

**LAND SOUTH OF
WEST WALBERTON LANE,
WALBERTON,
WEST SUSSEX**

**BUILT HERITAGE
STATEMENT**

PREPARED BY PEGASUS GROUP
ON BEHALF OF MACRA LTD

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Pegasus Group

Pegasus House | Querns Business Centre | Whitworth Road | Cirencester | Gloucestershire | GL7 1RT

Birmingham | Bracknell | Bristol | Cambridge | Cirencester | Dublin | East Midlands | Edinburgh | Leeds | Liverpool | London | Manchester | Newcastle | Peterborough | Solent

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1. Introduction

- 1.1 Pegasus Group have been commissioned by Macra Ltd to prepare a Built Heritage Statement to consider the proposed residential development of land south of West Walberton Lane, Walberton, as shown on the Site Location Plan provided at Plate 1.

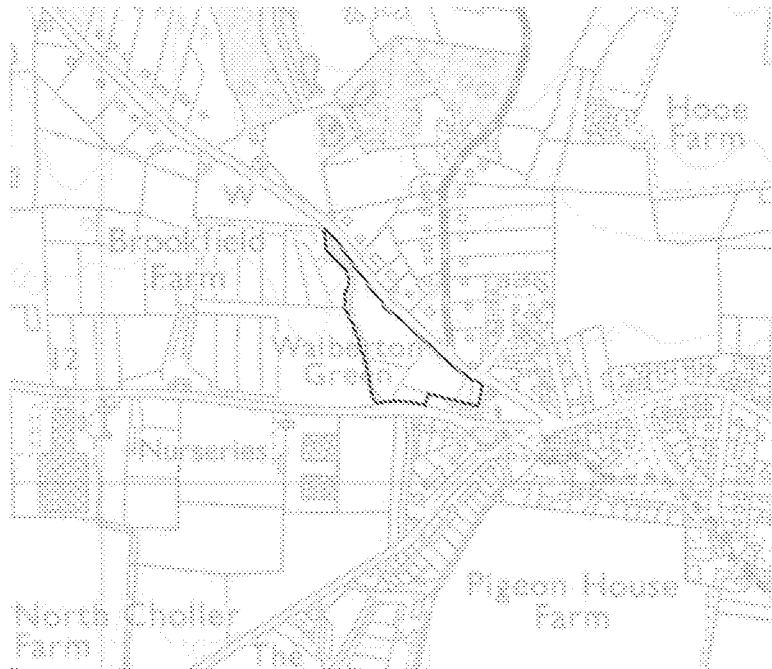


Plate 1: Site Location Plan.

- 1.2 The site is located on the western edge of the village of Walberton, with the small easternmost portion being located within the Walberton Green Conservation Area. There are no other designated heritage assets within the site. Grade II Listed Nos. 15–20 The Street stand approximately 130m east-south-east of the site.

- 1.3 The application seeks Full Planning Permission for the erection of 30no. new homes, creation of new access off Eastergate Lane, and provision of open space with associated infrastructure.

- 1.4 This Built Heritage Statement provides information with regards to the significance of the historic environment to fulfill the requirement given in paragraph 189 of the Government's National Planning Policy Framework (the NPPF)¹ which requires:

"an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting."²

- 1.5 In order to inform an assessment of the acceptability of the scheme in relation to impacts to the historic environment, following paragraphs 193 to 197 of the NPPF, any harm to the historic environment resulting from the proposed development is also described, including impacts to significance through

¹ Ministry of Housing, Communities and Local Government (MHCLG), *National Planning Policy Framework (NPPF)* (London, February 2019).

² MHCLG, *NPPF*, paragraph 189.

changes to setting.

- 1.6 As required by paragraph 189 of the NPPF, the detail and assessment in this Report is considered to be *"proportionate to the asset's importance"*.³

Pre-application background

- 1.7 A pre-application consultation was submitted to Arun District Council in September 2019 (ref. PAA/112/19/).

- 1.8 In a response dated 20th November 2019, Arun District Council made the following comments regarding heritage matters:

"In considering whether to grant planning permission with respect to any buildings or other land in a Conservation Area, the Council shall pay special attention to the desirability of preserving or enhancing the character or appearance of that area (Section 72 of the Planning (Listed Buildings and Conservations Areas) Act 1990. The proposed development would need to pay careful attention to its design where the site is adjacent to the Conservation Area and demonstrate this within a Heritage Statement submitted with the application."

- 1.9 The pre-application response also stated:

"The use of high quality materials and design features within the proposed houses would need to reflect the Conservation Area to the east of the site and features used on housing within the village as a whole including half hipped roofs, clay tile roofs, hanging tiles at first floor level, flint panelling and stock bricks at ground floor level."

³ MHCLG, NPPF, paragraph 189.

- 1.10 The proposals have since been revised in response to these pre-application comments, as set out within the Design Evolution Document prepared by WYG (November 2020). These revised proposals were submitted to Arun District Council in November 2020 as part of a second pre-application enquiry.

- 1.11 The second pre-application response was received on 24th February 2021. Regarding the Conservation Area, this response repeated the previous request for the design of the development to pay careful attention to the Conservation Area and for the planning application to be accompanied by a Heritage Statement.

- 1.12 More detailed comments on the Conservation Area are presented in the Design response to the second pre-application enquiry, as follows:

"The location of a modern housing estate next to the Conservation Area would have an unacceptable effect on the character of the village as a whole..."

The use of high quality materials and design features within the proposed houses would also need to reflect the Conservation Area to the east of the site and features used on housing within the village as a whole including half hipped roofs, clay tile roofs, hanging tiles at first floor level, flint panelling and stock bricks at ground floor level".

- 1.13 No other designated heritage assets were identified as being potentially sensitive to the proposed development.

2. Site Description and Planning History

- 2.1 The site is a small, irregularly shaped paddock covering an area of approximately 1.5ha. The site is bounded on all sides by dense hedgerows, trees, and other vegetation. From within the site, there are glimpses to existing residential development along West Walberton Lane (which bounds the site to the north) and Eastergate Lane (which bounds the site to the south). There are also some filtered glimpses to the fields to the west. Access to the site is via a gate off Eastergate Lane.



Plate 2: North-facing view to the gated entrance to the site off Eastergate Lane.

Modern residential development along West Walberton Lane can be glimpsed in the background.



Plate 3: South-facing view from within the easternmost part of the site towards Mulberry Barn (left of frame) and Mallards (right of frame), both of which are converted and extended dwellings.



Plate 4: East-facing view from within the centre of the site towards Walberton village (not visible).



Plate 5: South-east-facing panorama across the site from within the north-west corner.

Modern dwellings along West Walberton Lane can be glimpsed left of frame.

Site Development

- 2.2 The 1630 map of Walberton is the earliest map to record the site (Plate 6). At that time, it was a parcel of land (presumably in agricultural use) that belonged to a certain Edward Smith. Successive maps published over the course of the 18th century illustrate that the site remained undeveloped. Yeakell and Gardner's map of 1778–79 illustrates that the site lay on the eastern edge of what was then Eastergate Common (Plate 7).

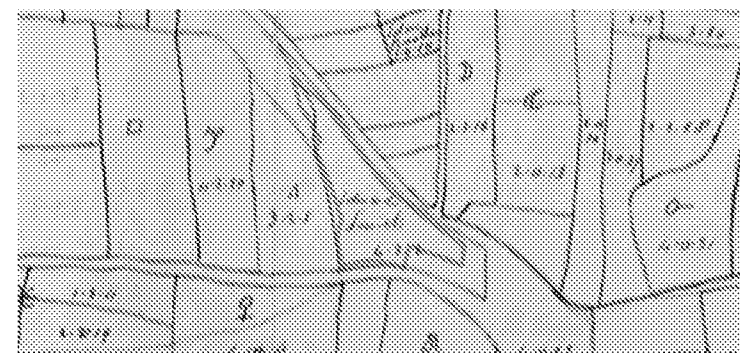


Plate 6: 1630 Plan of Walberton Manor (preserved as a mid-19th-century copy), West Sussex Record Office, Par 202/7/21.

Reproduced courtesy of the West Sussex Record Office. The site is outlined in red.



Plate 7: 1778/79 Survey of the County of Sussex (Yeakell and Gardner), West Sussex Record Office, PM 249.

Reproduced courtesy of the West Sussex Record Office. The approximate location of the site is outlined in red.

- 2.3 The 1846 tithe map for the parish of Walberton (Plate 8) records the site as parcel 119, an area of pasture known as Shorts Green which was then owned by Charles White and occupied by Charles Gardiner. Charles Gardiner was also the occupier of a barn and yard located immediately to the south-east (beyond the site boundary and today known as 'Mulberry Barn').

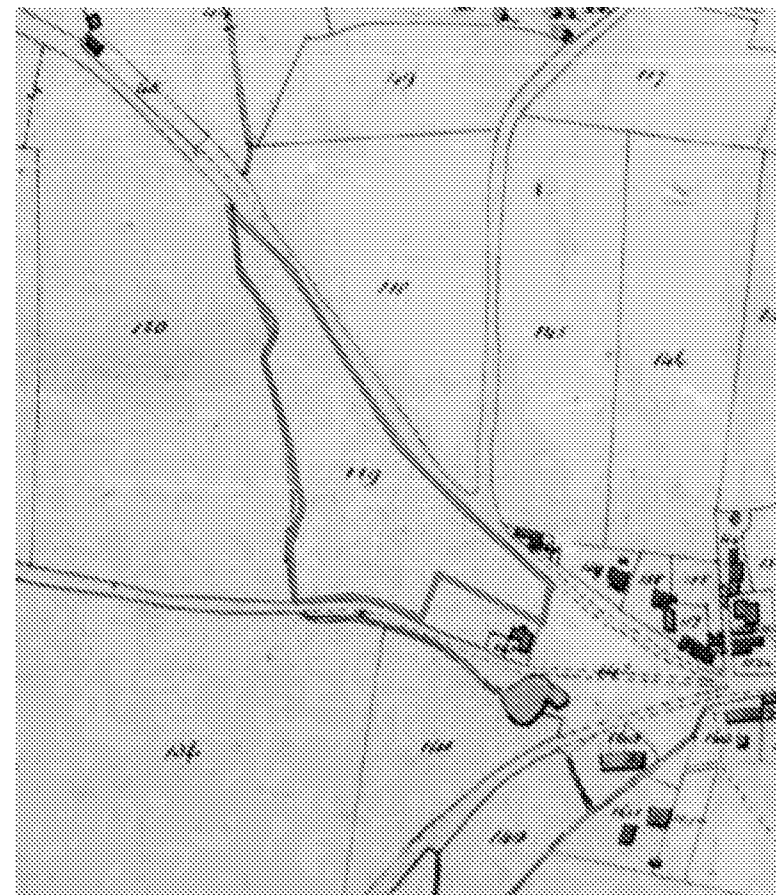


Plate 8: 1846 tithe map for the parish of Walberton.

Reproduced courtesy of the Genealogist. The site is outlined in red.

2.4 The First Edition (1875–76) Ordnance Survey map (Plate 9) shows that the site had been partitioned into two fields but illustrates no other change. Walberton Green is clearly labelled to the south-east. The Second Edition Ordnance Survey map (not reproduced) illustrates that the site was reconsolidated into a single field, but otherwise shows no significant changes.

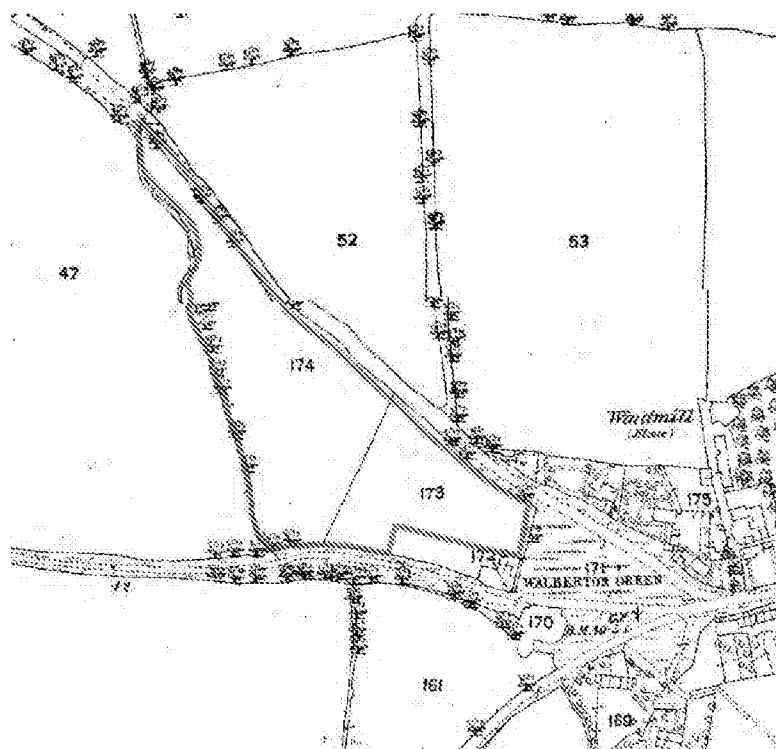


Plate 9: First Edition (1875–76) Ordnance Survey map.

