



Figure 4.9 - Looking north-west towards The Bank from East Street.



Figure 4.10 - Looking north down Lion Lane from outside of the Red Lion Pub.



Figure 4.11 - Looking north-east across the green triangle from East Street.

# Turners Hill CofE Primary School

Assessment against Historic England Criteria	
Criteria	Comment
Age	Built in 1887, but the interior was completely re-designed in 1988, with extensions in 1988 and 1991.
Rarity	A one-storey late-Victorian stone Church of England primary school with typical tall gable-ends and ecclesiastical window forms. A good example of a common style of education building from this period.
Architectural/Artistic Interest	The window style of the historic element of the building is of interest, as is the open tower that sits between two of the gables. Due to the extensions, only the surviving historic elevations are of interest.
Group Value	The building is not grouped with any other assets.
Archaeological Interest	n/a
Historic Interest	It has served as the primary school for the village since 1887 and therefore has a strong historic communal value for the local community.
Landmark Status	The building does not hold landmark status.

### Setting

- 4.78 The primary school is set back from Church Road, with a driveway, car park, hedging and fencing separating it from the busy through-road. The set-back nature means that it sits within a relatively open setting, further emphasised by its playground to the east and fields to the west. It forms a prominent feature of the southern side of Church Road, across which sits a bank of hedging and foliage, as well as the driveway to the Old Vicarage and School View. The building's wider setting consists of the residential buildings throughout the village, as well as fields and woodland to the south-west.

### Summary of Significance

- 4.79 Turner's Hill CofE Primary School is a late-19<sup>th</sup>-century school building that retains external features of architectural interest despite periods of alteration and extensions.



Figure 4.12 - Turners Hill CofE Primary School



Figure 4.13 - The Old Vicarage

# The Old Vicarage

Assessment against Historic England Criteria	
Criteria	Comment
Age	Built between 1874 and 1895 – a late Victorian domestic building built as the vicarage for the village church.
Rarity	Not a rare building type, the style is of interest but there are many similar surviving buildings from this period.
Architectural/Artistic Interest	Limestone at lower floor with decorative clay tile hanging of the first floor which fits with the local vernacular, along with the timber in the gable end and barge boarding. The irregular form of the building also provides interest.
Group Value	It holds group value with the neighbouring contemporary building (120 Church Road).
Archaeological Interest	n/a
Historic Interest	An example of the domestic vernacular architecture of the late-Victorian period with connections to the parish church.
Landmark Status	The building does not hold landmark status.

### Setting

- 4.80 The Old Vicarage is set well back from Church Road, with a driveway behind substantial hedging leading up to the building. Its set back nature means that it is only visible in glimpses from the road, and is therefore best appreciated within its immediate setting. It is surrounded by its own undulating gardens and paved driveway, with two outbuildings to the north. To the west lies a large open grassed area which is bordered by tall hedging and trees, and a small orchard sits to the south.
- 4.81 Within its immediate setting, the house has prominence due to its position above the grounds to the south and the openness of the space. It is separated from the contemporary 'School View' properties by hedging, but the visibility of the upper floors of its neighbour contribute to its significance as the properties were built at the same time and have always been within each-others' setting. The building's wider setting, of the rest of Turners Hill as well as fields to the north, are predominantly shielded from the house by hedging and trees, and therefore do not provide a strong contribution to its interest.

### Summary of Significance

- 4.82 The Old Vicarage was built in the mid-late-19<sup>th</sup> century. It makes use of architectural features including clay hanging tiles, wooden bargeboarding, tall stone chimney stacks and an irregular form. It is best appreciated within its own gardens due to its seclusion from Church Road and the wider settlement of Turners Hill.



# The Fire Station

Assessment against Historic England Criteria	
Criteria	Comment
Age	Mid-20 <sup>th</sup> century fire station, originally a wheelwrights.
Rarity	The smallest fire station in Sussex
Architectural/Artistic Interest	Stone L-shaped building of one story, with red-painted pipework and barge-boarding. Stone carving included at gable-end and at the wall at the side of the fire engine entrance.
Group Value	The building is not grouped with any other assets.
Archaeological Interest	n/a
Historic Interest	It has served as a fire station since the mid-20 <sup>th</sup> century and its history as a wheelwright's provides further historic interest.
Landmark Status	The building does not hold landmark status.

