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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:

OWPC31802

OBJECTION PART 2

The rural character of the setting of the Listed Barn would be completely destroyed by these proposals, and therefore the evidence points to substantial harm being caused to this heritage asset. The Council should, therefore, assess the planning application on the basis that there will be substantial harm to this important heritage asset.

It is also worth highlighting again here that under the Listed Building Act there is a presumption against granting planning permission if any harm is caused to the setting of a Listed Building, whether that harm is substantial or less than substantial, and that presumption is a statutory one, and needs to be given "special attention", and is consequently of greater importance than the non-statutory presumption in favour of sustainable development in the NPPF.

Planning case law has established that harm to a Listed Building is therefore not just another material consideration to balance against other material considerations and to give such weight as the decision maker sees fit. By law, the decision maker must attach considerable importance to any harm to the setting of a Listed building, and give it considerable weight, and from a starting point of a presumption against giving planning permission. This can only be overridden by very clear and powerful evidence of substantial public benefits that significantly outweigh the harm caused to the setting of the heritage asset.

At the very least the proposed housing and access road should be located further away from my Listed barn. There should be a larger buffer zone than currently proposed. This would have the advantage of maintaining the arguable public benefits from the development, while reducing the adverse impact and level of harm on my Listed barn, and on the Conservation Area as a whole. To surround my Listed barn with a modern

suburban housing estate and busy roads seems to be particularly inappropriate, incongruous and harmful to its setting and protected status.

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.