Source: Promap. Site outlined in red.

2.5 By 1938 (Plate 10), a new field partition had been introduced to the easternmost part of the site, although no other changes are recorded within the site. Conversely, there had been a number of important changes within the immediate vicinity, most notable being the residential development to the north along West Walberton Lane and Copse Lane. A new hall is recorded immediately south of the site.

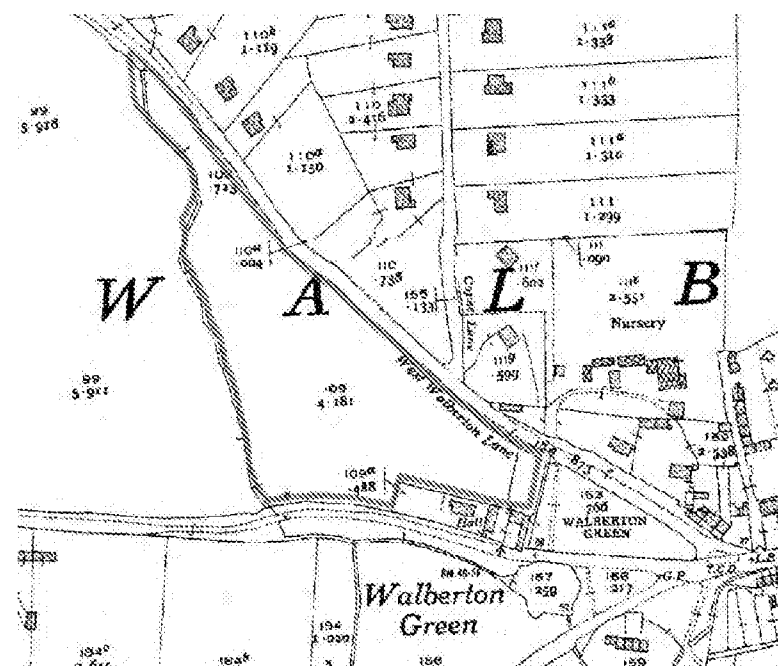


Plate 10: 1938–39 Ordnance Survey map.

Source: Promap. Site outlined in red.

- 2.6 The 1974 Ordnance Survey map (Plate 11) illustrates no change within the site but does record increased residential development to the north and north-east, including dwellings along newly formed Long Mead, and along Eastergate Lane to the south.

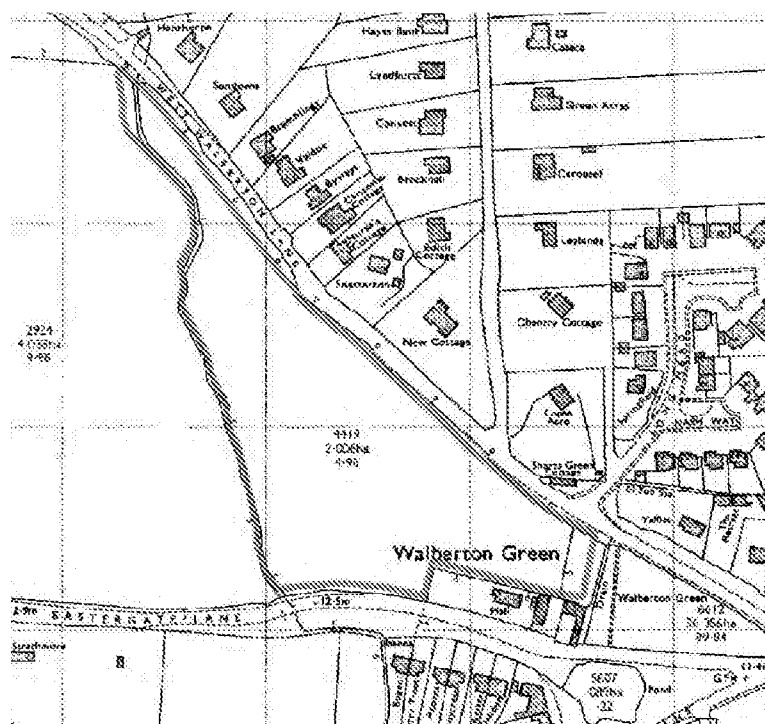


Plate 11: 1974 Ordnance Survey map.

Source: Promap. Site outlined in red.

- 2.7 Modern satellite imagery shows various configurations of temporary field boundaries within the site, although since c. 2015 the land appears to have remained unpartitioned.

- 2.8 By 2001, a small structure has been erected in the southernmost part of the site (Plate 12). The hall to the south of the site (now known as 'Mallards') had been extended on its southern elevation and appears to have been converted to residential use. In the adjacent plot to the east (now known as 'Mulberry Barn'), a previous structure had been demolished to accommodate what appears to be a detached garage (still extant).



Plate 12: 2001 satellite image of the southern part of the site and its environs.

Source: Google Earth Pro.

2.9 In 2007, planning permission was granted for a ground floor and roof extension to Mallards (LPA ref. WA/77/07/). Less than two years later, in 2009, planning permission was granted for a ground floor extension and garage/kitchen conversion to Mulberry Barn (LPA ref. WA/1/09/). These built extensions are clearly recorded by satellite imagery captured in 2012 (Plate 13), along with disturbances within the southernmost part of the site.



Plate 13: 2012 satellite image of the southern part of the site and its environs.

Source: Google Earth Pro.

2.10 By 2018, the modern structure within the southernmost part of the site had been demolished, and today this part of the site contains refuse and discarded building materials.

Planning History

2.11 No planning history for the site was identified within recent planning history records held online by Arun District Council.

3. Proposed Development

3.1 This Built Heritage Statement accompanies a Full Planning Application to erect 30no. new dwellings, including the creation of new access off Eastergate Lane, and provision of open space with associated infrastructure.

3.2 The proposed development is illustrated by the Proposed Site Layout (reproduced at Plate 14) and the wider suite of drawings which accompany the planning application.

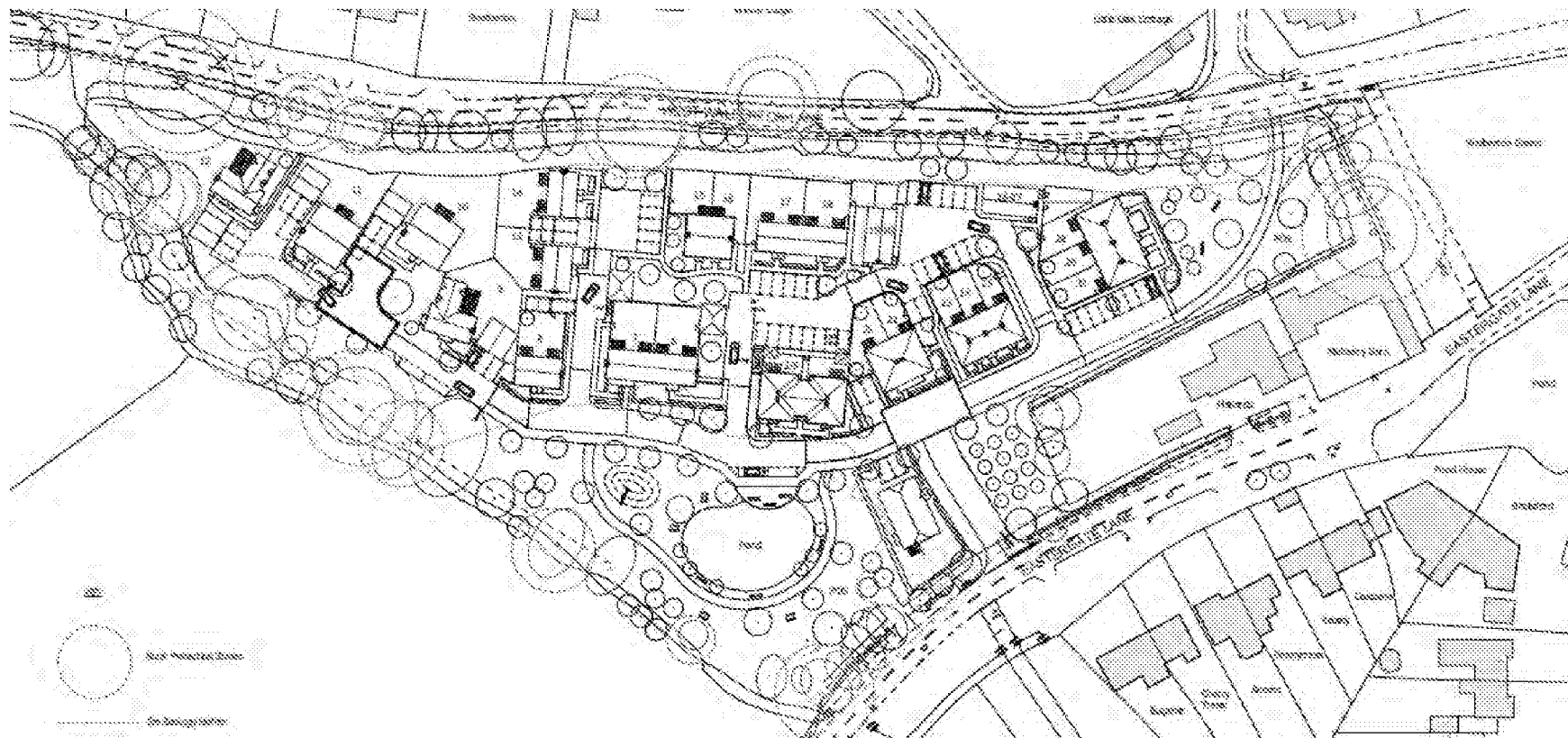


Plate 14: Extract of Proposed Site Layout (drawing no. 101 F).

- 3.3 As part of the proposed development, new built form will be set back from the Walberton Green Conservation Area (located to the east), with the easternmost part of the site, which includes a silver of land within the designation boundary, being retained as open space.
- 3.4 Existing trees and hedgerows along the site boundary will be retained and augmented with new tree planting, and there will be additional tree and orchard planting within the main body of the site.
- 3.5 Generally, the new dwellings will be set back from the site boundary, and none will front directly onto Eastergate Lane or West Walberton Lane.
- 3.6 All proposed built form has been designed to respect the local architectural vernacular in terms of external materials, scale, massing, and architectural details. This includes bespoke, feature dwellings positioned within those parts of the site that are nearest the Conservation Area and are most visible on the approach to Walberton Green. For example, Plot 1 at the entrance to the site is proposed as single storey dwelling of red brick and flint with a half-hipped red tile roof and timber porch, which will be legible as a converted barn or outbuilding (Plate 15). Meanwhile, Plots 28 to 30, which are to be positioned nearest the Conservation Area boundary, will be legible as three terraced cottages constructed in a vernacular style using brick and a hipped red tile roof (Plate 16).

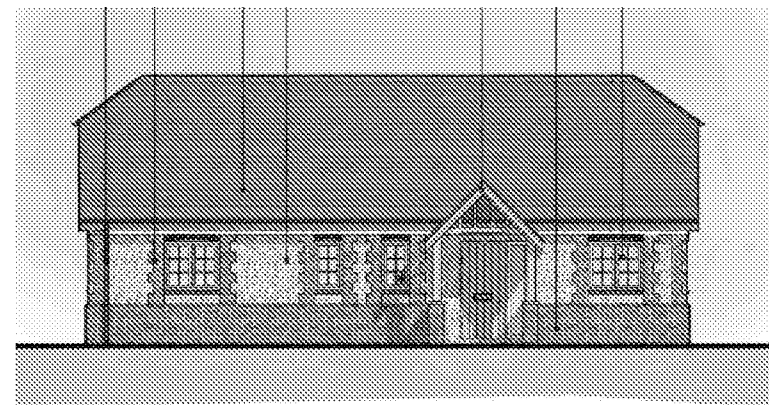


Plate 15: Extract of drawing no. 208 illustrating the frontage of Plot 1.

