

Heritage Statement

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Foreword

This submission has been prepared by David Beardmore, Principal of Beardmore URBAN on behalf of The Planning Bureau acting on the instructions of McCarthy and Stone Ltd. I hold the following academic and professional qualifications; MSc MA DipLD (Dist) DipLArch (Dist) Dip UD Dip Bldg Cons FRTPI CMLI (Design Division) IHBC.

I have over 40 years experience in town and country planning, landscape planning and design, conservation of the built environment and urban design, both in private practice and local government. I have twice been a member of a Government Gateway Review Team advising on the progress of the proposed development associated with the Stonehenge World Heritage Site. Furthermore I have published a number of articles, lectured on a variety of urban design, planning and landscape matters and am a visiting lecturer in landscape design at the University of Plymouth.

This report has been prepared after appropriate consultation with the local Historic Environment Record (HER) and the findings referred to where relevant. It has also had regard to recent relevant legal judgments about the interpretation of the heritage legislation and advice. It has also examined the proposed development applying the requirements of the Planning (Listed Buildings and Conservation Areas) Act of 1990 to have 'special regard' in the examination of new development on the setting of listed buildings (S66).

1.0 SCOPE AND DEFINITIONS

Scope

- 1.1 This Statement is intended to meet that part of the National Planning Policy Framework (the 'Framework' - paragraph 128) that local planning authorities should require applicants to describe the significance of any heritage assets affected by development proposals, including any contribution made by their setting. The level of detail should be proportionate to the asset's importance.
- 1.2 In the preparation of this evidence the application site and its surroundings have been visited and use made of the material submitted with the application. The Historic Environment Record for the area has been examined and reference made to it here where appropriate - again as required by paragraph 128 of the Framework.

Heritage Assets

- 1.3 The site is not itself a designated heritage asset (no part of it is listed) and it does not lie within a conservation area so it is not even an element within a designated heritage asset. The site currently contains a buildings dating from the 19th and 20th centuries. None are considered by the local planning authority (LPA) to have in architectural or historic merit, or even of local significance since none have been 'identified' by the local planning authority as non designated heritage assets. The proposed development would not have any direct

(ie physical) impact upon any listed building. It nevertheless has the potential to impact indirectly upon (by virtue of its presence) on the setting of a small number of listed buildings. Opposite the site on the west side of London Road is the St Johns Purbrook Conservation Area. Both the conservation area boundary and the listed buildings are referred to in the accompanying plans and in the listing description contained in Appendix A.

- 1.4 The concept of the setting of a heritage asset is defined in Annex 2 of the 'Framework' in the following way:
'Significance' (for heritage policy) is defined as:
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.
- 1.5 Whilst the setting of various heritage assets needs to be understood in assessing their significance any attempt to closely define the extent of their setting is of limited usefulness. Setting is not a heritage asset in itself, nor is it a heritage designation; its importance lies in what it contributes to the significance of a heritage asset. Therefore, what is of primary importance is not whether a proposed development is within or beyond the setting but the impact of that development upon the significance of the heritage asset, including its setting.



Recent aerial photograph with the site edged in red

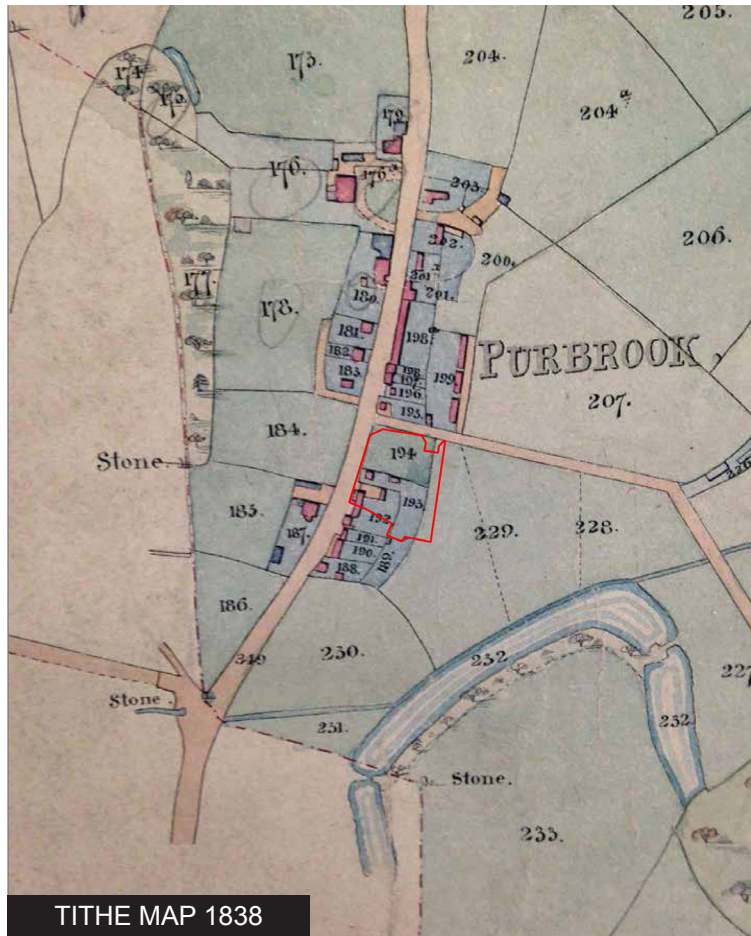
- 1.6 While this assessment does not attempt to define the geographical extent of the setting of the various heritage assets it does seek to identify whether and to what extent elements of the setting of a heritage asset contribute to the significance of that asset. The impact of the proposed development on the significance of the various heritage assets is then assessed, including any impact on those elements of their settings that contribute to their significance. In assessing significance the four categories (archaeological, architectural, artistic and historic) listed in Annex 2 of the Framework have been used in preference to those suggested on pages 27 to 32 of the English Heritage (now Historic England) document, *Conservation Principles, Policies and Guidance and Guidance for the Sustainable Management of the Historic Environment (April 2008)* as the Framework is a central government document and post-dates the English Heritage publication. Nonetheless regard has been had to this to some degree to this earlier publication but more particularly to the English Heritage advice document *“The Setting of Heritage Assets”* which was published on 25th March 2015. The first document predates the Framework but may still be regarded as being of general relevance and has not been withdrawn. However in the event of any conflict between the Framework and the 2008 EH advice note the former takes precedence.

