

# Appendix 1: Assessment Methodology

## Assessment of significance

In the *NPPF*, heritage significance 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. For World Heritage Sites, the cultural value described within each site’s Statement of Outstanding Universal Value forms part of its significance.”<sup>21</sup>*

Historic England's *GPA:2* gives advice on the assessment of significance as part of the application process. It advises understanding the nature, extent, and level of significance of a heritage asset.<sup>22</sup>

In order to do this, *GPA 2* also advocates considering the four types of heritage value an asset may hold, as identified in *English Heritage’s Conservation Principles*.<sup>23</sup> These essentially cover the heritage ‘interests’ given in the glossaries of the *NPPF* and the *PPG* which are archaeological, architectural and artistic, and historic.<sup>24</sup>

The *PPG* provides further information on the interests it identifies:

- **Archaeological interest:** *As defined in the Glossary to the National Planning Policy*

*Framework, there will be archaeological interest in a heritage asset if it holds, or potentially holds, evidence of past human activity worthy of expert investigation at some point.*

- **Architectural and artistic interest:** These are interests in the design and general aesthetics of a place. They can arise from conscious design or fortuitously from the way the heritage asset has evolved. More specifically, architectural interest is an interest in the art or science of the design, construction, craftsmanship and decoration of buildings and structures of all types. Artistic interest is an interest in other human creative skills, like sculpture.
- **Historic interest:** An interest in past lives and events (including pre-historic). Heritage assets can illustrate or be associated with them. Heritage assets with historic interest not only provide a material record of our nation’s history, but can also provide meaning for communities derived from their collective experience of a

<sup>21</sup> MHCLG, *NPPF*, Annex 2.

<sup>22</sup> Historic England, *GPA:2*.

<sup>23</sup> Historic England, *Conservation Principles: Policies and Guidance for the Sustainable Management of the Historic Environment* (London, April 2008). These heritage values

are identified as being ‘aesthetic’, ‘communal’, ‘historical’ and ‘evidential’, see *idem* pp. 28–32.

<sup>24</sup> MHCLG, *NPPF*, Annex 2; MHCLG, *PPG*, paragraph 006, reference ID: 18a-006-2019072.

place and can symbolise wider values such as faith and cultural identity.<sup>25</sup>

Significance results from a combination of any, some, or all of the interests described above.

Historic England guidance on assessing heritage significance, *HEAN:12*, advises using the terminology of the *NPPF* and *PPG*, and thus it is that terminology which is used in this Report.<sup>26</sup>

Listed Buildings and Conservation Areas are generally designated for their special architectural and historic interest. Scheduling is predominantly, although not exclusively, associated with archaeological interest.

### Setting and significance

As defined in the *NPPF*:

***“Significance derives not only from a heritage asset’s physical presence, but also from its setting.”<sup>27</sup>***

Setting is defined as:

***“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.”<sup>28</sup>***

Therefore, setting can contribute to, affect an appreciation of significance, or be neutral with regards to heritage values.

### Assessing change through alteration to setting

How setting might contribute to these values has been assessed within this Report with reference to *GPA:3*, particularly the checklist given on page 11. This advocates the clear articulation of *“what matters and why”*.<sup>29</sup>

In *GPA:3*, a stepped approach is recommended, of which Step 1 is to identify which heritage assets and their settings are affected. Step 2 is to assess whether, how and to what degree settings make a contribution to the significance of the heritage asset(s) or allow significance to be appreciated. The guidance includes a (non-exhaustive) checklist of elements of the physical surroundings of an asset that might be considered when undertaking the assessment including, among other things: topography, other heritage assets, green space, functional relationships and degree of change over time. It also lists aspects associated with the experience of the asset which might be considered, including: views, intentional intervisibility, tranquillity, sense of enclosure, accessibility, rarity and land use.

Step 3 is to assess the effect of the proposed development on the significance of the asset(s). Step 4 is to explore ways to maximise enhancement and minimise harm. Step 5 is to make and document the decision and monitor outcomes.

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<sup>25</sup> MHCLG, *PPG*, paragraph 006, reference ID: 18a-006-20190723.

<sup>26</sup> Historic England, *Statements of Heritage Significance: Analysing Significance in Heritage Assets, Historic England Advice Note 12* (Swindon, October 2019).

<sup>27</sup> MHCLG, *NPPF*, Annex 2.

<sup>28</sup> MHCLG, *NPPF*, Annex 2.

<sup>29</sup> Historic England, *GPA:3*, pp. 8, 11.

A Court of Appeal judgement has confirmed that whilst issues of visibility are important when assessing setting, visibility does not necessarily confer a contribution to significance and factors other than visibility should also be considered, with Lindblom LJ stating at paragraphs 25 and 26 of the judgement (referring to an earlier Court of Appeal judgement):

***Paragraph 25 – “But – again in the particular context of visual effects – I said that if “a proposed development is to affect the setting of a listed building there must be a distinct visual relationship of some kind between the two – a visual relationship which is more than remote or ephemeral, and which in some way bears on one’s experience of the listed building in its surrounding landscape or townscape” (paragraph 56)”.***

***Paragraph 26 – “This does not mean, however, that factors other than the visual and physical must be ignored when a decision-maker is considering the extent of a listed building’s setting. Generally, of course, the decision-maker will be concentrating on visual and physical considerations, as in Williams (see also, for example, the first instance judgment in R. (on the application of Miller) v North Yorkshire County Council [2009] EWHC 2172 (Admin), at paragraph 89). But it is clear from the relevant national policy and guidance to which I have referred, in particular the guidance in paragraph 18a-013-20140306 of the PPG, that the Government recognizes the potential relevance of other considerations – economic, social and historical. These other considerations may***

***include, for example, “the historic relationship between places”. Historic England’s advice in GPA3 was broadly to the same effect.”<sup>30</sup>***

### **Levels of significance**

Descriptions of significance will naturally anticipate the ways in which impacts will be considered. Hence descriptions of the significance of Conservation Areas will make reference to their special interest and character and appearance, and the significance of Listed Buildings will be discussed with reference to the building, its setting and any features of special architectural or historic interest which it possesses.

In accordance with the levels of significance articulated in the *NPPF* and the *PPG*, three levels of significance are identified:

- **Designated heritage assets of the highest significance**, as identified in paragraph 213 of the *NPPF*, comprising Grade I and II\* Listed Buildings, Grade I and II\* Registered Parks and Gardens, Scheduled Monuments, Protected Wreck Sites, World Heritage Sites and Registered Battlefields (and also including some Conservation Areas) and non-designated heritage assets of archaeological interest which are demonstrably of equivalent significance to Scheduled Monuments, as identified in footnote 75 of the *NPPF*;<sup>31</sup>
- **Designated heritage assets of less than the highest significance**, as identified in paragraph 213 of the *NPPF*, comprising Grade II Listed Buildings and Grade II Registered Parks and

<sup>30</sup> Catesby Estates Ltd. v. Steer [2018] EWCA Civ 1697, paras. 25 and 26.

<sup>31</sup> MHCLG, *NPPF*, para. 213 and fn. 75.

Gardens (and also some Conservation Areas);<sup>32</sup> and

- **Non-designated heritage assets.** Non-designated heritage assets are defined within the PPG as *“buildings, monuments, sites, places, areas or landscapes identified by plan-making bodies as having a degree of significance meriting consideration in planning decisions, but which do not meet the criteria for designated heritage assets”*.<sup>33</sup>

Additionally, it is of course possible that sites, buildings or areas have no heritage significance.

### Grading significance

There is no definitive grading system for assessing or categorising significance outside of the categories of Designated Heritage Assets and Non-Designated Heritage Assets, specifically with regards to the relative significance of different parts of an asset.

ICOMOS guidance recognises that a degree of professional judgement is required when defining significance:

*“...the value of heritage attributes is assessed in relation to statutory designations, international or national, and priorities or recommendations set out in national research agendas, and ascribed values. Professional judgement is then used to determine the importance of the resource. Whilst this method should*

*be used as objectively as possible, qualitative assessment using professional judgement is inevitably involved.”*<sup>34</sup>

This assessment of significance adopts the following grading system:

- **Highest significance:** Parts or elements of a heritage asset, or its setting, that are of particular interest and are fundamental components of its archaeological, architectural, aesthetic or historic interest, and form a significant part of the reason for designation or its identification as a heritage asset. These are the areas or elements of the asset that are most likely to warrant retention, preservation or restoration.
- **Moderate significance:** Parts or elements of the heritage asset, or its setting, that are of some interest but make only a modest contribution to the archaeological, architectural, aesthetic or historic interest of the heritage asset. These are likely to be areas or elements of the asset that might warrant retention but are capable of greater adaption and alteration due to their lesser relative significance.
- **Low or no significance:** Parts or elements of the heritage asset, or its setting, that make an insignificant, or relatively insignificant contribution to the archaeological, architectural,

<sup>32</sup> MHCLG, *NPPF*, para. 213.

<sup>33</sup> MHCLG, *PPG*, paragraph 039, reference ID: 18a-039-20190723.

<sup>34</sup> International Council on Monuments and Sites (ICOMOS), *Guidance on Heritage Impact Assessment for Cultural World Heritage Properties* (Paris, January 2011), paras. 4-10.

aesthetic or historic interest of the heritage asset. These are likely to be areas or elements of the asset that can be removed, replaced or altered due to their minimal or lack of significance and are areas and elements that have potential for restoration or enhancement through new work.

### Assessment of harm

Assessment of any harm will be articulated in terms of the policy and law that the proposed development will be assessed against, such as whether a proposed development preserves or enhances the character or appearance of a Conservation Area, and articulating the scale of any harm in order to inform a balanced judgement/weighting exercise as required by the NPPF.

