

5. INTRODUCTION

- 5.1 The majority of the Borough falls within the Built Up Area, and it is within the built up area that most people live, shop, work, and find leisure and entertainment. It follows that the quality of the built environment has a considerable effect upon the quality of life, both directly and indirectly, by influencing patterns of behaviour, economic growth, investment, regeneration, and activities including shopping, leisure and education. Outside the built up area buildings also contribute to the quality, character, and appearance of the countryside.

STRATEGIC FRAMEWORK

- 5.2 The Government recognises that protection of the built environment is a key component in ensuring that development and growth are sustainable. Government guidance in Circulars and Planning Policy Guidance Notes makes it clear that:

- good design should be the aim of all involved in the development process, including local planning authorities;
- design is a material consideration in determining planning applications, and local planning authorities should reject obviously poor designs;
- Local Plans and guidance for particular areas or sites should provide applicants with clear indications of local planning authorities' design expectations;
- besides appearance there are other design issues to be taken into account such as security, behavioural influence, safety, access for people with disabilities, and crime prevention;
- Local Plans should set out clearly policies for the preservation and enhancement of the historic environment;
- Local Plans should include conservation policies relevant to the exercise of development control functions. Section 54A does not apply to decisions on applications for listed building consent or conservation area consent, since in those cases, there is no requirement to have regard to the provisions of the development plan. However, local plans should include conservation policies that are relevant directly or indirectly, to development control decisions, such as alterations or extensions to listed buildings that require a related application for planning permission.
- detailed conservation policies which have no bearing on issues of development control should be presented as supplementary guidance. Local Plans should refer to these policies giving a clear indication of where they may be seen in full;
- Local Plans should include a strategy for the economic regeneration of run-down areas and in particular should seek to identify the opportunities which the historic fabric of an area can offer as a focus for regeneration. Conservation can play a part in promoting economic prosperity;

- Local Plans should set out broad criteria for the designation of new conservation areas and for the review of existing conservation area boundaries. Although the process of reviewing conservation areas should be pursued separately from the Local Plan process, the Plan should make clear how detailed assessment documents and statements of proposals for individual conservation areas relate to the Plan, and what weight will be given to them on decisions on applications for planning permission and conservation area consent.

West Sussex Structure Plan

- 5.3 Both the adopted West Sussex Structure Plan 1993 and the West Sussex Structure Plan Review set out strategic aims with which the Local Plan must conform. They regard the whole built environment as a resource, and point out that it is the context in which we all live. They aim to establish a general principle of retaining existing buildings as far as possible, adapting them where necessary to new uses in preference to building anew, except where they are unattractive, unsound, or in the way of development which would produce a significant improvement in the environment.
- 5.4 The 1993 Structure Plan and the Structure Plan Review identify the best buildings as being those which are attractive or interesting features in the streetscene, landscape, or local history, as well as those which are statutorily listed, and seek particularly high standards of care and design in historic town centres.

BACKGROUND ISSUES

- 5.5 Many factors affect the quality of the built environment, so it is not a matter to be considered in isolation. It is a subject, which has clear links with many other issues, which are addressed in the Local Plan.
- 5.6 Improving the quality of the built environment encourages inward investment and is important to the prosperity of the Borough. It can be achieved through good design in new development, and conservation of all that is good in the built heritage. Design and conservation can be spurs to economic regeneration.
- 5.7 There are many factors, which influence the design of buildings. They include aesthetic considerations, cost constraints, technical performance objectives including functional operation, security, and designing buildings to be energy efficient and low polluting.
- 5.8 The Borough Council has an important role to play in balancing and reconciling all the issues, which influence and shape the quality of the built environment. There is a need to ensure that the quality of the built environment is at least maintained, and preferably improved. It is an essential ingredient in the quality of life of all residents and visitors in the Borough. Improving the quality of the built environment depends upon conservation of the best in the built heritage, enhancement of the existing, and insistence upon high standards of design in new development.

DESIGN

Design Quality and Planning Applications

- 5.9 All planning applications for development should be supported by plans and information that is readily understandable. This should include, where appropriate, elevations and site plans clearly indicating the design, and showing the impact on the adjacent land and property, and an accurate survey of vegetation, topography, and existing buildings on the development site and its surroundings. Where appropriate, the Borough Council may ask for development proposals to be accompanied by an evaluation of the envisaged impact on the quality of the environment.
- 5.10 The Borough Council is committed to securing the highest possible quality of design of new development and redevelopment in the Borough. The Borough Council will encourage developers to consider the impact of the design of their development proposals and will require applicants to provide enough information to allow the Borough Council to properly assess this. Regard must be given to Annex A of PPG1 in respect to the need for a written statement setting out the design principles of a proposal along with illustrative material showing the proposal in the wider context. The Borough Council will require 'Design Impact Statements' to be submitted with applications for complex or large-scale development, particularly commercial proposals within the Town Centre and/or a Conservation Area. Before submitting an application, developers are therefore advised to contact the Borough Council to discuss the need for a design statement and, where appropriate, the level of detail required.
- 5.11 The Borough Council has published Supplementary Planning Guidance (SPG) on Extending or Altering Your Home, Replacement Windows, Access for All, and Design Principles of Shopfronts and Signs. Other SPG on design matters may be adopted and published in the future.
- 5.12 Quality of design, the impact of proposals on their surroundings, and the environmental benefit that might be secured as part of development proposals are key issues to be considered when determining planning applications. All new development in urban areas should contribute to the character of the area by reflecting elements of the context of its surroundings. The degree to which local context should influence the design approach will depend upon the visibility of the new development, the coherence and consistency of the surrounding urban form and how sensitive the urban context is in terms of architectural or historic value. In major developments the context extends across the relevant building blocks and surrounding streets, in smaller infill developments the relationship of the new to adjoining buildings, is more crucial.
- 5.13 Favourable consideration will be given to development proposals, which reflect, or complement the character of the locality, including schemes that enhance the area. In areas, which are currently poor or mediocre in quality, the Borough Council will encourage proposals, which bring about improvements in the quality of the built environment.

