

## ISSUE 17: BUILT AND HISTORIC ENVIRONMENT (POLICIES 15 – 17)

### **17.1 Are policies 15 (Quality of the Built Environment and Public Realm), 16 (A Strategic Approach to the Historic Environment) and 17 (The Historic Environment) sound and in particular are all the components of the policies reasonable and justified?**

#### Policy 15

- 17.1.1 Policy 15 seeks to establish guidance relating to the design of new developments and the public realm; it also encompasses advertisements, lighting, and shopfronts. It seeks to deliver Vision 6, 7, and 11, and Objectives 5 and 8 of the Submission Adur Local Plan (CD07/1).
- 17.1.2 The National Planning Policy Framework (NPPF) (CD01/1) section on design refers to the need to plan positively for the achievement of high quality and inclusive design for all development. A range of objectives for planning policies are given. Paragraphs 15 - 22 of the Planning Practice Guidance (PPG) also sets out key features of a well-designed place.
- 17.1.3 The Council considers that Policy 15 is justified in that it reflects the NPPF and PPG. For example, the policy taken as a whole reflects the need to plan positively for high quality development; the policy requires that development makes a positive contribution to the sense of place, local character and distinctiveness of an area, and refers to securing safety and reducing crime through design.
- 17.1.4 Reference to advertisements in the policy reiterates the NPPF requirements and requires that advertisements respect the character and appearance of an area, and do not create a danger or hazard to public safety. It is acknowledged that it is not necessary to repeat the NPPF; however, this has been done in order to make clear the requirements.
- 17.1.5 The policy also takes the opportunity to reflect the role of best practice guidance, including that published by the Government; and also the role of design codes, masterplans and briefs. It is acknowledged that this is perhaps a somewhat 'procedural' statement; however it makes clear to the reader that other relevant guidance may be used to 'supplement' the NPPF, PPG, or Local Plan policies. In addition it makes clear that the Council will be proactive in facilitating development on key sites through the production of briefs or other such guidance.
- 17.1.6 The policy also refers to the inclusion of public art in major developments (defined as consistent with the definition of major development within the

Town and Country Planning (Development Management Procedure) (England) Order 2010). Again, the role of public art is recognised by the PPG (paragraph 18); therefore it is considered reasonable that this matter is reflected in the policy. Existing guidance produced by the Council in 2013 (Planning Contributions for Infrastructure Provision CD24/12) makes clear that contributions to public realm improvements if within or adjacent to an area proposed for improvements will be sought taking into account the size, nature and impact of the development (para 17.2). The same guidance also recognises the role of public art and identified sites where contributions may be sought, including Ropetackle North (a contribution of £15,000 was secured for this purpose in the legal agreement attached to the outline permission AWDM/0935/13). Paragraph 20.3 makes clear that the amount to be contributed for public art from new development will be a matter for negotiation, and will take into account the nature and location of the development as well as viability issues. It is considered that this requirement is justified in ensuring major developments contribute to the richness of the public realm whilst taking into account viability and the nature of development such that contributions are reasonable. (In addition, Policy 30: Delivering Infrastructure, and the requirements of the PPG with regards to planning obligations would ensure that any contributions sought are reasonable in nature.)

17.1.7 It will be noted that two additions have been made to the policy, within the Amendments to the Proposed Submission Adur Local Plan 2016 (CD06/1):

- Clarifications have been added to paragraph 4.3A and the policy to make reference to the Council's adopted Development Control Standard No 3; the policy now also states that this may be amended or superseded by other Council, or Government guidance. This makes clear to potential applicants that guidance additional to the Local Plan, NPPF and PPG will be used as relevant. This document sets out the principles used by the Council when assessing planning applications for extensions or alterations to houses or bungalows. This document will remain a material consideration in the determining of planning applications, and will be updated in due course.
- An 8th bullet point has been added on waste reduction and recycling to ensure that the Local Plan meets the sustainability objectives set out in the Sustainability Appraisal, given that the Government is phasing out the Code for Sustainable Homes. Sustainability Objective 21 of the Sustainability Appraisal of the Adur Local Plan 2016 (SA) (CD07/2) reads: 'Reduce the amount of domestic and commercial waste going to landfill as per the waste hierarchy'. The added wording ensures that the Local Plan is consistent with the SA. The wording has been placed

within Policy 15 in order to ensure it is taken account of at an early stage in the design process. The additional wording also reflects Policy W23 of the adopted West Sussex Waste Local Plan 2014 (CD24/10) which states that proposals for development will be permitted provided that:

(a) the waste generated during construction, demolition excavation is minimised and that opportunities for re-using and recycling of waste are maximised; and

(b) waste management facilities of an appropriate type and scale are an integral part of the development.

