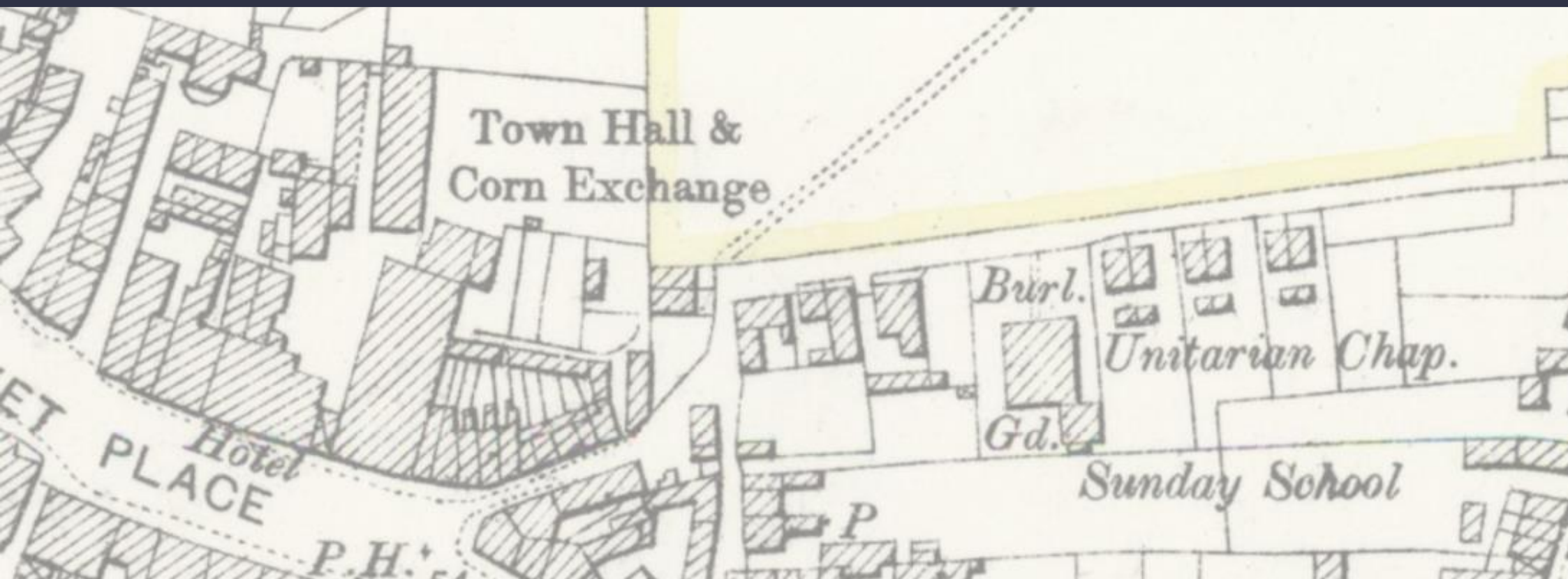


Built Heritage Statement

11-13 Meeting House Lane, Ringwood BH24 1AY

On behalf of Halo Developments UK Ltd

Date: January 2024 | Pegasus Ref: P23-0310





Document Management.

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Contents.

1. Introduction.....	4
2. Site Description and Planning History.....	6
3. Methodology.....	10
4. Policy Framework.....	12
5. The Historic Environment.....	13
6. Assessment of Impacts.....	17
7. Conclusions.....	20

Appendices contents.

Appendix 1: Officer’s Report for App Ref. 11/98010.....	21
Appendix 2: Assessment Methodology.....	22
Appendix 3: Legislative Framework.....	29
Appendix 4: National Policy Guidance.....	31
Appendix 5: Relevant Development Plan Policies.....	38

Plates:

Plate 1: Site Location Plan.....	4
Plate 2: 11-13 Meeting House Lane and adjacent carpark (source: 2023 Google Street View).....	6
Plate 3: 1844 Tithe Map of Ringwood, approximate site area highlighted in red.....	7
Plate 4: 1897 Ordnance Survey Map, approximate site area highlighted in red.....	7
Plate 5: 1946 Ordnance Survey Map, approximate site area highlighted in red.....	8
Plate 6: 2000 Google Satellite Imagery.....	8
Plate 7: 2020 Google Satellite Imagery.....	9



Plate 8: Ringwood Conservation Area Map.....	14
Plate 9: The site and wider Centre Place (source: 2023 Google Street View)	16
Plate 10: View towards the site from the east at Meeting House Lane (source: 2023 Google Street View)	18

1. Introduction

1.1. Pegasus Group have been commissioned by Halo Developments UK Ltd to prepare a Built Heritage Statement to consider the proposed residential development at 11-13 Meeting House Lane, Ringwood, as shown on the Site Location Plan provided at Plate 1.

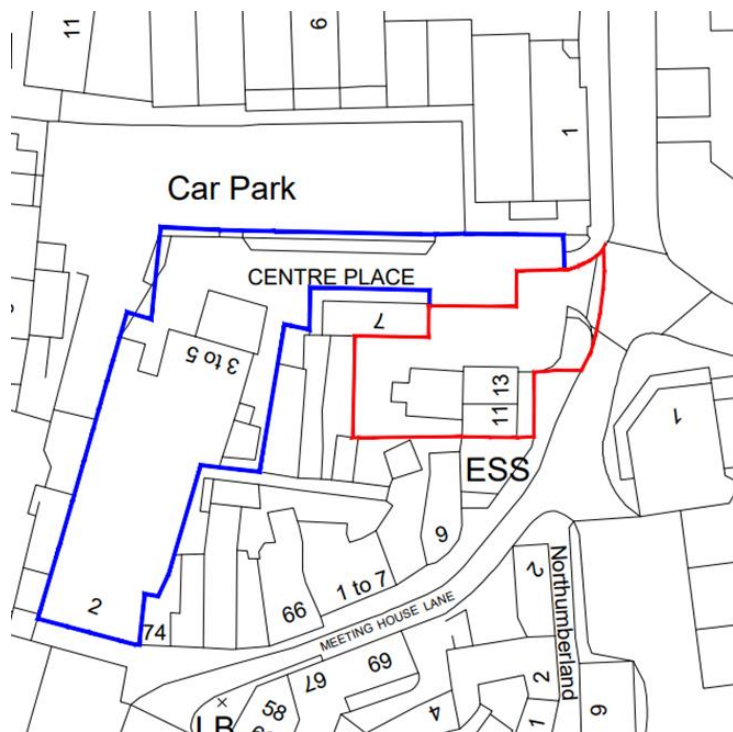


Plate 1: Site Location Plan.