### Setting

- 4.83 The Fire Station lies along the north side of Church Road, near the crossroads junction. The station is set slightly back from the pavement behind a grassed verge, but still holds a very prominent position in the street-scape of the crossroads.
- 4.84 To the rear, the fire station's plot consists of an area of hardstanding with markings giving it a clear connection to the function of the building. The building's wider setting to the north consists of a number of agricultural outbuildings and the rears of the buildings along The Bank to the north, with Church Road and the village primary school to the south. Its central position within the parish fits with its function as a building that serves the local community, and it is this element of its setting that contributes the most to its significance.

### Summary of Significance

- 4.85 The fire station is a mid-20<sup>th</sup>-century building that was initially constructed as a wheelwrights. The stone building is a focal point within Turners Hill and there is local pride in its existence as the smallest fire station in Sussex.



Figure 4.14 - The Fire Station



Figure 4.15 - 120 & 121 Church Road

# 120 & 121 Church Road

Assessment against Historic England Criteria	
Criteria	Comment
Age	Built between 1874 and 1895 – a late Victorian domestic building.
Rarity	Not a rare building type, the style is of interest but there are many similar surviving buildings from this period.
Architectural/Artistic Interest	Interest from the vernacular clay-tile hanging at the first floor, as well as the stone plinth along the ground floor, wooden bargeboarding and pipework, and the brickwork on the tall-stack chimney.
Group Value	It holds group value with the neighbouring contemporary building (The Old Vicarage).
Archaeological Interest	n/a
Historic Interest	An example of the domestic vernacular architecture of the late-Victorian period.
Landmark Status	The building does not hold landmark status.

### Setting

- 4.86 As with the Old Vicarage, nos. 120 & 121 Church Road are set substantially back from the road, up a paved driveway behind tall established hedging. Each dwelling has its own garden, which are bordered with hedging and trees, this boundary treatment serves to enclose the building and it is therefore best appreciated from directly within its own plot. It has remained connected to the contemporary neighbouring Old Vicarage since their construction, and this is an element of the building's setting that contributes to its significance.
- 4.87 The position and boundary of the building means that its wider setting is relatively limited, with little visibility of the building from anywhere outside of its intimate setting.

### Summary of Significance

- 4.88 A mid-late-19<sup>th</sup>-century symmetrical pair of houses with many vernacular architectural features including clay hanging tiles at first floor, gabled roofs with tall stack chimneys. It has retained its historic connection to the Old Vicarage.

# Providence Terrace

Assessment against Historic England Criteria	
Criteria	Comment
Age	Built in 1901.
Rarity	A typical Edwardian townhouse pair which has undergone alteration to create shops at ground floor.
Architectural/Artistic Interest	The decorative metal parapet at the front of the flat roof of the building is of particular interest, along with the stone quoining and strong course, dentilled brickwork, and stone keystones within the red brick flat-arched lintels over windows. Historic casement and sash windows at upper floors and to the rear.
Group Value	The building is not grouped with any other assets.
Archaeological Interest	n/a
Historic Interest	An indication of new buildings being added into the historic village core at the start of the 20th century.
Landmark Status	The building does not hold landmark status.

## Setting

- 4.89 Providence Terrace fronts onto Lion Lane, and is set back from the road and pavement by an area of hardstanding which is currently used for car parking, with low walls at the front marking the building's plot boundary. The building marks the change in openness of Lion Lane as it becomes more enclosed further to the north, and therefore its wider setting to the south consists of the village green and the buildings surrounding it.
- 4.90 To the rear, the building has a garden space which contains a number of trees, and beyond this lies an area of hardstanding (within the Site boundary) that sits higher than the building. The setting of the building to the front provides a retained appreciation of the building's historic setting within the other, older, buildings that form the core of the village. This element of the setting therefore contributes the highest to the building's significance.

## Summary of Significance

- 4.91 Providence Terrace was constructed in 1901 as a pair of townhouses with interesting architectural detailing including its metalwork parapet, and was subsequently converted to allow for commercial space at ground floor. It is located in the centre of the built form within the village, and has retained this setting since its initial construction.