POLICY BE1

Proposals for development or redevelopment will be permitted provided that:

- (i) **the architectural composition, including external appearance and character, achieves a good standard of design and is**

compatible with its surroundings or enhances the appearance of the locality;

- (ii) the siting, layout, density, orientation and prospect take full account of the characteristics of the site and its surroundings;**
- (iii) the form and character, including height, massing, scale and proportions, are compatible with its surroundings or enhance the appearance of the locality;**
- (iv) the relationship between built forms and the open spaces surrounding them is compatible with the character and appearance of the locality.**

Designing out Crime

- 5.14 As well as improving the quality of the built environment aesthetically, good design can bring about improvements in the quality of the environment by modifying behaviour. In particular, careful design can reduce crime in new development. The Borough Council will expect applicants to have regard to this in designing their development proposals. In considering development proposals, Worthing Borough Council will have regard to the advice of the Sussex Police Force, to crime prevention guidelines “Secured by Design” published nationally by the Police (see { [HYPERLINK "http://www.securedbydesign.com"](http://www.securedbydesign.com) }) and to any Supplementary Planning Guidance, which Worthing Borough Council may adopt in future.

Access for All

- 5.15 In the case of buildings open to the public and buildings used for education or employment purposes the Borough Council will encourage developers to consider access provision, including access for people with special mobility requirements, at an early stage in the preparation of development proposals. Policy TR8 in the Transport chapter and its accompanying text sets out detailed requirements. Supplementary Planning Guidance entitled Access for All – Improving Design for People with Disabilities has been published by the Borough Council.

Materials and Detailing

- 5.16 For the successful assimilation of a new development into its surroundings much may depend on the specification of materials and choice of detailing. Some areas or groups of buildings have a clear or distinct architectural or townscape character, which should be respected when designing development proposals to go alongside or within them. In these cases the materials and detailing of the new development should usually match the existing or else complement it in a way, which does not detract from its quality.

POLICY BE2

Where buildings either individually or as part of a group have a clear architectural character which should be retained, alterations and extensions or adjacent development proposals will be required to use the same or closely matching materials and detailing as used in the original construction or to use complementary materials and detailing which do not detract from the existing architectural character of the buildings.

Environmental Improvements

- 5.17 The Borough Council is committed to raising the quality of the built environment on sites of currently poor or mediocre quality by targeting them for positive action for improvement and by encouraging development or redevelopment, which will bring about environmental improvements.

POLICY BE3

Proposals for development or redevelopment of derelict, degraded or disused land or buildings will be permitted provided that: -

- (i) the development achieves significant environmental improvements and beneficial use of the land and/or buildings;**
- (ii) the proposal complies with other relevant policies in the plan.**

Telecommunications – Receive Only Plus Other Small Equipment

- 5.18 The burgeoning use of telecommunications systems makes the visual impact of satellite dishes, aerials, masts, cable junction boxes, and other telecommunications equipment a growing issue of concern. Although new ideas are being developed to make dishes and aerials less obtrusive, the growing number of dishes and aerials in Worthing is undoubtedly having a significant effect on the streetscene. Whilst the benefits from telecommunications to the community and economy are welcomed and will not be hindered unnecessarily, care needs to be taken over the installation of such equipment in order to protect the environment of the Borough primarily from visual damage. Equipment should always be installed, as far as the technical and operational constraints will allow, in a site that minimises its visual impact on the surrounding area. A small domestic satellite antenna installed under permitted development rights should be sited, so far as practicable, in such a way

that minimises its impact on the external appearance of the building to which it is to be attached. Where it is considered, by the Council, that a satellite antenna is poorly sited, the owner/householder may be required to re-site the antenna in order to minimise its visual impact. It is therefore advisable to discuss the siting of such apparatus with the Council prior to its installation. When an antenna is no longer needed, it should be removed.

- 5.19 When telecommunications facilities are likely to be required by the occupiers in a new development, the Borough Council will expect the developer to incorporate provision for this in the scheme from the outset. Installations and equipment should thus be integrated

into the overall design either discreetly or possibly as design features. A mast, for example, can be designed as an appropriate architectural feature on a modern building.