1.2. The application site comprises the two-storey semi-detached house at Nos. 11-13 Meeting House Lane with its associated grounds and the adjacent carpark to the north. The site lies within the Ringwood Conservation Area

1.3. This application seeks Planning Permission for the development of a two-storey family sized dwelling with associated hard landscaping and attached to the north elevation of Nos. 11-13.

1.4. This Assessment provides information with regards to the significance of the historic environment to fulfil the requirement given in paragraph 200 of the Government's *National Planning Policy Framework* (the *NPPF*) which requires:

"...an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting".¹

1.5. In order to inform an assessment of the acceptability of the scheme in relation to impacts on the historic environment, following paragraphs 205 to 209 of the *NPPF*, any harm to the historic environment resulting from the proposed development is also described, including impacts on significance through changes to setting.

¹ Department for Levelling Up, Housing and Communities (DLUHC), *National Planning Policy Framework (NPPF)* (London, September 2023), para. 200.



- 1.6. As required by paragraph 200 of the *NPPF*, the detail and assessment in this Report is considered to be "*proportionate to the assets' importance*".²

² DLUHC, *NPPF*, para. 200.

2. Site Description and Planning History

Site Description

- 2.1. The application site comprises the two-storey semi-detached house at Nos. 11-13 Meeting House Lane and its associated grounds. The building was formerly a health clinic at the ground floor with residential flats at the first floor. But recently a Change of Use application was approved to convert the health clinic into additional residential space (Ref. 23/10753). The building faces east onto Meeting House Lane, with a small area of paved concrete to the front and garden to the rear.
- 2.2. Historically, 11-13 Meeting House Lane formed two residential houses, and this is still illustrated in its current form and appearance. The building maintains four bays with two central doorways and sash windows above, and two sets of sash windows flanking either side. The building is made up of a red brick exterior and a slate tiled pitched roof, with traditional features at the front elevation, including yellow brick sill bands, quoin brick detailing at the edge and solid timber lintels. The rest of the building comprises later extensions at its rear and a significant overgrowth of ivy covering the north elevation.
- 2.3. The site also encompasses a small area of the adjacent carpark to the north, known as Centre Place, which is currently utilised by an attached hand car wash business. This will be the principal area of the proposed development.

- 2.4. The surrounding area is predominantly commercial in character with the historic townscape of the High Street found to the south and modern redevelopment to the north and east.



Plate 2: 11-13 Meeting House Lane and adjacent carpark (source: 2023 Google Street View).

Site Development / Map Regression

- 2.5. Ringwood has early origins with the settlement having been recorded as early as 961 AD. The town centre that can be seen today has later origins with some of the earliest built form being from around the 16th century. The church, however, has some remaining evidence from the 13th century. Nonetheless, the townscape predominantly has 18th- to 20th-century development on the medieval road pattern.

2.6. The 1844 Tithe Map depicts the town centre's layout very close to what is seen today with the Market Place forming the principal east-west thoroughfare with the Furlong splitting off towards the north. The application building is illustrated and accounted in the Tithe apportionment as a single 'House & Garden'. The original construction of the building is uncertain; however, it is unlikely that its origins extend earlier than the 19th century.

2.7. Within the wider surrounds of the site, the buildings depicted within the town centre appear to be arranged at the back of pavement much like what is currently seen, with the long narrow plots beyond having a series of outbuildings or agricultural buildings, or a generally semi-rural outlook. To the north-east of the site was The Furlong, a large open area of parkland.



Plate 3: 1844 Tithe Map of Ringwood, approximate site area highlighted in red.

2.8. The building at Nos. 11-13 appears to have been divided or possibly rebuilt sometime during the mid-late 19th century, as is illustrated in the 1897 Ordnance Survey Map. The wider grounds of the dwelling also include an additional outbuilding, which lies adjacent to the rear yards of the Town Hall and Corn Exchange which was established in 1868. The wider development of Ringwood at this time however, had still not extended beyond the site to the north.

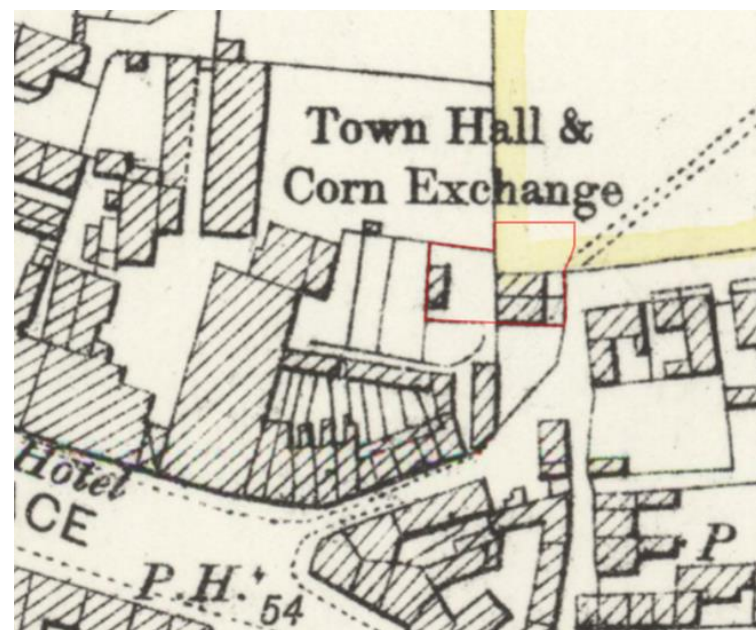


Plate 4: 1897 Ordnance Survey Map, approximate site area highlighted in red.

2.10. By 1946, a rear extension to the building had been constructed, as well as further structures in the rear garden. In 1914, the Town Hall was converted into a Cinema which likely saw the attached corn exchange converted also. The illustration of Centre Place (the adjacent carpark) in the 1946 Ordnance Survey resembles that which exists today, although it is unlikely it was being used as a carpark and simply provided access to the buildings at the rear of the High Street. The carpark likely came about during the late-20th century.