Figure 4.16 - Providence Terrace

## 5. Assessment of Proposals

5.1	The heritage legal and planning policy relevant to the consideration of the application proposals set out in Appendix A of this report. This legal and policy context includes the statutory duties of the Planning (Listed Buildings and Conservation Areas) Act 1990, national policy set out in the NPPF (2024), as well as regional and local policy for the historic environment.	<b><u>The Proposals</u></b>	
5.2	In accordance with paragraph 207 of the NPPF, the significance of the designated and non-designated heritage assets that may be affected by the application proposals have been set out in Section 4 of this report.	5.8 The application proposals comprise:	
5.3	The NPPF requires local planning authorities to identify and assess significance of a heritage asset that may be affected by the proposals (paragraph 208). They should take the assessment into account when considering the impact of proposals in order to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposals.	5.9 "Development of 40 dwellings (including affordable housing) with open space, access, parking, drainage, landscaping and other associated works as well as the creation of a new community car park and replacement parking for Lion Lane residents"	5.14 Additionally, any harm would be at a low level, and this has the potential to be mitigated through the proposals' meeting the requirements of the site allocation, as well as the careful choice of materiality and form of the proposed buildings to be in-keeping with the wider conservation area and the Turners Hill Village Design Statement. The planning balance can be found in the accompanying Planning Statement by Gillings Planning.
5.4	Account should be taken of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation, the positive contribution that conservation of heritage assets can make to sustainable communities including their economic viability, and the desirability of the new development making a positive contribution to local character and distinctiveness (paragraph 210).	<b><u>Impact of Application Proposals</u></b>	<b>Direct Impact</b>
5.5	When considering the impact of proposals on the significance of designated heritage assets, the NPPF requires (paragraph 212) that great weight should be given to their conservation and the more important the asset, the greater the weight should be. This is consistent with recent high court judgements (Barnwell Manor, Forge Fields) where great weight should be attached to the statutory duty.	5.10 The proposals will have both direct and indirect affects on the surrounding heritage assets. As part of the application site is situated within the Turners Hill Conservation Area, any external works will have a direct impact on it. The other identified heritage assets assessed in this report will be indirectly impacted by the proposals through the resulting change to their wider settings, which make up an element of their significance. Some assets have been assessed in conjunction with each other to avoid repetition.	5.15 As the Site is partly situated within Turners Hill Conservation Area, the proposals will have a direct impact on this asset.
5.6	Where a development proposal causes harm to the significance of designated heritage assets, this should either be treated as less than substantial (paragraph 215), or substantial (paragraph 214). In determining the level of harm, the relative significance of the element affected should be taken into account. Furthermore, local planning authorities are also encouraged to look for opportunities for new development within conservation areas and the setting of heritage assets to enhance or better reveal their significance. According to paragraph 219, proposals that preserve those elements of setting the make a positive contribution to or better reveal the significance of a heritage asset should be treated favourably.	<b><u>Site Allocation</u></b>	5.16 Turners Hill Conservation Area encompasses the centre of the parish of Turners Hill. It comprises a mixture of architectural styles, with buildings dating from the 16 <sup>th</sup> -21 <sup>st</sup> centuries. The differing architectural styles illustrate the changing fashions of the periods in which specific buildings were constructed, however, the materiality of the majority of the buildings within the area consists almost exclusively of stone, red brick and clay hanging tiles with traditional pitched clay or slate-tiled roofs.
5.7	Paragraph 216 of the NPPF concerns the effect of an application on the significance of a non-designated heritage asset and should be taken into account when considering development proposals with a balanced judgement being required to have regard to the scale of any harm or loss against the significance of the asset.	5.11 The southern element of the site including "Old Vicarage Field & The Old Estates Yard" has been included as an allocated site within the Turners Hill Neighbourhood Plan.	5.17 The Site is situated at the western side of the conservation area. It sits to the rear of the row of listed buildings that line The Bank, and consists of primarily undeveloped land, with the south-east corner consisting of hardstanding and dilapidated agricultural outbuildings.
		5.12 The delivery requirements of the site allocation include:	<b><u>Extent of proposed demolition</u></b>
		<ul style="list-style-type: none"> <li>A mixture of 1, 2 and 3 bedroom homes, of which 30% will be affordable housing;</li> <li>A new village car park with pedestrian access via The Bank and the Fire Station;</li> <li>An entrance road to the west of the Old Vicarage of minimum 5.5m to ease congestion;</li> <li>The closure of the current driveway to the Old Vicarage and School View; and</li> <li>That the development will preserve or enhance the character and appearance of the Turners Hill Conservation Area through utilising the guidance provided in the Village Design Statement.</li> </ul>	5.18 The existing buildings on the site, located at the south-west corner, are proposed for demolition. They consist of agricultural/workshop/storage ranges that were constructed around the mid-20 <sup>th</sup> century. They do utilise the material palette and typical form of the rest of the conservation area; being constructed of red brick and having pitched roofs. However, they are not part of the historic built form of the area, have no features of architectural interest, and are all in various states of disrepair. Therefore they provide, at best, a neutral contribution to this part of the conservation area and there is potential to improve the existing situation through the demolition of these structures and the provision of better quality built development that responds well to its historic context.
		5.13 The location of the allocated site and the requirements of the allocation mean that any proposals will have the potential to cause less than substantial harm to the conservation area due to the amount of change needed on the site to facilitate new development. There is also the potential that a small number of the surrounding heritage assets will be	



