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Design & Access Statement | Heritage Statement

3 Western Road, Littlehampton, West Sussex BN17 5NP

Statement prepared by Chilcroft Heritage Planning
December 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 an IHBC/RICS accredited 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 November 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 November 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) I have included in my statement photos taken on my original site visit. The photos were taken with a compact digital camera and they have not been digitally altered, aside from cropping superfluous areas of sky and/or foreground. This visual assessment is intended to be informative, but it is not intended to be exhaustive.
- 1.11) 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 includes the repointing of brickwork at the sides and rear of the building, a small timber glazed link between existing outbuildings and the loss of a wall and opening up in the existing kitchen area.
- 3.2) The primary means of access to the dwelling will remain as existing via the principle elevation, accessed off of Western Road. The changes in the kitchen area are found to the very rear of the building, in what was historically part of the servant's quarters, with a pair of French doors providing access to the curtilage.
- 3.3) The dwelling is accessed via Western Road and the rear and part side of the building is visible from St. Augustine Road to the west. The semi-detached dwelling is separated by a small pathway between it and the gable end wall of 5 Western Road to the east, with a shingle pathway leading in between. 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 areas to the rear of the dwelling, furthest away from the adjoining dwelling of 1 Western Road. Together the two dwellings are a Grade II listed building.
- 3.5) The proposal is one that has already been carried out and the purpose of this application is therefore to regularise that. As an independent specialist, Chilcroft Heritage Planning have assessed the works and determined that Listed Building Consent should have been sought for these works.
- 3.6) Whilst the changes to the kitchen wall and link between the outbuildings has already been made, we have assessed the repointing to the listed building and determined that this should be redone, due to it previously being done in cement mortar. As this substance is not in accord with Historic England best practice, it will therefore be redone again in lime mortar, which is the correct material in the case of a listed building and capable of maintaining its significance by virtue of its historic fabric value.

4) ASSESSMENT OF SIGNIFICANCE

- 4.1) 3 Western Road forms part of a single listing with 1 Western Road and is a Grade II listed building (**List No. 1191190**), listed on the 21 August 1975. The dwelling dates from 1858 and consists of a pair of Georgian style townhouses, built over three storeys, with a hipped slate roof and brick built chimney stacks. The building is brick built with a rendered stuccoed principle elevation. The building follows the style of many within the town centre of Littlehampton, with a light coloured frontage and plain brickwork to the sides and rear of the building. The pair of dwellings differ at ground floor level with a late 19th Century shop frontage inserted into the former sitting room area of 3 Western Road, complete with the original tiled shop floor. A garage door has now been inserted into the frontage but is capable of being removed. A single stud wall sits some way behind this which is again capable of being removed, to reinstate the full former shop floor space. The garage frontage involves a canted bay with pilasters, brackets and palmetters over, with the principle doorways to each side of the pair of dwellings. The first floor level of both are characterised by a 3-light canted bay with a fringed canopy (**see Fig 1**).
- 4.2) The curtilage space of 3 Western Road extends to the rear of the building and consists of a pair of originally built privy (also in 1 Western Road) to one corner and a late 20th Century larger brick built outbuilding, to the other corner. A previous planning permission (now expired) granted the removal of these buildings. The curtilage boundary is defined by a flint and brick built wall painted in white, which matches with the two outbuildings (**see Fig 3**).
- 4.3) The general floorplan throughout the dwelling remains broadly intact, with little or no evidence of significant alternation. The chimney breasts, staircases and principle rooms all remain intact, which adds to the buildings significance.
- 4.4) The listed building is situated within the Littlehampton Seafront Conservation Area, with St. Augustine Road to the west side and a single row of Victorian terraced townhouses along South Terrace, between it and the coastline. Selbourne Road to the north of the dwelling lies outside of the Conservation Area. Any proposals must maintain the character and appearance of the area.



Fig 1: The proposed development would not involve any changes to the principle elevation of the listed building and would not impact the character or appearance of the Littlehampton Seafront Conservation Area.

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Fig 2: The listed building consists of two semi-detached townhouses. The appearance of the rear elevation would be unchanged with only the repointing of the brickwork to be completed in lime mortar.

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Fig 3: The curtilage consists of a privy building to the far left side with a late 20th Century brick built outbuilding to the right. A timber glazed link between the two is of a similar style and is in keeping with this appearance.

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Fig 4: The existing privy and outbuilding are painted in white to match the boundary wall that surrounds the curtilage. The modest link between the two does not detract from setting of the listed building.

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Fig 5: A full width beam has been inserted in the kitchen space where the chimney stack used to sit. Whilst the loss of historic fabric cannot be condoned, anything that replaces it can only ever be a replica and the existing beam does provide a profile in the living space, to allow for the appreciation of the former divide to be still clearly understood.