- 5.20 In the case of flats or other residential premises in multiple occupation, the Borough Council will encourage occupiers and owners to provide communal satellite dishes or aerials, thus avoiding the need for a proliferation of installations.
- 5.21 As new technology emerges it is likely to become increasingly possible for telecommunications installations and equipment to be more discreet than it now is. The Borough Council will encourage users of telecommunications to take advantage of such developments in order to reduce the visual impact of their installations and equipment. Particular encouragement will be given to the installation of discreet equipment in Conservation Areas, on Listed Buildings and on local interest buildings. In most situations, the policies can be complied with by locating equipment in a position that is not visible from a public highway or any other public place, especially in respect to Conservation Areas and Listed or local interest buildings. Users will therefore be encouraged to site their equipment in such locations. Particular regard should be given to the Conservation Area Appraisals to ascertain where it is appropriate to preserve and where it is appropriate to enhance the character or appearance of the Conservation Area.
- 5.22 It is often particularly difficult to locate equipment such as satellite dishes or cable junction boxes on listed buildings and local interest buildings, or within conservation areas, without detracting from the architectural or historic character of the building or area concerned. Telecommunications installations and equipment in these sensitive locations will be strictly controlled. The following policies relate to the telecommunication equipment that is generally simple receive only equipment, for example, satellite dishes. Policy BE4 is a general Borough-wide policy, whilst Policies BE5, BE6 and BE7 provide additional criteria that will be applied in respect of Conservation Areas, Listed Buildings, and local interest buildings respectively. Policies BE5, BE6 and BE7 should be read therefore in conjunction with BE4.

POLICY BE4

Permission will be granted for the installation of telecommunications equipment on a building or within its curtilage, provided that: -

- (i) the equipment would be located, designed and coloured so as not to have any significant adverse effect upon the appearance or setting of the building concerned, or be intrusive within the streetscene, or cause an obstruction within the area;**
- (ii) the total number of satellite dishes and aerials or other telecommunications equipment sited on the building concerned, or within its curtilage together would not have any significant adverse effect upon the appearance or setting of the building, or be intrusive in the streetscene;**
- (iii) the equipment would not be detrimental to the setting of a listed building or a Conservation Area or intrusive in views into or out of a Conservation Area.**

POLICY BE5

Within a Conservation Area permission will be granted for the installation of telecommunications equipment on a building or within its curtilage, provided that the equipment would preserve or enhance the character or appearance of the Conservation Area.

POLICY BE6

Permission will not be granted for the installation of telecommunications equipment on a listed building or within its curtilage except where: -

- (i) the equipment would not detract from the setting, or be detrimental or damaging to the special interest of the building; and**
- (ii) the equipment, if attached to the principal building would cause no irreversible harm to the fabric of the building, and be out of sight from the ground or exceptionally would contribute to the special interest of the building.**

POLICY BE7

Permission will normally be granted for the installation of telecommunications equipment on a local interest building or within its curtilage provided that the equipment would not be detrimental or damaging to the character and appearance of the building or detract from its setting.

Telecommunications – Receive and Transmit Plus Other Large Equipment

- 5.23 As well as being concerned about the appearance of equipment such as satellite dishes, aerials, and cable junction boxes sited on individual buildings or within their curtilage, the Borough Council is also concerned about the visual impact of large telecommunications installations such as masts and pylons in the urban and rural areas. The Borough Council will encourage telecommunications providers to co-operate in sharing masts and other structures in order to reduce the need for a proliferation of these installations. Where permission for a mast or other telecommunications installation is applied for, the Borough Council will require the applicant to demonstrate that there is an undisputed need for the installation in the proposed location, particularly in respect of sensitive sites. In this, the Council will expect the applicant to show that other possibilities, including mast sharing, have been thoroughly explored. Telecommunication providers will be required to submit details of how the proposed equipment is sited in the immediate context of

surrounding cells and where necessary the wider network. The Council will normally give favourable consideration to an installation being located discreetly on an existing building or on a new building as an integral part of the overall design rather than as a prominent or free standing structure. The siting and number of large telecommunications installations will be very carefully controlled.

- 5.24 It is particularly difficult to locate telecommunications installations in the countryside without detracting from its rural character and appearance. Proposals within the Sussex Downs Area of Outstanding Natural Beauty will be assessed particularly stringently in terms of visual impact - for example, in terms of the extent of the area from which the development would be visible; the landscape quality and character of the site; and the impact of the development on any particular features, such as Scheduled Ancient Monuments and Listed Buildings.
- 5.25 Particular attention will be paid to the proposed siting, design and appearance of all telecommunications development within, visible from, and in views towards the Sussex Downs Area of Outstanding Natural Beauty, a Site of Special Scientific Interest, a Site of Nature Conservation Importance, a Conservation Area and also on a Listed Building or within its setting. Proposals for equipment exceeding 15 metres in height that affect the AONB, a Listed Building or a Conservation Area will be subject to particular scrutiny.
- 5.26 Worthing Borough Council will seek to ensure that the apparatus is removed at the operator's cost in the event that it becomes redundant.

POLICY BE8

Proposals for telecommunications equipment, including masts and other structures, will be permitted only where: -

- (i) the proposed location for the development can be justified and there are no other technically suitable alternative sites that would have less impact on the character, amenity and landscape of the area;**
 - (ii) there is no unacceptable adverse impact on the character, amenity and landscape of the area;**
 - (iii) any development, including masts, equipment and associated buildings, are appropriately designed and landscaped, and are in the most appropriate materials and colour;**
 - (iv) there is no reasonable possibility of sharing existing telecommunications facilities, or in the case of antennae and masts, there is no reasonable possibility of erecting apparatus on an existing building or other structure;**
- 5.27 Proposals for telecommunications development must include all relevant detailed information to demonstrate how the proposal meets the policy criteria, including

any related mast proposals and of how the proposal is to be linked to the network, to enable the application to be properly considered.

