

Planning Inspectorate Reference: APP/X1735/W/20/3259067

Havant Borough Council Reference: APP/19/00427



**Appeal by Bargate Homes against the refusal by Havant Borough
Council for the erection of 50 dwellings together with access,
landscaping and open space at Lower Road, Bedhampton, PO3 3NB**

Town and Country Planning Act

Node Urban Design Ltd

**Proof of Evidence
In Relation to Heritage Matters**

Jack Hanson BA MA AssocIHBC

January 2021

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1.0 INTRODUCTION

- 1.1 My name is Jack Hanson. I am the Senior Heritage Consultant of Node Urban Design Ltd, an award-winning urban design, landscape and heritage practice. My full qualifications are set out in **Appendix 1**. Supporting plans, photographs, and documents for the proof are included within the Core Documents together with supporting information at **Appendix 2** of this proof.
- 1.2 I have 10 years' experience of providing heritage advice and services on a variety of residential and mixed used developments across England. I am a specialist in understanding impacts of development upon historic areas, including conservation areas, and the setting of heritage assets.
- 1.3 I have undertaken conservation area appraisals for multiple local authorities, including within rural villages and coastal settlements. My historic area assessment and derivative conservation area appraisal for Sutton High Street, London, were nominated for the national RTPi Awards for Planning Excellence 2020. I have undertaken characterisation studies of villages on behalf of local authorities and Historic England, including commissions to qualify the contributions made by their settings to character and significance. The quality and depth of my characterisation expertise was recognised through commission as a lead external heritage advisor to the *National Historic Landscape Characterisation* initiative, co-funded by Natural England and Historic England.
- 1.4 I have extensive experience in understanding the setting of heritage assets, and assessing the potential impacts of new development upon it. I have applied this expertise for a variety of residential and mixed used developments across England, representing both developers and local authorities. In 2017 was selected by Historic England to form part of a small team of experts to devise and deliver the three year, 50 event national "Essentials" training programme, building capacity within local authority planning teams in respect of key areas of heritage management. The setting of heritage assets was a core topic. I play a leading role in Node's ongoing commission to advise Historic England on their strategies for assessing the impacts of tall buildings on the historic environment. I also lead Node's ongoing commission to support Historic England's response to the 'Planning for the Future' (MHCLG, 2020) white paper. Having co-authored Historic England's white paper consultation response in respect of the proposed use of design codes, I am now actively contributing to the creation of new national good practice guidance on the use of codes to promote positive design for development affecting heritage assets, including within their settings.

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- 1.5 Node has been involved in a significant number of planning applications where the setting of heritage assets has been an important consideration. This has included acting on behalf of local planning authorities and applicants during the application process, including the production of heritage statements and townscape and visual impact assessments.
 - 1.6 The practice acts as a consultant to both public and private sector clients including local authorities, developers, house builders, universities and landowners.

2.0 SCOPE OF EVIDENCE

2.1 Two reasons for refusal were presented by Havant Borough Council within their decision notice dated 26th March 2020 in respect of application APP/19/00427.

2.2 My evidence is of relevance **only to the first reason for refusal**, which states:

“The proposed development would adversely affect the open character and appearance of the setting to this part of the Old Bedhampton Conservation Area by reason of the scale of the development and the loss of agricultural land which provides a setting to the Conservation Area. These adverse effects are not outweighed by the benefits of the scheme. The proposal is therefore contrary to Policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011, Policy DM20 of the Havant Borough Local Plan (Allocations) 2014, and the National Planning Policy Framework.”

2.3 In my evidence I will demonstrate the nature, level and extent of adverse impact upon the Old Bedhampton Conservation Area resulting from the proposed development within its setting. The adverse impact will be demonstrated through an assessment which takes full account of requirements and best practice established within National Planning Policy Framework (NPPF), National Planning Practice Guidance (NPPG), and Historic England advice notes ‘Historic Environment Good Practice Advice in Planning 2: Managing Significance in Decision-Taking in the Historic Environment’ (GPA2) and ‘Historic Environment Good Practice Advice in Planning 3: The Setting of Heritage Assets’ (GPA3).

2.4 I will demonstrate that the local planning authority placed appropriate weight on the identified adverse impacts to Old Bedhampton Conservation Area in enacting the planning balance, relative to the requirements placed upon them by the Planning (Listed Buildings and Conservation Areas) Act 1990, NPPF, and the local planning framework.

2.5 I will not present a position as to the degrees of public benefits associated to the proposed development, nor whether such benefits are sufficient to outweigh the adverse effects of the application on Old Bedhampton Conservation Area. Providing an accurate and credible assessment of this area, requiring careful consideration of economic, social and other environmental benefits (beyond the historic environment), is considered beyond the scope of expertise of heritage specialists.

3.0 IMPACT ASSESSMENT

Context

- 3.1 The appeal relates to refusal of full planning permission for the erection of 50 dwellings with new access, landscaping and public open space on land south of Lower Road, Bedhampton, Havant (henceforth “the proposed development”). The development site encompasses 3.65 hectares of agricultural land immediately south of Lower Road.
- 3.2 The site is located immediately adjacent to the Old Bedhampton Conservation Area, which encompasses the approximate extent of the historic village of Bedhampton. Whilst the area recognised as ‘Bedhampton’ has expanded significantly in the 20th century, now forming part of a larger suburban conurbation, the core of the original settlement remains a distinct historic place, set apart from its surroundings by its collection of examples of traditional architecture and a range of remnant rural landscape features encountered within the conservation area and its immediate setting.
- 3.3 The development site has been subject to significant scrutiny, with conflicting views presented as to the contribution of the site to the setting of the Old Bedhampton Conservation Area, and the impacts of the proposed development upon that contribution. Written representations have been submitted by parties acting both in support and in objection to the proposed development. Contributions have included (but are not limited to): ‘Heritage Statement: Land South of Lower Road, Bedhampton’ by Terence O’Rourke Ltd. March 2019; three sets of comments on the proposed development from Ms. Rachael McMurray RTPI, Senior Conservation Officer for the local planning authority (dated 3rd July 2019, 11th November 2020, and 27th February 2020); written representations by, and on behalf of, the Bedhampton Heritage Alliance; and multiple comments in respect of the proposed development from local residents.
- 3.4 Historic England’s GPA3 states (in respect of good practice for setting assessment) that:
“...Despite the wide range of possible variables, normally ... analysis should focus on a limited number of key attributes of the asset, its setting and the proposed development, in order to avoid undue complexity.”
As such, my assessment does not seek to unduly replicate or, in detail, directly rebut previously submitted representation, in recognition of the complexity of views established by previous evidence. Instead, my evidence will distill analysis to the required “limited number of

key attributes” of setting with potential to be impacted upon by the proposed development, to support informed and proportionate decision making.

Method

3.5 The NPPF Glossary defines the setting of a heritage asset as follows:

“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 positive or negative contributions to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.”

3.6 NPPG paragraph 18a-013-20190723 provides further guidance:

“All heritage assets have a setting, irrespective of the form in which they survive and whether they are designated or not. The setting of a heritage asset and the asset’s curtilage may not have the same extent.