In accordance with key policy, the following levels of harm may potentially be identified for designated heritage assets:

- **Substantial harm or total loss.** It has been clarified in a High Court Judgement of 2013 that this would be harm that would *"have such a serious impact on the significance of the asset that its significance was either vitiating altogether or very much reduced"*,<sup>35</sup> and
- **Less than substantial harm.** Harm of a lesser level than that defined above.

With regards to these two categories, the PPG states:

***"Within each category of harm (which category applies should be explicitly identified), the extent of the harm may vary and should be clearly articulated."***<sup>36</sup>

Hence, for example, harm that is less than substantial would be further described with reference to where it lies on that spectrum or scale of harm, for example low end, middle, and upper end of the less than substantial harm spectrum/scale.

With regards to non-designated heritage assets, there is no basis in policy for describing harm to them as substantial or less than substantial, rather the NPPF requires that the scale of any harm or loss is articulated whilst having regard to the significance of the asset. Harm to such assets is therefore articulated as a level of harm to their overall significance, using descriptors such as minor, moderate and major harm.

It is also possible that development proposals will cause no harm or preserve the significance of heritage assets. Here, a High Court Judgement of 2014 is relevant. This concluded that with regard to preserving the setting of a Listed building or preserving the character and appearance of a Conservation Area, *"preserving"* means doing *"no harm"*.<sup>37</sup>

Preservation does not mean no change, it specifically means no harm. GPA:2 states that *"Change to heritage assets is inevitable but it is only harmful when significance is damaged"*.<sup>38</sup> Thus, change is accepted in Historic England's guidance as part of the evolution of

<sup>35</sup> Bedford Borough Council v Secretary of State for Communities and Local Government [2013] EWHC 2847 (Admin), para. 25.

<sup>36</sup> MHCLG, PPG, paragraph 018, reference ID: 18a-018-20190723.

<sup>37</sup> R (Forge Field Society) v Sevenoaks District Council [2014] EWHC 1895 (Admin).

<sup>38</sup> Historic England, GPA:2, p. 9.

the landscape and environment. It is whether such change is neutral, harmful or beneficial to the significance of an asset that matters.

As part of this, setting may be a key consideration. When evaluating any harm to significance through changes to setting, this Report follows the methodology given in *GPA:3*, described above.

Fundamental to this methodology is a consideration of “*what matters and why*”.<sup>39</sup> Of particular relevance is the checklist given on page 13 of *GPA:3*.<sup>40</sup>

It should be noted that this key document also states:

***“Setting is not itself a heritage asset, nor a heritage designation...”***<sup>41</sup>

Hence any impacts are described in terms of how they affect the significance of a heritage asset, and heritage interests that contribute to this significance, through changes to setting.

With regards to changes in setting, *GPA:3* states that:

***“Conserving or enhancing heritage assets by taking their settings into account need not prevent change”.***<sup>42</sup>

Additionally, whilst the statutory duty requires that special regard should be paid to the desirability of not harming the setting of a Listed Building, that cannot mean that any harm, however minor,

would necessarily require Planning Permission to be refused. This point has been clarified in the Court of Appeal.<sup>43</sup>

## **Benefits**

Proposed development may also result in benefits to heritage assets, and these are articulated in terms of how they enhance the heritage interests, and hence the significance, of the assets concerned.

As detailed further in **Appendix 6**, the *NPPF* (at Paragraphs 214 and 215) requires harm to a designated heritage asset to be weighed against the public benefits of the development proposals.<sup>44</sup>

Recent High Court Decisions have confirmed that enhancement to the historic environment should be considered as a public benefit under the provisions of Paragraphs 214 to 216.<sup>45</sup>

The *PPG* provides further clarity on what is meant by the term ‘public benefit’, including how these may be derived from enhancement to the historic environment (‘heritage benefits’), as follows:

***“Public benefits may follow from many developments and could be anything that delivers economic, social or environmental objectives as described in the National Planning Policy Framework (paragraph 8). Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and not just be a***

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<sup>39</sup> Historic England, *GPA:3*, p. 8.

<sup>40</sup> Historic England, *GPA:3*, p. 13.

<sup>41</sup> Historic England, *GPA:3*, p. 4.

<sup>42</sup> Historic England, *GPA 3*, p. 8.

<sup>43</sup> *Palmer v Herefordshire Council & Anor* [2016] EWCA Civ 1061.

<sup>44</sup> MHCLG, *NPPF*, paras. 214 and 215.

<sup>45</sup> *Including – Kay, R (on the application of) v Secretary of State for Housing Communities and Local Government & Anor* [2020] EWHC 2292 (Admin); MHCLG, *NPPF*, paras. 214 and 216.

*private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits, for example, works to a listed private dwelling which secure its future as a designated heritage asset could be a public benefit.*

*Examples of heritage benefits may include:*

- *sustaining or enhancing the significance of a heritage asset and the contribution of its setting*

- *reducing or removing risks to a heritage asset*
- *securing the optimum viable use of a heritage asset in support of its long term conservation.”<sup>46</sup>*

Any "heritage benefits" arising from the proposed development, in line with the narrative above, will be clearly articulated in order for them to be taken into account by the decision maker.

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<sup>46</sup> MHCLG, PPG, paragraph O20, reference ID: 18a-O20-20190723.



## Appendix 2: Pre-application Enquiry response from Conservation Officer

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**From:** Emily Wade <Emily.Wade@midsussex.gov.uk>  
**Sent:** 05 February 2025 13:43  
**To:** Joanne Fisher  
**Cc:** Anna Kramarczyk  
**Subject:** Land at Foxhole Lane, Bolney

Hi Jo,

Comments on the above pre-application enquiry.

The proposed development site is an area of agricultural land to the east of Foxhole Lane, and adjacent to the western side of Bolney village. There are no heritage assets within the site itself, but it is within the setting of several:

- **Bolney Conservation Area:**

Bolney Conservation Area is in two parts, centred on the southern and northern ends of The Street. The site abuts the south western corner of the northern part of the Area and is in close proximity to the western boundary of its southern part.

In my opinion the significance of the Bolney Conservation Area lies essentially in its nature as the two historic focal points of a Sussex village which has developed over many centuries in close connection with the surrounding rural landscape. Although there is no adopted character appraisal for the Area, the Council's document '*Conservation Areas in Mid Sussex* contains a brief high level analysis of some of its key features.

The northern part of the Conservation Area contains a number of listed buildings, and is characterised by low density development, with trees, hedges and open spaces making an important contribution to its attractiveness. Historical map regression shows that this northern part of the village was largely undeveloped until the later 19<sup>th</sup> century, with the exception of a number of farmsteads including Dalton's Farm, and was known as Bolney Common. The Common itself was an open space until its enclosure in 1841, with only limited development of farmsteads and cottages at its periphery. Following the enclosure of the common land, roads such as Top Street were laid out. During the 20<sup>th</sup> century the village spread north from its original core at the southern end of The Street to join up with the settlement around the former Common, to form a linear settlement with a north-south alignment, with open land and fields such as the proposed development site surviving to either side.

The southern part of the Area contains several listed buildings, including the Grade I Church of St Mary Magdalen with its Norman chancel and nave. The buildings, which are arranged in an attractive manner around Bolney Street, create a sense of enclosure and form an attractive entry to the village. There are glimpsed views between the buildings along the street, and looking from the higher points to either side of it, including the churchyard, which link this part of the village to the surrounding countryside.

The special significance and key characteristics of both parts of the Conservation Area, including rural buildings such as those at Daltons Farm which make a particularly positive contribution to the Area, and the attractive countryside views to either side, are therefore such that its surviving rural setting will make a strong positive contribution to the manner in which this special significance is appreciated.

The proposed development site is, as noted above, currently a series of agricultural fields. In respect of the northern part of the Conservation Area, the northern field of the site lies adjacent to its south western corner. It also lies adjacent to a PROW which runs westwards from Foxhole Lane and the countryside beyond this into the Conservation Area; this field and the central field which lies on the ridge of the hill to the south therefore make a strong contribution to the character of the setting of this part of the Area.

With respect to the southern part of the Area, the site forms the entirety of its close rural setting to the west. It has a particular influence on the (currently rural) character of views looking westwards between the buildings to this side of The Street, and looking over the rooftops of the houses lining The Street from the elevated ground of the churchyard. These views anchor this southern part of the village within the rural landscape from which it developed, and make a strong positive contribution to the character and appearance of this part of the Conservation Area.

- Walnut and Well Cottage, The Street:

A Grade II listed timber framed building, formerly two cottages, and dating from the 17<sup>th</sup> century or earlier. It is located to the western side of The Street within the southern part of the Conservation Area. The timber frame of the house has been underbuilt in brick, and the roof is split level, reflecting the original subdivision into two cottages, which are roofed variously in Horsham stone and tile.

Based on the limited information in front of us, Walnut and Well Cottage is likely to be considered to possess architectural value based on its construction and craftsmanship, historical illustrative value as a good example of a Sussex village building of its period, altered over time in response to changing social and economic circumstances, and aesthetic value based in part on the use of vernacular materials viewed against the backdrop of the rural landscape from which they were drawn. As such, the surviving rural setting to the west of The Street, which forms this rural backdrop, will make a strong positive contribution to the special interest of the building and the manner in which this is appreciated, in particular those parts of that interest which are drawn from historical illustrative and aesthetic values. The site constitutes this entirety of this part of the building's setting.