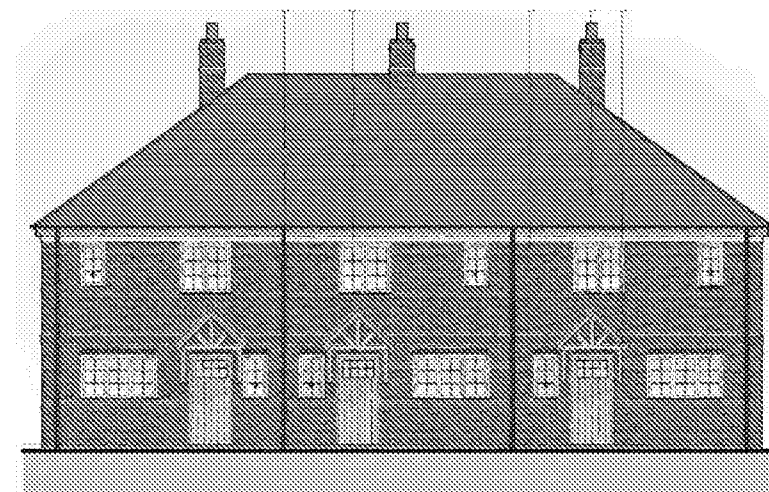


Plate 16: Extract of drawing no. 204 illustrating the frontage of Plots 28 to 30.

3.7 In these respects, the proposals have responded to the pre-application Design comments received from Arun District Council. The new residential development will not be experienced as a modern housing estate, rather it will be legible as an extension of the historic core of the village.

3.8 The full schedule of works is as follows:

- Preparation of the site, including the laying of foundations for new dwellings, garages and parking barns;
- The construction of 30no. dwellings and associated garages and parking barns;
- Associated hard landscaping, including the laying of new driveways (utilising the existing access point off Eastergate Lane), parking spaces, footpaths, patios, and flint walls; and
- Associated soft landscaping, including augmented tree planting at the site boundaries, new tree, hedge and orchard planting within the site, the creation of private garden areas, the digging of a pond within the south-west corner of the site, and the creation of public open space.

3.9 The proposals are detailed on the following plans which form the application package and which this assessment considers:

- Location Plan (drawing no. 100)
- Proposed Site Plan (drawing no. 101)
- House Type 2BH1 (Plots 15 & 16) (drawing no. 200)
- House Type 2BH1A (Plots 23, 24 & 25) (drawing no.

201)

- House Type 3BH4A Plans (Plots 13 & 14) (drawing no. 202)
- House Type 3BH4A Elevations (Plots 13 & 14) (drawing no. 203)
- House Type 3BH1A (Plots 28, 29 & 30) (drawing no. 204)
- House Type 3BH3 (Plots 6 & 7) (drawing no. 205)
- House Type 3BH3A (Plots 17 & 18) (drawing no. 206)
- House Type 4BH1 (Plots 9 & 12) (drawing no. 207)
- House Type 3BH5 (Plot 1) (drawing no. 208)
- Apartments Type FT1 Plans (Plots 2, 3, 4 & 5) (drawing no. 209)
- Apartments Type FT1 Elevations (Plots 2, 3, 4 & 5) (drawing no. 210)
- Apartments Type FT2 (Plots 26 & 27) (drawing no. 212)
- Apartments Type FT2A (Plots 19 & 20) (drawing no. 213)
- House Type 3BH4 (Plot 8) (drawing no. 214)
- House Type 3BH2 (Plots 21 & 22) (drawing no. 216)
- House Type 4BH2 (Plot 10) (drawing no. 217)
- House Type 4BH2 (Plot 11) (drawing no. 218)

- Garages (drawing no. 219)
- Car Barn (drawing no. 221)
- Refuse and Cycle Store (drawing no. 222)
- Landscape Masterplan (as prepared by Pegasus Group)

4. Methodology

- 4.1 The aims of this Built Heritage Statement are to assess the significance of the heritage resource within the site, to assess any contribution that the site makes to the heritage significance of the identified heritage assets, and to identify any harm or benefit to them which may result from the implementation of the development proposals, along with the level of any harm caused, if relevant. This assessment considers built heritage.

Sources

- 4.2 The following key sources have been consulted as part of this assessment:
- The National Heritage List for England for information on designated heritage assets;
 - The West Sussex Historic Environment Record (HER), available via Heritage Gateway, for information on the recorded heritage resource and previous archaeological works;
 - The Walberton Village and Walberton Village Green Conservation Area map;
 - Historic maps held at the West Sussex Record Office;
 - T. P. Hudson (ed.), *A History of the County of Sussex: Volume 5 Part 1, Arundel Rape: South-Western Part, Including Arundel* (London, 1997).

- Online resources, including historic maps and satellite imagery.

- 4.3 Heritage assets in the wider area were assessed as deemed appropriate (see Section 7).

Site Visit

- 4.4 A site visit was undertaken by a Heritage Consultant from Pegasus Group on 26th November 2020, during which the site and its surrounds were assessed. Selected heritage assets were assessed from publicly accessible areas.
- 4.5 The visibility on this day was clear. Surrounding vegetation was not fully in leaf at the time of the site visit and thus a clear indication as to potential intervisibility between the site and the surrounding areas could be established.

Assessment of significance

- 4.6 In the NPPF, heritage significance is defined 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. For World Heritage Sites, the cultural value described within each site’s Statement of

Outstanding Universal Value forms part of its significance.”⁴

4.7 Historic England’s *Managing Significance in Decision-Taking in the Historic Environment: Historic Environment Good Practice Advice in Planning: 2*⁵ (hereafter GPA 2) gives advice on the assessment of significance as part of the application process. It advises understanding the nature, extent, and level of significance of a heritage asset.

4.8 In order to do this, GPA 2 also advocates considering the four types of heritage value an asset may hold, as identified in English Heritage’s *Conservation Principles*.⁶ These essentially cover the heritage ‘interests’ given in the glossary of the NPPF⁷ and the online Planning Practice Guidance on the Historic Environment⁸ (hereafter ‘PPG’) which are **archaeological**, **architectural and artistic** and **historic**.

4.9 The PPG provides further information on the interests it identifies:

- **Archaeological interest:** “As defined in the Glossary to the National Planning Policy Framework, there will be archaeological interest in a heritage asset if it holds, or potentially holds, evidence of past

human activity worthy of expert investigation at some point.”

- **Architectural and artistic interest:** “These are interests in the design and general aesthetics of a place. They can arise from conscious design or fortuitously from the way the heritage asset has evolved. More specifically, architectural interest is an interest in the art or science of the design, construction, craftsmanship and decoration of buildings and structures of all types. Artistic interest is an interest in other human creative skills, like sculpture.”
- **Historic interest:** “An interest in past lives and events (including pre-historic). Heritage assets can illustrate or be associated with them. Heritage assets with historic interest not only provide a material record of our nation’s history, but can also provide meaning for communities derived from their collective experience of a place and can symbolise wider values such as faith and cultural identity.”⁹

4.10 Significance results from a combination of any, some or all of the interests described above.

4.11 The most-recently issued guidance on assessing heritage significance, Historic England’s *Statements of Heritage Significance: Analysing Significance in Heritage Assets*, Historic

⁴ MHCLG, NPPF, p. 71.

⁵ Historic England, *Managing Significance in Decision-Taking in the Historic Environment: Historic Environment Good Practice Advice in Planning: 2* (2nd edition, Swindon, July 2015).

⁶ English Heritage, *Conservation Principles: Policies and Guidance for the Sustainable Management of the Historic Environment* (London, April 2008). These heritage values are identified as being ‘aesthetic’, ‘communal’, ‘historical’ and ‘evidential’, see *idem* pp. 28–32.

⁷ MHCLG, NPPF, p. 71.

⁸ Ministry of Housing Communities and Local Government (MHCLG), *Planning Practice Guidance: Historic Environment (PPG)* (revised edition, 23rd July 2019), <https://www.gov.uk/guidance/conserving-and-enhancing-the-historic-environment>.

⁹ MHCLG, PPG, paragraph 006, reference ID: 18a-006-20190723.

England Advice Note 12,¹⁰ advises using the terminology of the NPPF and PPG, and thus it is that terminology which is used in this Report.

- 4.12 Listed Buildings and Conservation Areas are generally designated for their special architectural and historic interest. Scheduling is predominantly, although not exclusively, associated with archaeological interest.

Setting and significance

- 4.13 As defined in the NPPF:

*"Significance derives not only from a heritage asset's physical presence, but also from its setting."*¹¹

- 4.14 Setting is defined 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."*¹²

- 4.15 Therefore, setting can contribute to, affect an appreciation of significance, or be neutral with regards to heritage values.

Assessing change through alteration to setting

¹⁰ Historic England, *Statements of Heritage Significance: Analysing Significance in Heritage Assets*, Historic England Advice Note 12 (Swindon, October 2019).

¹¹ MHCLG, *NPPF*, p. 71.

¹² MHCLG, *NPPF*, p. 71.

- 4.16 How setting might contribute to these values has been assessed within this Report with reference to *The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning Note 3*¹³ (henceforth referred to as 'GPA 3'), particularly the checklist given on page 11. This advocates the clear articulation of "what matters and why".¹⁴

- 4.17 In GPA 3, a stepped approach is recommended, of which Step 1 is to identify which heritage assets and their settings are affected. Step 2 is to assess whether, how and to what degree settings make a contribution to the significance of the heritage asset(s) or allow significance to be appreciated. The guidance includes a (non-exhaustive) checklist of elements of the physical surroundings of an asset that might be considered when undertaking the assessment including, among other things: topography, other heritage assets, green space, functional relationships and degree of change over time. It also lists aspects associated with the experience of the asset which might be considered, including: views, intentional intervisibility, tranquillity, sense of enclosure, accessibility, rarity and land use.

- 4.18 Step 3 is to assess the effect of the proposed development on the significance of the asset(s). Step 4 is to explore ways to maximise enhancement and minimise harm. Step 5 is to make

¹³ Historic England, *The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning Note 3* (2nd edition, Swindon, December 2017).

¹⁴ Historic England, *The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning Note 3* (2nd edition, Swindon, December 2017), p. 8.

and document the decision and monitor outcomes.

- 4.19 A Court of Appeal judgement has confirmed that whilst issues of visibility are important when assessing setting, visibility does not necessarily confer a contribution to significance and also that factors other than visibility should also be considered, with Lindblom LJ stating at paragraphs 25 and 26 of the judgement (referring to an earlier Court of Appeal judgement)¹⁵:

Paragraph 25 – “But – again in the particular context of visual effects – I said that if “a proposed development is to affect the setting of a listed building there must be a distinct visual relationship of some kind between the two – a visual relationship which is more than remote or ephemeral, and which in some way bears on one’s experience of the listed building in its surrounding landscape or townscape” (paragraph 56)”.

Paragraph 26 – “This does not mean, however, that factors other than the visual and physical must be ignored when a decision-maker is considering the extent of a listed building’s setting. Generally, of course, the decision-maker will be concentrating on visual and physical considerations, as in Williams (see also, for example, the first instance judgment in R. (on the application of Miller) v North Yorkshire County Council [2009] EWHC 2172 (Admin), at paragraph 89). But it is clear from the relevant national policy and guidance to which I have referred, in particular the guidance in paragraph 18a-013-20140306 of the PPG, that the Government recognizes the potential relevance of other considerations – economic, social and historical. These other considerations may include, for example, “the historic relationship between places”. Historic

¹⁵ *Catesby Estates Ltd. V. Steer* [2018] EWCA Civ 1697, para. 25 and 26.

England’s advice in GPA3 was broadly to the same effect.”

