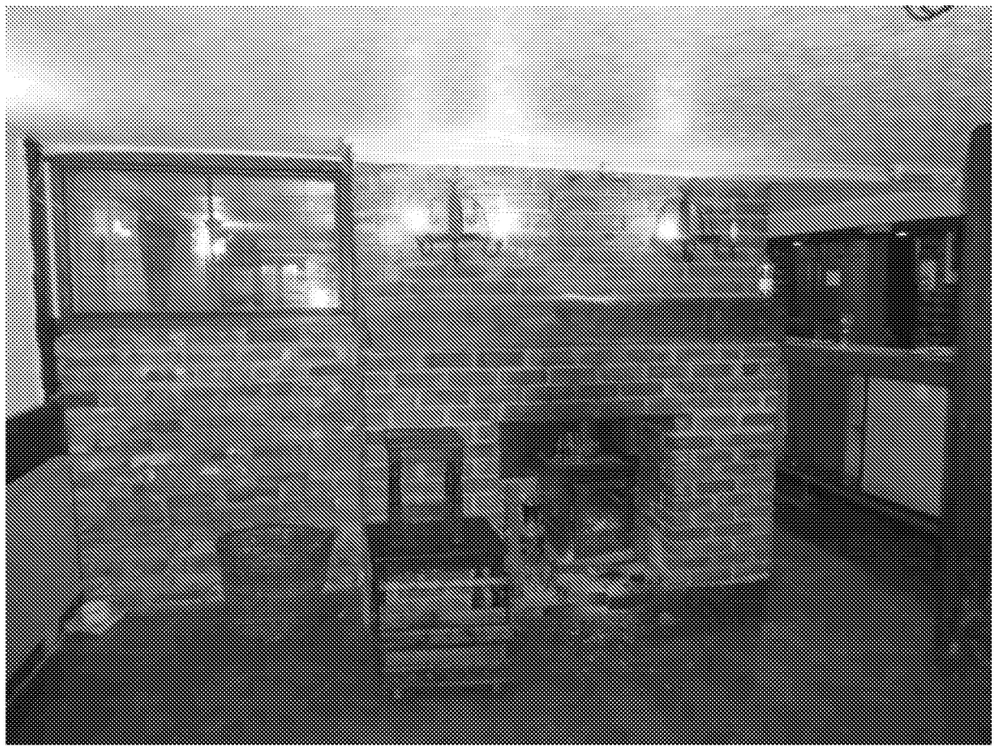


Plate 9: The fireplace to the 'snug' in the ground floor of the pub.



Plate 10: General view of the northern part of the ground floor of the pub.



Plate 11: Bead moulded boards to the central window at the ground floor of the pub.



Plate 12: Bead moulded boards to the central window at the ground floor of the pub.

Interior: First floor

32. The first floor is generally bare and likewise devoid of any notable historic features of any age. There is a 1930s chimneypiece to the southernmost room in the front range (**Plate 13**) but this is hardly significant, and there is an unfortunate WC enclosure next to it. The second room from south has neither chimneybreasts or chimneypieces and there are no other notable features (**Plate 14**). The second room from north has a similar 1930s chimneypiece as the southernmost room. The northernmost room has a tiled chimneypiece with timber frame that looks to be of 1950s origins (**Plates 15 & 17**), and a 1950s refurbishment is reinforced by the typical 'ladder' design of the panelled doors to the *en suite* bathrooms, indicating that the building probably had a refurbishment of sorts at that time. The windows are again modern, and were probably made when the building was refurbished and extended in 1976. The doors are either modern (plain, c. 1976) or 1950s ('ladder' design), or 1930s (4 panelled).

33. The corridor in its present form must be a later reconfiguration, related to the addition of the 1930s central gable. There are no features of note to the corridor (**Plate 19**) or within the gabled extensions (**Plates 22 & 23**).

34. It is interesting to note that the roof structure is of modern sawn timbers; these can be seen at the junction of the main range and the 1930s gabled extension. The floor structure is likewise of modern, mass-produced machine-sawn timbers (**Plate 20**), which also appear to have been replaced at the same time as the gabled extension, indicating the scale of the 1930s refurbishment.

