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# Cabinet

Thursday, 29th September, 2022 at 5.30 pm  
Conference Room, Parkside, Chart Way, Horsham

Councillors:	Jonathan Chowen	Leader and Local Economy
	Tony Hogben	Deputy Leader and Finance & Parking
	Toni Bradnum	Recycling & Waste
	Liz Kitchen	Community Matters
	Lynn Lambert	Planning & Development
	Christian Mitchell	Horsham Town
	Roger Noel	Leisure & Culture
	James Wright	Environment & Rural Affairs
	Tricia Youtan	Housing & Public Protection

You are summoned to the meeting to transact the following business

Jane Eaton  
Chief Executive

## Agenda

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	Page No.
1. <b>Apologies for absence</b>	
2. <b>Minutes</b>	5 - 10
To approve as correct the minutes of the meeting held on 21 July 2022 (Note: If any Member wishes to propose an amendment to the minutes they should submit this in writing to <a href="mailto:committeeservices@horsham.gov.uk">committeeservices@horsham.gov.uk</a> at least 24 hours before the meeting. Where applicable, the audio recording of the meeting will be checked to ensure the accuracy of the proposed amendment.)	
3. <b>Declarations of Members' Interests</b>	
To receive any declarations of interest from Members of the Cabinet	
4. <b>Announcements</b>	
To receive any announcements from the Leader, Cabinet Members or the Chief Executive	
5. <b>Public Questions</b>	
To receive questions from and provide answers to the public in relation to matters which in the opinion of the person presiding at the meeting are relevant to the business of the meeting	

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|-----|--|----------|
| 6.  | <b>Update on the Council's financial position in 2022/23 and Medium-Term Financial Strategy update 2023/24 to 2026/27</b>  | 11 - 26  |
|     | To consider the report of the Cabinet Member for Finance & Parking   |          |
| 7.  | <b>Decommissioning of London Road car park</b>   | 27 - 30  |
|     | To consider the report of the Cabinet Member for Finance & Parking   |          |
| 8.  | <b>Support for Community Energy Horsham</b>  | 31 - 36  |
|     | To consider the report of the Cabinet Member for Environment & Rural Affairs   |          |
| 9.  | <b>Housing Register and Nominations Policy revisions</b>   | 37 - 46  |
|     | To consider the report of the Cabinet Member for Housing & Public Protection   |          |
| 10. | <b>Business Case for Horsham District Homes for affordable homes in Dukes Square, Horsham</b>  | 47 - 58  |
|     | To consider the report of the Cabinet Member for Housing & Public Protection   |          |
| 11. | <b>Use of 'A' Boards and other Advertising Structures on the Highway - Policy, Guidelines and Enforcement Procedure (The 'A' Boards Policy)</b>  | 59 - 76  |
|     | To receive the report of the Cabinet Member for Horsham Town   |          |
| 12. | <b>CIL Governance for the unparished area of Horsham Town</b>  | 77 - 82  |
|     | To consider the report of the Cabinet Member for Planning & Development  |          |
| 13. | <b>Consultation on the proposed designation of a new Conservation Area for the area characterised by Wells Cottages, in West Chiltington and proposed amendments to the Rusper Conservation Area</b> | 83 - 96  |
|     | To consider the report of the Cabinet Member for Planning & Development  |          |
| 14. | <b>Facilitating Appropriate Development and Biodiversity and Green Infrastructure Planning Guidance documents</b>  | 97 - 132 |
|     | To consider the report of the Cabinet Member for Planning & Development  |          |
| 15. | <b>Overview &amp; Scrutiny Committee</b>   |          |
|     | To consider any matters referred to Cabinet by the Overview & Scrutiny Committee   |          |

Continued/...

16. **Forward Plan**

To note the Forward Plan (latest published version available at: [September Forward Plan](#) )

17. **To consider matters of special urgency**

Item 13) APPENDIX 1 Draft Conservation Area Appraisal and Management Plan for Rusper	133 - 196
Item 13) APPENDIX 2 Draft Conservation Area Appraisal and Management Plan for Wells Cottages	197 - 240

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**Cabinet**  
**21 JULY 2022**

Present: Councillors: Jonathan Chowen (Leader), Tony Hogben (Deputy Leader), Toni Bradnum, Liz Kitchen, Lynn Lambert, Roger Noel, James Wright and Tricia Youtan

Apologies: Councillors: Christian Mitchell

Also Present: Ruth Fletcher

EX/17 **MINUTES**

The minutes of the meeting of the Cabinet held on 9 June were approved as a correct record and signed by the Leader.

EX/18 **DECLARATIONS OF MEMBERS' INTERESTS**

There were no declarations of interest.

EX/19 **ANNOUNCEMENTS**

Councillor Liz Kitchen, Cabinet Member for Community Matters, announced that, following the tragic news of some young people committing suicide in Horsham last year, the Community Development team had been working with local youth support partners on delivering a low-level, easy to access, mental health hub called 'I Rock' at Horsham Youth Centre on Hurst Road. Jeremy Quin MP had been involved in early discussions and Councillor Kitchen and the Leader both thanked senior officers and others involved. The hub would help provide solutions for young people with low-level needs from mental health specialists. The service was on track to be opened by the end of the year.

Councillor Roger Noel, Cabinet Member for Leisure & Culture, stated that a two-month consultation on the future of Southwater Country Park would start at the beginning of August. This will give local residents and visitors the opportunity to inform how the park might be upgraded for the benefit of those who use it.

EX/20 **PUBLIC QUESTIONS**

No questions had been received.

EX/21 **BURTON COURT BIN STORE - APPROVAL OF CAPITAL BUDGET**

Councillor Tony Hogben, Cabinet Member for Finance & Parking, introduced the report on the proposed new bin store, which would replace the temporary bin store in Park Place.

A permanent solution to providing a bin store for Burton Court residents had not been finalised when Piries Place car park was rebuilt, and the proposal sought approval of a budget to build a permanent high-quality bin store as a solution to the ongoing issues with the interim arrangements.

Whilst the Cabinet Member acknowledged the high cost of the proposal, he stated that the car park redevelopment had been completed under-budget and the proposal would complete outstanding work from that project. The design also took account of local stakeholder responses during the consultation process.

Councillor Toni Bradnum, Cabinet Member for Recycling & Waste, welcomed the proposal, which would enable recycling to be collected again. It was noted that the budget included some contingency and it was possible that the registered provider might contribute towards the cost. Cabinet Members were unanimous in their support for the proposal.

#### **RECOMMENDED TO COUNCIL**

To approve a £100,000 capital budget for the Burton Court Bin Store in the 2022/23 capital programme.

#### **REASON**

To deliver a solution that is satisfactory for the stakeholder groups and meets the needs of the residents.

#### **EX/22 HIGHWOOD COMMUNITY CENTRE - APPOINTMENT OF CONTRACTOR**

Councillor Hogben introduced the report on appointing a contractor for Highwood Community Centre. He explained why the Council had used the Scape Construction Framework to help select a contractor, as detailed in the report.

Using the framework allowed the Council to pick a pre-approved contractor with a proven ability to deliver good quality. It was noted that over 1,000 public bodies have used this framework on construction projects. Cabinet Members were unanimous in their support for the proposal.

#### **RESOLVED**

To award the Contract and delegate authority to the Director of Place to approve the final terms including agreement of the contract sum.

#### **REASON**

To ensure that the procurement methodology is compliant and to delivers the project within budget.

EX/23 **EXTENSION OF PARKING CHARGE INCREASES TO ADDITIONAL CAR PARKS**

Councillor Hogben reminded Councillors that a number of increases to parking charges in Horsham District had been approved as part of the budget in February 2022. They had been the first increases in four years.

This report introduced some further increases, which would ensure tariffs were consistent and proportionate, and corrected minor anomalies within the parking charges approved in February. The Cabinet Member gave details of the three proposed changes. Cabinet Members were unanimous in their support for the proposal.

**RECOMMENDED TO COUNCIL**

- (i) To extend the 12.5% increase to the new 4-hour tariff in North Street Car Park.
- (ii) To extend the charge increases agreed for Southwater Country Park summer tariffs to the winter weekend tariffs.
- (iii) To extend the 10% increase on season tickets to the day passes available in the Forum, Swan Walk & Piries Place.
- (iv) To approve an increase in income of £22,500 to the Parking 2022/23 revenue budget.

**REASON**

These additional charges will ensure that consistency is maintained between car park tariffs and pricing structures. It will also ensure a smooth customer journey and simplicity where pricing structures vary based on the day or term of year. Only Full Council can approve budget changes.

EX/24 **CONSULTATION ON THE PROPOSED DESIGNATION OF A NEW CONSERVATION AREA FOR NORFOLK ROAD, NORFOLK TERRACE, WELLINGTON ROAD, CHICHESTER TERRACE, BARTELOT ROAD, PARK TERRACE, PARK STREET AND EAST STREET, HORSHAM TO BE KNOWN AS THE PARK TERRACE GARDENS CONSERVATION AREA**

Councillor Lynn Lambert, Cabinet Member for Planning & Development, reminded Members that there was a rolling programme for producing conservation Area Appraisals and Management Plans for the 37 adopted conservations areas within the district.

In addition to this, the Council had a duty to review whether any other part of the district should be identified as a Conservation Area. Residents from the local community and the emerging Blueprint Neighbourhood Plan had identified

the proposed area and research undertaken by the Council confirmed that it was worthy of designation. It was noted that the proposed area was larger than that originally envisaged, and that there would be focussed engagement for those later additions, including Barttelot Road.

The Cabinet Member and the Local Member paid tribute to the successful community engagement and the amount of work undertaken by some residents.

The Cabinet Member proposed a five-week public consultation on the proposal. A report summarising the consultation responses and the Council's proposed response would be presented to Cabinet in due course. Cabinet Members were unanimous in their support for the proposal.

#### RESOLVED

- (i) That the proposed new conservation area boundary, and draft Conservation Area Appraisal and Management Plan be approved for public consultation.
- (ii) That the Director of Place in consultation with the Cabinet Member for Planning and Development be given delegated authority to agree minor editorial changes prior to publication.

#### REASON

- (i) To formally designate a new conservation area.
- (ii) To provide conservation area guidance for residents, occupiers, developers and Members in determining applications.
- (iii) To give the Cabinet Member for Planning and Development delegated authority to approve minor changes to the document, without the need for it to be referred back to Cabinet.

#### EX/25 **OVERVIEW & SCRUTINY COMMITTEE**

There were no matters currently outstanding for consideration.

#### EX/26 **FORWARD PLAN**

The Forward Plan was noted.

#### EX/27 **TO CONSIDER MATTERS OF SPECIAL URGENCY**

There were no matters of special urgency to be considered.



*The meeting closed at 5.58 pm having commenced at 5.30 pm*

CHAIRMAN

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## Report to Cabinet

29 September 2022

By the Cabinet Member for Finance and Parking



### **DECISION REQUIRED**

Not Exempt

**Update on the Council's financial position in 2022/23 and Medium-Term Financial Strategy update 2023/24 to 2026/27**

## **Executive Summary**

This report updates the Council's financial position in 2022/23 and how the Medium-Term Financial Planning scenarios and assumptions have changed since the budget was set in February 2022.

A high level of uncertainty remains as the economy navigates the highest levels of inflation since the early 1990s, pressure from salary increases, and no further clarity on the future of Government's plans for the reform of business rates, fair funding review and how levelling up will affect us. In these circumstances it is fortunate that the Council has kept high levels of reserves and thus is able in the short term to have time to make considered decisions.

This report gives a snapshot of where we think our finances are today and also projects over the medium-term. Officers have revisited the assumptions based on the latest income data and wider information from Government. The outlook is bleaker than in February as inflation has surged, and the increases could push annual non-salary costs and salary expenditures up to £1m a year higher than previously anticipated. On top of this, the estimated £1.3m cost of food waste collection from Autumn 2024 is a major factor in the projected deficits from 2024/25 onwards that end the period at £3.4m, unless income in the form of council tax, garden waste charges and general fees and charges are raised more in line with inflation.

In July 2022, the Levelling Up Secretary indicated proposals for a two-year settlement which might suggest that there may be rollover settlements in both 2023-24 and 2024-25. However, there have been significant changes in Government since then, and the detail will, however, only be revealed in the provisional settlement in December 2022.

As more information becomes available during 2022/23, there will be further updates, with the focus on levels of inflation and also the work needed to set balanced budgets across the medium-term which is likely to require substantial action.

## **Recommendations**

The Cabinet is asked to

- i) note the changes in the Council's financial position in 2022/23 and the medium-term.
- ii) recommend Council approve the updated list of fees and charges in paragraph 3.22

## **Reasons for Recommendations**

- i) The Council needs to acknowledge the effects that high levels of inflation will have on its financial position both in the short and medium-term. This has moved the council from what has been a long-term healthy financial position to one with predicted deficits unless action is taken on fees and charges. Given the level of uncertainty in the projections, the economy and proposed Government action, the report does not recommend direct action to reduce expenditure at this stage.
- ii) To ensure these fees and charges are approved by full Council as per the constitution.

## **Background papers:**

- Budget and Medium-Term Financial Strategy report Cabinet 27 January 2022 (approved by Council on 9 February 2022 and 24 March 2022).
- 2021/22 Financial Outturn report Overview and Scrutiny Committee 6 June 2022
- Report on the Council's Finance and Performance (2022/23 at M4) Overview and Scrutiny Committee 26 September 2022

## **Appendices:**

- Appendix 1: (unaudited) Reserves at 31 March 2022
- Appendix 2a: summary of high-level assumptions and changes
- Appendix 2b: assumptions pushed on higher fees and income
- Appendix 3: potential capital infrastructure and added carbon reducing costs during 2020s

## **Wards affected:** All

**Contact:** Dominic Bradley, Interim Director of Resources, 01403 215300

## **Background Information**

### **1 Introduction and background**

- 1.1 The 2022/23 budget was set by Council in February 2022 before inflation really started to rise. Since then, inflation as measured by CPI has soared beyond 9%. Rising energy prices, the general cost of living increases, and global events such as the war in Ukraine impacting prices and world supply chains, have all significantly altered the more optimistic outlook.
- 1.2 Rising salary and price costs together with expenditure on new services such as food waste collection, contribute to a predicted significant gap of £3.4m in the Medium-Term Financial Strategy in future years if actions are not taken.
- 1.3 To rebalance its position, the Council will need to carefully consider the fees that it charges, its service offers and / or ways in which it can generate more income. The Council's reserves mean that in the short term, we do not have to rush to take immediate action, but they cannot be seen as an alternative to taking decisions to bring the budget back to balance in the medium term.
- 1.4 Government previously indicated there might be a two-year settlement for 2023-24 and 2024-25. The Fair Funding Review, business rates baseline reset, and other funding reforms might then be pushed back to 2025-26. It means that the 2021 Census might not be reflected in funding allocations until 2025-26. This suggests that any financial settlement might be broadly similar to the 2022-23 settlement. This would benefit Horsham because any re-set is likely to result in a reduction of funding. This assumption is a risk however, as there have been changes in Government since July 2022.

