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Heritage Report

The Royal Oak, Friday Street, Rusper, RH12 4QA

Report prepared by Chilcroft Heritage Planning
June 2026



Corporate members of:
The Society for the Protection of Ancient Buildings
Historic Houses Association
The Georgian Group



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1) INTRODUCTION

- 1.1) I am Haig Dalton, founder of Chilcroft Heritage Planning, an established independent heritage consultancy since 2006. Formerly, I was a local planning authority officer within Development Control. I have worked on a wide range of projects throughout the United Kingdom, predominantly (but not exclusively) for private sector clients.
- 1.2) I hold a masters degree in Historic Building Conservation (MSc); a postgraduate qualification in Architectural History from the University of Oxford (Oxon); I am an Affiliate member of the Royal Institute of British Architects (RIBA) and of the Institute of Historic Building Conservation (IHBC).
- 1.3) Over the last 22 years I have specialised in the historic environment, both in terms of understanding and analysing physical fabric, and in terms of policy application, specifically by assessing impacts, providing advice and supporting development proposals. My experience includes a diverse range of cases relating to the assessment of physical changes to, and development affecting all manner of heritage assets, and their settings.
- 1.4) I have undertaken numerous impact assessments where I have considered the impacts of new development on the historic environment (dealing with physical impacts, setting, townscape, views and inter-visibility), including dealing with the effects of development on heritage assets in semi-rural contexts.
- 1.5) I have provided expert evidence at appeals, including public inquiries, on behalf of both appellants and local planning authorities.
- 1.6) I understand my role in producing this heritage report; to give independent and objective evidence on matters within my expertise, based on my own independent opinion and uninfluenced by the instructing party. I confirm that I have stated the facts and matters on which my opinion is based, and that I have not omitted to mention facts or matters that could detract from my conclusions.

- 1.7) I believe that the facts stated within this Heritage Report are true and that the opinions expressed are correct. I have drawn attention to any matters where I consider I lack sufficient information to reach anything other than a provisional conclusion. I have adhered to the standards and duties of the professional bodies I am a member of, and will continue to adhere to those standards.
- 1.8) I was first approached in December 2025, when I was asked to provide a heritage report in relation to the proposed development on behalf the applicant. My quote was based on several stages/elements, the first of which was an initial case review, including a site visit in February 2025 when I was able to get an impression of the site in leafless conditions. I confirmed that I am able to act as the applicant's heritage expert following this initial work and a site visit.
- 1.9) As an independent professional, I have formed my own opinions and have come to my own conclusions about the effects of the proposed development.
- 1.10) I have included in my appeal statement photos taken on my original site visit. The photos were taken with a compact digital camera and they have not been digitally altered, aside from cropping superfluous areas of sky and/or foreground. This visual assessment is intended to be informative, but it is not intended to be exhaustive.
- 1.11) This statement will describe the significance of any heritage assets affected, including any contribution made by the setting, as required by Para.207 of the *National Planning Policy Framework* (2024). It will assess the significance of the heritage assets by way of Historic England guidance *The Setting of Heritage Assets* (2017) in accordance with their preferred five-step procedure, identify, assess and explore the significance of their setting and consider the applicant's scheme in relation to them.

2) LEGISLATION AND POLICY

- 2.1) Legislation relating to listed buildings and conservation areas is contained in the Planning (Listed Buildings and Conservation Areas) Act 1990. Sections 16 and 66 of the Act place a duty on the decision maker to have special regard to the desirability of preserving listed buildings and their settings.
- 2.2) Section 72 of the Act places similar duty on the decision maker with respect to the desirability of preserving or enhancing the character or appearance of conservation areas, however this does not extend to the setting of conservation areas.
- 2.3) The **National Planning Policy Framework (NPPF)** constitutes the Government's current national guidance and policy regarding development in the historic environment. It is a material consideration and includes a succinct policy framework for local planning authorities and decision takers. It relates to planning law by stating that applications are to be determined in accordance with the local plans unless material considerations indicate otherwise.
- 2.4) Paragraph 203 of the NPPF deals with conserving and enhancing the historic environment with emphasis on "significance", defined in Annex 2 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."