Shopfronts

- 5.28 Shopfronts and their associated signs form a very visible part of the built environment. They are intended to attract attention. Unfortunately, they are often designed to promote a corporate image rather than to respect their setting and townscape context. In order to achieve an attractive and pleasant built environment it is essential that all shopfronts and signs are well designed reflecting the characteristics of the building and area concerned. This is particularly important in the case of listed buildings and conservation areas, where new shopfronts and signs should complement architectural details and historic features.
- 5.29 The Borough Council has prepared detailed advice on the design of shopfronts and signs in the guidance document "Design Wise, Design Principles of Shopfronts and Signs" published by the Council in September 1994. The Council will encourage applicants to have regard to this guidance and advice in preparing their proposals for shopfronts and signs, and will normally require proposals to comply with the detailed design guidance provided. Policy BE9 is a general Borough-wide policy, whilst Policies BE10 and BE11 provide additional criteria that will be applied in respect of a Conservation Area or Listed Building respectively.

POLICY BE9

New shopfronts and signs will be required to reflect the character of the building and area concerned in terms of size, scale, proportion, detailing, colour, and materials.

POLICY BE10

Shopfronts and signs proposed for buildings in Conservation Areas will be permitted provided that:

- (i) the design respects any existing features of architectural or historic interest that the building possesses;**
- (ii) the proposals preserve or enhance the character or appearance of the Conservation Area.**

POLICY BE11

Shopfronts and signs proposed for listed buildings will be permitted provided that the proposals would not cause any harm to the character of the building or any features of special architectural or historic interest which it possesses.

The Montague Centre

- 5.30 Considerable care and attention was given to the design of the Montague Centre in order to achieve a high standard of architecture and external appearance. From the outset it has been considered essential that proposals for shopfronts and signs in the Montague Centre should respect the appearance of the development. Accordingly, as the Centre was nearing completion, the Council's Planning Committee adopted a detailed design policy for the Montague Centre, as supplementary planning guidance (Appendix 3). Shopfronts and signage proposals for the Montague Centre will be assessed on the basis of this guidance.
- 5.31 The Borough Council has undertaken a survey of shopfronts in the town centre. This will be reviewed from time to time in order to monitor changes arising from shopfront and advertisement alterations. The Council will liaise with the Town Centre Manager and the Town Centre Initiative in order to encourage improvements in the quality of shopfronts and advertising and to maintain the viability and vitality of the town centre generally.

Advertisements

- 5.32 Advertising is an essential part of commercial activity. Advertisements that are well designed in the context of their surroundings can contribute to the vitality and viability of the streetscene. There is often scope for advertisements to be vibrant or even witty without being over dominant in the environment. At their best, well designed advertisements can be works of art in their own right. The control of advertisements is governed by the Town and Country Planning (Control of Advertisements) Regulations 1992 (as amended in 1994), and the local planning authority must make its decisions only in the interests of amenity and public safety. Worthing Borough Council will have regard to its published supplementary guidance "Design Wise : Design Principles of Shopfronts and Signs" in assessing advertisement applications, as well as to the general Conservation Area and Listed Building advertisement policies which follow.

POLICY BE12

Advertisements that are unduly dominant, of poor design, hazardous to public safety or which would contribute to a cluttered appearance in relation to their location will not be permitted.

- 5.33 In Conservation Areas it is especially important that advertisements respect the character and appearance of the area. Advertisements will not be permitted where they would detract from the character or appearance of the area.

POLICY BE13

Advertisements in Conservation Areas will be permitted provided that the design and location of the advertisement preserves or enhances the special character of the Conservation Area. Advertisements will not be

permitted if their design, size or location would be detrimental to the character or appearance of a Conservation Area.

- 5.34 Where an existing advertisement of long standing detracts from the character or appearance of a Conservation Area the Council may serve a Discontinuance Notice to secure its removal.
- 5.35 Buildings of architectural or historic interest are especially sensitive to the design and siting of advertisements.

POLICY BE14

Advertisements on listed buildings will be permitted only where the design and siting preserves or enhances the special interest of the building.

Trees and Landscaping

- 5.36 Open spaces, hard and soft landscaping, and trees contribute greatly to the quality of the urban environment. In new development and redevelopment proposals, the Council will carefully consider the landscaping and open space provision. The protection of trees by means of Tree Preservation Orders will be considered wherever trees of public amenity value are threatened by possible development or, in other cases, where this action would be desirable. Worthing Borough Council will make Tree Preservation Orders when necessary to retain trees of public amenity value. Before trees in a Conservation Area are lopped, topped or felled the Council must be notified so that consideration can be given to the making of a Tree Preservation Order. To ensure that they are retained, trees, which contribute to the character or appearance of a Conservation Area, will normally be protected by Tree Preservation Orders. Trees are not only important for their amenity value. They can improve air quality as they fix carbon and help to reduce pollution. Trees are also important in terms of nature conservation and can affect the water table and local drainage characteristics. Similarly, hedgerows are important. When determining planning applications, the Council will seek the retention of trees and hedgerows and, where appropriate, will protect them by attaching conditions to the planning permission. Where a tree is to be removed, a replacement tree will normally be required. Where appropriate, the planting of new trees will be encouraged, particularly native trees.
- 5.37 In circumstances where the removal of a tree, which is subject to a Tree Preservation Order, is permitted (for example because it is severely diseased, dangerous or in general poor condition) the Council will normally require its replacement with a tree or trees of equal amenity value.

