



WINTERBURN
HERITAGE & PLANNING

HERITAGE IMPACT ASSESSMENT

*Change of use of former paragliding shop/office/classroom
with onsite café to a licensed Restaurant/bar use Class E(b)
and Sui Generis*

(Resubmission of SDNP/23/03422/FUL)

&

Planning Ref: SDNP/24/00706/FUL

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Summary

The significance of the non-designated heritage asset lies in the historic and architectural interest (including that of its interior), by reason of being good examples of the typology of early railway infrastructure. The station and attached house are also a notable feature in short and medium-range views within the village conservation area, particularly from the north, and from parts of the surrounding countryside, where buildings, topography and planted boundaries limit visibility.

Concerns in respect of the Development Description and inconsistencies in proposal details creating uncertainties in accurately assessing the impact on heritage assets do not undermine the 'in principle' acceptability of the proposals – the Change of Use (howsoever defined) and the refurbishment of the historic fabric – in terms of heritage concerns and can be controlled by appropriately-worded Conditions.

While there is a link between noise impact on amenity and therefore on heritage assets, their settings and significance, it is considered that in this particular case the link is at best a tenuous one and does not justify the conflation of noise and amenity issues and their purported impact on heritage matters as described in the Reasons for Refusal.

The proposed use and refurbishment of the station will be of benefit to the building and its significance, and will enhance the setting of the identified heritage assets. Based on such merits, it is concluded that the Application should be approved.

1.0 Context

- 1.1 This Heritage Impact Assessment has been produced¹ in support of an Application in favour of a proposal to refurbish a railway station building to form a bar and light refreshment facility.
- 1.2 The site lies within a village with a strong architectural character. It is within a conservation area, and within the immediate setting of several listed buildings². These proposals therefore have the potential to impact on a number of designated and non-designated heritage assets, an assessment of the degree of impact is required. The Application property is clearly a non-designated heritage asset (HER Ref: MES1237).



A vintage postcard of waiting for the milk train at Glynde Railway Station

Definitions

- 1.3 A 'heritage asset' is widely defined in the NPPF Glossary 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. Heritage asset includes designated heritage assets and assets identified by the local planning authority (including local listing).
- 1.4 A 'designated heritage asset' is more specifically defined as a World Heritage Site, Scheduled Monument, Listed Building, Protected Wreck, Registered Park and Garden, Registered Battlefield or Conservation Area, as designated under the relevant legislation.
- 1.5 Taking Historic England's guidance into account, the methodology for this assessment is summarised as follows:
- Identify the baseline heritage assets;

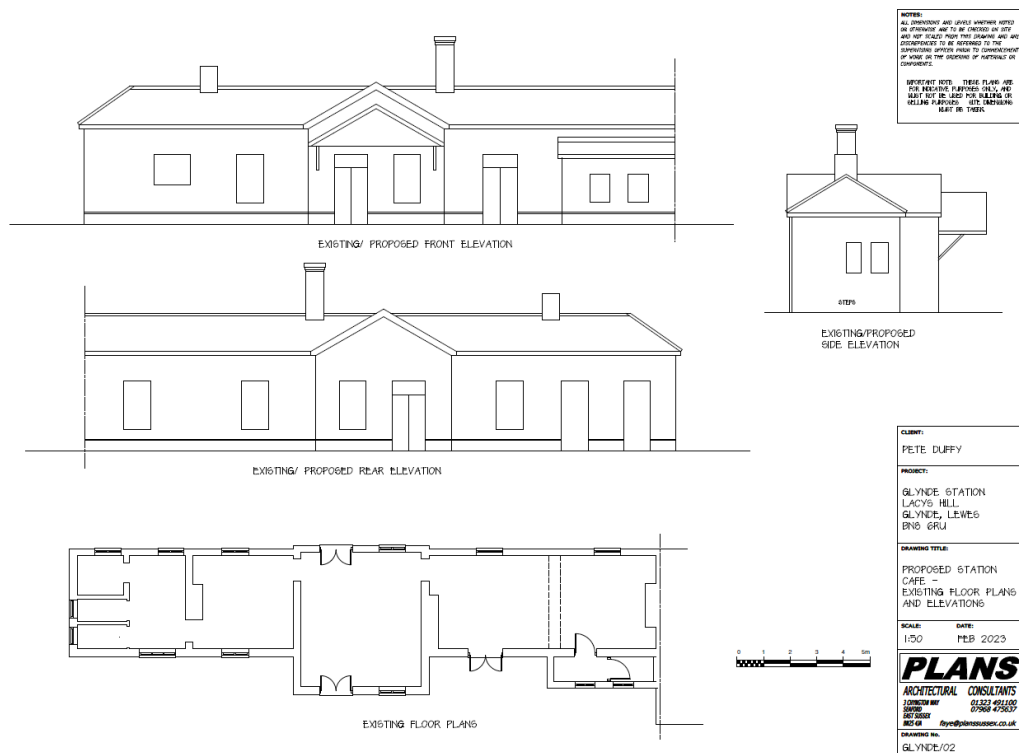
¹ In accordance with the guidance contained in HEAN 12 (Oct 2019)

² See Appendix I for selected list descriptions and non-designated HER entries of closest assets

- Assess the significance/value of the baseline built heritage assets and their settings;
- Identify and define the magnitude of impact of the proposed development on each heritage asset, including its setting, and the severity of the impact;
- Identify mitigation required where required; and
- Assess the proposed development impact and its effect on the significance of the asset taking into consideration any mitigation proposed.

The Proposals

- 1.6 The accompanying Application drawings give more details on the proposed works, where the Station will be re-configured internally to provide a bar area, seating for customers and storage facilities. The existing kitchen and toilet facilities will be extended with the kitchen extractor fumes expelled to the existing loft/chimney to the left of the front elevation.
- 1.7 External works would include the installation of a timber framed and clad bin storage area by the front entrance, the repair of the existing windows, with a different colour for the doors and windows.
- 1.8 The application is a resubmission of applications (ref SDNP/23/03422/FUL & SDNP/24/00706/FUL), refused *inter alia*, due to:
 - the impact of the proposal on neighbouring amenities through noise and unsociable activity,
 - negative impact on identified heritage assets,
 - the proposed change of use to a bar not falling within Class E,
 - the site being outside the settlement boundary and not meeting any of the exceptional circumstances outlined within policy; and
 - inadequate refuse provision.