- 2.5) Annex 2 of the NPPF defines the setting of a heritage asset 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."

- 2.6) Paragraph 207 of the NPPF places a duty on the Local Planning Authority (LPA) to require an applicant to describe the significance of any heritage assets affected by a proposal, providing a proportionate level of detail. The effects of any development on a heritage asset therefore need to be assessed against the four components of its heritage significance: its archaeological, architectural, artistic and historic interests.
- 2.7) Paragraph 208 of the NPPF notes 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.
- 2.8) Paragraph 212 states with regard to heritage assets. that great weight should be given to their conservation (and the more important the asset, the greater the weight should be) irrespective of whether any potential harm amounts to substantial or less than substantial harm.
- 2.9) Conservation (for heritage policy) is defined in Annex 2 of the NPPF as:

“The process of maintaining and managing change to a heritage asset in a way that sustains and, where appropriate, enhances its significance.”

- 2.10) The importance and relevance of this definition is that it does not suggest conservation to be the same as preservation. Indeed, what sets conservation apart is the emphasis on proactively maintaining and managing change and not on a reactive approach to resisting change. In its simplest interpretation conservation could amount to a change that at least sustains the significance of a heritage asset.

- 2.11) Paragraphs 214 to 215 describe two levels of potential harm that can be caused to the significance of designated heritage assets, namely substantial harm and less than substantial harm. These effects are to be weighed in the planning balance according to the guidance set out within the paragraphs, bearing in mind the statutory provisions above. Substantial harm to or loss of a grade II listed building should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, including grade I and II* listed buildings should be wholly exceptional.
- 2.12) Paragraph 215 deals with cases of less than substantial harm and notes that any such harm should be weighed against the public benefits of the proposal. Heritage protection and the conservation of heritage assets are recognised as of benefit to the public.
- 2.13) Harm is defined by Historic England as a change which erodes the significance of a heritage asset.
- 2.14) Paragraph 219 of the NPPF notes that local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.
- 2.15) **The National Planning Practice Guidance** provides advice on enhancing and conserving the historic environment in accordance with the NPPF. The PPG currently relates to the 2019 version of the NPPF but will be updated in due course to reflect NPPF 2023.
- 2.16) In regards to the setting of heritage assets the PPG notes:

“The setting is the surroundings in which an asset is experienced, and may therefore be more extensive than its curtilage.”

2.17) The guidance notes that a thorough assessment of the impact on setting needs to take into account, and be proportionate to, the significance of the heritage asset and the degree to which proposed changes enhance or detract from that significance and the ability to appreciate it.

2.18) In relation to harm the guidance states:

“Whether a proposal causes substantial harm will be a judgment for the decision taker, having regard to the circumstances of the case and the policy in the National Planning Policy Framework. 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.”

2.19) Paragraph 020 of the document notes that public benefits can be heritage based and can include:

- Sustaining or enhancing the significance and the contribution of its setting;
- Reducing or removing risks to a heritage asset; and
- Securing the optimum viable use of a heritage asset for the long term.

2.20) The **Historic Environment Good Practice Advice in Planning** Note 3: The Setting of Heritage Assets (Historic England, 2017) is a document published by Historic England as a second edition in December 2017, replacing the earlier 2015 setting guidance. The document provides for a thorough understanding of the setting of a heritage asset and the relationship of the setting to curtilage, character and context.

2.21) The guidance document notes, in paragraph 18, that the protection of the setting of heritage assets need not prevent change. The document recognises that not all heritage assets are of equal importance and states that the contribution made by their setting to their significance will also vary. Not all settings have the same capacity to accommodate change without causing harm to the significance of the asset.