Continued on page 5

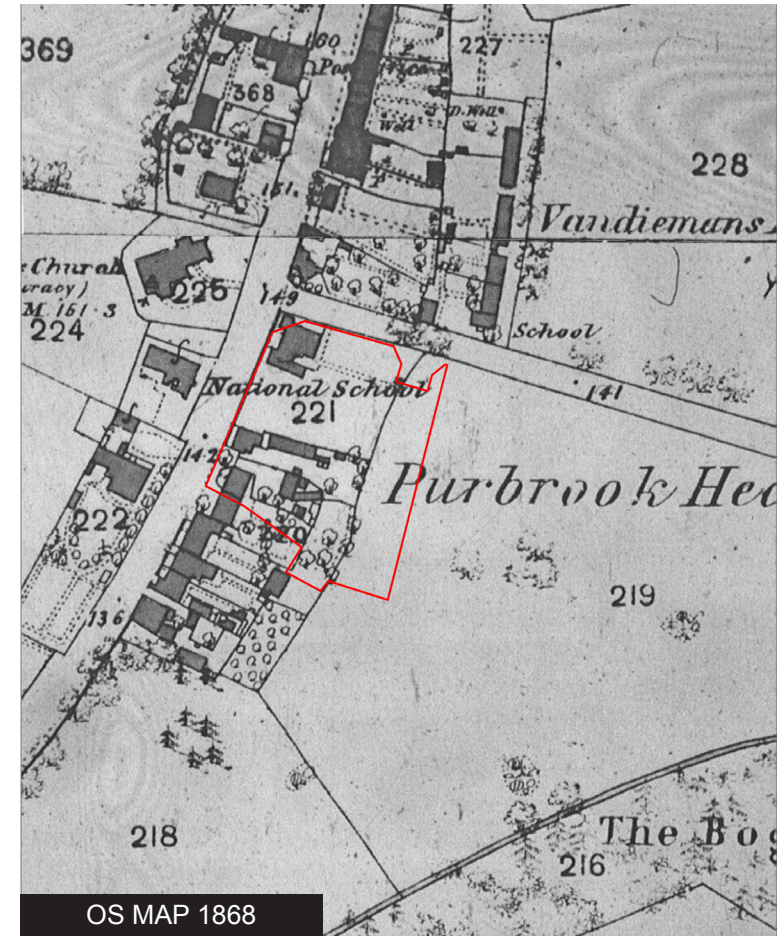
2.0 STATUTORY REQUIREMENTS AND THE DEVELOPMENT PLAN Statutory requirements

- 2.1 All policies relating to listed buildings and conservation areas need firstly to be understood in the context of the requirements of primary legislation. In this context these are: Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990 which states that ‘special regard’ shall be paid to the desirability of preserving the setting of listed buildings and Section 72 that requires that ‘special attention’ shall be paid to the desirability of preserving or enhancing the character or appearance of conservation areas. The Courts have held that these overarching duties establish a strong presumption against the grant of planning permission if any harm (even if ‘less than substantial harm’ – see 3.2 below) would be caused to the setting of listed buildings or to the character or appearance of conservation areas. This has been reinforced recently (March 2014) where the Secretary of State disagreed with his Inspector’s findings on heritage matters in the case of a refusal of permission by Melton Borough Council (appeal reference APP/Y2430/A/13/2191290) in the following terms:

“the Secretary of State takes the view that the Inspector’s conclusion with respect to that building means that, under the terms of S66 of the LB Act and paragraph 133 of the Framework, he must give that matter considerable importance and weight.”

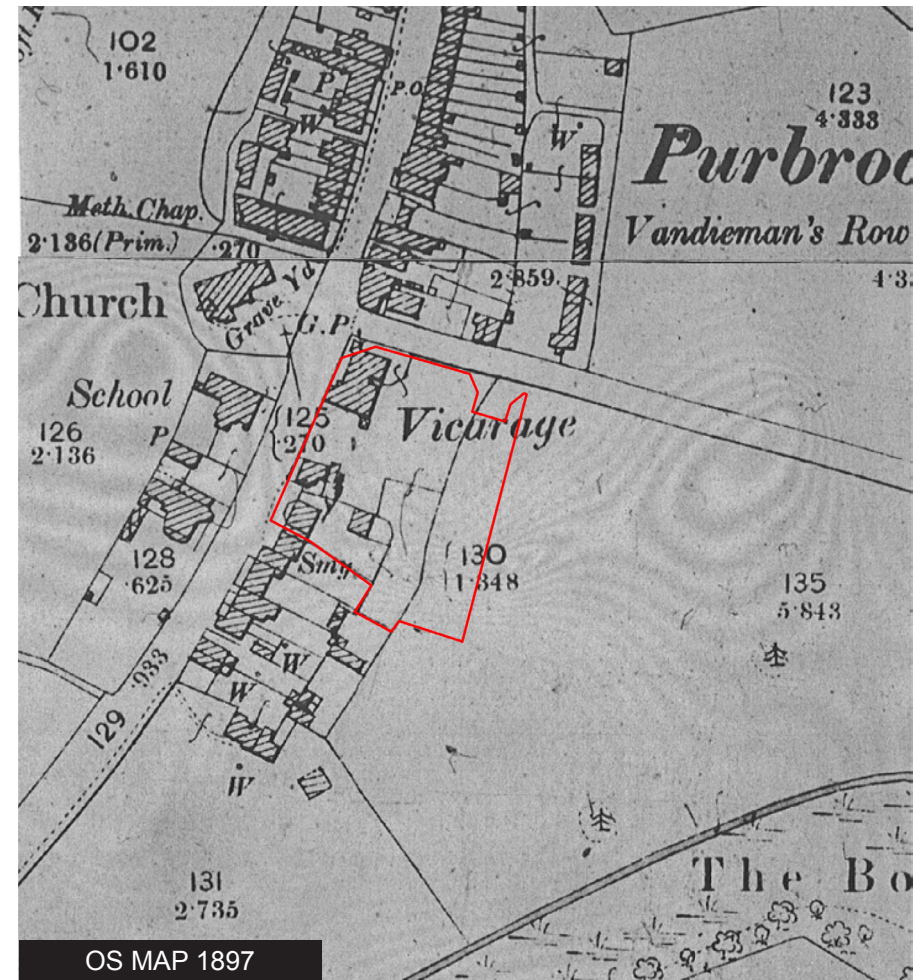


This Tithe map shows how small the hamlet of Purbrook was at this time and how most of the site application site was undeveloped.



This map shows the Church and school in place and (probably) the current main building on the site although it bears no name. The former Methodist Chapel (at least in its present form) is not evident.

- 2.2 This decision by the Secretary of State was taken in the light of the Barnwell Manor Judgment (March 2013) by Mrs Justice Lang which concerned (in part) the degree to which the statutory provisions of sections 66 and 72 of the Planning (Listed Building and Conservation Areas) Act 1990 should have been taken into account in an Inspector's decision. The Court of Appeal has subsequently upheld (February 2014) the earlier Judgment.
- 2.3 Further Judgments on the subject include that relating to the Penshurst Forge Field case by Mr Justice Lindblom (June 2014) and the Poplars Farm, Wappenham case (February 2015) by John Howell QC sitting as a Deputy Judge. These broadly uphold and elaborate upon the principles set out in the Barnwell Manor case.
- 2.4 Nonetheless it should also be noted that, in relation to conservation areas, the Courts have held that the objective to "preserve" or of "preserving" (Sections 69 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990) can be achieved by development which leaves character and appearance unharmed.
- 2.5 Under Section 38 (6) of the Planning and Compulsory Purchase Act 2004, if regard is to be had to the Development Plan for the purposes of any determination to be made under the Planning Acts, the determination must be made in accordance with the Plan unless material considerations indicate otherwise.