The extent and importance of setting is often expressed by reference to the visual relationship between the asset and the proposed development and associated visual/physical considerations. Although views of or from an asset will play an important part in the assessment of impacts 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. For example, buildings that are in close proximity but are not visible from each other may have a historic or aesthetic connection that amplifies the experience of the significance of each.

The contribution that setting makes to the significance of the heritage asset does not depend on there being public rights of way or an ability to otherwise access or experience that setting. The contribution may vary over time.

When assessing any application which may affect the setting of a heritage asset, local planning authorities may need to consider the implications of cumulative change. They may also need to consider the fact that developments which materially detract from the asset’s significance may also damage its economic viability now, or in the future, thereby threatening its ongoing conservation.”

3.7 Historic England have published advice to support local planning authorities and those proposing development in undertaking assessments of how that development may affect the setting of heritage assets.¹ The document recommends a five-step approach to proportionate assessment and decision-taking, against the background of the NPPF and NPPG on managing change within the settings of heritage assets.

3.8 The five step approach of GPA3 has been adapted for purposes of this proof of evidence, to better meet the needs of decision makers, as follows:

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

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

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

Step 4 : Assess how the proposed development has sought to maximise enhancement and avoid or minimise harm

Step 5 : Form and document a position to inform decision making

3.9 Assessment has included critical review of all submitted documents and plans for the proposed development and review of all written representations to date with relevance to the first reason for refusal. An independent review of the significance and setting of potentially affected heritage assets has been undertaken, combining desk-based research of available evidence (including the National Heritage List for England, and the Old Bedhampton Conservation Area Appraisal²), and a site visit undertaken on 29th December 2020.

¹ <https://historicengland.org.uk/images-books/publications/gpa3-setting-of-heritage-assets/> Published December 2017. Accessed December 2020.

² <https://www.havant.gov.uk/detail-conservation-areas> Published September 2019. Accessed December 2020.

Assessment

Nb. In line with the principles established within paragraph 189 NPPF the level of detail provided in respect of the significance of individual heritage assets, the contribution to that significance made by their settings, and the potential impact of the proposed development upon significance, is proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on significance.

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

- 3.10 Old Bedhampton Conservation Area is the only heritage asset considered within this proof of evidence for potential impacts from the proposed development.
- 3.11 Submissions by third parties in objection to the proposed development included representation of impacts to The Elms, a Grade II* listed building within Bedhampton. Potential impacts to the designated heritage asset are not considered within this proof of evidence by nature of those impacts not being identified as a factor of decision-making by the local planning authority within Reason for Refusal 1. It is noted, for clarity, that I agree with the position that the Old Bedhampton Conservation Area is the only designated heritage asset impacted upon by the proposed development.

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

3.12 In line with best practice (as established within GPA3) step 2 is presented in two phases:

- i. Significance of Old Bedhampton Conservation Area.
- ii. Contributions of setting to the significance of Old Bedhampton Conservation Area
(With emphasis on specific contributions of the proposed development site and its environ, in line with NPPF paragraph 189)

(i) Significance of Old Bedhampton Conservation Area

3.13 During assessment of the proposed development, the local planning authority identified the significance of the Old Bedhampton Conservation Area as deriving from “... a dispersed pattern of development, with expansive green spaces and fields to the East, South and South West. There is an eclectic mix of dwellings of varying styles and ages, reflective of the village’s incremental historic growth. Overall, this results in an informal, loose knit appearance, which is reinforced by the network of narrow, often windy lanes and the predominance of mature trees and hedges, both within gardens and as property boundaries. This gives the Conservation Area a sense of tranquility and rural character, in spite of its proximity to the more suburban development that sits to the west and north of the area.” (LPA Senior Conservation Officer comments 19th July 2019).

3.14 The Old Bedhampton Conservation Area Appraisal (Havant Borough Council, September 2019; henceforth ‘OBCAA’) identifies eight features that contribute to special interest (page 30). Four are considered to be of relevance to the assessment of the proposed development, as follows:

(Transcribed verbatim)

- I. “Network of early lanes and routes survive and are still used today, showing similarities with current and historic flow of movement around the village;
- II. Sections of a surviving network passing east-west through the heart of the settlement, reflective the low level of change to those routes;
- III. Relatively tranquil setting is afforded by the informal layout of the roads and light traffic movement;

IV. *Notable non-designated heritage assets including a Locally Listed Historic Park & Garden*

Character Area 5 – Old Manor Farm

- 3.15 Old Bedhampton Conservation Area is divided into five character areas (Appendix 2, figure 1). Character Area 5 ‘Old Manor Farm’ is located immediately adjacent the proposed development site. The character area is separated from the other four areas, located approximately 130 metres west-southwest of Character Area 1, along Lower Road and across open fields. The character area includes a late-19th or early-20th century converted farmstead, featuring a regular-courtyard arrangement of a farmhouse and former working buildings, and a row of workers’ cottages adjacent. The historic farm buildings within Character Area 5 are all identified as “Positive Buildings” of the conservation area within the OBCAA heritage assets map (Appendix 2, figure 2).
- 3.16 The OBCAA summarises the significance of Character Area 5 as follows:
- “Old Manor Farm is situated to the south of Lower Road and was built around the turn of the twentieth century. They are a separate character area to reflect their former agricultural use and originally slightly set apart position from the historic village centre. The buildings, now converted to residential use, retain the farm yard layout combined with cottage style fenestration to positive effect. This area also includes the original farm worker cottages to the east, also built of distinctive dark red brick.”* (Page 57 paragraph 6.7)
- “These buildings provide insight into the agricultural past of the settlement. Whilst they are no longer in their original agricultural use, they retain some interesting architectural features and the relationship between the buildings is distinctly that of a farmyard arrangement.”* (Page 59 paragraph 7.6)
- 3.17 The local planning authority conservation officer, in comments of 11th November 2019, echoes the paragraph 7.6 of the OBCAA and states: *“In the original response, the impact of the proposal on Old Manor Farm was considered as a locally listed building.”* The statement recognises the buildings as non-designated heritage assets, and in turn positions that they have a degree of significance meriting consideration in planning decisions, as per NPPG paragraph 18a-039.
- 3.18 The heritage consultancy report underpinning the OBCAA (The Conservation Studio, October 2018) provides further information:

“It is also considered, Manor Farm, including the former farmstead buildings to the south side of the road and late Victorian/early Edwardian terraces signal an important period in the expansion of Bedhampton. They reflect the growing agricultural activity and economy at the time. The farmhouse, farmstead and farmlands were managed by the Mason family since the late 19th century, subsequently becoming the owners. The farm also included farm workers cottages which were recorded as being within the Mason family ownership until at least, if not beyond the mid 20th century. As a result it is considered there remains evidence of a strong historical connection and association with the surrounding agricultural land, the history and economy of this part of Bedhampton.” (Page 61 paragraph 7.1.11)

- 3.19 The heritage statement submitted on behalf of the applicant (Terence O’Rourke Ltd, March 2019) acknowledges a degree of aesthetic merit in respect of the historic farm buildings, stating:

“...The converted courtyard of farm buildings and the adjacent row of three houses retain a coherent appearance of dark brick with slate roofs...” (Page 8 paragraph 3.2)

- 3.20 In representations for this appeal, the appellant has taken a different position as to the significance of Old Manor Farm than prior expert opinion (as outlined above). The Statement of Case (Luken Beck Ltd. September 2020) states that, in relation to the Old Manor Farm buildings:

“... The original buildings themselves are not particularly historic, dating from around the beginning the 20th century with no outstanding or remarkable features of note. Their conversation to residential has dramatically changed their function and overall character such that they relate more to the 20th century dwellings to the north side of Lower Road than their agricultural past...