### **2 Relevant Council policy**

- 2.1 The Council has a record of providing high quality, value for money services and to continue to achieve this the Council will need to consider what action to ensure money is available for our key services.

### **3 Details**

- 3.1 The operational forecast outturn at Month 4 for 2022/23 is a £0.25m net surplus. Investment income from rising interest rates and returning parking is so far outweighing rising costs from the high price of HVO fuel and vehicle parts and overspending on Housing services. The anticipated £0.8m of salaries overspend not yet included in the forecast is on the assumption of the latest national pay award offer of £1,925 per person rather than the 1.3% in the budget. If necessary, this will be funded from the inflation earmarked reserve set aside from the 2021/22 budget surplus. The overall funding position is a £272k deficit.
- 3.2 The updated budget position including the current year forecast and revised interim Medium-Term Financial Strategy is set out in table 1. Appendix 2 sets out a summary of the assumptions now, against the assumptions that were part of the 2022/23 budget and Medium-Term Financial Strategy set in February 2022, and also summarises the key forecast movements in net expenditure between years. Details of the assumptions and any changes are set out in section 3 of the report.

	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27
	£000	£000	£000	£000	£000	£000
<b>Table 1: interim MTFS Sept 2022</b>						
<b>Estimated net expenditure</b>	13,072	12,188	14,035	15,225	16,650	17,200
<i>In year budget adjustments</i>	250	125	-	-	-	-
<i>Overspend / (underspend) [*forecast M4*]</i>	(2,111)	(252)*	-	-	-	-
<b>Estimated net expenditure</b>	<b>11,211</b>	<b>12,061</b>	<b>14,035</b>	<b>15,225</b>	<b>16,650</b>	<b>17,200</b>
<b>Funding: Council Tax</b>	(10,251)	(10,700)	(11,030)	(11,370)	(11,765)	(12,170)
Extra Government grant	(146)	(141)	-	-	-	-
Baseline Business Rates	(2,052)	(2,052)	(2,052)	(2,052)	(1,850)	(1,650)
Other funding, Collection Fund (surplus) / deficit	(12)	(11)	(12)	(12)	(12)	(12)
<b>Total Funding</b>	<b>(12,461)</b>	<b>(12,904)</b>	<b>(13,094)</b>	<b>(13,434)</b>	<b>(13,627)</b>	<b>(13,832)</b>
One-off COVID-19 funding	(981)	-	-	-	-	-
£150 C-Tax support spend	98	120	-	-	-	-
Salary impact	-	880	-	-	-	-
Estimated utility impact not yet in forecast.		120				
<b>Net (Surplus) / Deficit rounded</b>	<b>(2,133)</b>	<b>272</b>	<b>940</b>	<b>1,790</b>	<b>3,025</b>	<b>3,370</b>

3.3 The Council produced a £2.1m operational surplus in 2021/22, in the context of performance recovering from Covid-19 faster than the cautious budget predicted when it was set in lockdown in January 2021, especially in the leisure services, as well as receipt of one-off Government grants supporting authorities through the pandemic. Surpluses on this scale are not envisaged in the future due to rising cost pressures.

- 3.4 In February 2022, Council agreed to work with West Sussex County Council and continue to help support our most vulnerable working age families on Council Tax Support in a year when their income is likely to be adversely affected. The cost of the Council's contribution to fund the £150 scheme this year is estimated at £120k, although the exact amount will depend on how many working families apply for council tax support before 31 March 2022. This will be funded by the one-off Government grant of £141k, given to ensure the Council was no worse off in the settlement than the previous year. West Sussex County Council has not

**Expenditure pressures:**

- 3.5 Inflation and pay increases are the significant area of concern in our projections. We are seeing greater pay pressures in our professions and difficulties in recruitment and retention where the increase of home working means officers who would work for us to avoid the daily commute to London are now moving into consultancy or London-based jobs because they pay better. At the same time, the rising cost of living, together with fuel and energy price rises are affecting many staff. Some staff on the lowest grades are struggling to afford the commute to work.
- 3.6 The national pay award for 2022/23 is still being negotiated. So far, £1,925 per post and one additional day of holiday has been offered. This would be a double digit increase on the lowest grade, falling to 1.5% for the highest grade. Unions are balloting on industrial action, continuing their demands for increases of £2,000 per post.
- 3.7 The £1,925 per post would cost the Council £1.1m, albeit £225k is already included in the budget based on a 1.3% salary increase. This leaves an additional £880k unfunded, which is also then an additional budgetary pressure each year, every year, going forward. The Medium-Term Financial Strategy assumes an increase of 4% in 2023/24 adding a further £0.7m, falling to 3% increases by the end of the period on the assumption that the rate of inflation will eventually level off and reduce over the period. The impact over the four years is approximately £3m of additional expenditure that was not in previous MTFS models.
- 3.8 The impact of inflation on non-salary costs is harder to measure because there are many contracts with different price and inflation agreements and start dates throughout the year. The August 2022 CPI rate was 9.9% and RPI was measured at 12.3%, compared with 3.2% and 4.8% respectively 12 months earlier. Inflation in the 2022/23 budget and Medium-Term Financial Strategy in February was assumed at 3% each year. The Medium-Term Financial Strategy now assumes 6% in 2023/24 and then averaging 5% inflation, adding an additional £0.5m each year compared to before, resulting in a further £2m to the cost base over the period. This is the single largest risk factor in the economic outlook. Inflation may not fall back down to the 2% Bank of England target in the 2020s.
- 3.9 During the last 18 months, we have been working with consultants Ricardo on the options and estimated costs of food waste collection. The indicative cost is £1.3m for a 3, 2, 1 service where refuse is collected every three weeks, recycling and garden waste fortnightly and food waste weekly. The initial trial of 100 households has indicated that there is capacity within the standard 140 litre residual waste bin once food waste is collected separately.
- 3.10 The Environment Act 2021 became law in November 2021, introducing changes to waste collection so that recyclable household waste (which includes food waste)

must be 'collected separately from other household waste'. Food waste itself must be collected at least once a week. We are waiting for further details and confirmation of the exact timescales by which local authorities will need to change current arrangements to comply with the Environment Act. However, the indicative timescale in the consultation was by the end of 2024/25. Introduction is currently built into the Medium-Term Financial Strategy in September 2024, with the £1.3m impact spread over 2024/25 and 2025/26. This is one year later than estimated in February and delays the Council from spending £1.3m for a year, which can be put towards other inflationary costs.

**Income:**

- 3.11 The Medium-Term Financial Strategy models an indicative 2% Council tax increase per year, adding an increase in income of approximately £225k each year on average over the period. A 2% increase equates to approximately £3.25 each year for a band D equivalent on average over the period. Future referendum threshold levels are unknown but if the threshold cap limits the increase to a maximum 2% or £5 (3.1%), and cost inflation remains around 5% to 6% as forecast, then the funding gap widens each year.
- 3.12 As the number of people on Council Tax Support (CTS) increases, it reduces the income the Council collects from Council tax. An average of 2,765 working age families were on CTS during 2019. Current levels remain nearly 500 higher, though down from nearly 800 higher during the height of the pandemic. The Medium-Term Financial Strategy is weighted towards a gradual reduction of those on CTS over the period, but settling at a higher than pre-pandemic level. However, CTS numbers tend to go up in a recession.
- 3.13 Parking income has largely recovered to pre-pandemic levels in most areas, in part due to a price increase in 2022/23 helping to make up some of the difference of reduced dwell time. Season ticket income though has fallen as hybrid working has changed the frequency of the daily office commute. As a result of this, the Council has undertaken a review of its urban parking assets and elsewhere on the Cabinet agenda, proposes the decommissioning of London Road surface car park which was mainly a season ticket car park during the week.
- 3.14 The issue of water neutrality in the district is defined simply as development that takes place which does not increase the rate of water abstraction for drinking water supplies above existing levels. This affects the Local Plan, Neighbourhood Plans and Development Management. Planning income will become more uncertain the longer the water neutrality issue continues without a resolution. Whilst in the short term, the number of planning applications has not significantly fallen yet, very few applications have been determined. It may also reduce the speed in which the number of houses come through into Council tax.
- 3.15 Indication of a two-year settlement for 2023/24 and 2024/25 suggests a further delay on the future of business rates retention, which was consulted upon in 2019. We currently receive just over £2m of income as part of the annual settlement but expect this will reduce as part of any changes to the current business rates system which is attracting increasing calls for reform. The Medium-Term Financial Strategy now models a gradual reduction in funding from 2025/26. There is a risk that the change may be more pointed than that, removing more grant in a quicker timescale.
- 3.16 The current Medium-Term Financial Strategy does not take into consideration any future predicted costs of addressing the reduction of carbon in the district which are likely to be significant over the remainder of the decade to get close to achieving



the 2030 carbon neutral target. Implementing the action plan to achieve it will considerably impact the Council's financial position in the medium and long term. The carbon reduction plan will therefore need to be reviewed alongside the Council's decisions made in the revenue and capital budgets and the need to set a balanced budget, as is required by law, and which maintain sufficient reserve levels.

- 3.17 The unaudited usable Reserves as at 31 March 2022 are set out in Appendix 1. The 'real' level of general fund available for use is effectively £18.9m with £25.7m in earmarked reserves. This level of reserves is significantly above the minimum level of reserves set at £6m. However, this must be seen in the context of a potential £3.3m forecast budget gap by 2026/27 and also the significant infrastructure replacement and carbon costs that are anticipated during the rest of the 2020s set out in Appendix 3. This could cost as much as £41m on top of the £5m to £6m standard annual capital programme. The revenue impact from this additional capital expenditure has not yet been factored into the Medium-Term Financial Strategy but would be a further £0.1m p.a. in the early period, rising to as much as £0.35m p.a. from 2026/27 should the Council need to borrow. In addition, it is likely that some of the facilities would close for refurbishment. In the case of a leisure centre for example, it would reduce income through a reduction in management fee. Again, these have not yet been factored into the Medium-Term Financial Strategy but will need to be factored into the decision making.
- 3.18 Given the level of uncertainty about the Council's funding position and the strength of the reserves position it is proposed to not spend time drafting detailed significant savings proposals this autumn for 2023/24 unless Councillors are minded to not increase Council Tax next year. Councillors must also be prepared to consider increasing fees and charges at levels that are closer to inflation otherwise the net cost of services gap increases. If expenditure is increasing by an average of 6%, then income via fees and charges must also increase by around 6% to keep pace. This is of course more difficult as some of our customers are already feeling the effects of the rising cost of living and energy price increases, so a 3% average has been used in the basic projections.
- 3.19 If a two-year settlement for 2023/24 and 2024/25 is announced, and more details are available on food waste, carbon reduction and business rates, the Council will seek to review its income streams or draw on reserves for one year should it need to do so in 2023/24. Savings in 2024/25, if needed, may mean the closure or reduction of popular non-statutory public services, or investment that generates income if fees are not increased. This is because swift action taken in November 2020 during the Covid-19 pandemic which has put the Council in reasonable shape financially has stretched in terms of capacity to deliver services with current levels of staff. Further cuts could only be done if services were withdrawn.

### **Actions that could be taken and impact on the model**

- 3.20 Three key options are set out in Appendix 2b which, in combination, would help to close the forecast budget gaps. These are:
- Fees and charges increased at levels closer to inflation – modelled at 6% on average.
  - £5 added to garden waste each year rather than £2. This would still be competitively priced compared to our neighbouring authorities. Every £1 increase raises approximately a further £35k to £40k.
  - £5 council tax (approx. 3%) not 2%

- 3.21 Raising Council tax by £5 rather than 2% would generate a further £120,000 per year. It is also possible that Government may increase the cap threshold in the Settlement on a par with the Police who are able to increase their Council tax precept by up to £10, giving the Council further flexibility. Should the increase create a small surplus, this could be ringfenced to support the vulnerable and those who might be in need of cost-of-living support, as happened during 2022/23 when £0.3m was set aside from the 2021/22 surplus to support with fuel payments and a variety of discretionary payment schemes to help to people who were struggling financially.

### Other

- 3.22 Following a recent refurbishment which included the installation of many new energy efficient features, Blackbridge Community Centre is now available for public and private hire. The fees and charges per hour including VAT are set out below, along with a comparison of other Horsham venues. The community rate applies to bookings run by groups which are non-profit making, including charities and the NHS. The recommendations include approval for these fees and charges.

Venue	Standard rate per hr unless stated	Community Rate
Blackbridge Community Centre main hall	£35	£17.50
Blackbridge Community Centre upper floor	£25	£12.50
Drill Hall main room	£76.30	£52.70
Drill Hall side rooms	£26.85	£18.00
Park Barn Mon to Thurs	£28	n/a
Park Barn Fri to Sun	£30	n/a
Southwater Country Park visitor centre	£67 per day	n/a
Southwater Country Park visitor centre	£30 per evening	n/a
Chesworth Farm Studio	£12.50	n/a
Chesworth Farm Studio	£100 per day	n/a

## 4 Next steps

- 4.1 An updated Medium-Term Financial Plan will be brought back in November 2022 taking into account any further legislative, economic and financial developments. The garden waste fee for 2023/24 will be set at this meeting.
- 4.2 On 26 January 2023, the 2023/24 Budget will be taken to Cabinet to recommend approval at the 22 February 2023 full Council meeting where the Council Tax for 2023/24 will be set. The Medium-Term Financial Strategy will also be again updated at this time to take account of our settlement, if known at that date.