The Existing & Proposed drawings, indicating no material alterations to the exterior of the station

1.9 The building works have been designed to satisfy several key objectives:-

- To preserve the external character of the property when viewed from the public highway or neighbouring properties.
- To preserve most of the existing layout of the original building on the site.
- To arrange the additional internal layout in a complementary form, recognising the site's current character.
- To provide a greater degree of commercial utility and useable internal circulation.
- To preserve the amenity of neighbouring properties.

1.10 These proposals are illustrated above to indicate the architectural approach and layout of the project. Located in the heart of historic Glynde, the general area has been developed over the centuries to produce a streetscene of great interest in design, massing and sense of enclosure (or lack of, in parts).



Vintage photograph of the Glynde Railway Station of 1846 and attached station house of 1874, with the then-Trevor Arms PH looming in the background

1.11 This results in the design that:

- seeks to preserve as much as possible the existing historic character, to provide an effective physical accommodation of the proposals on the site.
- Carefully repairs of windows and doors.
- has taken into account the established character of the locality and the relationship with the nature of the existing buildings.
- takes into account the presence and orientation of the adjacent properties, through acoustic and management measures, thus preserving their amenity and privacy.

2.0 Heritage Assets & Policy Context

- 2.1 There is one statutory provision relating to listed buildings and conservation areas which is relevant. That is the **Planning (Listed Buildings and Conservation Areas) Act 1990** is the legislative basis for decision-making on planning and listed building consent applications that affect the historic environment. Sections 66(1) and 72(1) of the Act impose a statutory duty upon local planning authorities to 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*’ and, in respect of conservation areas, that ‘*special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area*’.
- 2.2 There is of course a well-recognised distinction between the preservation of a conservation area on the one hand, and its enhancement on the other. In *South Lakeland District Council v Secretary of State for the Environment* [1991] 1 WLR 1322, the Court of Appeal had to decide what the word "preserving" in the statutory predecessor of section 72(1) of the Listed Buildings Act meant. It held that the character or appearance of a conservation area were preserved within the meaning of the provision where they were not harmed. Accordingly, a development which was neutral in its effect on the character or appearance of a conservation area – in the sense that it made no positive contribution to their preservation but left them unharmed – could properly be said to preserve its character and appearance. But one of the reasons why the Court of Appeal construed "preserving" in that way was because of its juxtaposition with the word "enhancing". As Sir Christopher Slade said at p.1330C-D:

‘The word ‘preserving’ is used in the subsection in conjunction but in contrast with the word ‘enhancing’, which itself imports the notion of positive improvement.’

Heritage Assets - National Planning Policy Considerations (NPPF)

- 2.3 The 19th December 2023 Revised National Planning Policy Framework is the statement of Government planning policies covering all aspects of the planning process. Chapter 16 outlines the Government’s policy regarding conserving and enhancing the historic environment. The policies in the NPPF are a material consideration which must be taken into account in development management decisions. The main paragraphs of direct relevance are outlined and grouped by intended purpose below.

i) Identifying the Objective

- 2.4 **Paragraph 195** considers that heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value, and that they are an irreplaceable resource, and should be conserved in a manner appropriate to their significance.

ii) Identifying a Strategy

2.5 **Paragraph 196** requires Local Plans to set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats, taking into account of the following in determining planning applications;

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

iii) Identifying Significance

2.6 **Paragraph 200** demands that local 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 asset's importance and no more than is sufficient to understand the potential impact of the proposal on their significance. This Heritage Impact Statement meets those requirements, but noting that *'where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation'*. This latter point will require the attention of a suitably-qualified person.

2.7 **Paragraph 201** outlines that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. It then outlines that they should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal. Following on from this exercise of identification, **Paragraph 203** requires, in the determination of applications local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness.

iv) Identifying Degrees of Harm

2.8 **Paragraphs 205-208** need to be read together and applied in cases where development would cause harm to the special interest of a designated

heritage asset, distinguishing degrees of harm and providing related threshold tests for the planning decision maker.

- 2.9 **Paragraph 205** states great weight should be given to the asset’s conservation (irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance), where **Paragraph 206** demands that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification³.
- 2.10 The NPPF requires that local planning authorities categorise harm as either ‘substantial’ or ‘less than substantial’.⁴ **Paragraph 207** is clear that where a proposed development will lead to substantial harm (or total loss of significance), local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits outweighing that harm or loss, or all of the following apply:
- a) the nature of the heritage asset prevents all reasonable uses of the site; and
 - b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
 - c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
 - d) the harm or loss is outweighed by the benefit of bringing the site back into use.
- 2.11 With regard to ‘less than substantial harm’ to the significance of a designated heritage asset, **Paragraph 208** considers that this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 2.12 In the case of non-designated heritage assets, **Paragraph 209** insists that the effect of an application on its significance should be taken into account in determining the application. In weighing such applications, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. Non-designated heritage assets of archaeological interest, which are demonstrably of equivalent significance to scheduled monuments, should be considered subject to the policies for designated heritage assets.

³ Substantial harm to or loss of: a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional; b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

⁴ The concept of harm should be approached with some caution. As the Court of Appeal Lord Justice Lewison stated ‘It is also clear as a matter both of law and planning policy that harm (if it exists) is to be measured against both the scale of the harm and the significance of the heritage asset. Although the statutory duty requires special regard to be paid to the desirability of not harming the setting of a listed building, that cannot mean that any harm, however minor, would necessarily require planning permission to be refused. I agree, therefore, with what the judge said at [61]:

‘...the duty to accord ‘considerable weight’ to the desirability of avoiding harm does not mean that any harm, however slight, must outweigh any benefit, however great, or that all harms must be treated as having equal weight. The desirability of avoiding a great harm must be greater than that of avoiding a small one. The desirability of avoiding harm to a high category heritage asset must be greater than that of avoiding a similar harm to a less important asset.’ (para 34) Palmer v Herefordshire Council and Anr [2016] EWCA Civ 1061.

v) *Identifying Mitigation*

2.13 In **Paragraph 210**, LPAs are exhorted to not permit the 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. On this basis, developers are required in **Paragraph 211** to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible.

vi) *Identifying Opportunities*

2.14 On the other hand, **Paragraph 212** encourages LPAs to look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, outlining that proposals preserving those elements of the setting making a positive contribution to the heritage asset, or better reveal its significance, should be treated favourably.

