August 2020

Research Report
Jones Lang LaSalle Incorporated

Heritage Compliance Statement

Barratt David Wilson Homes

Land at Drove Lane, Yapton, Arun, BN18 0EB

ARUN DISTRICT COUNCIL Y/141/21/PL

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1. Introduction

1.1 This Heritage Compliance Statement (HCS) has been prepared by JLL Heritage on behalf of Barratt David Wilson in support of a planning application for land at Drove Lane, Yapton, Arun, BN18 0EB (henceforth referred to as the 'site').

1.2 The planning application is for residential development, comprising 300 residential units, roads, landscaping, play areas and associated infrastructure.

1.3 This HCS should be read in conjunction with the Heritage Statement (CGMS, November 2017) and the Heritage Statement Addendums x 2 (CGMS, 20 July 2018) and (CGMS, 27 November 2018) submitted as part of the approved outline planning application (A/92/17/OUT). It should be noted that this HCS does not intend to reproduce the detailed heritage analysis provided within the previous Heritage Statement(s), but instead it summarises this analysis in order to consider the potential impact of all reserved matters associated with the planning application.

1.4 The site forms two connected parcels of land located directly to the south of the Main Road. Drove Lane (a non-designated heritage asset) forms their western boundary, with agricultural land to the south and modern housing (proposed and existing) located to the east. The two parcels of land are separated by a hedgerow and the remnants of the former Chichester & Arundel Canal. The smaller northern parcel of the site falls within the Yapton Main Road Conservation Area (a designated heritage asset). The northern parcel also includes part of the former Chichester & Arundel Canal (a non-designated heritage asset). The northern edge of the larger southern parcel follows the southern boundary of the conservation area which is defined by the southern edge of the former canal and hedgerow. There are no further designated or non-designated heritage assets within the site itself, although the site is located directly to the south of four grade II statutory listed buildings (Yapton Evangelical Free Church and School / Hall attached, The Old Malthouse, Bonhams Farmhouse and Bonham's Barn) and to the west of one grade II statutory listed building (Old Canal Bridge).

1.5 There are additional heritage assets within the wider locality, although their removed location and relationship with the site dictates that the proposals will not impact on their significance. They have not therefore been included for further assessment within this HCS.

1.6 Paragraph 189 of the National Planning Policy Framework (NPPF) 2019 sets out the information requirements for determining applications and states that:

'In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance'.[1]

1.7 In response to the NPPF, Section 2 of this report identifies the heritage assets which may be affected by the application proposals and Section 3 provides proportionate summary statements of significance for these heritage assets. These are relative to the scale, nature and effect of the proposals and where available utilise the relevant assessments of history, development and significance included within the Heritage Statement (CGMS, November 2017) and the Heritage Statement Addendums x 2 (CGMS, 20 July 2018) and (CGMS, 27 November 2018) submitted as part of the outline planning application which received permission (A/92/17/OUT). Section 4 then provides a refreshed assessment of the impact of the application proposals on the significance of the identified heritage assets. This assessment of impact is based on national, regional and local policy and guidance.

1.8 The heritage specific legislative, planning policy and planning guidance context for the consideration of these proposals is set out in Appendix A. This includes the statutory duties as set out in the Planning (Listed Buildings and Conservation Areas) Act 1990, the planning policies set out in the NPPF (2019), the planning guidance set out in the PPG (2019), Historic England

[1] NPPF 2019

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guidance, and local planning policy and guidance for the historic environment. Appendix B provides a map of Yapton Main Road & Church Lane Conservation Areas and Appendix C provides the relevant Statutory List Entries.

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2. The Heritage Assets

2.1 A heritage asset is defined by the NPPF as:

'*A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions because of its heritage interest. It includes designated heritage assets and assets identified by the local planning authority (including local listing)*'.[2]

Designated Heritage Assets

2.2 A Designated Heritage Asset is described by the NPPF (2019) as:

'*A World Heritage Site, Scheduled Monument, Listed Building, Protected Wreck Site, Registered Park and Garden, Registered Battlefield or Conservation Area designated under the relevant legislation*'. [3]

2.3 Such assets are statutorily identified as having a level of heritage (architectural and/or historic) interest to justify designation. There are then particular procedures in planning decisions to ensure that their special interest is preserved or enhanced.

Conservation Areas

2.4 The site is located within and directly to the south of Yapton Main Road Conservation Area. This designated heritage asset has been scoped in for further assessment on account of the location of the proposals. For ease of reference it is identified in table 2.1 and a map of the conservation area is set out in Appendix B.

Listed Buildings

2.5 The site is located directly to the south of four grade II statutory listed buildings and to the west of one grade II statutory listed building, all of which fall within Yapton Main Road Conservation Area. The statutory listed buildings sit within the immediate environs of the site and share varying degrees of inter-visibility with it. As a result, their significance has the potential to be impacted by the proposals. This is by virtue of the proposals forming development within their settings. These designated heritage assets have therefore been scoped in for further assessment. For ease of reference they are set out in table 2.1 and Appendix C provides the relevant Statutory List Entries.

Non - Designated Heritage Assets

2.6 The NPPF identifies that heritage assets not only include those which are designated (often with statutory protection), but also those assets identified by the local planning authority which could include local listing or buildings of townscape merit. Any such designation, for the purposes of the NPPF, are considered to constitute non-designated heritage assets.

2.7 There are two non-designated heritage assets within site itself, including: part of a former historic droving route known as Drove Lane, which forms the site's western boundary; and part of the former Chichester & Arundel Canal, which divides the two site parcels.

2.8 There are no further non-designated heritage assets identified by the local planning authority within the environs of the site.

[2] NPPF (2019) Annex 2: Glossary (p.67)
[3] NPPF (2019) Annex 2: Glossary (p.66)

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Table 2.1 –Heritage assets identified for further assessment

Key	Name/ Location	Type
1	Yapton Main Road Conservation Area.	CA
2	Old Canal Bridge, On Footpath 157.	Grade II SLB
3	Yapton Evangelical Free Church and School / Hall Attached, Main Road.	Grade II SLB
4	The Old Malthouse, Main Road.	Grade II SLB
5	Bonhams Farmhouse, Main Road.	Grade II SLB
6	Bonham's Barn, Main Road.	Grade II SLB
7	Chichester & Arundel Canal, On Footpath 157.	NDHA
8	Drove Lane	NDHA

2.9 There are additional heritage assets within the wider locality, although their removed location and relationship with the site dictates that the proposals will not impact on their significance. They have not therefore been included for further assessment within this HCS.

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3. Summary Statements of Significance

Significance and Special Interest

3.1 The significance of a heritage asset is defined within the glossary of the NPPF as:

'*The value of a heritage asset to this and future generations because of its heritage interest. Significance derives not only from a heritage asset's physical presence, but also from its setting*'.[4]

3.2 Listed buildings are statutorily designated and, for the purposes of the NPPF, are designated heritage assets. Recognising this statutory designation, buildings must hold special architectural or historic interest. The Department of Culture, Media and Sport publish the '*Principles of Selection for Listed Buildings (2010)*' which is supported by thematic papers, '*Listing Selection Guides*', based on building type, which give more detailed guidance.

3.3 Conservation Areas are identified if they are of special architectural or historic interest, the character or appearance of which should be preserved or enhanced. Historic England has published guidance on the designation of Conservation Areas which provides a framework for the identification of those features that form the character and appearance.

3.4 The identification of a site as a non-designated heritage asset does not provide any legal protection of such asset, however, for the purposes of the NPPF, they are a material consideration in the determination of applications.

3.5 Historic England have also published a series of Advice Notes which are relevant to assessing significance, setting and the potential impact that proposals may have on this. This includes, but is not limited to, the following relevant publications which have been utilised as part of this JLL report:

- Historic England Good Practice Advice Note 3 (GPA3): Setting of Heritage Assets (2nd Edition, 2017) which is used to understand the surroundings of a heritage asset which may contribute to the significance of a heritage asset;
- Historic England Advice Note 12 (HEA12): Statements of Heritage Significance (October 2019) which covers the National Planning Policy Framework requirement for applicants for heritage and other consents to describe heritage significance to help local planning authorities to make decisions on the impact of proposals for change to heritage assets; and
- Historic England Advice Note 1 (HEA1): Conservation Area Appraisal, Designation and Management (Second Edition, February 2019) which continues to support the management of change in a way that conserves and enhances the character and appearance of historic areas through conservation area appraisal, designation and management.

Assessment

3.6 The following summary statements of significance provide an overview of the identified heritage assets set out in Section 2, which may be affected by the application proposals. These are proportionate to the importance of each asset and the likely impacts of the proposals. These should be read in conjunction with Sections 3 and 4 of the Heritage Statement (CGMS, November 2017) and the Heritage Statement Addendums x 2 (CGMS, 20 July 2018) and (CGMS, 27 November 2018) submitted as part of the approved outline planning application (A/92/17/OUT).

[4] NPPF (2019) Annex 2: Glossary (p.71)

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Significance Analysis – Yapton Main Road Conservation Area

3.7 Yapton Main Road Conservation Area was first designated in July 1994. It is of national significance and is of special architectural and historic interest. It captures the Main Road and the southern ends of North End Road and Church Road, including all the historic development flanking these principal routes through and into Yapton.

3.8 The character of the conservation area is mixed in terms of overall building style and age. On the periphery modern brick built residential development of a two storey scale is appreciable. This includes buildings within and directly adjacent to the borders of the conservation area. Most historic buildings are located within the conservation area. They are often situated in smaller plots directly adjoining roads and are two storey in scale, with those set back from the road and / or located in more substantial plots often of three storeys. Nearly all buildings include chimney stacks and pots, providing important features in the skyline. Prevalent materials used include flint, brick and render (elevations) and slate or clay tiles (roofs). The mixed vernacular character provided by the historic buildings offers a sense of place and helps define the conservation area's historic uses and associations. The character of the historic buildings forms its special architectural and historic interest expressing the origins of the settlement.

3.9 Fields are evident on approach to the conservation area and smaller paddocks, often positioned very clearly behind cast iron fences or flint walls, punctuate the architecture (buildings and walled gardens and yards) within the conservation area, providing a continued sense of rurality from within. It should however be noted that these paddocks and fields are experienced within the context of both modern and historic buildings which flank, sit adjacent to and form the backdrop of these spaces. This sense of rurality (both on approach to and from within the conservation area) has evolved over time, and forms part of the existing and historic character (wider, extended and immediate setting). This sense of rurality contributes to the conservation area's special architectural and historic interest by providing the context that its historic architecture is related to and continues to be experienced within.

3.10 The route of the former Chichester & Arundel Canal defines most of the southern edge of the conservation area and its associated remnants include a series of notable historic features and structures. Beyond its physical presence as a substantial piece of early-mid-19th century engineering, the canal reputedly had little impact on the wider architectural or historic evolution of Yapton as no wharf was provided in the village and goods simply passed through. The contribution that the former canal makes to the special architectural and historic interest of the conservation area is limited as a result.

3.11 When considering the paddock forming the northern parcel of the site, it reinforces the sense of rurality (both on approach to and from within the conservation area) forming an important part of the existing and historic character (immediate setting). It contributes to the conservation area's special architectural and historic interest by providing the context that its historic architecture (most notably the Bonhams Farm Complex) is related to and continues to be experienced within.

