

## RESPONSE TO THE COMMENTS OF THE MSDC CONSERVATION OFFICER

With regard to application ref DM/22/2416 Land South of Henfield Road,  
Albourne

JCH01308  
Response to  
comments of the  
Conservation Officer  
October 2022

## REPORT

### Quality Management

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# 1 INTRODUCTION

- 1.1 This report responds to the comments of the conservation officer at Mid Sussex District Council in response to application reference DM/22/2416, dated 4 October 2022.
- 1.2 The conclusions of this report have been reached within the context of the relevant legislation contained within the Planning (Listed Buildings and Conservation Areas) Act 1990 and both national and local planning policy. The conclusions reached in this report are the result of historic research, knowledge of the site and the application of professional judgement.
- 1.3 The findings of this report are based on the known conditions at the time of writing and all findings and conclusions are time limited to no more than 3 years from the date of this report.

## 2 RESPONSE TO THE COMMENTS OF THE CONSERVATION OFFICER

- 2.1 The Conservation Officer's (CO's) comments on the application ref DM/22/2416 were written on 4 October 2022 and are marked for the attention of the Case Officer. The full response is on the council's web site.
- 2.2 The applicant has included a heritage statement as part of its application submission which describes the history and development of the application site, identifies the heritage assets that may be affected by the application proposals and considers the nature and degree of significance that each relevant asset possesses. The heritage statement considers the way in which the site may contribute to the significance of each asset and the likely impact of the application proposals on that significance. The Conservation Officer's comments do not refer to any of the statements or conclusions included within the heritage statement submitted by the applicant.
- 2.3 The Conservation Officer's statement includes a brief history of Albourne, which is consistent with the historical analysis included in the heritage statement submitted by the applicant. She describes the conservation area and the listed buildings which may be affected by the application proposals.
- 2.4 The CO's description and assessment of the conservation area is broadly consistent with that set out in the applicant's heritage statement (page 19). The CO's statement does however exaggerate the visual connection between the conservation area and the application site when experienced within The Street, as described on page 2, para 1 of her comments. The boundary along the rear gardens to the buildings on the west side of The Street are landscaped and the gardens enclosed with mature trees and hedges and so there is a limited perception of the fields to the west of the conservation area, beyond its western boundary. It is only when standing in The Street, opposite Finches, that a view of the application site is possible, and this is a narrow view between the listed building and an outbuilding. The footpath along the western edge of the conservation area and eastern boundary of the site does provide open views of the site, but the gardens to the houses along the Street are not visible because they are so densely planted along their western boundaries, with the exception of Finches, so that only limited views of the buildings along The Street are possible. This is described in the applicant's heritage statement on pages 12 and 13 and in associated photographs.
- 2.5 From both PROWs, both along the eastern boundary of the site and from that which crosses the site in an east/west direction, the views of the listed buildings are limited by the screening and landscaping within the rear gardens to the houses along the west side of The Street. This limits the experience of the conservation area and those listed buildings from those footpaths. There is a perception of the landscape to the west, beyond the conservation area, from The Street between the buildings within the grounds to Finches, but the visual connection should not be overstated. This is not a significant contributor to the special character or appearance of the conservation area as stated by the CO in her comments.
- 2.6 The CO goes on to state that the abrupt and clearly defined boundary to the west side of the conservation area and the application site is *a key feature of the village and the Conservation Area*. This fact is not in dispute. However, the CO appears to have not appreciated that this relationship would remain unchanged as part of the application proposals. The section of the site which abuts the conservation area and which she identifies as important to the significance of the conservation area would remain open and undeveloped.
- 2.7 The CO summarises the significance of the conservation area in para 3 on page 2 of her comments. This assessment is not in dispute and the application proposals ensure this significance would remain largely unaltered. She does however state that Finches has an obvious historical relationship with the adjacent farmland, by which it would be reasonable to assume, she means the application

site. Research has shown that Finches, of the listed buildings along the west side of The Street does not have a clear historical relationship with the application site. William Borrer bought the former manorial lands in Albourne in 1797 and his family continued to own and farm the land until the early 20<sup>th</sup> century. Finches, in contrast, at the time of the tithe survey in 1838 was owned and occupied by Mary Burt, not the Borrer family. It is acknowledged that the tithe provides information for a particular point in time, but the pattern of land purchase and sale in the village would suggest that Finches was not part of the wider land holdings which included the application site. On this basis it is possible to conclude that there is no *obvious functional relationship with the adjacent farmland*, as argued by the CO in her comments.