Levels of significance

- 4.20 Descriptions of significance will naturally anticipate the ways in which impacts will be considered. Hence descriptions of the significance of Conservation Areas will make reference to their special interest and character and appearance, and the significance of Listed Buildings will be discussed with reference to the building, its setting and any features of special architectural or historic interest which it possesses.
- 4.21 In accordance with the levels of significance articulated in the NPPF and the PPG, three levels of significance are identified:
- **Designated heritage assets of the highest significance**, as identified in paragraph 194 of the NPPF, comprising Grade I and II* Listed buildings, Grade I and II* Registered Parks and Gardens, Scheduled Monuments, Protected Wreck Sites, World Heritage Sites and Registered Battlefields (and also including some Conservation Areas) and non-designated heritage assets of archaeological interest which are demonstrably of equivalent significance to Scheduled Monuments, as identified in footnote 63 of the NPPF;
 - **Designated heritage assets of less than the highest significance**, as identified in paragraph 194 of the NPPF, comprising Grade II Listed buildings and Grade II Registered Parks and Gardens (and also some Conservation Areas); and

- **Non-designated heritage assets.** Non-designated heritage assets are defined within the PPG as "buildings, monuments, sites, places, areas or landscapes identified by plan-making bodies as having a degree of significance meriting consideration in planning decisions, but which do not meet the criteria for designated heritage assets".¹⁶

4.22 Additionally, it is of course possible that sites, buildings or areas have **no heritage significance**.

Assessment of harm

4.23 Assessment of any harm will be articulated in terms of the policy and law that the proposed development will be assessed against, such as whether a proposed development preserves or enhances the character or appearance of a Conservation Area, and articulating the scale of any harm in order to inform a balanced judgement/weighting exercise as required by the NPPF.

4.24 In order to relate to key policy, the following levels of harm may potentially be identified for designated heritage assets:

- **Substantial harm or total loss.** It has been clarified in a High Court Judgement of 2013 that this would be harm that would "have such a serious impact on the significance of the asset that its significance was either vitiated altogether or very much reduced";¹⁷ and
- **Less than substantial harm.** Harm of a lesser level

than that defined above.

4.25 With regards to these two categories, the PPG states:

*"Within each category of harm (which category applies should be explicitly identified), the extent of the harm may vary and should be clearly articulated."*¹⁸

4.26 Hence, for example, harm that is less than substantial would be further described with reference to where it lies on that spectrum or scale of harm, for example low end, middle of the spectrum and upper end of the less than substantial harm scale.

4.27 With regards to non-designated heritage assets, there is no basis in policy for describing harm to them as substantial or less than substantial, rather the NPPF requires that the scale of any harm or loss is articulated. As such, harm to such assets is articulated as a level of harm to their overall significance, with levels such as negligible, minor, moderate and major harm identified.

4.28 It is also possible that development proposals will cause **no harm or preserve** the significance of heritage assets. A High Court Judgement of 2014 is relevant to this. This concluded that with regard to preserving the setting of a Listed building or preserving the character and appearance of a Conservation

¹⁶ MHCLG, PPG, paragraph 039, reference ID: 18a-039-20190723.

¹⁷ *Bedford Borough Council v Secretary of State for Communities and Local Government* [2013] EWHC 2847 (Admin), para. 25.

¹⁸ MHCLG, PPG, paragraph 018, reference ID: 18a-018-20190723.

Area, 'preserving' means doing 'no harm'.¹⁹

4.29 Preservation does not mean no change; it specifically means no harm. GPA 2 states that "*Change to heritage assets is inevitable but it is only harmful when significance is damaged*".²⁰ Thus, change is accepted in Historic England's guidance as part of the evolution of the landscape and environment. It is whether such change is neutral, harmful or beneficial to the significance of an asset that matters.

4.30 As part of this, setting may be a key consideration. For an evaluation of any harm to significance through changes to setting, this assessment follows the methodology given in GPA 3, described above. Again, fundamental to the methodology set out in this document is stating "what matters and why". Of particular relevance is the checklist given on page 13 of GPA 3.

4.31 It should be noted that this key document also states that:

*"Setting is not itself a heritage asset, nor a heritage designation..."*²¹

4.32 Hence any impacts are described in terms of how they affect the significance of a heritage asset, and heritage values that contribute to this significance, through changes to setting.

4.33 With regards to changes in setting, GPA 3 states that:

¹⁹ *R (Forge Field Society) v Sevenoaks District Council* [2014] EWHC 1895 (Admin).

²⁰ Historic England, GPA 2, p. 9.

*"Conserving or enhancing heritage assets by taking their settings into account need not prevent change".*²²

4.34 Additionally, it is also important to note that, as clarified in the Court of Appeal, whilst the statutory duty requires that special regard should be paid to the desirability of not harming the setting of a Listed Building, that cannot mean that any harm, however minor, would necessarily require Planning Permission to be refused.²³

Benefits

4.35 Proposed development may also result in benefits to heritage assets, and these are articulated in terms of how they enhance the heritage values and hence the significance of the assets concerned.

4.36 As detailed further in Section 6, the NPPF (at Paragraphs 195 and 196) requires harm to a designated heritage asset to be weighed against the public benefits of the development proposals.

4.37 Recent High Court Decisions have confirmed that enhancement to the historic environment should be considered as a public benefit under the provisions of Paragraphs 195 and 196.

4.38 The PPG provides further clarity on what is meant by the term

²¹ Historic England, GPA 3, p. 4.

²² Historic England, GPA 3., p. 8.

²³ *Palmer v Herefordshire Council & Anor* [2016] EWCA Civ 1061.

'public benefit', including how these may be derived from enhancement to the historic environment ('heritage benefits'), as follows:

"Public benefits may follow from many developments and could be anything that delivers economic, social or environmental objectives as described in the National Planning Policy Framework (paragraph 8). Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits, for example, works to a listed private dwelling which secure its future as a designated heritage asset could be a public benefit.

Examples of heritage benefits may include:

- sustaining or enhancing the significance of a heritage asset and the contribution of its setting*
- reducing or removing risks to a heritage asset*
- securing the optimum viable use of a heritage asset in support of its long term conservation."²⁴*

4.39 Any 'heritage benefits' arising from the proposed development, in line with the narrative above, will be clearly articulated in order for them to be taken into account by the Decision Maker.

²⁴ MHCLG, PPG, paragraph 020, reference ID: 18a-020-20190723.

5. Planning Policy Framework

5.1 This section of the Report sets out the legislation and planning policy considerations and guidance contained within both national and local planning guidance which specifically relate to the site, with a focus on those policies relating to the protection of the historic environment.

Legislation

5.2 Legislation relating to the built historic environment is primarily set out within the *Planning (Listed Buildings and Conservation Areas) Act 1990*,²⁵ which provides statutory protection for Listed Buildings and Conservation Areas.

5.3 Section 66(1) of the *Planning (Listed Buildings and Conservation Areas) Act 1990* states that:

*"In considering whether to grant planning permission [or permission in principle] 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."*²⁶

²⁵ UK Public General Acts, *Planning (Listed Buildings and Conservation Areas) Act 1990*.

²⁶ *Planning (Listed Buildings and Conservation Areas) Act 1990*, Section 66(1).

5.4 In the 2014 Court of Appeal judgement in relation to the Barnwell Manor case, Sullivan LJ held that:

*"Parliament in enacting section 66(1) did intend that the desirability of preserving the settings of listed buildings should not simply be given careful consideration by the decision-maker for the purpose of deciding whether there would be some harm, but should be given "considerable importance and weight" when the decision-maker carries out the balancing exercise."*²⁷

5.5 A judgement in the Court of Appeal ('Mordue') has clarified that, with regards to the setting of Listed Buildings, where the principles of the NPPF are applied (in particular paragraph 134 of the 2012 draft of the NPPF, the requirements of which are now given in paragraph 196 of the revised NPPF, see below), this is in keeping with the requirements of the 1990 Act.²⁸

5.6 With regards to development within Conservation Areas, Section 72(1) of the *Planning (Listed Buildings and Conservation Areas) Act 1990* states:

"In the exercise, with respect to any buildings or other land in a conservation area, of any powers under any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability

²⁷ *Barnwell Manor Wind Energy Ltd v (1) East Northamptonshire DC & Others* [2014] EWCA Civ 137, para. 24.

²⁸ *Jones v Mordue* [2015] EWCA Civ 1243.

of preserving or enhancing the character or appearance of that area."

- 5.7 Unlike Section 66(1), Section 72(1) of the Act does not make reference to the setting of a Conservation Area. This makes it plain that it is the character and appearance of the designated Conservation Area that is the focus of special attention.
- 5.8 In addition to the statutory obligations set out within the Planning (Listed Buildings and Conservations Area) Act 1990, Section 38(6) of the *Planning and Compulsory Purchase Act 2004* requires that all planning applications, including those for Listed Building Consent, are determined in accordance with the Development Plan unless material considerations indicate otherwise.²⁹

National Planning Policy Guidance

The National Planning Policy Framework (February 2019)

- 5.9 National policy and guidance is set out in the Government's National Planning Policy Framework (NPPF) published in February 2019. This replaced and updated the previous NPPF 2018 which in turn had amended and superseded the 2012 version. The NPPF needs to be read as a whole and is intended to promote the concept of delivering sustainable development.
- 5.10 The NPPF sets out the Government's economic, environmental and social planning policies for England. Taken together, these

policies articulate the Government's vision of sustainable development, which should be interpreted and applied locally to meet local aspirations. The NPPF continues to recognise that the planning system is plan-led and that therefore Local Plans, incorporating Neighbourhood Plans, where relevant, are the starting point for the determination of any planning application, including those which relate to the historic environment.

- 5.11 The overarching policy change applicable to the proposed development is the presumption in favour of sustainable development. This presumption in favour of sustainable development (the 'presumption') sets out the tone of the Government's overall stance and operates with and through the other policies of the NPPF. Its purpose is to send a strong signal to all those involved in the planning process about the need to plan positively for appropriate new development; so that both plan-making and development management are proactive and driven by a search for opportunities to deliver sustainable development, rather than barriers. Conserving historic assets in a manner appropriate to their significance forms part of this drive towards sustainable development.

- 5.12 The purpose of the planning system is to contribute to the achievement of sustainable development and the NPPF sets out three 'objectives' to facilitate sustainable development: an economic objective, a social objective, and an environmental

²⁹ UK Public General Acts, *Planning and Compulsory Purchase Act 2004*, Section 38(6).

objective. The presumption is key to delivering these objectives, by creating a positive pro-development framework which is underpinned by the wider economic, environmental and social provisions of the NPPF. The presumption is set out in full at paragraph 11 of the NPPF and reads as follows:

"Plans and decisions should apply a presumption in favour of sustainable development."

For plan-making this means that:

- a. *plans should positively seek opportunities to meet the development needs of their area, and be sufficiently flexible to adapt to rapid change;*
- b. *strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless:*
 - i. *the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area; or*
 - ii. *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*

For decision-taking this means:

- a. *approving development proposals that accord with an up-to-date development plan without delay; or*
- b. *where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*
 - i. *the application policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
 - ii. *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*"³⁰

5.13 However, it is important to note that footnote 6 of the NPPF applies in relation to the final bullet of paragraph 11. This provides a context for paragraph 11 and reads as follows:

"The policies referred to are those in this Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 176) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in

³⁰ MHCLG, NPPF, para. 11.

footnote 62); and areas at risk of flooding or coastal change.³¹ (our emphasis)

5.14 The NPPF continues to recognise that the planning system is plan-led and that therefore, Local Plans, incorporating Neighbourhood Plans, where relevant, are the starting point for the determination of any planning application.

5.15 Heritage Assets are defined in 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. It includes designated heritage assets and assets identified by the local planning authority (including local listing)."³²

5.16 The NPPF goes on to define a Designated Heritage Asset as a:

"World Heritage Site, Scheduled Monument, Listed Building, Protected Wreck Site, Registered Park and Garden, Registered Battlefield or Conservation Area designated under relevant legislation."³³ (our emphasis)

5.17 As set out above, significance is also defined 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."³⁴

5.18 Section 16 of the NPPF relates to 'Conserving and enhancing the historic environment' and states at paragraph 190 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."³⁵

5.19 Paragraph 192 goes on to state that:

"In determining planning applications, local planning authorities should take account of:

- a. the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- b. the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*

³¹ MHCLG, *NPPF*, para. 11, fn. 6.

³² MHCLG, *NPPF*, p. 67.

³³ MHCLG, *NPPF*, p. 66.

³⁴ MHCLG, *NPPF*, p. 71.

³⁵ MHCLG, *NPPF*, para. 190.

- c. *the desirability of new development making a positive contribution to local character and distinctiveness.*"³⁶

5.20 With regard to the impact of proposals on the significance of a heritage asset, paragraphs 193 and 194 are relevant and read as follows:

*"When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance."*³⁷

"Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

- a. *grade II listed buildings, or grade II registered parks or gardens, should be exceptional;*
- b. *assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional."*³⁸

³⁶ MHCLG, *NPPF*, para. 192.

³⁷ MHCLG, *NPPF*, para. 193.

³⁸ MHCLG, *NPPF*, para. 194.