- St Mary Magdalene's Church, Cowfold Rd:

St Mary Magdalene's is a Grade I listed stone church dating originally to c.1100, with a tower constructed in 1536-8 which houses an unusual peal of 8 bells. The church, which set in an elevated position to the east of The Street, was extended again in the 18<sup>th</sup> and 19<sup>th</sup> centuries. Based on the limited information in front of us, the building is likely to be considered to possess architectural value based on its design, construction and craftsmanship, historical illustrative value as an exceptional example of an early rural Sussex church, artistic or aesthetic value based on its internal decorative features and on the use of vernacular materials viewed within the rural landscape from which they were drawn, and communal value as an ancient centre of Bolney life. It also has associative value with various prominent local people including John Bolney who was responsible for the construction of the tower, and the Huth family of Wykehurst Place.

The rural setting to the east and west of the church, which to the west consists predominantly of the proposed development site, visible over the intervening houses on The Street, makes a strong positive contribution to its historical illustrative value as an early Sussex country parish church, and to its aesthetic value.

- The Old Post Office, The Street:

This house is the former Bolney village post office. Although the front range of the building dates from the late 19<sup>th</sup>/early 20<sup>th</sup> century, the rear range appears to be significantly older- external and internal inspection would suggest it is a timber framed building of the 17<sup>th</sup> century or earlier, later underbuilt in brick. Historical photographs submitted by a neighbour during the course of a separate planning application show the building was also the post office during this phase of its life - presumably during the late 19<sup>th</sup> century - prior to the construction of the front range. A change of use application was granted in 2009, but it would appear that before this the building was the village post office for a century or more. A late 19<sup>th</sup>/early 20<sup>th</sup> century shopfront survives as an integral part of the building's façade.

Given the apparently early date of construction of the rear range of the building, which has quite significant areas of framing surviving internally, as well as the architectural character and communal value of the front range, I would consider that the building would be regarded as a non-

designated heritage asset (NDHA) with potential for inclusion in a local list of buildings of architectural and historical interest within the local context.

The rural setting to the west of The Street (which consists of the development site) is visible in glimpsed views between the buildings to the opposite side of The Street and contributes to the context within which the former post office building is appreciated, in placing it within a rural, village context.

- Daltons Farm, The Street, and associated historic farm buildings:

Daltons Farm is a Grade II listed 18<sup>th</sup> century or earlier red brick former farmhouse, part of a historic farmstead dating from the 19<sup>th</sup> century which is recorded as such in the West Sussex Historic Farmstead and Landscape Character Assessment. There are number of other buildings which appear to survive from the farmstead, including The Byre to the south (now a residential conversion) and a piggery within the gardens of the farmhouse. These buildings are likely to be regarded as either curtilage listed or NDHAs, depending on their circumstances.

I would consider it likely that Dalton's Farmhouse will possess architectural value based on its construction and craftsmanship, as well as historical illustrative value as a good example of a Sussex farmhouse of its type and period, and aesthetic value based in part on the use of vernacular materials viewed within the landscape from which they were drawn. The curtilage listed buildings and/or NDHAs surviving within the former farmstead may possess similar values as examples of former agricultural buildings of their own type and period- this is something which should be explored by a Heritage Impact Assessment as part of any formal application.

The surviving rural setting to the west and south west of the former farmstead, which is likely to be part of the former farmlands of the holding, makes a strong positive contribution to the special interests of the designated and non-designated assets within it, and in particular those parts of those interests which are drawn from historical illustrative or aesthetic values. The proposed development site forms part of that setting, lying a short distance to the south west, separated by a further intervening field. The rear of Dalton's Farm is visible in views from the above mentioned PROW running along the northern edge of the site, from which the northern field of the site is also very prominent. There is likely to be visibility of the site (and development on it) from the rear of the listed building and/or its immediate garden setting. The site also affects the context within which the farmstead is appreciated in views from the PROW.

Tanglewood, Lodge Lane

Tanglewood is a 17<sup>th</sup> century timber framed house located to the southern side of Lodge Lane, which sits on a ridge to the north of the site. Based on the limited information in front of us, I would expect that the building will be considered to possess architectural value based on its construction and craftsmanship, historical illustrative value as a good example of a rural Sussex building, and aesthetic value based in part on the use of vernacular materials. As such the surviving rural setting to the north, west and south of the house will make a strong positive contribution to the special interest of the building, in particular those parts of that interest which are drawn from historical illustrative and aesthetic values.

The proposed development site is a short distance to the south of Tanglewood, separated from it by an intervening field and tree belts. However, given the topography which falls towards the PROW running across the north of the site, and then rises again north to south towards the site's central field, it is possible that there will be some intervisibility between the proposed development and the listed building, in particular in views from its upper floors, and/or from its immediate garden setting. This should be assessed as part of a fully detailed Heritage Impact Assessment.

- Durstons, Lodge Lane

A 17<sup>th</sup> century or earlier timber framed house also located to the southern side of Lodge Lane, in a similar relationship to the site to Tanglewood, above. It is likely to possess similar values to Tanglewood, and as such the rural setting will make a similar contribution to its significance. Again, the

contribution made by the site, and the impact of the proposed development should be considered as part of a Heritage Impact Assessment.

- Bolney Lodge and Bolney Cottage, Foxhole Lane

This pair of Grade II listed buildings are located a short distance to the north of the site along Foxhole Lane. Bolney Lodge is a part 18<sup>th</sup>, part early 19<sup>th</sup> century substantial country villa, located in extensive landscaped grounds. Bolney Cottage is a more modest 18<sup>th</sup> century red brick cottage located to the opposite side of Foxhole Lane.

I would expect Bolney Lodge to be considered to possess architectural value based on its design, construction and craftsmanship, historical illustrative value as a good example of an 18<sup>th</sup> century country villa, altered and extended in response to the changing needs and aspirations of successive owners, and aesthetic value based in part on the use of vernacular materials to both the house and associated curtilage listed structures including the sandstone boundary wall onto Foxhole Lane. It also has group value with Bolney Cottage. As such, as well as the extensive landscaped grounds around the house, the surviving wider rural setting will make a strong positive contribution to the special interest of the building and the manner in which this is appreciated.

The proposed development site is located directly adjacent to the southern edge of the grounds to Bolney Lodge, separated from them only by the above mentioned PROW running between Foxhole Lane and The Street. Although this part of the Lodge grounds is wooded, the woods have an open structure which means that the southern elevation of the house, including the large sash windows at ground and first floors, are clearly visible from the PROW, indicating (given that the site is also open to view from this part of the path) that there will be intervisibility between the site and Bolney Lodge itself, as well as its grounds. The site in its current state must therefore be considered to make a positive contribution to the setting and special interest of Bolney Lodge, which is enhanced by the contribution which it makes to the rural character of the approach to Bolney Lodge from the south along Foxhole Lane.

Bolney Cottage will possess architectural interest based on its design, construction and craftsmanship, historical illustrative value as a good example of a modest 18<sup>th</sup> century rural Sussex Cottage, aesthetic value based in part on the use of vernacular materials viewed against the backdrop of the rural landscape from which they were drawn. It also has group value with Bolney Lodge. The surviving rural setting around the Cottage makes a positive contribution to its significance, including in particular its historical illustrative and aesthetic values.

There is unlikely to be intervisibility between the site and Bolney Cottage due to the intervening topography and planting, however it does, as with Bolney Lodge, contribute positively to the rural character of the approach to the listed building along Foxhole Lane.

Bookers Farm and Bookers Barn, Foxhole Lane

A grade II listed 17<sup>th</sup> century farmhouse and separately listed 15<sup>th</sup> century barn, forming part of the Bookers Farm historic farmstead, which is located a short distance to the west of Foxhole Lane opposite to the north western corner of the site. The former farmstead, which is recognised in the West Sussex Historic Farmstead and Landscape Character assessment as a historic farmstead of the Medieval period, includes a number of other ancillary buildings which are likely to be regarded as curtilage listed. The PROW which runs along the northern edge of the site continues westwards from the Lane through the farmstead.

The farmhouse is likely to be considered to possess architectural value based on its construction and craftsmanship, historical illustrative value as a good example of a former Sussex farmhouse of the 17<sup>th</sup> century, and aesthetic value based in part on the use of vernacular materials. The barn is likely to possess similar values as a good example of a 15<sup>th</sup> century barn. The buildings also have group value with each other, and with the other surviving buildings within the historic farmstead.

As such, the surviving rural setting which is to all sides of the farmstead (although impacted to an extent by Bookers Vineyard to the north and east), will make a strong positive contribution to the significance of the listed and curtilage listed buildings and the manner in which this is appreciated. The proposed development site forms part of the wider rural setting of the farmstead, with intervisibility from the listed buildings or their immediate settings. The site also affects the character of the approach to the historic farmstead from Foxhole Lane along the entrance drive, which is also a PROW.

- Providence Chapel, Cowfold Road, Crosspost

This mid 19<sup>th</sup> century building, now in residential use, is a former Calvinist chapel with associated burial ground. It is located within the hamlet of Crosspost, which sits at the junction of Foxhole Lane, Chapel Lane and Cowfold Road, opposite the south western corner of the site. The building is not listed but is of some architectural merit and is also of local historic interest. Non-Conformism had a particularly strong following in this part of Sussex and is an important part of the social history of the area. I would therefore regard the building as a non-designated heritage asset with potential for inclusion on a Local List.

Within the local context, the building will possess architectural value, historical illustrative value as a good example of a rural Sussex non-conformist chapel, and communal value as a former place of worship for sections of the local population. The rural setting which surrounds Crosspost will make a positive contribution to the significance of the NDHA in terms of the appreciation of its former role serving the rural community. The proposed development site constitutes a significant part of that rural setting, including the outlook to the front of the building.