3.12 The larger southern parcel of the site remains somewhat removed and largely obscured from view beyond the hedgerow lining the former Chichester & Arundel Canal when transitioning into and through the conservation area on the Main Road. It is however appreciable from the footpath that follows the southern boundary of the conservation area, running parallel to the former canal. It therefore contributes, albeit to a lesser degree, to the sense of rurality, forming part of the existing and historic character (wider and extended setting). It contributes to the conservation area's special architectural and historic interest by providing the wider and extended context that its historic architecture is related to and continues to be experienced within.

3.13 Both site parcels also have a context that includes historic buildings fronting the Main Road and modern buildings located on Tack Lee Road beyond (and within) the former Chichester & Arundel Canal. The first floors and roofs of those modern buildings are visible beyond the hedgerow on the southern side of the former Chichester & Arundel Canal when

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transitioning on the Main Road. The modern and historic building are also readily apparent when transitioning on the footpath following the former canal on the southern boundary of the conservation area. The immediate, wider and extended setting juxtaposes historic and modern development with rurality. The conservation area's context should be noted as not one of pure rurality, but that of an evolving settlement where both modern and historic residential development is readily apparent and experienced in tandem throughout.

Significance Analysis – Old Canal Bridge

3.14 The grade II listed building (structure) was first added to the statutory list on 11-September-1986. It is located within the Yapton Main Road Conservation Area, on the southern edge. The brick built (Flemish bond) former canal bridge was constructed in c.1820. It is formed of a single arch hump back bridge with parapets and retaining walls. The substantial structure is a rare surviving bridge spanning the former Chichester & Arundel Canal – surveyed and laid out between 1815-1823 but abandoned by the mid-19th century. The bridge's significance derives from its age and rarity as a surviving feature of the former Chichester & Arundel Canal. It provides an historic landmark that demarks the former canal route, the latter of which is now only partially legible within Yapton – something aided by the bridge.

3.15 The immediate setting of the canal bridge has been eviscerated by the surrounding modern streets and residential development laid out within the former canal itself. This has irrevocably severed the bridge from the canal it once served. Its wider setting includes further housing to the north, south and east, as well as a dislocated and partially infilled section of the former canal located beyond modern housing to the west (running through the site). The extended setting includes the fields comprising the site to the west, as well as historic buildings to the north and additional modern housing to the south and east.

3.16 The immediate, wider and extended setting has been heavily altered and this setting now provides an extremely limited contribution to its significance as a result. A small part of its wider setting, specifically the partially infilled section of the former canal, which is dislocated beyond modern housing to the west (running through the site), is what makes this extremely limited contribution to its significance. This poorly preserved section of the former canal and the canal bridge aren't experienced in tandem but are instead kinetically experienced (with a break) when walking the length of the former canal between the canal bridge and Drove Lane, providing a tangible but compromised understanding of the former canal route.

Significance Analysis – Yapton Evangelical Free Church and School / Hall attached

3.17 The grade II listed building was first added to the statutory list on 20-September-1984. It is located within the Yapton Main Road Conservation Area, on the southern edge. It is formed of an L-shape, comprising a series of linked one storey flint and stucco faced rectangular gabled buildings with red brick and stone dressings capped beneath slate roofs with clay tile ridges and small chimney stacks. The church, which reputedly dates to c.1861 sits to the east and the school or hall connects via a link extension to the west, all dating to between 1880-1898. The hall has recently been consecutively extended to the south from a former historic gable positioned on this elevation.

3.18 The principal street facing elevations are diminutive but decorative, featuring: flint with red brick dressings (including small front porch); gothic style bargeboards to gables, with a mix of metal arched and oriel windows set in stone surrounds. The rear and side elevations (including the extension) are stucco rendered and comparatively simple.

3.19 The significance of the building derives from its age and the aesthetic treatment of its principal elevations, as well its continued social / communal use throughout history, all contributing strongly to its special architectural and historic interest.

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3.20 The building is set to the street, with decorative treatment on those principal elevations alone in reflection of this carefully choreographed orientation. It is this relationship which defines its immediate setting and allows for an appreciation of its significance, contributing strongly to this by virtue. Its wider setting includes the modern residential development located directly to the east and west, as well as the historic development to the north. The wider setting also includes the extensive gravel and grass plot it now sits within, something which has only been realised since the early-20th century. Prior to this the building had a tightly defined plot abutting the road, not the enlarged current plot which runs up to the former canal to the south. Its extended setting includes the wider modern and historic development within the village, as well as the canal and fields comprising the site. All elements of this wider setting offer little contribution to the ability to appreciate its significance when compared to the immediate setting defined by the street frontage and its extended setting makes no discernible contribution to its significance.

Significance Analysis – The Old Malthouse

3.21 The grade II listed building was first added to the statutory list on 20-September-1984. It is located within the Yapton Main Road Conservation Area, on the southern edge. It is c.17th century in origin, forming one of the earlier buildings within the conservation area. It comprises a two storey whitewashed brick building capped beneath a clay tile hipped roof with chimney stacks. To the rear is a single bay southern extension, beyond which are a garden and yard. The yard features a series of modern and historic ancillary storage structures lining the southern boundary abutting the former canal. The small single storey studio mass which abuts the listed building and the road forms the remnants of a truncated structure which once served the neighboring building to the east. This is believed to be freestanding and independent of the listed building.

3.22 The building forms part of the historic ribbon style development which ran parallel to the main road, directly lining this historic route. Its significance lies in its architectural and historic interest as an c.17th century former malthouse, now dwelling, within the conservation area. This is demonstrated by its historic character, fabric and architectural style. Additional significance is provided by its historic ancillary structures to the rear.

3.23 The immediate setting of the building comprises the main road which it historically grew up alongside, as well as the historic ancillary structures, garden and yard spaces to the rear. The wider setting includes the historic development to the north, west and east, as well as the former canal to the south and paddock to the north. The extended setting includes the broader modern and historic development within Yapton and the fields (site) located to the south. Its significance principally derives from its character, age and use as a 17th century malthouse located on a core historic route within the village. Its immediate and wider setting contributes strongly to the ability to appreciate this significance, with its extended setting making a negligible contribution.

Significance Analysis – Bonhams Farmhouse

3.24 The grade II listed building was first added to the statutory list on 20-September-1984. It is located within the Yapton Main Road Conservation Area, on the western edge. It is early-19th century (reputedly of earlier origination), forming a double depth two storey stucco rendered (with coins) three bay building capped beneath two pitched slate roofs with central valley and chimney stacks. It includes a single storey stucco rendered western bay, an extension to the rear (north) and a conservatory to the east. It also includes a metal open front porch with leaded canopy.

3.25 Its significance derives from its age and character as a detached Regency farmhouse (of potentially earlier origination), as well as from its relationship with the neighboring historic barns, with which it shares a group value. Its age and character convey the historic use of the building and the prosperity within farming during the early-20th century. This is reinforced

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further by its location within a former agricultural complex at the edge of the village which provides further context for its historic use.

3.26 The building is set back from the Main Road behind a substantial non-deciduous planted boundary and flint wall. It is accessed via brick gates piers leading to a crescent shaped private driveway which also extends along the western elevation of the house. To the north and east are the private gardens, a tennis court and ancillary structures. This forms the immediate setting. To the west and north are substantial historic barns. A paddock is located on the opposite side of the main road to the south (northern smaller parcel of the site) and further paddocks are located to the north-east and north-west, all forming part of the wider setting. The extended setting is formed by the surrounding historic development at the edge of the village, as well as the fields beyond (including the larger southern parcel of the site). The setting of the building contributes to its significance, principally the historic barns and paddocks within its wider setting. These provide the context for understanding its age and use as an early-19th century farmhouse in an edge of village location.

Significance Analysis – Bonham's Barn

3.27 The grade II listed building was first added to the statutory list on 21-March-1994. It is located within the Yapton Main Road Conservation Area, on the western edge. It is mid-18th century (reputedly with earlier timbers), forming a large flint and red brick dressed threshing barn capped beneath a half-hipped clay tile roof. It includes two attached historic structures to the north and south, one a cart shed the other reputed to have been a horse-powered 'engine house' for threshing corn. The buildings have been amalgamated and converted as a single dwelling. Nonetheless, the main barn retains a large centralized opening on both its east and west elevation. These openings once included threshing doors, which, when opened, allowed carts laden with harvest to pass through and deposit harvested crop in order to store and begin the threshing process in the neighboring bays.

3.28 Its significance derives from its age and character as a substantial mid-18th century threshing barn with cart shed and engine house, as well as from its relationship with the neighboring historic barns and farmhouse, with which it shares a group value. Its age and character convey the historic use of the building and farming practices during the 18th and 19th century. This is reinforced further by its location within a former agricultural complex at the edge of the village which provides further context for its historic use.

3.29 It is believed that the barn is erroneously identified on Historic England's GIS mapping, and is not the barn located to the north of Bonhams Farmhouse, but that to the west. The building is set at a right angle on the Main Road, located behind a substantial flint wall. It is accessed via a private driveway which follows the 20th century residential curtilage of the barn starting in the west and looping around the barn to the north before arriving at an eastern courtyard. This forms the immediate setting. To the east are further historic barns and Bonhams Farmhouse. A paddock is located on the opposite side of the main road to the south (northern smaller parcel of the site) and further paddocks are located to the north and west, all forming part of the wider setting. The extended setting is formed by the surrounding historic development at the edge of the village, as well as the fields beyond (including the larger southern parcel of the site). The setting of the building contributes to its significance, principally the farmhouse, historic barns and paddocks within its wider setting. These provide the context for understanding its age and use as a mid-18th century barn in an edge of village location.

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Significance Analysis – Chichester & Arundel Canal

3.30 At the beginning of the 19th century the British Government were fearful of moving materials, especially bullion to finance the Navy, from London to Portsmouth by sea. The ever-present threat from enemy ships motivated the Government to construct an inland waterway from London making full use of the River Wey and the River Arun. An Act of Parliament, backed by the 3rd Lord Egremont of Petworth, was passed in 1818 to build a 12 mile stretch of canal to carry barges from the River Arun at Ford, to Chichester Harbour at Salterns. It was referred to as the Chichester & Arundel Canal, as well as the Arundel & Portsmouth Canal or the Arun-Wey Canal. The canal was surveyed and laid out between 1815-1823. The route took it through the villages of Yapton, Barnham, Aldingbourne and Lidsey, although where it ran through the village of Yapton it reputedly included no wharfs or stopping points of note but did include a widened section used for turning barges - the site of which now lies under the children's play area on Yapton playing field. The canal was subsequently abandoned by the mid-19th century (c.1847) following the reduction of hostilities between England and France. By this point merchants found it quicker and more cost effective to transport their goods by sea to Portsmouth or via the London Brighton & South Coast Railway.

3.31 The former Chichester & Arundel Canal is a non-designated heritage, comprising an early-19th century transportation route that was built in response to the fractious relationship between England and France at the time. It is its age and purpose which defines its localised significance as a piece of early-19th century engineering. The most significant parts of its setting are the rare surviving ancillary structures experienced along its length and associated with its original use, as well as the ability to appreciate the canal in the context of the key destinations it connected. Conversely, the generic landscapes and settlements it flowed through (now including both modern and historic development), whilst forming part of its setting, provide little or no contribution to its significance as these are arguably incidental to its use and purpose (significance).