2.15 Concerning Conservation Areas and World Heritage Sites it states in **Paragraph 213** that:

'Not all elements of a Conservation Area or World Heritage Site will necessarily contribute to its significance. 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 207 or less than substantial harm under paragraph 208, 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.'

2.16 Finally, **Paragraph 214** encourages LPAs to assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies.

Policy Considerations

2.17 Chief local policy consideration is contained in the South Downs Local Plan (2014 – 33), Adopted 2 July 2019.

2.18 There are several Policies of relevance to this Appeal. These include⁵:

- **Strategic Policy SD4: Landscape Character**, where proposals will only be permitted when they will safeguard the experiential and amenity qualities of the landscape; and the settlement pattern and individual identity of settlements and the integrity of predominantly open and undeveloped land
- **Strategic Policy SD5: Design**, requires proposals to utilise architectural design which is appropriate and sympathetic to its setting in terms of height, massing, density, roof form, materials, night and day visibility, elevational and, where relevant, vernacular detailing; and have regard to avoiding harmful impact upon, or from, any surrounding uses and amenities.
- **Strategic Policy SD7: Relative Tranquillity** requires proposals to conserve and enhance relative tranquillity and should consider direct impacts that the proposals are likely to

⁵ These are selected from the Policies and are the elements felt to be most relevant to the Appeal proposals

cause by changes in the visual and aural environment in the immediate vicinity of the proposals, and proposals in poor tranquillity areas should take opportunities to enhance relative tranquillity where these exist.

- **Strategic Policy SD12: *Historic Environment*** where proposals will only be permitted where they conserve and enhance the historic environment, including through the safeguarding of heritage assets and their setting, which appropriately re-use redundant or under-used heritage assets with the optimal viable use, and will be supported where it secures their long-term conservation and enhancement, including of their setting.
- **Development Management Policy SD13: *Listed Buildings***, where proposals which affect a listed building or its setting will only be permitted when harm to the significance of the listed building or its setting is considered to be outweighed by public benefits by the Authority.
- **Development Management Policy SD15: *Conservation Areas***, where proposals within a conservation area, or within its setting, will only be permitted where they preserve or enhance the special architectural or historic interest, character or appearance of the conservation area. Sufficient information to support an informed assessment should be provided on Historic elevation features including fenestration, or shop fronts, where applicable.
- **Strategic Policy SD25: *Development Strategy***, where exceptionally, development will be permitted outside of settlement boundaries, where it complies with relevant policies in this Local Plan, and in the case of community infrastructure, there is a proven need for the development that demonstrably cannot be met elsewhere; or it is an appropriate reuse of a previously developed site, excepting residential gardens, and conserves and enhances the special qualities of the National Park.

2.19 The common thread running through these Policy requirements is that they ‘flag up’ the special interest of the structure or area, and impose, or enable the imposition, of more stringent controls than would otherwise be imposed by the ‘normal’ planning process over any activities which might harm it, thereby ensuring that full account will have been taken of that which is of special interest. From these points then, these particular proposals provide the following specific responses:

- The layout of the proposed has considered the impact on the fabric and setting of the Appeal site, adjacent buildings and the wider conservation area;
- Producing this Statement to assess the proposals;
- The layout is in a form that creates no irreversibly adverse impact on the identified heritage assets; and
- The design and layout of the proposed works will continue to preserve the remaining local historic ‘sense of place’.

2.20 In terms of the proposal itself, the three issues are firstly, the acceptable degree of impact on the overall character of the building; secondly, the impact on the amenity of neighbouring properties; and thirdly the potential visual impact on the streetscene. It is within this context that the Application is based on a considered proposal acknowledging the site’s physical parameters, so thereby respecting the established constraints of the site. Consequently the proposal to repair the fenestration and the overall intended use of the building are acceptable within Development Management terms and ensuring the preservation of the identified heritage assets and their settings.

3.0 Significance of the Heritage Assets

- 3.1 It is clear that understanding both the *nature of the significance* and the *level of importance* are fundamental to decision making, and that the analysis below assessing significance of the various relevant factors indicates the heritage asset possesses significant historic interest. The NPPF defines the significance of a heritage asset as:

‘the value to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset’s physical presence, but also from its setting.’

- 3.2 As ‘significance’ is the means by which the cultural importance of a place and its component parts can be measured and compared, understanding that significance makes it possible to develop proposals that will protect or enhance the character and cultural values of a site. The following brief assessment is therefore provided on the significance of the heritage assets that may potentially be affected by the application proposals and is proportionate to the importance of the asset and sufficient to understand the potential impact of the proposals, given their limited nature and extent.

Historic Evolution of The Locality

- 3.3 The Station was constructed in 1846 on the Lewes to Eastbourne line. Attached to the station building’s west gable is a now white-painted station house dating from 1874. The painted house is an early example of LB&SCR (London Brighton & South Coast Railway) architecture with casement windows, hood mouldings above and a slate porch.
- 3.4 The previous Applications were accompanied by a Design and Access Statement, incorporating a Heritage Statement, prepared by a company called Manorwood. Manorwood is a small team of well-qualified historic building professionals, apparently with *‘varied skills across different areas of the historic environment.’* The company was instructed to assess the proposals, which were summarised as:

The proposal comprises a programme of general repair works that the building currently needs to make it usable and ensure its long-term preservation.

The scheme also proposes a number of minor external and internal alterations to the property to improve its usability and, where possible, enhance its character. The proposed changes can be summarised as follows:

External:

- *Replacement of windows on a like-for-like basis.*
- *Change of colour of doors and windows.*

Internal

- *Minor alterations to layout.*
- *Reinstatement of original fireplaces.*

- 3.5 The proposals and their potential impact on the on the character of the building were discussed in Section 6 of the supporting report. It should be

noted that for this current Application, the windows will now be repaired rather than replaced.