“... the significance of this small group has already been severely compromised by its conversation to residential and by the numerous extensions/alterations, substantial domestic garaging and residential paraphernalia evident on the site. In addition, the erection of a substantial new dwelling has further eroded its significance...” (Paragraph 8.1)

It is acknowledged that the conversion and alteration of Manor Farm has reduced its significance, both in terms of its traditional function and character. However, the statement that the change is “dramatic” and that they now relate “more to the 20th century dwellings” are without merit. The principal elevations, as experienced when moving along Lower Road, clearly retain architectural interest, with a style and materiality of traditional local architecture that is demonstrably distinctive from neighbouring 20th century dwellings. It is however

accepted that rear elevations and areas of the farm have been altered to a degree to which their contribution to special interest is much diminished (Appendix 2, Figure 17). In respect of the buildings not being “particularly historic”, they are now over a century in age.

(ii) Contributions of setting to the significance of Old Bedhampton Conservation Area

Wider Setting

- 3.21 The OBCAA summarises the wider setting of the conservation area as follows (**with emphasis added**):

*“The conservation area straddles the break between low level coastal plain to the south of Lower Road and the steadily increasing slopes to the north. It is bound on the western side by modern development from the 1960s and the Hermitage stream to the east. **The remaining fields to the south hint of the former rural setting of Bedhampton prior to the railway, the encroaching sprawl of Havant and construction of the A27 that encircles the historic core of the village that makes up Old Bedhampton Conversation Area**”.* (Page 8 paragraph 2.3)

Immediate Setting

- 3.22 It is acknowledged that the wider setting of the conservation area has been significantly affected by 20th century expansion of Havant and surrounding areas, creating a seemingly contiguous suburban settlement. Whilst the extent of ‘Old’ Bedhampton’s historic rural landscape context has been diminished, it has not been wholly lost. The conservation area’s immediate setting retains key elements of this historic rural landscape, and these elements continue to make positive contributions to the character of the area, and the ability to understand and appreciate the settlement’s historical development and landscape context.
- 3.23 The OBCAA reflects this, identifying the conservation area’s immediate setting as *“...an important aspect of its significance...”* and includes specific reference to the contributions of *“... farmlands to the south and south west of Lower Road...”* (page 8, paragraph 2.8).
- 3.24 The OBCAA summaries the core elements of the conservation area’s immediate setting that contribute to its significance between page 8, paragraph 2.8 and page 9, paragraph 2.12. Additional representation in this regard was submitted both in support and objection to the planning application by the applicant and consultees. Review of all evidence identifies six

distinct attributes of the conservation area's immediate setting that are of relevance to the proposed development and Reasons for Refusal 1. These are:

Element A - The historic function and character of open agricultural land immediately adjacent the conservation area and south of Lower Road

Element B – Views of local importance

Element C - The physical separation of Old Manor Farm and associated buildings to the village core.

Element D - The historic function and character of east-to-west aligned routes leading into, through and beyond the settlement.

Element E - The historic function and character of 'Narrow Marsh Lane'

Element F – Coniferous shelter belt south of Lower Road

The nature and level of each element's contribution to the significance of the conservation area, via setting, are discussed in turn below.

- 3.25 Prior to discussing these elements paragraph 7.8 of the OBCAA is acknowledged, which states (in reference to a decision not to include farmlands south of Lower Road within the amended conservation area boundary):

“Although these areas form part of the setting to the conservation area, and historic connections can be evidenced from mapping and other sources, they are mainly fields that do not have the special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance. Therefore, these areas are not included within the revised boundary of the conservation area.”

It is acknowledged that the paragraph may be presented as a contradiction to OBCAA paragraphs 2.8. Clarification is provided, accordingly.

Historic environment features (such as the site's field, track and hedgerows) do not need to be of individual “special” interest or character to make positive contributions to the significance of other assets from within their settings. When determining impacts, it is the changes to the degree to which such features currently contribute to those other assets' significance (or the appreciation of those assets) that is of relevance, not their individual value or merit as heritage assets.

Historic England's GPA3 (page 4, paragraph 9) is explicit in this regard, stating that *“Setting is not itself a heritage asset, nor a heritage designation... Its importance lies in what it*

contributes to the significance of the heritage asset or to the ability to appreciate that significance.”

In respect of the fields south of Lower Road, it is accepted that they are individually of an aesthetic and form fairly typical of a rural enclosure. The OBCAA, however, (supported by my evidence outlined below, and the comments of the local planning authority conservation officer (3rd July 2019 and 11th November 2019)) makes clear that the fields’ open rural character makes an important contribution to the conservation area’s significance, and the ability to appreciate and experience that significance from within its surroundings.

As such, when assessing the impact of the proposed development (and in turn the validity of the reasons for refusal) it is advised that OBCAA paragraph 2.8 should be given precedence accordingly. Further, in line with prevailing good practice guidance, paragraph 7.8 should not be presented as justification to wholly dismiss the potential for impacts upon the conservation area via development within its immediate setting.

Element A – The historic function and character of open agricultural land immediately adjacent the conservation area and south of Lower Road

- 3.26 The historic village of Bedhampton originated as a rural settlement and retained a predominantly rural setting until the modern era. Whilst the 1847 development of the railway (passing through the settlement) was a significant intervention, the rural character of the village’s surroundings was largely unaltered. Major phases of change began in the early-to-mid 20th century, however, steadily eroding this rural context, including suburban-styled housing development, and the construction of the A27 and A3 which created substantive physical boundaries to the south and west.
- 3.27 Surviving agricultural features within and in close proximity to the historic village core are today rare and represent the final vestiges of the settlement’s once rural setting. What remains are, therefore, of elevated importance to the conservation area’s significance, and sensitivity to change.
- 3.28 The remnant elements and features of countryside in the settlement’s immediate setting are recognised as of importance within the OBCAA, and includes the “...*farmlands to the south and southwest of Lower Road...*” (page 8, paragraph 2.8). These farmlands include the

proposed development site. The farmlands are identified by the OBCAA as an element of the “...historic landscape and field patterns...” which “...remains remarkably intact...” (page 9, paragraph 2.9).