## 5 Views of the Policy Development Advisory Group and outcome of consultations

- 5.1 Whilst the meeting of the Finance and Assets Policy Development Advisory Group on 12 September 2022 was postponed as it was felt appropriate during the period of mourning for the death of Her Royal Highness Queen Elizabeth II, the report was circulated to the group and discussed via email. Members discussed the immediate and longer-term impact of expenditure pressures on the Medium-Term Financial

Strategy on 12 September 2022 together with the uncertainties and the implications to balance future budgets.

- 5.2 The Chief Executive, Directors, and Heads of Services have been involved in preparing the immediate budget forecast and are already thinking of ways to address the medium-term financial gap through fee charges and income. They are supportive of its contents. The Monitoring Officer has also been consulted during the preparation of the document and is supportive of its contents.

## **6 Other courses of action considered but rejected**

- 6.1 Making cuts to popular non-statutory services such as parks and countryside, planning enforcement and cultural and leisure services this autumn was considered. This was rejected because the scale of the proposed deficits in the future is very uncertain. While designed to protect services this approach does risk the Council having greater difficulties balancing its financial position in two years' time and this could have a damaging impact on reserves, unless income is increased through fees and charges.

## **7 Resource consequences**

- 7.1 Specific actions to address the financial gaps are not detailed in this report. Over the next few weeks, detailed budgets will be worked up as part of the budget setting process and a draft brought back in a later Medium-Term Financial Strategy that feeds into the November 2022 and February 2023 annual budget setting process.
- 7.2 The significant cost of infrastructure replacement and accompanying carbon reduction across the decade are not included in this financial plan. Adoption of the 2030 carbon neutral target and action plan to achieve it will considerably worsen the Council's financial position in the medium and long term. This together with the replacement of key infrastructure could cost as much £41m between now and 2030, as shown in appendix 3. On carbon improvement works done so far, as a rule of thumb, around one third of the costs might be attributable to carbon reduction.

## **8 Legal consequences**

- 8.1 The Council is required under the Local Government Finance Act 1992 to produce a 'balanced budget'. This report indicates the Council is able to get to a balanced budget for 2023/24 if income is increased through fees and charges, but may face difficulties in future years if it doesn't.
- 8.2 This report sets out the Council's current and expected financial position. The Director of Corporate Resources has a statutory duty, under Section 151 of the Local Government Act 1972 and Section 73 of the Local Government Act 1985, to ensure that there are proper arrangements in place to administer the Council's financial affairs.
- 8.3 The Local Government Act 1999 places a duty on the Council as a 'Best Value' authority to secure continuous improvement in the way its functions are exercised so as to secure economy, efficiency and effectiveness.

## **9 Risk assessment**

- 9.1 The Council's reliance on central government funding and balancing the Medium-Term Financial Plan is captured on the corporate risk register at CRR01. The risk on inflation and uncertainty in the economy reducing income is captured in CRR 19.

The risk registers are regularly reviewed and updated and is monitored at Audit Committee on a quarterly basis.

- 9.2 Many figures provided in this report are estimated at this stage. There is a risk that actual reductions in income and stronger expenditure pressures that the Council faces could increase the range of losses.
- 9.3 There is a moderate risk that customer habits will change for paid services such as parking and the cultural and leisure offers if customers reduce their expenditure as they struggle financially. This is especially so if fees and charges are raised by inflationary levels. Income might not therefore return to previous levels.
- 9.4 There is a moderate risk the Government's proposal for business rates reform will worsen the financial situation earlier or more deeply than current predicted.

## **10 Procurement implications**

- 10.1 There are no procurement implications arising from this report.

## **11. Equalities and Human Rights implications / Public Sector Equality Duty**

- 11.1 There are no equality or human rights implications arising from this report because there are no decisions for cuts in this report at this stage.

## **12 Environmental implications**

- 12.1 There are no environmental implications because there are no decision for cuts or growth at this stage of our budget development.

## **13 Other considerations**

- 13.1 There are no other considerations to take into account at this stage of developing the Medium-Term Financial Strategy.

## Appendix 1 – (unaudited) Reserves at 31 March 2022

Useable Revenue Reserves	Balance at 31.03.20 £000	Income / Expenditure 2020/21 £000	Transfer to / from other reserves 2020/21 £000	Balance at 31.03.21 £000	Income / Expenditure 2021/22 £000	Transfer to / from other reserves 2021/22 £000	Balance at 31.03.22 £000
<b>General Fund Balance</b>	<b>(15,662)</b>	<b>(18,433)</b>	<b>9,199</b>	<b>(24,896)</b>	<b>(5,556)</b>	<b>6,269</b>	<b>(24,183)</b>
New Homes Reserve	(4,671)	0	(4,831)	(9,502)	0	(3,083)	(12,585)
Health and Wellbeing	(308)	0	0	(308)	0	(27)	(335)
Council tax localism	(293)	0	0	(293)	0	0	(293)
Neighbourhood Planning Grant	(278)	0	11	(268)	0	0	(268)
s106 Reserves	(802)	26	0	(776)	(142)	0	(918)
NNDR Provision	(1,435)	0	0	(1,435)	0	(2,796)	(4,231)
Homelessness Prevention	(77)	0	(64)	(142)	0	(95)	(237)
Revenues & Benefits	(318)	0	(300)	(618)	0	(302)	(920)
Covid-19 Discretionary fund	(36)	0	(2,779)	(2,815)	356	707	(1,752)
Transformation fund	(377)	0	(12)	(389)	0	(4)	(393)
HDC Green Reserve	0	0	(695)	(695)	0	129	(566)
Leisure Reserve	0	0	(212)	(212)	0	212	0
Journey to Work	(211)	0	(78)	(289)	0	(75)	(364)
Covid 19 Outbreak Management Fund	0	0	0	0	0	(446)	(446)
IT Security	0	0	0	0	0	(100)	(100)
Community Fund	0	0	0	0	0	(250)	(250)
Other	(721)	105	(240)	(856)	0	(139)	(995)
<b>Other Earmarked Reserves</b>	<b>(9,528)</b>	<b>131</b>	<b>(9,199)</b>	<b>(18,596)</b>	<b>214</b>	<b>(6,269)</b>	<b>(24,651)</b>
<b>Sub-total</b>	<b>(25,190)</b>			<b>(43,492)</b>			<b>(48,834)</b>

The General Fund balances at 31 March 2021 and 2022 include Section 31 'collection fund' grant, compensating councils for business rates reliefs, but these funds flow back through the collection fund in the following year, and are really timing issues. The table below shows the 'true' position excluding these sums, and an explanation of the increase between years.

General Fund Balance	31st of March			Difference between 2021 and 2022
	2020	2021	2022	
GF total	15,662	24,896	24,183	
S31 collection fund		-7,950	-3,876	
'real' GF total		16,946	20,307	3,361
				2,111 surplus
				1,201 lower tier grant
				49 other

In June 2022, Cabinet and Council approved the use of £1.4m of the surplus in 2022/23 setting aside £1m to fight inflation, £0.1m transformation top up and £0.3m to support people on low incomes and the vulnerable, as well as supporting Young People in the district and residents struggling with rising costs. Therefore, the usable General Fund balance is effectively £18.9m.

## Appendix 2a – summary of high-level assumptions and changes

Area	February 2022 assumptions	September 2022 assumptions
Inflation cost non-salaries	3% increase per annum across the period. Risk rising.	6% average in 2023/24, drifting down to 5% across the period.
Income	2% increases in fees and charges – on average	3% increases in fees and charges on average [Note 2b assumes this to be nearer 6%, drifting down to 5% across the period]
Increase in salaries budget	1.5% per annum based on Government soundings on public sector wage price spiral.	£1,925 in 2023/24, then reducing from 4% per annum to 3% across the period.
Contribution to pension fund	18% which is baseline minimum. Pension Fund £31m asset at 31 March 2021.	No change. 18% which is baseline minimum. Pension Fund £36m asset at 31 March 2022.
Local Business Rates	Business Rates review triggering a significant re-baselining in 2023/24. Reducing our funding.	Business Rates review triggering a significant re-baselining in 2025/26. No worse off until then, but then reducing our funding.
Increase in Council Tax	2% per year for future years across the period.	No change. 2% per year for future years across the period.
Increase in Band D equivalent dwellings	Impact of water neutrality dampening housing numbers. 600 to 700 per year.	No change. Impact of water neutrality dampening housing numbers. 600 to 700 per year.
New Homes Bonus	Final previous legacy payments of £2.1m ending in 2022/23. Note: NHB does not feed into revenue - since 2018/19.	No change. Final previous legacy payments of £2.1m ending in 2022/23. Note that Council may receive Lower Service Tier grant instead in 2023/24 and 2024/25 to ensure Council is no worse off overall.
Minimum reserve level	£6m – no change.	£6m – no change.
Garden / food waste	Food waste from Autumn 2023. £1.2m for a 3,2,1 service. No funding included – as we don't yet know. No cap on prices (Risk £0.4m if £30 and £2m+ if free).	Food waste from Autumn 2024. £1.3m for a 3,2,1 service. No funding included – as we don't yet know. No cap on prices (Risk £0.4m if £30 and £2m+ if free).

Summary of key operational cost and income changes - basic					Assumptions			
	2023/24	2024/25	2025/26	2026/27	2023/24	2024/25	2025/26	2026/27
	£000	£000	£000	£000				
<b>Net cost b/fwd</b>	12,572	14,035	15,225	16,650				
Inflation	1,211	1,110	1,009	908	6%	5.5%	5%	4.5%
Salaries	716	626	537	537	4%	3.5%	3%	3%
Salary catch up	880	0	0	0	£1,925 less 1.3%	-	-	-
Fee increases	-767	-767	-767	-767	3%	3%	3%	3%
garden waste	-80	-80	-80	-80	£2	£2	£2	£2
Food waste	0	600	700	0				
Removal of 2022-23 one-offs	-140							
parking comes back a bit more	-300	-200	-150	-100				
Wilder Sussex / Horsham continues			170					
multitude of others	-57	-100	6	52				
<b>Predicted net cost</b>	<b>14,035</b>	<b>15,225</b>	<b>16,650</b>	<b>17,200</b>				
<b>Annual increase</b>	1,463	1,190	1,425	550				
<b>Additional Council tax increase</b>	-221	-227	-235	-243	2%	2%	2%	2%
<b>Annual net to find</b>	1,242	962	1,190	307				

## Appendix 2b – assumptions pushed on income

Summary of key operational cost and income changes - optimistic					Assumptions			
	2023/24	2024/25	2025/26	2026/27	2023/24	2024/25	2025/26	2026/27
	£000	£000	£000	£000				
<b>Net cost b/fwd</b>	12,572	13,149	13,580	14,374				
Inflation	1,211	1,110	1,009	908	6%	5.5%	5%	4.5%
Salaries	716	626	537	537	4%	3.5%	3%	3%
Salary catch up	880	0	0	0	£1,925 less 1.3%	-	-	-
Fee increases	-1,533	-1,405	-1,278	-1,150	6%	5.5%	5%	4.5%
garden waste	-200	-200	-200	-200	£5	£5	£5	£5
Food waste	0	600	700					
Removal of 2022-23 one-offs	-140							
parking comes back a bit more	-300	-200	-150	-100				
Wilder Sussex / Horsham continues			170					
multitude of others	-57	-100	6	52				
<b>Predicted net cost</b>	<b>13,149</b>	<b>13,580</b>	<b>14,374</b>	<b>14,421</b>				
<b>Annual increase</b>	577	431	794	47				
<b>Additional Council tax increase</b>	-344	-347	-352	-357	£5	£5	£5	£5
Annual net to find	233	84	442	-310				

### Key changes

- Fees and charges increased at levels of 6%
- £5 added to garden waste rather than £2
- £5 council tax (approx. 3%) not 2%



This would change the overall funding position and largely balance future budgets:

	<b>2023/24</b>	<b>2024/25</b>	<b>2025/26</b>	<b>2026/27</b>
<b>Table 1b: interim MTFS Sept 2022</b>	<b>£000</b>	<b>£000</b>	<b>£000</b>	<b>£000</b>
<b>Estimated net expenditure</b>	<b>13,150</b>	<b>13,580</b>	<b>14,374</b>	<b>14,421</b>
<b>Funding: Council Tax</b>	(11,147)	(11,602)	(12,110)	(12,630)
Baseline Business Rates	(2,052)	(2,052)	(1,850)	(1,650)
Other funding, Collection Fund (surplus) / deficit	(12)	(12)	(12)	(12)
<b>Total Funding</b>	<b>(13,211)</b>	<b>(13,666)</b>	<b>(13,974)</b>	<b>(14,292)</b>
<b>Net (Surplus) / Deficit</b>	<b>(60)</b>	<b>(85)</b>	<b>400</b>	<b>130</b>

### Appendix 3 – potential capital infrastructure and added carbon reducing costs during 2020s

Area	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	Total
Fleet vehicle replacement	1,155,000	945,000	250,000	1,000,000	1,500,000	4,000,000	4,500,000	350,000	<b>13,700,000</b>
Leisure Centres refurbishment				5,000,000	5,000,000				<b>10,000,000</b>
Commercial portfolio investment and carbon reduction	1,000,000	1,000,000	1,000,000	1,000,000	1,500,000	1,500,000	1,500,000	1,500,000	<b>10,000,000</b>
Capitol seating and revamp			2,500,000						<b>2,500,000</b>
Museum						350,000			<b>350,000</b>
Housing	150,000	150,000	150,000	50,000	50,000	50,000	50,000	50,000	<b>700,000</b>
Car park refurbishment	150,000	150,000	150,000	350,000	150,000	150,000	350,000	150,000	<b>1,600,000</b>
Office refurbishment / relocation	150,000						1,000,000	1,000,000	<b>2,150,000</b>
<b>Total</b>	<b>2,605,000</b>	<b>2,245,000</b>	<b>4,050,000</b>	<b>7,400,000</b>	<b>8,200,000</b>	<b>6,050,000</b>	<b>7,400,000</b>	<b>3,050,000</b>	<b>41,000,000</b>

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#### Notes:

- All costs guesstimated at this stage
- Circa £5m to £6m in the 'standard' capital programme (e.g. disabled facility / housing enabling grants) each year not included here
- Borrowing not assumed before 2026/27
- MRP 2% on average
- Borrowing costs estimated at 4%
  
- Averaged over the period 8 years, MRP circa £0.1m per annum
- Average over the five-year period (2026/27 to 2030/31), borrowing costs would add a further £0.25m per annum

## Report to Cabinet

29 September 2022

By the Cabinet Member for Finance and Parking



## DECISION REQUIRED

Not Exempt

### Decommissioning - London Road Car Park

## Executive Summary

In 2020, London Road surface car park in Horsham was closed to public users and the site was used as an NHS Covid-19 testing centre. The previous users of the London Road car park were accommodated elsewhere in the town.