POLICY BE15

The retention of trees, important landscaping and hedgerows that are in generally good condition will be sought. Where appropriate, the planting of new trees will be encouraged.

5.38 New developments should incorporate adequate landscaping proposals. A landscaping scheme should include open spaces, planting, trees, and hard and soft surfaces and materials as appropriate. As far as possible existing open spaces, hard landscape features, and trees and other planting, which have public amenity value, should be retained and incorporated into the scheme. Where such existing landscape features cannot be retained, the Council will expect the new landscaping scheme to have equal or greater amenity value. Proposals to maintain or create green corridors (or greenways) which link green spaces and wildlife habitats will be encouraged. Guidance on landscaping standards has been prepared. Supplementary Planning Guidance entitled 'Landscaping Guide' has been adopted

by the Council, which provides a guide for developers on landscaping requirements and tree protection in relation to new development.

POLICY BE16

Proposals for new development will be required to provide adequate hard and soft landscaping including:

- (i) open spaces and new planting compatible with the site and its location;**
- (ii) effective use of existing landscape features and retention or creation of wildlife habitats and green corridors.**

Protection of Open Space, Parks and Gardens

5.39 In the townscape open spaces are important features which can contribute to making a built up area pleasant and attractive. Open spaces in an urban environment are sometimes likened to rooms in a building, and they should similarly be enjoyable to be in or pass through. Where open spaces are predominantly green with planting they provide a refreshing contrast or

complementary foil to the surrounding built forms. Where open spaces contribute to the quality of the environment the Council will seek to retain this effect. The protection of the recreational value of outdoor recreation space is covered by Policy LR5 in the Leisure and Recreation Chapter.

POLICY BE17

Development which is considered to be visually intrusive into an existing open space and which would have a significant detrimental impact on the amenity of an open space will not be permitted.

- 5.40 A Register of Parks and Gardens of Special Historic Interest in England is maintained by English Heritage. Sites of exceptional historic interest are assessed as Grade I, those of great historic interest as Grade II*, and those of special historic interest as Grade II. The Register is under review with the aim of extending its coverage of parks and gardens deserving protection. A registered park or garden is not, however, afforded the same statutory protection as a listed building.
- 5.41 Within Worthing Borough there is only one area entered in the Register of Parks and Gardens of Special Historic Interest in England. The Chalk Gardens at Highdown are listed Grade II* and therefore acknowledged to be of great historic interest nationally. The Council intends that the great historic interest of this Registered Garden should be maintained and will not permit development, which would be detrimental to its special historic interest. The Council will similarly protect any further parks or gardens which are added to the Register.

POLICY BE18

Development which would be detrimental to the special historic interest of an area included in the Register of Parks and Gardens of Special Historic Interest in England will not be permitted.

Development which would be detrimental to the setting or views to or from a site included in the Register of Parks and Gardens of Special Historic Interest will not be permitted.

- 5.42 The Borough Council recognises that there are parks and gardens within the Borough which, whilst not being of sufficient interest to be included in the National Register, are nevertheless of considerable local interest or which contribute significantly to the pleasant and unique character of Worthing Borough. The Council has compiled, and maintains a Register of Parks and Gardens of Local Historic Interest in Worthing Borough. Development proposals which would be detrimental to the local interest of these areas will not be permitted.

POLICY BE19

Development which would be detrimental to the local interest, character, or appearance of an area included in the Register of Parks and Gardens of Local Historic Interest will not be permitted.

- 5.43 The Council's criteria for including an area in its Register of Parks and Gardens of Local Historic Interest are set out in Appendix 4 to the Local Plan. The Register approved to date is set out in Appendix 5.

Art in Public Places

- 5.44 The Council considers that the provision of art in public places can improve the quality of the environment, providing enjoyment and stimulation. The Council will encourage the provision of public art as part of major development proposals.
- 5.45 To this end the Council supports the Percent for Art initiative of the Arts Council of Great Britain. In respect of significant schemes, developers will be encouraged to contribute 1% of the capital cost of their schemes for the commissioning of new works by artists and craft workers. Works to be encouraged include decorative brickwork, sculpture, stained glass, decorative tiling, mosaic, murals, and metal work such as railings and street furniture. The Council is mindful not to lose local character, so works of art must relate to the respective area in which they will be located and help to enhance or create a sense of place and local identity.

POLICY BE20

The provision of works of art and craft in public places will be encouraged. Where appropriate, the utilisation of 1% of the development's budget to commission art and craft work to enhance the development and its surroundings will be sought. This will normally be the subject of a legal agreement.

Design Initiatives

- 5.46 The Council will continue to develop detailed initiatives for improving the quality of the built environment and encouraging high standards of design throughout the life of the Local Plan. To this end, the Council may prepare and provide design advice and guidance about design and improving the quality of the built environment in the form of Guides or Guidance Notes. Where the Council has published such guidance, the Council will require development or redevelopment proposals, advertisement and other works which affect the quality of the built environment to have regard to the published guidance.
- 5.47 The Council will seek to encourage good design and to give recognition to exceptionally good design or other outstanding contributions to the quality of the built environment. To this end the Council will continue to operate an annual Distinction in Building Award Scheme.

SPECIAL AREAS

CONSERVATION AREAS

Definition and Designation

- 5.48 Conservation Areas are defined in Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as "areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance". The Council will try to ensure that all areas within the Borough which meet this definition are designated as Conservation Areas, and from time to time will carry out Conservation Area reviews.