- 3.29 Until recently, the fields south of Lower Road have remained in agrarian use. The open character and historic landscape features within the field (e.g. the track and hedgerows) have been largely sustained, therefore (see Appendix 2, figures 10 & 11). Whilst the fields have been truncated by the railway, and an intrusive modern shelter belt now creates a visual screen in the east (see Element F), their general layout and aesthetic remain as that illustrated on historic mapping dating back to at least the 1840 Tithe Map (Appendix 2, figure 5). As such, the fields continue to contribute to the ability to understand the importance of the agrarian economy to Bedhampton’s historical development.
- 3.30 In respect of (Old) Manor Farm, whilst it has been converted for residential use, the sustained agrarian land-use character of the adjacent fields enables continued understanding of its historical role within the settlement, and historical functional relationships with the surrounding landscape (both the farm and fields being owned and worked by the Mason family until at least the mid-20th century). The contribution of the fields to understanding and appreciating Old Manor Farm (and the character area’s individual contributions to the significance of the conservation area), is today principally experienced from Lower Road, where the fields are viewed to the side and backdrop of the traditional rural buildings (see Appendix 2, Figure 13). It is accepted that the experience is much diminished from within the site itself, due to the significant degree of alteration of the rear elevations and areas of the former farmstead that are visible (see Appendix 2, Figure 17).
- 3.31 The fields south of Lower Road also form an important mitigator to the negative impacts of 20th century infrastructure developed to the south and west of the conservation area. The fields act as a buffer zone, creating a physical and visual divide between the railway and roads, and the historic rural village core.
- 3.32 Accounting for all factors, this element is considered to make a **high degree of positive contribution** to the ability to experience and appreciate the significance of the conservation area as derived from its setting.

Element B – Views of local importance

- 3.33 Assessment of local views of positive contribution to the conservation area is divided into two sub-sections: key views and vistas identified within the OBCAA that may include the proposed development site; and the contribution of the site to the ‘visual experience’ of the conservation area as described within the OBCAA.
- 3.34 A number of views were photographed during the site visit and are provided for cross-reference within Appendix 2 (Figures 10 to 16).

Key views and vistas

- 3.35 The OBCAA identifies key views and vistas within and towards the conservation area in a ‘Townscape Analysis’ map (reproduced in Appendix 2, Figure 3). The mapping indicates five views and vistas that include the proposed development site. The mapping provides no cross-referencing system for these views, and the reproduced townscape map has been annotated accordingly.
- 3.36 The five views and vistas were examined during the site visit to understand and assess their relative contributions to the conservation area’s character and appearance. Only two of the five were found to actively contribute or have the potential to contribute as a result of the proposed development. These are:

- I. **View A** – (Appendix 2, Figure 11) - A panoramic vista experienced from the railway looking north, encompassing the entirety of the site. The view is characterised by open agricultural fields in the foreground, and built up areas of Bedhampton north of Lower Road in the background.

Rear elements and elevations of Old Manor Farm (Character Area 5 of the conservation area) features within the vista. As identified in paragraph 3.20 of this evidence, the rear elements of the former farm buildings have been significantly altered, to a degree to which much of their traditional character has been lost. As such, their presence in the view makes little contribution to understanding their contributions to the significance, character and appearance of the conservation area.

No other elements of the conservation area are visible within the view, with all of Character Area 1 (and its constituent elements) concealed by the shelter belt to the east of the proposed development site.

Accounting for all factors the viewpoint is considered to make a **low degree of positive contribution** to the appreciation of the conservation area's character and appearance from within its setting.

- II. **View B** – (Appendix 2, Figure 12) - A westward panoramic vista from the railway bridge at Mill Lane. The view features the railway line and historic agricultural lands immediately east of the proposed development site. The fields are components of the remnant agricultural lands within the conservation area's immediate setting that are recognised by the OBCAA as of importance. The site itself is concealed by the shelterbelt that defines its eastern boundary. Accounting for all factors the view is considered to make a **moderate degree of positive contribution** to the appreciation of the conservation area's character and appearance as derived from its setting.

3.37 The three other views and vistas have been excluded from consideration following the site visit, for reasons as follows:

- I. **View C** is recorded as a view of the landmark building 'The Elms' (Grade II* listed building) from the railway footbridge immediately to the southeast of the proposed development site. Assessment determined the landmark building was not, in fact, visible, being concealed by layers of vegetation.
- II. **View D** is a gateway view towards Bedhampton when passing over the pedestrian footbridge of the A27. The proposed development site was screened by layers of vegetation, and it was determined there was no potential for impacts (positive or negative) accordingly.
- III. The point of origin for **View E** is not clear within the mapping. An assumption has been made that it represents views experienced by drivers exiting the A27 eastbound, along the elevated slip road to the A3 northbound. The proposed development site was screened by layers of vegetation, and it was determined there was no potential for impacts (positive or negative) accordingly.

Visual experience of the conservation area

- 3.38 The OBCAA emphasises that the contribution of visual experiences within the conservation area is not limited to the identified key views and vistas of the townscape appraisal map. It states (with **emphasis added**):

*“The experience of a place is not static. **It is a moving experience producing a sequence of unfolding views that reveal different aspects, qualities and visual interest along the way.** It is also cumulative and experiential as one view leads to another, where vista opens up and where a view terminates or is drawn to a particular building which represents a landmark of a focal building. It is this layering, experience of a place and awareness of the historic environment that creates legibility and understanding.”* (Page 38 paragraph 4.26)

*“In a place such as Old Bedhampton with its conservation area designation, designated and non-designated heritage assets, **the experience of moving through the landscape and context in which assets are experienced, reinforces the role that setting plays in contribution to significance,** individually and cumulative and whether seen or not.”* (Page 59 paragraph 4.28).

- 3.39 The OBCAA townscape analysis mapping does not map these “unfolding” visual experiences encountered when moving through the area. Assessment was undertaken during the site visit to identify whether the proposed development site featured in such an experience. It was found to the affirmative, as outlined below, and illustrated in Appendix 2, figures 14 to 16.
- 3.40 Character Area 1 of the conservation area retains a form and aesthetic of an historic rural village. The key visual experience of the area is one of moving through it, with a series of unfolding views encapsulating key elements of the conservation area’s special character and setting, as follows:
- I. Travelling west along Bidbury Lane or south along Brookside Road, brings the viewer to junction or turn (respectively) to Lower Road. Here The Elms (Grade II* listed building) is first encountered, forming a landmark building terminating westward views along the road. Several other historic buildings and positive townscape features frame the road to either side. There are no views outward beyond the road and adjacent plots, creating a strong sense of enclosure. (Appendix 2, Figure 14)
 - II. Turning left, at the corner of Lower Road adjacent The Elms, the view remains restricted and the sense of enclosure is sustained. Modern buildings are visible

to the right, but domestic hedgerow boundaries dominate the aesthetic. (Appendix 2, Figure 15)

- III. Turning right, as Lower Road meets the boundary of the proposed development site, and then continuing along Lower Road, the visual experience unfolds rapidly, with the strong sense of enclosure giving way to open rural views across the adjacent fields (including the site), and long views down Lower Road. (Appendix 2, Figure 16)

- 3.41 As outlined in respect of **Element A**, and emphasised by the OBCAA, the fields south of Lower Road make important contributions to the conservation area's setting by nature of their open rural character. Within this unfolding visual experience, the fields are encountered suddenly and without anticipation, with their open rural character in stark contrast to the enclosed environments which precede them. As such, their impact upon the viewer is elevated, and their identified positive contributions to the conservation area's immediate setting are felt acutely. The experience is therefore considered to make a **high degree of positive contribution** to the ability to appreciate the significance of the conservation area as derived from its setting.