- 3.6 From Manorwood's work on the document, it appears that the significance of Glynde Railway Station relies heavily on its traditional form and detailing, as well as on its legibility as a former Victorian station building. This contributes to the character and historical value of the Glynde Conservation Area.
- 3.7 The group of 19th century buildings formed by the station building, the station house and the mill form a good example of an early industrial cluster of significant group value. The industrial and early Victorian appearance of the group significantly enhances the aesthetics of the conservation area, providing it with a general appearance more characteristic of a northern town, rather than a Sussex downland village.
- 3.8 *'In summary, Glynde Railway Station is a good example of a mid-19th century station building of historical and aesthetic significance, which together with the associated station house and mill, contribute to the character of the Conservation Area'* (para 4.11).
- 3.9 Having established the Significance of the locality, Section 5 details the repair the windows and doors. The colour scheme would be changed from blue to the more appropriate colour scheme of green and broken white. Manorwood's conclusion is that the works as described are, *'as a whole and on balance, the proposed works are considered to have a positive impact on the character and long-term preservation of the building by re-instating and repairing original features and ensuring its usability. The works are, therefore, deemed to contribute to the character of the Conservation Area'* (para 5.15).
- 3.10 A reading of the supporting document indicates the Significance of the non-designated heritage asset has been properly assessed and identified, and the impact of the proposals can be carefully designed to limit any harm to matters of importance in respect of heritage and questions of preservation and enhancement.
- 3.11 Following on from that document prepared by Manorwood, this Heritage Impact Assessment has examined further some of the aspects of the matter of Significance, as briefly set out in the section below.

Significance in Heritage Terms

- 3.12 There are four main aspects of significance: evidential (or archaeological), historical, aesthetic and communal. Within these categories of heritage value the level of significance can be measured and assigned to a hierarchical structure:

Definition of Heritage Significance	
Level of Value	Definition
Exceptional	<i>an asset important at the highest national or international level; includes scheduled ancient monuments, Grade I and II* listed buildings and World Heritage Sites. The NPPF advises that substantial harm to such assets should be wholly exceptional</i>
High	<i>a designated asset important at a national level, including Grade II listed building and conservation areas. The NPPF advises that substantial harm to such assets should be exceptional</i>
Moderate	<i>a non-designated asset important at local to regional level, including buildings on a Local List (non-statutory). Can also include less significant parts of listed buildings and conservation areas. Heritage assets in this category should be retained where possible, although there is usually scope for adaptation</i>
Low	<i>structure or feature of very limited heritage value and not defined as a heritage asset. Includes later additions to listed buildings or settings that are of low value. The removal or adaptation of structure or features in this category is usually acceptable where proposals will enhance a related heritage asset</i>
Negative	<i>structure or feature that harms the value and significance of a heritage asset. Wherever practicable, removal of negative features should be considered, taking account of setting and opportunities for enhancement</i>

3.13 On the basis of the analysis, the four different types of value (with the assessment in italics) that can contribute to significance are identified as follows:

Evidential value: where a building, structure or place provides primary evidence about the past. This can be natural or man-made and applies particularly to archaeological deposits, but also to other situations where there is no written record.

The nature of the proposals is potentially unlikely to reveal anything by way of archaeology. There is limited archaeological information for this area, and there has been little archaeologically significant development within locally since archaeology has been included in the Planning process.

*In the case of this and neighbouring sites, map regression, documentary and physical evidence indicate the locality has a history of activity dating from the post-medieval period onwards. It is expected that any archaeological evidence dating from before this period would relate to early small-scale agricultural activity. There is therefore a reasonable degree of potential for below ground archaeological evidence to survive associated with the post-medieval era that could contribute to the understanding of the historical development of this locality. **The evidential value is therefore moderate.***

Historical value: where it illustrates some aspect of the past, and this helps to interpret the past, or that it is associated with an important person, event or movement.

*The existing building's date and location raises its historic significance as a contributor to the character and appearance of the conservation area. The station and house are a reminder of the industrial and transport development of the area. As such it reflects the social and technological evolution of the local community over some 180 years. **The historic value is therefore high.***

Aesthetic value: where this may derive from conscious design, including the work of an artist or craftsman; or it may be the fortuitous outcome of the way a building or place has evolved.

Aesthetically, the station and house on the site are relatively unremarkable within railway architecture typologies, but have preserved much of its historic architectural detailing: as such it again makes a considerable contribution to the character and appearance of this distinctive streetscene.

*The character forms part of the setting to Glynde's buildings, with their surviving social, economic and historic associations. The integrity of the wider townscape is greatly enhanced through the preservation of buildings such as these. **The aesthetic value is therefore high.***

Communal value: where regardless of their historical or aesthetic value, many buildings or places are valued for their symbolic or social value or the local identity which they provide.

In respect of the identified properties, public access is available, and can be appreciated by passing pedestrians and longer views southwards from the public highway.

*The buildings are a good example of transport and domestic properties representing the urban economic and social structure of the locality in the 19th century. The ability to interpret the contribution of the heritage assets of the village for the community/public is well understood through the listing and conservation area process, which can give a reasonably deep appreciation of the historical development, considerably enhancing the understanding the contribution of the heritage asset makes to the wider history of Glynde and the impact on the site's social evolution upon the wider landscape and community. **The communal value is therefore high.***

Summary of Significance

3.14 The significance of Glynde Railway Station therefore lies in a modest but conscious quality and typicality of its railway system-related architecture, and the distinctive form and layout, which contains a substantial number of surviving features of historic or architectural interest, as well as those of lesser interest, but collectively they have a relatively high historic value. The main features of significance are therefore:

- Surviving 19th and 20th century details
- mix of building types and uses, mainly built from the early to mid-19th century
- Association with the evolution of the village as a minor industrial community and provider of hostelry facilities on the main South Coast Line.

4.0 Assessment of Setting

'The significance of a heritage asset derives not only from its physical presence and historic fabric but also from its setting - the surroundings in which it is experienced.'

(English Heritage, 2012).

4.1 The National Planning Practice Guidance Notes states:

'Heritage assets may be affected by direct physical change or by change in their setting. Being able to properly assess the nature, extent and importance of the significance of a heritage asset, and the contribution of its setting, is very important to understanding the potential impact and acceptability of development proposals' (Paragraph: 007 Reference ID: 18a-007-20190723).

Historic Environment Good Practice Advice in Planning Note 3: *The Setting of Heritage Assets (Historic England) Second Edition 2017 (GPA3)*

4.2 The purpose of this amended and republished Advice note⁶ is to provide information on the concept and acknowledgement of the nature of 'setting'. The setting of a heritage asset may reflect the character of the wider townscape or landscape in which it is situated, or be quite distinct from it. The contribution of setting to the significance of heritage assets, and how it can enable that significance to be appreciated, will almost always include the consideration of views. (Advice Note **para 5**). Views can of course be valued for reasons other than their contribution to heritage significance, and may be related to the appreciation of the wider landscape, where there may be little or no association with heritage assets (**para 6**).