3.32 The section of the canal located within the small northern parcel of the site and Yapton Main Road Conservation Area, (defining the southern boundary of the conservation area) comprises an incredibly poorly preserved stretch of the former canal. The section within the site has been part infilled and the section beyond the site (to the east) has also redeveloped to include modern residential housing within the former canal bed.

Significance Analysis – Drove Lane

3.33 Drove Lane, which connects with the main road and defies the western boundary of the site, reputedly forms part of an ancient drover's route linking Felpham and the Weald. Drove Lane forms a non-designated heritage of limited localised significance. This significance is derived from its historic use for the movement of livestock between buildings and pasture on a seasonal basis, cutting across landscapes to link contrasting environments. This significance has been diminished by the adaptation of the northern end of Drove Lane to include the extensive tarmac sections bordering the site and adjoining the Main Road, as well as its adaptation required in order to bridge the former Chichester & Arundel Canal. This section of Drove Lane offers little in terms of significance other than orientation and route - it has been re-engineered and urbanised.

3.34 Its setting does make a positive contribution to its significance, in the form of agricultural land, paddocks and sporadic buildings located either side of the former drover's route. These buildings and land, the latter of which includes both parcels of the site, emphasises Drove Lane's historic role as a piece of historic rural infrastructure.

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4. Heritage Impact Assessment

Background

4.1 The legislative, planning policy and planning guidance context for the consideration of these proposals is set out in Appendix A. This includes the statutory duties as set out in the Planning (Listed Buildings and Conservation Areas) Act 1990, the NPPF (2019), the PPG (2019) and local planning policy and guidance for the historic environment.

4.2 In accordance with paragraph 189 of the NPPF, the significance of the designated and non-designated heritage assets that may be affected by the application proposals have been set out in Section 3 of this report.

4.3 The NPPF requires local planning authorities to identify and assess significance of a heritage asset that may be affected by the proposals (paragraph 190). They should take the assessment into account when considering the impact of proposals in order to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposals.

4.4 Account should be taken of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation, the positive contribution that conservation of heritage assets can make to sustainable communities including their economic viability, and the desirability of the new development making a positive contribution to local character and distinctiveness (paragraph 192).

4.5 When considering the impact of proposals on the significance of designated heritage assets, the NPPF requires (paragraph 193) that great weight should be given to their conservation and the more important the asset, the greater the weight should be. This is consistent with high court judgements (Barnwell Manor, Forge Field) where great weight should be attached to the statutory duty.

4.6 Where a development proposal causes harm to the significance of designated heritage assets, this should either be treated as less than substantial (paragraph 196), or substantial (paragraph 195). In determining the level of harm, the relative significance of the element affected should be taken into account (paragraph 193). Furthermore, local planning authorities are also encouraged to look for opportunities for new development within conservation areas and the setting of heritage assets to enhance or better reveal their significance. According to paragraph 200, proposals that preserve those elements of setting the make a positive contribution to or better reveal the significance of a heritage asset should be treated favourably.

4.7 Paragraph 197 of the NPPF concerns the effect of an application on the significance of a non-designated heritage asset and should be taken into account when considering development proposals with a balanced judgement being required to have regard to the scale of any harm or loss against the significance of the asset.

The Proposals

4.8 The planning application is for residential development, comprising 300 residential units, roads, landscaping, play areas and associated infrastructure on land at Drove Lane, Yapton, Arun, BN18 0EB (referred to as the 'site').

4.9 The site forms two connected parcels of land located directly to the south of the Main Road. Drove Lane (a non-designated heritage asset) forms their western boundary, with agricultural land to the south and modern housing (proposed and existing) located to the east. The two parcels of land are separated by a hedgerow and the remnants of the former Chichester & Arundel Canal. The smaller northern parcel of the site falls within the Yapton Main Road Conservation Area (a designated heritage asset). The northern parcel also includes part of the former Chichester & Arundel Canal (a non-designated heritage asset). The northern edge of the larger southern parcel follows the southern boundary of the conservation area which is defined by the southern edge of the former canal and hedgerow. There are no further

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designated or non-designated heritage assets within site itself, although the site is located directly to the south of four grade II statutory listed buildings and to the west of one grade II statutory listed building.

4.10 The proposals follow the form, layout and extent of those approved as part of outline planning application (A/92/17/OUT) and therefore this HCS does not intend to reproduce the detailed heritage analysis provided within the previous Heritage Statement (CGMS, November 2017) and the Heritage Statement Addendums x 2 (CGMS, 20 July 2018) and (CGMS, 27 November 2018) submitted as part of that outline planning application (A/92/17/OUT), but instead it summarises this in order to consider the potential impact of all reserved matters associated with this planning application.

4.11 The proposals reflect the scale and character of the predominantly two storey brick, flint and rendered buildings in the locality, including those both within and beyond the boundary of the conservation area (modern and historic). The proposals retain and introduce a series of generous landscape and planting buffers at key junctions with heritage assets. The proposals also introduce bespoke building types to respond to and reflect the contextual transition between old and new in these sensitive areas including heritage assets. This follows discussions with the council and JLL Heritage and reaffirms the underlying design ethos and mitigation measures included in the approved outline application (A/92/17/OUT).

Impact Analysis – Yapton Main Road Conservation Area

4.12 The proposals are exposed to the conservation area on its southern edge, also falling, in part, within the conservation area's western boundary. In these areas the proposals retain and introduce a series of generous landscape and planting buffers to soften key junctions with the conservation area. They also retain the former Chichester & Arundel Canal and the existing paddock within the western boundary of the conservation area (northern parcel of the site). The proposals also introduce bespoke building types within Canal Green (and beyond) to best respond to and reflect the contextual transition between the character of old and new. They reflect the scale and character of the predominantly two storey brick, flint and rendered buildings located at and around these junctions, as well as within the wider conservation area. The proposals also ensure a lower density of development with a varied, broken and layered roofscape is achieved, specifically where seen from the conservation area above the existing and proposed planting.

4.13 This approach to character, density, scale, roofscape, landscape and planting buffers follows the underlying design ethos and mitigation measures included in the approved outline application (A/92/17/OUT). The removal of the previously proposed emergency access through the northern parcel of the site and the character of building types proposed follows discussions with the council and these additional design measures will go further to mitigate heritage impact, beyond that achieved as part of the approved outline application.

4.14 The proposals will replace fields at the edge of the conservation area and remodel the junction between Drove Lane and the Main Road, creating a changed extended outlook. However, the mitigation and design measures allow the proposals to comfortably and sympathetically transition from the conservation area, with the main body of development situated beyond the lightly altered existing paddock on the Main Road and the former canal, subsequently sitting alongside the existing mixed architectural context of old and new buildings appreciable in the backdrop and foreground of views in and around this section of the conservation area.

4.15 The **impact of the proposals on the special architectural and / or historic interest (significance) of this heritage asset** will be **minor.**

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Impact Analysis – Old Canal Bridge

4.16 The proposals will be appreciable within the extend setting of the grade II statutory listed building, however, its immediate, wider and extended setting has been heavily altered and this setting now provides an extremely limited contribution to its significance as a result. The partially infilled section of the former Chichester & Arundel Canal (running through the site), which is dislocated beyond modern housing to the west, will remain and continue to provide an extremely limited contribution to its significance by providing a tangible (kinetic) but compromised understanding of the former canal route. The Old Canal Bridge will continue to be experienced within the context of historic buildings to the north and additional modern housing to the south and east.

4.17 The **impact of the proposals on the special architectural and / or historic interest (significance) of this heritage asset** will remain **neutral**, as concluded within Sections 5-6 of the Heritage Statement (CGMS, October 2017) submitted as part of the approved outline planning application (A/92/17/OUT).

Impact Analysis – Yapton Evangelical Free Church and School / Hall attached

4.18 This grade II statutory listed building is exposed to the northern boundary of the proposals, principally the area to be known as Canal Green. The buildings forming Canal Green will sit beyond the former Chichester & Arundel Canal, an existing mature hedgerow and a further generous planted landscape buffer. The proposals also introduce bespoke building types within Canal Green (and beyond) to best respond to and reflect the contextual transition between the character of old and new. They reflect the scale and character of the predominantly two storey brick, flint and rendered buildings located at and around this junction, as well as within the wider conservation area. The proposals also ensure a lower density of development with a varied, broken and layered roofscape is achieved, specifically where seen from the listed building above the existing and proposed planting and landscape buffer. This offset and development character has been proposed to soften this key junction with the statutory listed building.

4.19 This approach to character, density, scale, roofscape, landscape and planting buffers follows the underlying design ethos and mitigation measures included in the approved outline application (A/92/17/OUT). The character of building types proposed follows discussions with the council and these additional design measures will go further to mitigate heritage impact, beyond that achieved as part of the approved outline application.

4.20 The proposals will replace fields forming the extended setting of the listed building, creating a changed extended outlook. However, the building's wider and extended setting already includes an appreciation of modern residential buildings (to the east and south-east) and its extended setting offers no contribution to the ability to appreciate its significance when compared to the immediate setting defined by the street frontage, which will remain unaltered. Nonetheless, the mitigation and design measures allow the proposals to comfortably and sympathetically transition within the extended setting of the listed building, with the main body of development situated beyond the former Chichester & Arundel Canal, an existing mature hedgerow and a further generous planted landscape buffer.

4.21 The **impact of the proposals on the special architectural and / or historic interest (significance) of this heritage asset** will remain **neutral**, as concluded within Sections 5-6 of the Heritage Statement (CGMS, October 2017) submitted as part of the approved outline planning application (A/92/17/OUT).

Impact Analysis – The Old Malthouse

4.22 This grade II statutory listed building is exposed to the northern boundary of the proposals, principally the area to be known as Canal Green. The buildings forming Canal Green will sit beyond the former Chichester & Arundel Canal, an existing mature hedgerow and a further generous planted landscape buffer. The proposals also introduce bespoke building types

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within Canal Green (and beyond) to best respond to and reflect the contextual transition between the character of old and new. They reflect the scale and character of the predominantly two storey brick, flint and rendered buildings located at and around this junction, as well as within the wider conservation area. The proposals also ensure a lower density of development with a varied, broken and layered roofscape is achieved, specifically where seen from the listed building above the existing and proposed planting and landscape buffer. This offset and development character has been proposed to soften this key junction with the statutory listed building.

4.23 This approach to character, density, scale, roofscape, landscape and planting buffers follows the underlying design ethos and mitigation measures included in the approved outline application (A/92/17/OUT). The character of building types proposed follows discussions with the council and these additional design measures will go further to mitigate heritage impact, beyond that achieved as part of the approved outline application.

4.24 The proposals will replace fields forming the extended setting of the listed building, creating a changed extended outlook. However, the building's extended setting already includes an appreciation of modern residential buildings (to the south-east) and offers little contribution to the ability to appreciate its significance when compared to the immediate and wider setting which is defined by the: main road which it historically grew up alongside, as well as the historic ancillary structures, garden and yard spaces to the rear; and the historic development to the north, west and east, as well as the former canal to the south and paddock to the north – all of which will remain unaltered. Nonetheless, the mitigation and design measures allow the proposals to comfortably and sympathetically transition within the extended setting of the listed building, with the main body of development situated beyond the former Chichester & Arundel Canal, an existing mature hedgerow and a further generous planted landscape buffer.