The Methodist Chapel is shown while the main building on the application site is shown as a Vicarage

- 2.6 Central government policy on planning issues is set out in the National Planning Policy Framework (the 'Framework'). In addition, the advice from English Heritage in *Understanding Place: Conservation Area Designation, Appraisal and Management; The Setting of Heritage Assets and Conservation Principles, Policy and Guidance for the Sustainable Management of the Historic Environment* are also of relevance but these predate the Framework which was published in 2012. Regard should also be had to the National Planning Policy Guidance which was published in March 2014 and is intended to periodically update and if necessary amend the government's interpretation of the Framework.

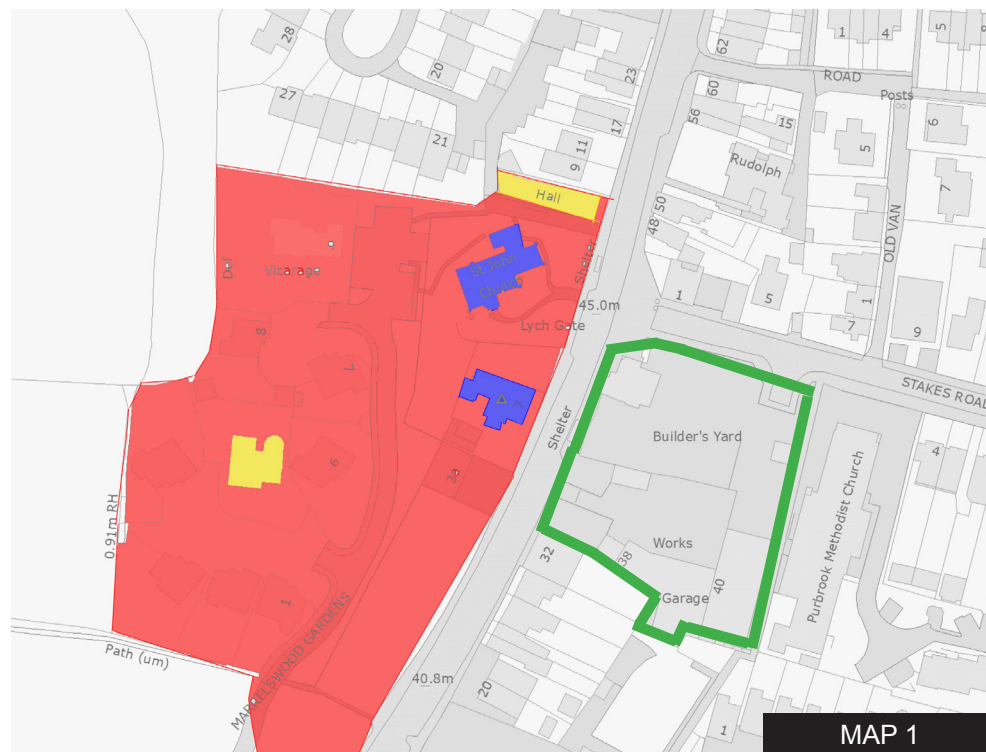
Development Plan

- 2.7 The Development Plan comprises the Havant Borough Core Strategy, adopted in March 2011, which contains the following heritage policy:

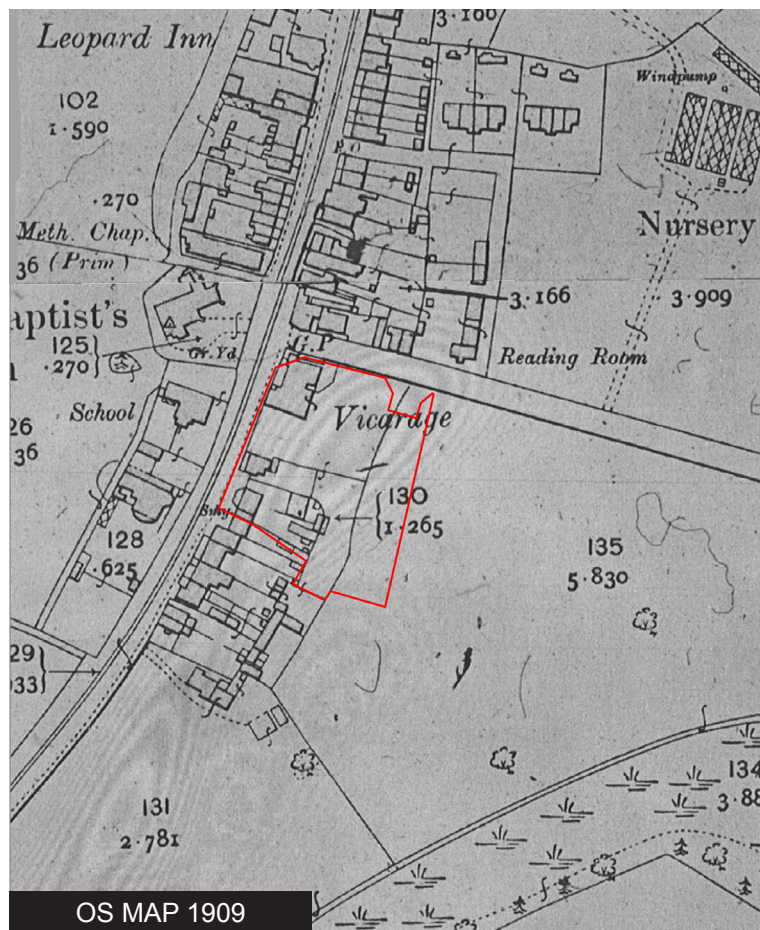
POLICY CS11 PROTECTING AND ENHANCING THE SPECIAL ENVIRONMENT AND HERITAGE OF HAVANT BOROUGH
PLANNING PERMISSION WILL BE GRANTED FOR DEVELOPMENT THAT:

1. ENSURES THE KEY LANDSCAPE AND BUILT FORM PRINCIPLES SET OUT IN THE HAVANT BOROUGH TOWNSCAPE, LANDSCAPE AND SEASCAPE CHARACTER ASSESSMENT ARE PROTECTED AND WHERE POSSIBLE ENHANCED BY PARTNERSHIP WORKING WITH DEVELOPERS, GROUPS AND THE WIDER COMMUNITY.
NB – CLAUSES 2 AND 3 RELATE TO THE NATURAL ENVIRONMENT AND ARE NOT INCLUDED HERE.