- Bolney Place, Cowfold Road

Historical map regression and the limited information available on the internet suggests that Bolney Place, a substantial country house which appears to be now in commercial use, has potential to be considered as an NDHA due to its age and architectural quality. From images in the internet the building appears to be a large and attractive sandstone faced house with hipped slate roofs, and appears typical of the early-mid 19<sup>th</sup> century in style, to the façade at least. Map regression also suggests that a number of ancillary buildings may survive to the west of the house.

Any formal submission should include a more detailed historical building assessment in respect of Bolney Place and its potential ancillary buildings, to allow a more informed assessment of its interest in this respect.

If it is confirmed as a historic country house of interest within the local context it is likely that the surviving wider rural setting of the building and its estate, which consists primarily to the north and west of the proposed development site, will be considered to make a strong positive contribution to the significance of the house and the manner in which this is appreciated.

Impact of the proposed development:

The proposed development is for 200 new houses, including associated vehicle access from Cowfold Road, and internal road and pedestrian path network, parking areas, hard and soft landscaping, and a new community building. The new built form is shown predominantly located within the northern and southern fields of the site, with the central field transformed into a public open space. The access road for vehicles between the northern and southern residential areas is also shown running through this central field, to its eastern side.

The proposed development will inevitably have a suburbanising impact on the currently open, agricultural character of the site. The introduction of substantial built form to the northern and southern fields will have the most marked impact, but the transformation of the central field to parkland incorporating the vehicle access road providing the only car access to the northern section of the new housing will also have a significant effect on the rural nature of this part of the site. This will inevitably have an impact on the contribution which the site currently makes to the settings of the above mentioned heritage assets and the manner in which their various significances are appreciated.

Whilst it is difficult in the absence of a fully developed scheme supported by an appropriately detailed heritage statement to determine with any exactness the level of harm arising from this, I would expect that for all the designated assets listed above this harm would fall within the less than substantial range, such that the balancing exercise set out in paragraph 215 of the NPPF will apply. On the basis of the limited information in front of us, I would place the level of less than substantial harm to the designated assets in these broad ranges:

- Bolney Conservation Area: Less than substantial, mid-high
- Walnut and Well Cottage: Less than substantial, low-mid
- St Magdalene's Church: Less than substantial, low-mid
- Dalton's Farm: Less than substantial, mid
- Tanglewood and Durstons: Less than substantial, low
- Bolney Lodge: Less than substantial, low-mid
- Bolney Cottage: Less than substantial, low
- Bookers Farm and Bookers Barn: Less than substantial, low-mid

In respect of the NDHAs listed, I would assess the likely level of harm in these broad ranges, as per the requirements of paragraph 216 of the NPPF:

- Old Post Office: A low level of harm to an asset of a high level of interest in the local context
- Providence Chapel: A mid level of harm to an asset of a mid level of interest in the local context
- Bolney Place: A mid level of harm to an asset (potentially) of a mid level of interest in the local context

**Mitigation:**

As we discussed in our online meeting, the applicant intends to incorporate certain mitigation strategies into the design of the scheme, the most significant of which is the placement of the parkland area within the central field of the site, which will (in comparison to housing development) reduce the level of harm caused to the adjacent southern part of the Conservation Area and the listed buildings within it. However, as we also discussed I do have some areas of concern in respect of the treatment of this part of the site:

- The placement of the vehicle access road adjacent to the eastern boundary of the site will result in the passage of numerous vehicles daily in close proximity to the Conservation Area and to the rear of the buildings to the western side of The Street. Although I can understand the intention is to position the road low on the hill slope, which falls towards the east, in my opinion this proximity requires reconsideration. The road should be set away from the boundary to the site, and further planted screening introduced between the two.
- With respect to the community orchard planting within this area, details of the ongoing management of the orchard should be provided so that the Council can be assured of the longevity of this aspect of the proposed screening of built development to the north of the site.
- The detailed design of the parkland should be carefully considered in order to preserve as much as possible of its existing rural character. A formal, suburban treatment will not be appropriate in this context and should be avoided.

The mitigation strategies employed elsewhere around the site appear to consist of retention of open spaces and/or existing or enhanced planting at key locations where assets are in proximity to the site boundary. Whilst this may have some positive impact in reducing the visual prominence of built development in external views, it is unlikely to remove the harm caused, in particular bearing in mind that however effective planted screening may be, the wider rural setting and outlook of these assets will be lost or diminished. I would therefore expect that mitigatory measures may result in a reduction in the level of less than substantial harm caused, but are unlikely to remove that harm.

Having said this, I would still encourage the use of further screening by appropriate native species planting and/or adjustments to the site layout, in order to reduce the visual prominence of the development, in particular the built form, within the settings of the designated and non-designated assets listed above. The

scheme as submitted will require further refinement in these respects based on the assessment of heritage impacts set out above, and of a detailed heritage statement.

Any formal application should be accompanied by fully detailed Heritage Impact Assessment, based on the staged approach to the assessment of development within the setting of heritage assets set out in the relevant Historic England guidance GPA Note 3 *'The Setting of Heritage Assets'*. Such an application will be assessed against the requirements of District Plan Policies DP34 *'Listed Buildings and Other Heritage Assets'* and DP35 *'Conservation Areas'*, as well as the relevant paragraphs of the NPPF. It will also be subject to consultation with Historic England due to the Grade I listing of St Mary Magdelene.

Thanks,

Emily

Please note that this advice is given at Officer level only and is without prejudice to the formal decision of the District Council.

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Submit your planning application online.  
<http://www.planningportal.gov.uk>  
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The Electoral Commission

You now need photo ID to vote at a polling station

No ID? You can apply for free voter ID  
Find out more at  
[electoralcommission.org.uk/voterID](http://electoralcommission.org.uk/voterID)  
or call 0800 328 0280

## Appendix 3: Legislative Framework

Legislation relating to the built historic environment is primarily set out within the *Planning (Listed Buildings and Conservation Areas) Act 1990*, which provides statutory protection for Listed Buildings and Conservation Areas.<sup>47</sup> It does not provide statutory protection for non-designated or Locally Listed heritage assets.

Section 66(1) of the Act states that:

***“In considering whether to grant planning permission [or permission in principle] for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State, shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.”<sup>48</sup>***

In the 2014 Court of Appeal judgement in relation to the Barnwell Manor case, Sullivan LJ held that:

***“Parliament in enacting section 66(1) did intend that the desirability of preserving the settings of listed buildings should not simply be given careful consideration by the decision-maker for the purpose of deciding whether there would be some harm, but should be given “considerable importance and weight”***

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<sup>47</sup> UK Public General Acts, Planning (Listed Buildings and Conservation Areas) Act 1990.

<sup>48</sup> UK Public General Acts, Planning (Listed Buildings and Conservation Areas) Act 1990, Section 66(1).

***when the decision-maker carries out the balancing exercise.”<sup>49</sup>***

A judgement in the Court of Appeal (‘Mordue’) has clarified that, with regards to the setting of Listed Buildings, where the principles of the NPPF are applied (in particular paragraph 134 of the 2012 version of the NPPF, the requirements of which are now given in paragraph 208 of the current, revised NPPF, see **Appendix 4**), this is in keeping with the requirements of the 1990 Act.<sup>50</sup>

With regards to development within Conservation Areas, Section 72(1) of the *Planning (Listed Buildings and Conservation Areas) Act 1990* states:

***“In the exercise, with respect to any buildings or other land in a conservation area, of any powers under any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.”<sup>51</sup>***

Unlike Section 66(1), Section 72(1) of the Act does not make reference to the setting of a Conservation Area. This makes it plain that it is the character and appearance of the designated Conservation Area that is the focus of special attention.

<sup>49</sup> Barnwell Manor Wind Energy Ltd v (1) East Northamptonshire DC & Others [2014] EWCA Civ 137. para. 24.

<sup>50</sup> Jones v Mordue [2015] EWCA Civ 1243.

<sup>51</sup> UK Public General Acts, Planning (Listed Buildings and Conservation Areas) Act 1990. Section 72(1).



In addition to the statutory obligations set out within the *Planning (Listed Buildings and Conservations Area) Act 1990*, Section 38(6) of the *Planning and Compulsory Purchase Act 2004* requires that all planning applications, including those for Listed Building Consent, are determined in accordance with the Development Plan unless material considerations indicate otherwise.<sup>52</sup>

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<sup>52</sup> UK Public General Acts, Planning and Compulsory Purchase Act 2004, Section 38(6).

## Appendix 4: National Policy Guidance

### The National Planning Policy Framework (December 2024)

National policy and guidance is set out in the Government’s *National Planning Policy Framework (NPPF)* published in December 2024. This replaced and updated the previous *NPPF* (December 2023). The *NPPF* needs to be read as a whole and is intended to promote the concept of delivering sustainable development.

The *NPPF* sets out the Government’s economic, environmental and social planning policies for England. Taken together, these policies articulate the Government’s vision of sustainable development, which should be interpreted and applied locally to meet local aspirations. The *NPPF* continues to recognise that the planning system is plan-led and that therefore Local Plans, incorporating Neighbourhood Plans, where relevant, are the starting point for the determination of any planning application, including those which relate to the historic environment.

The overarching policy change applicable to the proposed development is the presumption in favour of sustainable development. This presumption in favour of sustainable development (the ‘presumption’) sets out the tone of the Government’s overall stance and operates with and through the other policies of the *NPPF*. Its purpose is to send a strong signal to all those involved in the planning process about the need to plan positively for appropriate new development; so that both plan-making and development management are proactive and driven by a search for opportunities to deliver sustainable development, rather than barriers. Conserving historic assets in a manner appropriate to their significance forms part of this drive towards sustainable development.