5.21 In the context of the above, it should be noted that paragraph 195 reads as follows:

"Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a. *the nature of the heritage asset prevents all reasonable uses of the site; and*
- b. *no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and*
- c. *conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and*
- d. *the harm or loss is outweighed by the benefit of bringing the site back into use."*³⁹

5.22 Paragraph 196 goes on to state:

*"Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use."*⁴⁰

³⁹ MHCLG, *NPPF*, para. 195.

⁴⁰ MHCLG, *NPPF*, para. 196.

5.23 The NPPF also provides specific guidance in relation to development within Conservation Areas, stating at paragraph 200 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."⁴¹

5.24 Paragraph 201 goes on to recognise that *"not all elements of a World Heritage Site or Conservation Area will necessarily contribute to its significance"*⁴² and with regard to the potential harm from a proposed development states:

"Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm under paragraph 195 or less than substantial harm under paragraph 196, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole."⁴³ (our emphasis)

⁴¹ MHCLG, NPPF, para. 200.

⁴² MHCLG, NPPF, para. 201.

5.25 Overall, the NPPF confirms that the primary objective of development management is to foster the delivery of sustainable development, not to hinder or prevent it. Local Planning Authorities should approach development management decisions positively, looking for solutions rather than problems so that applications can be approved wherever it is practical to do so. Additionally, securing the optimum viable use of sites and achieving public benefits are also key material considerations for application proposals.

National Planning Practice Guidance

5.26 The then Department for Communities and Local Government (now the Ministry for Housing, Communities and Local Government (MHCLG)) launched the planning practice guidance web-based resource in March 2014, accompanied by a ministerial statement which confirmed that a number of previous planning practice guidance documents were cancelled.

5.27 This also introduced the national Planning Practice Guidance (PPG) which comprised a full and consolidated review of planning practice guidance documents to be read alongside the NPPF.

5.28 The PPG has a discrete section on the subject of the Historic Environment, which confirms that the consideration of 'significance' in decision taking is important and states:

⁴³ Ibid.

*"Heritage assets may be affected by direct physical change or by change in their setting. Being able to properly assess the nature, extent and importance of the significance of a heritage asset, and the contribution of its setting, is very important to understanding the potential impact and acceptability of development proposals."*⁴⁴

- 5.29 In terms of assessment of substantial harm, the PPG confirms that whether a proposal causes substantial harm will be a judgement for the individual decision taker having regard to the individual circumstances and the policy set out within the NPPF. It goes on to state:

"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.

While the impact of total destruction is obvious, partial destruction is likely to have a considerable impact but, depending on the circumstances, it may still be less than substantial harm or conceivably not harmful at all, for example, when removing later inappropriate additions to historic buildings which harm their significance. Similarly, works that are moderate or minor in scale are likely to cause less than substantial harm or no harm at all. However,

*even minor works have the potential to cause substantial harm."*⁴⁵ (our emphasis)

Local Planning Policy

- 5.30 Planning applications within Walberton are currently considered against the policy and guidance set out within the Arun Local Plan 2011–2031. The Local Plan was adopted on 18th July 2018.
- 5.31 Policy HER SP1 'The Historic Environment' states:

"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.

⁴⁴ MHCLG, PPG, paragraph 007, reference ID: 18a-007-20190723.

⁴⁵ MHCLG, PPG, paragraph 018, reference ID: 18a-018-20190723.

The Local Planning Authority will encourage the re-use of vacant or underused Listed Buildings or unlisted buildings by approving proposals that contribute positively to their conservation either individually or as part of wider strategies for regeneration. Where changes of use are proposed, the Local Planning Authority will consider these in a flexible way but will favour proposals which improve public access where these are not prejudicial to existing character or appearance.

The Local Planning Authority will take a pro-active stance to any heritage assets that may be at risk. This will include working with property owners to find a use that will enable them to be put back in to use.

Development proposals involving the demolition of Listed Buildings or substantial harm to a Conservation Area will not be permitted unless it can be demonstrated that the loss or harm achieves substantial public benefits."

5.32 Policy HER DM1 'Listed Buildings' goes on to state:

"Proposals affecting statutory Listed Buildings will be required to:

- a. Preserve or enhance the historic character, qualities and special interest of the buildings;*
- b. Be necessary and not detrimental to the architectural and historical integrity and detailing of a Listed Building's exterior;*
- c. Protect the architectural and historical integrity and detailing of a Listed Building's interior;*
- d. Protect the special interest of buildings of architectural or historic interest; and*

e. Protect, and where possible enhance the setting of the building.

Total or substantial demolition of a Listed Building will only be permitted in wholly exceptional circumstances, and where it meets the following specific criteria:

f. Clear and convincing evidence has been provided that viable alternative uses cannot be found, through, for example the offer of the unrestricted freehold of the property on the market at a realistic price reflecting its condition and that preservation, in some form of charitable or community ownership, is not possible;

g. The redevelopment would produce substantial benefits for the community which would decisively outweigh the resulting loss from demolition or major alteration; and

h. The physical condition of the building has deteriorated, through no fault of the owner/ applicant for which evidence can be submitted, to a point that the cost of retaining the building outweighs its importance and the value derived from its retention. A comprehensive structural report will be required to support this.

The Local Planning Authority will support proposals for alternative uses for Listed Buildings which retain their structure and preserve character and setting where the change will provide for the long term conservation of the structure and fabric of the building.

The Local Planning Authority will only support alterations to Listed Buildings in order to mitigate climate change where such proposals respect the significance of the Listed Building and do not have an

adverse impact on its appearance, character or historic fabric.

The Local Planning Authority will only approve a proposal for enabling development where there is no other alternative option available, the benefits of such as scheme outweigh any dis-benefits that arise and mechanisms are in place to ensure the conservation of the heritage asset. In determining any application the Local Planning Authority will take into account whether:

- it will materially harm the significance of the heritage asset or its setting;*
- it will avoid detrimental fragmentation of management of the heritage asset;*
- it will secure the long term future of the heritage asset and, where applicable, its continued use for a purpose sympathetic to its conservation;*
- it is necessary to resolve problems arising from the inherent needs of the heritage asset, rather than the circumstances of the present owner, or the purchase price paid;*
- there is a source of funding that might support the heritage asset without the need for enabling development; and*
- the level of development is the minimum necessary to secure the future conservation of the heritage asset and of a design and type that minimises harm to other public interests."*

5.33 Policy HER DM3 'Conservation Areas' states:

"In order to preserve or enhance the character or appearance of the Conservation Area, planning

permission or relevant consent will normally be granted for proposals within or affecting the setting of a Conservation Area, provided that:

a. New buildings and structures acknowledge the character of their special environment in their layout, form, scale, detailing, use of materials, enclosure and the spaces created between buildings;

b. Alterations or additions to existing buildings are sensitively designed, constructed of appropriate materials and are sympathetic in scale, form and detailing and retain or emphasise the features and qualities of the existing buildings, townscape or streetscape in the area;

c. Traditional features such as shop fronts, walls, railings, paved surfaces and street furniture are retained and restored;

d. Unsympathetic features are removed and missing features are restored or reinstated;

e. It retains historically significant boundaries, important open spaces and other elements of the area's established pattern of development, character and historic value, including gardens, roadside banks and verges;

f. It does not harm important views into, out of or within the Conservation Area.

Within Conservation Areas, permission for development involving demolition or substantial demolition will only be granted, subject to conditions, if it can be demonstrated that:

g. The structure to be demolished makes no material contribution to the special character or appearance of the area; or,

h. It can be demonstrated that the structure is wholly beyond repair or incapable of beneficial use; or

i. It can be demonstrated that the removal of the structure and its subsequent replacement would lead to the enhancement of the area; and

j. Permission has been granted for the redevelopment of the site."

Local Plan Policies with regards to the NPPF and the 1990 Act

5.34 With regard to Local Plan policies, paragraph 213 of NPPF states that:

*"...existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)."*⁴⁶

5.35 In this context, where local plan policy was adopted well before the NPPF, and does not allow for the weighing of harm against public benefit for designated heritage assets (as set out within paragraph 196 of the NPPF) or a balanced judgement with regards to harm to non-designated heritage assets (see NPPF paragraph 197) then local planning policies would be considered to be overly restrictive compared to the NPPF, thus limiting the weight they may be given in the decision-making process.

⁴⁶ MHCLG, NPPF, p. 213.

5.36 In this case, the Arun Local Plan and the heritage policies contained within were adopted after the inception of the NPPF and do allow for the balancing exercise to be undertaken. As such, the policies are considered to reflect the guidance within the NPPF and thus due weight can be attached to them in the decision-making process.

Walberton Neighbourhood Development Plan

5.37 The Walberton Neighbourhood Development Plan was adopted in November 2016 and identifies Listed Buildings, Scheduled Monuments, Conservation Areas, Buildings/Structures of Character, and Assets of Community Value within Walberton Parish.

5.38 It also includes two policies relating to the historic environment:

"Policy VE 4: Conservation Areas and Areas of Special Character

Proposals that adversely affect the setting of the two Conservation Areas will not be supported. New development must protect the open/rural character of the Conservation Area's setting and sustain or enhance the visual connections between the village's core and its rural hinterland, including longer views to the South Downs, which contribute to the character of the Conservation Area.

Policy VE 5: Buildings and Structures of Character

Buildings and Structures of Special Character as designated by ADC (Source ADC - SPD - Buildings

and Structures of Character. Adopted September 2005) are of significant local interest and contribute to the Parish's distinctiveness: development proposals relating to them will be expected to retain their local distinctiveness and removal of part or all of them will not be permitted unless it can be demonstrated that they cannot be put to an alternative beneficial or viable use."

6. The Historic Environment

Walberton Green Conservation Area

- 6.1 Walberton is located around 3 miles (5km) west-south-west of Arundel and approximately 8 miles (13km) east of Chichester.
- 6.2 The Walberton Green Conservation Area covers a small area of approximately 2.8ha and, as the name indicates, is centred on the village green located to the west of the settlement of Walberton. It is one of two Conservation Areas within Walberton.
- 6.3 A map of the Walberton Conservation Areas is included at Appendix 1.

APPENDIX 1: WALBERTON CONSERVATION AREAS

- 6.4 There is recorded evidence of human settlement at Walberton since prehistoric times, with prehistoric and Romano-British remains having been discovered at the eastern side of the settlement. The present-day serpentine layout of the village is likely to have developed during the later medieval period. At that time, Walberton parish lay at the south-westerly edge of Arundel Great Park.⁴⁷
- 6.5 Walberton Green, which marks the western terminus of the village core and was extant by 1585. The green is documented

as being used for recreational purposes by the late 19th century, including cricket and boxing. It belonged to the Walberton House estate in 1918 and was subsequently purchased by the parish council in 1951. It was formally registered as the village green in 1967.⁴⁸

- 6.6 The designation boundary contains a mix of open green space and residential development and marks the convergence of four roads. The main sub-triangular green is surrounded by a modern timber knee rail fence, with a simple post and lintel timber archway at the east side. There is a secondary green to the south which contains a pond. The pond was first recorded in 1756 and was traditionally used to wash sheep.⁴⁹
- 6.7 There are four main approaches to the Conservation Area by road, namely the south-east-facing approach via West Walberton Lane (from Fontwell), the east-facing approach via Eastergate Lane, the north-east-facing approach via Barnham Lane, and the west-facing approach via The Street (from the settlement core of Walberton). There is also a public right of way approach from the south-east which joins Burch Grove.
- 6.8 Owing to the topography, and surrounding built form and

⁴⁷ T. P. Hudson (ed.), *A History of the County of Sussex: Volume 5 Part 1, Arundel Rape: South-Western Part, Including Arundel* (London, 1997), pp. 224–44.

⁴⁸ Ibid.

⁴⁹ Ibid.

vegetation, views are largely restricted to within the Conservation Area boundary. There are no important long-range views towards or out from the Conservation Area in relation to the surrounding rural landscape. Key views within the Conservation Area are therefore sequential views and tableaux which take in the green, the pond, and the few historic buildings which are located within the designation boundary.



Plate 17: North-facing view across Walberton Green from the junction of Barnham Lane and Burch Grove.