There has been a sizeable shift towards more flexible parking habits from season ticket holders under hybrid working which are served by the remaining town centre car parks. In addition, since 2018, a growing number of customers have parked at the brand-new facilities at Piries Place carpark, enjoying the modern, clean environment and wider parking spaces. This also means season ticket spaces at Swan Walk are available.

Whilst some previous users have expressed a desire for the car park at London Road to return to its former use as it is convenient for them, the Council must take a strategic approach in reviewing all its parking assets and it is recommended to decommission the London Road Car Park and investigate alternative uses for the land.

## Recommendations

Cabinet is recommended to:

- Approve the decommissioning of the London Road Car Park and investigate alternative uses/options for the land.

## Reasons for Recommendations

- To ensure best possible use is made of council assets whilst meeting the needs of the public.

**Background papers** - none

**Wards affected:** Denne ward

**Contact:** Marc Rankin, Interim Head of Parking 01403 215178

## **Background Information**

### **1 Introduction and background**

- 1.1 London Road car park is a surface car park with 36 spaces for season ticket holders Monday to Friday and pay and display maximum stay of up to 2 hours on a Saturday and a pay and display £1.70 all day charge on a Sunday.
- 1.2 The car park was closed in 2020 so that the NHS could use the site for Covid-19 testing. Season ticket holders were offered spaces in other car parks, with many using Swan Walk. Across the urban car parking portfolio, there is plenty of capacity for car parking spaces, with a very small pinch point just before Christmas which happens annually.

### **2 Relevant Council policy**

- 2.1 The Council continues to provide quality, value for money services that people need throughout the 2020s and continues to manage our finances and assets prudently.

### **3 Details**

- 3.1 In the period since February 2022 when any remaining Covid-19 restrictions were lifted, the number of users parking in Horsham urban car parks has increased and now plateaued, averaging a utilisation rate of 26% in car parks with Automatic Number Plate Recognition and 83% for Season Tickets. These figures are averaged over a 24-hour period. Utilisation during chargeable hours is significantly higher, for example Swan walk has reached approximately 48% peak occupancy during the last three months, with peaks of up to 55% to 60% at pinch points such as Easter. It should be remembered that these peaks are transitory and there is still adequate capacity across the town centre carparks even at these times. Across the portfolio of urban car parks, there are approximately 55% vacant spaces at any one time on an average day.
- 3.2 In previous years, there is usually one significant pinch point in the year which occurs in December. The highest occupancy rate rises to around 92% at the highest point in the two weeks before Christmas.
- 3.3 Since 2020, the number of season ticket holders in the urban car parks has changed, as hybrid working changed some parking habits. The number of season tickets has decreased by 27% which is likely to be the result of office demand for nine to five Monday to Friday working changing. There is therefore adequate space available for the old users at London Road to relocate.
- 3.4 The strategic view across the entire urban car parking portfolio is that the London Road car park is surplus to requirements as the car parking spaces are not needed and therefore the car park does not need to re-open and can therefore be decommissioned.

## **4 Next steps**

- 4.1 Once the car park is decommissioned, officers will work on the options for alternative use of the land, bringing back a report to a subsequent Cabinet and Council meeting for any required decision making and budgets.

## **5 Views of the Policy Development Advisory Group and outcome of consultations**

- 5.1 The proposal was considered by the Finance and Parking PDAG on 12 September.
- 5.2 The comments of the Head of Property and Facilities, the Monitoring Officer and the Interim Director of Resources have been included in this report.
- 5.3 A number of previous season ticket users of the London Road car park fed back that they find the car park very convenient for popping in and out of the office.
- 5.4 The Methodist Church were consulted. They highlighted operational challenges, especially for people who are mobility impaired, who need to park close to the church to attend events. This problem is exacerbated by day-to-day unauthorised parking on their forecourt. Further discussions with the church and other stakeholders in London Road will continue as options are considered for an alternative use of the site.

## **6 Other courses of action considered but rejected**

- 6.1 London Road car park could re-open as a car park. However, this was rejected as there are other car parks in close proximity, including the three multi-storeys; Swan Walk, Piries Place, and the Forum, and the surface carparks of Jubilee, Pavilions, Parkside, North Street and BT exchange, which offer a variety of alternatives with enough capacity to accommodate those still wishing to park at London Road.

## **7 Resource consequences**

- 7.1 In 2019/20, the last full year it operated as a car park, the car park generated approximately £53k of income and £6k of costs, resulting in £47k net income. During 2020/21 and 201/22 and 22/23, the car park has not operated as a car park.
- 7.2 The decommissioning of the car park will not significantly affect the current budget however, as users have been parking elsewhere since 2020. There may be a small cost in securing the site so that people cannot use the site whilst an alternative use is identified and implemented. Decommissioning the car park may alter the business rates, which are approximately £7k per annum.
- 7.2 Decommissioning the car park in itself should not affect officer time, but officer time will then be spent investigating alternative uses for the car park, though this will be done out of existing staffing levels and budgets.

## **8 Legal consequences**

- 8.1 Parking in Horsham is regulated by the West Sussex County Council ((Horsham District) (Parking Places and Traffic Regulation) (Consolidation No. 2) Order 2006) (Civil Enforcement Regulations Consolidation) Order 2022 and The Horsham District Council (Off Street Parking Places) General Order 2006 (As amended).

- 8.2 The proposed car park closure will need to be advertised in the press and on-site pursuant to the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 and will constitute a variation to the West Sussex County Council ((Horsham District) (Parking Places and Traffic Regulation) (Consolidation No. 2) Order 2006) (Civil Enforcement Regulations Consolidation) Order 2022 and The Horsham District Council (Off Street Parking Places) General Order 2006 (As amended).
- 8.3 Such variation requires a minimum 21 days' public notice before bringing the changes into effect. The specifics of the variation come into effect at the determination of the notice period set out in the Notice of Variation. Subject to no objections being received, the car park closures will be reflected in the Car Parking Places Order by way of formal variation. In the event of objections being received these shall be considered.

## **9 Risk assessment**

- 9.1 There is a risk that no alternative use for the car park can be identified. In this case, the car park could be re-opened as a car park to prevent it from being an unused or derelict space.
- 9.2 There is a risk that Horsham may require more car parking spaces in the future. However, when a new Piries Car Park was being evaluated and built in 2017, an external consultant reported that capacity in Horsham was likely to be sufficient well into the 2030s, absorbing the predicted growth in housing and car usage habits of the time, and further development in the town centre attracting more vehicles into Horsham.

## **10 Procurement implications**

- 10.1 There are no procurement implications arising from this report.

## **11. Equalities and Human Rights implications / Public Sector Equality Duty**

- 11.1 There is no adverse impact on human rights or disability access in relation to these proposals and these proposals are considered to be consistent with the Human Rights Act 1998, the Equalities Act 2010 and the relevant Council policies related to them.

## **12 Environmental Implications**

- 12.1 No environmental implications are anticipated from the decision to decommission the car park.

## **13 Other Considerations**

- 13.1 There are no GDPR/Data Protection or Crime & Disorder consequences arising from this report.

## Report to Cabinet

29 September 2022

By the Cabinet Member for Environment and Rural Affairs

### DECISION REQUIRED

Not Exempt



**Horsham  
District  
Council**

## Support for Community Energy Horsham

### Executive Summary

This report proposes working with a newly formed resident led group, known as Community Energy Horsham, to install photovoltaic (PV) panels on suitable Council owned buildings. The group are backed by two other organisations who have considerable expertise in these types of projects. The finance for the purchasing, installing, and maintaining PV's (or other types of renewable technology) is raised by residents investing in the project. They receive a return on their investment. Therefore, no capital expenditure is required from the Council. The building occupier receives reduced price electricity via a Power Purchase Agreement.

Buildings for this model need to have a suitably sized roof, with the right orientation and sufficient day time electricity demand. Agreement to install the PV is via a roof licence. The Bridge leisure centre, at Broadbridge Heath, has been identified as having potential for this approach. Places Leisure, who are the tenant, have been approached and are supportive in principle. The Bridge would be used as a pilot. Hence, the report proposes in principle support for working with Community Energy Horsham to install PV. If The Bridge project is successful other suitable Council owned properties will be identified.

This approach would contribute to the reduction of carbon emissions from Council owned buildings. The Council would also help to promote the concept to other organisations and businesses that have suitable roofs. This would help to tackle climate change across the District. Increasing the take up of renewable technology is a cost-effective way of reducing carbon emissions. It also increases local energy security. Encouraging residents to invest also increases awareness of the advantages of installing renewable energy.

### Recommendations

That the Cabinet is recommended:

- i) To support Community Energy Horsham installing photovoltaics on The Bridge to pilot this approach
- ii) To support the principle of working with Community Energy Horsham to install renewable/low carbon technology and demand management technology on other Council owned buildings

- iii) Delegate approval for individual buildings to be part of this scheme and to enter into the appropriate legal agreements to the Director of Communities and the Cabinet Member for Environment and Rural Affairs.

### **Reasons for Recommendations**

The Bridge would be used to pilot the community energy model for installing PV, whilst supporting the principle of this approach, as well as delegated approval for the legal agreement, will allow further buildings to have renewable energy installed without the need to seek Cabinet approval for each building, therefore, speeding up the process.

### **Background Papers**

None

**Wards affected:** All

**Contact:** Helen Peacock, Environment Programme Manager 01403 215513



## **Background Information**

### **1 Introduction and Background**

- 1.1 The Council is committed to working with partners, residents, and businesses throughout the Horsham District to tackle climate change. Installing low carbon/renewable energy technology is a cost-effective way of reducing carbon emissions. A group of residents has formed Community Energy Horsham, to encourage the installation of these types of technology. They are initially focusing on the installation of photovoltaics (known as solar panels) on suitable roofs. These use light to generate electricity.
- 1.2 This report seeks approval for the principle of working with Community Energy Horsham by identifying suitable Council owned buildings for the installation of photovoltaics (PV). The Bridge, at Broadbridge Heath, has a suitable sized roof and sufficient electricity demand. It will be used as a pilot to test this approach but other buildings in the Council estate are likely to be suitable. In principle approval will allow the Council to work with Community Energy Horsham to install PV as more buildings are identified.

### **2 Relevant Council policy**

- 2.1 The Corporate Plan 2019-2023 includes the theme of a “Cared for Environment”. Section 4.1.3 states that the Council will work with partners towards becoming a carbon neutral District.

### **3 Details**

- 3.1 Community Energy groups are a tried and tested model, with approximately 200 groups currently operating across the UK. Some have been very successful in raising finance and installing renewable energy in their communities. For example, Bath and West Community Energy, which was established in 2010, has raised £16 million since its inception and has installed 5 solar farms, roof-top solar on 11 schools and 4 community buildings.
- 3.2 Community Energy Horsham has been formed by interested local residents. It is backed by two other organisations with considerable expertise in this area. Energise South supports community energy groups across the south of England. It carries out much of the technical work associated with these renewable energy projects. Energy4All is a co-operative with 23 staff that supports a network of community energy groups.
- 3.3 Community energy models work by encouraging residents to invest in the project for 25 years. Investors have generally received a 4% return on their investment (but this is not guaranteed). The community share offer raises the funding required to purchase the panels, and to cover their installation and maintenance costs. Hence, there is no capital cost to the building owner or tenant. The roof owner, or tenant, receives reduced price electricity via a Power Purchase Agreement.
- 3.4 For this model to work the roof has to be pitched, large (a minimum of 200m<sup>2</sup>) and have the right orientation (not north facing). The building occupier needs to use a

minimum amount of electricity per annum, and a significant proportion of this usage needs to be during the day, as this is when the panels will generate electricity.

- 3.5 Community Energy Horsham identified The Bridge as a building with a suitable roof and electricity demand. This building is owned by the Council but operated by Places Leisure. Initial discussions have been held with Places Leisure on this concept and they are interested in this approach, particularly given the current high cost of energy. The Bridge will be used as a pilot because it is technically easier to deliver because the building is new, and the Council has a close operational relationship with Places Leisure.
- 3.6 If the scheme works successfully at The Bridge, officers will work with tenants of other buildings in the Council's portfolio to seek to arrange similar opportunities. Having completed a pilot, it will be easier to illustrate the benefits and to understand technical and legal challenges that may arise.

## **4 Next Steps**

- 4.1 Alongside the implementation of installing PV at The Bridge, the Council will evaluate other buildings within its estate that meet the criteria for Community Energy Horsham. The scheme will also be promoted to other organisations and businesses that might have large roofs and suitable daytime electricity demand. This will be a part of a District wide approach to increase the installation of renewable technology across the District which is an important element in tackling climate change.

## **5 Views of the Policy Development Advisory Group and Outcome of Consultations**

- 5.1 The Environment and Rural Affairs Policy Development Advisory Group considered the report at its meeting on 12<sup>th</sup> July 2022. The group were supportive of the projects and reflected that using this approach on Council buildings would be an incentive for other building owners to get involved. The group also discussed the merits of the Council investing directly and noted that may be instances where this would be a viable option.
- 5.2 The Interim Director of Resources, Head of Legal and Democratic Services and the Head of Property and Facilities have been consulted on the report. Their suggested amendments have been incorporated into the report.

## **6 Other Courses of Action Considered but Rejected**

- 6.1 The main course of action that was considered but rejected was not working with Community Energy Horsham to install PV. This was rejected because the proposed approach has several advantages:
- it will reduce carbon emissions from Council owned buildings
  - it will reduce electricity costs for the occupier
  - generating electricity locally contributes to energy security
  - encouraging local residents to invest raises awareness of the advantages of renewable energy

- Installing PV on buildings throughout the District through this model will make an important contribution to tackling climate change across the area.

6.2 Another option is for the Council to purchase and install PV panels. There is no financial advantage to the Council where it is not paying the energy bills. In the case of The Bridge, Places Leisure, will receive reduced electricity costs. However, where the Council owns and operates services from the building, the financial costs and benefits will be determined before deciding whether to install the panels directly or via Community Energy Horsham.