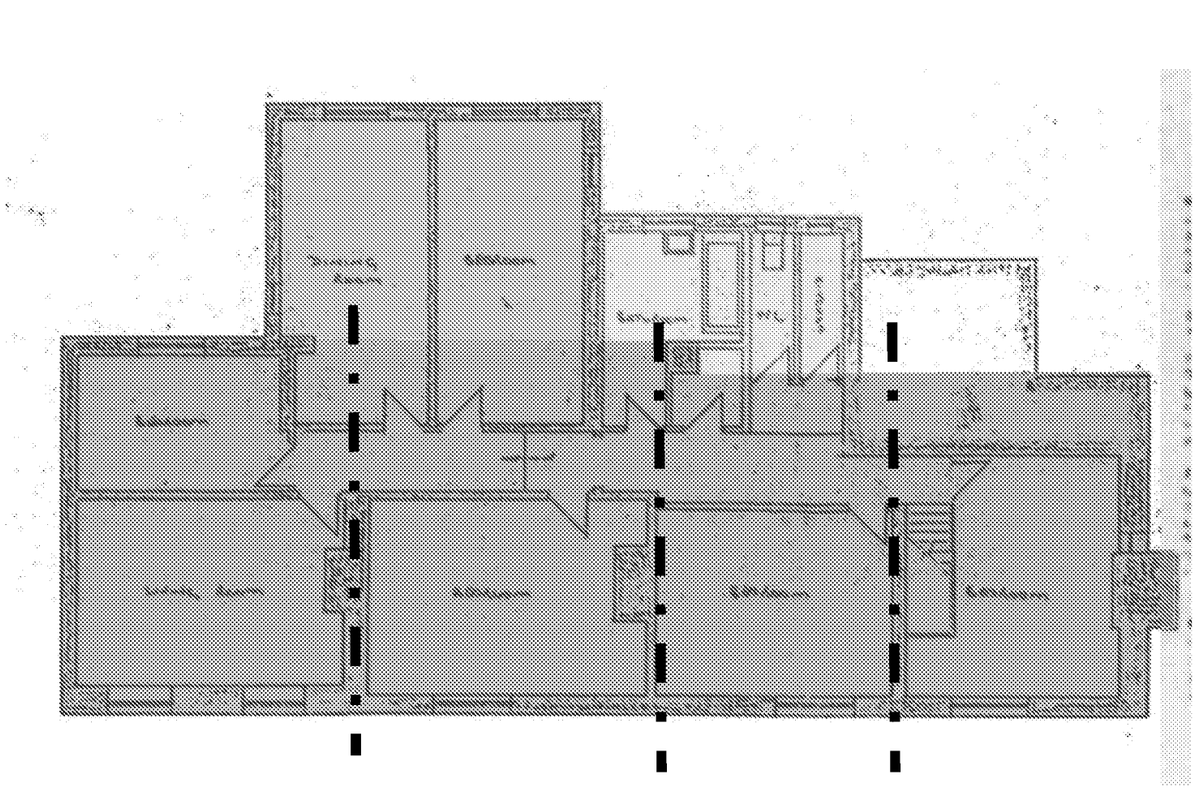


Figure 26: The existing floor plan of 1976, annotated with the three main historic phases of development.