4.3 The GPA3 sets out 5 steps to dealing with setting and development. These are:

1. *identifying the heritage assets affected and their settings;*
2. *assessing whether, how and to what degree these settings make a contribution to the significance of the asset;*
3. *assessing the impact of the proposed development on the significance of the assets;*
4. *maximising impact and minimising harm;*
5. *making and documenting the decision and monitoring outcomes.*

4.4 Settings, views and vistas go to the vital integral relationship between the building and the historic townscape. GPA3 advises that:

'For developments that are not likely to be prominent or intrusive, the assessment of effects on setting may often be limited to the immediate surroundings, while taking account of the possibility that setting may change as a result of the removal of impermanent landscape or townscape features, such as hoardings or planting' (**para 15 p8**)

4.5 **Paragraph 17** of GPA3 reconfirms that all heritage assets have significance, where the contribution made by their setting to their specific significance varies. Furthermore, although many settings may be enhanced by development, not all settings have the same capacity to accommodate change without harm to the significance of the heritage asset. However, as **Paragraph**

⁶ It replaces *The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning Note 3 – 1st edition, (2015)* and *'Seeing the History in the View: A Method for Assessing Heritage Significance Within Views'* (English Heritage, 2011).

18 states ‘*Conserving or enhancing heritage assets by taking their settings into account need not prevent change; indeed change may be positive, for instance where the setting has been compromised by poor development.*’

- 4.6 When assessed against the Local Development Plan Policies as outlined in Section 2.0 above, it is the Appellant’s contention that the development is acceptable in principle, given the history and nature of development around the site - a matter that should rightly be accorded great weight, along with the potentially successful assimilation of the Appeal proposals into the historic environment. All the quoted Policies, if they are to be given due weight, are as expected by the NPPF required to allow for a balancing exercise between the proportionate harm and benefit.
- 4.7 Guidance on the meaning of ‘substantial harm’ is given in paragraph 18 of the National Planning Practice Guidance (2019), as follows:
‘In general terms, substantial harm is a high test, so it may not arise in many cases. For example, in determining whether works to a listed building constitute substantial harm, an important consideration would be whether the adverse impact seriously affects a key element of its special architectural or historic interest. It is the degree of harm to the asset’s significance rather than the scale of the development that is to be assessed. The harm may arise from works to the asset or from development within its setting.’
- 4.8 To expand on the response to the Policy intentions outlined above, the main issues in this Appeal are therefore the impact the proposal would have on the townscape character of the locality, both in itself and also on wider the conservation area, and the impact on the adjacent listed buildings. In the former respect the statutory and policy background against which impacts on the identified heritage assets should be considered and, in the event of an appreciable degree harm (ie less than substantial) to any of those assets, the nature of the planning balance required to be undertaken.
- 4.9 Thus it is clear that, in considering a development proposal, what has to be assessed is the effect there would be, not just on the setting in itself, but the effect on the level of significance of the heritage asset concerned, and the contribution the setting makes to the significance of the specific heritage asset.
- 4.10 The important point here is not to try to define the extent of a setting in any particular case, but to establish the contribution setting makes to significance, and then whether development in its setting would harm that contribution – the key is the relationship between the proposal and the heritage asset.

Significance

- 4.11 The definition of ‘Significance’ (for heritage policy) is:
‘... The value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset’s physical presence, but also from its setting.’

- 4.12 In cases such as these proposals, it is often difficult to dissociate townscape impact from heritage impact. The site can be considered as part of a valued townscape largely because of its transport heritage connections. In the context of impact on the site, townscape and conservation area it is not unreasonable to look at townscape quality and impact in purely physical or visual terms and to consider historical value and significance separately.
- 4.13 Any effects upon townscape character of the development in itself are unlikely to be viewed as ‘significant’ and therefore the key features constituting the townscape character of the site are likely to be preserved to a sufficiently acceptable degree. The Appellant is therefore confident that the wider townscape remains effectively unharmed by the Appeal proposals. Further, the acoustic mitigation also plays a considerable role in this assessment.
- 4.14 Although the ‘setting’ of a listed building is a concept recognized by statute, it is not statutorily defined. Nor does it lend itself to precise definition⁷. It will always be a matter of fact and judgment for the Planning decision-maker. In *Williams* the Court stated that if ‘*a proposed development is to affect the setting of a listed building there must be a distinct visual relationship of some kind between the two – a visual relationship which is more than remote or ephemeral, and which in some way bears on one’s experience of the listed building in its surrounding landscape or townscape*’ (paragraph 56).
- 4.15 It has also been accepted that the effect of development on the setting of a listed building is not necessarily confined to visual or physical impact. As said in *Palmer*⁸, ‘[although] *the most obvious way in which the setting of a listed building might be harmed is by encroachment or visual intrusion, it is common ground that, in principle, the setting of a listed building may be harmed by noise or smell*’.
- 4.16 This is reinforced in the *Kedleston* case⁹
- ‘The facts and circumstances will differ from one case to the next. It may be that the site of the proposed development, though physically close to a listed building, has no real relationship with it and falls outside its setting, while another site, much further away, nevertheless has an important relationship with the listed building and is within its setting (see the discussion in sections 14.3, 15.2 and 15.8 of Mynors and Hewitson’s “Listed Buildings and Other Heritage Assets”, fifth edition). Under current national planning policy and guidance in England, in the NPPF and the PPG, the decision-maker has to concentrate on the “surroundings in which [the heritage] asset is experienced”, keeping in mind that those “surroundings” may change over time, and also that the way in which a heritage asset can be “experienced” is not limited only to the sense of sight. The “surroundings” of the heritage asset are its physical surroundings, and the relevant “experience”, whatever it is, will be of the heritage asset itself in that physical place’.*
- 4.17 The impacts of the proposed development on the setting of designated and non-designated heritage assets within the locality have therefore been

⁷ see *R. (on the application of Williams) v Powys County Council* [2017] EWCA Civ 427, at paragraphs 53 to 58

⁸ *R. (on the application of Palmer) v Herefordshire Council* [2016] EWCA Civ 1061 (paragraph 5)

⁹ *Catesby Estates Ltd and SSCLG v Steer* [2018] EWCA Civ 1697 (paragraph 29)

assessed as required under paragraph 205 of the NPPF. These are mainly related to views from, to and across the heritage assets.