The purpose of the planning system is to contribute to the achievement of sustainable development and the *NPPF* sets out three ‘objectives’ to facilitate sustainable development: an economic objective, a social objective, and an environmental objective. The presumption is key to delivering these objectives, by creating a positive pro-development framework which is underpinned by the wider economic, environmental and social provisions of the *NPPF*. The presumption is set out in full at paragraph 11 of the *NPPF* and reads as follows:

***“Plans and decisions should apply a presumption in favour of sustainable development.*”**

***For plan-making this means that:***

- a. all plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects;***
- b. strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless:***
  - i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting***

*the overall scale, type or distribution of development in the plan area; or*

- ii. *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*

*For decision-taking this means:*

- a. *approving development proposals that accord with an up-to-date development plan without delay; or*
- b. *where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*
  - i. *the application policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or*
  - ii. *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations,*

*making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.”<sup>53</sup>*

However, it is important to note that footnote 7 of the NPPF applies in relation to the final bullet of paragraph 11. This provides a context for paragraph 11 and reads as follows:

*“The policies referred to are those in this Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 189) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, a National Landscape, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 75); and areas at risk of flooding or coastal change.”<sup>54</sup> (our emphasis)*

The NPPF continues to recognise that the planning system is planned and that therefore, Local Plans, incorporating Neighbourhood Plans, where relevant, are the starting point for the determination of any planning application.

Heritage Assets are defined in the NPPF as:

*“A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. It includes designated heritage*

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<sup>53</sup> MHCLG, NPPF, para. 11.

<sup>54</sup> MHCLG, NPPF, para. 11, fn. 7.

**assets and assets identified by the local planning authority (including local listing).<sup>55</sup>**

The NPPF goes on to define a Designated Heritage Asset as a:

***“World Heritage Site, Scheduled Monument, Listed Building, Protected Wreck Site, Registered Park and Garden, Registered Battlefield or Conservation Area designated under relevant legislation.”<sup>56</sup>***

As set out above, significance is also defined as:

***“The value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset’s physical presence, but also from its setting. For World Heritage Sites, the cultural value described within each site’s Statement of Outstanding Universal Value forms part of its significance.”<sup>57</sup>***

Section 16 of the NPPF relates to ‘Conserving and enhancing the historic environment’ and states at paragraph 208 that:

***“Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on***

***a heritage asset, to avoid or minimise any conflict between the heritage asset’s conservation and any aspect of the proposal.”<sup>58</sup>***

Paragraph 210 goes on to state that:

***“In determining planning applications, local planning authorities should take account of:***

- a. the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;***
- b. the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and***
- c. the desirability of new development making a positive contribution to local character and distinctiveness.”<sup>59</sup>***

With regard to the impact of proposals on the significance of a heritage asset, paragraphs 212 and 213 are relevant and read as follows:

***“When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the***

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<sup>55</sup> MHCLG, NPPF, Annex 2.

<sup>56</sup> MHCLG, NPPF, Annex 2.

<sup>57</sup> MHCLG, NPPF, Annex 2.

<sup>58</sup> MHCLG, NPPF, para. 208.

<sup>59</sup> MHCLG, NPPF, para. 210.

**asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.”<sup>60</sup>**

**“Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:**

- a. grade II listed buildings, or grade II registered parks or gardens, should be exceptional;**
- b. assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II\* listed buildings, grade I and II\* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.”<sup>61</sup>**

Section b) of paragraph 213, which describes assets of the highest significance, also includes footnote 75 of the NPPF, which states that non-designated heritage assets of archaeological interest which are demonstrably of equivalent significance to Scheduled Monuments should be considered subject to the policies for designated heritage assets.

In the context of the above, it should be noted that paragraph 214 reads as follows:

**“Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:**

- a. the nature of the heritage asset prevents all reasonable uses of the site; and**
- b. no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and**
- c. conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and**
- d. the harm or loss is outweighed by the benefit of bringing the site back into use.”<sup>62</sup>**

Paragraph 215 goes on to state:

**“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.”<sup>63</sup>**

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<sup>60</sup> MHCLG, NPPF, para. 212.

<sup>61</sup> MHCLG, NPPF, para. 213.

<sup>62</sup> MHCLG, NPPF, para. 214.

<sup>63</sup> MHCLG, NPPF, para. 215.

The NPPF also provides specific guidance in relation to development within Conservation Areas, stating at paragraph 219 that:

***“Local planning authorities 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. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.”<sup>64</sup>***

Paragraph 220 goes on to recognise that *“not all elements of a World Heritage Site or Conservation Area will necessarily contribute to its significance”* and with regard to the potential harm from a proposed development states:

***“Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm under paragraph 214 or less than substantial harm under paragraph 215, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole.”<sup>65</sup>*** (our emphasis)

With regards to non-designated heritage assets, paragraph 216 of NPPF states that:

***“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 directly or indirectly affect 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.”<sup>66</sup>***

Overall, the NPPF confirms that the primary objective of development management is to foster the delivery of sustainable development, not to hinder or prevent it. Local Planning Authorities should approach development management decisions positively, looking for solutions rather than problems so that applications can be approved wherever it is practical to do so. Additionally, securing the optimum viable use of sites and achieving public benefits are also key material considerations for application proposals.

### National Planning Practice Guidance

The then Department for Communities and Local Government (now the Ministry of Housing, Communities & Local Government (MHCLG)) launched the planning practice guidance web-based resource in March 2014, accompanied by a ministerial statement which confirmed that a number of previous planning practice guidance documents were cancelled.

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<sup>64</sup> MHCLG, *NPPF*, para 219.

<sup>65</sup> MHCLG, *NPPF*, para. 220.

<sup>66</sup> MHCLG, *NPPF*, para. 216.

This also introduced the national Planning Practice Guidance (PPG) which comprised a full and consolidated review of planning practice guidance documents to be read alongside the NPPF.

The PPG has a discrete section on the subject of the Historic Environment, which confirms that the consideration of ‘significance’ in decision taking is important and states:

***“Heritage assets may be affected by direct physical change or by change in their setting. Being able to properly assess the nature, extent and importance of the significance of a heritage asset, and the contribution of its setting, is very important to understanding the potential impact and acceptability of development proposals.”<sup>67</sup>***

In terms of assessment of substantial harm, the PPG confirms that whether a proposal causes substantial harm will be a judgement for the individual decision taker having regard to the individual circumstances and the policy set out within the NPPF. It goes on to state:

***“In general terms, substantial harm is a high test, so it may not arise in many cases. For example, in determining whether works to a listed building constitute substantial harm, an important consideration would be whether the adverse impact seriously affects a key element of its special architectural or historic interest. It is the degree of harm to the asset’s significance rather than the scale of the development that is to be assessed. The harm***

***may arise from works to the asset or from development within its setting.***

***While the impact of total destruction is obvious, partial destruction is likely to have a considerable impact but, depending on the circumstances, it may still be less than substantial harm or conceivably not harmful at all, for example, when removing later inappropriate additions to historic buildings which harm their significance. Similarly, works that are moderate or minor in scale are likely to cause less than substantial harm or no harm at all. However, even minor works have the potential to cause substantial harm.”<sup>68</sup> (our emphasis)***

#### **National Design Guide:**

Section C2 relates to valuing heritage, local history and culture and states:

***“When determining how a site may be developed, it is important to understand the history of how the place has evolved. The local sense of place and identity are shaped by local history, culture and heritage, and how these have influenced the built environment and wider landscape.”<sup>69</sup>***

***“Sensitive re-use or adaptation adds to the richness and variety of a scheme and to its diversity of activities and users. It helps to integrate heritage into proposals in an environmentally sustainable way.”<sup>70</sup>***

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<sup>67</sup> MHCLG, PPG, paragraph 007, reference ID: 18a-007-20190723.

<sup>68</sup> MHCLG, PPG, paragraph 018, reference ID: 18a-018-20190723.

<sup>69</sup> MHCLG, NDG, para. 46.

<sup>70</sup> MHCLG, NDG, para. 47.

It goes on to state that:

***"Well-designed places and buildings are influenced positively by:***

- ***the history and heritage of the site, its surroundings and the wider area, including cultural influences;***
- ***the significance and setting of heritage assets and any other specific features that merit conserving and enhancing;***
- ***the local vernacular, including historical building typologies such as the terrace, town house, mews, villa or mansion block, the treatment of façades, characteristic materials and details – see Identity.***