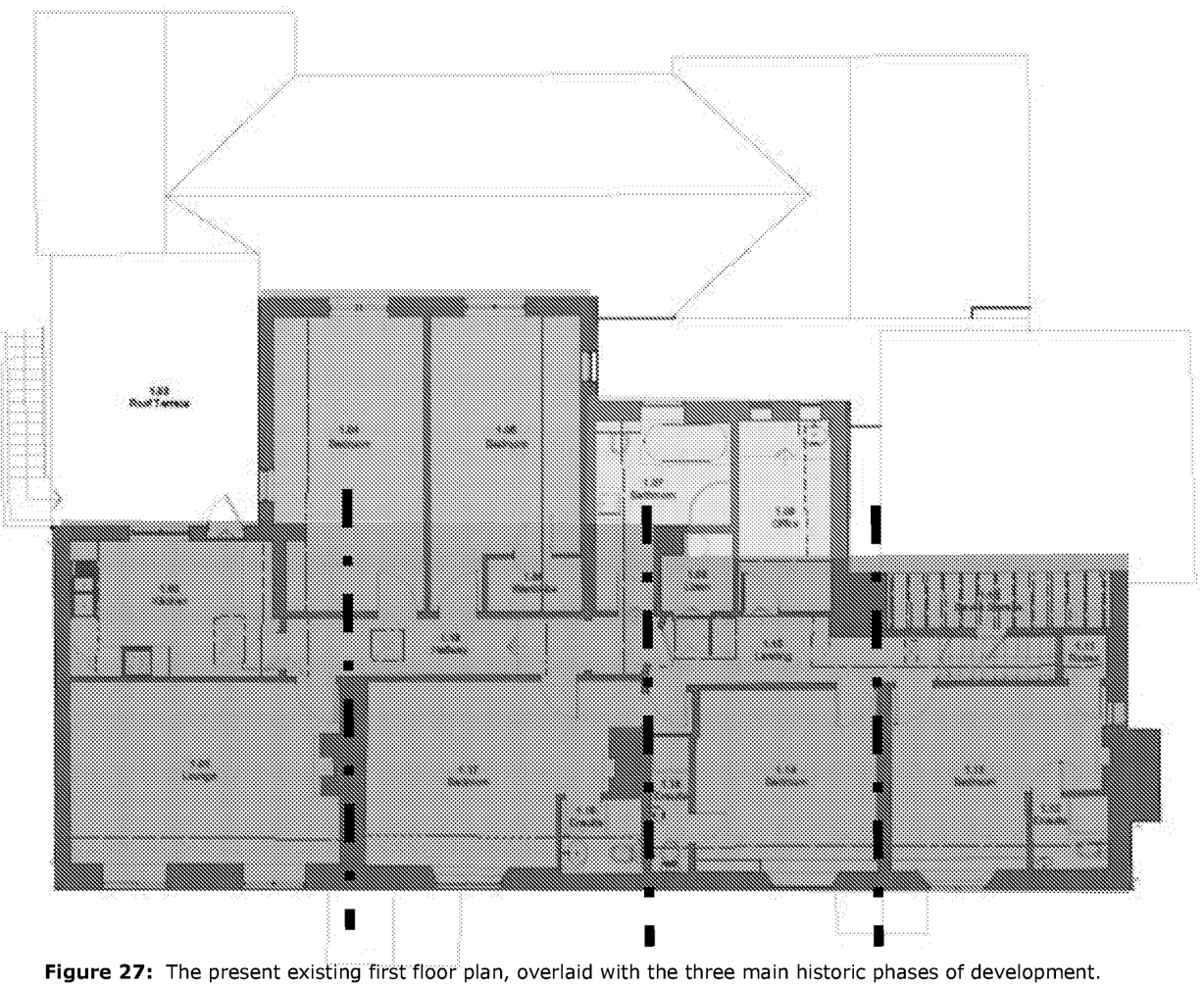


Figure 27: The present existing first floor plan, overlaid with the three main historic phases of development.



Plate 13: The southernmost first floor room, with 1930s chimneypiece.



Plate 14: The second room from south at the first floor, without any chimneybreasts or chimneypieces.



Plate 15: The northernmost first floor room, with c. 1950s chimneypiece.



Plate 16: The north-eastern room, absent of any features of note.



Plate 17: The chimneypiece in the northernmost first floor room.



Plate 18: A typical first floor front casement window.



Plate 19: The view south along the first floor corridor.



Plate 20: A detail showing typical floor boards and a 1930s lath & plaster ceiling below.



Plate 21: A detail showing the roof structure at the junction of the original range and the 1930s gabled extension.