Plate 5: 1946 Ordnance Survey Map, approximate site area highlighted in red.

2.11. By the beginning of the 21st century, aerial imagery depicts the extent of Centre Place and the adjacent car park within the site. This included the construction of a small garage adjacent to the site, which is currently utilised by the existing car wash. Aerial imagery also shows the extent of modern re-development to the northeast of the site, which included the re-development of The Furlong into a carpark.

2.12. In the past 23 years, the form and scale of 11-13 Market House Street appears to have remained the same, with no notable development within and around the site.



Plate 6: 2000 Google Satellite Imagery.



Plate 7: 2020 Google Satellite Imagery.

Planning History

2.13. A review of recent planning history records held online by New Forrest District Council, has revealed several applications for the site, those of relevance are as follows:

- **Ref. 08/92193** | 11-13 Meeting House Lane; Unit 1 and Unit 8 of The Furlong Shopping Centre; 7 Centre Place and rear annexe to Centre Place; East facade external staircase; (Application for Conservation Area Consent to demolish) | Granted November 2008.

- **Ref. 11/98010** | Demolition of 11-13 Meeting House Lane; Unit 8 and side bay of unit 1, The Furlong Shopping Centre; 7, Centre Place and rear addition and external staircase to Centre Place; (Application for Conservation Area Consent to demolish) | Granted February 2012.
- **Ref. 23/10753** | Change of use of ground floor from health clinic (Use Class E) to 2No. flats (Use Class C3) (Prior Approval Application) | Prior Approval August 2023.

2.14. In the two demolition applications above, the Case Officer stated the following in regard to 11-13 Meeting House Lane and its demolition:

“It is an attractive building although it has had large rear extensions which are somewhat unsympathetic.

...

Whilst the original buildings on Meeting House Lane are reasonably attractive, the buildings to be demolished as a whole do not make a significant contribution to the conservation area. Their removal is not therefore considered to be harmful to the character or appearance of the area subject to there being an approved scheme for redevelopment.”

2.15. A full copy of the Officer’s Report is included at **Appendix 1.**

3. Methodology

3.1. The aims of this Report are to assess the significance of the heritage resource within the site/study area, to assess any contribution that the site makes to the heritage significance of the identified heritage assets, and to identify any harm or benefit to them which may result from the implementation of the development proposals, along with the level of any harm caused, if relevant.

3.2. This assessment considers built heritage.

Sources

3.3. The following key sources have been consulted as part of this assessment:

- The National Heritage List for England for information on designated heritage assets;
- Historic maps available online;
- Aerial photographs available online via Historic England's Aerial Photo Explorer and Britain from Above;
- The Ringwood Conservation Area Appraisal document;
- Old photographs accessible via the Historic England Architectural Red Box Collection; and
- Google Earth satellite imagery.

Photographs

3.4. Photographs included in the body text of this Report are for illustrative purposes only to assist in the discussions of heritage assets, their settings, and views, where relevant. Unless explicitly stated, they are not accurate visual representations of the site or development proposals, nor do they conform to any standard or guidance i.e., the Landscape Institute Technical Guidance Note 06/19. However, the photographs included are intended to be an honest representation and are taken without the use of a zoom lens or edited, unless stated in the description or caption.

Assessment Methodology

3.5. Full details of the assessment methodology used in the preparation of this Report are provided within **Appendix 2**. However, for clarity, this methodology has been informed by the following:

- *Historic Environment Good Practice Advice in Planning: 2 – Managing Significance in Decision-*

Taking in the Historic Environment (hereafter GPA:2);³

- *Historic Environment Good Practice Advice in Planning Note 3 (Second Edition) – The Setting of Heritage Assets*, the key guidance of assessing setting (hereafter GPA:3);⁴
- *Historic England Advice Note 1 (Second Edition) – Conservation Area Appraisal, Designation and Management* (hereafter HEAN:1).⁵

- *Historic England Advice Note 12 – Statements of Heritage Significance: Analysing Significance in Heritage Assets* (hereafter HEAN:12);⁶ and
- *Conservation Principles: Policies and Guidance for the Sustainable Management of the Historic Environment*.⁷

³ Historic England, *Historic Environment Good Practice Advice in Planning: 2 – Managing Significance in Decision-Taking in the Historic Environment* (GPA:2) (2nd edition, Swindon, July 2015).

⁴ Historic England, *Historic Environment Good Practice Advice in Planning Note 3 – The Setting of Heritage Assets* (GPA:3) (2nd edition, Swindon, December 2017).

⁵ Historic England, *Historic England Advice Note 1 – Conservation Area Appraisal, Designation and Management* (HEAN:1) (2nd edition, Swindon, February 2019).

⁶ Historic England, *Historic England Advice Note 12 – Statements of Heritage Significance: Analysing Significance in Heritage Assets* (HEAN:12) (Swindon, October 2019).

⁷ English Heritage, *Conservation Principles: Policies and Guidance for the Sustainable Management of the Historic Environment* (London, April 2008).

4. Policy Framework

Legislation

- 4.1. 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 their settings and Conservation Areas.⁸
- 4.2. In addition to the statutory obligations set out within the aforementioned Act, Section 38(6) of the *Planning and Compulsory Purchase Act 2004* requires that all planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise.⁹
- 4.3. Full details of the relevant legislation are provided in **Appendix 3**.

National Planning Policy Guidance

- 4.4. National Planning Policy guidance relating to the historic environment is provided within Section 16 of the Government's *National Planning Policy Framework (NPPF)*, an updated version of which was published in December

2023. The *NPPF* is also supplemented by the national *Planning Policy Guidance (PPG)* which comprises a full and consolidated review of planning practice guidance documents to be read alongside the *NPPF* and which contains a section related to the Historic Environment.¹⁰ The PPG also contains the *National Design Guide*.¹¹

- 4.5. Full details of the relevant national policy guidance is provided within **Appendix 4**.

The Development Plan

- 4.6. Applications for Planning Permission and Listed Building Consent are currently considered against the policy and guidance set out within the New Forest District Council's *Local Plan 2016–2036* (adopted July 2020).
- 4.7. Details of the policy specific relevant to the application proposals are provided within **Appendix 5**.

⁸ UK Public General Acts, Planning (Listed Buildings and Conservation Areas) Act 1990.

⁹ UK Public General Acts, Planning and Compulsory Purchase Act 2004, Section 38(6).