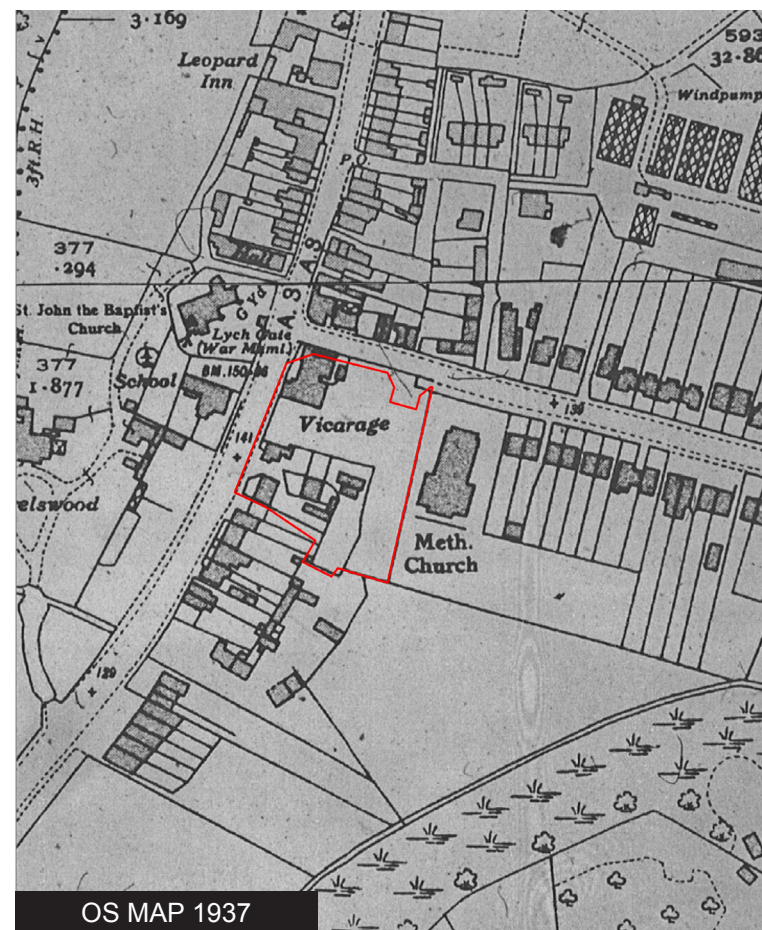
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Heritage assets showing the Conservation Area in solid red with listed buildings in blue and non-designated heritage assets in yellow. The application site is edged green.



Frontage development has consolidated and the Methodist Chapel is still in place as is the school



Development in depth off Stakes Road is evident and the Chapel is now shown as a Hall. There is a new Methodist Church in Stakes Road.

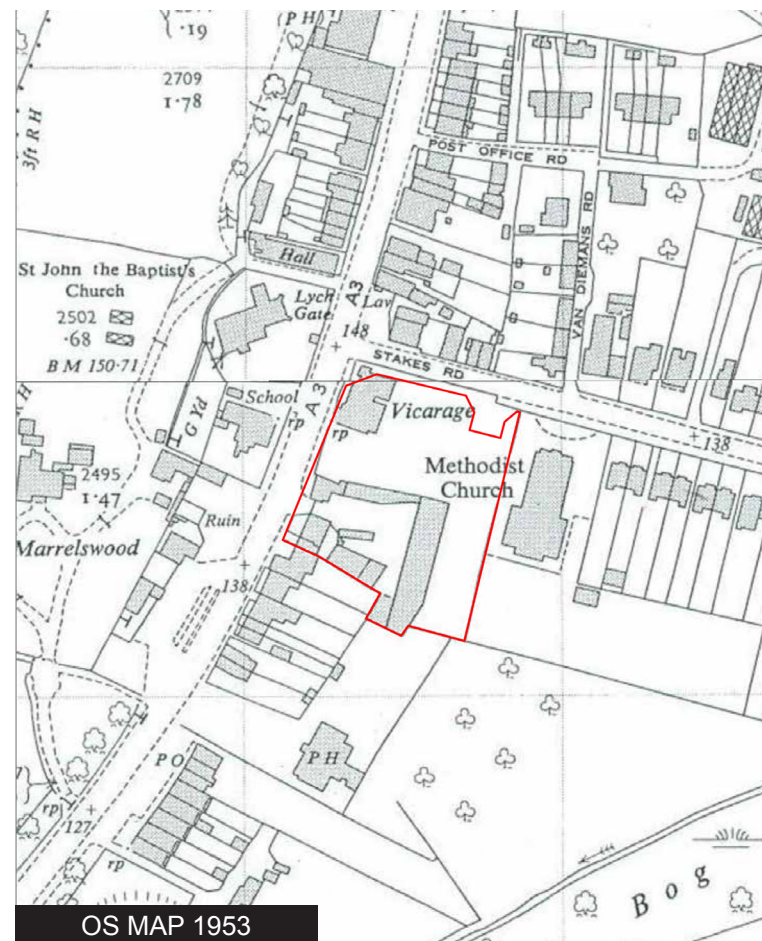
4. PROTECTS AND WHERE APPROPRIATE ENHANCES THE BOROUGH'S STATUTORY AND NON STATUTORY HERITAGE DESIGNATIONS BY APPROPRIATELY MANAGING DEVELOPMENT IN OR ADJACENT TO CONSERVATION AREAS, LISTED BUILDINGS, SCHEDULED ANCIENT MONUMENTS, HISTORIC PARKS AND GARDENS, ARCHAEOLOGICAL SITES, BUILDINGS OF LOCAL HISTORIC OR ARCHITECTURAL INTEREST.

2.8 This policy was adopted a month before the Framework was published so it is possible that it does not fully accord with it. Nevertheless because it is worded positively (ie "permission will be granted") it can generally be regarded as being in conformity with the Framework.

3.0 THE FRAMEWORK AND ADVICE FROM HISTORIC ENGLAND

3.1 Paragraph 14 of the Framework makes it clear that there is a presumption in favour of granting permission for sustainable development unless specific policies in the Framework (see footnote 9) indicate that development should be restricted. These could include where land is subject to the specific designations listed (such as Green Belts) as well as where the site of the development includes or is an element within a designated heritage asset. The application site is not within such a designation being outside the St John's Purbrook Conservation Area. Therefore reliance may be placed upon the development plan in this case unless it conflicts with those in the Framework.

Continued on page 10



Much of the development looks generally as it does today although the building at the north west corner of the application site remains as a Vicarage. The development around Marrelswood has not yet occurred. It is likely that this house is the 'Edwardian Villa.'



Oblique aerial photograph showing listed buildings circled in red; the non designated heritage assets in yellow and the former Vicarage on the application site in blue.

- 3.2 One of the twelve core planning principles set out in paragraph 17 of the Framework is to, ‘*Conserve heritage assets in a manner appropriate to their significance*’ Further details are provided in Section 12 (paragraphs 126 to 141), which is specifically concerned with conserving and enhancing the historic environment. Paragraph 129 states that:

“Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. 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.”