4.25 The **impact of the proposals on the special architectural and / or historic interest (significance) of this heritage asset** will be **negligible**.

Impact Analysis – Bonhams Farmhouse and Bonham's Barn

4.26 These grade II statutory listed buildings comprise a farmhouse and barns within a former agricultural complex and are exposed to the northern boundary of the proposals. In these areas the proposals retain and introduce a series of generous landscape and planting buffers to soften key junctions with the listed buildings. This includes a significant off-set of land comprising the former Chichester & Arundel Canal and the existing paddock to the south of the complex (northern parcel of the site), beyond which an existing mature hedgerow and a further generous planted landscape buffer will be positioned to allow for a gradual and distant transition into the residential development seen in the area to be known as Canal Green and wider site.

4.27 The proposals also introduce bespoke building types within Canal Green (and beyond) to best respond to and reflect the contextual transition between the character of old and new. They reflect the scale and character of the predominantly two storey brick, flint and rendered buildings located at and around this junction, as well as within the wider conservation area. The proposals also ensure a lower density of development with a varied, broken and layered roofscape is achieved, specifically where seen from the listed buildings above the existing and proposed planting and landscape buffer. This offset and development character has been proposed to soften this key junction with the statutory listed buildings.

4.28 This approach to character, density, scale, roofscape, landscape and planting buffers follows the underlying design ethos and mitigation measures included in the approved outline application (A/92/17/OUT). The removal of the previously proposed emergency access through the northern parcel of the site and the character of building types proposed follows discussions with the council and these additional design measures will go further to mitigate heritage impact, beyond that achieved as part of the approved outline application.

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4.29 The mitigation and design measures allow the proposals to comfortably and sympathetically transition away from the listed buildings, with the main body of development situated in the southern parcel of the site, beyond the intervening landscape and planting buffers. Nonetheless, the proposals will replace fields, modify a paddock and remodel the junction between Drove Lane and the Main Road, creating a changed wider and more specifically extended setting for the listed buildings.

4.30 The setting of the listed buildings contributes to their significance, principally their group context as part of a former agricultural complex and the paddocks beyond this (combining to form their wider setting), but also their extended setting formed by the fields beyond (including the larger southern parcel of the site). This provides the context for understanding their historic use as an agricultural complex which once farmed this land. The wider setting will remain unaltered in part (the group relationship of the complex will remain), although the paddock to the south will be lightly and sympathetically changed by the proposals. This will have little impact on the way in which the listed buildings are experienced and consequently the ability to appreciate their significance will not be altered by this. However, the extended setting will be changed from fields to housing and this will be appreciable. Albeit, development within the southern field is sympathetically designed and somewhat removed beyond the transitional off-set of land comprising the former Chichester & Arundel Canal and the existing paddock to the south of the complex (northern parcel of the site), an existing mature hedgerow and a further generous planted landscape buffer. The allows for a gradual and distant transition into the residential development seen in the area to be known as Canal Green and wider site. This softens the impact of change within the wider setting of the listed buildings by offering a gradual transition and an acceptable intervening spatial arrangement, character and sense of place.

4.31 The **impact of the proposals on the special architectural and / or historic interest (significance) of this heritage asset** will be **minor.**

Impact Analysis – Chichester & Arundel Canal

4.32 The former Chichester & Arundel Canal is a non-designated heritage, comprising an early-19th century transportation route that was built in response to the fractious relationship between England and France at the time. It is its age and purpose which defines its localised significance as a piece of early-19th century engineering. The most significant parts of its setting are the rare surviving ancillary structures experienced along its length and associated with its original use, as well as the ability to appreciate the canal in the context of the key destinations it connected. Conversely, the generic landscapes and settlements it flowed through (now including both modern and historic development), whilst forming part of its setting, provide little or no contribution to its significance as these are arguably incidental to its use and purpose (significance).

4.33 The section of the canal located within the small northern parcel of the site and Yapton Main Road Conservation Area, (defining the southern boundary of the conservation area) comprises an incredibly poorly preserved stretch of the former canal. The section within the site has been part infilled and the section beyond the site (to the east) has also been redeveloped to include modern residential housing within the former canal bed.

4.34 The section of the canal within the site will remain unaltered by the proposals and its setting will continue to include the incidental modern and historic development and landscapes which line its route. The addition of the proposals will reflect this context and preserve its significance, sympathetically set beyond the existing mature hedgerow and proposed landscape and planting buffer lining the southern side of the canal. The intensified use of the site as a result of the proposals may also potentially allow for a greater appreciation of its existence, history and significance.

4.35 The **impact of the proposals on the localised significance of this heritage asset** will be **neutral.**

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Impact Analysis – Drove Lane

4.36 Drove Lane, which connects with the main road and defies the western boundary of the site, reputedly forms part of an ancient drover's route linking Felpham and the Weald. Drove Lane forms a non-designated heritage of limited localised significance. This significance is derived from its historic use for the movement of livestock between buildings and pasture on a seasonal basis, cutting across landscapes to link contrasting environments. Its significance has been diminished by the adaptation of the northern end of Drove Lane to include the extensive tarmac sections bordering the site and adjoining the Main Road, as well as its adaptation required in order to bridge the former Chichester & Arundel Canal. This section of Drove Lane offers little in terms of significance other than orientation and route - it has been re-engineered and urbanised.

4.37 Its setting does make a positive contribution to its significance, in the form of agricultural land, paddocks and sporadic buildings located either side of the former drover's route. These buildings and land, the latter of which includes both parcels of the site, emphasises Drove Lane's historic role as a piece of historic rural infrastructure.

4.38 The proposal will impact the poorly preserved northern end of Drove Lane by urbanising this environment. However, the mitigation and design measures allow the proposals to comfortably and sympathetically transition away from Drove Lane, with the main body of development situated in the southern parcel of the site, beyond the intervening landscape and planting buffers and modified paddock (northern parcel of the site). This limits the impact of the proposals on the setting of Drove Lane. There will also be a physical impact by virtue of the remodelled junction and pedestrian route between Drove Lane and the Main Road. Neither of these changes alter the historic course or legibility of Drove Lane or the better-preserved southern section of Drove Lane. The intensified use of the site as a result of the proposals may also potentially allow for a greater appreciation of its existence, history and significance.

4.39 The **impact of the proposals on the localised significance of this heritage asset** will be **negligible**, as concluded within the Heritage Statement Addendum (CGMS, 27 November 2018) submitted as part of the approved outline planning application (A/92/17/OUT).

Summary

4.40 Overall it is evident that the proposals will replace the fields forming part of the setting of the non-designated heritage assets, listed buildings and conservation area, however, the proposed mitigation and design measures provide an appropriate transition between the proposals and the heritage assets to mitigate heritage impact. The approach to scale, landscape and planting buffers follows the underlying design ethos and mitigation measures included in the approved outline application (A/92/17/OUT), but the removal of the previously proposed emergency access through the northern parcel of the site and the character of building types proposed follows discussions with the council and these additional design measures will go further to mitigate heritage impact, beyond that achieved as part of the approved outline application.

4.41 In accordance with the findings of the approved outline application (A/92/17/OUT), there will be a minor impact on the special architectural and historic interest (significance) of three designated heritage assets by virtue of the proposals altering their settings: Yapton Main Road Conservation Area; and Bonhams Farm Complex (formed of Bonhams Farmhouse and Bonham's Barn – comprising two grade II list entries).

4.42 There will be a negligible impact on the special architectural and historic interest (significance) of one further designated heritage asset by virtue of the proposals altering its setting: The Old Malthouse (grade II listed). There will also be a negligible impact on the localised significance of one non-designated heritage asset by virtue of the proposals altering its setting: Drove Lane.

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4.43 There will be a neutral impact on the special architectural and historic interest (significance) of the two remaining designated heritage assets identified: Yapton Evangelical Free Church and School / Hall attached (grade II listed); and Old Canal Bridge (grade II listed).

4.44 There will also be a negligible impact on the localised significance of the one remaining non-designated heritage asset identified: Chichester & Arundel Canal.

Legislation and Policy Considerations

Planning (Listed Buildings and Conservation Areas) Act 1990

4.45 Legislation regarding buildings of special architectural and historic interest is contained within the Planning (Listed Buildings and Conservation Areas) Act 1990.

4.46 The relevant legislation in this case extends from Section 16 of the 1990 Act which states that special regard must be given by the authority in the exercise of planning functions to the desirability of preserving or enhancing Listed Buildings and their setting.

4.47 The impact of the proposals on the special architectural and historic interest (significance) of the listed buildings has, in line with the 1990 Act, been detailed within section 4 of this Heritage Compliance Statement. Section 4 states that proposals preserve and, in some cases, have a negligible or minor impact on their special architectural and historic interest (significance), identifying the design and mitigation measures taken to reduce this impact following discussion with the council.

4.48 Legislation regarding areas of special architectural and historic interest (conservation areas) is also contained within the Planning (Listed Buildings and Conservation Areas) Act 1990.

4.49 The relevant legislation in this case extends from section 69 of the Act, which states that a conservation area is an "area of special architectural or historic interest, the character and the appearance of which is desirable to preserve or enhance".

4.50 Further to this Section 72 of the 1990 Act states that in exercising all planning functions, local planning authorities must pay special attention to the desirability of preserving or enhancing the character and appearance of conservation areas.

4.51 The impact of the proposals on the special architectural and historic interest (significance) of Yapton Main Road Conservation Area has, in line with the 1990 Act, been detailed within section 4 of this Heritage Compliance Statement. Section 4 states that the proposals have a minor impact on the conservation area's character and appearance and thus its special architectural and historic interest (significance), identifying the design and mitigation measures taken to reduce this following discussion with the council.

4.52 As a result, the proposals pay special regard and attention to the desirability of preserving the setting and character and appearance of heritage assets and are in accordance with the Planning (Listed Buildings and Conservation Areas) Act 1990.

National Policy - National Planning Policy Framework (February 2019)

4.53 The significance of the heritage assets, as required by paragraph 189 of the NPPF, has been set out in section 4 of this Heritage Compliance Statement.

4.54 This Heritage Compliance Statement has provided the opportunity to apply paragraph 190 of the NPPF, which identifies that local planning authorities should take account of the available evidence and any necessary expertise to identify and

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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 this into account when considering the impact of a proposal on a heritage asset.

4.55 The conservation of heritage assets has, in line with paragraph 193 of the NPPF, been given great weight.

4.56 The effect of the proposals on the significance of the relevant heritage assets has, in line with the NPPF, been addressed. The proposals have been demonstrated within this Heritage Compliance Statement as both preserving and, in some cases, having a negligible and minor impact on the special architectural and historic interest (significance) of designated heritage assets and preserving and, in one case, having a negligible and impact on the localised significance of a non-designated heritage asset, identifying the design and mitigation measures taken to reduce this following discussion with the council.

4.57 As a result, the impact of the proposals on significance of the identified heritage assets should be addressed in accordance with paragraphs 196 and 197 of the NPPF.