¹⁰ Department for Levelling Up, Housing and Communities (DLUHC), *Planning Practice Guidance: Historic Environment (PPG)* (revised edition, 23rd July 2019), <https://www.gov.uk/guidance/conserving-and-enhancing-the-historic-environment>.

¹¹ Department for Levelling Up, Housing and Communities (DLUHC), *National Design Guide* (London, January 2021).

5. The Historic Environment

- 5.1. The following Section provides an assessment of elements of the historic environment that have the potential to be impacted upon by the proposed development.
- 5.2. As set out in **Section 1**, the site lies within the designated bounds of the Ringwood Conservation Area.
- 5.3. With regards to other heritage assets within the surrounds of the site, Step 1 of the methodology recommended by *GPA3* (see methodology), is to identify which heritage assets might be affected by a proposed development.¹²
- 5.4. Development proposals may adversely impact heritage assets where they remove a feature which contributes to the significance of a heritage asset, or where they interfere with an element of a heritage asset's setting which contributes to its significance, such as interrupting a key relationship or a designed view.
- 5.5. It is however widely accepted (paragraph 213 of the *NPPF*) that not all parts of a heritage asset will necessarily be of equal significance.¹³ In some cases, certain elements of a heritage asset can accommodate substantial changes whilst preserving the significance of the asset.
- 5.6. Significance can be derived from many elements, including the historic fabric of a building or elements of its surrounds.
- 5.7. Consideration, based upon professional judgement and on-site analysis, was therefore made as to whether any of the heritage assets present within the surrounding area may include the site as part of their setting, whether the site contributes to their overall heritage significance, and whether the assets may potentially be affected by the proposed scheme as a result.
- 5.8. It has been observed that the following heritage assets have the potential to be sensitive to the development proposals and thus these have been taken forward for further assessment below:
- The Ringwood Conservation Area.
- 5.9. With regard to other heritage assets in the vicinity of the site, assessment has concluded that the site does not form any part of setting that positively contributes to overall heritage significance due to the nature of the asset and a lack of visual connections, spatial relationships or historic connections. Accordingly, the proposed development is not anticipated to result in a change that would impact upon the overall heritage significance of these assets. Other heritage assets have

¹² Historic England, *GPA:3*, p. 4.

¹³ DLUHC, *NPPF*, para. 213.

therefore been excluded from further assessment within this Report.

Ringwood Conservation Area

- 5.10. The Ringwood Conservation Area was first designated in 1970, when it originally covered just the properties fronting the High Street, Market Place, West Street, Christchurch Road and parts of Southampton Road. A major expansion of the area took place in 1983, and further boundary amendments were made in 1993 and 1999. The full coverage of the heritage asset is illustrated in the Map below. A Conservation Area Appraisal was adopted in October 2003 and has been used as a basis for this analysis.

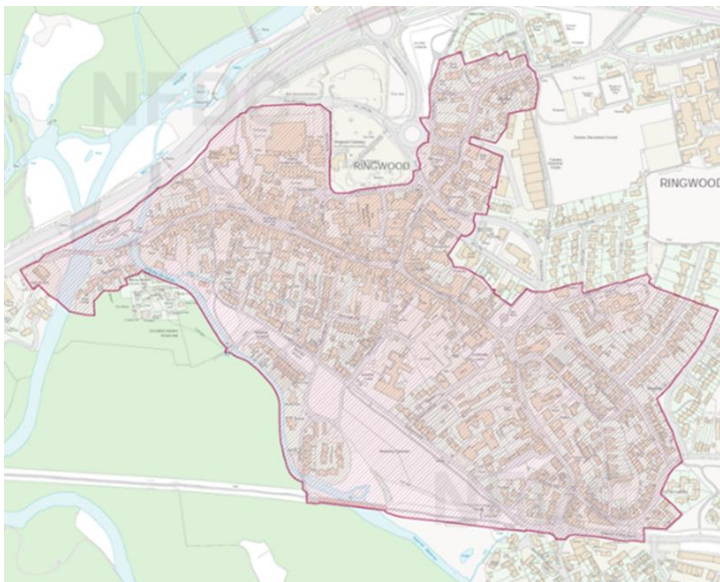


Plate 8: Ringwood Conservation Area Map.

- 5.11. Ringwood is located at a point on the banks of the River Avon where a number of river channels and boggy islands offered opportunities for the river to be forded and later bridged. The way in which the town grew from this point in the river is recognised as ribbon development, moving eastwards from the bridgehead area along West Street and into Market Place. Evidence of settlement activity prior to the medieval period is scarce. The Domesday Survey records the population as 86, and a market charter was first granted in 1226. The Conservation Area centres around Market Place, High Street and West Street (formerly Bridge Street), all medieval streets which are considered to frame Ringwood’s historic and commercial core.

- 5.12. While the core of the town is almost entirely commercial, the peripheral edges are more residential in land use and character. Though the age of development in this area remains varied, comprising the remains of narrow medieval village lanes with thatched cottages, 18th- to 19th-century residential roads and turn of the century suburbs. The commercial zone of the Conservation Area gradually peters out along Christchurch Road, with mixed residential, retail, office and institutional uses. Only on Southampton Road, is there a sudden and absolute change from commercial to residential uses.

- 5.13. As a rural market town, the architectural character and appearance of the Conservation Area is of modest scale and restrained design. Building heights generally keep to a maximum of three-storeys. Post-medieval and modern development within the Conservation Area was gradual and subtle enough not to disturb the modest appearance of the historic core. This is highlighted in the Conservation Area Appraisal report, which uses the following example:

“High Street and Market Place are essentially intact as collections of traditional buildings. Although only a small minority is listed and few are architecturally outstanding, they are both coherent pieces of townscape, and the modern intrusions do little to disturb the rhythm of good 18th and 19th century buildings, listed and unlisted. Both streets warrant a special effort to maintain and enhance their attractiveness and appeal.”

5.14. Surviving medieval buildings or building fabric in Ringwood is limited. The earliest buildings are the 16th- to 17th-century thatched timber-framed buildings located at the residential lanes lining the commercial core of the Conservation Area. Remaining development, particularly in the historic core, are made up mostly of 18th- and 19th-century buildings, which carry very modest and traditional styles. Later 20th-century development is limited, although is recognised as a detracting element in the Conservation Area, specifically buildings built between 1950-1980.