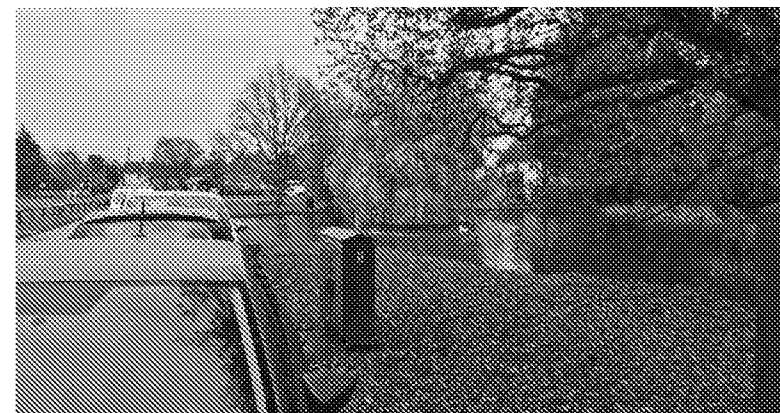


Plate 18: South-east-facing view to the pond of Walberton Green from Eastergate Lane.



Plate 19: West-facing view into the Walberton Green Conservation Area along The Street.

Nos. 15–20 The Street are visible in the foreground with glimpses to the green in the distance.

Statement of significance

- 6.9 There is currently no adopted Conservation Area appraisal or management plan for Walberton Green, therefore the following assessment of its special interest, and hence its heritage significance, is based on an independent walkover survey and relevant desk-based research.
- 6.10 It is clear that the significance and special interest of the Walberton Green Conservation Area is derived from the following elements:
- The road layout, characterised by a convergence of four highways, which is of historic interest in illustrating the importance of the green as a traditional meeting point;
 - The green, which is of historic interest as a long-established area of communal open space that has played host to many local events over the past centuries;
 - The pond, which similarly derives historic interest from being a long-established element of the village that has been used for communal activities;
 - The historic buildings within the designation boundary, including two Listed assets, which contribute to the historic and architectural interest of the Conservation Area; and
 - The trees, hedgerows, and other vegetation within the Conservation Area which contribute to its rural character.
- 6.11 The setting of the Walberton Green Conservation Area makes a lesser contribution to the overall heritage significance of the

asset.

- 6.12 The settlement core of Walberton to the east (much of which is contained within the Walberton Village Conservation Area) contributes most through setting, since Walberton Green has historically served as communal open space for the village (as it still does).
- 6.13 Walberton House, located c. 650m to the south-east, makes some contribution through setting, being the historic seat of the Walberton Estate to which Walberton Green belonged until the mid-20th century.
- 6.14 As noted above, the wider rural surrounds of Walberton Green are not readily perceptible from public areas within the designation boundary and make a very limited contribution through setting.

The contribution of the site

- 6.15 The site is an open field which has historically served as pastureland.
- 6.16 A very small portion of the site (that at the easternmost boundary) is located within the Walberton Green Conservation Area (Plate 20). From this location, there are heavily filtered views in the direction of Walberton Green (to the east) and Little Oak Cottage (located within the Conservation Area boundary to the north) (Plate 21 to Plate 23).
- 6.17 When looking south and south-west from within this part of the site, the modern residential built extensions to Mulberry Barn

(located within the Conservation Area) and Mallards (located outside the Conservation Area) are clearly visible, albeit separated from the site by timber fencing (Plate 24).

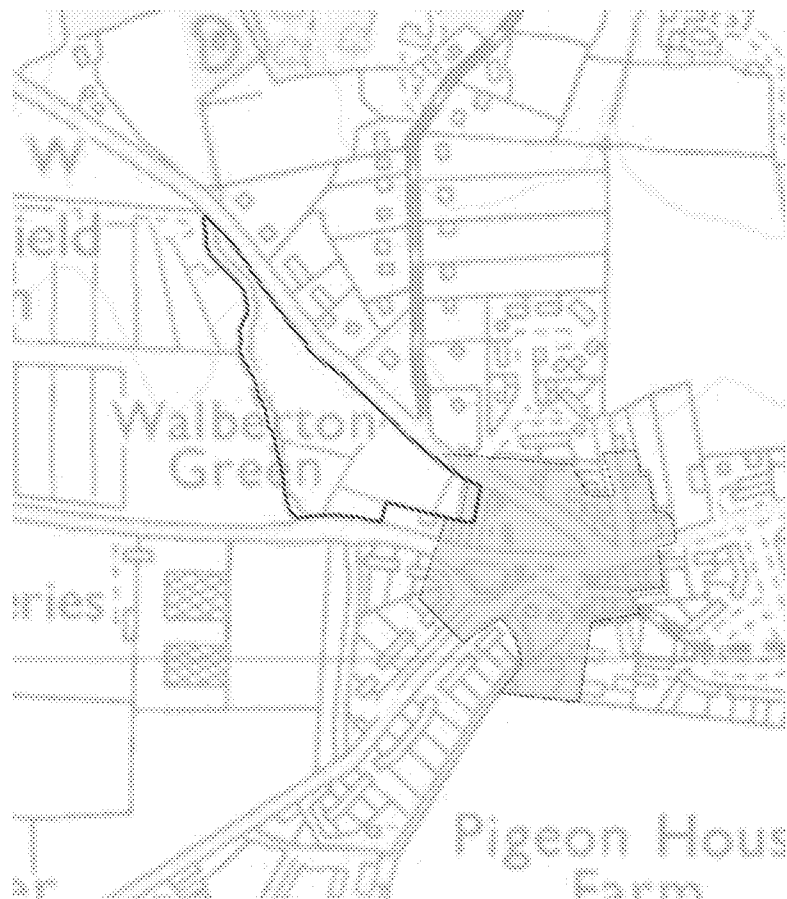


Plate 20: Map showing the site (outlined in red) in relation to the Walberton Green Conservation Area (shaded green).



Plate 21: East-facing view from within the easternmost part of the site (located within the Walberton Green Conservation Area) in the direction of Walberton Green (not visible).



Plate 22: Detail of the heavily filtered east-facing view towards Walberton Green from the easternmost boundary of the site.



Plate 23: North-west-facing view from within the easternmost part of the site (located within the Walberton Green Conservation Area) in the direction of Little Oak Cottage (also located within the Conservation Area but heavily screened by intervening vegetation).



Plate 24: South-west-facing view from within the easternmost part of the site (located within the Walberton Green Conservation Area) towards Mulberry Barn (left of frame, included within the Conservation Area boundary) and Mallards (right of frame, outside the Conservation Area boundary).

- 6.18 From public areas of the Walberton Green Conservation Area, the site is not readily visible or perceptible. When looking out of the Conservation Area at western boundary on Eastergate Lane, visibility of the site is obstructed by intervening vegetation and the built form of Mallards and Mulberry Barn (Plate 25). When approaching the Conservation Area via Eastergate Lane, the site is screened by the boundary vegetation (Plate 26).
- 6.19 When looking towards the site from the public footpath on the west side of Walberton Green (immediately adjacent to the eastern boundary of the site), there are only heavily filtered glimpses of the field (the site) through the intervening vegetation (Plate 27). In medium-range views across Walberton Green towards the site from the post-and-lintel archway at the cross-roads, the site is imperceptible owing to this same boundary vegetation (Plate 28).
- 6.20 When looking towards the site from the western boundary of the Conservation Area on West Walberton Lane, the trees and hedgerows along the northern boundary of the site obstruct views into the site (Plate 29). Similarly, the site is not readily perceptible when approaching the Conservation Area via West Walberton Lane because of this same boundary vegetation (Plate 30).



Plate 25: North-west-facing views towards the site (not visible) from the boundary of the Walberton Green Conservation Area on Eastergate Lane.



Plate 27: Heavily filtered, west-facing view into the site from the footpath on the west side of Walberton Green.



Plate 26: East-facing view into the Conservation Area on the approach via Eastergate Lane.

Visibility of the site (located left of frame) is obstructed by boundary vegetation.



Plate 28: North-west-facing view across Walberton Green towards the site (not visible).



Plate 29: West-facing view towards the site (not visible) from the Conservation Area boundary on West Walberton Lane.



Plate 30: South-east-facing view into the Conservation Area on the approach via West Walberton Lane.

Visibility of the site (located right of frame) is obstructed by the boundary trees and hedgerow.

6.21 At the very most, the easternmost part of the site (that which is located within the Conservation Area) makes a very minor contribution to the character and appearance of the Walberton Green Conservation, being a very small sliver of undeveloped green space bounded by trees and hedgerows on its northern and eastern sides. This contribution is limited by the fact that the land is not publicly accessible, nor is it readily perceptible from any other part of the Conservation Area, or when approaching the Conservation Area via Eastergate Lane and West Walberton Lane.

6.22 The majority of the site (that which is located outside the Conservation Area) makes a very minor contribution to the heritage significance of the Walberton Green Conservation Area through setting, being part of the immediate rural surrounds of the Conservation Area. This very small contribution is principally derived from the hedgerows and trees at the northern and southern boundaries of the site, which are visible when looking out of the Conservation Area from the western designation boundary and when approaching via Eastergate Lane and West Walberton Lane, and contribute to the sense of this rural setting. Conversely, the majority of land which forms the site is not readily visible from within the Conservation Area or when approaching via the routes described.

Assessment of potential heritage harms or benefits

6.23 When considering potential impacts of the proposed development on the character and appearance of the Walberton Green Conservation Area, it is important to recognise that the Conservation Area covers a large area, and includes a wide variety of areas of differing characters. The site itself represents an extremely small portion of the total area covered by the Conservation Area, with the vast majority of the site forming part of the setting of the Conservation Area.

6.24 As noted in the NPPF at paragraph 201, it is necessary to consider the relevant significance of the element which has the potential to be affected and its contribution to the significance of the designation as a whole, i.e. would the application proposals undermine the significance of the Conservation Area as a whole?

6.25 No development is proposed within the part of the site which is located within the Conservation Area. This area will be retained as open space, albeit with a slight change of character as a result of new feature tree planting and new public footpaths. As a result, this part of the site will be legible as an extension of Walberton Green.

6.26 The remainder of the site is located outside the Conservation Area boundary, therefore any impact on the significance of the heritage asset will arise through change to its setting. It should be recognised that there is currently no statutory protection for the settings of Conservation Areas.

- 6.27 The proposals will introduce 30no. new dwellings and associated garage buildings, driveways and amenity spaces to an area of previously undeveloped land beyond the Conservation Area boundary. However, it is anticipated that visibility of the residential development from within publicly accessible parts of the Conservation Area will be screened by existing vegetation and built form, as well as augmented tree planting at the site boundaries.
- 6.28 Views towards the site from Walberton Green already contain glimpses of residential built form, namely Little Oak Cottage and the converted and extended Mulberry Barn, and any potential glimpses to the new dwellings will be heavily filtered by the vegetation along the western side of the green and new trees which are proposed for the area of public open space that will separate the new development from Walberton Green.
- 6.29 At the very most, there is the potential for glimpses of the uppermost level of the front (eastern) elevation of Plots 28–30 from Walberton Green. As described in Section 3, these dwellings will resemble a row of vernacular, brick cottages, therefore any glimpses will be to high-quality built form that respects the historic core of the village.
- 6.30 The existing trees, hedgerows and vegetation along the other boundaries of the site will be largely retained and augmented, thus preserving the rural character and setting of the Conservation Area and restricting views to the new dwellings when approaching and leaving the Conservation Area via

Eastergate Lane and West Walberton Lane.

- 6.31 The exception will be the easternmost part of the northern boundary where a small section of hedgerow will be removed to facilitate indirect pedestrian access between Walberton Green and the new public open space within the easternmost part of the site (there will also be provision for a direct potential future link between the site and the green). The retained and augmented tree planting in this part of the site (as described above) will filter any glimpses to Plots 28–30. Therefore, the experience of the rural character of the Conservation Area will be preserved.
- 6.32 The existing entrance to the site from Eastergate Lane will be consolidated, requiring some removal of vegetation, although new feature tree, orchard and hedgerow planting is proposed at this gateway location to offset the loss of vegetation and filter glimpses of new built form within the site.
- 6.33 At most, this consolidated site entrance will open a peripheral view into the site (and towards the new residential development) when approaching the Conservation Area via Eastergate Lane. More specifically, there are anticipated to be incidental glimpses of the built form of Plots 1, 21 and 22, and perhaps also Plots 2–5 and 23–25. All these buildings are to be constructed to high-quality, bespoke designs, using brick, flint, and red tiles. Peripheral glimpses of this high-quality built form will not detract from any key views towards or out from the Conservation Area, nor will it undermine the ability to appreciate

the special interest of the Conservation Area.