2.22) As per earlier Historic England guidance, the document advocates a stepped approach to assessing the impact of change within setting on the significance of heritage assets. This stepped approach is:

Step 1: identify which heritage assets and their settings are affected;

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

Step 3: assess the effects of the proposed development, whether beneficial or harmful, on that significance;

Step 4: explore the way to maximise enhancement and avoid or minimise harm; and

Step 5: make and document the decision and monitor outcomes.

2.23) Guidance under Step 2 notes that the asset's physical surroundings and how the asset is experienced (such as views, noise, tranquillity, sense of enclosure etc.) should be taken in to consideration.

2.24) Step 3 is also important in making it clear that a proposed development should not be assessed in terms of its impact on setting; instead it should be assessed in terms of the impacts on significance. That is to say, what matters is not the extent of visibility of the development or change to the setting of an asset, but the extent of change to its archaeological, architectural, artistic or historic interest. In some circumstances, this evaluation may need to extend to cumulative and complex impacts which may have as great an effect on heritage

assets as large-scale development and which may not only be visual. At the very least the assessment should address the key attributes of the development in terms of its location and siting, form and appearance, additional effects and permanence.

- 2.25) Paragraph 39 notes that options for reducing the harm arising from development may include the relocation of elements of a development or changes to its design. It notes that good design may reduce or remove the harm.
- 2.26) **Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990** requires great weight to be given to preserving the setting of a heritage asset. In *Jones v Mordue [2015] EWCA Civ 1243* the court confirmed that if the decision-maker has worked through the relevant heritage paragraphs in the NPPF, they will have complied with the s66 duty.
- 2.27) In *Barnwell Manor [2014] EWCA Civ 137* the court confirmed that great weight should be attached to the desirability of preserving the setting of a heritage asset.

3) ASSESSMENT OF SIGNIFICANCE

- 3.1) The proposed development is situated within a rural hamlet of a dozen dwellings, to the west of the village of Rusper. The site is self-contained with established hedging and is situated to the south of Friday Street. The proposed site is set back from the frontage of Friday Street and consists of an irregular portion of land, with a public footpath running through it to its western side. The proposed site is not situated within the Rusper conservation area which lies further to the east, but is within the setting of three listed buildings (see Fig 2). The site has vehicular access directly onto the highway which is well established, as the proposed site was previously a car park.
- 3.2) The proposed site is largely self-contained within existing hedgerows, trees and a temporary boundary fence along the frontage. It is a prominent site as witnessed from the public realm along Friday Street (see Fig 3 and 4). Previously, the site was the car park of the Royal Oak Pub, subsequently demolished and replaced with the building of Royal Oak Cottages (see Fig 5).
- 3.3) Surrounding the proposed site, there are a number of buildings that make up the setting. The most significant of these is the Grade II listed Little Benhams (**List No. 1026941**) dating from the late 17th Century, a timber frame building constructed over three storeys with casement windows, painted infill brick and a hipped tiled roof. The building was subsequently extended to the western side over two storeys in the late 19th Century, sitting closest to the proposed site (see Fig 6). The substantial garden wall and brick piers fronting Friday Street also date from this later Victorian period and are not specifically mentioned in the listed description but undoubtedly add to the sense of awareness of the listed building from Friday Street. Due to the sheer sense of size and scale of Little Benham and its location on the brow of the hill, its is arguably the most prominent of the three heritage assets here. Its location, sitting directly forward of the proposed site and opposite its main vehicular entrance, also magnifies its sense of proximity. There is an acute awareness of the site and its present negative condition (see 3.5). This has always been the case even under the proposed site's previous use as a car park (see Fig 3). As the previous use arguably did not harm the setting of the listed building, it is reasonable to assume it is capable of achieving a new, alternative use.