“Then from the 1950’s onwards, Ringwood suffered greatly from the generally poor quality of the designs of building. Scarcely a building from the period 1950-1980 does anything other than detract from the appearance of the conservation area.”

5.15. Building materials within the Conservation Area are varied, although there is a general pattern of brick and slate or clay tiled roofs. Rendered and painted elevations are also common, as well as thatched roofing. The commercial centre of the Conservation Area, specifically at the historic streets of Market Place and the High Street feature traditional glazed shopfronts that are well preserved.

5.16. Key views and vistas identified within the Conservation Area are limited. The area itself is fairly level and this limits any potential for longer ranging views and views of the surrounding rural landscape. Furthermore, there is no element of planned formality in the town centre, and no buildings or structures are positioned deliberately to terminate views.

5.17. Inside the town centre, key views comprise those that look along the wide thoroughfares, in Market Place, West Street, High Street and Christchurch Road. Here, the commercial and traditional character of the Conservation Area can be best appreciated. Towards the residential edges of the Conservation Area, some of the historic approaches become narrow and enclosed. Particularly at Lynes Lane and Coxstone Lane, where views not only take in the architectural and historic interests of the older timber framed and thatched buildings, but also are enhanced by the enclosed nature which the tall and mature vegetation provides.

Statement of significance

5.18. The significance of the Ringwood Conservation Area is principally derived from the following key elements:

- The eclectic variety and yet modest style of architecture, with many buildings being designated in their own right, which contributes to the historic and architectural interests of the Conservation Area;
- The variety of building materials, which are reflective of the Conservation Area’s morphology, growth and development;

- The surviving street layout of the town centre, and the winding, sometimes narrow, street patterns in the peripheral edges, which illustrate the area's origins as a medieval settlement; and
- The key views identified above which enable the historic, architectural and artistic interests of the Conservation Area to be appreciated.

5.19. While there is currently no statutory protection for the settings of Conservation Areas, it is evident that elements of the surrounds of the Conservation Area make some contribution to its significance, albeit less than the structures and spaces within its boundaries. Principal elements of the physical surrounds and experience of the asset (its setting) which are considered to contribute to its heritage significance comprises the open countryside that lines the River Avon to the west, where views towards and from the Conservation Area can be made.

The contribution of the site

- 5.20. Whilst 11-13 Meeting House Lane is an earlier and attractive building, it is of no particular historic or architectural interest. With several unsympathetic developments including the extension at the rear, the building as a whole is considered to make a neutral contribution to the character and appearance of the Conservation Area.
- 5.21. The remaining site and adjacent carpark form part of Centre Place, comprising modern infill development and carparks. The Ringwood Conservation Area Appraisal identifies Centre Place as a site with the opportunity for enhancement. It goes on to state the following:

“To provide development that compliments buildings in The Furlong Centre and on Meeting House Lane, and lines Centre Place along a possible pedestrian route from Meeting House Lane to Market Place in a way that in part mitigates the impact on the space of the former cinema.”



Plate 9: The site and wider Centre Place (source: 2023 Google Street View)

5.22. Therefore, as a whole the site is considered to have a neutral contribution to the heritage significance of the Conservation Area.

6. Assessment of Impacts

- 6.1. This Section addresses the heritage planning issues that warrant consideration in the determination of the application for Planning Permission in line with the proposals set out within **Section 1** of this Report.
- 6.2. As detailed above, the *Planning and Compulsory Purchase Act (2004)* requires that applications for Planning Permission, are determined in accordance with the Development Plan, unless material considerations indicate otherwise. The policy guidance set out within the *NPPF* is considered to be a material consideration which attracts significant weight in the decision-making process.
- 6.3. The statutory requirement set out in Section 72(1) of the *Planning (Listed Buildings and Conservation Areas) Act 1990* confirms that special attention should be paid to the desirability of preserving or enhancing the character or appearance of the asset, as well as the protection of the character and appearance of a Conservation Area.
- 6.4. In addition, the *NPPF* states that the impact of development proposals should be considered against the particular significance of heritage assets, such as Listed Buildings and Conservation Areas, and this needs to be the primary consideration when determining the acceptability of the proposals.
- 6.5. It is also important to consider whether the proposals cause harm. If they do, then one must consider whether the harm represents "*substantial harm*" or "*less than substantial harm*" to the identified designated heritage assets, in the context of paragraphs 207 and 208 of the *NPPF*.¹⁴ With regard to non-designated heritage assets, potential harm should be considered within the context of paragraph 209 of the *NPPF*.¹⁵
- 6.6. The *PPG* clarifies that within each category of harm ("*less than substantial*" or "*substantial*"), the extent of the harm may vary and should be clearly articulated.¹⁶
- 6.7. The guidance set out within the *PPG* also clarifies that "*substantial harm*" is a high test, and that it may not arise in many cases. It makes it clear that it is the degree of harm to the significance of the asset, rather than the scale of development, which is to be assessed.¹⁷ In addition, it has been clarified in a High Court Judgement of 2013 that substantial harm would be harm that would:
- "...have such a serious impact on the significance of the asset that its significance was either vitiated altogether or very much reduced."***¹⁸
- 6.8. This Section will consider each of the heritage assets detailed above and assess the impact of the proposed

¹⁴ DLUHC, *NPPF*, paras. 207 and 208.

¹⁵ DLUHC, *NPPF*, para. 209.

¹⁶ DLUHC, *PPG*, Paragraph: 018 (ID: 18a-018-20190723 Revision date: 23.07.2019).

¹⁷ DLUHC, *PPG*, Paragraph: 018 (ID: 18a-018-20190723 Revision date: 23.07.2019).

¹⁸ EWHC 2847, R DCLG and Nuon UK Ltd v. Bedford Borough Council.

development, whether that be harmful or beneficial to the significance identified above.