- 4.18 A 'Zone of Visual Influence' defines the areas from which a development may potentially be totally or partially visible by reference to surrounding topography. The analysis does not take into account any landscape artefacts such as trees, woodland, or buildings, and for this reason is increasingly referred to as a 'Zone of Theoretical Visibility'. In this context, the site is to be viewed from the north as a contributory part of the streetscene: invisible currently from the east and south, where visibility is more closely confined by intervening buildings (The Trevor Arms PH) and levels, limiting intervisibility with the wider townscape from these directions.

Impact on Setting

- 4.19 The range of circumstances in which setting may be affected and the number of heritage assets that may be involved precludes a single approach for assessing effects. **Paragraph 33** of the Note states different approaches will be required for different circumstances. In general, however, this assessment can address the key attributes of the proposed development in terms of its:

Location and siting – *the need to respect the integrity of the station's layout and the limits the options in terms of locational choices.*

Form and appearance – *the design and materials of the proposed reflects in a considered way the general extent of the current site and building layout and so the visual impact from the various viewpoints. Given the proximity to the other identified heritage assets, the refurbishment will have a negligible effect on the setting of these heritage assets.*

Additional effects – *the provision of an enhanced use for the existing building will preserve and enhance the character and setting of the wider conservation area.*

Permanence – *the proposals are a permanent but otherwise ultimately reversible insertion within the setting of the existing townscape.*

- 4.20 From the results of this Heritage Impact Assessment, a major conclusion to be drawn is that the proposals cannot tenably be evaluated at the levels of harm as set out in the Reasons for Refusal. Even equating 'change' with 'degree of harm', the context of this built environment indicates that it is strongly arguable that even the most sensitive of assessors would estimate the proposed impact as at the very lowest end of the spectrum of 'less than substantial harm'. Any other part of the spectrum would be overstating the case for refusal.
- 4.21 The proposed development will cause no meaningful harm to the significance of the identified assets – Conservation Area, the Listed Buildings, the non-designated heritage assets and general streetscene, or their settings - due to the lack of an appreciable visual impact of the proposed development or change of use would have on this locality.

5.0 Summary of Impact of Proposals

- 5.1 In determining this Application, it would seem that the main issue would be, due to lack of detail regarding the proposals, the impact of noise on the site itself and the setting of the nearby designated and non-designated heritage assets, the consequences for the wider streetscape and thus the character and appearance of the conservation area. The proposed development – confined essentially to a Change of Use and refurbishment of existing features - reflects an understanding of the evolution of the station and context, providing a pragmatic response. The Manorwood Design & Access and Heritage Statement is correct on its assessment of the history and significance of the railway station buildings and the extent of the works that could preserve and enhance the structures. This conclusion is also supported within the Planning Authority through the response of the Design & Conservation Officer.
- 5.2 Although the Case Officer is entitled to draw their own conclusions in assessing the Planning Balance and any other material factors in deciding the outcome of a Planning Application, it is important to note that the Design & Conservation Officer, in response to the consultation on Application Ref: SDNP/24/00706/FUL, has commented as follows:-

***Conclusion:** The proposal will bring back to life, this interesting and important building, its use once again primarily providing shelter, food and beverages to both train passengers, local residents and other visitors. The station is part of a characterful Victorian ensemble of buildings reflecting a more industrial era in the local history, as well as the buildings importance in a social and domestic context.*

Although Grade II listed Glynde Mill is in close proximity to the station building, it is considered that the proposal will provide an enhancement to Glynde Mill and the wider conservation area setting.

Although not listed the Station building's recognition as a NDHA has been considered with the comments provided. As noted above the applicant is reminded of the importance of the interior works to the building and to retain and preserve where possible.

Should any unforeseen issue and works arise if/when work commences, then applicant is advised to contact the conservation officer directly for advice, if needed. This is encouraged.

This is an interesting and cheerful proposal and if completed with care, as specified in the application, along with the comments and considerations provided in this document, the repurposing of the station will have positive impact on the character and appearance of the conservation area'.¹⁰

Dated 18/3/24

- 5.3 It is clear that the Council's own heritage specialist considers that the cultural and historic heritage of the area would not be compromised by the careful implementation of the proposals and secured through appropriately-worded Conditions, and by extension, it can be concluded (given the *rationale* of the relevant Reasons for Refusal) nor would the amenity of the area be detrimentally affected to any meaningful extent.

¹⁰ The Officer report comments 'It is noted that no objection has been received from the Design and Conservation officer, however the planning officer respectfully disagrees with this opinion'. However, it would be more accurate to class the 'no objection' as more along the lines of 'fulsome support'.

Summary of Impact Assessment

- 5.4 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires the decision maker, in considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest. Section 72(1) of the Act requires that, in the exercise of planning powers in conservation areas, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.
- 5.5 Therefore there are two relevant issues against which these proposals are measured:
- Whether the proposals, described in the application, conserve the special interest and architectural significance of the designated and non-designated heritage assets; and
 - Whether the proposals harm the character and appearance of the setting of the building and heritage assets when viewed from the wider area.

Definition of Level of Impact on Heritage Significance	
<i>Level of Impact</i>	<i>Definition</i>
Total Loss	Total loss of the Historic Asset and its elements of significance
Substantial Harm	Major alterations to the Heritage Asset removing most area of significance but leaving some areas of special interest
Moderate Harm – Less Than Substantial Harm	Loss of one or more high level areas of special interest of the Heritage Asset
Slight Adverse Impact	Slight alteration resulting in some small loss of special interest
Negligible	Very slight or negligible loss of significance of the Heritage Asset
None	The proposed development has no discernible impact on the significance of the Heritage Asset
Slight Beneficial	Slight enhancement of one aspect of special interest of the Heritage Asset
Moderately Beneficial	Moderate enhancement of one aspect of special interest of the Heritage Asset
Highly Beneficial	Major alterations resulting in wholesale enhancement of the significance of the Heritage Asset