Element C – The physical separation of Old Manor Farm and associated buildings to the village core

- 3.42 At the time of its construction Manor Farm was physically separated from the historic core of Bedhampton. The separation illustrated the distinct functional role of the farm buildings within the settlement, intentionally set apart from the domestic dwellings within the village core (Character Area 1).
- 3.43 The applicant's heritage statement acknowledges this separation as a product of intentional design, stating:
- "The buildings at Manor Farm remain independent from the old village core (a deliberate separation implied by the choice of location for the creation of the new farm)." (Page 9, paragraph 3.23).*
- 3.44 It is acknowledged that the sense of separation, and "independence", has been partially eroded by infill development north of Lower Road, with Old Manor Farm no longer fully isolated beyond the village's edge.

- 3.45 A sense of separation and independence is, however, sustained. The extent of further development south of Lower Road (following Manor Farm) has been low, and the former farmstead is still encountered as an independent historic build-unit with traditional ancillary structures (the cottages and working buildings) arranged around the principal farmhouse. The degree of alteration to traditional buildings is acknowledged, as are the modern additions within the plot (garages and an additional dwelling, for instance), but Old Manor Farm remains legible today as a unique element of the local built form, of a clearly distinctive aesthetic and form (the courtyard layout) from its immediate surroundings.
- 3.46 As well as being aesthetically distinctive, Old Manor Farm retains a physical separation from the settlement core by nature of the rural enclosures south of Lower Road (including the proposed development site). As well as providing an agrarian surrounding to the former farmstead, the fields provide a rural backdrop to Old Manor Farm in views from and along Lower Road. The open nature of the views, and the farmstead's position within them, emphasise the intentional siting of the unit away from the historic built-up areas of the village core. (e.g. Appendix 2, figure 13).
- 3.47 Accounting for all factors, this element is considered to make a **moderate degree of positive contribution** to the ability to appreciate the significance of the conservation area as derived from its setting.

Element D – The historic function and character of east-to-west aligned routes leading into, through and beyond the settlement

- 3.48 Lower Road historically formed part of the turnpike from Havant to Fareham, which passed through Bedhampton from east-to-west as a series of lanes (also including Bidbury Lane and King's Croft Lane).
- 3.49 Whilst Lower Road is no longer a through route (truncated by the A27 and A3 interchange) it retains rural characteristics: narrow in width; bound to the south by historic hedgerows of good condition (including a section within the development site); featuring views across open fields to the south (including the proposed development site); and with the (converted) farm buildings of Old Manor Farm prominent within the streetscene. Modern development to the northern side of the lane has eroded this rural character, but the suburban scale, style and density of

development is not considered to be sufficiently prevalent to have wholly overwritten the historically rural aesthetic

- 3.50 Lower Road therefore remains a tangible element of an historic network of rural lanes. In turn, Lower Road contributes to the ability to appreciate the significance of this network to the historical development of Bedhampton.
- 3.51 Accounting for all factors, this element is considered to make a **moderate degree of positive contribution** to the significance of conservation area as a whole, and/or the appreciation of that significance, via its setting.

Element E – The historic function and character of ‘Narrow Marsh Lane’

- 3.52 Narrow Marsh Lane is specifically identified by the OBCAA (page 9, paragraphs 2.9 and 2.11) as amongst the historic network of routes, tracks and paths that form the “*remarkably intact*” historic landscape within the settlement’s immediate setting
- 3.53 Narrow Marsh Lane is a route of historic significance to Bedhampton. The lane provided a key link from western Bedhampton to the Broad Marsh and Langstone Harbour. Both marsh and harbour were highly significant to marine-related economic activities within and around the historic settlement.
- 3.54 The route originates/terminates at Lower Road and passes north-to-south through the proposed development site. The route crosses the railway over a bridge constructed specifically to sustain foot- and vehicular traffic along the historic track.
- 3.55 The function and character of the route have changed significantly since early known depictions within mapping (see Appendix 2, figures 4 through 8). The 1847 railway cut across the route, and it would be fully severed in the 20th century by construction of the A27. Severance has relegated Narrow Marsh Lane within the local hierarchy of lanes and footpaths, but it remains distinguishable. The lane’s character is today one of a farm track, legible through subtle differences in ground-cover and as a low linear earthwork passing through the open field (see Appendix 2, figure 10). As such, whilst the historical extent of Narrow Marsh Lane has been much diminished, and its character much altered, the ability to appreciate its presence and historical significance as an important feature in Bedhampton’s historical development has been sustained to some degree.

- 3.56 Accounting for all factors, this element is considered to make a **low degree of positive contribution** to the ability to appreciate the significance of the conservation area as derived from its setting.

Element F – Coniferous shelterbelt south of Lower Road

- 3.57 A substantial coniferous shelter belt bounds the proposed development site to the east, extending approximately 160 metres from Lower Road, aligned NNW/SSE.
- 3.58 The OBCAA notes the shelterbelt as a negative element of the conservation area's setting describing it as an “... *intrusive row of non-native coniferous trees that form a new boundary line between the fields to the south of Lower Road*”.
- 3.59 Further negative impacts were identified during site assessment, as derived from its truncation of historical views from the railway bridge of Mill Lane, looking westward (see Element B, View B; Appendix 2, Figure 12), which once would have featured distant views across the open fields south of Lower Road, including the proposed development site.
- 3.60 Accounting for all factors, this element is considered to make a **moderate degree of negative contribution** to the ability to appreciate the significance of the conservation area as derived from its setting.

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

- 3.61 Assessment of the potential effects of the proposed development on the significance of the conservation area via change within its immediate setting is undertaken relative to the six core elements identified within Step 2 (A to F). Please note, levels of impact are presented within this section relative to the change to the contributions of individual elements, not relative to the significance of the conservation area as a whole. A balanced position on overall impact, weighing the degree of identified impacts to each element against the relative contributions made by those elements to setting, is undertaken in step 5.

Element A – The historic function and character of open agricultural land immediately adjacent the conservation area and south of Lower Road

- 3.62 It is agreed with the local planning authority conservation officer (comments of 3rd July 2019 and 11th November 2019) that the introduction of new dwellings to open fields south Lower Road will “... *alter the landscape and increase the urban boundary southwards towards the railway line and closer to Old Manor Farm...*” and would “... *extend the development into the wider open countryside setting that contributes to the significance of the conservation area, diminishing the perception of largely unaltered rural surroundings.*”.
- 3.63 The impact of the proposed development is considered to present a **high degree of harm** to the existing positive contributions of this element of the conservation area’s setting by nature of:
- I. Diminishing an element of the open rural character and remnant historic landscape that is specifically recognised by the OBCAA as an important element of the conservation area’s immediate setting. The impact is effectuated by:
 - Infilling a large proportion of a rural enclosure in immediate adjacency the conservation area with residential housing and open land of a domesticated character.