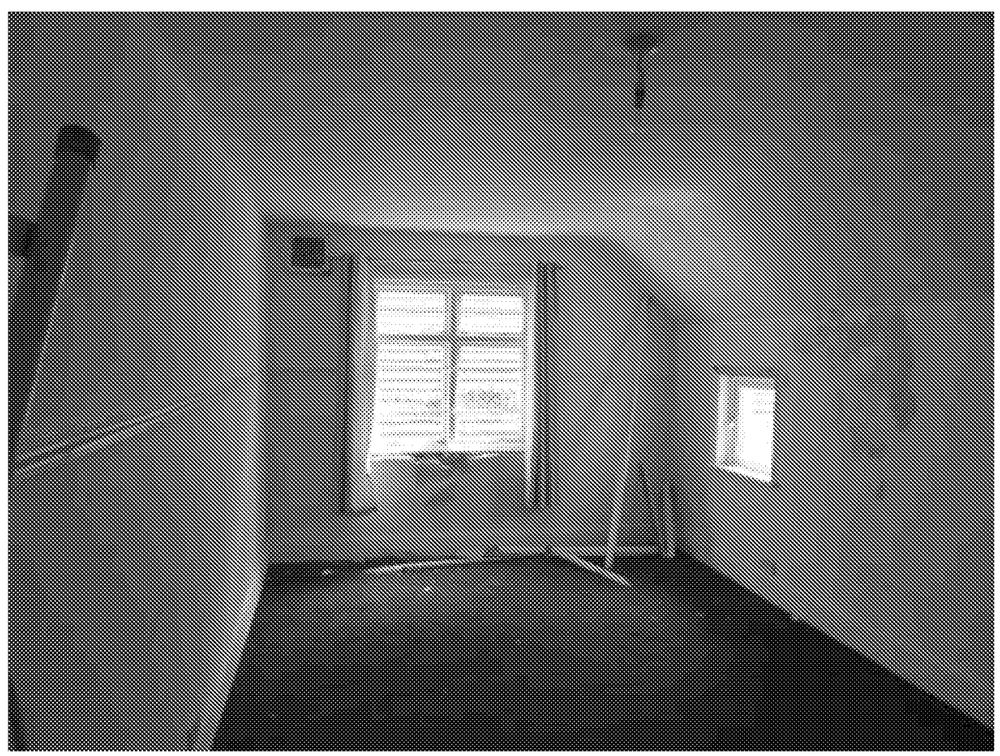


Plate 22: A typical room in the 1930s gabled extension.