### The proposals

#### **Within the conservation area**

- 5.19 A portion of the Site area that lies within the conservation area boundary is proposed to contain a new village car park and footpath, as per the requirements of the site allocation. This formal parking area will create 20 private spaces for residents as well as 8 public spaces for people visiting the village, and will be set within well-considered landscaping, including hedged borders. This will be an improvement to the existing situation in this part of the Site, which currently contains unkempt hardstanding used for ad-hoc parking, and the aforementioned ranges proposed for demolition. Overall, the demolition of the existing buildings and the introduction of the parking area and footpath will preserve the character of the conservation area and meet the village car park requirements of the site allocation.
- 5.20 The south portion of the Site also sits within the conservation area, as does part of the area to the north of the current outbuildings. The proposals within these areas consist of new dwellings and gardens, as well as a new entranceway and road from Church Road which will provide access into the new development. The proposed buildings fully within the conservation area will be plots 1-8, 31-37, 39 and 40. The construction of these dwellings and their associated gardens and garages will require the felling of some trees within this part of the conservation area, including the few apple trees that lie along the east of the site.

#### **Outside the conservation area**

- 5.21 The majority of the proposed development lies outside of the conservation area, but will be visible in views into and out of the conservation area. Plots 9-30 and 38 will sit outside of the conservation area boundary, along with their associated gardens, garaging, pedestrian pathways and the circular road that will provide the vehicular route through the new development. Additionally, the north-eastern corner of the site will be developed to provide 13 parking spaces for residents of Lion Lane, which will reduce the amount of parked cars along the main road through the conservation area, providing enhancement to the characterful thoroughfare within the heart of the village.

### Impact on the conservation area

- 5.22 The proposed new buildings will be of a variety of different forms, in-keeping with the eclectic mix of styles of the historic built form within the conservation area. Each building will utilise the conservation area's materiality palette and building styles, with red brick, clay hanging tiles on upper floors and pitched, gabled roofs. A number of the buildings will also feature projecting chimney stacks on their side elevations which is a key feature of numerous buildings within the area. The accompanying Design



Figure 5.1 - Looking towards the listed buildings along North Street from East Street. Site location circled.



Figure 5.2 - Looking at 115 - 118 North Street from the pavement at the junction of North Street and Lion Lane. Site location circled and existing Site building highlighted in pink.



Figure 5.3 - Looking towards Church Road from the green triangle. Proposed entrance to the new development indicated with red circle.

and Access Statement and drawings detail the materiality and form of each plot.