- Interrupting existing views across the rural enclosures including those from Lower Road and the railway footbridge.
- Diminishing the existing rural buffer which mitigates the adverse impacts upon the conservation area of major infrastructure to the south and west.
- Eroding the ability to understand and appreciate the historical functional relationship between Old Manor Farm (identified as positive buildings within the conservation area by the OBCAA) and its immediate surroundings by nature of the loss of rural lands which the occupants of the farmstead historically worked.

Please note, the position as to the high degree of harm accounts for a judgement that (in addition to the above) the development represents a “cumulative impact” upon the conservation area’s significance as whole, via development within its setting. In this regard, NPPG paragraph 18a-013 states...:

“When assessing any application which may affect the setting of a heritage asset, local planning authorities may need to consider the implications of cumulative change...”

... and Historic England’s GPA3 (page 4, paragraph 9, bullet point 2) provides further direction:

Where the significance of a heritage asset has been compromised in the past by unsympathetic development affecting its setting, to accord with NPPF policies consideration still needs to be given to whether additional change will further detract from, or can enhance, the significance of the asset. Negative change could include severing the last link between an asset and its original setting; positive change could include the restoration of a building’s original designed landscape or the removal of structures impairing key views of it...”

It is acknowledged that the rural character of the conservation area’s wider surroundings has been significantly eroded by major phases of 20th and 21st century infrastructural and residential development. As identified with the OBCAA, and supported by this evidence, the remnant rural elements of the conservation area’s immediate surroundings are therefore of elevated sensitivity, forming the final links between the historic settlement core and its historical landscape context. As such, the proposed development would represent a continued phase of this erosion, and a negative cumulative effect is identified in turn.

Element B – Views of local importance

3.64 The impact of the proposed development is considered to present an overall **high degree of harm** to the existing positive contributions of this element of the conservation area's setting by nature of:

- I. Eroding the positive visual experience of departing the conservation area (Character Area 1) along Lower Road travelling west, where the enclosed character of the historic village core gives way to open views across fields, emphasising the key contributions of rare surviving elements of the area's rural setting to the conservation area's setting (see Element A).
- II. Interrupting views of Old Manor Farm from **View A** through development in the foreground. NB. Only very low weight has been given to this impact by nature of the identified diminished levels of heritage interest encountered within the visible, rear elements of Old Manor Farm.

3.65 It was determined that there will be no impact, positive or negative, to **View B** by nature of the continued visual screening of the proposed site by a (replanted) shelterbelt.

Element C – The physical separation of Old Manor Farm and associated buildings to the village core

3.66 The impact of the proposed development is considered to present a **high degree of harm** to the existing positive contributions of this element of the conservation area's setting by nature of:

- I. Eroding the long-standing physical separation between the former farmstead and the settlement core. Whilst development has occurred north of Lower Road, the low levels of development to its south ensure a sense of physical and aesthetic independence remains. The proposed development will substantively erode this characteristic and effectively envelope the former farmstead within the settlement boundary.

- II. Removing the existing rural backdrop to the former farm buildings in views from, and along, Lower Road, that emphasise their historical agrarian role and relationships within the local landscape.

Element D – The historic function and character of east-to-west aligned routes leading into, through and beyond the settlement

- 3.67 The impact of the proposed development is considered to present a **moderate degree of harm** to the existing positive contributions of this element of the conservation area's setting by nature of:
- I. Eroding views from Lower Road into open fields which make contributions to the lane's historic rural character.

Element E – The historic function and character of 'Narrow Marsh Lane'

- 3.68 The impact of the proposed development is considered to present a **moderate degree of harm** to the existing positive contributions of this element of the conservation area's setting by nature of:
- I. Altering the centuries-long character of the route as one of a departure from the settlement core across open rural fields, to one of passing closely to the rear of residential plots and their fenced boundaries. The effect will be a further diminishment of the ability to identify and understand the historic route as one of historic significance to the development of Bedhampton.

Element F – Coniferous shelterbelt south of Lower Road

3.69 The impact of the proposed development is considered present an overall **moderate degree of enhancement** to the existing negative contributions of this element of the conservation area's setting by nature of:

- I. Replacing the existing incongruous species of the shelterbelt with more appropriate, native specimens.

3.70 It is noted, however, that should the replacement shelterbelt provide lesser degrees of visual screening within 'View B' (see Element B) than the existing shelterbelt, the proposed development could result in degrees of harm - replacing the coniferous vegetation within the view with that of the side and rear elevations of the proposed housing. The impact would be an erosion of the existing view's contribution to the conservation area's significance by diminishing an experience of the village's rural setting. Should the appeal be allowed, relevant conditions in respect of landscaping would be strongly recommended accordingly.

Step 4: Assess how the proposed development has sought to maximise enhancement and avoid or minimise harm

- 3.71 Assessment of degrees of mitigation emerging from the proposed development's design is undertaken relative to the six core elements identified within Step 2 (A to F).

Element A – The historic function and character of open agricultural land immediately adjacent the conservation area and south of Lower Road

- 3.72 It is acknowledged that the presence and layout of narrow buffers of open space to the north, east and south of the development area will provide a small degree of mitigation to the loss of the open rural landscape. The proportion of the existing open land lost remains significant, however, and a large quantity of the retained open land will not be visible from Lower Road, being located to the rear (south) of the proposed development. **The degree of mitigation is considered to be low**, accordingly.

Element B – Views of local importance

- 3.73 It is acknowledged that the set back of properties fronting Lower Road, and the creation of a landscape buffer to the east of the site (including the farm track) will provide a small degree of mitigation to the loss of the open view that forms the end of the identified “unfolding” experience when passing through Character Area 1 from west to east. The views will still be dominated, however, by the roofs, side-elevations, and fencing of new properties, however, and **the degree of mitigation is considered to be low**, accordingly.

Element C – The physical separation of Old Manor Farm and associated buildings to the village core

- 3.74 It is acknowledged that the lower density of dwellings, the courtyard arrangement of aspects of the development's layout, and the set-back of development immediately adjacent to Lower Road present a small degree of mitigation to the loss Old Manor Farm's sense of separation from the settlement core. The former farmstead will, however, be largely enveloped by the new development within a new and expanded settlement boundary. **The degree of mitigation is considered to be low**, accordingly.

Element D – The historic function and character of east-to-west aligned routes leading into, through and beyond the settlement

- 3.75 It is acknowledged that the set-back of development immediately adjacent Lower Road and the retention of the historic hedgerow boundary within the site presents a degree of mitigation to the erosion of the existing character of the historic lane. The degree of mitigation will vary seasonally, with the good condition of the (to be retained) hedgerow likely enabling high levels of screening in the spring and summer months, but low levels in autumn and winter. There will, however, be a total loss of existing southerly rural view from Lower Road across the proposed development site. **The degree of mitigation is considered to be moderate, accordingly**

Element E – The historic function and character of ‘Narrow Marsh Lane’

- 3.76 Whilst the experience of the route will be altered, and its existing amenity value somewhat diminished, it is acknowledged that the layout of the proposed development will preserve the ability to traverse the historic route. Given the much-altered physical character of the historic route (as existing), this ability to traverse the route is considered the principal element of its contribution to the conservation area’s setting, and **the degree of mitigation is considered to be high, accordingly.**

Element F – Coniferous shelterbelt south of Lower Road

- 3.77 The replacement of the shelterbelt with more appropriate, native species is a positive design response to an existing negative element within the site, but is not in itself considered “mitigation” specific to the element in question.