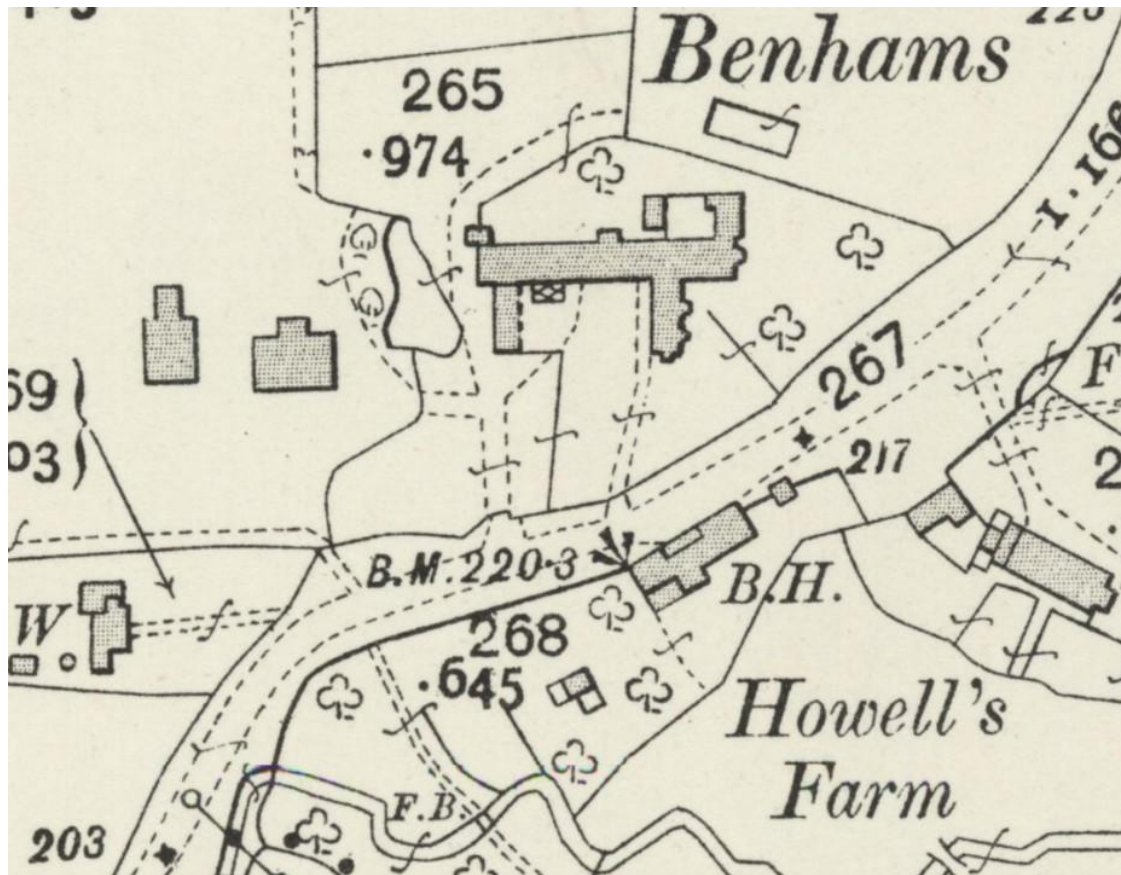


Fig 1: The proposed site was historically an orchard with an outbuilding and formed part of the land associated with the former Royal Oak public house. Here it is seen labelled as 268.645.

© Ordnance Survey 1912



Fig 2: The proposed site contains three Grade II listed buildings located to its west, north and east sides.