- 17.1.8 Also, paragraph 7 of the NPPF requires the planning system to perform an environmental role including minimising waste, and paragraph 156 requires local planning authorities to include strategic policies in their Local Plan to deliver, amongst other things, waste management. Given this policy context, it is considered that this amendment is reasonable and justified.

**Policy 16: A Strategic Approach to the Historic Environment and Policy 17: The Historic Environment**

- 17.1.9 The NPPF states that Local Plans should set out a positive strategy for the conservation and enjoyment of the historic environment including heritage assets most at risk through neglect, decay or other threats. Local Planning Authorities should look for opportunities for new development within conservation areas and within the setting of heritage assets to enhance or better reveal their significance. Local Authorities should have up-to-date evidence about the historic environment in their area and use it to assess the significance of heritage assets and the contribution they make to their environment.
- 17.1.10 Heritage assets make an important contribution to local character and distinctiveness in the Adur Local Plan area. A range of evidence has been used as background to these policies, including West Sussex County Council's Historic Land Classification information for Adur (CD22/11); Shoreham Historic Character Assessment Report (Sussex Extensive Urban Survey) (CD22/9) and Conservation Character Area Appraisals and Management Strategies for Shoreham-by-Sea, Southlands and Southwick (CD22/2-8). Both policies 16 and 17 seek to deliver vision 7 and 11, and objectives O7 and O8 of the Submission Adur Local Plan (CD07/1).

## Policy 16 'A Strategic Approach to the Historic Environment'

- 17.1.11 Policy 16 has been specifically developed in order to respond to the NPPF requirement (paragraph 126) (CD 01/1) that local authorities set out in their Local Plan a positive strategy for the conservation and enjoyment of the historic environment. Accordingly, the policy sets out proactive actions the Council will take in order to conserve and enhance the historic environment. The Council therefore considers this sound, reasonable and justified by the requirements of the NPPF.

## Policy 17

- 17.1.12 Policy 17 sets out specific requirements for listed buildings, conservation areas, and archaeological features. It addresses both impacts on heritage assets themselves, as well as their settings. It is considered to reflect the requirements of the NPPF, PPG and relevant legislation, and that the requirements are therefore reasonable and justified.
- 17.1.13 West Sussex County Council (WSSCC) stated in their representation on the Proposed Submission Adur Local Plan 2014 (See Representations Report CD04/4A) that, although there were welcome references to the historic environment, the policy did not specifically refer to Scheduled Ancient Monuments (the status of which is addressed in NPPF para 132) and requested that this be amended. In response, the Council made amendments to the policy in 'Amendments to the Proposed Submission Adur Local Plan (2016) (CD06/1) to add reference to Scheduled Ancient Monuments. In addition, and again in response to the WSSCC representation, heritage assets have been added to the Policies Map and Inset Maps (CD06/2 and CD06/3).
- 17.1.14 Following these changes, the WSSCC representation (ref 63/23 - CD06/6A) made in response to 'Amendments to the Proposed Submission Adur Local Plan (2016)' states:

*'The amendments made by the District Council to the Draft Local Plan and Policies Map in response to previous comments are supported.'*

It is considered that the policy now addresses the full range of heritage assets.

The Adur Whole Plan Viability and Community Infrastructure Levy Study 2016 (CD24/11) has assessed Policies 15, 16 and 17 as part of its Whole Plan Viability Assessment; no abnormal costs were identified.

17.1.15 In conclusion, the Council considers that policies 15, 16 and 17 are sound, reasonable and justified.