Ringwood Conservation Area

- 6.9. When considering potential impacts on the Conservation Area, it is important to note that the site forms only one small part of the asset.
- 6.10. Paragraph 213 of the *NPPF* states that it is necessary to consider the relevant significance of the element of the Conservation Area which has the potential to be affected and its contribution to the significance of the designation as a whole, i.e., would the application proposals undermine the significance of the Conservation Area as a whole?¹⁹
- 6.11. This approach, and its compliance with Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, is supported by Case Law, with a 2020 High Court Judgement confirming that:
- “Section 72 requires an overall assessment of the likely impact of a proposed development on the conservation area, and not just that part of it where the development site is located”.***²⁰ (my emphasis)
- 6.12. The proposals comprise the development of a two-storey family sized dwelling with associated hard and soft landscaping, abutting Nos 11-13. As per the submitted plans, the new dwelling will sit in harmony with the existing building at Nos 11-13, adopting the materials and

architectural detailing utilised by the current building, e.g. quoins, contrasting brick banding, lintels, margin light windows. However, the proposed house will be of a lower height and scale and will appear subservient to the existing building. The proposed dwelling is also set back slightly from the front elevation of Nos 11-13 ensuring that the corner of the building and its quoins will remain defined.



Plate 10: View towards the site from the east at Meeting House Lane (source: 2023 Google Street View).

- 6.13. The proposed north elevation will appear as a traditional gable end without windows; however, this elevation is not prominent in views on approach from the north, but at closer distances will screen the rear extensions of Nos 11-13 which have previously been considered to be unsympathetic. Instead, greater focus will be on the front

¹⁹ DLUHC, *NPPF*, para. 213.

²⁰ *Spitfire Bespoke Homes Ltd v Secretary of State for Housing Communities and Local Government* [2020] EWHC 958 (Admin).

elevation on approach from the east along Meeting House Lane, where it will be seen alongside Nos. 11-13 and terminate the view (Plate 10). From here, and from closer vantage points the proposals partially infill the gap in the street scene, created currently by the car park, between Nos 11-13 and the Furlong Shopping Centre.

- 6.14. When considering the site currently makes a neutral contribution to the heritage significance and character and appearance of the Conservation Area, and the surrounding area especially to the north is largely modern in character, it is considered that the proposed development will not negatively impact the site and no harm will arise to the Conservation Area as a whole. However, the proposal might also be considered to enhance this part of the Conservation Area by partially in filling the gap in the street scene and partially closing off the current view of the car parking and car wash area at Centre Place.

Summary

- 6.15. Overall, the proposals will provide an improvement to a site which has been identified as an 'opportunity for enhancement'. It is clear that the application site makes no positive contribution, specifically the carpark, to the Conservation Area, and much of the surrounding area is modern in character. Notable views within the Conservation Area will not be negatively affected by the proposals, nor will the appreciation of elements and characteristics which contribute to its significance. Therefore the proposals will result in 'no harm' to the significance of the Ringwood Conservation Area, thus the Conservation Area will be preserved.

7. Conclusions

- 7.1. Pegasus Group have been commissioned by Halo Developments UK Ltd to prepare a Built Heritage Statement to consider the proposed residential development at 11-13 Meeting House Lane, Ringwood
- 7.2. The application site comprises the two-storey semi-detached 11-13 Meeting House Lane with its associated grounds and the adjacent carpark to the north. The site lies within the Ringwood Conservation Area
- 7.3. This application seeks Planning Permission for the development of a two-storey family sized dwelling with associated hard and soft landscaping, attached to the neighbouring 11-13 Meeting House Lane.
- 7.4. Whilst 11-13 Meeting House Lane is an earlier and attractive building, it is of no particular historic or architectural interest. With several unsympathetic developments including the extension at the rear, the building as a whole is only considered to make a neutral contribution to the character and appearance of the Conservation Area. The remaining site and adjacent carpark form part of modern spaces which again make no contribution to the special interests of the Conservation Area. Therefore, as a whole the site is considered to have a neutral contribution to the heritage significance of the Conservation Area.
- 7.5. The proposals are designed to reflect the character of the area with the proposed dwelling appearing as a subservient extension to the 11-13 and harmonious with it.
- 7.6. Overall, when considering the site currently makes a neutral contribution to the heritage significance and character and appearance of the Conservation Area it is considered that the proposed development will not negatively impact the site and no harm will arise to the Conservation Area as a whole. However, the proposal might also be considered to enhance this part of the Conservation Area by partially filling the gap in the street scene and partially closing off the current view of the car parking and car wash area at Centre Place.
- 7.7. Therefore, with reference to the levels of harm, the proposals will result in 'no harm' to the significance of the Ringwood Conservation Area. The proposals will thus satisfy the requirement in Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, relevant local policy and those contained in Section 16 of the NPPF.



Appendix 1: Officer's Report for App Ref. 11/98010

Application Number: 11/98010 Conservation Area Consent

Site: 11-13 MEETING HOUSE LANE, RINGWOOD BH24 1AY

Development: Demolition of 11-13 Meeting House Lane; Unit 8 and side bay of unit 1, The Furlong Shopping Centre; 7, Centre Place and rear addition and external staircase to Centre Place; (Application for Conservation Area Consent to demolish)

Applicant: Development Securities (Furlong) Ltd

Target Date: 01/02/2012

11/98010

1 REASON FOR COMMITTEE CONSIDERATION

Delegated

2 DEVELOPMENT PLAN AND OTHER CONSTRAINTS

Built-up area
Environmental Improvements
Primary Shopping Area
Town Centre Boundary

3 DEVELOPMENT PLAN, OBJECTIVES AND POLICIES

The South East Plan (regional spatial strategy for the South East of England)
No additional policies to the Core Strategy

Core Strategy

Objectives

1. Special qualities, local distinctiveness and a high quality living environment
6. Towns, villages and built environment quality

Policies

CS3: Protecting and enhancing our special environment (Heritage and Nature Conservation)

Local Plan Policies

Planning Agreement
Archaeological Site
Historic Land Use
DW-E23: New development in conservation area

4 RELEVANT LEGISLATION and PPSs, PPGs and Circulars

Section 72 General duty as respects conservation areas in exercise of planning functions

Planning (Listed Buildings and Conservation Areas) Act 1990

PPS5: Planning and the Historic Environment

5 RELEVANT SUPPLEMENTARY PLANNING GUIDANCE AND DOCUMENTS

SPG - Ringwood - A Conservation Area Appraisal

6 RELEVANT PLANNING HISTORY

92193 - (CAC) 11-13, Meeting House Lane, Unit 1 and Unit 8 of The Furlong Shopping Centre, 7, Centre Place and rear annexe to Centre Place, east facade external staircase. Granted 14.11.08

7 PARISH / TOWN COUNCIL COMMENTS

Ringwood Town Council - recommend permission but would accept a delegated decision

8 COUNCILLOR COMMENTS

None received

9 CONSULTEE COMMENTS

Environmental Health (Contamination) - no objection
Environmental Design (Conservation and Design) - previous response applies
Drainage - no comment

10 REPRESENTATIONS RECEIVED

None

11 CRIME & DISORDER IMPLICATIONS

None

12 ASSESSMENT

The site lies within the built up area of Ringwood in the Conservation Area and Town Centre. It forms a large part of the town centre and includes several buildings and parking areas. 11-13, Meeting House Lane currently comprises a health clinic at ground floor level with flats above although it is understood that they are vacant at present. It is an attractive building although it has had large rear extensions which are somewhat unsympathetic. Unit 7, Centre Place is a vacant restaurant which is currently fenced off, as is the rear of the old town hall building.