- 5.49 Major Conservation Area Reviews undertaken in 1996/97 and 1999 resulted in Worthing Borough Council confirming or designating the 26 conservation areas shown on the Proposals Map. These may be amended, or further areas designated, during the life of the Local Plan as a result of the Conservation Area Reviews which will be undertaken. These reviews will include a reassessment of the boundaries of existing Conservation Areas and an assessment of whether any additional areas should be designated. These assessments will be guided by the Council's Conservation Area Review Guidance Notes, which are published separately.

Conservation Area Appraisal Statements

- 5.50 The Council has a duty to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas. For each Conservation Area the Council has prepared and published a Conservation Area Appraisal Statement. In each case the Statement sets out an appraisal of the conservation area and a scheme for its preservation and enhancement.
- 5.51 The Conservation Area Appraisal Statements will guide planning decisions, and the Council will encourage developers to have proper regard to them in preparing proposals which affect Conservation Areas.

Conservation Areas and Planning Controls

- 5.52 Within Conservation Areas there are important additional controls. Demolition will normally require the Council's consent, and permitted development rights are more limited in Conservation Areas. The Council may impose an Article 4(2)

Direction in a Conservation Area to remove permitted development rights where this is necessary to protect the character or appearance of the Conservation Area. The local planning authority must be notified before trees in Conservation Areas are lopped, topped, or felled so that consideration can be given to the making of a Tree Preservation Order.

- 5.53 In exercising its control powers, the Council will pay special attention to the desirability of preserving or enhancing the character or appearance of Conservation Areas. The Conservation Area Appraisal Statements will provide a guide for assessing the acceptability of proposals.
- 5.54 Development within a Conservation Area should preserve or enhance the character or appearance of the area. Where the character or appearance are already good it will be sufficient to preserve them, but in situations where opportunities for enhancement have been identified the Council will seek enhancement from development proposals.

POLICY BE21

Within designated Conservation Areas, as shown on the Proposals Map, or any that may be designated during the Plan period:

- (i) **proposals for development will be required to preserve or enhance the character or appearance of the area;**

- (ii) any development that would harm the overall character and integrity of the area will not be permitted;**
- (iii) all development should be sympathetic to the scale and character of the area, particularly with adjoining buildings and groups of buildings;**
- (iv) materials and detailing for new development, including alterations and extensions to existing buildings, should be sympathetic to those historically employed in the area, particularly those used on nearby buildings;**
- (v) proposals for development should include landscape schemes appropriate to the location, with supplementary planting using native species of trees and planting where appropriate;**
- (vi) proposals should not result in the loss of or significant harm to trees, open spaces, landscape features, hedges, walls or other means of enclosure that make an important contribution to the character or appearance of the area.**

Applications

- 5.55 For demolition in a Conservation Area and for development proposals in or adjacent to a Conservation Area full details and clear information about the impact of the proposals on the area will be required, including the design, details, scale, character and relationship with adjoining buildings and the likely impact of the development on the Conservation Area.
- 5.56 The Council may require planning applications in Conservation Areas involving a change in appearance of a building or space to be for full planning permission. The Council may require the applicant to provide an appropriate evaluation of the impact of the development on the character and appearance of the Conservation Area, prior to any planning decision.
- 5.57 It is important that the special architectural or historic interest of Conservation Areas is not eroded by the demolition of buildings which contribute to the areas' character or appearance. Works to trees in conservation areas must also preserve or enhance the character or appearance of the area and such works are subject to planning control.
- 5.58 The demolition of a building or structure which is detrimental to the character or appearance of a Conservation Area may sometimes be regarded as an enhancement opportunity. It is important that Conservation Areas do not have unsightly gaps, so it will usually be necessary to ensure that appropriate redevelopment takes place.

POLICY BE22

Proposals which include the demolition of buildings or structures within a Conservation Area will not be permitted unless:-

- (i) the buildings or structures do not contribute to the character or appearance of the Conservation Area;**
- (ii) the demolition would preserve or enhance the character or appearance of the Conservation Area; and**
- (iii) acceptable detailed plans for redevelopment have been approved.**

Where planning permission is granted to demolish a building within a Conservation Area and redevelopment has been approved, any permission will be subject to a condition that demolition shall not take place until a contract for the carrying out of the permitted redevelopment has been let.

Permitted Development

- 5.59 The Council will make Article 4(2) Directions to remove permitted development rights in Conservation Areas where this is considered necessary to preserve or enhance the character or appearance of the areas.

Floorscape and Street Furniture

- 5.60 Paving materials, lighting columns, bus stops, seats, finger posts, litter bins, and other street furniture on highway land are all items which can contribute to or detract from the character or appearance of a Conservation Area. Traditional features and materials should be retained, or if necessary renewed. Features and materials which are detrimental to the character or appearance of the Conservation Area should, wherever possible, be removed or replaced with more appropriate examples.

POLICY BE23

The provision, retention or appropriate replacement of paving materials, lighting columns, bollards, bus shelters, litter bins, and other street furniture will be sought where this would contribute to the character or appearance of a Conservation Area.

The Setting of Conservation Areas

- 5.61 The setting of a Conservation Area is important to its character or appearance, and views into and out of the area can have a significant effect on its perceived quality. In considering proposals for development close to a Conservation Area or which would alter views into or out of a Conservation Area the Council will have regard to the effect

of the development on the character or appearance of the Conservation Area and its setting.