- 5.23 Sympathetic landscaping will also be introduced in-amongst the built form to soften the appearance of the new buildings. This will include hedging and planting that mirrors that of the wider area. The accompanying LVIA by Fabrik details the full extent of the landscaping proposals for this area of the site.
- 5.24 However, the introduction of buildings in an area that has remained mostly undeveloped will result in an alteration in the way in which this portion of the conservation area is experienced. Views from the east side of North Street will take in elements of the new development behind the listed buildings of The Bank, where currently the view behind the buildings is open space and tree tops, as well as one of the existing buildings on the Site (see figures 5.1 and 5.2).
- 5.25 This change to a vista which holds prominence in the conservation area will lead to less than substantial harm to the asset. However, the materiality and form of the proposed buildings that will be seen within this view will be sympathetic to the character of the area, and it will principally be the roofs of the buildings that will be visible. Further mitigation for this low level of harm will come from the public benefits of the scheme and its meeting the requirements of the site allocation.
- 5.26 The south part of the Site will be developed to include a new road into the new development, and this will be located to the north of the current drive into the Old Vicarage and 120 & 121 School View. It will be flanked by trees and hedging and will therefore be somewhat shielded from distanced views across the conservation area, and will also remain in-keeping with the hedged boundaries that are found throughout.
- 5.27 Nonetheless, the new entrance, and especially views into the new development, will have an impact on the experience of the western side of the conservation area and Church Road in particular. The increase in housing will also lead to the roads throughout the conservation area seeing a higher volume of traffic, although there may be less cars parked on the roads due to the parking provision included within the application.
- 5.28 The development of a previously open area of land and the alteration to the appearance of the street scene will lead to an element of less than substantial harm to the conservation area. This low level of harm has been minimised through the use of hedge planting and the sympathetic materiality of the proposed dwellings that will be visible from this vantage point.

**Indirect Impact****Listed Buildings**31 Church Road (Grade II)

- 5.29 The new entrance for the proposed development will lie across Church Road to the east of 31 Church Road. This will cause a change to the wider setting of the building. However, due to the fact that the character of Church Road has already been much altered since the cottage's initial construction and its wider setting to the north has been notably altered over years, as well as the fact that the new entrance will be shielded by hedging, the development proposals will overall preserve the significance of the listed building.

Cottage Belonging to the Paddockhurst Estate, Forge House, The Bank, 115 & 116 North Road and The Bank, 117 & 118 North Road (all Grade II)

- 5.30 These four listed buildings all share a boundary with the application Site, and their wider setting to the rear will be altered substantially as a result of the development proposals. The historically open space behind the buildings will be lost, however there will be space between the buildings and the dwellings on the site due to the location of the car park. The materiality and form of the proposed dwellings will reflect the features of the listed buildings.
- 5.31 Elements of the development, likely including plot no. 35, will be visible behind the row of listed buildings from the village green and East Street, as shown in figures 5.1 and 5.2. This will alter the experience of the listed buildings, in particular 115 and 116 North Street, as the open, treed, space behind the buildings will be altered to contain the roofs of the proposed dwellings. This alteration to the setting and impact on views of the buildings mean that the development proposals will overall cause an element of less than substantial harm to them, at the low end of the scale. The harm has been mitigated as far as possible through the positioning of the proposed buildings and their roof forms and materials.

The Crown Public House (Grade II)

- 5.32 Small elements of the proposed development may be glimpsed in conjunction with the Crown Public House in views looking west. The traffic along East Street in front of the building will also increase, however the road has already become substantially busier than it would have historically been, and the significant elements of the building's setting of the green triangle in front and fields behind will remain in-tact and unaffected by the proposals. Overall, therefore, the significance of the listed building will be preserved as a result of the application proposals.

The Red Lion Public House (Grade II)

- 5.33 Elements of the proposed development may be glimpsed in conjunction with the Red Lion Public House in views to the south, however they will be substantially screened behind the thick band of trees that line the pub's southern boundary. The pub's prominence in its area of the village will not be altered by the development proposals, and as such the significance of the listed building will be preserved as a result of the proposals.

**Non-Designated Heritage Assets**Turners Hill CofE Primary School

- 5.34 The new entrance for the proposed development will sit across Church Road from the Primary School. This will cause an alteration to the school's wider setting. However, its prominence along the southern side of the road will not be altered, and the new development will continue the residential character of the school's setting. Overall, therefore, the proposed development will preserve the significance of the primary school.

The Old Vicarage and 120 & 121 Church Road

- 5.35 The two non-designated assets will have their historic setting substantially altered as a result of the proposed development. Their current entrance driveway will be removed and they will instead be accessed from the new driveway into the development. The garden of The Old Vicarage will also be considerably altered to create the new entrance. The immediate setting of these two buildings will therefore be extensively altered, however their historic connection will remain appreciable. The current open space to the rear of these buildings will contain the majority of the proposed new dwellings, and therefore this element of their wider setting will also be altered. These alterations will lead to a low level of harm to these two buildings. This has been mitigated through the sympathetic material palette and form of the buildings of the proposed development, and should be considered as part of the balanced judgement required by the NPPF, as detailed later in this section.