Paragraphs 133 and 134 make a distinction between proposed developments that will lead to ‘... substantial harm to or total loss of significance’ of a designated heritage asset (paragraph 133) and proposals which will have ‘... less than substantial harm’ (paragraph 134). Both of these paragraphs require that any harm should be weighed against the public benefits of the proposed development (or, in the case of paragraph 133) that other criteria apply.

- 3.3 Similar advice is contained within the National Planning Practice Guidance published in March 2014. Under ‘Conserving and enhancing the historic environment’, Section 3, which deals with ‘Decision-taking: historic environment’, states (under the heading, ‘How to assess if there is substantial harm’):



PHOTOGRAPH 1

The former Vicarage on the application site facing London Road. The left hand two storey wing and single storey shop unit are later additions.



PHOTOGRAPH 2

View up London Road from the south. Here the main structure of the former Vicarage appears intact but the fenestration has been considerably altered.

"In general terms, substantial harm is a high test, so it may not arise in many cases."

- 3.4 Paragraph 135 applies in the case of non-designated assets (none of which have been found in this instance), namely:
"The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset."
- 3.5 With regard to heritage considerations therefore the Framework starts with the presumption (paragraph 14) in favour of sustainable development. The decision maker is then required to see whether *"specific policies in this Framework indicate that development should be restricted."* In this context paragraphs 133 and 134 of the Framework (see paragraph 3.2 above) are particularly relevant. This requires an assessment to be made as to whether any harm to a designated heritage will arise and if so whether the 'harm' would be "substantial" or "less than substantial". If no harm arises then the policy is not breached but if 'harm' is judged to result then if it is "less than substantial" it may be outweighed by the other factors described. This then is the balanced judgment that has to be taken if "less than substantial harm" is thought to arise. None of these considerations however detract from the parallel need to also meet the statutory requirements of the Planning (Listed Building and Conservation Areas) Act 1990.



The south side of St John's Church (which is a grade II listed building) overlooking the graveyard.



The south elevation of the former National School (again a grade II listed building) seen from London Road.

The Setting of Heritage Assets

'The Setting of Heritage Assets'

- 3.6 The English Heritage (now Historic England) document (March 2015) *'The Setting of Heritage Assets'* also makes it clear in Section 8 that:

"Setting is not a heritage asset, nor a heritage designation. Its importance lies in what it contributes to the significance of the heritage asset."

This document also provides a five step approach (section 11) for assessing the implications of a development proposal (pages 15 to 24), namely:

Step 1: Identifying the heritage assets affected and their settings;

Step 2: Assessing whether, how and to what degree these settings make a contribution to the significance of the heritage asset(s);

Step 3: Assessing the effect of the proposed development on the significance of the asset(s);

Step 4: Maximising enhancement and minimising harm; and

Step 5: Making and documenting the decision and monitoring the outcomes.

- 3.7 This assessment has adopted this approach although the fifth step is outside its scope.
- 3.8 Section 8 of this document helps to further interpret the Framework but does not have the same status. For the avoidance of doubt the Framework refers to setting as:



PHOTOGRAPH 5

The former Methodist Chapel with later extension to LH side. All of it is a non designated heritage asset.



PHOTOGRAPH 6

The former Merrelswood which is almost certainly the 'Edwardian Villa' that is a non designated heritage asset

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

- 3.9 In Conservation Principles, Policy and Guidance for the Sustainable Management of the Historic Environment reference is made to ‘Understanding Heritage Values’ these then being examined under the headings of evidential, aesthetic, historic and communal value. This definition is similar but not identical to the definition of ‘significance’ in the Framework that mentions *“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.”*
- 3.10 Section 8 of ‘The Setting of Heritage Assets’ (March 2015) sets out the factors that should be taken into account when assessing the setting of heritage assets and its influence on their significance. These include:
- Cumulative change
 - Change over time
 - Appreciating setting
 - Buried assets and setting
 - Designed settings
 - Setting and urban design
 - Setting and social and economic viability



St John's Church from in front of the application site with the Lych Gate in the foreground and the rear of the former Methodist Church to the right.



Looking west along Stakes Road towards London Road. St John's Church is barely visible while the former Vicarage on the application site is in full view on the left.

Where appropriate these matters are addressed in this assessment although not necessarily under specific topic headings.

4.0 IMPACT ON HERITAGE ASSETS

Site Description

- 4.1 The site lies to the east of the former A3, London Road, Purbrook at the junction with and to the south of Stakes Road. It extends to 0.4 hectares (0.97 acres). Beyond the application site to the east and north residential uses predominate although a number of commercial uses still occupy much of the frontage to London Road. There are also a number of community and leisure uses in the area such as churches and a public house.

Heritage Assets

- 4.2 As indicated above, the proposed development would not have any direct (ie physical) impact upon any listed building but could potentially impact upon the setting of nearby listed buildings as well as on the character and appearance of the St John's Purbrook Conservation Area.
- 4.3 In order to inform this assessment general use has been made of the methodology set out in the document '*The Setting of Heritage Assets*' March 2015. It should be noted that both that document and *Conservation Principles Policy and Guidance (for the Sustainable Management of the Historic Environment)* – published by EH in April 2008 – predate the Framework.

Continued on page 16



Looking north up London Road with the application site on the upper left of the view.



The east side of London Road to the south of the application site.

IMAGE 1



IMAGE 2



Illustrative elevations in the context of the streetscene

They also do not have the force of central government policy. It would therefore be unreasonable to criticise any heritage assessment for not using the format suggested in these documents provided the issues set out in the Framework are properly addressed.

Step 1 – Identify the heritage assets

- 4.4 The designated heritage assets whose setting is most likely to be affected by the application site are:
- The St John's Purbrook Conservation Area; plus the following listed buildings:
 - The Parish Church of St John's*
 - The Victorian First National School*
- 4.5 There are two known non-designated heritage assets that will have their setting affected, namely the former Methodist Church which is now used as a Church Hall and the dwelling within the conservation area know as 'The Edwardian Villa.' They may be regarded as having been 'identified' as non-designated heritage assets by virtue of being described as forming part of an "important group" in the Character appraisal of the St John's Purbrook Conservation Area 2008. The existing buildings on the application site are not 'identified' as non-designated heritage assets.

* See also Appendix A to this statement



IMAGE 3

Proposed London Road Elevation



IMAGE 4

Proposed Stakes Road Elevation

The St John's Purbrook Conservation Area

- 4.6 In terms of the area's "archaeological, architectural, artistic or historic" interest (as set out in the Framework Glossary – Annex 2) it clearly has no appreciable significance under the first heading since the Desk Based Archaeological study by CgMs concludes that "the site has a low archaeological potential."
- 4.7 It has some local to regional significance under the second heading of architectural importance although as it contains only two, grade II listed buildings and two of local significance this should not be overstated. Nevertheless the group value of these four key buildings to the local area is high, forming a focus for the historic core of the community. This is well-illustrated by the 1937 OS map.
- 4.8 What significance the conservation area has under the third heading is covered by the description of architectural importance. While interesting in design and construction there are no special features or examples of craftsmanship and innovation that would give any of the buildings particular artistic importance.
- 4.9 The conservation area has some significance under the fourth heading of historic importance. None of the heritage assets appear on the 1838 Tithe Map but three are present by 1897. The Church and school are already present on the 1868 map. Thus they were already in place at the core of the small hamlet of Purbrook as it began to grow through the twentieth



PHOTOGRAPH 17

Looking west from the eastern boundary of the application site with the east elevation of the former Vicarage in the foreground and the former School to the left and rear.