POLICY BE24

Development adjacent to a Conservation Area or which affects the setting or views into or out of a Conservation Area will be required to preserve or enhance the character or appearance of the Conservation Area and its setting.

Conservation Area Initiatives

- 5.62 The Council may prepare and provide further advice and guidance on Conservation Areas. The Council will continue to develop detailed initiatives for preserving or enhancing the character or appearance of Conservation Areas, and will develop its policies towards Conservation Areas in the Heritage/Conservation Strategy.

Environmental Areas of Special Character

- 5.63 Worthing Borough Council has identified a number of areas within the Borough which although not of a standard sufficient to warrant designation as Conservation Areas, do have a special character. This character may derive from a variety of features, including distinctive street patterns, architectural or historic quality, important urban spaces and natural features such as mature planting. Each area is identified on the Proposals Map, whilst the criteria for designation and a brief description of the quality of individual areas is included in Appendix 6. Proposals for development within Environmental Areas of Special Character will be required to reflect the particular character of the Area concerned, and development which would be harmful to existing features of importance will not be permitted.

POLICY BE25

All development within an Environmental Area of Special Character, as shown on the Proposals Map, will be required to reflect the particular character of the area concerned. Development which would adversely affect existing features which contribute to that character will not be permitted.

BUILDINGS OF ARCHITECTURAL OR HISTORIC INTEREST

LISTED BUILDINGS

Definition

- 5.64 The Secretary of State for the Department for Culture, Media and Sport, has a duty under Section 1 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to compile or approve lists of buildings of Special Architectural or Historic Interest. A building included in such a list is known as a listed building. There are over 360 list entries relating to buildings within Worthing Borough.

Listed Building Control

- 5.65 It is a criminal offence to demolish a listed building or to alter it in a way which affects its character as a Building of Special Architectural or Historic Interest except in accordance with a listed building consent which should be sought from the local planning authority. In considering applications for listed building consent and for planning permission the Council is required to 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. In order to fulfil this duty effectively, it is preferable therefore, if not essential, to consider the two types of application concurrently. Applicants will thus be urged (where the two types of permission are necessary) to submit both applications together.

Spot-listing and Building Preservation Notices

- 5.66 Where a building which might be of sufficient quality is not included in the Statutory List a request may be made to the Secretary of State to "spot-list" the building. In cases where it becomes apparent that such a building could be under immediate threat, the Council will use its powers to protect that building by serving a Building Preservation Notice. Once a Building Preservation Notice is served the building is protected as if it were a listed building with immediate effect. If the

Secretary of State decides that the building should not be listed, however, it loses this protection and compensation may be payable.

Applications

- 5.67 For development proposals or other works which affect a listed building, its curtilage or its setting, full details and clear information about the impact of the proposals on the building and its curtilage and setting will be required. The Council will normally expect to see a survey as existing in addition to the scheme as proposed. The Council may require a reasoned justification for alterations to a listed building, and a structural survey where appropriate.
- 5.68 The Council may adopt a flexible approach to the application of highway or other planning standards where strict adherence would be detrimental to the character or appearance of a listed building or its curtilage or its setting.

Demolition

- 5.69 Listed Buildings are of national importance and there is a presumption in favour of their preservation. A historic building is a non-renewable resource. It is important that listed buildings are retained. Any proposal for full demolition of a listed building will require an application for listed building consent.
- 5.70 Taking down part of a building or removing features can be very damaging to the special interest of a listed building. Later extensions and alterations can themselves be of interest. Only where an extension or feature is clearly detrimental and its removal would

preserve or enhance the character and appearance of the listed building will such proposals be permitted. Any proposal for partial demolition will be treated as an alteration to the listed building following the House of Lords judgement in the case of Shimuzu (UK) Ltd v Westminster City Council (1997). Any such proposal will require a listed building consent application and where planning permission is also needed, this will be considered under Policy BE26.

Alterations and Extensions

- 5.71 Limited alteration to a listed building may be acceptable provided the special architectural or historic interest is not eroded. Extensions should be subordinate to the character of the listed building. They should not dominate the original building and will usually be smaller to be acceptable. Alterations and extensions should not be detrimental to the character of a listed building or damaging to features of special architectural or historic interest. Some listed buildings are virtually incapable of being extended satisfactorily.

POLICY BE26

Planning permission for alterations and extensions to a listed building will be granted only where the works would preserve the character of the building and its features of special architectural or historic interest. Planning permission will not be granted for works which would be detrimental to the character of a listed building or damaging to its features of special architectural or historic interest.

Curtilage

- 5.72 The character and appearance of the historic curtilage of a listed building is often important for a full and proper understanding and appreciation of the building's architectural or historic interest. Any object or structure fixed to a listed building or within its curtilage since 1 July 1948 is subject to listed building control. Any proposal for a new free standing building or structure within the curtilage of a listed building is subject to the requirement for planning permission. As far as possible, the Council will protect the historic curtilages of listed buildings from being sub-divided or developed in any way which detracts from the special architectural or historic interest of the property or its character and appearance.

Setting of Listed Buildings

- 5.73 The setting of a listed building can be very important to appreciating its special architectural or historic interest. Unsympathetic development which is detrimental to the setting of a listed building adversely affects the quality of the built environment. In detracting from the appearance of the listed building, it may even jeopardise its long term preservation by reducing its value or viability.