## **7 Resource Consequences**

- 7.1 There are no direct financial implications from installing PV via Community Energy Horsham, as the organisation purchases the panels, as well as paying for the installation and maintenance. There may be a minor increase in insurance costs.
- 7.2 The main implication is staff time, which will be needed to identify suitable Council owned buildings and to enter into the roof licence. Existing staff have the capacity to undertake this work.

## **8 Legal Considerations and Implications**

- 8.1 Section 2(1) of the Local Government Act 2000 permits local authorities to do anything they consider likely to promote or improve the economic, social, and environmental well-being of their area. The proposal in this report would bring environmental and economic benefit, through reducing carbon emissions and reducing energy costs.
- 8.2 At a national level the Climate Change Act 2008 (2050 Target Amendment) Order 2019 set a legally binding target for the UK to become net zero by 2050. Local initiatives to reduce carbon emissions contribute to this national target.
- 8.3 The agreement to install the PV panels is via a licence. Where there is a tenant in the building there would need to be a tri-party agreement and if there is a period where the building was not occupied, the risk is carried by Energise South. Liability for any damage to the roof is covered by Energise South, which has to meet the cost of repairs. The licence will need to include terms to ensure that the Council or Places Leisure are able to arrange ongoing maintenance and repair of the roof (including replacement).

## **9 Risk Assessment**

- 9.1 The risk to the Council from the proposal in this report is low. Most of the risk lies with Community Energy Horsham and its partner organisations. For example, that the finance raised through the share offer does not cover all of the costs of the project. If this were to occur and the panels need to be removed, Energise South would cover these costs

- 9.2 There is a risk that not enough local residents invest in the project. However, this can be mitigated by Energy4All expanding the share offer beyond the Horsham District. This approach has always been successful in the past. The Council will support the promotion of the share offer to residents within the District.
- 9.3 The main risk to the Council is if it decides to redevelop the building where the PV is installed. In this instance the Council will need to pay compensation due to the early termination of the agreement (this would be in place for 25 years). The Council will need to ensure that it is only nominating buildings where there is a minimal prospect of redevelopment. As The Bridge is less than four years old, the risk is very low.

## **10 Procurement implications**

- 10.1 Advice from the Procurement Team and the Head of Legal and Democratic Services is that there are no procurement implications from the proposals in this report. This is mainly because the only agreement would be via the roof licence, and this would constitute an exemption as per 54.9(e) of the Horsham Procurement Code

## **11. Equalities and Human Rights implications / Public Sector Equality Duty**

- 11.1 There are no equalities and human rights implications from the proposal in this report.

## **12 Environmental Implications**

- 12.1 The proposal will have a positive environmental impact, as the use of PV to generate electricity reduces carbon emissions. This will contribute to reducing the Council's carbon footprint and help to tackle climate change. An approximate estimate suggests that 22 tonnes of carbon will be saved per annum over a 25 year period (not including the carbon from manufacturing the panels).

## **13 Other Considerations**

- 13.1 There are no crime and disorder implications from the proposals in this report. Only energy data will be shared with Community Energy Horsham, so there are not GDPR/Data Protection implications.

## Report to Cabinet

29 September 2022

By the Cabinet Member for Housing and Public Protection



### DECISION REQUIRED

Not Exempt

#### Housing Register and Nominations Policy revisions

### Executive Summary

Horsham District Council adopted its new Housing and Homelessness Strategy in October 2021. As part of the strategy 2021-2026, five overall objectives that the Council committed to assist us to tackle the challenges surrounding housing and homelessness in the Horsham District were identified.

The objectives are:

1. Ensure no-one needs to sleep rough through having no other choice
2. Empower residents to live independently in their homes
3. Deliver the number and size of affordable homes that our communities and residents need in line with planning policies
4. Provide and maintain an accessible and fair housing register
5. Prevent all forms of homelessness for our District's residents

Objective 4 relates to our housing register and more specifically about ensuring our approach to allocating permanent accommodation through our Housing Register and Nominations Policy continues to make the best use of the accommodation made available to the Council. The purpose of this report is to propose changes to the Council's Housing Register and Nominations Policy in order to improve the process used to meet the housing needs of those who require housing with the Horsham District.

Following a review with staff and stakeholders a number of changes have been proposed. The proposed changes are:

- Prioritise transfer (Registered Provider tenants) cases into new build properties
- Reduce verification visits for transfer (Registered Provider tenants) cases
- Increase areas of choice, specifically within Horsham Town
- Increase the disqualification income criteria from £30k to £40k for single person households
- Add reasonable preference category for Domestic Abuse (DA) victims who only have a connection to one area and having to flee there
- Enable the Council to discharge the homeless relief duty into Part 6 accommodation

Additional small changes to the policy are:

- Awarding additional preference to households for those under occupying family sized properties
- Awarding additional preference to households with a child in need plan in place
- Updating the wording surrounding refugee support
- Clarification of the definition of an applicant

## **Recommendations**

Cabinet is recommended to:

- i) Approve the proposed changes and recommend to full Council that the revised Housing Register and Nominations Policy is adopted.

## **Reasons for Recommendations**

- i) To ensure the Council fulfils its statutory responsibility of having a current Housing Register and Nominations Policy.

## **Background papers**

Housing and Homelessness Strategy – 2021-2026

Housing Register and Nominations Policy August 2021

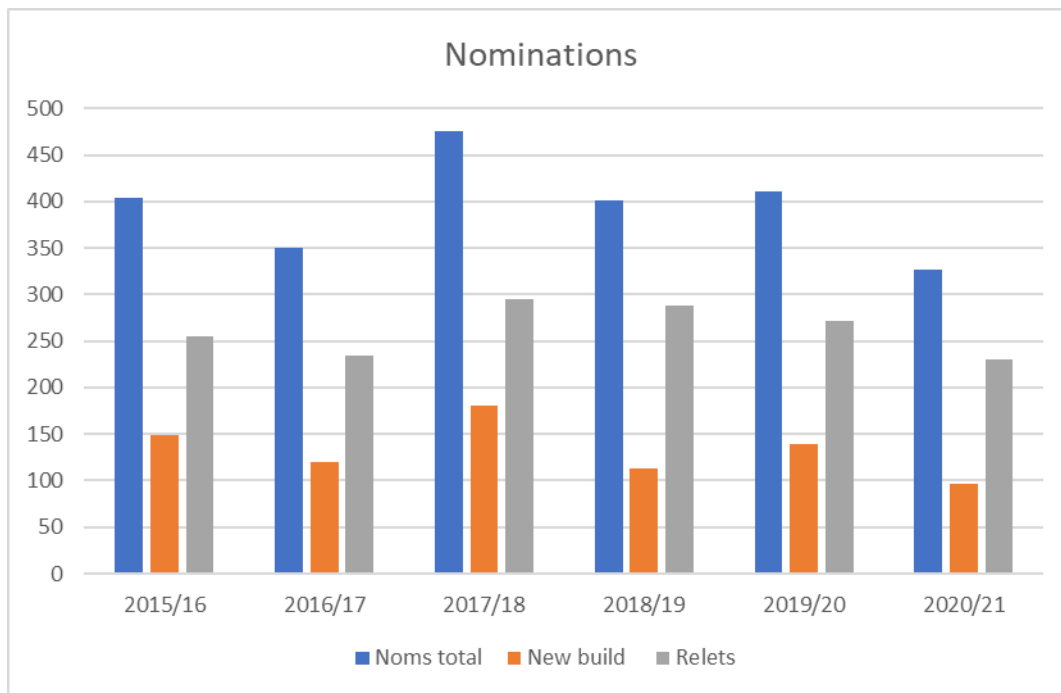
**Wards affected:** All wards affected

**Contact:** Kendra Barrington, Housing Services Manager – 01403 215554

## Background Information

### 1 Introduction and background

- 1.1 The Housing Register and Nominations Policy was substantially reviewed in 2013. This change saw the removal of households with a desire to move and roughly halved the number of households on the housing register. In subsequent years the number of households with a housing need has steadily increased.
- 1.2 In terms of the objective to provide and maintain an accessible and fair housing register, the Housing Management team (Head of Service, Housing Services Manager, Senior Homeless Officer, Senior Allocations Officer and Senior Accommodation Officer) have reviewed a number of options to improve the Council's Housing Register.
- 1.3 The main challenges associated with leaving the housing register as it currently is:
  - The number of households on the Housing Register has grown considerably over the last few years, and we are expecting this trend to increase as the effects of the Covid-19 pandemic are felt.
  - The needs of those on the Housing Register are changing, with greater need for middle and larger sized properties and flexibility to ensure longevity in the properties.
  - Trying to predict and forecast needs for the future is hard, but this is important to ensure that developers are building houses that will suit the needs of the current housing register but also the likely needs of the same population when the developments will be completed.
  - There is likely to be a shortage of supply of new homes that does not keep up with the increase in demand. This could be due to the delays in having an adopted Local Plan and possible additional challenges for developers in respect of meeting water neutrality demands placed upon them.
- 1.4 The Council provides nominations to Registered Providers (RP's) through existing and new build accommodation. The numbers of new affordable homes is directly linked to the number of S106 development sites being delivered in the district and smaller land led sites delivered by Registered Providers partners. Historically we have supported RP's to uplift the numbers of affordable homes with funding through our S106 (Commuted Sums) fund which provide additional homes to be allocated to those on the housing register.
- 1.5 On new build schemes we receive 100% of the initial lets and 75% of relets in perpetuity. On accommodation transferred to Saxon Weald through the stock transfer from which they were created in 2000 we receive 50% of void properties. The only difference to this is if the council creates the void by transferring an existing RP tenant, in which case the Council will receive the void property that has been created.



- 1.6 As a snapshot, in November 2021 it was deemed that there were around 340 transfer cases on the housing register. This equates to around 42% of the housing register being transfer cases.
- 1.7 Households on the housing register can select as many or as few areas of choice across the district which is currently divided into 33 areas. Housing officers will identify the number of bedrooms a household needs given their circumstances and will nominate a household to the right sized property in an area of their choice when one becomes available. This is done in band and band date order as per the Housing Register and Nominations Policy.
- 1.8 As part of the application and nomination process, we undertook a telephone verification at the beginning when an application is received. This is followed up by a verification home visit prior to a nomination to an RP taking place. This currently happens with all housing register applications, even those transferring between properties belonging to the same RP. During Covid-19 restrictions we undertook telephone verification and had applicants provide the documents needed to confirm family makeup, income/savings, medical and tenancy details. It is suggested to implement this type of verification to transfer cases going forward. We still need a form of verification as it provides an opportunity for an applicant to be "prepped" for nomination. This includes checking and confirming areas of choice, expectations and their readiness to move swiftly.

## 2 Relevant Council policy

- 2.1 The Corporate plan, a strong, safe, and healthy community within which we increase the supply of affordable homes and reduce rough sleeping.

## 3 Details

- 3.1 In trying to ensure anyone in need has the opportunity for safe and secure housing, we have already completed the following:



- Implemented a new housing system, Housing Jigsaw, to speed up and make the process of applying to join the housing register easier.
- Worked to the timeframes set out in legal agreements to shortlist applicants for new vacancies.
- Continued to work to the criteria set out in the Housing Register and Nominations Policy in terms of banding and eligibility.
- Continued to support the armed forces community in the district by awarding additional preference to eligible households applying for housing, as we committed to by signing the Armed Forces Covenant.
- Provide accurate reports to Registered Providers and developers of the level of demand for different types of affordable accommodation in specific areas within the district.

3.2 A renewal application form was sent to each household on the housing register (apart from those in temporary accommodation) which required an update on their housing situation. The purpose of this is two-fold, ensuring the most up to date information and contact details are held and confirming if they are still in housing need. By February 2021 there was a 14% reduction in numbers on the housing register as a result of updated information being provided. We are currently exploring the frequency in which to renew households' housing register applications, plus the most efficient way to do this. We would like to use the Council's custom built housing system, Housing Jigsaw, to do this and are currently working with the developer to achieve this.

3.3 The changes that are being proposed are:

3.3.1 **Prioritise transfer cases into new build properties** – As the Council is facing a shortage of new build properties for the next 2-3 years, we would like to maximise the number of properties given to the Council. This will increase the amount of nominations for those on the housing register as every new build nomination generates at least two tenancy starts rather than one. We must work with our RP colleagues to ensure that they know the new process.

3.3.2 **Reduce verification visits for transfer cases**– RP's are best placed to know their tenants best. As such if a tenant is transferring between RP properties it is proposed that we no longer undertake a full home visit verification visit. Instead, we would complete a phone call verification assessment and have relevant documents provided to enable the nomination to take place. This replicates how verification as undertaken during COVID restrictions. We will also work with our RP's to ensure that they are also checking in with their tenants to help them to move into their new property with minimal disruption.

3.3.3 **One offer of accommodation** – We are recommending reducing the number of suitable offers made to households on the housing register from two to one. All offers must be suitable in accordance with Part VI of the Housing Act but it is considered that having two offers of accommodation a) encourages households to refuse suitable offers in the hope the second offer might provide an enhancement over the first offer, b) doesn't support the reality that demand overwhelmingly outstrips demand, c) provides an additional administrative burden upon the team to provide further nominations to refused properties. We will communicate with the

customer at all points of the housing application process to ensure that they are fully aware of the implications of refusing a suitable property without good reason.