Step 5: Form and document a position to inform decision making

3.78 As identified within this assessment, the proposed development presents a mix of adverse and beneficial impacts to six elements of the significance of the Old Bedhampton Conservation Area that are derived from, or are experienced from within, its immediate setting. In summary:

Element contributing to significance, or appreciation of significance via setting	Nature (bold) and level (<i>italics</i>) of the contribution	Nature and level of impact upon the contribution	Degree of mitigation afforded by the development's design and layout
Element A – <i>The historic function and character of open agricultural land immediately adjacent the conservation area and south of Lower Road</i>	Positive <i>High</i>	Harm <i>High</i>	Low
Element B – <i>Views of local importance</i>	Positive <i>Varied (high to low)</i>	Harm <i>Varied (high to neutral)</i>	Low
Element C – <i>The physical separation of Old Manor Farm and associated buildings to the village core</i>	Positive <i>Moderate</i>	Harm <i>High</i>	Low
Element D – <i>The historic function and character of east-to-west aligned routes leading into, through and beyond the settlement</i>	Positive <i>Moderate</i>	Harm <i>Moderate</i>	Moderate
Element E – <i>The historic function and character of 'Narrow Marsh Lane'</i>	Positive <i>Low</i>	Harm <i>Moderate</i>	High
Element F – <i>Coniferous shelterbelt south of Lower Road</i>	Negative <i>Moderate</i>	Enhancement <i>Moderate</i>	N/A

- 3.79 The relative importance of each identified element has been balanced against the nature and level of impact upon them, and the degree to which mitigation has been achieved through the proposed development's design. **Accounting for all factors, the proposed development is considered to present a net adverse impact (harm) to the conservation area's significance, and the experience and appreciation of that significance, via change within its immediate setting.**
- 3.80 In accordance with NPPG paragraph 18a-018 and NPPF paragraph 201, where potential harm to a conservation area's significance is identified, this harm needs to be categorised as either 'less than substantial harm' or 'substantial harm' in order to identify which policies of NPPF apply. In undertaking the categorisation, the following has been taken into account:
- I. The requirement under NPPF paragraph 201 that *"Loss of a building (or other element) which makes a positive contribution to the significance of a Conservation Area of World Heritage Site should be treated as either 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."*
 - II. Guidance within NPPG paragraph 18a-018 as to the allocation to the substantial harm category, as follows:

"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."
 - III. 'R. (oao James Hall and Company Limited) v. City of Bradford Metropolitan District Council and Co-operative Group Limited [2019] EWHC 2899', which

established that any degree of harm, however minimal, must, at the least, fall into the category of ‘less than substantial harm’.

- 3.81 It is my professional judgement that whilst the proposed development presents harmful impacts to multiple positive elements of the conservation area’s setting, the “high test” for substantial harm has not been met. This position takes account of the relative contributions of the identified elements to the conservation area’s significance as a whole, the varying degrees of harm upon those elements, the identified mitigation achieved through the proposed development’s design and layout, and the minor enhancements achieved through replacement of the incongruous shelterbelt.
- 3.82 **As such, the proposed development is considered to present less than substantial harm to the significance of Old Bedhampton Conservation Area.**
- 3.83 In line with the requirements of NPPG paragraph 18a-018 that “...*Within each category of harm... the extent of the harm may vary and should be clearly articulated*”, it is concluded that, accounting for all factors, that **the extent of less than substantial harm falls within the ‘moderate’ (middle) range of the category.**

4.0 POSITION

- 4.1 This section provides a position as to the validity of Reason for Refusal 1, relative to the findings of my independent assessment of heritage impacts and the prevailing planning legislation and policy for historic environment that is relevance to the proposed development.

Planning Framework

Legislation

(Emphasis added)

- 4.2 Section 72 of the *Planning (Listed Buildings and Conservation Areas) Act 1990* establishes a general duty on local planning authorities in the exercise of planning functions to pay **special attention to the desirability of preserving or enhancing the character or appearance of conservation areas**.
- 4.3 It is noted that paragraph 6.4 of the appellant's statement of case (Luken Beck, September 2020) makes reference to 'Barnwell Manor Wind Energy Ltd. v. East Northamptonshire District Council, English Heritage, the National Trust and the Secretary of State for Communities and Local Government [2014] EWCA Civ 137'. It is advised that this case is of no direct relevance to the proposed development, being solely concerned with the requirements upon local planning authorities to give special regard to the desirability to preserve the special interests of **listed buildings and their settings** under section 66 of the *Planning (Listed Buildings and Conservation Areas) Act 1990*. The case does, however, reinforce the base principle of the need to give the appropriate regard to the setting of designated heritage assets (which includes conservation areas) within decision making, and decision makers may wish to take this into account, accordingly.

National Planning Policy Framework

(Emphasis added)

- 4.4 NPPF paragraph 193 establishes that when considering the impact of a proposed development on the significance of a designated heritage asset, **great weight should be given the asset's conservation**, irrespective of whether any potential harm amounts to substantial harm, total loss, or less than substantial harm to significance. In respect of the

“great weight” applied paragraph 193 also establishes that “... **the more important the asset, the greater the weight should be.**”

- 4.5 NPPF paragraph 194 establishes that any harm to, or loss of, the significance of a designated heritage asset, **including from development within its setting**, should require clear and convincing justification.
- 4.6 NPPF paragraph 196 establishes that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, **this harm should be weighed against the public benefits of the proposal** including, where appropriate, securing its optimum viable use.
- 4.7 NPPF paragraph 200 establishes that local planning authorities should look for opportunities for **new development within conservation areas, and with the setting of heritage assets** to enhance or better reveal their significance. **Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance should be treated favourably.**
- 4.8 NPPF paragraph 201 highlights that not all elements of a conservation area will necessarily contribute to its significance, and that the **loss of any elements which makes a positive contribution should be treated as harm**, and be subject to the tests under paragraphs 195 and 196 in respect of weighing harm against public benefits. The degree of harm identified should take account of the relative significance of the element(s) affected and its/their contribution to the significance of the conservation area as a whole.

Local Planning Policy

(Emphasis added)

- 4.9 Havant Borough Local Plan (Core Strategy) 2011 policy CS11 (Protecting and Enhancing the Special Environment and Heritage of Havant Borough) advises that planning permission will be granted for development whereby it protects and where appropriate enhances the Borough’s statutory and non-statutory heritage designations by **appropriately managing development in or adjacent to conservations areas**, listed buildings, scheduled ancient monuments, historic parks and gardens, archaeological sites, and **buildings of local historic**

or architectural interest. Policy CS16 (High Quality Design) advises planning permission will be granted for development that is designed to a high standard, including (but not limited to): that which responds to, draws inspiration from and respects local context; identifies and responds positively to existing features of historic or local character; integrates with existing local landscape features; uses characteristics of the locality to help inform the design of new development; and is well connected to and integrate with the immediate local area.