The proposal is to demolish the pair of semis at 11-13, Meeting House Lane together with the vacant restaurant building, Unit 8 of the existing Furlong Centre, a rear section of Centre Place and a small part of Unit 1 of the Furlong Centre. The proposed demolition is required to facilitate the redevelopment of the site under the renewal of permission 92208 currently being considered as application 98016.

Whilst the original buildings on Meeting House Lane are reasonably attractive, the buildings to be demolished as a whole do not make a significant contribution to the conservation area. Their removal is not therefore considered to be harmful to the character or appearance of the area subject to there being an approved scheme for redevelopment. The reinstatement of exposed parts of buildings, the subject of partial demolition, is addressed in the proposals submitted in support of application reference 92208/98016.

In coming to this recommendation, consideration has been given to the rights set out in Article 8 (Right to respect for private and family life) and Article 1 of the First Protocol (Right to peaceful enjoyment of possessions) of the European Convention on Human Rights. Whilst it is recognised that there may be an interference with these rights and the rights of other third parties, such interference has to be balanced with the like rights of the applicant to develop the land in the way proposed. In this case it is considered that the protection of the rights and freedoms of the applicant outweigh any possible interference that may result to any third party.

13. RECOMMENDATION

GRANT CONSERVATION AREA CONSENT

Proposed Conditions:

1. The works hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 18 of the Town & Country Planning (Listed Buildings & Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The demolition hereby permitted shall not take place until a contract for the redevelopment of the site has been let; the details of which shall be submitted to and approved in writing by the Local Planning Authority prior to works commencing on site.

Reason: To prevent premature demolition of the buildings and the creation of further vacant areas, detrimental to the character and appearance of the Conservation Area in accordance with policy CS3 of the Core Strategy for the New Forest District outside the National Park.

3. Before development commences (including site clearance and any other preparatory works) at or outside of 11-13 Meeting House Lane, Ringwood, tree protection measures within the Leithgo Arboricultural Statement and plan ref 442-3 and dated 03.03.08 (as stated in the documentation submitted under application 92193) shall be installed. At least 2 working days notice shall be given to the Local Planning Authority that it has been installed prior to commencement of any other site operations. In order that Officers can inspect and approve the tree protection measures installed.

Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with Policy DW-E8 of the New Forest District Local Plan First Alteration.

4. The development permitted shall be carried out in accordance with the following approved plans: Heritage Statement, Photographic record, 197.012A, 197.011G, 197.102 Z9, 197.101 C12, 197.203.

Reason: To ensure satisfactory provision of the development.

Reason(s) for Recommendation to approve:

The proposed development is in accordance with Policy CS3 of the Core Strategy for the New Forest District outside the National Park and Policies DW-E23 and DW-E8 of the adopted New Forest District Local Plan First Alteration.

The proposed demolition will enable a comprehensive redevelopment of the Town Centre which will offer significant improvements to the Conservation Area.

A full copy of the officer's report explaining in more detail the reason(s) for the grant of this permission is available for inspection in the planning office.

Recommended / Decision

Signed

Date

Further Information:

Mrs V Baxter

Telephone: 023 8028 5345 (Option1)

Appendix 2: 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.”²¹

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.²²

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*.²³ These essentially cover the heritage ‘interests’ given in the glossaries of the *NPPF* and the *PPG* which are archaeological, architectural and artistic, and historic.²⁴

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 place and can symbolise wider values such as faith and cultural identity.²⁵

²¹ DLUHC, *NPPF*, Annex 2.

²² Historic England, *GPA:2*.

²³ 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.

²⁴ DLUHC, *NPPF*, Annex 2; DLUHC, *PPG*, paragraph 006, reference ID: 18a-006-20190723.

²⁵ DLUHC, *PPG*, paragraph 006, reference ID: 18a-006-20190723.

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.²⁶

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.”²⁷

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.”²⁸

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*”.²⁹

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.

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

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

²⁷ DLUHC, *NPPF*, Annex 2.

²⁸ DLUHC, *NPPF*, Annex 2.

²⁹ Historic England, *GPA:3*, pp. 8, 11.

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.”³⁰

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 206 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 72 of the *NPPF*;³¹
- **Designated heritage assets of less than the highest significance**, as identified in paragraph 206 of the *NPPF*, comprising Grade II Listed Buildings and Grade II Registered Parks and Gardens (and also some Conservation Areas);³² and

³⁰ Catesby Estates Ltd. V. Steer [2018] EWCA Civ 1697, paras. 25 and 26.

³¹ DLUHC, *NPPF*, para. 206 and fn. 72.

³² DLUHC, *NPPF*, para. 206.

- **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”*.³³

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.”³⁴

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, 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

³³ DLUHC, PPG, paragraph 039, reference ID: 18a-039-20190723.

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

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 vitiated altogether or very much reduced"*,³⁵ 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."³⁶

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"*.³⁷

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"*.³⁸ Thus, change is accepted in Historic England's guidance as part of the evolution of the landscape and environment. It is whether such change is neutral, harmful or beneficial to the significance of an asset that matters.

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

³⁶ DLUHC, PPG, paragraph 018, reference ID: 18a-018-20190723.

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

³⁸ Historic England, GPA:2, p. 9.

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*”.³⁹ Of particular relevance is the checklist given on page 13 of *GPA:3*.⁴⁰

It should be noted that this key document also states:

“Setting is not itself a heritage asset, nor a heritage designation...”⁴¹

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”.⁴²

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.⁴³

Benefits

³⁹ Historic England, *GPA:3*, p. 8.