The Fire Station

- 5.36 The Site bounds the Fire Station's plot to the rear, and the proposals will result in an alteration to the building's setting to the north. However, the significant element of the station's setting is its location on Church Road and proximity to the centre of the village, and this will not be altered by the proposed development. Therefore, the application proposals will preserve the significance of the Fire Station.

Providence Terrace

- 5.37 Part of the proposed development will be visible in conjunction with Providence Terrace in views looking west from the eastern side of North Street. The Site also bounds the plot of the building to the rear. The most significant element of the building's setting is its connection to the centre of the village and the other properties along Lion Lane, and this will not be altered by the proposals. Therefore, the proposed development will overall preserve the significance of Providence Terrace.

**Considerations against Legislation and Policy****Statutory Duties**

- 5.38 The Planning (Listed Buildings and Conservation Areas) Act 1990 places duty upon the decision maker in determining applications for planning permission to have special regard to the desirability of preserving the character and appearance of conservation areas.
- 5.39 This statement has identified the significance of the statutorily protected heritage assets which could be affected by the application proposals and concludes that they do not meet the statutory duties outlined in sections 66 and 69 to preserve the setting of listed buildings and conservation areas respectively.
- 5.40 Turners Hill Conservation Area and the Grade II listed buildings of Cottage Belonging to the Paddockhurst Estate, Forge House, The Bank, 115 & 116 North Road and The Bank, 117 & 118 North Road will be subject to less than substantial harm as a result of the application proposals. However, this low level of harm is justified through the site allocation, of which the proposals meet the requirements. The harm to these assets has been minimised as much as possible through the use of sympathetic materiality, in-keeping form and the arrangement of the proposed buildings. In addition, the provision of car parking for residents of Lion Lane will provide a marked enhancement to this characterful part of the conservation area, which is often cluttered with parked vehicles. The accompanying planning statement details the public benefits of the scheme.

**NPPF (2024)**

- 5.41 The significance of the heritage assets (both designated and non-designated), as required by paragraph 207 of the NPPF, has been set out in Section 4 of this report.
- 5.42 Overall, the application proposals will preserve a number of the surrounding heritage assets. However, the proposals will cause a low amount of less than substantial harm to Turners Hill Conservation Area, the grade II listed Cottage Belonging to the Paddockhurst Estate, Forge House, The Bank, 115 & 116 North Road and The Bank, 117 & 118 North Road, and the non-designated Old Vicarage and 120 & 121 Church Road. This harm will be at the low end of the scale for the designated heritage assets. In accordance with paragraphs 215 of the NPPF, the harm to the conservation area and listed buildings is required to be weighed against the public benefits of the scheme, including the provision of the Turners Hill Neighbourhood Plan site allocation. This should also be considered alongside the harm to the non-designated heritage assets as part of the balanced judgement required within paragraph 216. The impact on the assets has been minimised and

mitigated as far as possible, whilst still allowing the requirements of the site allocation to be met. In addition, enhancement will be provided to Lion Lane as residents will have off-road parking which will reduce road parking along this part of the conservation area.

**Local Policy****Mid Sussex District Plan 2014-2031 (Adopted) and Mid Sussex District Plan 2021 - 2039 (Regulation 19)**

- 5.43 In line with DP34 of the adopted Mid Sussex District Plan and DPB2 of the Regulation 19 Plan, this statement has displayed a thorough understanding of the significance of the relevant listed buildings and their setting, and the significance of a number of the surrounding listed buildings and non-designated heritage assets will be preserved as a result of the proposals.
- 5.44 However, the requirement of protecting the setting of listed buildings has not been met in respect of the grade II listed Cottage Belonging to the Paddockhurst Estate, Forge House, The Bank, 115 & 116 North Road and The Bank, 117 & 118 North Road. The requirement for development to conserve or enhance conservation areas, as per policy DP35 of the adopted plan and DPB3 of the Regulation 19 plan has also not been met due to the low level of less than substantial harm to Turners Hill Conservation Area that will result from the proposals. However, the proposals will provide an enhancement to the experience of Lion Lane through the provision of off-road parking for residents.
- 5.45 The low amount of harm to the setting of the listed buildings and the significance of the conservation area, as well as the harm to the non-designated heritage assets, has been minimised mitigated as far as possible whilst still fulfilling the needs of the Neighbourhood Plan site allocation and the public benefits that this will bring. As per both policies within each District Plan, the proposals should be considered in accordance with the policies in the National Planning Policy Framework (NPPF) and current Government guidance, including the requirement to weigh harm to designated heritage assets against public benefits and to undertake a balanced judgement when assessing harm to non-designated heritage assets.