PART II: Assessment of significance

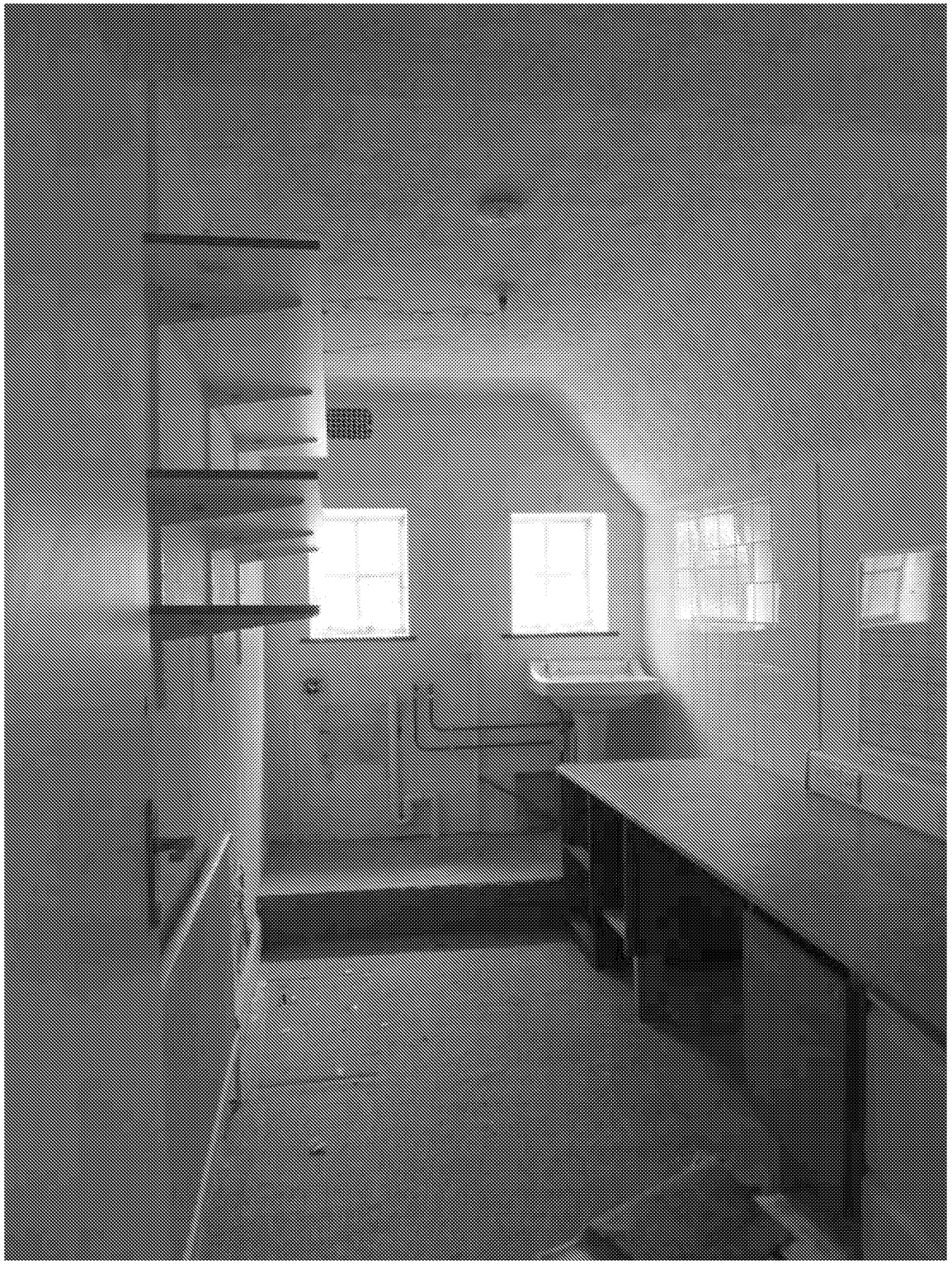


Plate 23: the office in the southern gabled extension.

Overall summary

35. The building is generally disappointing in terms of internal features and fabric of note. It seems to have been through successive cycles of refurbishment, with the most extensive having been carried out in the 1930s, but with further work added in the c. 1950s and again in 1976. There is still a residual semblance of a four-cell plan form, although it has been considerably altered at the ground floor, with a notable level of alteration at the first floor too. None of the floor or roof structure that could be inspected is of any great age and all of it appears to have been replaced as part of the 1930s refurbishment. The residual 1930s elements are not particularly significant or sensitive, but these are now for the most part the only historic fabric that is left.

PART III: Impact assessment

PART III: Impact assessment

Overview

36. Before considering the impacts in detail, it is worth placing these into a broader context. The pub has been closed for nearly a year, a situation that is not uncommon and one that clearly puts the future use of the building as a pub into question. The trend of pubs closing in England is well known and does not need to be rehearsed. Neither is it necessary to point out the obvious conversion proposals, often to residential uses, that tend to follow pub closures.

37. In this case the proposals are linked with retaining the pub use and securing the on-going use of the building as a pub, with an offering that is capable of competing with other pubs and providing the facilities and dining experience that is expected of pubs in the 21st century. This involves change to the building, but it can be described as the optimum viable use as set out at Paragraph 016 (Ref. ID: 18a-016-20190723) of the National Planning Policy Guidance: "*Where a heritage asset is capable of having a use, then securing its optimum viable use should be taken into account in assessing the public benefits of a proposed development*." Paragraph 020 (Ref. ID: 18a-020-20190723) specifically highlights the following three examples of heritage benefits:

    i. sustaining or enhancing the significance of a heritage asset and the contribution of its setting

    ii. reducing or removing risks to a heritage asset; and

    iii. securing the optimum viable use of a heritage asset in support of its long term conservation.

38. The proposed alterations can be categorised as fulfilling all three categories. By facilitating the on-going pub use of the building, it sustains the significance of the listed pub. Residential conversion, for example, requires more subdivision and also the insertion of separate entrances, bathrooms and kitchens and also tends to lead to fragmentation into different ownerships and a loss of being able to experience the building as a whole. The building has been standing vacant for some time and the proposed alterations would remove the short-term risks of unauthorised access and vandalism (or arson attacks) as well as longer term risks of finding a viable use and/or dilapidation if not. The proposed works would facilitate the optimum viable pub use of the listed building in support of its long term conservation.

39. Therefore, as a starting point, there is some considerable benefits, in principle, associated with the proposed works.

External/setting

40. It is proposed to resurface the vast tarmac surfaced car parking area at the back of the pub (**Plate 24**) with permeable, self binding gravel, which is more in keeping with the rural context than tarmac, but still allows adequate car parking, which is essential to the operational future of the pub.