- 6.34 In other sequential views when approaching the Conservation Area along West Walberton Lane and Eastergate Lane, it is anticipated that the new residential development will be screened from view by existing and augmented vegetation along the northern and southern site boundaries.
- 6.35 A pond is proposed within the south-west part of the site, mirroring the historic pond to the south-east and resulting in residential development that echoes the character and appearance of the nearby Conservation Area.
- 6.36 This echoing of the character and appearance of the Conservation Area will extend to the design and finishes of the proposed dwellings which have been discussed previously (see Section 3) and are detailed within the suite of plans and drawings submitted as part of the planning application.
- 6.37 Overall, it is anticipated that the proposed development will cause no harm to the heritage significance of the Walberton Green Conservation Area through change to its character, appearance or setting.

7. Setting Assessment

7.1 Step 1 of the methodology recommended by the Historic England guidance GPA 3 (see Methodology above) is to identify which heritage assets might be affected by a proposed development.

7.2 Development proposals may adversely impact heritage assets where they remove a feature that contributes to the significance of a heritage asset or where they interfere with an element of a heritage asset's setting that contributes to its significance, such as interrupting a key relationship or a designed view.

7.3 Consideration was made as to whether any of the heritage assets present in the vicinity include the site as part of their setting, and therefore may potentially be affected by the proposed development.

Step 1

7.4 Only one asset in the vicinity was identified for further assessment, namely Nos. 15–20 The Street (NHLE 1222510).

7.5 Assets excluded on the basis of a lack of intervisibility or known historic association (i.e. in terms of ownership or land use) with the site comprise:

- **Grade II Listed Friars Oak and Little Box Cottage (NHLE 1222533);**
- **Grade II Listed Remains of Village Pond (NHLE**

1222002);

- **The Walberton Village Conservation Area;**
- **Grade II Listed Pear Tree Cottage (NHLE 1274882); and**
- **The Grade II Listed Dovecote at the south end, Dairy Lane (1221998).**

7.6 A map of all designated heritage assets in the vicinity of the site is included at Appendix 2.

APPENDIX 2: MAP OF DESIGNATED HERITAGE ASSETS

Step 2

Grade II Listed Nos. 15–20 The Street

7.7 Nos. 15–20 The Street (Plate 31), were added to the National List as a single entry on 20th September 1984. The List Entry describes the asset as follows:

"One building. Early C19. Two storeys. Six windows. Red brick and grey headers. Flush stringcourse of grey headers. Hipped tiled roof. Casement windows."

7.8 A full copy of the List Entry is included at Appendix 3.

APPENDIX 3: NOS. 15–20 THE STREET LIST ENTRY

7.9 The Listed building comprises a row of six terraced cottages, each of two storeys and constructed of red and grey brick. The

dwelling share a hipped, tile roof with three brick chimney stacks, while the easternmost dwelling possesses a single-storey flank extension with its own hipped roof. The painted timber front doors have nine glazed panels each, and the windows are white casements.

7.10 It is evident from satellite imagery that the cottages have been variably extended to the rear.

7.11 The principal northern elevation of the Listed building fronts onto The Street, albeit separated from the highway and public footpath by a shallow row of front gardens and low, continuous boundary wall.



Plate 31: Nos. 15–20 The Street, principal northern elevation.

7.12 The cottages possess gardens to the rear (now truncated by later extensions), as well as a yard area and a row of garages which can be accessed via a private driveway off Burch Grove to the west.

7.13 The tithe apportionment for Walberton describes the building (plot 162) as "6 tenements and gardens" owned by Richard Prime Esquire and occupied by R. Lintott and unnamed others. The accompanying map illustrates a single structure, rectangular in plan, with a small, detached structure to the rear (south) (Plate 32).

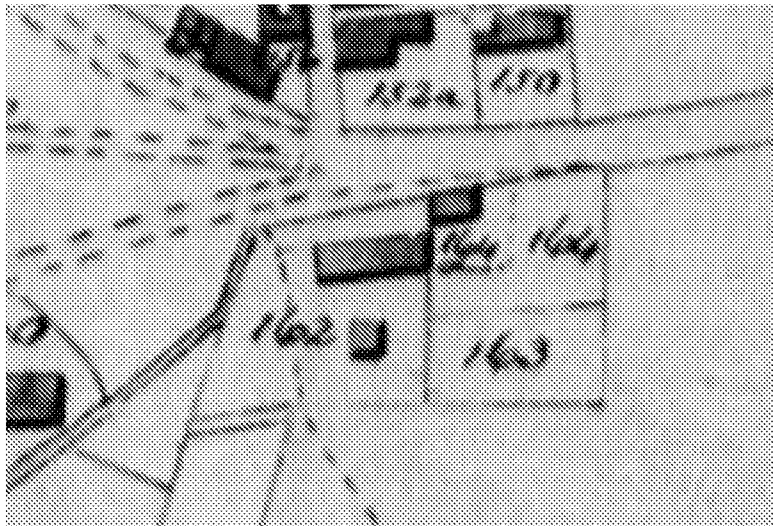


Plate 32: Detail of the 1846 tithe map for the parish of Walberton showing Nos. 15–20 The Street (plot 162) and their environs.

7.14 Subsequent maps indicate that the cottages were extended to the rear between 1939 and 1974. By 1974, new dwellings had been erected immediately east and west of the cottages, and the modern garage buildings had been built to the rear with the new driveway access off Burch Grove (Plate 33).

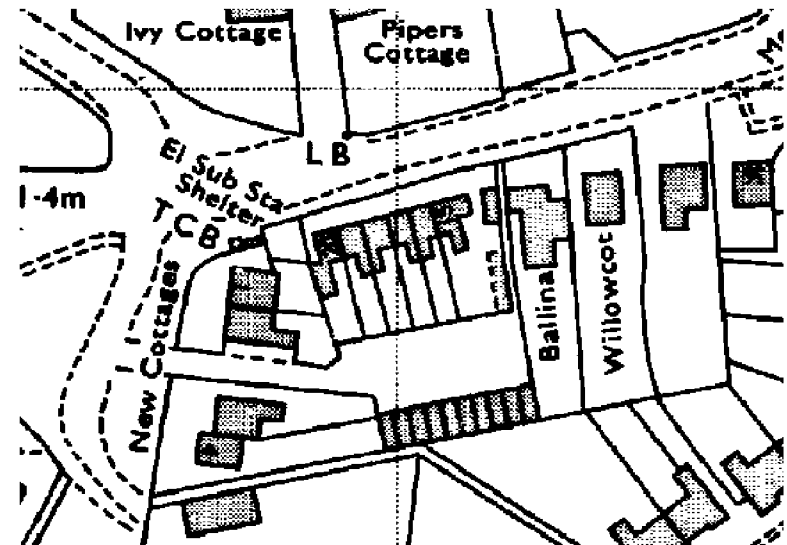


Plate 33: Detail of the 1974 Ordnance Survey map showing Nos. 15–20 The Street.

7.15 The main approaches to the Listed building are from the east and west via The Street, and it is from The Street that the principal northern elevation is best viewed. As described above, there is a secondary, private, approach to the Listed building via the driveway off Burch Grove. The latter does not constitute a key approach to the Listed building, nor does it facilitate key views to the asset.

Statement of significance

7.16 The Grade II Listing of Nos. 15–20 The Street highlights that it is a heritage asset of less than the highest significance as defined by the NPPF. This significance is further cemented by its inclusion within the boundaries of the Walberton Green Conservation Area. The heritage significance of the Listed building is principally embodied in its physical fabric.

7.17 The historic interest of the building is principally derived from its general form as a surviving example of an early 19th-century tenement, and its historic association with Richard Prime (d. 1866), Conservative MP and holder of the Walberton Estate, who is recorded as owning the building in 1846.

7.18 The building derives architectural interest from its vernacular form, being constructed of polychrome brickwork and possessing a hipped roof. It is unknown whether the building preserves any significant internal fixtures or fitting.

7.19 Based on the sources consulted, there is no evidence that Nos. 15–20 were sited on the location of an earlier building and, due to the relative modernity of the building (being a 19th-century

structure), it is unlikely that the Listed building contains any hidden fabric or remains that would yield significant information about past human occupation or use.

7.20 The setting of Nos. 15–20 The Street also contributes to the significance of the asset, although the significance derived from the setting is less than that from its historic fabric. The principal elements of the physical surrounds and experience of the asset (its 'setting') which are considered to contribute to its heritage significance comprise:

- The front gardens and low boundary wall, which appear to be largely unaltered and contribute to the historic interest of the Listed building by illustrating the original experience of the cottages;
- The gardens to the rear, which comprise the remaining curtilage of the Listed building, although their contribution to the historic interest of the asset has been diminished by the fact that these garden areas have been truncated by later extensions;
- The Street, which constitutes the main historic thoroughfare past the Listed building and is the location from which the historic and architectural interest of the principal northern elevation can be best appreciated; and
- Nearby elements of the historic settlement of Walberton, specifically the dwellings to the north and south-west that were extant when the Listed building was first built, and the green to the west, all of which comprise the historic surrounds of the building.

The contribution of the site

- 7.21 Based on the sources consulted, there is no evidence of a historic association between the site and Nos. 15–20 The Street in terms of shared ownership, occupation, or functional use.
- 7.22 The site and the Listed building are located approximately 130m apart, and are separated from one another by Walberton Green and intervening vegetation.
- 7.23 There are no designed views from the cottages to the site. The orientation of Nos. 15–20 is such that views out from the cottages will be to the north, across the front gardens and The Street to the dwellings on Mill Lane, and to the south, across the rear gardens.
- 7.24 The site and the Listed building are not co-visible in any key views. For example, when stood immediately north-east of the Listed building and facing west, long-range views to the site are obstructed by intervening vegetation (Plate 34).
- 7.25 From within the eastern boundary of the site, there are heavily filtered glimpses to the Listed building through dense vegetation (Plate 35). Such glimpses do not enable the historic or architectural interest of Nos. 15–20 to be appreciated since their physical form is indistinct.
- 7.26 Overall, the site makes no contribution to the heritage significance of Grade II Listed Nos. 15–20 The Street through setting.

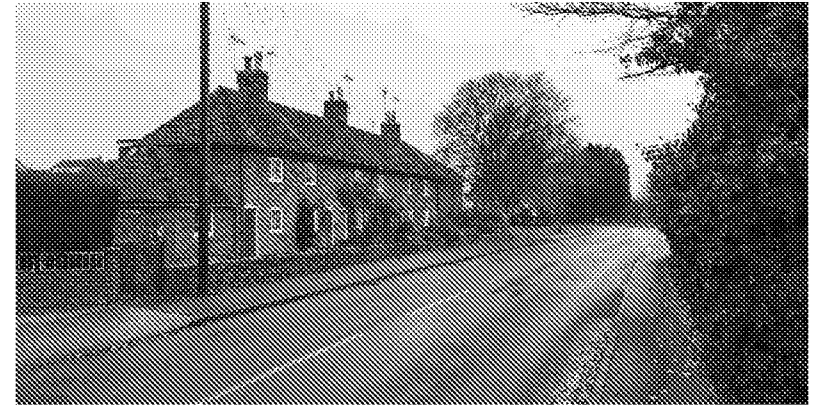


Plate 34: West-facing view along The Street towards Nos. 15–20.

The site is not visible.

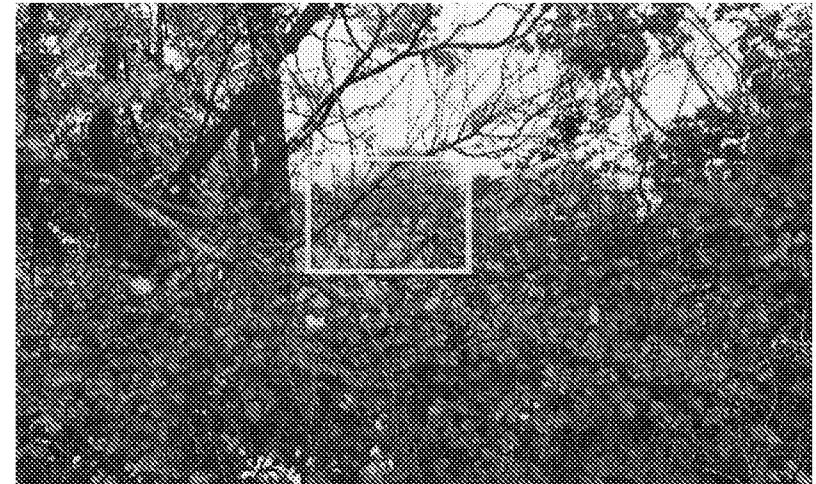


Plate 35: Heavily filtered east-facing view from within the eastern boundary of the site towards Nos. 15–20 The Street.