© Historic England 2026

- 3.4) To the west sits the Grade II listed Friday Farm (**List No 1026942**), a timber frame cottage from the 16th Century (**see Fig 7**). It faces east with views along Friday Street, including glimpses of the proposed site itself (**see Fig 4**). The two storey building has whitewashed brick infill with exposed timber framing and a tiled roof. A large tall chimney stack extends to its northern side and its significance is best appreciated from within its eastern curtilage and when standing in Friday Street, directly to the north of the proposed site. To the east of the hamlet sits Howell's Farmhouse (**List No 1026943**), a Grade II listed building that also dates from the 16th Century and is timber framed (**see Fig 8**). There is little awareness between proposed site and this latter heritage asset.
- 3.5) The three listed buildings are sighted in a prominent location within the hamlet and contribute to the streetscene of Friday Street and their shared setting. The proposed site has arguably made a positive contribution to their setting in previous centuries. With the site now vacant, this can no longer be said to be the case. Subject to appropriate design, development of the proposed site would be welcomed and offer the opportunity to bring about a positive change to the setting of the listed buildings.
- 3.6) Friday Street is characterised by detached properties situated in generous curtilages, which the proposed site is also capable of implementing. It has a leafy feel with trees, boundary hedges and brick walls along the perimeter with dwellings from the 17th to 21st Centuries. The character and appearance of the area is very much one of steady evolution, made up of a span of buildings that use a mixture of brick, tile and slate. Subject to appropriate design, the development of the proposed site is unlikely to negatively change this.
- 3.7) The hamlet along Friday Street is no stranger to new built development and indeed has already been successfully achieved as in the case of Royal Oak Cottages, which sit directly opposite the listed building of Little Benham, abutting the proposed site. Nevertheless this development has not harmed the setting of nearby listed buildings or the wider significance of their setting. Indeed if anything, it has arguably enhanced it. Subject to appropriate design, the proposed site is likely capable of doing likewise. Like Royal Oak Cottages, it is suggested that any proposed design should adopt a traditional vernacular style of architecture, consistent with local buildings.



Fig 3: The proposed site was previously the car park of The Royal Oak pub. Here we see cars parked and a marquee erected on the site. Despite this former use and activity, it preserved the setting of the listed buildings.

© Google Maps 2009



Fig 4: The existing site now plays a harmful role in the setting of the listed buildings and would respond to an alternative use. On balance, the proposals are likely to enhance the setting over and above existing.

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Fig 5: The former Royal Oak pub was replaced with a traditionally designed pair of cottages in the early 21st Century, successfully enhancing the setting of the Grade II Little Benhams that sits directly opposite.

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Fig 6: Little Benhams consists of the largest of the three Grade II listed buildings in the hamlet, with its entrance gates sitting opposite of the proposed site. A late Victorian extension sits closest to the site.

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Fig 7: Friday Farm dates from the 16th Century and sits to the west of the proposed site. The Grade II listed building is best appreciated from its curtilage and from views running along Friday Street from the east.

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Fig 8: Howell's Farmhouse is a 16th Century Grade II listed building and is sighted further to the east. Although part of its curtilage backs onto the proposed site, there is little to no awareness between the two.

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4) IMPACT ASSESSMENT

- 4.1) The proposed development would see the proposed site used for residential use, which would seem appropriate given that the former public house and car park have been replaced and made redundant. The proposal would see a 1.5 storey barn-style dwelling built on the site. A previous application for a pair of dwellings was refused and following this, as conservation specialists, we were instructed to carefully review the proposed site, design matters and how they relate to the setting of the nearby listed buildings. The proposed design here before you is reflective of this assessment and the design input that we have had. We have introduced elements of vernacular and traditional design regardless of cost in the best interests of proposing a quality design into the landscape setting. We were particularly mindful of the proximity of the Grade II listed buildings and public vistas from along Friday Street itself.
- 4.2) The proposed dwelling would be set back from the frontage of Friday Street. It would be recessed behind the line of the principal elevation of Royal Oak Cottages, being set further back within the plot, with a large portion of open curtilage remaining between it and the boundary with Friday Street. At our suggestion, additional landscaping would be introduced between the two and the proposed dwelling would appear nestled into the plot, within a bank of well established trees and hedging, creating a sense of self-containment. Development here would not feel as if it was spilling out into the wider streetscape along Friday Street.
- 4.3) The proposal would utilise one of the former car park's vehicular access points, to keep a sense of continuity as part of the streetscene. From the streetscape along Friday Street, there would be an awareness of the proposal, but this is could only be seen as an improvement over existing, by replacing an incongruous disused site with a quality landscaped scheme. The existing frontage to the site has ample space and the proposed site is capable of additional landscaping if thought necessary which can be secured by condition. Whilst views of the proposed dwelling will be possible from Friday Street, it does not follow that this would be harmful and subject to appropriate design, is arguably capable of enhancing the setting of the heritage assets.