41. It is also proposed to remove the little single storey structures to the north of the building (**Plate 25**) and the southern extension (**Plate 26**), both of which will improve the setting and legibility of the building, but in particular the removal of the southern extension. The southern rear gabled extension would be extended, to meet operational demands and facilitate good quality dining, and this will be treated as a modern addition with clear legibility. The central pitched roof between the two gables will be removed to create a terrace, with a view from the back opened up of the older gables behind, and thereby facilitating an appreciation of the layered history of the building. It will also materially reduce the perceived bulk and visual dominance of the rear extension. The northern gable will be extended at the first floor, which will visually act as something of a counterfoil to the extended southern gable. Overall, the extensions and alterations proposed would be largely beneficial, and preserve, if not enhance, the significance and appreciation of the pub.



Plate 24: The tarmac car parking area at the back of the pub.



Plate 25: The single storey outbuilding to the north of the pub.



Plate 26: The single storey southern extension to the pub.



Plate 27: The modern range at the back of the pub.

PART III: Impact assessment

Interior: Ground floor

42. The changes to the ground floor interior can be summarised as:
    i. Internal changes largely to the later added rear extensions to the building.
    ii. Reconfiguration of the non-original c. 1976 staircase.
    iii. Removal of the toilets at the southernmost room and opening up the space, allowing a better appreciation of the four-cell layout.
    iv. No reduction in the historic fabric of the frontage range, aside from the insertion of an opening between the two southern rooms.
    v. No reduction of legibility of the four-cell layout.
    vi. Reconfiguration of modern elements, such as the bar.

43. The changes at the ground floor are for the most part limited to the rear extensions, and the areas where changes are proposed to the front, the effects would be either beneficial or preserve the significance of the building. There will be no loss of legibility or any important fabric or features.

Interior: First floor

44. The changes to the first floor interior can be summarised as:
    i. The blocking or repositioning of doorways to the rooms off the rear corridor.
    ii. The removal of *en suite* WCs to two of the rooms where they sit adjacent to chimneybreasts and chimneypieces, and relocating them to one of the rooms without a chimneybreast or chimneypiece.
    iii. Internal changes largely to the later added rear extensions to the building.

45. As with the ground floor, the changes to the first floor interior would rationalise the layout and secure a viable use for the building, with changes limited to areas where there are no notable features or fabric. The plan form has bee heavily altered at the rear corridor and the repositioning of the doorways as proposed would not affect anything significant. The relocation of *en suite* bathrooms would, on one hand, take up one of the four rooms, but on the other hand better reveal the principle rooms with chimneybreasts and chimneypieces. On the whole, the impact of this is at worst neutral, but on balance more likely slightly beneficial. The changes proposed to the rear extensions would leave the significance of the building unaffected.

PART IV: Summary and conclusions

PART IV: Summary and conclusions

46. The significance of The Black Horse stems primarily from its architectural and historic interest. The Black Horse is a legible as a historic vernacular building, although it has the appearance of a series of modest cottages, rather than a pub. It is evident that the building today, despite being recognisably historic, probably once looked very different. The modern tiled roof would likely once have been thatched. However, it is at the back of the building where the greatest changes have occurred and this part of the building is dominated by a modern extension.

47. The building is generally disappointing in terms of internal features and fabric. It seems to have been through successive cycles of refurbishment, with the most extensive having been carried out in the 1930s, but with further work added in the c. 1950s and again in 1976. There is still a residual semblance of a four-cell plan form, although it has been considerably altered at the ground floor, with a notable level of alteration at the first floor. None of the floor or roof structure that could be inspected is of any great age and all of it appears to have been replaced as part of the 1930s refurbishment. The residual 1930s elements are not particularly significant or sensitive, but these are now for the most part the only historic fabric that is left.

48. The proposals are linked with retaining the pub use and securing the on-going use of the building as a pub, with an offering that is capable of competing with other pubs and providing the facilities and dining experience that is expected of pubs in the 21st century. This involves change to the building, but it can be described as the optimum viable use. Therefore, as a starting point, there is some considerable benefit, in principle, associated with the proposed works, which would sustain the significance of the listed pub, reduce and remove risks to it, and secure its optimum viable use.

49. The external changes are on the whole largely beneficial, and would preserve if not enhance the significance and appreciation of the pub. The internal changes are also largely limited to the later additions and can on the whole be categorised as either neutral in the impacts, or beneficial.

50. Therefore, the proposed alterations would not cause harm and satisfy local policy, the provisions of s.66 of the 1990 Act, and accord with the NPPF. Even if it was considered that there is some harm, the benefits in putting the building back into a viable pub use strongly weights in favour of the proposals.