- 3.3.4 Increasing areas of choice, more specifically within Horsham Town** - To enable households to have more choice on their location within our largest town we will change Horsham Town from being split into two areas into five areas enabling more choice. The change would see Horsham Town amended from East and West five areas made up of Denne, Forest, Trafalgar, Holbrook, Roffey. This will reduce refusal rates. When this change has been made, to monitor the amount of customers accessing the Council's housing register to ensure that the already oversubscribed housing register is not being stretched further.
- 3.3.5 Increase the disqualification income criteria** - The introduction to the housing section of the Council's draft local plan states that house prices are 13 times greater than the median income. The average wages for females in 2021 was £35.6k and males was £37.5k. With this in mind we propose to increase the disqualification criteria from £30k for singles to £40k (£60k to remain for couples). This will better reflect wages in the Horsham District and allow more people to access the housing register in reasonable preference bands. When this change has been made, we will monitor the number of customers accessing the Council's housing register to ensure that the already oversubscribed housing register is not being stretched further.
- 3.3.6 Reasonable preference for Domestic Abuse victims who only have a connection to one area and having to flee there** - As part of the Domestic Abuse Act 2021 it is recommended that Councils make adjustments to housing policies to accommodate victims of domestic abuse that are having to flee their homes as a result of abuse. If a household does not have a local connection to any other area and can't return, they shouldn't be disqualified from the housing register, especially as in homeless legislation local connection can't apply to those fleeing Domestic Abuse. We will ensure that our partners including Safe In Sussex and Worth Services are made aware of this change to prove that we are embracing the new law in further accommodating Domestic Abuse victims that only have a local connection to one area and that are having to flee there.
- 3.3.7 Discharge the homeless relief duty into Part 6 accommodation** – We are proposing to reduce the number of cases that proceed through the homeless process that have had a suitable offer of accommodation made to them. This will allow the Council to discharge homeless duties for those to refuse suitable affordable accommodation at the relief duty stage, meaning they will not progress on to main duty and stay in temporary accommodation for long periods. This decision will be explained to the customer within a legally challengeable letter.

## **4 Next steps**

- 4.1** The proposed changes have been subject to consultation. All Registered Provider partners operating within the district were contacted for their views of the proposed

changes in addition to a consultation document being live on the Councils website throughout the summer.

- 4.2 There will be a phased implementation of the proposed changes if agreed by Council with some requiring system updates such as the changes to areas of choice.
- 4.3 The proposed changes have been subject to an Equality Impact Assessment which is attached in appendix A.
- 4.4 Cabinet is recommended to approve the changes to the Housing Register and Nominations Policy which will be presented to Council for their approval. All comments and amendments will be considered as appropriate.

## **5 Views of the Policy Development Advisory Group and Outcome of Consultations**

- 5.1 The above proposals were presented to the Housing and Public Protection Policy Development Advisory Group on 26 April 2022 and shared via e-mail with group members following the postponement of the PDAG scheduled for 13 September 2022. Members were supportive of the proposals and understand that the Council has a small number of properties to offer and they will be allocated appropriately to those in need in band and band date order, considering the needs of the applicant in terms of size, area of choice and medical needs.

## **6 Other courses of action considered but rejected**

- 6.1 Giving households the option of choosing flats, houses, bungalows etc. The Housing Service felt that by giving households too much choice, void periods for flats would increase as most households would like a house or a bungalow. Also, for areas that do not have much affordable housing stock, it would be impossible for someone who chose a specific property type to be housed.
- 6.2 Discharging the main housing duty for homeless applicants into the private rented sector - It was felt that this is not a long-term solution for housing and that the cycle of homelessness would increase. Whilst some successfully manage private rented accommodation, we also support a vulnerable client group that cannot manage tenancies without significant assistance. It was felt that by forcing customers into private rented properties this would not improve the Council's relationship with private landlords or tenants.
- 6.3 Prioritising temporary accommodation applicants into new build properties – it was felt that this would incentivise the idea of applying to the Council as homeless if the outcome following the homeless approach was a new build property, therefore the department decided it was better to prioritise transfer cases from RP accommodation.

## **7 Resource consequences**

- 7.1 There are no staffing consequences at this stage as the review of the policy in the first 18 months will be met within the current staffing structure. There will be cost

implication of £500 as we will need to write out to all households on the Council's housing register to ask for their revised areas of choice in Horsham. There will also be a cost implication to changing the areas of choice as our case management system will be £625. Both can be absorbed within existing budgets.

## **8 Legal considerations and implications**

8.1 Section 166A(1) of the Housing Act 1996 (as amended) ('the Housing Act 1996') requires every local housing authority to have a scheme for determining priorities and the procedure to be followed in allocating housing accommodation. 8.2

Section 166A(14) of the Housing Act 1996 requires that a local housing authority shall not allocate housing accommodation except in accordance with its allocation scheme.

8.3 Section 166A(12) of the Housing Act 1996 also provides that Local Housing Authorities must, in preparing or modifying their allocations scheme, have regard to: a) their current homelessness strategy under section 1 of the Homelessness Act 2002 and b) their current tenancy strategy under section 150 of the Localism Act 2011.

8.4 Relevant documents for the purposes of Section 166A(12) of the Housing Act 1996 are Horsham District Council's Tenancy Strategy, Housing Strategy and Homelessness Prevention Action Plan and regard has been given to them in the preparation of the Housing Register and this Nominations Policy, referred to as 'the HDC Nominations Policy'.

## **9 Risk assessment**

9.1 There are no risks associated with this change

## **10 Procurement implications**

10.1 There are no procurement implications.

## **11. Equalities and Human Rights implications / Public Sector Equality Duty**

11.1 All equality groups are affected as clients on the Council's housing register are vulnerable by virtue of their various housing needs. The changes to the housing register are not considered to be directly or indirectly discriminatory as these are changes that reflect the shortage in affordable housing and give a more realistic view.

## **12 Environmental implications**

12.1 There are no environmental implications.

## **13 Other considerations**

13.1 There are no other considerations.



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## Report to Cabinet

Cabinet Meeting 29 September 2022  
By the Cabinet Member for Housing and Public  
Protection



### **DECISION REQUIRED**

Not Exempt

## **Approval of Business Case for Horsham District Homes for affordable homes in Dukes Square, Horsham**

### **Executive Summary**

In March 2019, Cabinet approved the creation of two companies for the purpose of providing affordable rental housing in the District. Horsham District Homes Limited (HDH), development company, and Horsham District Homes (Holdings) Limited (HDHH) were both incorporated in 2019.

Horsham District Council is the sole shareholder of HDH. The shareholder agreement for HDH reserves certain matters for Cabinet approval, including the approval of business cases for projects and approval of any loans to be made by the Council to the companies.

The Directors of HDH have prepared this business case setting out an opportunity that requires the approval of Cabinet. The opportunity consists of a development of eight homes in Dukes Square, Horsham. The details of the transactions are set out in the body of this report and in appendix 1. A summary of the illustrative financials is set out below:

Transfer value for the project*	£1,560,000
Net rental income	£62,400 per annum
Yield	4%
Market value of the homes	£2,130,000
Ratio of transfer value to market value	73%
*to be financed with s106 commuted sums	

These figures are illustrative. The final figures will be settled when the contract sum has been agreed with the contractors.

Cabinet is recommended to approve the business case, so that the Directors can secure planning consent and tender the construction contract, and to delegate authority to the S151 officer and Cabinet Member for Finance and Parking to approve the final figures forming part of the final business case.

### **Recommendations**

That the Cabinet is recommended:

- i) To approve the business case for the construction of eight homes for affordable rental on MT garage in Dukes Square, Horsham by Horsham District Homes Ltd.
- ii) Delegate authority to the S151 officer in consultation with the Cabinet member for Finance and Parking to approve the final business case, subject to the transfer value not being in excess of £1.6m.

## **Reasons for Recommendations**

Approval of the recommendations will allow the Directors of the housing company to progress the planning application and obtain a contract sum.

## **Appendix 1**

Business case for the development of affordable homes at Dukes Square, Horsham

## **Background Papers**

None

**Wards affected:** Denne

**Contact:** Brian Elliott: Head of Property and Facilities 01403 215328

NB Brian Elliott has been appointed by the Council as a Director of HDH



## Background Information

### 1 Introduction and Background

- 1.1 Horsham District Homes Limited (HDH) is a company owned and controlled by Horsham District Council which was established for the purpose of delivering affordable rented accommodation in Horsham District. The objectives of the company, as detailed in the business case, are to (a) increase delivery of affordable housing (b) make the best use of s106 Commuted Sums and (c) provide a financial return to the Council to reinvest in the District.
- 1.2 The Shareholders Agreement for HDH set out a number of shareholder consents, which are used to control the activities of HDH. These consents include the approval of business cases for projects to be delivered by HDH and the approval of loans to be provided by the Council to HDH and any approval of s106 grant funding.
- 1.3 The Directors of HDH are seeking Cabinet approval to undertake the project as detailed in the business cases set out in Appendix 1 and the purpose of this report is to recommend consent to these proposals.

### 2 Relevant Council policy

- 2.1 The 2019 to 2023 Corporate Plan sets out the Council's strategic objectives and includes creating great places for people to live and work and creating a strong safe and healthy community. Paragraph 3.2.2 of the corporate plan states the objective of using the Council's affordable housing company to build affordable homes in areas of high demand.

### 3 Details

- 3.1 The details of the proposals are set out in Appendix 1, which sets out an opportunity at Dukes Square, Horsham
- 3.2 The business case for the establishment of HDH focused on direct development as the primary delivery mechanism for affordable housing on low cost/no cost land owned by the Council. The business case for HDH included financial illustrations that suggested a yield of 5% on net rental income and a transfer value of c55% of open market value, which is in line with transfer values in the registered provider sector. These were optimum targets and returns will vary between projects and over time. It is therefore to be expected that transactions may deliver higher or lower returns depending on the circumstances and it may be that 4.5% is a more realistic target. The average level of return across this project is 4.0%, which is considered to be appropriate for this development given that it is small unit scheme in a town centre location.
- 3.3 The opportunity at Dukes Square is a direct development to be undertaken by HDH. The financial details of the project are set out below:
- 3.4 **Dukes Square, Horsham.** This is a development of six 1-bedroom properties and two 2-bedroom properties on the MT garage site in Dukes Square.

- 3.5 The local housing allowance rate, which is the 'benefit rate', for a 1-bedroom property is £172.60 and a 2-bedroom property is £218.63 per week. The total gross annual rent is therefore £76,590 per annum, which is reduced by an 18.5% allowance to cover voids, repairs, and management, to provide a net figure of £62,400 pa.
- 3.6 The business case and budget figures for Dukes Square indicate that the total development costs for the scheme will be £1.56m. A transfer from HDH to HDHH at this figure will mean that HDH will achieve a yield of 4.0%. A transfer price of £1.56m will be approximately 73% of market value. This is higher than the target in the original business case but these are high cost units as they are, in the main, smaller 1 bedroom units (see paragraph 3.2 above).
- 3.7 Included in the budget figures is a land transfer value estimated at nil which compares to an assumption of nil value in the business case for HDH. It is important to note that budget figures may be subject to change depending on the independent valuation, further site investigations and procurement of the contractor.
- 3.8 As of August 2022, the current affordable housing list for Horsham District has 748<sup>1</sup> households with 458 households identifying the relevant area of Horsham as an area of choice; of these 144 households are seeking 1-bedroom homes and 104 households 2-bedroom homes. Therefore, there is a clear demand for this type of property.
- 3.9 Horsham District Homes will aspire to develop these units to an Energy Performance Certificate (EPC) rating of A, depending on technical and price feasibility. If an EPC of A cannot be achieved, the minimum level acceptable to the Council is B. At a national level just 1% of new homes are EPC A and 81% of new homes achieve an EPC B rating. EPC A rated homes comprise 0.2% of housing stock (40,000 homes) and B rated homes comprise 2% of the existing housing stock at a national level. The properties will be all electric which is in keeping with future trends and will therefore be carbon neutral when generation of electricity is decarbonised.

## 4 Next Steps

- 4.1 Pre-planning advice will commence in November 2022 and it is expected that works will start on site in mid-2023 with a 12 month build period (subject to planning).

## 5 Views of the Policy Development Advisory Group and Outcome of Consultations

- 5.1 The proposal has been considered by the Finance and Parking PDAG and the Housing and Public Protection PDAG and member's comments have been incorporated in this report.
- 5.2 The **Interim Director of Resources** has been consulted and has drafted the resources consequences in this report and the Monitoring Officer was also consulted. None of these officers have a role within either housing company.

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<sup>1</sup> Figures correct at August 2022

5.3 Local members have been consulted as well as local stakeholders.

## **6 Other Courses of Action Considered but Rejected**

6.1 Not applicable

## **7 Resource Consequences**

7.1 The financial consequences for the housing company are detailed in the business case. The Council will benefit from the interest payments on the loan, as well as any dividend from the Housing Company on the rental income in the future. The interest could be as much as £40,000 over the build period, which should commence in 2023/24 and end in 2024/25. Income from the Housing Company to the Council will follow once the tenants are living in the units.

7.2 The financial impact of the loans in revenue and the capital programme will be included in the 2023/24 budget setting process in February 2023 and approved at full Council.

## **8 Legal Consequences**

8.1 The Council has incorporated an affordable housing company and the reserved matters are included in the shareholder agreement. The Council has general authority under the Local Government Act 2003 to undertake commercial activities.

8.2 Under the General Disposal Consent 2003, the Council does not require Secretary of State consent for disposals provided that the difference between the disposal price and market value is less than £2m and there are social, economic or environmental wellbeing benefits.

8.3 The Council has the power to give financial assistance relating to the acquisition, construction or management of any property as privately let housing where the Council is not the landlord. However, the Council will need to obtain Secretary of State consent under s25 of the Local Government Act 1988 to exercise this power. A s25 application will be necessary in the event that the agreed transfer value is less than the market value of the land for social housing, as in those circumstances a gratuitous benefit will have been created. At this stage it is not expected that the transfer value will be less than the social housing market value, but this will need to be revisited before the transfer takes place and appropriate steps will be taken to obtain Secretary of State consent if required.

## **9 Risk Assessment**

9.1 Normal risks associated with property development including budgets being exceeded and programme not being met. These will be mitigated by the employment of suitably qualified external professionals and procurement of contractors through the normal procurement processes.

## **10 Procurement implications**

10.1 Appointments of consultants and the contractor for the project will be in accordance with the Companies' reserved matters and the Council's Procurement Code and the Public Contract Regulations 2015 as applicable.

## **11 Equalities and Human Rights implications / Public Sector Equality Duty**

11.1 There are no equalities and human rights implications associated with this report.

## **12 Environmental Implications**

12.1 The environmental targets are set out in paragraph 3.9 above.

## **13 Other Considerations**

13.1 There are no other considerations under GDPR/Data Protection or Crime & Disorder.

**Preliminary business case for Horsham District Homes Limited**

**Dukes Square, Horsham**

**Construction of 8 homes for affordable rent**

Executive Summary

The Council owns a public car park known as Dukes Square which is behind the Drill Hall, Denne Road, Horsham.

There are two buildings within the curtilage of the proposed development site, the MT garage, which is a redundant store and at end of life, and the QM Studio, which is an older style building used by a popular local charity.