- 4.4) Following the initial conservation comments received, we have now visited the site and considered the proposed design in relation to the context of this part of Friday Street and the listed buildings that sit around it. The proposed dwelling would be of a lower ridge height than Royal Oak Cottages to show subservience to existing. The proposed dwelling would sit harmoniously at the centre of the proposed site and would accord with the demographic of the hamlet, as a single dwelling set in a spacious curtilage (**see 3.6**). The dwelling would be of a modest scale when compared with the existing established buildings around it, so as not to compete with the pre-eminence of the Grade II listed buildings that share the setting. The overall bulk, scale and mass of the proposed dwelling is thought to be the most appropriate form for the proposed site and capable of maintaining the preserving or indeed enhancing the setting.
- 4.5) The proposed dwelling would adopt barn-style form of architecture. Although this differs from other buildings in Friday Street, it accords with the general timber frame vernacular of the Grade II listed buildings and will create a better sense of distinction when sat beside the Victorian style vernacular of Royal Oak Cottages beside it. The proposed design will adopt a pallet of materials including brickwork, timber weatherboarding and clay tiles, together with a timber framed porch. The gable end design is also reflective of local buildings, including those of the listed buildings themselves.
- 4.6) The proposal would adopt a traditional style of architecture consistent with the Grade II listed buildings that share the setting. The way in which they are best appreciated from within their setting and from the general streetscape of Friday Street, wider views from neighbouring dwellings and the landscape more generally would be maintained with no loss of appreciation. The significance of these heritage assets would be preserved with no harm to their shared sense of setting. The proposal is capable of making a meaningful contribution to the character and appearance of this part of Friday Street. The design is well considered and will respond to the proposed site, the existing buildings around it and the wider landscape in a positive way. It offers an opportunity to transform an existing incongruous site and with something more sensitive over the previously refused scheme. The proposed detached dwelling is considered to be proportionate and does not attempt to push beyond a comfortable scope.

5) SUMMARY AND CONCLUSIONS

Legislation, Policy and Guidance

- 5.1) The Planning (Listed Buildings and Conservation Areas) Act 1990 contains a statutory duty to give considerable importance and great weight to the desirability of preserving the setting of a listed building in the planning balance. Preserving means to do no harm.
- 5.2) The NPPF lays down an approach that corresponds with the statutory duty of the 1990 Act. In cases where harm occurs, the NPPF requires balancing the benefits of a proposal against harm resulting from it.
- 5.3) The Horsham District Council's adopted Development Plan policies require development proposals to conserve heritage assets and their settings.
- 5.4) The guidance in Historic England's GPA3 provides a framework for considering and assessing effects on the setting of heritage assets.

Conclusions

- 5.5) The proposed design is seen as a notable improvement over the previously refused scheme. It would adopt a traditional vernacular style of architecture, being set well back from the frontage of Friday Street and subservient to the existing buildings around it. The design by reason of its scale, bulk and material finish is considered to be appropriate to the proposed site.
- 5.6) The proposal would utilise a previously developed site for residential use, which is considered to be appropriate. The proposed dwelling would be set back behind the principal elevation of the neighbouring Royal Oak Cottages and be of a lower ridge height, remaining subservient to the heritage assets.
- 5.7) The setting of the listed buildings will not only be preserved but also arguably enhanced over and above the existing incongruous appearance of site. The way in which the listed buildings are experienced and best appreciated as part of their setting will be upheld, with no loss of significance.

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