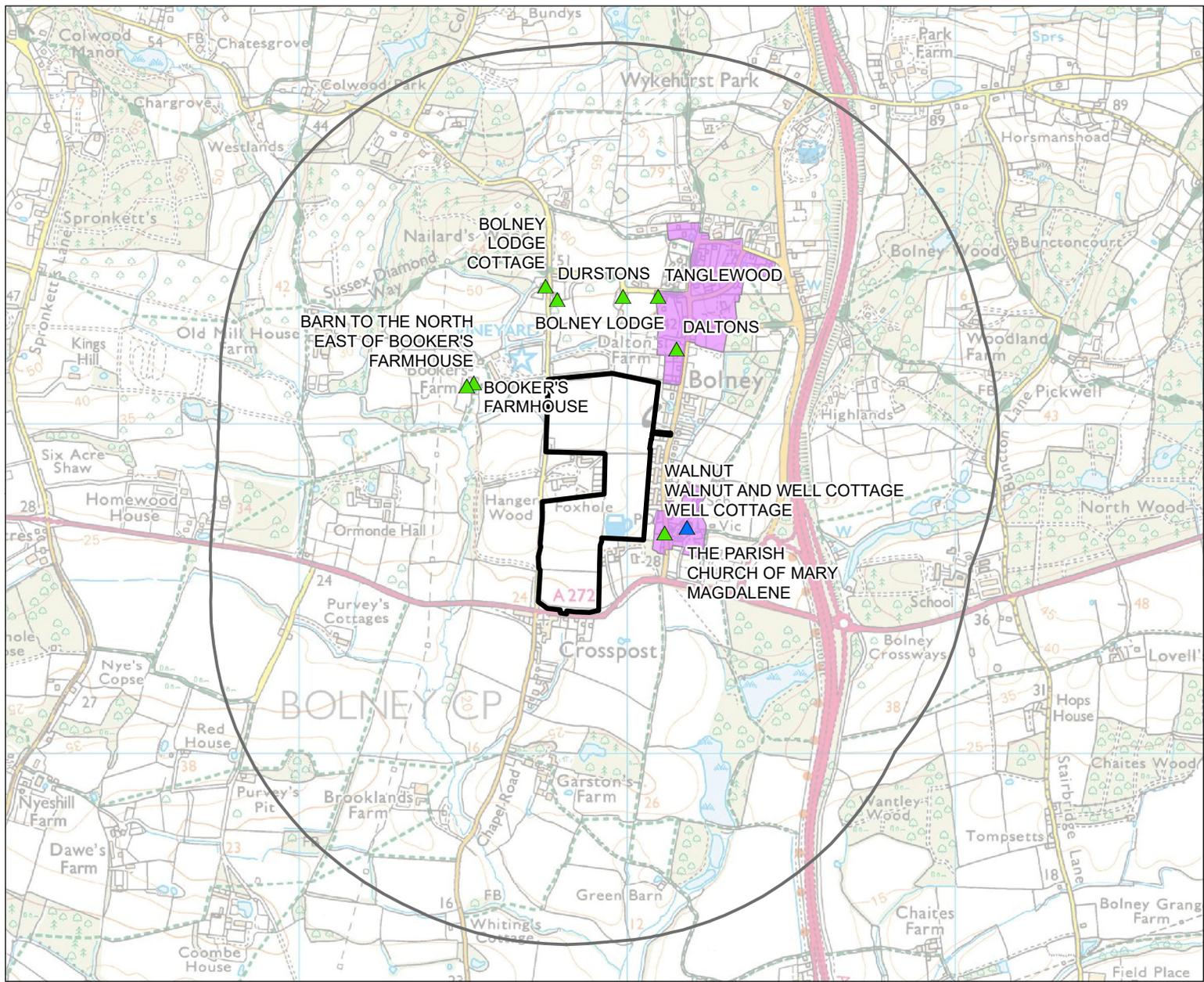
***Today's new developments extend the history of the context. The best of them will become valued as tomorrow's heritage, representing the architecture and placemaking of the early 21<sup>st</sup> century."***<sup>71</sup>

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<sup>71</sup> MHCLG, NDG, paras. 48-49.



## Appendix 5: Figures



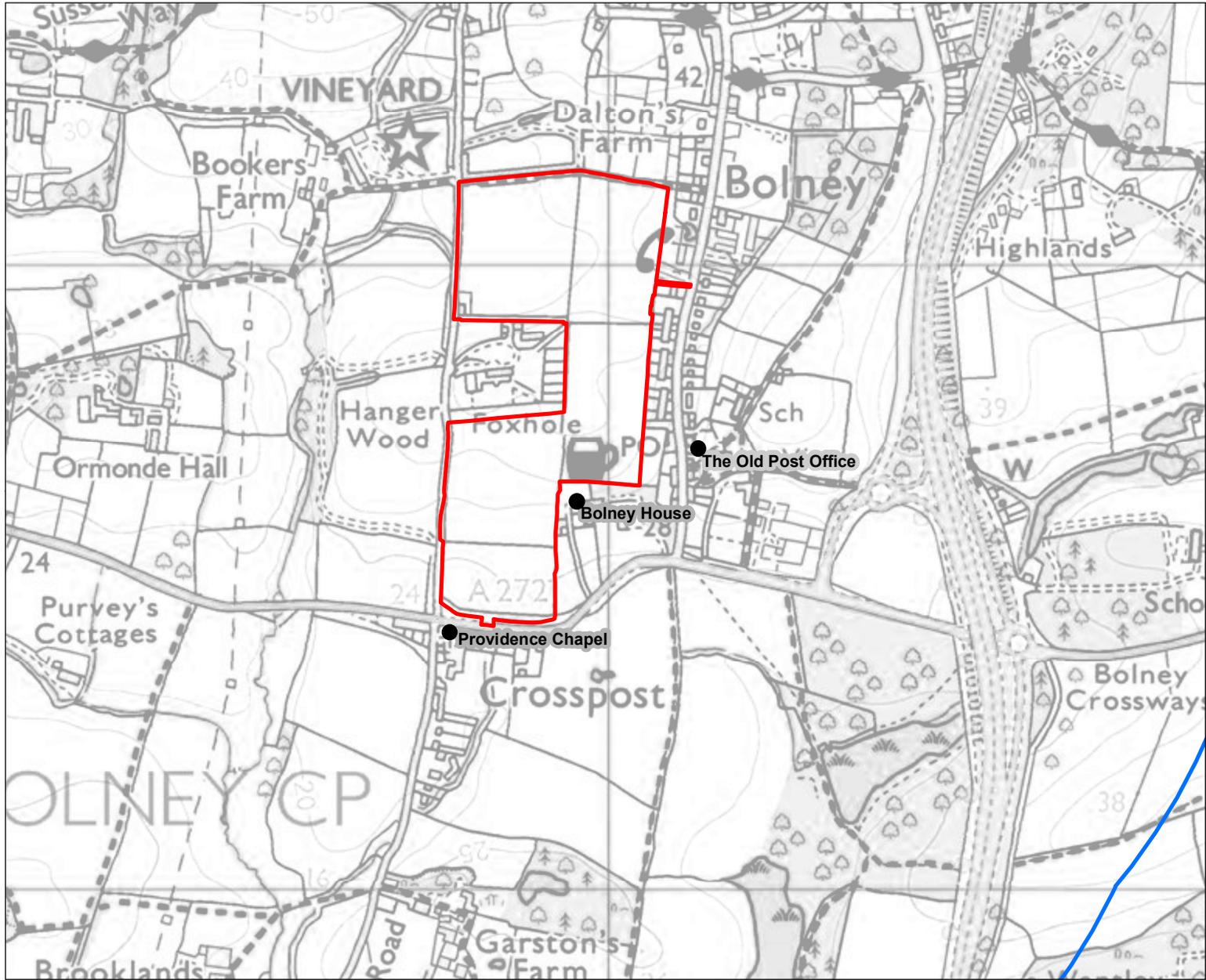
- KEY**
- Site
  - 1km Study Area
  - Grade I Listed Building
  - Grade II Listed Building
  - Bolney Conservation Area

**Figure 1: Designated Heritage Assets**

**Land at Foxhole Farm, Bolney**

Client: Wates  
 DRWG No: P21-0653  
 Drawn by: SG      Approved by: GS  
 Date: 26/03/2025  
 Scale: 1:18,000 @ A4





**KEY**  
 Redline  
 Study Area

Non-designated heritage assets identified by the Conservation Officer at Mid Sussex District Council

**Figure 2: Non-designated Heritage Assets**

**Land at Bolney**

Client: Wates  
 DRWG No: P21-0653  
 Drawn by: JK  
 Date: 19/03/2025  
 Scale: 1:9,527 @ A4  
 Approved by: GS



Figure 3: Photo location map



## Appendix 6: Relevant Development Plan Policies

Applications for Planning Permission and Listed Building Consent where relevant, within Bolney are currently considered against the policy and guidance set out within the Mid Sussex District Plan 2014–2031 adopted in March 2018, and the Bolney Neighbourhood Plan 2015–2031 adopted in September 2016. Policies and guidance from the Submission District Plan 2021–2039, published between the 12<sup>th</sup> January and the 23<sup>rd</sup> February 2024, will also be included below.

### Mid Sussex District Plan 2014–2031

#### ***“DP34: Listed Buildings and Other Heritage Assets***

***Strategic Objectives: 2) To promote well located and designed development that reflects the District’s distinctive towns and villages, retains their separate identity and character and prevents coalescence; 4) To protect valued characteristics of the built environment for their historical and visual qualities; and 11) To support and enhance the attractiveness of Mid Sussex as a visitor destination.***

***Evidence Base: West Sussex Historic Environment Record; Register of Listed Buildings.***

#### ***Listed Buildings***

***Development will be required to protect listed buildings and their settings. This will be achieved by ensuring that:***

- ***A thorough understanding of the significance of the listed building and its setting has been demonstrated. This will be proportionate to the importance of the building and potential impact of the proposal;***

- ***Alterations or extensions to a listed building respect its historic form, scale, setting, significance and fabric. Proposals for the conversion or change of use of a listed building retain its significance and character whilst ensuring that the building remains in a viable use;***

- ***Traditional building materials and construction techniques are normally used. The installation of uPVC windows and doors will not be acceptable;***

- ***Satellite antennae, solar panels or other renewable energy installations are not sited in a prominent location, and where possible within the curtilage rather than on the building itself;***

- ***Special regard is given to protecting the setting of a listed building;***

- ***Where the historic fabric of a building may be affected by alterations or other proposals, the applicant is expected to fund the recording or exploratory opening up of historic fabric.***