- 5.6 Overall there would not be an appreciable impact upon the fabric the heritage asset – the unlisted Appeal building. There will be some potential impact of the proposed use, but this will not, in itself, constitute any degree of harm that would warrant an objection or refusal. The overall impact and significance of effects of the proposed development on the historic fabric of the locality has been assessed as **Moderately Beneficial** (as defined above) when measured against the degree of preservation proposed for the physical structure of the building.
- 5.7 From the results of the original Heritage Statement and this Impact Assessment, a major conclusion to be drawn is that the proposals cannot

tenably be evaluated at a meaningful level of harm to the heritage assets as envisaged under NPPF paras 207 or 208. In the case of non-designated heritage assets such the station, Para 209 insists that the effect of an application on its significance should be taken into account in determining the application. In weighing such applications, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

- 5.8 Even for para 209, equating 'change of use' with a 'degree of harm', the context of this built environment indicates that it is strongly arguable that even the most sensitive of assessors would estimate the proposed impact as at the very lowest end of the spectrum of 'less than substantial harm'. Any other part of the spectrum would be overstating the case for refusal on heritage impact grounds.
- 5.9 Given the impact of the proposals on the non-designated heritage asset are low, then proportionately, the benefits are both long-term are proportionate to the impact on the identified heritage assets (see Appendix II below).
- 5.10 The lack of visible alterations to the building decreases to an effective degree the significance of the site's visual impact on the streetscape and the surrounding conservation area. The proposed in design is sympathetic to its context, where the external visual impact on the setting of the other heritage properties in the conservation area will be **None** (as defined above).
- 5.11 As noted in the Report '*Briefing on the Value of Heritage Railways*' for the All Party Parliamentary Group (April 2023), significant social and economic benefits are derived from developing heritage railways. This also applies to some extent to the railway heritage features still existing on the current rail system. The proposal would benefit tourism interests in this part of Sussex and assist in strengthening the local economy. Social benefits would also ensue with rail enthusiasts (and local people) visiting the revitalised facilities that would replace the now-lost Trevor Arms PH. The proposal would also offer educational benefits in being able to interact with an intact village railway station. These benefits carry proportionally considerable weight.
- 5.12 The proposed development is within appropriate material specifications and utilises a pragmatic approach to evolving the site, ensuring existing environment is preserved where possible, particularly if appropriately-worded Conditions were fielded by the Planning Authority. The proposed development has an overall neutral impact as it preserves the character of the original site layout and the wider area and is, in this specific context, considered to be of an appropriate design and scale in accordance with NPPF and the Local Plan Policies.

6.0 Conclusions

- 6.1 The principle of the proposed works is considered acceptable on the basis of the fact that the proposals have been subject to detailed commentary in accordance with the Conservation Officer's governing principles on preservation and enhancement, have been assessed against the relevant national and local planning policies and their impact on the significance of the non-designated heritage asset, the adjacent Grade II listed buildings and of the Glynde Conservation Area and further heritage assets within it. The conclusion of this Statement is that the proposals will lead to wholly positive benefits, proportionate to the perceived impact of the proposals on the above heritage assets.
- 6.2 The manner with which these individual interventions would respect the station building in the Glynde Conservation Area will be sensitively achieved – individual interventions in high quality materials which signify change and activity without competing with the host building, the adjacent listed buildings and setting or the surrounding villagescape. Furthermore, the quality of the design proposed, its considered scale, form and materiality provide a contextual response which is a worthy addition to the setting of the listed buildings, would further reinforce the particular character and appearance of this part of the conservation area.
- 6.3 The requirement to conserve heritage assets in a manner appropriate to their significance is important, and is wholly consistent with its historic functions. This Statement has demonstrated that great weight has been given to the assets' conservation, ensuring that the impact of the proposals on historic fabric is the absolute minimum necessary, whilst ensuring that the new interventions form sensitive additions which take their place alongside the heritage assets significance and within the evolved townscape which makes up the Glynde Conservation Area.
- 6.4 It is also important, with regard to policies 207 and 208 relating to 'substantial' harm and 'less than substantial' respectively, to consider the potential extent of harm which could be identified through the proposals. As outlined in the National Planning Policy Guidance (Paragraph 18) 'substantial' harm is a high test whereby the adverse impact seriously affects a key element of its special architectural or historic interest. As has been clearly outlined throughout the original Heritage Statement, the proposals have been carefully designed to ensure that they are sensitive to the identified special interests.
- 6.5 In accordance with paragraphs 208 & 209 relating to 'less than substantial harm' and non-designated heritage assets, the NPPF states that benefits arising from proposals, and in particular public benefits including securing the optimum viable use of a heritage asset, should be part of the 'weighing up' process. Here the proposals are exceptionally strong, and the genuine, meaningful, and lasting public benefits the proposals will secure is

proportionate to the proposal's impact. Given the impact of the proposals on a non-designated heritage asset are low, then proportionately, the Public Benefits are both long-term are proportionate to the impact on the identified heritage assets.

6.6 Paragraph 20 of the National Planning Practice Guidance states that public benefits which follow from development could be anything that delivers economic, social or environmental progress, as described in the National Planning Policy Framework (Paragraph 8). Public benefits may include heritage benefits, such as:

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

6.7 The character of the area stems as a whole from the interplay of heterogeneous structures of various designs and the surrounding active townscape. The actual site of the Appeal proposal is in a prominent position as it is seen in partial views against the backdrop of an existing townscape and boundary treatments.

6.8 The Officer Report and Reasons for Refusal on SDNP/24/00706/FUL indicate that there will be some impacts on the setting of the existing listed buildings and Conservation Area in relation to potential noise issues. Case law as cited above allows for the possibility of noise and smells can impact on heritage assets, vicariously through the impact on neighbour amenity. Nevertheless, given that the proposals are consistent with the established historic character of the area, the effects on their settings would be effectively neutral if resolved through acoustic-dampening solutions. The scheme design and materials have been arranged to respect the general character and appearance of the area's properties and so mitigate to a high degree the visual and heritage impacts of the proposals.

6.9 The Public Benefits of preserving prominent 'otherwise difficult to find new uses for' heritage assets cannot be set aside lightly for a once-public building adjacent to the now-closed Trevor Arms PH. While the enhancement of the heritage and the character of the area are desirable in policy and guidance terms, then development could still be permitted even if the heritage or the character of the area were not going to be improved by it, provided that the heritage and the character of the area were not going to be adversely affected by it. On balance of the issues, the scheme would be acceptable on these merits and so it is respectfully suggested that the Application be approved.

