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2nd December 2020

Angela Broughton
Elm Barn
Main Road,
Yapton
BN18 0DX

Case Officer: Mr S Davis
Telephone: 01903 737874
Email: Simon.Davis@arun.gov.uk

Dear Sir/Madam,

Town & Country Planning Act 1990 (as amended)
Town and Country Planning (Development Management Procedure) (England) Order 2015

Application No: Y/98/20/PL
Site Address: Bonhams Field Main Road Yapton BN18 0DX
Description of works: Erection of 75 No. dwellings with associated parking, public open space & the creation of a new vehicular access. This application affects the character & appearance of the Main Road/Church Road Conservation Area & affects the setting of listed buildings.

Thank you for your internet representation made on 1st December 2020 which has been recorded as an objection with the comments as follows:

OWPC31801

OBJECTION PART 1

Further to my previous objections relating to the heritage impact of the proposed development on my Grade II Listed barn, I wish to provide more detail and evidence to highlight that it will cause 'substantial harm' to its setting, within the meaning of the Government's National Planning Policy Framework (NPPF Paras 189 - 198).

When dealing with what constitutes 'substantial harm' to the 'setting of a Listed Building' there is detailed Government guidance and relevant case law.

It is important to note that substantial harm does not just rely on the loss/destruction of a heritage asset itself, or on substantial alterations to the heritage asset or buildings within its curtilage, but that it can be caused by harmful development within and affecting its wider setting.

The NPPF Glossary gives a definition of 'setting' and states: "The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.

The importance of considering the surroundings of an application site and not only the site itself was recently highlighted in the case of *James Hall v Bradford MDC* EWHC 2899 (Admin) dated 1 November 2019 where the court quashed a planning permission on the basis that the Council had failed to properly consider the impact of development on the setting of a heritage asset.

The impact on the 'setting' of a heritage asset, does not simply assessing the visual harm that would be caused. As the NPPF Glossary states it is the surroundings in which a heritage asset is experienced. The Government's own Planning Policy Guidance (PPG) states that "although views of or from an asset will play an important part in the assessments of impact on setting, the way in which we experience an asset in its setting is also influenced by other environmental factors, such as noise, dust, smell and vibration from other land uses in the vicinity, and by our understanding of the historic relationship between places " (PPG 013 Reference ID: 18a-013-20190723).

In the case of my Listed barn, its visual and tranquil historic connection with open farmland and countryside is lost forever, and this wider setting is one of the key elements in the reason behind it being Listed as a Building of Special Architectural or Historic Interest.

If permission is given to the current planning application, the Listed barn will not only be totally dominated by the new housing estate, but significantly overlooked from the upper floors of the closest houses, regardless of the boundary planting proposed, and it will be surrounded on three sides by busy roads and pedestrian routes creating excessive movement, activity and noise throughout the day and evening, for 365 days a year.

Noise and activity is therefore not just a private amenity issue but is something that affects the wider setting of a heritage asset. There is nothing in the applicants submissions which deals with this aspect of heritage impact.

Your views as made above will be considered before the application is determined.

Please be aware that Planning Services operate an 'open file' policy and will publish your comments on the website. Please make sure that you have only provided information that you are happy will be published in this way. If you have supplied information belonging to a third party, you must make sure you have their permission to do so. If you do not wish your comments to appear on the website or on the file you will need to confirm this by emailing to planning@arun.gov.uk and I will arrange for it to be destroyed although this means that the content will then be disregarded.

The majority of applications are determined under delegated powers by officers. Further information on the decision making process can be found on the website at :<https://www.arun.gov.uk/planning-decision-process>.

Some applications will be determined by the Development Control Committee, and I shall write and inform you of the date of the meeting and the procedures for public speaking if this is the case. However, if your representation has been received after the agenda for the meeting has been finalised and the notifications have been generated, you will not receive notification. In this case, you will need to track the progress of the application on the council's website <https://www.arun.gov.uk/weekly-lists>

Any comments that are received after the agenda has been finalised will be separately reported to the members of the Development Control Committee.

Regardless of how the application is determined I will notify you of the decision.

Yours sincerely



Neil Crowther
Group Head of Planning

For details of how the Council will deal with your data please refer to our privacy notices on the website www.arun.gov.uk/planning-privacy-statements

If you have provided an email address, all correspondence including the decision notice will be sent by email. It is therefore important that you keep us informed if this changes during the course of this application.