APPENDIX 1: Legislation, Policy and Guidance

Planning (Listed Buildings and Conservation Areas) Act 1990

CHAPTER 9

A Table showing the derivation of the provisions of this consolidation Act will be found at the end of the Act. The Table has no official status.

ARRANGEMENT OF SECTIONS

PART I

LISTED BUILDINGS

CHAPTER I

LISTING OF SPECIAL BUILDINGS

Section

1. Listing of buildings of special architectural or historic interest.
2. Publication of lists.
3. Temporary listing: building preservation notices.
4. Temporary listing in urgent cases.
5. Provisions applicable on lapse of building preservation notice.
6. Issue of certificate that building not intended to be listed.

CHAPTER II

AUTHORISATION OF WORKS AFFECTING LISTED BUILDINGS

Control of works in respect of listed buildings

7. Restriction on works affecting listed buildings.
8. Authorisation of works: listed building consent.
9. Offences.

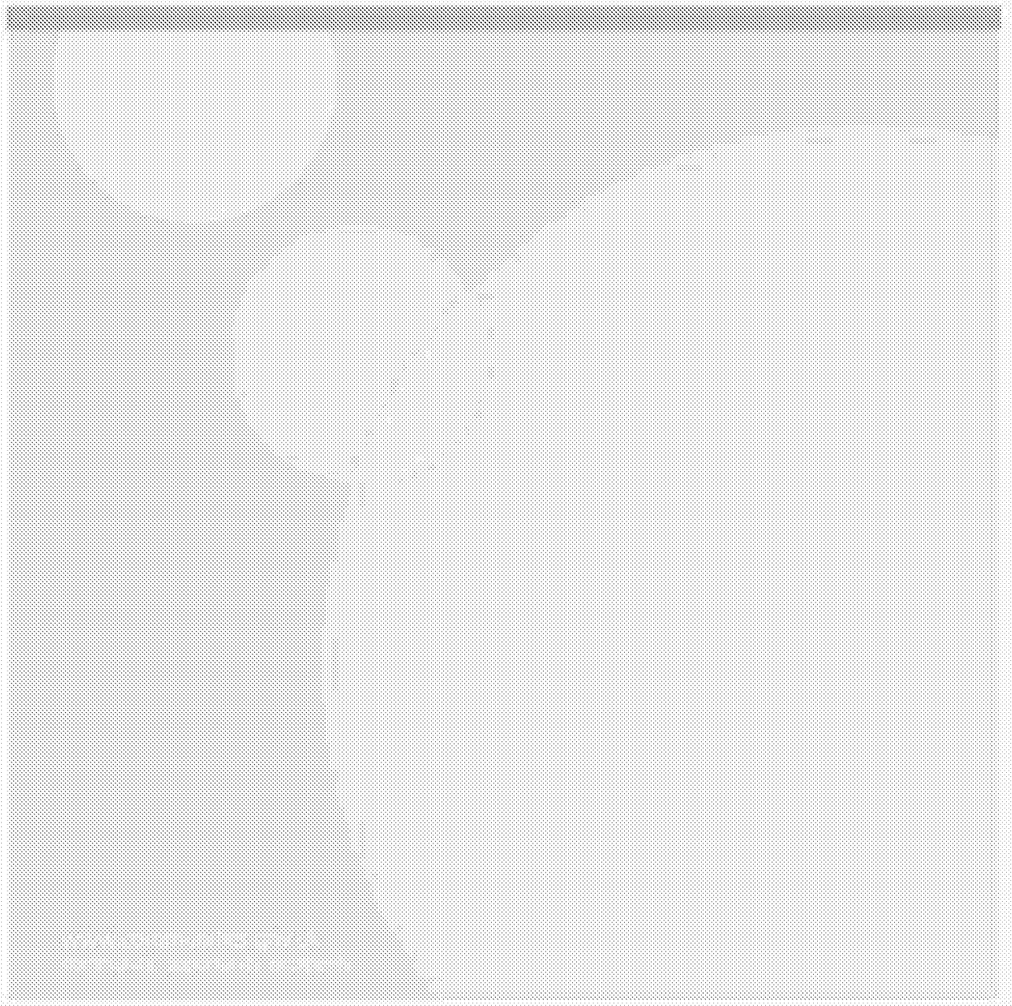
Applications for listed building consent

10. Making of applications for listed building consent.
11. Certificates as to applicant's status etc.
12. Reference of certain applications to Secretary of State.
13. Duty to notify Secretary of State of applications.
14. Duty of London borough councils to notify Commission.
15. Directions concerning notification of applications etc.
16. Decision on application.