PHOTOGRAPH 18

Looking south down London Road with the application site to the centre right.

century into part of the settlement of greater Waterlooville. The buildings also reflect the importance of religious life in the centre of the community for much of the nineteenth and twentieth centuries.

Listed buildings whose setting may be affected by the proposed development

The Parish Church of St John's

- 4.10 In terms of the building's "archaeological, architectural, artistic or historic" interest (as set out in the Framework Glossary – Annex 2) it clearly has no appreciable significance under the first heading. Architecturally it is of national interest through its listing, although, given its date (the middle of the nineteenth century) and its 'Early English' vernacular style and proportions it is not at the front rank of ecclesiastical architecture, even of this period. The listing description (see Appendix A) sets out the relevant 'special' qualities that led to its listing. While that gives the date as 1843 other sources suggest it was not complete until 1858. It has no appreciable significance under the third heading and its significance under the fourth heading was described earlier in relation to the buildings at the core of the conservation area.

Listed buildings whose setting may be affected by the proposed development

The Victorian First School

- 4.11 As with the Parish Church the listing description (see Appendix A) sets out the relevant 'special' qualities that led to its listing.

While not attributed to JP Harrison (the architect of St Johns Church) it is possible that he may have also been responsible for its design given that it is thought to have been built in the mid nineteenth century. While an interesting architect (he was a disciple of AW Pugin) he designed relatively few buildings and examples of his work tend to be derivative rather than innovative. The school therefore has some architectural, artistic and historic importance (as largely described earlier in this report) but no real archaeological significance.

The existing buildings which currently occupy the site

- 4.12 The earliest of these was constructed sometime (according to the evidence of historic OS maps) between 1840 - at the earliest - and 1868 when it first appears on the map of that date. At that time no use was indicated but in the map of 1897 through to the OS map of 1953 it is shown as a Vicarage. The initial conclusion is probably that the building was built (or quickly became) the Vicarage for St John's Church given its proximity and the use of brick, knapped flint and stone dressings. While this is the most likely explanation it may not however be correct and in the absence of conclusive evidence some caution may be required.
- 4.13 There is an Article 4 Direction in place in respect of a property within the designated conservation area that is described as the "Edwardian Villa (former vicarage)" in the Conservation Area Character Appraisal and is illustrated in the photographs forming part of this statement. Whether this property became the Vicarage at some time after 1953 (when the building on the application site stopped being described in that way) is unclear

although that is possible since it post-dates the construction of the oldest building on the application site. It is however known that the current (oldest) building on the site ceased to be a Vicarage of any denomination over 50 years ago and that since that time it has been subject to considerable alteration, extension and a change of use to commercial purposes. This has severely compromised the original character of the building which is not in any listed or 'identified' as a non designated heritage asset.

- 4.14 In terms of the building's *"archaeological, architectural, artistic or historic"* interest (as set out in the Framework Glossary – Annex 2) it clearly has little appreciable significance under the first three headings. Architecturally it is of modest interest given its date (post 1838) and falls far short of the qualities required to make it a candidate to be statutorily listed. Any value in terms of historic significance rests entirely on it forming part of the group built between 1838 and 1868 at the centre of the original hamlet for community purposes. Whatever importance may be ascribed by local people to this aspect of the building's perceived importance it has to be understood that it has no value as 'heritage asset' as defined by the Framework and the NPPG. As such it has no claim to protection or preservation under that heading.
- 4.15 The remainder of the buildings on the site almost all post-date the time that the original building ceased to be a Vicarage, ie around 1953 or shortly after. Most of these buildings were built to accommodate the commercial uses on the site and



The Church (to the left) and former school seen (to the right) from within the conservation area



Looking north up London Road with the former school to the left and the former Vicarage (on the application site) to the right.

none are of any importance under any of the headings of “archaeological, architectural, artistic or historic” interest.

*Non designated heritage assets whose setting may be affected by the proposed development –
The former Methodist Chapel and the ‘Edwardian Villa’ (former vicarage).*

- 4.16 In terms of the “archaeological, architectural, artistic or historic” interest of these buildings (as set out in the Framework Glossary – Annex 2) they clearly have no appreciable significance under the first heading. Architecturally they of modest interest given their date (the latter half of the nineteenth century) and fall far short of the qualities required to make them candidates to be statutorily listed. Nevertheless they have been ‘identified’ in the Conservation Area Character Appraisal as being of local importance and therefore may be regarded as non designated heritage assets. Under the third heading (of artistic importance) their modest design qualities may give them some minor interest. Any value in terms of their historic significance rests (as previously discussed) in their early establishment at the heart of the hamlet of Purbrook and their significance to its communal life.

Step 2 – Assessment of setting

- 4.17 The relevant heritage assets of the site whose setting needs to be assessed are the listed buildings described above and the St John’s, Purbrook Conservation Area, all of which are designated heritage assets, plus the two non-designated heritage assets.

In relation to the (non-exhaustive) checklist of the relationship between ‘Views and Setting’ set out in sections 6 and 7 of ‘The Setting of Heritage Assets’, it is considered that the following attributes of the setting of the relevant designated heritage assets in this case (ie taken from the checklist and considered relevant) are among those that may make some contribution to their significance:

- *those where relationships between the asset and other historic assets or places or natural features are particularly relevant;*

Particular views may be identified and protected by local planning policies and guidance. This does not mean that additional views or other elements or attributes of setting do not merit consideration. Such views include:

- *views that are identified when assessing sites as part of preparing development proposals.*

- 4.18 The degree of inter-visibility between the application site and the heritage assets has special relevance as to how extensive the impact of the proposed development on the setting and therefore potentially on the significance of heritage assets is assessed. In particular it should be noted the fact that the effect of the development proposed will be experienced as part of a wider panorama, ie as part of the street scene (as are the current buildings) rather than

seen as a direct and independent structure having a 'one to one' impact on the heritage assets in question. Nevertheless there is likely to be a greater impact (whether positive or adverse) on the Church and First School (grade II listed buildings) than anywhere else by virtue of them being the nearest heritage assets. For the same reason the degree to which the impact of the proposal will be experienced will largely vary according to distance, decreasing rapidly as the viewer gets further away to the point where the impact will barely register.