#### ***Other Heritage Assets***

***Development that retains buildings which are not listed but are of architectural or historic merit, or which make a significant and positive contribution to the street scene will be permitted in preference to their demolition and redevelopment.***

***The Council will seek to conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the character and quality of life of the District. Significance can be defined as the special interest of a***

*heritage asset, which may be archaeological, architectural, artistic or historic.*

*Proposals affecting such heritage assets will be considered in accordance with the policies in the National Planning Policy Framework (NPPF) and current Government guidance.”*

#### **“DP35: Conservation Areas**

*Strategic Objectives: 2) To promote well located and designed development that reflects the District’s distinctive towns and villages, retains their separate identity and character and prevents coalescence; 4) To protect valued characteristics of the built environment for their historical and visual qualities; and 11) To support and enhance the attractiveness of Mid Sussex as a visitor destination.*

*Evidence Base: Mid Sussex Conservation Area Appraisals; Sussex Extensive Urban Surveys; West Sussex Historic Environment Record.*

*Development in a conservation area will be required to conserve or enhance its special character, appearance and the range of activities which contribute to it. This will be achieved by ensuring that:*

- *New buildings and extensions are sensitively designed to reflect the special characteristics of the area in terms of their scale, density, design and through the use of complementary materials;*
- *Open spaces, gardens, landscaping and boundary features that contribute to the special character of the area are protected.*

*Any new landscaping or boundary features are designed to reflect that character;*

*• Traditional shop fronts that are a key feature of the conservation area are protected. Any alterations to shopfronts in a conservation area will only be permitted where they do not result in the loss of a traditional shopfront and the new design is sympathetic to the character of the existing building and street scene in which it is located;*

*• Existing buildings that contribute to the character of the conservation area are protected. Where demolition is permitted, the replacement buildings are of a design that reflects the special characteristics of the area;*

*• Activities such as markets, crafts or other activities which contribute to the special character and appearance of the conservation area are supported;*

*• New pavements, roads and other surfaces reflect the materials and scale of the existing streets and surfaces in the conservation area.*

*Development will also protect the setting of the conservation area and in particular views into and out of the area.*

*New buildings of outstanding or innovative design may be acceptable in conservation areas provided that their impact would not cause material harm to the area.”*

Submission District Plan 2021–2039

**“DPB2: Listed Buildings and Other Heritage Assets**

### **Listed Buildings**

**Development will be required to preserve or enhance listed buildings and the contribution made by their settings. This will be achieved by ensuring that:**

- 1. A thorough understanding of the significance of the listed building and its setting, and the potential to better reveal it, has been demonstrated. This will be proportionate to the importance of the building and potential impact of the proposal.**
- 2. Alterations or extensions to a listed building respect its historic form, scale, setting, significance and fabric. Proposals for the conversion or change of use of a listed building retain its significance and character whilst ensuring that the building remains in a viable use.**
- 3. Traditional building materials and construction techniques are normally used. The installation of uPVC windows and doors will not be acceptable.**
- 4. Satellite antennae, solar panels or other renewable energy installations are not sited in a prominent location, and where possible within the curtilage rather than on the building itself.**
- 5. Special regard is given to protecting the contribution made by the setting of a listed building.**
- 6. Where the historic fabric of a building may be affected by alterations or other proposals, the applicant is expected to fund the recording or exploratory opening up of historic fabric.**

### **Other Heritage Assets**

**Development that retains buildings which are not listed but are of architectural or historic merit, or which make a significant and**

**positive contribution to the street scene will be permitted in preference to their demolition and redevelopment.**

**The Council will seek to preserve and enhance heritage assets and their settings in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the character and quality of life of the district, and will look at opportunities to enhance or better reveal their significance.**

**Proposals affecting such heritage assets will be considered in accordance with the policies in the National Planning Policy Framework (NPPF) and current Government guidance.**

**Proposed development must undertake pre-determination evaluation of potential archaeological features on the site prior to any planning applications being submitted, unless it can be demonstrated that such evaluation is not appropriate for the site. Appropriate mitigation may be required depending on the outcome of that evaluation.**

**Where appropriate, a Heritage Impact Assessment must be provided to establish the significance of heritage assets and their settings, the impact of development on this significance, and if appropriate, mitigation strategies."**

### **"DPB3: Conservation Areas**

**Development in a conservation area will be required to preserve or enhance its special character, appearance and the range of activities which contribute to it. This will be achieved by ensuring that:**

- 1. New buildings and extensions are sensitively designed to reflect the special characteristics and appearance of the area in**

*terms of their scale, density, design and through the use of complementary materials.*

*2. Open spaces, gardens, trees and landscaping and boundary features that contribute to the special character and appearance of the area are protected, and any new landscaping or boundary features are designed to reflect that character.*

*3. Traditional shop fronts that are a key feature of the conservation area are protected. Any alterations to shopfronts in a conservation area will only be permitted where they do not result in the loss of a traditional shopfront and the new design is sympathetic to the character of the existing building and street scene in which it is located.*

*4. Existing buildings that contribute to the character of the conservation area are protected. Where demolition is permitted, the replacement buildings must be of a design that reflects the special characteristics and appearance of the area.*

*5. Activities such as markets, crafts or other activities which contribute to the special character and appearance of the conservation area are supported.*

*6. New pavements, roads and other surfaces reflect the materials and scale of the existing streets and surfaces in the conservation area.*

*Development will also protect the setting of the conservation area and in particular views into and out of the area.*

*New buildings of outstanding or innovative design may be acceptable in conservation areas provided that their impact would not cause material harm to the area."*

*"DPA14: Land at Foxhole Farm, Bolney*

*The boundary shown on the site map below represents the extent of the site inclusive of all built development and any mitigation requirements (e.g. landscape buffers or open space) listed within the policy requirements.*

*Allocation: Housing*

*SHELAA: 1120*

*Settlement: Bolney*

*Gross Site Area (ha): 18.4*

*Number of dwellings: 200*

*Infrastructure:*

*On-site:*

- *Land for education provision*
- *Community facility*
- *Community working hub*
- *Allotments*
- *Informal outdoor space including community orchard and country park*

*Financial contributions towards the provision of:*

- *Sustainable Transport*
- *Education*

- *Library*
- *Local Community Infrastructure*
- *Emergency Services*
- *Play area*
- *Health*
- *Other outdoor provision*
- *Outdoor sports*

**Provision of:**

- *Sustainable transport measures*
- *Highway works*
- *Sewerage network upgrades*

**Policy Requirements:**

- 1. Informed by a Heritage Impact Assessment, provide an appropriate layout and design which protects the setting of nearby Grade II listed building, 'Walnut and Well Cottage', and Bolney Conservation Areas (North and South).***
- 2. Follow a sequential approach by directing development away from areas of flood risk associated with surface water flooding in lowest areas of the site.***
- 3. Retain the character of footpath 44Bo which runs along the site's northern boundary and create a pedestrian link from the site.***

***4. Provide suitable vehicular, pedestrian and cycle access from Cowfold Road (A272).***

***5. Provide pedestrian and cycle access to The Street into the north part of the site between the properties of Westmeadow and Downland. In addition, explore potential for additional pedestrian and cycle access to The Street into the south-central part of the site.***

***6. Provide a country park between the north and south development parcels.***

***7. Explore opportunities on-site to enhance education provision in the village that meets an identified local need.***

***8. Occupation of development will be phased to align with the delivery of sewerage infrastructure, in consultation with the service provider.***

***9. The site lies within the brick clay (Weald) Mineral Safeguarding Area, therefore the potential for mineral sterilisation should be considered in accordance with the requirements of the West Sussex Joint Minerals Local Plan and associated Safeguarding Guidance***

***10. Meet the requirements of other relevant development plan policies."***

[Bolney Neighbourhood Plan 2015-2031](#)

***"Policy BOLD1 – Design of New Development and Conservation***

***Planning permission for new development will ordinarily be permitted subject to the following criteria:***



*It is designed to a high quality which reflects Bolney's rural nature and responds to the heritage and distinctive character by way of;*

*height, scale, spacing, layout, orientation, design and materials of buildings, and*

*the scale, design and materials of the public realm (highways, footways, open space and landscape); and*

*It does not have an unacceptable impact on the setting of any heritage asset; and*

*It respects the natural contours of a site and protects and sensitively incorporates well-established natural features of the landscape including trees, species-rich hedgerows and ponds within the site; and*

*It creates a safe, accessible and well-connected environment that meets the needs of its users; and*

*It will not result in unacceptable levels of light, noise, air or water pollution, and*

*Where possible, it provides lock-up facilities for storage of bicycles, children's pushchairs and mobility vehicles to encourage walking and cycling and to assist accessibility."*

## Appendix 7: List Entries

### THE PARISH CHURCH OF MARY MAGDALENE

#### Official list entry

**Heritage Category:** Listed Building

**Grade:** I

**List Entry Number:** 1193369

**Date first listed:** 28-Oct-1957

**Statutory Address 1:** THE PARISH CHURCH OF MARY MAGDALENE,  
THE STREET

#### Location

**Statutory Address:** THE PARISH CHURCH OF MARY MAGDALENE,  
THE STREET

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

**District:** Mid Sussex (District Authority)

**Parish:** Bolney

**National Grid Reference:** TQ 26183 22687

#### Details

BOLNEY THE STREET 1. 5405 The Parish Church of Mary Magdalene  
TQ 22 SE 15/246 28.10.57 I

2. Chancel, nave with north aisle, south porch and west tower.  
Chancel and nave 1100 circa. Tower built by John Bolney in 1536-8.  
South porch 1718. North aisle 1853.