4.58 These effects are in accordance with the findings set out by Arun District Council in the approved outline application (A/92/17/OUT).

Local Policy – Arun District Local Plan 2011-2031 (July 2018)

4.59 The heritage impact of the proposals has been detailed and should be considered in conjunction with policies HER SP1 – 'The Historic Environment', HER DM1 – 'Listed Buildings', HER DM2– 'Locally Listed Buildings or Structures of Character', HER DM3 – 'Conservation Areas', and HER DM5 – 'Remnants of the Portsmouth and Arundel Canal' of the Arun District Local Plan 2011-2031 (July 2018) as detailed within Appendix A.

4.60 The carefully considered landscape and architectural character of the proposals (including the additional design mitigation measures detailed) reflects that approved as part of the approved outline planning application (A/92/17/OUT). In accordance with the heritage specific policies of the Arun District Local Plan, the proposals continue to acknowledge, respond to and seek to protect the conservation area, listed buildings and non-designated heritage assets (including their settings) in a manner appropriate to their significance and where not possible they seek to minimise the impact that the proposals have through appropriate mitigation measures.

Local Policy – Yapton Neighbourhood Development Plan 2014-2029 (October 2014)

4.61 The heritage impact of the proposals has been detailed and responds to the policies of the Yapton Neighbourhood Development Plan (2014) as detailed within Appendix A.

4.62 In response to Policy E8 – 'Conservation Areas' the proposals seek to preserve or enhance, and where not possible minimise the impact that the proposals have on, the conservation area by: responding to the context within which they are set; ensuring that the scale and massing of buildings relate sympathetically to the surrounding area; and by using traditional and vernacular building materials to respect their context.

4.63 In accordance with Policy E9 - 'Listed Buildings and Buildings or Structures of Character' the proposals would not result in the loss of any listed buildings, or the buildings or structures of character set out in Appendix 1 and Appendix 2 of the Plan.

4.64 In accordance with Policy E10 – 'The former Portsmouth and Arundel Canal' the proposals would not result in the loss of the remaining structures and / or visible features of the former Portsmouth and Arundel Canal.

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5. Conclusion

5.1 This Heritage Compliance Statement (HCS) has been prepared by JLL Heritage on behalf of Barratt David Wilson in support of a planning application for land at Drove Lane, Yapton, Arun, BN18 0EB (referred to as the 'site').

5.2 The planning application is for residential development, comprising 300 residential units, roads, landscaping, play areas and associated infrastructure.

5.3 This HCS should be read in conjunction with the Heritage Statement (CGMS, November 2017) and the Heritage Statement Addendums x 2 (CGMS, 20 July 2018) and (CGMS, 27 November 2018) submitted as part of the approved outline planning application (A/92/17/OUT). It should be noted that this HCS does not intend to reproduce the detailed heritage analysis provided within the previous Heritage Statement(s), but instead it summarises this analysis in order to consider the potential impact of all reserved matters associated with the planning application.

5.4 The site forms two connected parcels of land located directly to the south of the Main Road. Drove Lane (a non-designated heritage asset) forms their western boundary, with agricultural land to the south and modern housing (proposed and existing) located to the east. The two parcels of land are separated by a hedgerow and the remnants of the former Chichester & Arundel Canal. The smaller northern parcel of the site falls within the Yapton Main Road Conservation Area (a designated heritage asset). The northern parcel also includes part of the former Chichester & Arundel Canal (a non-designated heritage asset). The northern edge of the larger southern parcel follows the southern boundary of the conservation area which is defined by the southern edge of the former canal and hedgerow. There are no further designated or non-designated heritage assets within site itself, although the site is located directly to the south of four grade II statutory listed buildings (Yapton Evangelical Free Church and School / Hall attached, The Old Malthouse, Bonhams Farmhouse and Bonham's Barn) and to the west of one grade II statutory listed building (Old Canal Bridge).

5.5 The Heritage Statement has presented a summary of the relevant national and local policy regarding developments which might impact on heritage assets (see appendix A). Particular consideration has been paid to identifying policy and guidance which concerns development which might have an impact on the significance of designated and non-designated heritage assets by virtue of adapting their settings, features, character and appearance.

5.6 In summary, it is evident that the proposals will replace the fields forming part of the setting of the heritage assets, however, the proposed design measures provide an appropriate transition between the proposals and the heritage assets to mitigate heritage impact where necessary. The approach to scale, landscape and planting buffers follows the underlying design ethos and mitigation measures included in the approved outline application (A/92/17/OUT), but the removal of the previously proposed emergency access through the northern parcel of the site and the character of building types proposed follows discussions with the council and these additional design measures will go further to mitigate heritage impact, beyond that achieved as part of the approved outline application.

5.7 **In all cases, the impact of the proposals on the significance of the identified heritage assets will remain the same as the those set out by Arun District Council in the approved outline application (A/92/17/OUT).**

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Appendix A: Legislation, Policy and Guidance

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Legislation

Planning (Listed Building and Conservation Areas) Act 1990

Legislation regarding buildings and areas of special architectural and historic interest is contained within the Planning (Listed Buildings and Conservation Areas) Act 1990.

The relevant legislation in this case extends from Section 16 of the 1990 Act which states that in considering applications for listed building consent, the local planning authority shall have special regard to the desirability of preserving the Listed Building or its setting or any features of special architectural or historic interest which it possesses.

Section 66 further states that special regard must be given by the authority in the exercise of planning functions to the desirability of preserving or enhancing Listed Buildings and their setting.

According to Section 69 of the Act a Conservation Area is an "area of special architectural or historic interest the character and the appearance of which is desirable to preserve or enhance". It is the duty of Local Authorities to designate such areas and to use their legal powers to safeguard and enhance the special qualities of these areas within the framework of controlled and positive management of change.

Section 69 further states that it shall be the duty of a local planning authority from time to time to review the past exercise of functions under this section and to determine whether any parts or any further parts of their area should be designated as conservation areas; and, if they so determine, they shall designate those parts accordingly. Adding, The Secretary of State may from time to time determine that any part of a local planning authority's area which is not for the time being designated as a conservation area is an area of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance; and, if he so determines, he may designate that part as a conservation area.

Further to this Section 72 of the 1990 Act states that in exercising all planning functions, local planning authorities must have special regard to the desirability of preserving or enhancing the character and appearance of Conservation Areas. Further provisions are detailed in Section 74 of the Act.

Recent case law[5] has confirmed that Parliament's intention in enacting Section 66 (1) was that decision-makers should give "considerable importance and weight" to the desirability of preserving the setting of listed buildings, where "preserve" means "to do no harm". This duty must be borne in mind when considering any harm that may accrue and the balancing of such harm against public benefits as required by national planning policy. This can also logically be applied to the statutory tests in respect of conservation areas.

National Planning Policy

National Planning Policy Framework (NPPF) February 2019

The National Planning Policy Framework (NPPF) was published on 19th February 2019 and sets out the Government's planning policies for England and how these are expected to be applied. It has purposefully been created to provide a framework within which local people and Local Planning Authorities (LPAs) can produce their own distinctive Local and Neighbourhood Plans which reflect the needs and priorities of their communities.

When determining Planning Applications, the NPPF directs LPAs to apply the approach of presumption in favour of sustainable development; the 'golden thread' which is expected to run through the plan-making and decision-taking activities. It should be

[5] Barnwell Manor Wind Energy Limited and (1) East Northamptonshire District Council (2) Historic England (3) National Trust (4) The Secretary of State for Communities and Local Governments, Case No: C1/2013/0843, 18th February 2014

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noted however, that this is expected to apply except where this conflicts with other policies combined within the NPPF, inclusive of those covering the protection of designated heritage assets[6], as set out in paragraph 11 of the NPPF.

Within section 12 of the NPPF, 'Achieving well-designed places', Paragraphs 124 to 132, reinforce the importance of good design in achieving sustainable development by ensuring the creation of inclusive and high-quality places. This section of the NPPF affirms the need for new design to function well and add to the quality of the area in which it is built; establish a strong sense of place; and respond to local character and history, reflecting the built identity of the surrounding area.

Section 16, 'Conserving and Enhancing the Historic Environment', Paragraphs 184-202, relate to developments that have an effect upon the historic environment. These paragraphs provide the guidance to which local authorities need to refer when setting out a strategy for the conservation and enjoyment of the historic environment in their Local Plans. This should be a positive strategy for the conservation and enjoyment of the historic environment and should include heritage assets which are most at risk through neglect, decay or other threats. It is also noted that heritage assets should be conserved in a manner appropriate to their significance[7].

The NPPF advises local authorities to take into account the following points when drawing up strategies for the conservation and enjoyment of the historic environment. These considerations should be taken into account when determining planning applications:

- The desirability of sustaining and enhancing the significance of heritage assets and preserving them in a viable use consistent with their conservation;
- The wider social, cultural, economic and environmental benefits that the conservation of the historic environment can bring;
- The desirability of new development in making a positive contribution to local character and distinctiveness;
- Opportunities to draw on the contribution made by the historic environment to the character of a place.

Paragraph 186 of the NPPF states that when considering the designation of conservation areas, local planning authorities should ensure that an area justifies such status because of its special architectural or historic interest, and that the concept of conservation is not devalued through the designation of areas that lack special interest.

In order to determine applications for development, Paragraph 189 of the NPPF states that LPAs should require applicants to describe the significance of the heritage assets affected and the contribution made by their setting[8]. Adding that the level of detail provided should be proportionate to the significance of the asset and sufficient to understand the impact of the proposal on this significance.

According to Paragraph 190, LPAs should also identify and assess the significance of a heritage asset that may be affected by a proposal and should take this assessment into account when considering the impact upon the heritage asset.

Paragraph 191 adds that where there is evidence of deliberate neglect of or damage to a heritage asset the deteriorated state of the heritage asset should not be taken into account in any decision.

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[6] **Designated heritage asset** – A World Heritage Site, Scheduled Ancient Monument, Listed Building, Protected Wreck Site, Registered Park and Garden, Registered Battlefield or Conservation designated under the relevant legislation.

[7] **Significance** – 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 with each site's Statement of Outstanding Universal Value forms part of its significance.

[8] **Setting of a heritage asset** - 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 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. (NPPF Annex 2: Glossary)

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Paragraphs 193 to 198 consider the impact of a proposed development upon the significance of a heritage asset[9]. Paragraph 193 emphasises that when a new development is proposed, great weight should be given to the asset's conservation10 and that the more important the asset, the greater this weight should be. It is noted within this paragraph that significance can be harmed or lost through the alteration or destruction of the heritage asset or by development within its setting.

Paragraph 196 advises that where a development will cause 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 securing its optimum viable use.

Paragraph 197 notes that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. Adding, that in weighing applications that affect directly or indirectly non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

Paragraph 198 stipulates that local planning authorities should not permit loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred.

In addition, Paragraph 200 notes that local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites and within the setting of heritage assets to enhance or better reveal their significance. Adding, proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.

Paragraph 201 importantly clarifies that not all elements of a World Heritage Site or Conservation Area will necessarily contribute to its significance. Adding, 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.