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Fig 6: The ceiling beam spans the divide that the chimney stack once occupied and in part, still allows for the division of this space to be understood, in the context of the historic floorplan of the dwelling.

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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 many renovation works. With a listed building however, the historic fabric should always remain the primary consideration and any changes should seek to preserve and enhance the significance of the heritage asset.
- 5.2) In the case of the proposal here, some of the works have already been carried out. As professionals, we have pointed out that these works should have carried out subject to Listed Building Consent and the applicant now fully understands this. The proposals are therefore designed to regularise these and may require little subsequent change.
- 5.3) Following an inspection of the building, we have observed that sections of the side and rear walls have been repointed in cement mortar, rather than lime mortar. As cement mortar is not a historic material and non-breathable, this intervention will if left unchecked, cause harm to the historic fabric of the outer walling of the building. It is therefore proposed to carefully remove this cement mortar and redo the repointing anew in the correct lime mortar.
- 5.4) Lime mortar is a historic material which is best able to respond to the transmission of water and vapour between the inside and outside of a masonry wall. Aside from this, its external appearance between brickwork is also historically accurate. It is therefore the most suitable material for a listed building. The application of lime mortar to repoint the building will therefore preserve the significance of the listed building, in accordance with the NPPF and Historic England best practice.
- 5.5) The existing outbuildings were the subject of a previous planning permission to remove and replace them however, this was never carried out and the existing structures remain. A small timber framed glazed link has been inserted between the two existing structures, of a similar style to the main outbuilding besides it, linking it up with the former privy to the far corner of the curtilage space.

- 5.6) The glazed link between the two sets of existing buildings has not resulted in any loss of historic fabric and is a reversible structure, allowing it to be removed at some future point. The fact that it is reversible is therefore in accordance with Historic England best practice. Although the design of the glazed link is simplistic in nature, it is considered to be the most appropriate solution and remains clearly subservient to the older two outbuilding structures that sit beside it. Furthermore, the design and use of materials is appropriate to the setting and historic fabric value of the listed building. Although this structure should have been erected with Listed Building Consent, it is considered acceptable in that it preserves the listed building and its setting.
- 5.7) Inside the dwelling, the removal of a wall within the existing kitchen space is arguably the most serious intervention and one that is unlikely to have acquired Listed Building Consent, due to the loss of historic fabric. The change centres on the base of a chimney stack at ground floor level that once sat in the centre of the space, with two alcoves to each side. Historically, this kitchen space was in the servant's area of the dwelling and this space was divided into two by the existence of this chimney stack. The loss of this division has altered this space and resulted in the loss of historic fabric, consisting of brickwork and an open fireplace. The chimney stack remains without alteration on the second and third floors, and can still be seen atop the roof.
- 5.8) Whilst we deeply regret this intervention, the loss of this part of the chimney stack is now well established and any historic fabric long removed and lost. In accepting this fact, we have to go forward from this position. The recreation of a chimney stack in this location would not be deemed to be a suitable substitute and would amount to no more than a replica, that would have no historic fabric value whatsoever. The recreation of this structure is not something that is supported by Historic England best practice and is therefore not thought to be the best solution. Where a wall between two rooms is removed, it is common practice to leave a nib at the side of each wall, to denote that the space was once divided at this point. In this case however, the presence of a thick ceiling beam (see **Fig 5 and 6**) spanning this space has a similar effect and arguably serves the same visual purpose. It is therefore considered that the existing beam should be retained as a compromise.

6) CONCLUSIONS

- 6.1) This heritage assessment has correctly identified the significance of the 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). There would also be no harmful impact on the Littlehampton Seafront Conservation Area and it would leave the character and appearance unchanged.
- 6.3) The heritage assessment that has been conducted has focused on the significance of the listed building and its historic fabric, rather than any personal desire of the applicant, ensuring that the designated heritage asset remains the primary consideration.
- 6.4) The repointing of the listed building in lime mortar is considered to be a repair and capable of preserving the significance of the listed building and its historic fabric.
- 6.5) The glazed link between the existing outbuildings is a reversible intervention and the design and use of materials is considered capable of preserving the listed building and its setting.
- 6.6) Although the loss of this ground floor section of the chimney stack is regrettable, its historic fabric cannot be recreated and would amount to a replica, which is not an approach supported by Historic England best practice. Where an internal wall has been removed, it is common practice to insert nibs at the side of the wall to denote where the divide in the living space originally was. In this case, the presence of a large ceiling beam spanning the space has a similar effect and serves the same visual purpose.

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