**Turners Hill Neighbourhood Plan**

- 5.46 The application proposals have been developed to meet the requirements of the site allocation outlined in THP2 of the Neighbourhood Plan. The site allocation does specify the need to preserve or enhance the character and appearance of Turners Hill Conservation Area.
- 5.47 However, to achieve the requirements for the allocation, the character of the site area within the conservation area boundary will be substantially

altered, and glimpsed views from the centre of the conservation area will contain a built backdrop rather than the current rural one. Therefore the character of the conservation area will not be fully preserved, however the small amount of harm that will result from the proposals has been minimised as much as possible, with the materiality and form of the proposals being closely informed by the Turners Hill Village Design Statement. The harm will also be mitigated through the planning balance achieved by the development proposals, which are detailed in the accompanying Planning Statement produced by Gillings Planning.

**Conclusions**

- 5.48 In accordance with the requirements of the NPPF (2024), the heritage assets that will be affected by the application proposals have been identified and their significance described. Consequently, a clear understanding of the significance of the surrounding heritage assets, including Turners Hill Conservation Area, Forge House (Grade II), The Red Lion Inn Grade II) and the Old Vicarage has closely informed the proposals.
- 5.49 Overall, there will be a low level of 'less than substantial' harm caused by the application proposals to the Turners Hill Conservation Area and the listed buildings along The Bank. The character and appearance of the section of the conservation area within the site boundary will be altered, becoming residential rather than rural, with additional alterations to a small number of views through the conservation area, including those looking at the aforementioned listed buildings. There will also be a low level of harm caused to the two non-designated heritage assets closest to the site entrance: the Old Vicarage and 120 & 121 Church Road.
- 5.50 However, the materiality of the proposed dwellings is in-keeping with the wider conservation area and has been informed by the Turners Hill Village Design Guide, and this and the positioning of the development and accompanying landscape has minimised the impact on the surrounding heritage assets as much as possible. The wider planning balance is detailed in the accompanying Planning Statement.



# Appendix A: Heritage Planning Policy Context

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## Legislation

### *Planning (Listed Building and Conservation Areas) Act 1990*

Legislation regarding buildings and areas of special architectural and historic interest is contained within the Planning (Listed Buildings and Conservation Areas) Act 1990.

The relevant legislation in this case extends from Section 16 of the 1990 Act which states that in considering applications for listed building consent, the local planning authority shall have special regard to the desirability of preserving the Listed Building or its setting or any features of special architectural or historic interest which it possesses.

Section 66 further states that special regard must be given by the authority in the exercise of planning functions to the desirability of preserving or enhancing Listed Buildings and their setting.

According to Section 69 of the Act a Conservation Area is an “area of special architectural or historic interest the character and the appearance of which is desirable to preserve or enhance”. It is the duty of Local Authorities to designate such areas and to use their legal powers to safeguard and enhance the special qualities of these areas within the framework of controlled and positive management of change.

Section 69 further states that it shall be the duty of a local planning authority from time to time to review the past exercise of functions under this section and to determine whether any parts or any further parts of their area should be designated as conservation areas; and, if they so determine, they shall designate those parts accordingly. Adding, the Secretary of State may from time to time determine that any part of a local planning authority’s area which is not for the time being designated as a conservation area, is an area of special architectural or historic interest; the character or appearance of which it is desirable to preserve or enhance; and, if he so determines, he may designate that part as a conservation area.

Further to this Section 72 of the 1990 Act states that in exercising all planning functions, local planning authorities must have special regard to the desirability of preserving or enhancing the character and appearance of Conservation Areas. Further provisions are detailed in Section 74 of the Act.