April 2025 | SG/JK | P21-0653

**Listing NGR:** TQ2618222692

#### Legacy

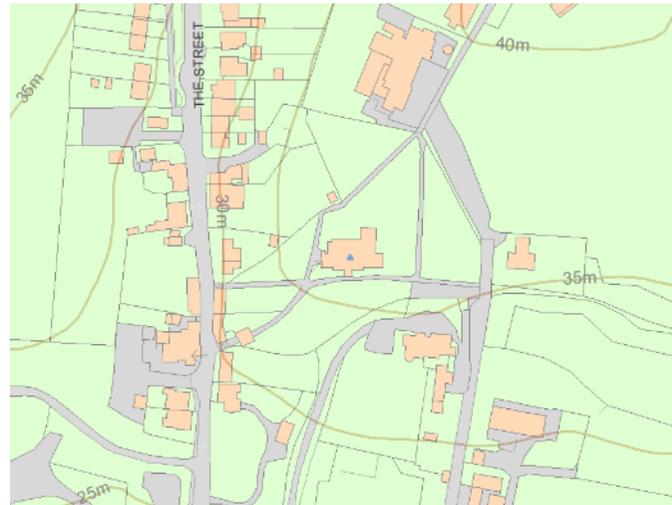
The contents of this record have been generated from a legacy data system.

**Legacy System number:** 302420

**Legacy System:** LBS

#### Legal

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



**End of official list entry**

## WALNUT AND WELL COTTAGE, THE STREET

### Official list entry

**Heritage Category:** Listed Building

**Grade:** II

**List Entry Number:** 1025760

**Date first listed:** 11-May-1983

**Statutory Address 1:** WALNUT AND WELL COTTAGE, THE STREET

### Location

**Statutory Address:** WALNUT AND WELL COTTAGE, THE STREET

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

**District:** Mid Sussex (District Authority)

**Parish:** Bolney

**National Grid Reference:** TQ 26114 22670

### Details

BOLNEY THE STREET 1. 5405 Walnut and Well Cottage TQ 22 SE 15/247 II

2. Formerly 2 cottages. C17 or earlier timber-framed building with plaster infilling, ground floor rebuilt in painted brick. The 2 cottages had different roof levels, the north one being tiled, the south one of Horsham stone slate slabs. Casement windows. Two storeys. Four windows.

**Listing NGR:** TQ2618222692

### Legacy

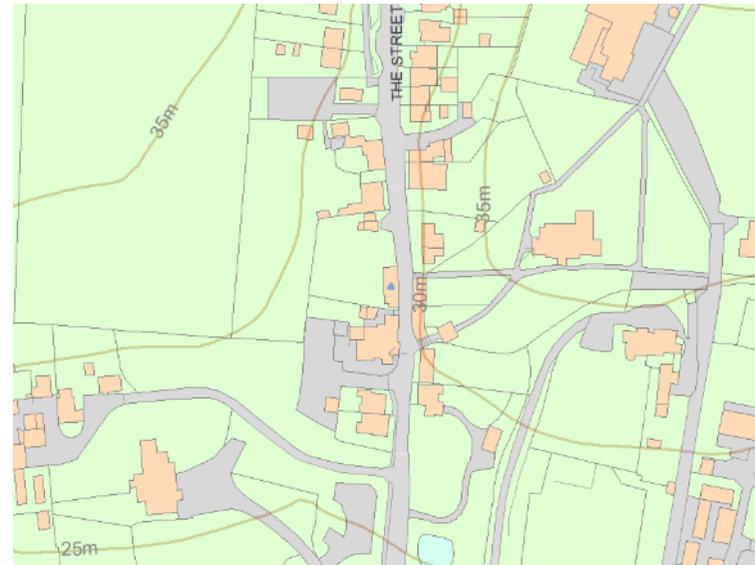
The contents of this record have been generated from a legacy data system.

**Legacy System number:** 302421

**Legacy System:** LBS

### Legal

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



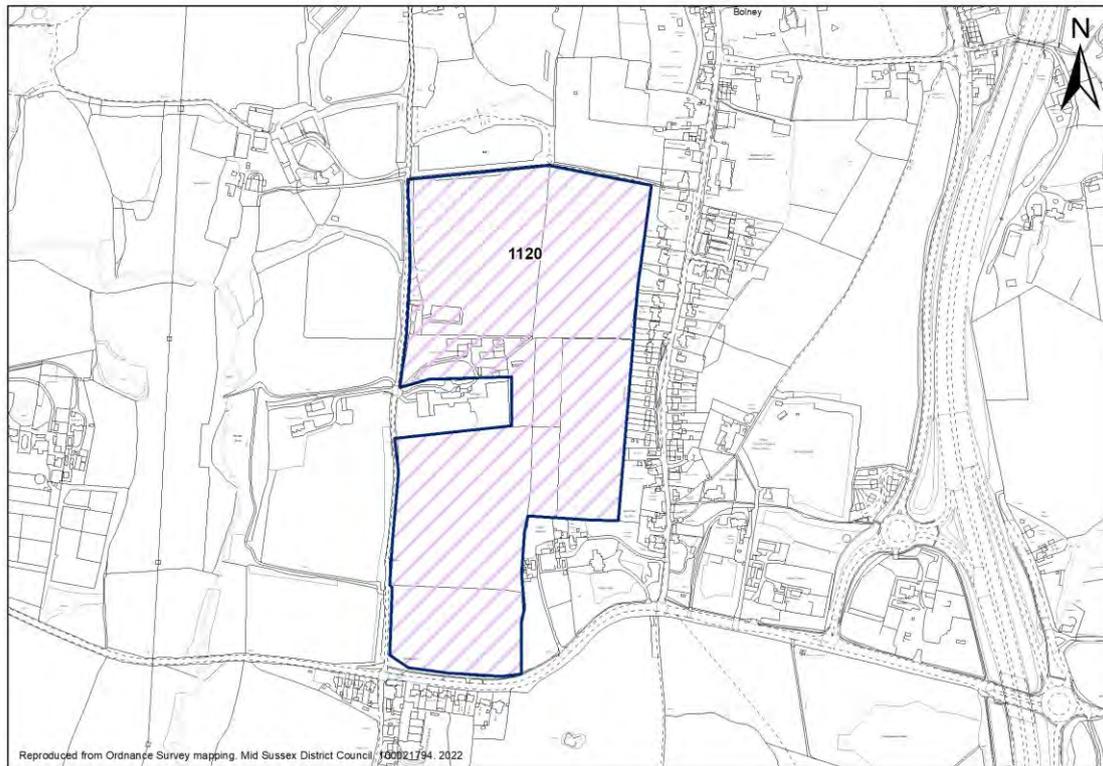
**End of official list entry**



## **Appendix 8: Site Assessment Pro-forma: Land at Foxhole Farm, Bolney (ref.1120)**

## Bolney

ID **1120** Land east of Foxhole Lane



### Site Details

Units: **200** Site Area (ha): **16.4**

### Part 1 - Planning Constraints

<b>1. Landscape</b>	<b>Negative</b>	Low to low/medium potential for change in landscape terms
<b>2. Flood Risk</b>	<b>Very Positive</b>	The site lies entirely within Flood Zone 1, the area of lowest fluvial flood risk.
<b>3. Trees</b>	<b>Positive</b>	Presence of boundary trees. Tree Preservation Order on northern boundary, can be incorporated into development.
<b>4. Biodiversity</b>	<b>Very Positive</b>	Site is not within or adjacent to a Site of Special Scientific Interest or Local Wildlife Site.
<b>5. Listed Buildings</b>	<b>Neutral</b>	The revised masterplan shows the development pushed to the northern and southern ends of the site with the central area retained as open space (a 'country park'). This moves the development away from close proximity with the southern half of the Conservation Area and the listed buildings within it, although there may still be some impact on views. The northern part of the development remains adjacent to the northern half of the Conservation Area and the Public Rights Of Way which runs down to it from the west. More detailed information including verified views would be necessary to confirm the impacts. Less than Substantial Harm: Low to Mid. Potential for suitable mitigation.
<b>6. Conservation Areas</b>	<b>Neutral</b>	The revised masterplan shows the development pushed to the northern and southern ends of the site with the central area retained as open space (a 'country park'). This moves the development away from close proximity with the southern half of the Conservation Area and the listed buildings within it, although

## District Plan: Site Selection - Housing

there may still be some impact on views. The northern part of the development remains adjacent to the northern half of the Conservation Area and the PROW which runs down to it from the west. More detailed information including verified views would be necessary to confirm the impacts. LSH: Mid. Potential for suitable mitigation.

### 7. Archaeology

**Neutral**

Archaeological Notification Area adjacent to south east corner of site. The site climbs from the A272 to the crest of a sandstone ridge, in the High Weald a favourable location for archaeological sites.

## Part 2 - Deliverability Considerations

### 8. Availability

**Very Positive**

Site is available for development within 5 years. Site is in the control of a housebuilder.

### 9. Access

**Neutral**

Access does not exist but can be achieved within landholding to adjacent highway or through 3rd party land (agreement in place). Site approach would require improvements to accommodate further development, which could be achieved

## Part 3 - Sustainability / Access to Services

### 10. Bus Service

Fair

### 10. Train Service

Poor

### 10. Public Transport

**Negative**

### 11. Main Service Centre

**Negative**

### 12. Primary School

**Very Positive**

On site Primary school proposed.

### 13. Health

**Negative**

### 14. Retail

**Very Positive**

On site community shop proposed.

Planning (Listed Buildings and Conservation Areas) Act 1990  
Town & Country Planning Act 1990 (as amended)  
Planning and Compulsory Purchase Act 2004

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