Effect of the proposed development

The proposed building

- 4.19 The development proposed on the site is well illustrated and explained in the Design and Access Statement (DAS) that accompanies the application. This clearly indicates the form and layout of uses and built development intended. Without rehearsing this in great detail it is proposed to construct 42 dwellings comprising a mix of 23 one bedroom and 19 two bedroom apartments together with a Homeowners Lounge, Landscaped Communal Gardens and associated parking.
- 4.20 In plan form the building appears to be a 'U' shape with frontages to London Road and Stakes Road and an internal wing along the eastern boundary facing towards the western wall of the Methodist Church. Furthermore (see the Verified Images that support the application) it will 'read'

as a structure where only two faces are likely to be visible from public viewpoints at any one time. It is proposed that the corner between London Road and Stakes Road will be a double fronted return forming a three storey element that acknowledges the importance of the junction but does not dominate either the location or its neighbours. In fact this element would not 'read' as a full three storeys to either street as it would be slightly 'dug in' by almost half a storey.

- 4.21 To London Road the façade would 'read' as five separate stepped elements dropping down the slope of the street from north to south. These would form an apparent series of terraced houses designed with slight differences but in a 'family' style to give an organic and vernacular style. The fenestration would also have a vertical rhythm that would give the elevations a clear and well-proportioned tertiary scale with a strong 'solid to void' ratio in keeping with both the design ethos and of the surrounding area. Materials would be a mix of red brown brick and matching roof tiles with emphasis given to the key corner gables and part of the ground floor by the use of knapped flints which occur in the existing, on-site former vicarage and the listed buildings within the nearby conservation area. Render would be used sparingly to emphasise the other gable ends and the first floor of the southernmost element of the London Road frontage.

- 4.22 The vehicular access for resident's cars would be from London Road while servicing would take place from the large existing turning area at the head of Stakes Road.

Effect of the proposed development on the St John's Purbrook Conservation Area

- 4.23 The designated St John's Purbrook Conservation Area is limited in extent but it would nonetheless be unrealistic to argue that development in one part of it (in this case near the western boundary along London Road) would have an equal impact across the whole area. Nevertheless the most prominent part of the conservation area is that opposite the application site because it is here that the two listed buildings are located as well as one (the former Methodist Church) of the two non designated heritage assets.
- 4.24 Bearing in mind the comment (see paragraph 4.18 above) that the significance of a heritage asset is likely to be highest where it can be seen directly with the proposed development the impact of this proposal will be experienced most highly around the two listed buildings which are almost directly opposite the application site. The likely impact will fall away considerably in both directions, ie when moving north and south, and in the latter direction the fall of the street will lessen the relationship of the application site with the conservation area.
- 4.25 Taking that part of the conservation area that fronts London Road the effect (looking across the street from the corner of

London and Stakes Road) will be to largely reflect the form of the existing development, although the overall height and mass of the building will be slightly increased. The built form however will be far more coherent and replicate the best traditions of vernacular, organic development. The visual impact on this part of the conservation area will therefore be modest and not either dominate or appear overbearing in relation to the designated heritage asset. This means that the impact should not cause harm despite the modest increase in height, mass and footprint. The impact would be largely neutral and in some respects moderately positive by virtue of providing greater continuity and better design in the street scene. Similarly the view looking south down London Road from around the corner with Stakes Road will also be broadly consistent with the existing street scene and in some ways will again achieve a modest amount of 'urban mending.' Similarly the view up London Road from the southern boundary of the application site will not be adverse since it will maintain the overall setting, character and appearance of the conservation area. Thus while there will be change it should not have any adverse impact on the heritage significance of the conservation area.

Effect of the proposed development on the listed buildings
The Parish Church of St John's

- 4.26 Much of the analysis and conclusions that applied to the St John's Purbrook Conservation Area also hold true in respect of this listed building. In fact the case for arguing that no

harm would arise is further reinforced by two additional considerations. Firstly the Church building is set back from the frontage of London Road and behind a stone wall and Lych Gate, although it is recognised that the whole of its curtilage is also effectively listed. None of the land within it however will change and while the view from the Lych Gate will alter the effect on the setting of the Church as a structure will be negligible.

- 4.27 Secondly the sheer mass and scale of the Church makes it a dominant feature in the townscape and the visual centre piece of both the conservation area and this part of Purbrook in general. This gives it a robust setting which makes it resilient to impact from new development. Thus while there will be change it should not have any adverse impact on the setting or heritage significance of the Church. Overall and on balance the impact is likely to be neutral and will satisfy the statutory duty of section 66 of the 1990 Planning Act to have 'special regard' to the setting of listed buildings when determining applications for new development.

Effect of the proposed development on the listed building of the First School

- 4.28 While much of the analysis and conclusions that applied to the St John's Purbrook Conservation Area also hold true in respect of this listed building there are additional, specific factors that should be taken into account. Firstly it is nearer to London Road and therefore the proposed development than the Church, potentially making it more susceptible to any

adverse impact, Secondly it is lower than the Church and while not small is, at its highest, no more than a two storey domestic building with a pitched roof.

- 4.29 That part of the application site directly opposite the school building has never (according to historic OS maps) ever been developed. Nonetheless this openness has not had any positive influence on this listed building since it simply affords a view of an open storage area which does nothing positive for the setting of the heritage asset and in act has a negative influence on its setting and therefore significance. Providing therefore that any new building is well designed and of satisfactory height and proportions its impact should, at the very least be neutral. In this case and taking the development as a whole the impact is likely to range from neutral to moderately positive. This again derives from the positive contribution that the new development will make to the wider townscape and therefore to the setting of this listed building. Once again the proposed development will satisfy the statutory duty of section 66 of the 1990 Planning Act to have 'special regard' to the setting of listed buildings when determining applications for new development.

Effect of the proposed development on the former Methodist Chapel and the 'Edwardian Villa' (also known as the former Vicarage.)

- 4.30 These buildings have to be considered as a heritage assets (albeit undesignated) in their own right since they have been referred to in the Character Appraisal to the Conservation Area.

This means they have been ‘identified’ by the local planning authority as undesignated heritage assets which carries the same weight as if they were locally listed. They are both however located at some distance from the application site and only the Methodist Chapel has any direct intervisibility with the appeal proposal. The provisions of 135 of the Framework which has already been set out in paragraph 3.2 above might normally apply in this case but as it is concluded that there is no harm to the designated heritage assets in question there can be no serious reason to believe that the setting and therefore significance of these two non designated heritage assets would be adversely affected.

Step 4 – Maximising enhancement and minimising harm

- 4.31 The DAS sets out clearly the proposals in this context. In particular the way that the proposed building has been modelled helps to ensure it responds positively to its setting which includes the heritage assets already considered. By generally maintaining the quality of the overall design and townscape in this part St John’s Purbrook Conservation Area the proposed development would make a material and moderately positive/neutral contribution to the general setting of the identified heritage assets.