The whole of the site has been looked at in a comprehensive way, with a view to understanding and releasing the full potential of the site. However the site is not fully available because of the QM studio use, which would need to be relocated to achieve a comprehensive development solution.

Therefore, it is proposed to approach the site as a phased development with a small scheme of 8 units on the MT garage site comprising phase one and a second phase on the land occupied by the QM Studio should that site become available in the future.

Phase one is straightforward to deliver. Phase two is more complicated because to secure planning consent, policy 43 of the local plan would require the relocation of QM Studio to suitable alternative premises. This would have a significant cost and without a cost-effective alternative solution, a unit would have to be built for QM studio on the site, which would increase construction costs by at least £750,000.

A summary of the illustrative finances for phase one is set out below:

Transfer value for Phase One*	£1,560,000
Net rental income	£62,400 pa
Yield	4%
Market value of the homes	£2,130,000
Ratio of transfer value to market value	73%

\*To be financed with s106 commuted sums

This is a small unit scheme in a town centre location and therefore the cost of construction is high. The ratio of transfer value to market value is higher than other developments undertaken by Horsham District Homes (73% compared to an average so far of c62%) and the yield is sharper at 4% (compared to an average so far of 4.6%).

The opportunity to develop phase 2 will continue to be monitored and that part of the site would be brought forward in the future if circumstances allow.

### Location

The site comprises land in Dukes Square, Horsham, which is currently used as a car park, as identified on the location plan in appendix 1.

The close proximity of the site to Horsham town centre and easy rail access to London and the south coast makes this a popular area for households on the affordable housing list.

The current affordable housing list for Horsham District has 748<sup>1</sup> households with 458 households identifying Horsham as an area of choice; of these 144 households are seeking 1-bedroom homes and 104 households 2-bedroom homes.

### The Site

The land is owned freehold by Horsham District Council.

There is a restriction on the title of this land in favour of the previous owner, the Ministry of Defence (MOD), which means that it can only be used for community purposes, or for affordable housing and/or temporary accommodation. If it were to be developed for market housing, then 90% of the enhancement in the land value would pass to the MOD. This covenant depresses the value of the land and makes the site ideal for development as affordable housing.

In accordance with s123 Local Government Act 1972, the Council is under a duty to obtain the 'best value reasonably obtainable for the land' and an independent valuation will be secured by the Council prior to a disposal for transparency purposes. However, this land is worth less than £2m and is therefore within the threshold of the Local Government Act 1972 General Disposal Consent, which allows the Council to approve a disposal at an undervalue provided that the disposal is likely to contribute to the social, economic or environmental well-being.

The Council has the power to give financial assistance relating to the acquisition, construction or management of any property as privately let housing where the Council is not the landlord. However, the Council will need to obtain Secretary of State consent under s25 of the Local Government Act 1988 to exercise this power. A s25 application will be necessary in the event that the agreed transfer value is less than the market value of the land for social housing, as in those circumstances a gratuitous benefit will have been created. At this stage it is not expected that the transfer value will be less than the social housing market value, but this will need to be revisited before the transfer takes place and appropriate steps will be taken to obtain Secretary of State consent if required.

At this stage, the residual value of the site (which will establish the transfer value of the land from HDC to HDH) may change, because the proposal is at feasibility stage and further work is required to achieve cost certainty and reduce financial risk.

### Development Opportunity

This is an urban site, presently used as a car park. The site has a narrow access via a single car width road leading from Denne Road into the site and the cost of improving this access has been included in the appraisal.

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<sup>1</sup> Figures correct at 12<sup>th</sup> September 2022

There are a number of occupied buildings around the perimeter of the site, which will continue to operate during the construction phase. These include aged care facilities. This means that access will be required across the site for the duration of the works, including access for emergency services, deliveries and some parking.

There are two possible phases for the redevelopment of the site, one utilising MT Garage only and the other utilising the site occupied by QM Studio.

a) Phase One – Immediate opportunity

The MT garage. This is a portal frame building with corrugated cement board cladding. The building is at end of life and is operationally redundant. There are no barriers to demolishing this building.

b) Phase Two – Recommended to be undertaken at an undetermined future date

QM studios. This is a brick-built building with a corrugated cement board roof. Although the building is towards the end of its physical life, it is fully utilised for community purposes. The occupier, QM Studios, have fitted out the building and operate a charity which provides community music recording services and practice facilities, with a focus on people with learning disabilities. The charity is successful, with strong local support. This use is captured by policy 43 of the Local Plan and would therefore need to be relocated, in the close vicinity, before the building could be released for redevelopment. The cost of this means that phase 2 is not viable at the present time.

Phase One: Eight units

This is an eight-unit residential scheme, which can be achieved by redeveloping the MT garage only. This would involve demolition of the MT Garage and creation of a new two storey residential block comprising 8 flats; 2x2 bedroom units and 6x1 bedroom units. The ground floor units could be adapted for use by residents with restricted mobility.

The budget figures indicate that this would be viable. The total income generated by this scheme would be £62,400 pa net of allowances for repairs and management and the capital value would be c£1.56m assuming a yield of 4%. The cost of construction is estimated to be about equivalent to the capital value.

Phase one would not materially impact on parking in Dukes Square, apart from temporary loss of spaces during the contract period.

Summary of finances

<b>Total project costs</b>	<b>Phase One</b>
Number of units	8
Build costs – residential	1,250,000
Contingency	74,000
Fees	125,000
Finance costs	40,000
Developers Profit	71,000
QM Studio relocation	0
<b>Total Project costs</b>	<b>1,560,000</b>

	<b>Phase One</b>
Purchase Price	1,560,000
Gross rental income	76,580
Net rental Income	62,400
Management costs	18.5%
Net Yield	4%
<b>Transfer value of housing</b>	<b>1,560,000</b>
<b>Residual value of land</b>	<b>nil</b>
<b>Plus relocation costs for QM</b>	
<b>Net yield on total project costs</b>	<b>4.0%</b>

### Analysis of development options

The budget figures outlined above are initial appraisal figures only. There are cost risks in these figures, in particularly, the following:

- Demolition costs and presence of asbestos
- Services diversion and upgrade costs
- Ground conditions
- Negotiation in relation to any third-party rights over the site (including QM Studio)
- Planning conditions
- Water neutrality costs
- Sustainability costs
- Transfer value from Horsham District Homes to Horsham District Homes Holdings Limited
- Cost inflation and other normal construction risks

Many of these risks are development risks manageable through design or other adjustments to the project. Some of the risks, such as services costs and ground conditions, need to be identified at the design stage, as they can significantly impact on viability.

A yield of 4% is at the lower end of expectations and reflects the higher open market values in a town centre location. The average value of the affordable housing is £195,000 per unit compared to an average open market value (OMV) of c£266,000. The restricted value is 73% of OMV. The open market value figures are £345,000 for a two-bedroom flat and £240,000 for a one-bedroom flat.

### Sustainability and water neutrality

Horsham District Homes will aspire to develop these units to an Energy Performance Certificate (EPC) rating of A, depending on technical and price feasibility. If an EPC of A cannot be achieved, the minimum level acceptable to the council is B. At a national level just 1% of new homes are EPC A and 81% of new homes achieve an EPC B rating. EPC A rated homes comprise 0.2% of housing stock (40,000 homes) and B rated homes comprise 2% of the existing housing stock at a national level. The properties will be all electric which is in keeping with future trends and will therefore be carbon neutral when generation of electricity is decarbonised.

Solutions for water neutrality are in the course of being identified.



### Funding terms

It is recommended to fund the development by the Council making a loan to Horsham District Homes Limited equal to 95% of the construction costs, on a drawdown basis. The loan would be on the same terms as previously approved loans to the company, which have been made under the Agreement between the Council and Horsham District Homes, signed 27 January 2021. The headline terms would be:

Loan Amount	Up to £1.5m over the build period
Interest rate	currently 6.5% (agreed rate is 4% above base rate which is subject to change)
Repayment	Repayable to the Council on completion of the development and transfer of the land to Horsham District Homes (Holdings) Limited

The business case for the affordable housing company provides for the completed development to be sold to Horsham District Housing (Holdings) limited at a fair market price for affordable homes, which is presently estimated at £1.56m.

The transfer sum will be funded by s106 commuted sums, presently held by the Council for these purposes. When the transfer takes place between Horsham District Homes and Horsham District Homes (Holdings) Limited, the development finance will be repaid in full.

### Recommendation

It is recommended to approve the site for redevelopment and to progress the proposal for phase one to create 8 affordable homes.

Based on the current budget estimates, Horsham District Homes will generate a net income of £62,400 per annum which would deliver a net return of 4% (following payment of loan interest to the Council) on the transfer value of the properties. The transfer sum of c£1.56m will be funded from commuted sums, which have been paid by developers to the Council for the provision of affordable homes.

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## Report to Cabinet

29 September 2022

By the Cabinet Member for Horsham Town



**Horsham  
District  
Council**

### **DECISION REQUIRED**

Not Exempt

## **Use of 'A' Boards and other Advertising Structures on the Highway - Policy, Guidelines and Enforcement Procedure (The 'A' Boards Policy)**

### **Executive Summary**

The 'A' Boards Policy provides a set of comprehensive guidelines and advice as to the number, size, positioning and management of 'A' Boards and other advertising structures on the highway.

This follows representations from ward members and Denne Neighbourhood Council on the effect the current arrangements for A-boards are having on general accessibility around the town centre and a negative visual impact. The draft policy has been developed to balance the needs of businesses and pedestrians and to address visual impacts.

### **Recommendations**

That the Cabinet is recommended:

- i) to recommend to Council to approve the 'A' Boards and other Advertising Structures on the Highway - Policy, Guidelines and Enforcement Procedure.

### **Reasons for Recommendations**

- i) to set out the policy and procedure for dealing with items placed upon the highway, (which includes the highway verge, footpaths, paved areas and pavements) and/or attached to highway property.
- ii) to ensure public safety and the free passage for pedestrians along footpaths and the highway.

### **Background Papers**

Consultation summary and attendant commentary is attached at Appendix B

**Wards affected:** All

**Contact:** Clive Burley, Corporate Project Manager: 01403 215236

## **Background Information**

### **1 Introduction and Background**

- 1.1 Following representations from local wards members and Denne Neighbourhood Council about the number, type and positioning of 'A' Boards and other advertising structures, the Cabinet Member for Horsham Town requested the drafting of an appropriate policy to balance the needs of traders and ensure public safety and the free passage for pedestrians along footpaths and the highway.

### **2 Relevant Council policy**

- 2.1 The 'A' Boards policy aligns with and supports the following Corporate Plan policies; A great place to live, A strong, safe and A healthy community and a cared for environment. In particular, both our built and natural environments are highly valued and will be well managed to keep our District an attractive place to live and work.

### **3 Details**

- 3.1 West Sussex County Council has responsibility as the 'Highway Authority' and as landowner to manage the highway. Representations were received from the Royal National Institute for the Blind to West Sussex County Council and Horsham District Council in 2017 about the number of 'A' Boards within the town centre and the difficulties this presented in being able to move about safely.
- 3.2 In response both Council's worked together to ensure that those 'A' Boards causing the most obstruction were either removed or relocated. This involved about 32 premises. Since then the number of 'A' Boards has increased and with it more obstruction to free passage.
- 3.3 Since 2017 the number and type of advertising structures placed on the highway has increased to the detriment of pedestrians and the visual amenity of Horsham town centre.
- 3.4 Many other Councils have adopted 'A' Board policies to deal with an over proliferation of advertising structures on the highway. A review was undertaken of existing 'A' Board policies in developing a Horsham specific policy as attached at Appendix A.
- 3.5 The policy seeks to:
- Create a street environment which compliments premises-based trading but is not unduly cluttered.
  - Be sensitive to the needs of residents, provides diversity and consumer choice.
  - Enhance the character, ambience and safety of local environments.
  - Ensure safe and unimpeded public access along pavements and footways.
  - Prevent the use of 'A' Boards in locations where they cannot be appropriately sited.
  - Ensure compliance with legislation relevant to the siting of 'A' Boards on public land, and

- Ensure that the 'A' Board policy guidelines are applied fairly, reasonably and consistently across Horsham Town and the wider District as resources allow.

## **4 Next Steps**

- 4.1 The Council will seek to make an agreement with West Sussex County Council, as the Highway Authority, to allow the Council to act to deal with obstructions on the highway in line with the 'A' Boards policy.
- 4.2 The Council will advertise, promote and work with the Horsham Business Initiative and town centre traders to seek voluntary compliance with the 'A' Boards policy.

## **5 Views of the Policy Development Advisory Group and Outcome of Consultations**

- 5.1 Consultations have taken place with the Horsham Town Centre PDAG on the initial draft policy and following the receipt of consultation responses from local stakeholders.
- 5.2 The comments from the Monitoring Officer and Interim Director of Resources are incorporated in this report.
- 5.3 Additionally, consultations have taken place with other local stakeholders, including Horsham Town wards' members, North Horsham Parish Council, Denne, Forest and Trafalgar Neighbourhood Councils, the Horsham Society, Horsham Town Community Partnership, Horsham Older Peoples Forum and Swan Walk who are all broadly supportive. A summary of the consultation responses and commentary is included in Appendix B.

## **6 Other courses of action considered but rejected**

- 6.1 Do nothing: A 'do nothing' option would not deliver the following policy benefits:
- Create a street environment which compliments premises-based trading but is not unduly cluttered.
  - Be sensitive to the needs of residents, provides diversity and consumer choice.
  - Enhance the character, ambience and safety of local environments.
  - Ensure safe and unimpeded public access along pavements and footways.
- 6.2 Encourage WSCC to take action to manage "A" boards - The County Council does not have the resources to effectively manage 'A' Boards on highway land on an ongoing basis. A one-off operation to manage 'A' Boards in 2017 resulted in 32 boards being either removed or relocated.

## **7 Resource consequences**

- 7.1 There are no resource consequences. Monitoring and enforcement of the 'A' Boards policy will fall within the existing duties of the Neighbourhood Warden and Planning enforcement services. Any additional demand placed on these teams will be monitored.

- 7.2 It is intended to promote the 'A' Boards policy provisions to achieve voluntary compliance from traders where necessary. The 2017 operational review of 'A' Boards was achieved voluntarily.