The indistinct form of the Listed building is outlined in yellow.

Assessment of potential heritage harms or benefits

- 7.27 The residential development of the site is not anticipated to be readily perceptible from within the Listed building or from its curtilage, owing to the distance between the site and the asset, the intervening vegetation, and the north-south orientation of the Listed building.
- 7.28 Furthermore, the proposed dwellings are not anticipated to be co-visible in any key views to the principal northern elevation of the Listed building from The Street, or any other key views in the vicinity.
- 7.29 The proposals will therefore cause no harm to the heritage significance of Nos. 15–20 The Street in terms of change to the setting of the Listed building.

8. Conclusions

- 8.1 This Built Heritage Statement has been commissioned by Macra Ltd to consider the proposed the construction of 30no. new dwellings, creation of new access off Eastergate Lane, and provision of open space with associated infrastructure, on land to the south of West Walberton Lane, Walberton.
- 8.2 The heritage assessments presented in this Report have been informed by a site visit and all relevant legislation, planning policy, and professional heritage guidance.
- 8.3 The site makes a very minor contribution to the heritage significance of the Walberton Green Conservation Area through character, appearance, and setting, with this contribution arising from the sliver of undeveloped green space in the easternmost part of the site (located within the Conservation Area), and the hedgerows and trees which form the northern and southern boundaries of the site (beyond the Conservation Area) and illustrate the historic rural surrounds of the asset when approaching Walberton Green.
- 8.4 It has been concluded that the development proposals will cause no harm to the heritage significance of the Conservation Area through change to its character and appearance, since the easternmost part of the site will be retained as undeveloped

land, opened to public access, and planted with new trees.

- 8.5 There is also anticipated to be no harm to the significance of the Conservation Area through change to its setting since the experience of the rural surrounds of the asset will be preserved by the retention and augmentation of existing boundary vegetation, including trees and hedgerows. Any glimpses of new built form when looking out from the Conservation Area or when approaching via West Walberton Lane and Eastergate Lane will be peripheral and incidental, and will ultimately comprise high-quality, bespoke built form which respects the local architectural vernacular.
- 8.6 As part of two recent pre-application enquiries, Arun District Council have identified no other designated heritage assets in the vicinity of the site that they consider to be sensitive to the proposed development. This Report has taken forward one other heritage asset for setting assessment, namely Grade II Listed Nos. 15–20 The Street; however, it has been demonstrated that the site makes no contribution, and the development proposals would cause no harm to the heritage significance of this Listed building through setting.

Sources

Legislation and Policy Guidance

English Heritage, *Conservation Principles: Policies and Guidance for the Sustainable Management of the Historic Environment* (London, April 2008).

Historic England, *Managing Significance in Decision-Taking in the Historic Environment: Historic Environment Good Practice Advice in Planning: 2* (2nd edition, Swindon, July 2015).

Historic England, *The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning Note 3* (2nd edition, Swindon, December 2017).

Historic England, *Statements of Heritage Significance: Analysing Significance in Heritage Assets*, Historic England Advice Note 12 (Swindon, October 2019).

Ministry of Housing, Communities and Local Government (MHCLG), *National Planning Policy Framework (NPPF)* (London, February 2019).

Ministry of Housing Communities and Local Government (MHCLG), *Planning Practice Guidance: Historic Environment (PPG)* (revised edition, 23rd July 2019), <https://www.gov.uk/guidance/conserving-and-enhancing-the-historic-environment>.

UK Public General Acts, *Ancient Monuments and Archaeological Areas Act 1979*.

UK Public General Acts, *Planning (Listed Buildings and Conservation Areas) Act 1990*.

UK Public General Acts, *Planning and Compulsory Purchase Act 2004*.

Court and Appeal Decisions

Gatesby Estates Ltd. V. Steer [2018] EWCA Civ 1697.

Bedford Borough Council v Secretary of State for Communities and Local Government [2013] EWHC 2847 (Admin).

R (Forge Field Society) v Sevenoaks District Council [2014] EWHC 1895 (Admin).

Palmer v Herefordshire Council & Anor [2016] EWCA Civ 1061.

Barnwell Manor Wind Energy Ltd v (1) East Northamptonshire DC & Others [2014] EWCA Civ 137.

Jones v Mordue [2015] EWCA Civ 1243.

Cartographic Sources (including those consulted but not illustrated in the text)

1630 Plan of Walberton Manor (preserved as a mid-19th-century copy), West Sussex Record Office, Par 202/7/21.

1724 Survey of the County of Sussex (Budgen), West Sussex Record Office, PM 249.

1778/79 Survey of the County of Sussex (Yeakell and Gardner), West Sussex Record Office, PM 249.

1846 Tithe map for the parish of Walberton.

1875–76 First Edition Ordnance Survey map.

1897 Ordnance Survey map.

1912 Ordnance Survey map.

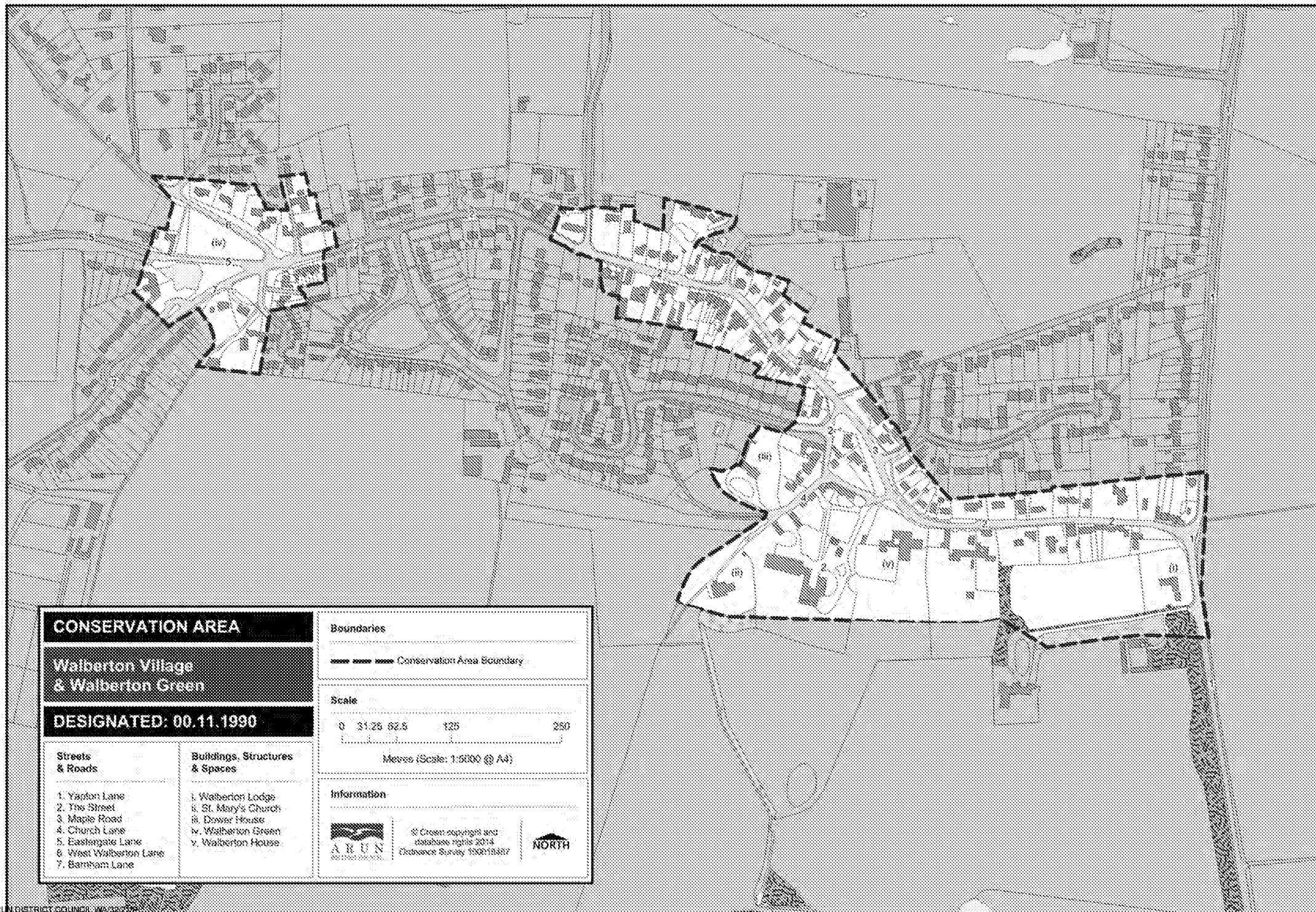
1938–39 Ordnance Survey map.

1974 Ordnance Survey map.

Other sources

T. P. Hudson (ed.), *A History of the County of Sussex: Volume 5 Part 1, Arundel Rape: South-Western Part, Including Arundel* (London, 1997).

Appendix 1: Walberton Conservation Areas



CONSERVATION AREA

Walberton Village & Walberton Green

DESIGNATED: 00.11.1990

Streets & Roads

1. Yaxton Lane
2. The Street
3. Maple Road
4. Church Lane
5. Eastergate Lane
6. West Walberton Lane
7. Barnham Lane

Buildings, Structures & Spaces

- i. Walberton Lodge
- ii. St. Mary's Church
- iii. Drower House
- iv. Walberton Green
- v. Walberton House

Boundaries

--- Conservation Area Boundary

Scale

0 31.25 62.5 125 250

Metres (Scale: 1:5000 @ A4)

Information



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Ordnance Survey 100019487



Appendix 2: Map of Designated Heritage Assets



KEY

-  Site
-  Walberton Green Conservation Area
-  Walberton Village Conservation Area

Listed Buildings

-  Grade I
-  Grade II*
-  Grade II

Appendix 2: Map of Designated Heritage Assets

Land south of
West Walberton Lane,
Walberton,
West Sussex

Client: Macra Ltd

DRWG No: P20-2233 Sheet No: - REV:-

Drawn by: JT Approved by: GS

Date: 22/03/2021

Scale: 1:6,000 @ A4

Appendix 3: Nos. 15–20 The Street List Entry

Overview

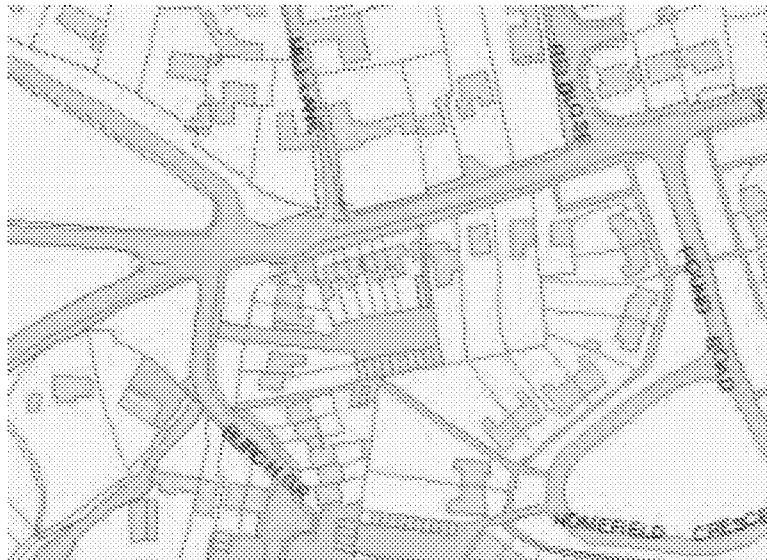
Heritage Category: Listed Building

Grade: II

List Entry Number: 1222510

Date first listed: 20-Sep-1984

Statutory Address: 15-20, THE STREET



Location

Statutory Address: 15-20, THE STREET

The building or site itself may lie within the boundary of more than one authority.

County: West Sussex

District: Arun (District Authority)

Parish: Walberton

National Grid Reference: SU 96699 06077

Details

SU 96NE WALBERTON THE STREET 8/400 (south side)

Nos 15 to 20 (consec)

II

One building. Early C19. Two storeys. Six windows. Red brick and grey headers. Flush stringcourse of grey headers. Hipped tiled roof. Casement windows.

Listing NGR: SU9669706076

Legacy

The contents of this record have been generated from a legacy data system.

Legacy System number: 414008

Legacy System: LBS

Legal

This building is listed under the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended for its special architectural or historic interest.

End of official listing



DESIGN



ENVIRONMENT



PLANNING



SCENARIOS



HERITAGE