The NPPF therefore continues the philosophy of that upheld in PPS5 in moving away from narrow or prescriptive attitudes towards development within the historic environment, towards intelligent, imaginative and sustainable approaches to managing change. English Heritage (now Historic England) defined this new approach, now reflected in the NPPF, as 'constructive conservation'. This is defined as 'a positive and collaborative approach to conservation that focuses on actively managing change...the aim is to recognise and reinforce the historic significance of places, while accommodating the changes necessary to ensure their continued use and enjoyment.' (Constructive Conservation in Practice, English Heritage, 2009).

National Guidance

Planning Practice Guidance (PPG) 2019

Planning Practice Guidance (PPG) was introduced by the Government as a web-based resource on 6th March 2014 and is updated regularly, with the most recent update on 23rd July 2019. The PPG is intended to provide more detailed guidance and information with regard to the implementation of national policy set out in the NPPF.

It reiterates that conservation of heritage assets in a manner appropriate to their significance is a core planning principle. It also states, conservation is an active process of maintenance and managing change, requiring a flexible and thoughtful approach.

[9] **Heritage asset** – 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 and assets identified by the local planning authority (including local listing).

[10] **Conservation** – The process of maintaining and managing change to a heritage asset in a way that sustains and, where appropriate, enhances the significance. (NPPF Annex 2: Glossary)

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Furthermore, it highlights that neglect and decay of heritage assets is best addressed through ensuring they remain in active use that is consistent with their conservation.

Importantly, the guidance states that if complete, or partial loss of a heritage asset is justified, the aim should then be to capture and record the evidence of the asset's significance and make the interpretation publicly available.

Key elements of the guidance relate to assessing harm. It states, an important consideration should be whether the proposed works adversely affect a key element of the heritage asset's special architectural or historic interest. Adding, it is the degree of harm, rather than the scale of development that is to be assessed. The level of 'substantial harm' is stated to be a high bar that may not arise in many cases. Essentially, whether a proposal causes substantial harm will be a judgment for the decision taker, having regard to the circumstances of the case and the NPPF.

Importantly, it is stated harm may arise from works to the asset or from development within its setting. Setting is defined as the surroundings in which an asset is experienced and may be more extensive than the curtilage. A thorough assessment of the impact of proposals upon setting needs to take into account, and be proportionate to, the significance of the heritage asset and the degree to which proposed changes enhance or detract from that significance and the ability to appreciate it.

The PPG makes clear that the delivery of development within the setting of heritage assets has the potential to make a positive contribution to, or better reveal, the significance of that asset.

Finally, the PPG provides in depth guidance on the importance of World Heritage Sites, why they are importance and the contribution setting makes to their Outstanding Universal Value. The PPG also provides guidance on the approaches that should be taken to assess the impact of development on the Outstanding Universal Value of World Heritage Sites.

Historic England Guidance – Overview

On the 25th March 2015 Historic England (formerly English Heritage) withdrew the PPS5 Practice Guide. This document has been replaced with three Good Practice Advice in Planning Notes (GPAs), 'GPA1: Local Plan Making' (Published 25th March 2015), 'GPA2: Managing significance in Decision-Taking in the historic Environment' (Published 27th March 2015) and 'GPA3: The Setting of Heritage Assets (December 2017). A further document entitled 'GPA4: Enabling Development' is yet to be adopted.

The GPAs provide supporting guidance relating to good conservation practice. The documents particularly focus on the how good practice can be achieved through the principles included within national policy and guidance. As such, the GPAs provide information on good practice to assist LPAs, planning and other consultants, owners, applicants and other interested parties when implementing policy found within the NPPF and PPG relating to the historic environment.

In addition to these documents Historic England has published three core Advice Notes (HEAs) which provide detailed and practical advice on how national policy and guidance is implemented. These documents include; 'HEA1: Conservation Area Appraisal, Designation and Management (Second Edition, February 2019)', 'HEA2: Making Changes to Heritage Assets' (25th February 2016) and 'HEA3: The Historic Environment and Site Allocations in Local Plans' (30th October 2015). In addition to these 'HEA4: Tall Buildings' (10th December 2005), 'Managing Local Authority Heritage (2nd June 2003)', 'HEA7: Local Heritage Listing' (May 2016), 'HEA10: Listed Buildings and Curtilage (21st February 2018) and, 'HE12: Statements of Heritage Significance (October 2019) provide further information and guidance in respect of managing the historic environment.

Historic England Good Practice Advice Note 1 (GPA1): The Historic Environment in Local Plans (March 2015)

This document stresses the importance of formulating Local Plans that are based on up-to-date and relevant evidence in relation to the economic, social and environmental characteristics and prospects of an area, including the historic environment, as set out by the NPPF. The document provides advice on how information in respect of the local historic environment can be gathered, emphasising the importance of not only setting out known sites, but in understanding their value (i.e. significance). This evidence should be used to define a positive strategy for the historic environment and the formulation of a plan for the maintenance and use

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of heritage assets and for the delivery of development, including within their setting, that will afford appropriate protection for the asset(s) and make a positive contribution to local character and distinctiveness.

Furthermore, the Local Plan can assist in ensuring that site allocations avoid harming the significance of heritage assets and their settings, whilst providing the opportunity to 'inform the nature of allocations so development responds and reflects local character'.

Further information is given relating to cumulative impact, 106 agreements, stating 'to support the delivery of the Plan's heritage strategy it may be considered appropriate to include reference to the role of Section 106 agreements in relation to heritage assets, particularly those at risk.' It also advises on how the heritage policies within Local Plans should identify areas that are appropriate for development as well as defining specific Development Management Policies for the historic environment. It also suggests that a heritage Supplementary Planning Document (SPD) can be a useful tool to amplify and elaborate on the delivery of the positive heritage strategy in the Local Plan.

Historic England Good Practice Advice Note 2 (GPA2): Managing Significance in Decision-Taking in the Historic Environment (March 2015)

This document provides advice on the numerous ways in which decision-taking in the historic environment can be undertaken, emphasising that the first step for all applicants is to understand the significance of any affected heritage asset and the contribution of its setting to its significance. In line with the NPPF and PPG, this document states that early engagement and expert advice in considering and assessing the significance of heritage assets is encouraged, stating that 'development proposals that affect the historic environment are much more likely to gain the necessary permissions and create successful places if they are designed with the knowledge and understanding of the significance of the heritage assets they may affect.'

The advice suggests a structured staged approach to the assembly and analysis of relevant information, this is as follows:

1. Understand the significance of the affected assets;
2. Understand the impact of the proposal on that significance;
3. Avoid, minimise and mitigate impact in a way that meets the objectives of the NPPF;
4. Look for opportunities to better reveal or enhance significance;
5. Justify any harmful impacts in terms of the sustainable development objective of conserving significance and the need for change; and
6. Offset negative impacts on aspects of significance by enhancing others through recording, disseminating and archiving archaeological and historical interest of the important elements of the heritage assets affected.

The advice reiterates that heritage assets may be affected by direct physical change or by change in their setting. Assessment of the nature, extent and importance of the significance of a heritage asset and the contribution of its setting at an early stage can assist the planning process resulting in informed decision-taking.

This document sets out the recommended steps for assessing significance and the impact of development proposals upon a heritage asset, including examining the asset and its setting and analysing local policies and information sources. In assessing the impact of a development proposal on the significance of a heritage asset the document emphasises that the cumulative impact of incremental small-scale changes may have as great an effect on the significance of a heritage asset as a larger scale change.

Crucially, the nature and importance of the significance that is affected will dictate the proportionate response to assessing that change, its justification, mitigation and any recording which may be necessary. This document also provides guidance in respect of neglect and unauthorised works.

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Historic England Good Practice Advice Note (GPA3): The Setting of Heritage Assets (December 2017)

This is used to understand the surroundings of a heritage asset which may contribute to its significance. It aids practitioners with the implementation of national policies and guidance relating to the historic environment found within the NPPF and PPG, once again advocating a stepped approach to assessment.

It amalgamates 'Seeing the History in the View' (2011) and 'Setting of Heritage Assets' (2015) forming one succinct document which focuses on the management of change within the setting of heritage assets.

The guidance is largely a continuation of the philosophy and approach of the previous documents, albeit now with a greater emphasis on the contribution that views to and from heritage assets make to their significance. It reaffirms that setting should be understood as the way in which an asset is experienced.

The guidance emphasises that setting is not a heritage asset, nor a heritage designation, and that its importance lies in what it contributes to the significance of the heritage asset. It also states that elements of setting may make a positive, negative or neutral contribution to the significance of the heritage asset.

While setting is largely a visual term, with views considered to be an important consideration in any assessment of the contribution that setting makes to the significance of an asset, setting, and thus the way in which an asset is experienced, can also be affected by other environmental factors including noise, vibration and odour, while setting may also incorporate perceptual and associational attributes pertaining to the asset's surroundings.

This document provides guidance on practical and proportionate decision making with regards to the management of proposed development and the setting of heritage assets. It identifies that the protection of the setting of a heritage asset need not prevent change and that decisions relating to such issues need to be based on the nature, extent and level of the significance of a heritage asset, as well as further weighing up the potential public benefits associated with the proposals. It clarifies that changes within the setting of a heritage asset may have positive or neutral effects.

It highlights that the contribution made to the significance of heritage assets by their settings will vary depending on the nature of the heritage asset and its setting and that different heritage assets may have different abilities to accommodate change within their settings without harming the significance of the asset and therefore setting should be assessed on a case-by-case basis. Although not prescriptive in setting out how this assessment should be carried out, noting that any approach should be demonstrably compliant with legislation, national policies and objectives, Historic England recommend using a '5-step process' in order to assess the potential impact of a proposed development on the setting and significance of a heritage asset, with this 5-step process similar to that utilised in earlier guidance:

Step 1: Identify which heritage assets and their settings are affected

Step 2: Assess the degree to which these settings make a contribution to the significance of the heritage asset(s) or allow significance to be appreciated

Step 3: Assess the effects of the proposed development, whether beneficial or harmful, on that significance or on the ability to appreciate it

Step 4: Explore ways to maximise enhancement and avoid or minimise harm

Step 5: Make and document the decision and monitor outcomes

Historic England Advice Note 1 (HEA1): Conservation Area Appraisal, Designation and Management (Second Edition, February 2019)

First published by English Heritage March 2011 as: Understanding Place: Conservation Area Designation, Appraisal and Management and republished as Conservation Area Appraisal, Designation and Management, Historic England Advice Note 1 2016, Historic England Advice Note 1 (HEA): Conservation Area Appraisal, Designation and Management (Second Edition, February 2019) continues

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to support the management of change in a way that conserves and enhances the character and appearance of historic areas through conservation area appraisal, designation and management.

This second edition updates the advice in light of the publication of the 2018 National Planning Policy Framework and gives more information on the relationship with local and neighbourhood plans and policies. It is also re-ordered, to underline the staged approach to the appraisal, designation and management of conservation areas, while continuing to offer advice on managing conservation areas so that the potential of historic areas worthy of protection is fully realised. It has also been updated to give more information on innovative ways of handling conservation appraisals, particularly community involvement beyond consultation, character assessment and digital presentation.