A

Communities and Local Government

National Planning Policy Framework



APPENDIX 1: Legislation, Policy and Guidance

Legislation

1. Legislation relating to listed buildings and conservation areas is contained in the Planning (Listed Buildings and Conservation Areas) Act 1990. For the purposes of this application, the relevant considerations is Section 66 of the 1990 Act, which states:

   "*In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses*."

2. The Act does not require the preservation of listed buildings or conservation areas *per se*, which is confirmed by the *South Lakeland DC v Secretary of State for the Environment and another* (1992 House of Lords appeal), i.e. legislation "*does not in terms require that a development must perform a preserving or enhancing function*." Rather, it places a statutory duty on decision makers to ensure that the special interest of listed buildings or conservation areas is properly taken into account as material considerations when determining applications affecting their special interest, or the setting of listed buildings. Case law has established that the preservation of the setting of a listed building requires considerable importance and weight (i.e. the *Barnwell Manor* judgement) and that, generally, a decision-maker who has worked through the paragraphs of the NPPF in accordance with their terms will have complied with the statutory duty set out in the 1990 Act (i.e. the judgement in *Jones v Mordue & Others* [2015] EWCA Civ 1243).

The National Planning Policy Framework

3. The revised National Planning Policy Framework (the NPPF) was published in February 2019 and constitutes guidance for local planning authorities and decision makers. Applications for planning permission must be determined in accordance with the local development plan, unless it is silent or material considerations indicate otherwise. The NPPF is a material consideration.

4. Section 16 of the NPPF deals with conserving and enhancing the historic environment, in paragraphs 184 to 202. The NPPF places much emphasis on heritage 'significance', which it defines in Annex 2 as:

   "*The value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting*."

5. Paragraph 184 of the NPPF states that heritage assets range from sites and buildings of local historic value to those of the highest significance. It goes on to state that heritage assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

6. Paragraph 185 encourages local planning authorities to prepare local plans that should set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. One of the factors to be taken into account is the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation. The positive contribution that new development can make is another of these factors to be taken into account.

7. According to paragraph 189, local planning authorities should require applicants to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.

8. Paragraph 190 requires a similar approach from local authorities, who should identify and assess the particular significance of any heritage asset that may be affected by a proposal, 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.

9. According to paragraph 192, a number of considerations should be taken into account in determining applications. The first is the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation. The second is to recognise the positive contribution that conservation of heritage assets can make. The third reiterates the well-established concept that new development can also make a positive contribution to local character and distinctiveness.

10. According to paragraph 193, which applies specifically to designated heritage assets, great weight should be given to a heritage asset's conservation (the more important the asset, the greater the weight should be). This reflects the provisions of the 1990 Act in that it applies irrespective of whether it involves total loss, substantial harm, or less than substantial harm to significance.

11. Paragraph 194 states that any harm to, or loss of, the significance of a designated heritage asset should require clear and convincing justification. It then deals with substantial harm to, or total loss of significance of, different types of designated heritage assets.

12. Paragraph 195 continues on the subject of substantial harm. Paragraph 196, on the other hand, deals with less than substantial harm. Harm in this category should be weighed against the public benefits of the proposal.

13. The National Planning Practice Guidance[1] (NPPG) describes public benefits as "*anything that delivers economic, social or environmental objectives*".

14. According to paragraph 200, local planning authorities should look for opportunities for new development within conservation areas to enhance or better reveal their significance. Proposals that preserve those elements that make a positive contribution to or better reveal the significance of the asset should be treated favourably.

[1] http://planningguidance.planningportal.gov.uk/blog/guidance/conserving-and-enhancing-the-historic-environment/why-is-significance-important-in-decision-taking/

APPENDIX 1: Legislation, Policy and Guidance

The Development Plan

15. The Development Plan is the Arun Local Plan (2018). Policies HER SP1 and HER DM1 provides for the protection of heritage assets, including listed buildings (HER SP1) and sets out criteria under which listed building consent will be granted, with the provision that development must preserve of enhance listed buildings and their settings (HER DM1).