POLICY BE27

Development that would harm the setting of a listed building will not be permitted.

Maintenance and Repairs

- 5.74 It is important that listed buildings are maintained in good repair and kept in an appropriate use. The condition of listed buildings in the Borough will be monitored and a Buildings at Risk Register will be maintained.
- 5.75 Where resources permit, the Council will provide specialist advice and financial assistance through a conservation grant scheme to help owners to repair and conserve buildings of architectural or historic interest. Priority in this will be given to listed buildings.
- 5.76 Where it becomes apparent that the preservation of a listed building is at serious risk, the Council may use its powers to secure the repair of the building by serving a Repairs Notice under Section 48 of the Planning (Listed Buildings and Conservation Areas) Act 1990 or by carrying out Urgent Works under Section 54 of the Act.

LOCAL INTEREST BUILDINGS

Definition

- 5.77 Local Planning Authorities may draw up lists of locally important buildings and formulate local plan policies for their protection through normal development control procedures. Such buildings do not, however, enjoy the full protection of statutory listing.
- 5.78 The Council recognises that there are many buildings throughout the Borough which although not listed by the Secretary of State are yet of considerable local architectural or historic interest. The Council is compiling a list of these buildings of local architectural or historic interest. A building included in this list is described as a local interest building. Those that have been approved to date are set out in Appendix 8. These buildings comprise those identified in the Worthing Local Plan 1994 within the Conservation Areas designated at that time, plus 58 properties in Goring which were approved by the Planning Committee in April 1999. It is anticipated that other areas will be reviewed and more buildings added to the approved Local Interest list during the period of the Plan.
- 5.79 The Council's criteria for including a building in its list of buildings of local architectural or historic interest are set out in Appendix 7.

Local Interest Buildings and Development Control

- 5.80 Local interest buildings are of considerable importance and value to the quality of the built environment in Worthing Borough. In considering development proposals which affect a local interest building or its setting, the Council will have regard to the desirability of preserving or enhancing the character and appearance of the building and its features of local architectural or historic interest.

POLICY BE28

Development proposals which would result in the loss in whole or in part of a local interest building, or which would be detrimental to the interesting features, character, appearance or setting of a local interest building will not be permitted. Redevelopment involving the loss or partial loss of a local interest building will only be permitted

were the proposal would bring about an improvement in the quality of the built environment and where the proposed replacement is at least as good as the building it seeks to replace.

Historic Buildings Initiatives

- 5.81 The Council may prepare and provide further advice and guidance about buildings of architectural or historic interest. The Council will seek to encourage the proper repair and conservation of historic buildings and to give recognition to exceptionally good conservation schemes. To this end, where resources permit, the Council will continue to operate a conservation grant scheme, and will promote a conservation category in the annual Distinction in Building Award Scheme. The Council will continue to develop detailed initiatives for the conservation of buildings of architectural or historic interest and will develop its policies towards listed buildings and local interest buildings in the Heritage/Conservation Strategy.

SPECIFIC SITES

Montague Place

- 5.82 Montague Place is a significant and historic urban open space in Worthing town centre. It is within the South Street Conservation Area, and several of the Grade II listed buildings on the western boundary dating from the end of the eighteenth

century are perhaps the earliest lodgings in Worthing. The visual quality of Montague Place unfortunately is diminished by the flank wall of Woolworths' store on the eastern side. The Borough Council wishes to promote enhancement of this feature and of Montague Place as a whole because of its importance both within the town centre and also within the South Street Conservation Area. Possible options include the enhancement of the blank wall, or a modification or redevelopment of the Woolworths' building.

- 5.83 Following the findings of an independent townscape appraisal, the Council considers that Montague Place should be properly defined as public open space providing for the social, leisure, and commercial needs of Worthing people and visitors. Any structures erected within Montague Place should be to support such changing and adapting uses. They should be free-standing, with the character and appearance of street furniture, so as

not to compromise the volume and space defined by the existing buildings. Any development must not detract from the character of the open space, and should reinforce the connections between Montague Place and the seafront.

- 5.84 Accordingly, no development of substantial structures will be permitted within the volume of the public open space that is Montague Place. The Council will, however, promote enhancement of Montague Place, and will explore possibilities for achieving the design and implementation of enhancement measures. The Council will permit proposals for enhancement provided they do not compromise the proportions and openness of Montague Place or detract from the character and appearance of the area.
- 5.85 This approach does not preclude development or redevelopment of sites adjoining the eastern boundary of Montague Place. Such proposals may be permitted if they would bring enhancement of Montague Place. All proposals for development within the South Street Conservation Area must, of course, also satisfy all other relevant policies including those relating specifically to conservation areas.

POLICY BE29

Development within Montague Place will be permitted provided that

- (i) any works enhance Montague Place as public open space providing for the social, leisure and commercial needs of Worthing people and visitors to the town;**
- (ii) the development provides for a high quality visual and pedestrian link between Montague Place and the seafront, with a floorspace proportionate to the scale of the surrounding buildings;**
- (iii) the development would not significantly alter the proportions and openness of the space defined by the existing buildings.**

Development of substantial structures within the volume of Montague Place will not be permitted.

Development or redevelopment of sites adjoining the eastern boundary of Montague Place will be permitted if the proposals would enhance the character and appearance of Montague Place and preserve or enhance the character or appearance of the South Street Conservation Area as a whole.