APPENDIX I Selected Listed Building & HER Entries

BEDDINGHAM GLYNDE Glynde Mill

II

Early C19. Three storeys. Four windows. Ground floor faced with flints with red brick dressings and quoins, above slate-hung. Slate roof. Glazing bars intact above ground floor which has modern windows.

Listing NGR: TQ4577308697

BEDDINGHAM GLYNDE Trevor Gardens [Nos 17 to 34 (consec)]

II

Long range stepped up the hillside. Late C19. Probably erected by Henry Brand, Viscount Hampden, of Glynde Place, who died in 1892. Two storeys. Eighteen windows in all. Faced with flints with dressings, quoins at each end and flush stringcourse, all of red brick and grey headers. The stringcourse is stepped up after each pair. Small gable over each first floor window. Tiled roofs. Casement windows. Pointed doorways with brick lintels. Low flint walls to the front gardens.

Listing NGR: TQ4582308551

BEDDINGHAM GLYNDE Trevor Gardens [Nos 1 to 10 (consec)]

II

Two similar but detached blocks of cottages at right angles to each other. Dated 1867. Erected by Henry Brand, Speaker of the House of Commons, later Viscount Hampden, of Glynde Place. Two storeys. One window per cottage. Faced with flints with red brick dressings and quoins of red brick and grey headers. Tiled roofs. Casement windows with brick dripstones over. The cottages are arranged in pairs with 2 gables to each pair, a recessed portion between containing 2 doorways with brick dripstones and a recessed portion at each end containing one such doorway.

Listing NGR: TQ4571808513

GLYNDE Wharf Cottage

II

Early C19. Two storeys. Two windows. Slate-hung. Slate roof. Casement windows. Cottage door.

Listing NGR: TQ4577008829

GLYNDE Garden wall and gate piers to west of Wharf Cottage

II

Early C19. Stall front garden is enclosed on the west by a low flint wall in which are set 3 round flint gate piers with conical cemented caps.

Listing NGR: TQ4576408827

GLYNDE THE STREET Glynde And Beddingham Working Mens Club Including Nos 4-7 Hampden Gardens

(Formerly listed as GLYNDE Nos 5 and 7 (Hampden Gardens) and The Glynde and Beddingham Working Mens Club)

II

Dated 1887. Erected by Henry Brand, first Viscount Hampden, of Glynde Place. Two storeys. Four windows. Faced with flints with red brick dressings and Quoins. Tiled roof. Casement windows with brick dripstones over. Central projection with two gables and doorway with stone dripstone and pointed fanlight. Smaller gables over first floor windows.

Listing NGR: TQ4575308880

Name: Glynde Station: C19 station

HER Ref: MES1237

Type of record: Building

Designations - none recorded

Summary

19th century station (extant)

Grid Reference: TQ 458 086

Parish: BEDDINGHAM, LEWES, EAST SUSSEX

Map: [Show location on Streetmap](#)

Monument Types

RAILWAY STATION (AD 19th Century - 1800 AD to 1899 AD)

Description

LB&SCR built in 1846 on the Lewes to Eastbourne line. The white painted house is an early example of LB&SCR architecture with casement windows, hood mouldings above and a slate porch, the single storey extension dates from 1874. In the yard was a steam roller corn mill, the building of which remains. Behind the up platform can be still made out a siding which ran under the road into Balcombe pit where lime was made. As correct in 2003 [1].

Sources

<1> Report: Sussex Industrial Archaeology Society. SAIS newsletter 118/2003.

Associated Events - none recorded

Associated Monuments - none recorded

Associated Finds - none recorded

APPENDIX II National Planning Practice Guidance

The National Planning Practice Guidance (NPPG) was published on 23 July 2019 to support the National Planning Policy Framework (NPPF) and the planning system. It includes particular guidance on matters relating to protecting the historic environment in the section: ‘*Conserving and Enhancing the Historic Environment*’.

Paragraph 18: How can the possibility of harm to a heritage asset be assessed?

What matters in assessing whether a proposal might cause harm is the impact on the significance of the heritage asset. As the National Planning Policy Framework makes clear, significance derives not only from a heritage asset’s physical presence, but also from its setting.

Proposed development affecting a heritage asset may have no impact on its significance or may enhance its significance and therefore cause no harm to the heritage asset. Where potential harm to designated heritage assets is identified, it needs to be categorised as either less than substantial harm or substantial harm (which includes total loss) in order to identify which policies in the National Planning Policy Framework (paragraphs 199-203) apply.

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

Whether a proposal causes substantial harm will be a judgment for the decision-maker, having regard to the circumstances of the case and the policy in the National Planning Policy Framework. In general terms, substantial harm is a high test, so it may not arise in many cases. For example, in determining whether works to a listed building constitute substantial harm, an important consideration would be whether the adverse impact seriously affects a key element of its special architectural or historic interest. It is the degree of harm to the asset’s significance rather than the scale of the development that is to be assessed. The harm may arise from works to the asset or from development within its setting.

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

The National Planning Policy Framework confirms that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). It also makes clear that any harm to a designated heritage asset requires clear and convincing justification and sets out certain assets in respect of which harm should be exceptional/wholly exceptional (see National Planning Policy Framework, paragraph 200).

20: What is meant by the term public benefits?

The National Planning Policy Framework requires any harm to designated heritage assets to be weighed against the public benefits of the proposal. While the impact of total destruction is obvious, partial destruction is likely to have a considerable impact but, depending on the circumstances, it may still be less than substantial harm or conceivably not harmful at all, for example, when removing later additions to historic buildings where those additions are inappropriate and harm the buildings’ significance. Similarly, works that are moderate or

minor in scale are likely to cause less than substantial harm or no harm at all. However, even minor works have the potential to cause substantial harm, depending on the nature of their impact on the asset and its setting. The National Planning Policy Framework confirms that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). It also makes clear that any harm to a designated heritage asset requires clear and convincing justification and sets out certain assets in respect of which harm should be exceptional/wholly exceptional (see National Planning Policy Framework, paragraph 200). Public benefits may follow from many developments and could be anything that delivers economic, social or environmental objectives as described in the National Planning Policy Framework (paragraph 8). Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits, for example, works to a listed private dwelling which secure its future as a designated heritage asset could be a public benefit.

Examples of heritage benefits may include:

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