This document identifies different types of special architectural and historic interest which contribute to the significance and character of a conservation area, leading to its designation. These include:

- Areas with a high number of nationally designated heritage assets and a variety of architectural styles and historic associations;
- Those linked to a particular industry or individual with a particular local interest;
- Where an earlier, historically significant, layout is visible in the modern street pattern; Where a particular style of architecture or traditional building materials predominate; and
- Areas designated because of the quality of the public realm or a spatial element, such as a design form or settlement pattern, green spaces which are an essential component of a wider historic area, and historic parks and gardens and other designed landscapes, including those included on the Historic England Register of parks and gardens of special historic interest.

Change is inevitable, and often beneficial, and this document provides guidance in respect of managing change in a way that conserves and enhances conservation areas. It also identifies ways in which suitable areas can be identified for designation as new conservation areas or extensions to conservation areas through historic characterisation studies, production of neighbourhood plans, confirmation of special interest and setting out of recommendations.

Historic England Advice Note 2 (HEA2): Making Changes to Heritage Assets (February 2016)

The purpose of this document is to provide information in respect of the repair, restoration and alterations to heritage assets. It promotes guidance for both LPAs, consultants, owners, applicants and other interested parties in order to promote well-informed and collaborative conservation.

The best way to conserve a building is to keep it in use, or to find an appropriate new use. This document states that 'an unreasonable, inflexible approach will prevent action that could give a building new life…A reasonable proportionate approach to owners' needs is therefore essential'. Whilst this is the case, the limits imposed by the significance of individual elements are an important consideration, especially when considering an asset's compatibility with Building Regulations and the Equality Act. As such, it is good practice for LPAs to consider imaginative ways of avoiding such conflict.

This document provides information relating to proposed change to a heritage asset, which are characterised as:

- Repair;
- Restoration;
- Addition and alteration, either singly or in combination; and
- Works for research alone.

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Historic England Advice Note 3 (HEA3): The Historic Environment and Site Allocations in Local Plans (October 2015)

This document provides information for those involved in the site allocation process, particularly when implementing historic environment legislation, relevant policy within the NPPF and related guidance found within the Planning Practice Guidance (PPG).

The inclusion of sites within a Local Plan can provide the opportunity to ensure that new development will avoid harming the significance of both designated and non-designated heritage assets, including effects on their setting. Furthermore, this document highlights the ways in which the process of site allocation may present opportunities to better reveal the historic environment. It sets out a five-step methodology which can assist in appropriate site selection:

Step 1: Identify which heritage assets are affected by the potential site allocation;

Step 2: Understand what contribution the site (in its current form) makes to the significance of heritage asset(s);

Step 3: Identify what impacts the allocation might have on that significance;

Step 4: Consider maximising enhancements and avoiding harm; and

Step 5: Determine whether the proposed site allocation is appropriate in light if the NPPF's tests of soundness.

Historic England Advice Note 7 (HEA7): Local Heritage Listing (May 2016)

This advice note has been prepared as part of the renewed suite of documents from Historic England and therefore supersedes an earlier 2012 publication. It observes that Local lists play a role in identifying a sense of local character and distinctiveness in the historic environment, as part of the wider range of designation.

Historic England notes that they enable the significance of any building or site on the list (in its own right and as a contributor to the local planning authority's wider strategic planning objectives), to be better taken into account in planning applications affecting the building or site or its setting.

The advice supports local authorities and communities to introduce a local list in their area or make changes to an existing list, through the preparation of selection criteria, thereby encouraging a more consistent approach to the identification and management of local heritage assets across England.

Essentially, a local list can identify the breadth of the historic environment of a local area by encompassing the full range of heritage assets that make up the historic environment and ensure the proper validation and recording of local heritage assets. If done accurately and with sufficient detail local lists also provide a consistent and accountable way of identifying local heritage assets, to the benefit of owners and developers who need to understand local development opportunities and constraints.

The purpose of this Historic England Advice note is to provide information on local heritage listing to assist community groups, owners, applicants, local authorities, planning and other consultants, and other interested parties in implementing historic environment legislation, the policy in the National Planning Policy Framework (NPPF) and the related guidance given in the Planning Practice Guidance (PPG). In addition to these documents, this advice should be read in conjunction with the relevant Good Practice Advice and Historic England advice notes. Alternative approaches may be equally acceptable, provided they are demonstrably compliant with legislation and national policy objectives.

The advice in this document, in accordance with the NPPF, emphasises that work in designating and taking decisions related to local heritage lists should be no more than is necessary, and that activities to conserve or invest need to be proportionate to the significance of the heritage assets affected and the impact on the significance of those heritage assets. Nevertheless, this work needs to provide enough information to understand the issues (NPPF, paragraph 43).

Creating a local heritage list is a way for local councils and communities to identify historic buildings, archaeological sites and designed landscapes which within their area. Local heritage lists sit within a continuum of measures for identifying and protecting

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buildings and areas of heritage or townscape interest, which includes World Heritage Sites at the international level, national designations such as listed buildings, scheduled monuments and historic parks and gardens (see the National Heritage List for England), and conservation areas, as well as buildings and sites which have been identified locally as having some heritage interest meriting consideration in planning decisions.

Inclusion on a local list delivers a way of identifying local heritage assets to the benefit of strategic planning for the area and to the benefit of owners and developers wishing to fully understand local development opportunities and constraints. Local lists thus complement national designations in building a sense of place and history for localities and communities. Local heritage listing is intended to highlight heritage assets which are of local heritage interest in order to ensure that they are given proportionate consideration when change is being proposed and that their qualities are taken into account when changes affecting the historic environment are proposed.

This document draws on good practice across the country in developing a new local heritage list or making improvements to an existing one. Importantly, this advice should be seen as a starting point. In order to remain flexible enough to respond to local needs, decisions on the ways in which assets are identified, and the system adopted for managing the local heritage list, are matters for local planning authorities and their communities. This advice does, however, set out methods for setting up and managing a local list to provide ideas on how this might be done.

Historic England Advice Note 12 (HEA12): Statements of Heritage Significance (October 2019)

HEA12: Statements of Heritage Significance covers the National Planning Policy Framework requirement for applicants for heritage and other consents to describe heritage significance to help local planning authorities to make decisions on the impact of proposals for change to heritage assets.

The document states that understanding the significance of heritage assets, in advance of developing proposals for their buildings and sites, enables owners and applicants to receive effective, consistent and timely decisions. It explores the assessment of significance of heritage assets as part of a staged approach to decision-making in which assessing significance precedes designing the proposal(s).

Conservation Principles, Policies and Guidance (English Heritage, 2008)

Conservation Principles outlines English Heritage's approach to the sustainable management of the historic environment. While primarily intended to ensure consistency in English Heritage's own advice and guidance through the planning process, the document is commended to local authorities to ensure that all decisions about change affecting the historic environment are informed and sustainable.

This document was published in line with the philosophy of PPS5 and is currently in the process of being updated. Nevertheless, it remains relevant to the current policy regime in that emphasis is placed upon the importance of understanding significance as a means to properly assess the effects of change to heritage assets. The guidance describes a range of heritage values which enable the significance of assets to be established systematically, with the four main 'heritage values' being: evidential, historical, aesthetic and communal. The Principles emphasise that 'considered change offers the potential to enhance and add value to places…it is the means by which each generation aspires to enrich the historic environment' (paragraph 25).

Local Policy

Arun District Local Plan 2011-2031 (July 2018)

The Arun Local Plan comprises of a written statement and supporting polices maps. The plan sets out a spatial vision, objectives and a sustainable strategy for delivering the needed growth of the District over the period 2011- 2031. It is used to guide decisions on planning, development and regeneration activity over this period, including many other decisions shaping corporate investment plans and strategies, as well as those from external providers, delivering services and infrastructure to the local community.

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Policy HER SP1 – 'The Historic Environment' states that 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:

1. 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;

2. 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;

3. 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;

4. 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;

5. 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;

6. 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.

Policy HER DM1 – 'Listed Buildings' states that 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

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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.

Policy HER DM3 – Conservation Areas states that 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.

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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.

Policy HER DM5 – 'Remnants of Portsmouth and Arundel Canal' states that development will be permitted where it would not adversely affect the remaining line and configuration of the Portsmouth and Arundel Canal and features along it.

Yapton Neighbourhood Development Plan 2014-2029 (October 2014)

This document represents the Neighbourhood Plan for Yapton parish over the period 2014 to 2029. The purpose of the Neighbourhood Plan is to guide development within the parish and provide guidance to any interested parties wishing to submit planning applications for development within the parish.

Policy E8 – 'Conservation Areas' states that within the Church Lane and Main Road/Church Road conservation areas development proposals will be required to preserve or enhance the character of those areas. Development proposals and extensions and alterations to existing buildings and structures will be expected to:

- be suitably designed for the context within which they are set; and
- ensure that the scale and massing of buildings relate sympathetically to the surrounding area; and
- use traditional and vernacular building materials to respect the context of the development concerned.

Policy E9 - 'Listed Buildings and Buildings or Structures of Character' states that planning permission will not be granted for development that would result in the loss of either listed buildings, or the buildings or structures of character set out in Appendix 1 and Appendix 2 of the Plan.

Policy E10 – 'The former Portsmouth and Arundel Canal' states that proposals that would result in the loss of the remaining structures and/or visible features of the former Portsmouth and Arundel Canal will not be permitted.

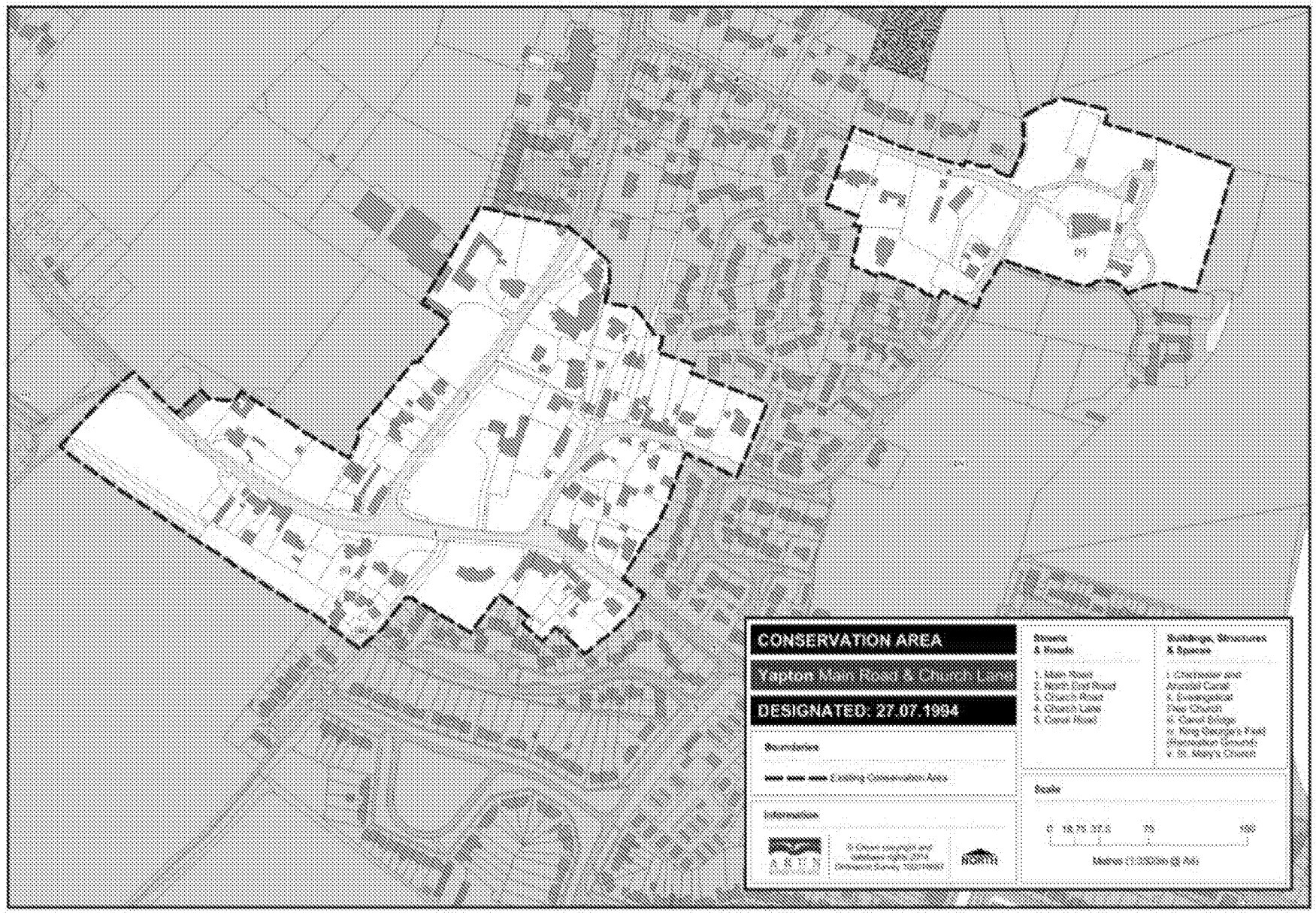
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Appendix B: Map of Yapton Main Road & Church Lane Conservation Areas