5.0 CONCLUSIONS

- 5.1 From any informed examination of the heritage and design value of the application site in its present form it makes a negative to moderately adverse contribution to this part of the St John’s Purbrook Conservation Area. From the perspective of its heritage value (as defined in the NPPF) the key is what significance should be attributed to it. One of the key judgments required in the case of proposals for a new building on this site remains that set in paragraph 129 of the NPPF, ie *“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)...”* It is clear that this requires the assessment to be made against the existing setting of any heritage assets.
- 5.2 It is appreciated that the advice of English Heritage (*“The Setting of Heritage Assets”* March 2015) does not seek to interpret the concept of setting too narrowly and this approach is to some extent maintained in the NPPF definition of setting referred to in paragraph a.aa above. Unlike the EH document however the NPPF makes clear that:
“Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.”
- 5.3 It must be the case however that the **‘significance’** (author’s emphasis) of this ‘not fixed’ - or wider - setting cannot normally be considered as being equally important as the ‘immediate’

since it is fundamental to the NPPF advice that the viewer is able to appreciate significance and if one of the elements is hidden it is difficult to claim that it has the same significance as one that is in full view. If it was thought to be equally important this would contradict the underlying concept of proportionality that underpins the Heritage Section (12) of the Framework. This point is further reinforced by the NPPG (March 2014) where it states:

“A thorough assessment of the impact on setting needs to take into account, and be proportionate to, the significance of the heritage asset under consideration and the degree to which proposed changes enhance or detract from that significance and the ability to appreciate it.”

- 5.4 The starting point must be a comparative one of how the current site affects the setting of the relevant heritage assets, ie the St John’s, Purbrook Conservation Area and how that would be changed by introducing the proposed building. The earlier sections of this report sought to establish the way in which the setting of that asset and nearby listed buildings (“designated heritage assets” in their own right) would be affected by the building proposed. As mentioned at the outset regard should also be paid to the general advice contained in the Framework (paragraph 58) that new development, irrespective of its context should *“respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation.”*

- 5.5 The new building not only needs to meet the basic statutory requirements that it will ‘preserve or enhance’ the character and appearance of the St John’s, Purbrook Conservation Area and not adversely affect the setting of the nearby listed buildings but it must also pass the tests laid down by the NPPF. These effectively require new development to have (at worst) a neutral effect on the setting of heritage assets and preferably a more positive one than that which currently exists. In reaching a judgment on this matter it is a question of the acceptability or otherwise of the building now proposed having regard to the appropriate tests discussed earlier.

- 5.6 It is concluded that in terms of the Conservation Area the proposed building would not create any visual harm because it would maintain the essential character and appearance of it. The proposal does not need to be considered within the duty under section 72 of the 1990 Act to pay ‘special attention’ to the effect of the proposal on the character and appearance of the conservation area because the application site is outside the conservation area boundary.

- 5.7 With regard to the impact on St John’s Church and the former First School this again cannot be described as causing ‘harm’ to this listed building. This is because the church is a dominant and robust heritage asset that will be unaffected by the presence of the proposed building and may even find its setting marginally enhanced

through the design and appearance of the proposed building. The latter is of a sufficiently high quality to ensure that the 'special regard' that is required by section 66 of the 1990 Act is also met.

- 5.8 As far as the former First School is concerned, it is considered that, for broadly similar reasons to the Church, there is not any harm to its setting and therefore to its significance. The effect of the proposal here would be neutral or possibly moderately positive.
- 5.9 Where any form of harm to designated heritage assets is considered to be "less than substantial harm" (paragraphs 133 and 134 of the NPPF) any other planning benefits should nonetheless be weighed in the balance when reaching a decision. In this case however these paragraphs do not apply as it is considered that that the question of harm does not arise.
- 5.10 Similarly in the case of the two non designated heritage assets described earlier the test is lower as set out in paragraph 135 of the NPPF and already described in paragraph 3.4 above. Nevertheless it is considered that as there would be no harm to their setting or significance this paragraph is not engaged.
- 5.11 It is considered that the relevant Core Strategy Policy policy applies in this instance and that its terms are satisfied.

- 5.12 Finally it must be stressed that this report deliberately does not examine the possible heritage value of the existing major building (former Vicarage) on the site. This is because the terms of the Framework make it clear that the building is **not** (author's emphasis) a heritage asset, either designated or non designated. It cannot fall into the latter category because it has not been 'identified' in any way by the local planning authority in the manner required by the Framework and the NPPG. It therefore cannot be regarded as a heritage asset and cannot enjoy any protection as one.

APPENDIX A RELEVANT LISTING EXTRACTS

List Entry Summary

This building is listed under the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended for its special architectural or historic interest.

Name: CHURCH OF ST JOHN

List Entry Number: 1154969

Location

CHURCH OF ST JOHN, LONDON ROAD

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

County: Hampshire

District: Havant

District Type: District Authority

Parish:

National Park: Not applicable to this List entry.

Grade: II

Date first listed: 06-Feb-1984

Date of most recent amendment: Not applicable to this List entry.

Legacy System Information

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

Legacy System: LBS

UID: 135421

Asset Groupings

This List entry does not comprise part of an Asset Grouping. Asset Groupings are not part of the official record but are added later for information.

List Entry Description

Summary of Building

Legacy Record - This information may be included in the List Entry Details.

Reasons for Designation

Legacy Record - This information may be included in the List Entry Details.

History

Legacy Record - This information may be included in the List Entry Details.

Details

SU 60 NE HAVANT LONDON ROAD Purbrook

3/3 CHURCH OF ST JOHN II

Parish church. 1843, by J. P. Harrison. A vernacular 'Early English' style building. Nave of 3 bays with a south aisle, chancel, South porch, and south-west tower. Tile roof: walling of coarse flints with stone dressings, diagonal buttresses. Some plate, some Geometrical tracery. Tower of 2 stages.

Listing NGR: SP6730208021

Selected Sources

Legacy Record - This information may be included in the List Entry Details

Map

National Grid Reference: SU 67301 08020

List entry Description

Summary of Building

Legacy Record - This information may be included in the List Entry Details.

Reasons for Designation

Legacy Record - This information may be included in the List Entry Details.

History

Legacy Record - This information may be included in the List Entry Details.

Details

SU 60 NE HAVANT LONDON ROAD Purbrook

3/4 Purbrook First School II

Church school. Mid C19 Gothic style hall, with cross hall to the rear, porch, bell tower, and later minor extensions, Coarse flint walling with stone dressings, tile roof. Elevation to the road (east) has a large gable with 2 windows, having plate tracery above double lights, linked by a transom. Bell tower

with pyramid roof, panelled eaves with gable. Porch wing has a doorway with a pointed arch with a relieving arch above of brick and yellow stone voussoirs. The general treatment is applied elsewhere, in a simpler form.

Listing NGR: SP7204308967

Selected Sources

Legacy Record - This information may be included in the List Entry Details

National Grid Reference: SU 67302 07986