- 2.8 In para 5 on page 2 of the CO's comments she again describes the role of the landscape setting to the conservation area and its rural character. She identifies views north from Church Lane and the lane to the west and states that these have a *strongly rural character*. However, the views possible today would be largely unchanged because the proposals would mean the southern section of the site, to the south of the footpath across the middle of the site, would remain open and would therefore retain their rural character. She does also omit that for most of its length, Church Lane is a sunken lane and the views outwards are restricted by the high banks to either side.
- 2.9 The CO mentions the footpath approaches to the conservation area in paras 6 and 7 on page 2 of her comments. She states that the site has a *significant impact on the character of the approaches to the Conservation Area along the PROWs which run along the western edge of the site and from the direction of Albourne Church to the west. It features prominently in views or vistas from these PROWs which include the southern part of the Conservation Area*. This is not in dispute, however it is her assessment of the likely impact of the application proposals on this existing character that is exaggerated. The CO fails to acknowledge that the retention of the southern part of the site as open landscape would mean that the views and experience of the conservation area would remain largely unchanged.
- 2.10 The comments of the CO include a description of a number of listed buildings and their significance. This is largely consistent with the assessments included in the applicant's heritage statement. One exception is the inclusion of Inholmes Cottage which is described by the CO and she concludes that its setting includes the application site. The applicant's heritage statement does not include an assessment of this listed building because it was considered too far from the site and with no clear visual connection between the building and the site. The immediate setting of Inholmes Cottage is not rural or agricultural in character. It is seen and experienced as a historic and traditional village dwelling and its significance lies in its historic and architectural character and the degree to which it retains historic fabric in situ. It does not rely on a clear or obvious connection to its former agricultural landscape to reinforce or inform this significance. Its immediate setting is much altered and it is seen and experienced as part of the street scene along Henfield Road and at the entrance to the industrial units which make up Albourne Court. The proposed development would have no impact on the significance of this listed building.
- 2.11 A significant part of the objection raised by the council's CO relies on an assumption that the southern part of the application site which would be retained as an open landscaped area would not contribute to the conservation area or the setting to the listed buildings in the same way as the site does as present as an agricultural field in cultivation. This conclusion would be reasonable if the proposed area were to be manicured and suburbanised in some way, but this is not the case. The proposals are to retain the southern part of the site as a natural parkland. In this way, the southern part of the site would continue to contribute to the significance and special interest of the conservation area and the settings to the listed buildings in the same way as it does at present.
- 2.12 In the final para on page 3 the CO states that,  
*the development including the new housing to the north in particular will have a significant impact on the character of views from the Conservation Area to the west of The Street, and on the context*

*within which the Area is appreciated in views from Church Lane, and the various PROWs approaching or passing the Area from the west. This will have a detrimental impact on the character and appearance of the Conservation Area, contrary to the requirements of District Plan Policy DP35. In terms of the NPPF I would place the degree of harm at less than substantial, at the high end of that scale, such that paragraph 202 will apply.*

- 2.13 The conclusions of the CO with regard to the likely impact of the application proposals on the conservation area are exaggerated. The development of the northern section of the site would not be widely visible from the west of The Street from within the conservation area as alleged. From within The Street, the fields that comprise the application site are not visible apart from a narrow view alongside the southern elevation of Finches between the house and an outbuilding. With the exception of Finches, the houses along the west side of The Street, that line the eastern boundary of the southern half of the site have dense and/or tall trees and hedges along their rear boundary and so views from within the gardens are very limited. It is natural for householders to plant landscaping to screen their gardens and provide some privacy, but such planting does effectively separate the gardens of the houses from the fields beyond their western boundaries. It is this planting and screening which has severed the residential curtilages to the listed buildings from the application site to the west. The photographs within the applicant's heritage statement show this relationship along the eastern boundary to the site (pages 11 to 13 of the heritage statement).
- 2.14 Within Church Lane the views northwards are limited by the high banks to the north side of the lane. The perception of the northern part of the site where it is proposed to locate the housing is restricted by these banks (Figures 24 and 25 of the heritage statement).
- 2.15 The views towards the conservation area from the PROWs around the site would be changed to a limited degree. From the western end of the footpath that runs east/west through the site, the long views across the width of the site would include the proposed development within a section of the left side of that view, but the greater portion of that view, that is the central and right hand part, towards the conservation area and the listed buildings along The Street, would be across open, landscaped land, not the proposed new buildings. The degree of harm would be limited to a change in the character of the land from a field in cultivation to a landscaped meadow with public access.
- 2.16 The conclusion of the council's CO that the degree of harm to the conservation area that would arise as a result of the application proposals would be at the high end of the less than substantial spectrum of harm is to greatly overstate the impact of the application proposals. The heritage statement submitted as part of the application proposals concludes that the level of harm would be described as a low level of harm, at the lower end of the spectrum as described by para 202 of the NPPF.
- 2.17 The CO similarly identifies a higher level of harm to the listed buildings along The Street than is identified in the applicant's heritage statement. The CO concludes a mid to high level of harm within the less than substantial range identified by para 202. This conclusion is based on an assertion that the proposals would sever the dwellings from their countryside setting. However, it is described above and in the heritage statement submitted with the application, that the owners of these dwellings have already, to some extent, severed their properties from the countryside to the west through the planting and landscaping within their gardens to protect their privacy. There are limited glimpses of sections of the buildings from various vantage points within the site and these are described in the heritage statement (pages 12 and 13), therefore the conclusions of the CO as set out in her comments greatly overstates the impact of the application proposals. The heritage statement submitted as part of the application proposals concludes that the level of harm would be described as a low level of harm, at the lower end of the spectrum as described by para 202 of the NPPF.
- 2.18 With regard to the impact of the proposals on Spring Cottage, the conclusions of the CO with regard to the impact on the setting and significance of this building are exaggerated. She acknowledges that she has not seen visuals of the scheme and bases her conclusions on a set of assumptions.

The heritage statement submitted as part of the application proposals concludes that there would be no harm to the significance or special interest of this building.

- 2.19 With regard to the likely impact of the application proposals on Inholmes Cottage, the CO appears to have identified the application site as part of the setting to this listed building and has ascribed a level of contribution to the significance of that building which is derived from that relationship which cannot be justified. Inholmes Cottage is seen and experienced as a rural village building within the streetscene along Henfield Road. It is not a building with a clear relationship to the agricultural setting it may once have historically possessed. The visual connection between this listed building and the application site is too distant and limited to warrant an assessment of harm described as in the middle range of the less than substantial spectrum set out in para 202 of the NPPF.