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CONSERVATION AREA
DESIGNATED: 27.07.1994

Appendix C: Statutory List Entries

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OLD CANAL BRIDGE, ON FOOTPATH 157

Overview

List Entry: https://historicengland.org.uk/listing/the-list/list-entry/1237839

Heritage Category: Listed Building

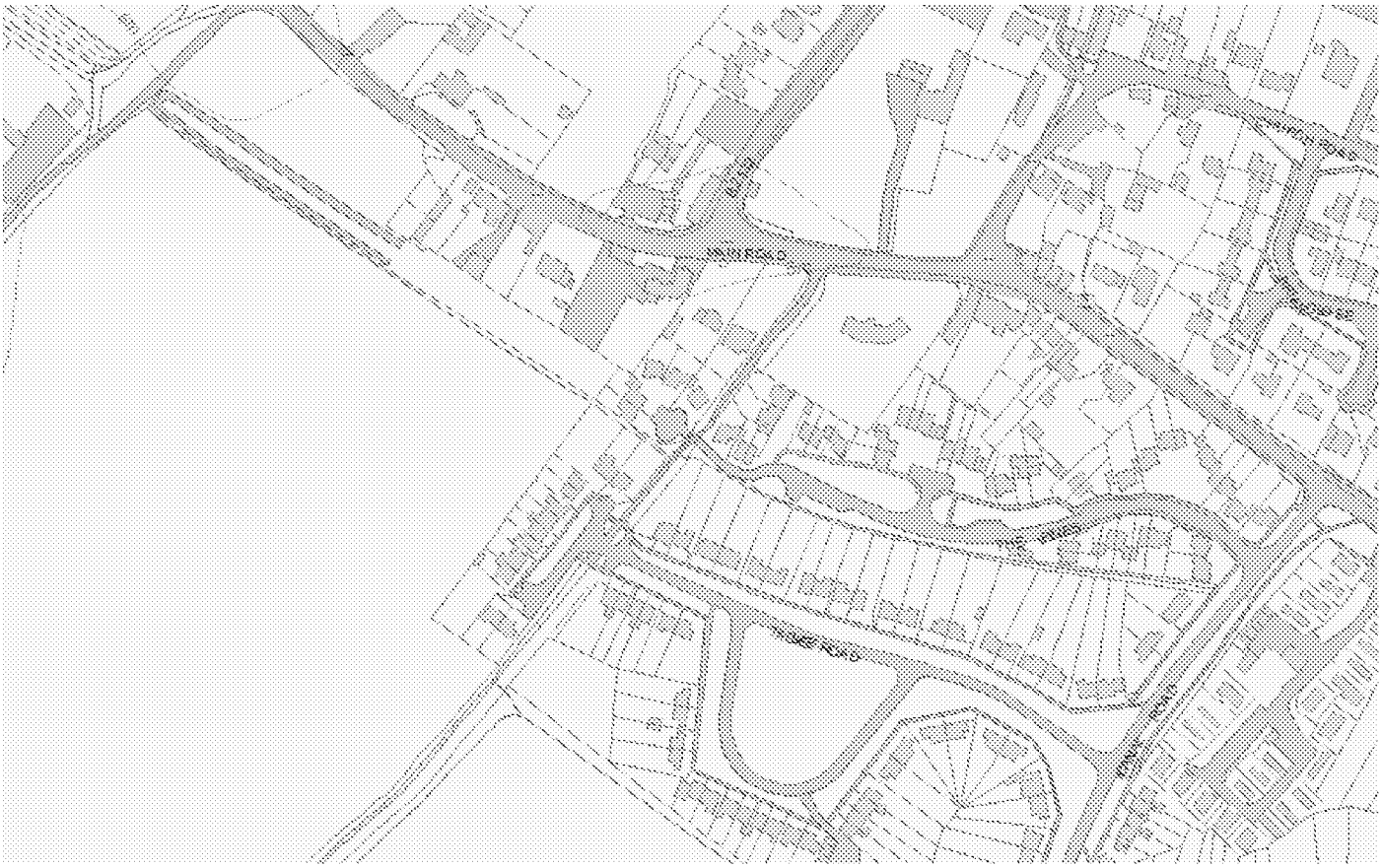
Grade: II

List Entry Number: 1237839

Date first listed: 11-Sep-1986

Statutory Address: OLD CANAL BRIDGE, ON FOOTPATH 157

Map:



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This copy shows the entry on 13-Jul-2020 at 15:02:10.

Location

Statutory Address: Old canal bridge, on footpath 157

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

County: West Sussex

District: Arun (District Authority)

Parish: Yapton

National Grid Reference: SU 97622 03223

Details

SU 90SE SP 811

YAPTON Old Canal Bridge, on footpath 157

II Former canal bridge c1820. Brick, mostly Flemish bond. Single arch humped back bridge with parapets and retaining walls. A substantial structural survival of the former Portsmouth and Arundel Canal built between 1817 and 1823, abandoned in mid C19.

Believed to be only surviving structure remaining of the canal.

Listing NGR: SU9762203223

Legacy

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

Legacy System number: 415150

Legacy System: LBS

Sources

Books and journals
Vine, PAL, West Sussex Waterways, (1985), 32-35

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

YAPTON EVANGELICAL FREE CHURCH AND SCHOOL/HALL ATTACHED

Overview

List Entry: https://historicengland.org.uk/listing/the-list/list-entry/1237819

Heritage Category: Listed Building

Grade: II

List Entry Number: 1237819

Date first listed: 20-Sep-1984

Statutory Address: YAPTON EVANGELICAL FREE CHURCH AND SCHOOL/HALL ATTACHED, MAIN ROAD

Map:



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This copy shows the entry on 13-Jul-2020 at 15:02:02.

Location

Statutory Address: YAPTON EVANGELICAL FREE CHURCH AND SCHOOL/HALL ATTACHED, MAIN ROAD

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

County: West Sussex

District: Arun (District Authority)

Parish: Yapton

National Grid Reference: SU 97614 03286

Details

SU 90SE YAPTON MAIN ROAD 15/377 (south side)

Yapton Evangelical Free Church and School / Hall attached

II

Dated 1861. The church and the school or hall form an L. One storey. Five windows. Faced with flints with stuccoed dressings and quoins. Slate roof. Narrow round-headed windows. The school or hall wing to the west has a gabled central projection with a larger window of two lights.

Listing NGR: SU9761403286

Legacy

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

Legacy System number: 414777

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

THE OLD MALTHOUSE

List Entry: https://historicengland.org.uk/listing/the-list/list-entry/1222553

Overview

Heritage Category: Listed Building

Grade: II

List Entry Number: 1222553

Date first listed: 20-Sep-1984

Statutory Address: THE OLD MALTHOUSE, MAIN ROAD

Map:



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Location

Statutory Address: THE OLD MALTHOUSE, MAIN ROAD

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

County: West Sussex

District: Arun (District Authority)

Parish: Yapton

National Grid Reference: SU 97537 03322

Details

SU 90SE YAPTON MAIN ROAD 15/378 (south side)

The Old Malthouse

II

C17. Two storeys. Three windows. Painted brick. Modillion eaves cornice. Tiled roof. Casement windows. C19 stuccoed porch.

Listing NGR: SU9753703322

Legacy

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

Legacy System number: 414778

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

BONHAMS FARMHOUSE

List Entry: https://historicengland.org.uk/listing/the-list/list-entry/1274490

Overview

Heritage Category: Listed Building

Grade: II

List Entry Number: 1274490

Date first listed: 20-Sep-1984

Statutory Address: BONHAMS FARMHOUSE, MAIN ROAD

Map:



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Location

Statutory Address: BONHAMS FARMHOUSE, MAIN ROAD

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

County: West Sussex

District: Arun (District Authority)

Parish: Yapton

National Grid Reference: SU 97522 03373

Details

SU 90SE YAPTON MAIN ROAD 15/379 (north side)

Bonhams Farmhouse

II

Early C19. Two storeys. Three windows. Stuccoed. Long and short quoins. Slate roof. Glazing bars intact. Porch with iron columns and tent-shaped canopy. C19 addition on ground floor only to the west comprising one bay of three windows.

Listing NGR: SU9752203373

Legacy

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

Legacy System number: 414779

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

BONHAM'S BARN

List Entry: https://historicengland.org.uk/listing/the-list/list-entry/1237904

Overview

Heritage Category: Listed Building

Grade: II

List Entry Number: 1237904

Date first listed: 21-Mar-1984

Statutory Address: BONHAM'S BARN, MAIN ROAD

Statutory Address: BONHAM'S BARN, YAPTON ROAD

Map:



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This copy shows the entry on 13-Jul-2020 at 15:02:23.

Location

Statutory Address: BONHAM'S BARN, MAIN ROAD

Statutory Address: BONHAM'S BARN, YAPTON ROAD

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

County: West Sussex

District: Arun (District Authority)

Parish: Yapton

National Grid Reference: SU 97527 03395

Details

The following building shall be added to the list;

SU 90 SE YAPTON MAIN ROAD / YAPTON ROAD

15/10019 Bonham's Barn

GV II

An intact mid C18 barn reusing some earlier timbers with two attached early lean-to's, one a cart shed the other reputed to have been a horse-powered 'engine house' for threshing corn. It has group value with the former farmhouse.

Listing NGR: SU9752203373

Legacy

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

Legacy System number: 415158

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

Henry Ryde

Associate Director
30 Warwick Street
London
W1B 5NH

[redacted]

www.jll.com

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