- 4.10 Policy DM20 from the adopted Allocation Plan 2014 advises that planning permission will be granted for development that conserves and enhances the historic assets of the borough.
- 4.11 Emerging policy E13 (Historic Environment and heritage assets) of the Draft Local Plan 2036 provides a similar position to the existing policy CS11, stating permission will be granted where development proposals protect, conserve and where possible, enhance the significance of designated and non-designated heritage assets **and their settings**. The policy adds required for proposals to respect heritage assets and their **contribution to local distinctiveness and sense of place**.

Reason for Refusal 1

- 4.12 My evidence has demonstrated that the local planning authority was correct to identify within Reasons for Refusal 1 that: *“The proposed development would adversely affect the open character and appearance of the setting to this part of the Old Bedhampton Conservation Area by reason of the scale of the development and the loss of agricultural land which provides a setting to the Conservation Area...”*
- 4.13 My evidence has demonstrated that the adverse impacts derive from harm to five elements (Elements A to E) of the conservation area’s setting which make positive contributions to its significance, and/or the ability to appreciate and experience that significance. These adverse impacts collectively outweigh beneficial impacts to one existing negative contributor (Element F).
- 4.14 My evidence has demonstrated that the local planning authority was correct to first determine, and then accept the category of impact as ‘less than substantial harm’ as defined within NPPF and NPPG, balancing the relative importance of those elements affected, the degrees of

impact (both adverse and beneficial) upon those elements, and the areas of mitigation afforded by the proposed development's design and layout.

- 4.15 My evidence has demonstrated that, in line with NPPF paragraph 196, the local planning authority decision makers were correct in weighing the less than substantial harm to the conservation area against the public benefits of the proposed development, and that (in line with prevailing planning legislation and policy frameworks for historic environment) the required "great weight" and "special attention" was given to the preservation of the conservation area's significance, character and appearance in enacting that balance.
- 4.16 No position is taken as to the validity of the local planning authority's position, within Reasons for Refusal 1 that "... *These adverse effects are not outweighed by the benefits of the scheme...*". The identification and weighing of public benefits against heritage harm (under paragraphs 195 or 196 NPPF) is beyond the scope of my expertise. Heritage professionals should not, in general, advise on this balance beyond issues of historic environment benefits, as the balance must take account of and qualify a range of economic, social, and other (non-heritage) environmental gains.
- 4.17 No position is taken as to whether the identified harm to the significance of the conservation area received "clear and convincing justification" within the application submission, or related representations in favour of approval, in order for it to comply with NPPF paragraph 194. Again, such judgements are not within the scope of heritage expertise.

5.0 SUMMARY OF EVIDENCE

5.1 My name is Jack Hanson, the Senior Heritage Consultant of Node Urban Design Ltd, an award-winning urban design, landscape and heritage practice. I am a specialist in understanding impacts of development to historic areas, including conservation areas, and impacts from development with the setting of heritage assets.

5.2 The scope of my evidence addresses the first reason for refusal of the application for full planning permission for the proposed development:

“The proposed development would adversely affect the open character and appearance of the setting to this part of the Old Bedhampton Conservation Area by reason of the scale of the development and the loss of agricultural land which provides a setting to the Conservation Area. These adverse effects are not outweighed by the benefits of the scheme. The proposal is therefore contrary to Policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011, Policy DM20 of the Havant Borough Local Plan (Allocations) 2014, and the National Planning Policy Framework.”

5.3 The significance, character and appearance of the Old Bedhampton Conservation Area has been qualified through combined assessment of existing evidence and new, independent professional analysis. Six elements of the conservation area’s setting which make contributions (both positive and negative) to its significance, or the experience of that significance, have been identified that are of relevance to the proposed development and Reasons for Refusal 1.

5.4 The nature, level and extent of those elements’ contributions has been qualified to identify whether the proposed development will impact upon them, and to quantify the degree of those impacts where they occur. Mitigation measures incorporated within the design of the proposed development have been acknowledged to provide a fair and proportionate conclusion as to overall degrees of impact to the conservation area. The assessment’s findings in respect of the six elements are summarised within the table overleaf.

Element contributing to significance, or appreciation of significance via setting	Nature (bold) and level (italics) of the contribution	Nature and level of impact upon the contribution	Degree of mitigation afforded by the development's design and layout
Element A – <i>The historic function and open character of agricultural land immediately adjacent the conservation area and south of Lower Road</i>	Positive <i>High</i>	Harm <i>High</i>	Low
Element B – <i>Views of local importance</i>	Positive <i>Varied (high to low)</i>	Harm <i>Varied (high to low)</i>	Low
Element C – <i>The physical separation of Old Manor Farm and associated buildings to the village core</i>	Positive <i>Moderate</i>	Harm <i>High</i>	Low
Element D – <i>The historic function and character of east-to-west aligned routes leading into, through and beyond the settlement</i>	Positive <i>Moderate</i>	Harm <i>Moderate</i>	Moderate
Element E – <i>The historic function and character of 'Narrow Marsh Lane'</i>	Positive <i>Low</i>	Harm <i>Moderate</i>	High
Element F – <i>Coniferous shelterbelt south of Lower Road</i>	Negative <i>Moderate</i>	Enhancement <i>Moderate</i>	N/A

- 5.5 To determine an overall position, the relative importance of each identified element to the conservation area as a whole has been balanced with the degrees of impact of the proposed development upon those elements' contributions, and the degrees to which mitigation may be achieved through design. Accounting for all factors, the proposed development is considered to present a net adverse impact (harm) to the conservation area's significance, and the experience and appreciation of that significance, via change within its immediate setting.
- 5.6 In line with NPPF, and following the guidance of NPPG, the identified degree of harm to the Old Bedhampton Conservation Area has been categorised as 'less than substantial harm'. Balancing all factors, it is considered the degree of harm falls around the middle tier ('moderate' level) of the 'less than substantial harm' category.
- 5.7 The conclusion of less than substantial harm, aligns with that of the local planning authority conservation officer, as stated in comments provided on 3rd July 2019 and 11th November 2019.
- 5.8 As such, my evidence has demonstrated that the local planning authority was correct to identify that: *"The proposed development would adversely affect the open character and appearance of the setting of this part of the Old Bedhampton Conservation Area by reason of the scale of the development and the loss of agricultural land which provides a setting to the Conservation Area."*
- 5.9 Accounting for prevailing planning legislation and policy for historic environment, at both national and local levels, it has also been demonstrated that the local planning authority was correct in giving "special attention" and "great weight" to the preservation of the conservation area's significance, character and appearance when enacting the planning balance by weighing the identified 'less than substantial harm' against the public benefits of the proposed development.
- 5.10 No position has been taken, or evidence presented, as to the validity of the local planning authority's final position that *"... These adverse effects are not outweighed by the benefits of the scheme..."*. Providing an accurate and credible assessment of this balance, requiring careful consideration of economic, social and other environmental benefits (beyond the historic environment), is considered beyond the scope of expertise of heritage specialists.