⁴⁰ Historic England, *GPA:3*, p. 13.

⁴¹ Historic England, *GPA:3*, p. 4.

⁴² Historic England, *GPA 3*, p. 8.

⁴³ *Palmer v Herefordshire Council & Anor* [2016] EWCA Civ 1061.

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 4**, the *NPPF* (at Paragraphs 207 and 208) requires harm to a designated heritage asset to be weighed against the public benefits of the development proposals.⁴⁴

Recent High Court Decisions have confirmed that enhancement to the historic environment should be considered as a public benefit under the provisions of Paragraphs 207 to 209.⁴⁵

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 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

⁴⁴ DLUHC, *NPPF*, paras. 207 and 208.

⁴⁵ Including – *Kay, R (on the application of) v Secretary of State for Housing Communities and Local Government & Anor* [2020] EWHC 2292 (Admin); DLUHC, *NPPF*, paras. 207 and 209.



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.***⁴⁶

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.

⁴⁶ DLUHC, PPG, paragraph O20, reference ID: 18a-O20-20190723.

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.⁴⁷ It does not provide statutory protection for non-designated or Locally Listed heritage assets.

Section 66(1) of the Act goes on to state 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.”⁴⁸

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”

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

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

when the decision-maker carries out the balancing exercise.”⁴⁹

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.⁵⁰

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.”⁵¹

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.

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

⁵⁰ Jones v Mordue [2015] EWCA Civ 1243.

⁵¹ 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.⁵²

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

Appendix 4: National Policy Guidance

The National Planning Policy Framework (December 2023)

National policy and guidance is set out in the Government's *National Planning Policy Framework (NPPF)* published in December 2023. This replaced and updated the previous *NPPF* (September 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 clear 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.***⁵³

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 187) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, 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 72); and areas at risk of flooding or coastal change.”⁵⁴ (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 assets and assets identified by the local planning authority (including local listing).”⁵⁵

⁵³ DLUHC, NPPF, para. 11.

⁵⁴ DLUHC, NPPF, para. 11, fn. 7.

⁵⁵ DLUHC, NPPF, Annex 2.

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.”⁵⁶

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.”⁵⁷

Section 16 of the NPPF relates to ‘Conserving and enhancing the historic environment’ and states at paragraph 201 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.”⁵⁸

Paragraph 203 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.”⁵⁹***

With regard to the impact of proposals on the significance of a heritage asset, paragraphs 205 and 206 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 asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to

⁵⁶ DLUHC, NPPF, Annex 2.

⁵⁷ DLUHC, NPPF, Annex 2.

⁵⁸ DLUHC, NPPF, para. 201.

⁵⁹ DLUHC, NPPF, para. 203.

substantial harm, total loss or less than substantial harm to its significance.”⁶⁰

“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.”⁶¹**

Section b) of paragraph 206, which describes assets of the highest significance, also includes footnote 72 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 207 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.”⁶²**

Paragraph 208 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.”⁶³

The NPPF also provides specific guidance in relation to development within Conservation Areas, stating at paragraph 212 that:

⁶⁰ DLUHC, NPPF, para. 205.

⁶¹ DLUHC, NPPF, para. 206.

⁶² DLUHC, NPPF, para. 207.

⁶³ DLUHC, NPPF, para. 208.

“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.”⁶⁴

Paragraph 213 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 207 or less than substantial harm under paragraph 208, 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.”⁶⁵ (our emphasis)

With regards to non-designated heritage assets, paragraph 209 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.”⁶⁶

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 Department for Levelling Up, Housing and Communities (DLUHC)) 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.

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:

⁶⁴ DLUHC, NPPF, para 212.

⁶⁵ DLUHC, NPPF, para. 213.

⁶⁶ DLUHC, NPPF, para. 209.

“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.”⁶⁷

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.”⁶⁸ (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.”⁶⁹

“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.”⁷⁰

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;***

⁶⁷ DLUHC, PPG, paragraph 007, reference ID: 18a-007-20190723.

⁶⁸ DLUHC, PPG, paragraph 018, reference ID: 18a-018-20190723.

⁶⁹ DLUHC, NDG, para. 46.

⁷⁰ DLUHC, NDG, para. 47.



- *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 21st century.⁷¹

⁷¹ DLUHC, NDG, paras. 48–49.

Appendix 5: Relevant Development Plan Policies

Applications for Planning Permission within Ringwood are currently considered against the policy and guidance set out within New Forest District Council's *Local Plan 2016-2036* (adopted July 2020).

The historic environment is directly referenced under *Policy SP16: The historic and built environment*, which states as follows:

“Proposals should protect, maintain or enhance nationally, regionally and locally important sites and features of the historic and built environment, including local vernacular buildings, archaeological sites and designed and historic landscapes, and, where appropriate, help secure a sustainable future for those heritage assets at risk.

a) Proposals will be supported where they conserve and enhance the significance or special interest of designated or nondesignated heritage assets, i.e. they:

- (i) do not harm the special interest, character or appearance of a conservation area, including spaces, street patterns, views, vistas, uses and trees which contribute to that special interest, character or appearance, having regard to the relevant conservation area character appraisal and management plan***
- (ii) do not harm the significance, or result in the loss of a: – scheduled monument (or a nondesignated asset of archaeological interest of demonstrably equivalent***

significance) – listed building, including through inappropriate siting, size, scale, height, alignment, materials, finishes (including colour and texture), design and forms – registered park and garden, and particularly its layout, design, character, appearance and key views within, into and out

(iii) make a positive contribution to, or better reveal, or enhance the appreciation of, the significance or special interest of a heritage asset or its setting

(iv) help secure the long-term conservation of a heritage asset.

b) Proposals will be resisted where they would harm the significance or special interest of a heritage asset unless any harm is outweighed by the public benefits of the proposal, proportionate to the degree of harm and significance of the asset, including securing its optimum viable use

c) All development proposals that affect, or have the potential to affect, the significance or special interest of a designated or non-designated heritage asset, either directly or by being within its setting, will need to be accompanied by a clearly evidenced heritage impact statement proportionate to the development and the significance or special interest of the asset, setting out the impact of the development on that



significance or special interest and how any harm has been avoided or minimised through careful design and mitigation

- d) Where proposals are likely to affect a site of known or potential archaeological interest, and appropriate desk-based assessment will also be required, including field evaluation where necessary."*

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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