Recent case law<sup>1</sup> has confirmed that Parliament’s intention in enacting Section 66 (1) was that decision-makers should give “considerable importance and weight” to the desirability of preserving the setting of listed buildings, where “preserve” means “to do no harm”. This duty must be borne in mind when considering any harm that may accrue and the balancing of such harm against public benefits

as required by national planning policy. This can also logically be applied to the statutory tests in respect of conservation areas. Similarly, it has also been proven that weight must also be given to heritage benefits.

### National Planning Policy

#### *National Planning Policy Framework (NPPF) December 2024*

The National Planning Policy Framework (NPPF) was published on the 12<sup>th</sup> of December 2024 and sets out the Government’s planning policies for England and how these are expected to be applied. It has purposefully been created to provide a framework within which local people and Local Planning Authorities (LPAs) can produce their own distinctive Local and Neighbourhood Plans which reflect the needs and priorities of their communities.

When determining Planning Applications, the NPPF directs LPAs to apply the approach of presumption in favour of sustainable development; the ‘golden thread’ which is expected to run through the plan-making and decision-taking activities. It should be noted, however, that this is expected to apply except where this conflicts with other policies combined within the NPPF, inclusive of those covering the protection of designated heritage assets , as set out in paragraph 11 of the NPPF. Within section 12 of the NPPF, ‘Achieving well-designed places’, Paragraphs 131 to 141, reinforce the importance of good design in achieving sustainable development by ensuring the creation of inclusive and high-quality places. This section of the NPPF affirms the need for new design to function well and add to the quality of the area in which it is built; establish a strong sense of place; and respond to local character and history, reflecting the built identity of the surrounding area.

Section 16, ‘Conserving and enhancing the historic environment’, Paragraphs 202 to 221, relate to developments that have an effect upon the historic environment. These paragraphs provide the guidance to which LPAs need to refer when setting out a strategy for the conservation and enjoyment of the historic environment in their Local Plans. This should be a positive strategy for the conservation and enjoyment of the historic environment and should include heritage assets which are most at risk through neglect, decay or other threats. It is also noted that heritage assets should be conserved in a manner appropriate to their significance .

The NPPF advises LPAs to take into account the following points when drawing up strategies for the conservation and enjoyment of the historic environment. These considerations should be taken into account when determining planning applications:

- The desirability of sustaining and enhancing the significance of heritage assets and preserving them in a viable use consistent with their conservation;
- The wider social, cultural, economic and environmental benefits that the conservation of the historic environment can bring;
- The desirability of new development in making a positive contribution to local character and distinctiveness;

- Opportunities to draw on the contribution made by the historic environment to the character of a place.

Paragraph 204 of the NPPF states that when considering the designation of conservation areas, local planning authorities should ensure that an area justifies such status because of its special architectural or historic interest, and that the concept of conservation is not devalued through the designation of areas that lack special interest.

In order to determine applications for development, Paragraph 207 of the NPPF states that LPAs should require applicants to describe the significance of the heritage assets affected and the contribution made by their setting. Adding that the level of detail provided should be proportionate to the significance of the asset and sufficient to understand the impact of the proposal on this significance.

According to Paragraph 208, LPAs should also identify and assess the significance of a heritage asset that may be affected by a proposal and should take this assessment into account when considering the impact upon the heritage asset.

Paragraph 202 adds that where there is evidence of deliberate neglect of or damage to a heritage asset the deteriorated state of the heritage asset should not be taken into account in any decision.

Paragraphs 212 to 221 consider the impact of a proposed development upon the significance of a heritage asset. Paragraph 212 emphasises that when a new development is proposed, great weight should be given to the asset’s conservation and that the more important the asset, the greater this weight should be. It is noted within this paragraph that significance can be harmed or lost through the alteration or destruction of the heritage asset or by development within its setting.

Paragraph 215 advises that where a development will cause 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 securing its optimum viable use.

Paragraph 216 notes that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. Adding, that 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.

Paragraph 217 stipulates that LPAs should not permit loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred.

In addition, Paragraph 219 notes that LPAs should look for opportunities for new development within Conservation Areas and World Heritage Sites and within the setting of heritage assets to enhance or better reveal their significance. Adding, proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated

<sup>1</sup> Barnwell Manor Wind Energy Limited and (1) East Northamptonshire District Council (2) Historic England (3) National Trust (4) The Secretary of State for Communities and Local Governments, Case No: C1/2013/0843, 18th February 2014