## **8 Legal Considerations and Implications**

- 8.1 Display of goods and A-boards can block the free flow of pedestrian passage, create obstacles to persons with disabilities and pushchair users, produce an untidy appearance and cause conflict between neighbouring traders. Any obstruction of the highway is an offence under the Highways Act 1980 and the Highway Authority also has a duty under Section 130 of the Highways Act 1980 to assert and protect the rights of the public to the use and enjoyment of any highway for which they are the Highway Authority.
- 8.2 The Highways Act 1980, subsection 132, allows the 'Highways Authority' to remove 'A' Boards and other advertising structures if consent of the landowner has not been obtained.
- 8.3 The Local Government Act 1972, Section 101, gives power to a local authority to arrange for the discharge of their functions by any other local authority. Horsham District Council will seek a delegation of highway enforcement powers from West Sussex County Council to act on its behalf to ensure 'A' Boards and other advertising structures do not obstruct the highway.
- 8.4 Additionally the Council can use its powers under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 to ensure 'A' boards are sited correctly in compliance with Schedule 2 – The Standard Conditions.

## **9 Risk assessment**

- 9.1 There are no medium or high risks. The promotion and enforcement of the 'A' Boards' policy should reduce the associated risks of badly sited A boards where they may cause an obstruction.

## **10 Procurement implications**

- 10.1 There are no procurement implications.

## **11. Equalities and Human Rights implications / Public Sector Equality Duty**

- 11.1 The impact of the 'A' Boards policy will be to improve access and movement around our town and village centres for all and in particular people who experience visual impairment.

## **12 Environmental implications**

- 12.1 There are no environmental implications.

## **13 Other considerations**

13.1 None.

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## APPENDIX A

### Use of 'A' Boards and other Advertising Structures on the Highway - Policy, Guidelines and Enforcement Procedure (The 'A' Boards Policy)

#### 1. Purpose

- 1.1 To set out the detail and reasons for Horsham District Council's ("the Council") 'A' Board Policy. The use of the term 'A' Board refers to all types of structures for advertising on the highway, such as For Sale/Let Boards and flag banners.
- 1.2 To set out the procedure for dealing with items placed upon the highway, (which includes the highway verge, footpaths, paved areas and pavements) and/or attached to highway property within the district. It does **not** apply to:
- Boards on private property, including privately owned shopping centre areas.
  - The placing of tables and chairs on the highway.
  - Banners, hoardings, skip and scaffolding, which are licensed by application.
  - Street trading and other licensed activities.
  - Motorcycles and bicycles parked on footways and, or chained to railings/street furniture.
  - The placing of trade waste bins and waste containers on footways.

#### 2. Rationale

- To ensure public safety and the free passage for pedestrians along footpaths and the highway.
- To seek an improvement in the visual amenity of the street environment by the controlled use of 'A' Boards and other items on highway land.
- To ensure that powers contained within the legislation to tackle 'A' Boards are applied fairly and consistently.
- Work with all users of the footways to reach an inclusive policy to meet their needs.
- Work with traders to promote their businesses in a way which improves the street scene, increases footfall and allows pedestrians to move freely through a clear, obstacle-free network of streets.
- Ensure the safe and free movement of pedestrians especially the visually impaired and people with other disabilities.
- Ensure that the powers contained within the Highways Act 1980 and Road Traffic Regulation Act 1984 Town and Country Planning Act 1990 and Town and Country Planning (Control of Advertisements) (England) Regulations 2007 are applied fairly and consistently, and in the public interest.
- To ensure a consistent districtwide policy

#### 3. 'A' Boards Policy and Guidelines

- 3.1 The Council wants Horsham Town and the District to be both attractive, easy to use and accessible for all. Over the years the number and size of 'A' boards displayed by businesses on pavements and footpaths has increased and in some instances excessively so. This means that pedestrians, disabled people, particularly people with visual impairment, and people with pushchairs sometimes have difficulty getting around them. 'A' Boards can also affect road safety and visibility if inappropriately sited.
- 3.2 It should be noted that the Royal National Institute for the Blind made representations to West Sussex County Council and Horsham District Council in 2017 about the number of 'A' Boards within the town centre and the difficulties this presented in being able to move about safely. At the time both Council's worked together to ensure that those 'A' Boards causing the most obstruction were either removed or relocated. This involved about 32 premises. Since then the number of 'A' Boards has increased and with it more obstruction to free passage.
- 3.3 It is important that the number, size and position of 'A' Boards on the pavement are controlled so that they do not become unreasonable and cause difficulties for pedestrians. However, we recognise that they are one way for businesses to communicate with shoppers and visitors.
- 3.4 This policy seeks to:
- Create a street environment which compliments premises based trading but is not unduly cluttered.
  - Be sensitive to the needs of residents, provides diversity and consumer choice.
  - Enhance the character, ambience and safety of local environments.
  - Ensure safe and unimpeded public access along pavements and footways.
  - Prevent the use of 'A' Boards in locations where they cannot be appropriately sited.
  - Ensure compliance with legislation relevant to the siting of 'A' Boards on public land, and
  - Ensure that legislation is applied fairly, reasonably and consistently across Horsham Town and the wider District.

**This Policy is not intended to override advertisement controls, and users are advised to seek independent advice from the planning team.**

#### **4.0 'A' Board Guidelines**

- A. Any business must only display one "A" Board<sup>1</sup> and place it directly against the building frontage so that an absolute minimum pavement width of 1.8m is kept clear for pedestrians. Boards should be professionally produced and kept in a good condition to the benefit of the business and general visual amenity. Businesses who have a [Temporary tables and chairs licence](#) are not permitted to display an 'A' other than in accordance with that licence.

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<sup>1</sup> The use of the term 'A' Board in this policy denotes all types of structures used for advertising on the highway.

- B. In some locations where there is a high pedestrian flow the Council may require a greater clearance width. This is to ensure that there is no obstruction or danger to any highway users
- C. In pedestrian areas, these principles will generally apply although the special nature of these areas means that each case will be considered on an individual basis as a route for emergency vehicle access is normally required in pedestrian areas – a minimum clearance of 3.5m.
- D. 'A' Boards must not be any bigger than 0.6m wide and 1.1m high. They should have a solid base, where possible, so that they can be tapped by a visually impaired person using a long cane.
- E. 'A' Boards must be stable and not weighed down by sandbags/heavy objects. It must not have any sharp edges. Rotating boards are prohibited for safety reasons.
- F. Where multiple occupancy premises share joint accesses, only one board will normally be considered appropriate per frontage (such as arcades and courts). However, alternative options may be considered such as a larger shared board. Council advice should be obtained in the first instance by contacting the Duty Planning Officer between 10am – 1pm (Mon-Fri) on 01403 215187.
- G. Boards must be taken off the highway, as a precaution, during periods of severe weather (Met Office Amber and Red warnings), less they blow over causing damage, injury or impeding access.
- H. 'A' Board type structures must not be fixed permanently onto the highway or chained/tied to street furniture. 'A' Boards must be temporary in nature so they can be easily removed in their entirety at the end of each trading day.
- I. Colour and Design: Strong colours enhance in small quantities; too much and the effect is overpowering. To achieve impact a sign or advertisement should contrast with its background but it should not overwhelm it.
- J. Vibrant colours can be appropriate in commercial areas to add excitement, but will not be appropriate in more sensitive areas such as Conservation Areas or close to Listed Buildings where more traditional subdued 'period' colours and type-faces should be provided, with modestly sized lettering and well-balanced design.
- K. The design of the 'A' Boards must not be distracting or confusing to motorists.
- L. For Sale/To Let boards/Banners placed on the highway will not be permitted.
- M. Signs which are purely promotional rather than informative, for example, a sign bearing wording advertising a "Sale" or "Special Offer", are discouraged in favour of a sign bearing the name of the company or organisation owning or operating in the premises.
- N. No electrical supply or illumination will be considered on the highway where it constitutes a highway hazard and in such circumstances 'A' Board type structures must be non-illuminated.
- O. All businesses are legally liable for any claims of damage or injury, caused by displaying 'A' Boards on the highway. Compliance with these guidelines will not relieve owners of their responsibility and they will be advised to have a Public Liability

Insurance cover of £5 million for any such claims and be able to produce a copy of a valid policy when requested to do so. The Council will not be liable for any injury or damage caused.

- P. 'A' Boards must not obstruct sightlines of vehicle drivers, nor block visibility for pedestrians.
- Q. 'A' Boards will not be allowed on highway verges, central reservations, roundabouts and busy traffic junctions.
- R. 'A' Boards must not be put out before 9am to assist regular street cleaning. They must be removed from the street when the property is closed or other street cleansing or highway work is taking place.
- S. 'A' Boards may need to be removed or relocated during events or to permit street maintenance and street works or for other reasonable cause. Any additional requirements by the Council, the Police or Emergency Services, including removal of any items, must also be complied with.
- T. Hazard considerations: An 'A' Board would be considered a hazard if it obstructs visibility; its content or appearance might distract the attention for a period of sufficient duration to endanger the viewer; it might create glare and dazzle the viewer; it obstructs, overshadows or distracts the attention away from highway, signs, signals or beacons.
- U. Any unauthorised material attached to any street furniture will be removed immediately without any Notice being given and to be disposed of accordingly.
- V. Display of goods outside premises, within Horsham Town Centre, is not permitted and instead an appropriate type 'A' Board, advertising and promoting the trader's business, or an attractive and alternating shopfront display should be considered.

## **5.0 Compliance and Enforcement**

- 5.1 Any breach of this policy will be investigated by Council officers and the following enforcement action(s) may be taken:
- 5.2 Businesses found to be using an 'A' Board / advertising structure in breach of the guidelines will be notified of this policy and asked to comply which may include the service of formal letter.
- 5.3 'A' Boards/advertising structures not complying with the general guidelines, within one month of the service of a formal letter, will be removed by the Council and the business informed that they have 28 days, thereafter, to reclaim the board and pay the associated charge of £70. Any 'A' Board not collected after the 28 day period will be disposed of. However, 'A' Boards that constitute an "immediate" danger, hazard or obstruction will be relocated or removed from the highway immediately.
- 5.4 In the case of persistent offenders or commercial concerns that the Council feels has an impact on the street scene, consideration will be given to seeking a criminal prosecution. Where appropriate any costs incurred by the Council in pursuing the above approach will be recovered from the business.

## 6.0 Advertisements and the Law

### [The Town and Country Planning \(Control of Advertisements\) \(England\) Regulations 2007](#)

- 6.1 'A' Boards' on highways (including footways) where vehicular traffic is prohibited will require express advertisement consent. Horsham Council's advertisement consent planning guidance can be viewed [here](#).
- 6.2 Regardless of whether local authority consent is required or not for a particular sign or other advertisement, **all** advertisements must comply with **Schedule 2 – THE STANDARD CONDITIONS**, as follows:
1. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
  2. No advertisement shall be sited or displayed so as to —
    - (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
    - (b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
    - (c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.
  3. Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.
  4. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.
  5. Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.
- 6.3 As most 'A' Boards are sited on the public highway permission must be obtained from the landowner West Sussex County Council as the Highway Authority. The County Council has agreed that Horsham District Council will take responsibility for considering requests to place 'A' Boards on the public highway and any necessary monitoring and enforcement actions.
- 6.4 Further information can be found within: [Government Guidance – Advertisements](#)
- [Town and Country Planning Act 1990](#)
- 6.5 Subsections 224, 225 and 225A to 225 E refer to the Enforcement of Control over advertisements.
- 6.6 S224 (3) If any person displays an advertisement without the necessary consent they would be guilty of an offence and liable to a fine not exceeding (£5,000), and in the case of a continuing offence, £500 (1/10th) for each day during which the offence continues after conviction.

## Highways Act 1980

- 6.7 The Highways Act 1980, subsection 132, allows the 'Highways Authority' to remove 'A' Boards and other advertising structures if consent of the landowner has not been obtained. The person erecting or displaying an 'A' Board would be guilty of an offence and liable to a fine not exceeding £2,500.

## APPENDIX B – CONSULTATION SUMMARY

	Respondent	Comments	Response & Recommendations
1	Cllr Peter Burgess	<p>Looks good - I have the following minor amendments to be considered:</p> <ol style="list-style-type: none"> <li>1. Para 4 D. Use the word "must" in place of "should", it is more absolute.</li> <li>2. Para 4 F. Same.</li> <li>3. Para 5. A pedantic point, but the sub para. 5.1. Actually applies to all the sub paras that follow. So, I suggest it is left in without being designated as 5.1 and subsequent items are renumbered.</li> </ol>	<p>Support welcomed.</p> <p>1. &amp; 2. Guideline D: Should not be any bigger than 0.6m wide and 1.1m high. <b>Delete 'should' and insert 'must'</b></p> <p>Paragraph amended</p>
2.	Horsham Town Community Partnership	<p>Excellent piece of work and urgently needed.</p> <p>We run mobility scooter skills and safety sessions in Horsham District and A Frames blocking footpaths are a big issue together with vehicles parked on pavements. Unless there is a dropped kerb nearby and it is safe to cross many trips out are abandoned.</p>	<p>Support welcomed</p> <p>Noted</p>
3	Horsham Trafalgar Neighbourhood Council	<p>Thanks for this. My only comment is that "discouraged" is a bit vague. Apart from that, it all seems reasonable.</p> <ul style="list-style-type: none"> <li>• Display of goods outside premises is discouraged in favour of an appropriate 'A' Board</li> <li>• a sign bearing wording advertising a "Sale" or "Special Offer", are discouraged</li> </ul>	<p>Support welcomed</p> <p>Disagree: Retain <b>discourage</b>. The primary aim of the policy is to inform and encourage policy compliance. It would not be the focus of any compliance activity to arbitrate on specific wording particularly as there many different advertising locations and contexts.</p>
4	Horsham Society	<p>Firstly, this is a very comprehensive policy and we believe that overall it is clear and fair. A lot of effort has gone into this, which we would like to formally recognise. This policy is much needed, however, the key</p>	<p>Support welcomed</p>

	<p>to its success will be how it is effectively administered.</p> <p>We wish to comment on the following points:</p> <p>4.0 J - Vibrant colours - Your intent is clear, but as written would rule out the use of certain colours in the main trading areas such as West Street, which is part of the Town Centre Conservation Area. Some modification of the wording would recognise the need of our thriving retail areas.</p> <p>N – As written does this mean that the use of electricity is allowed if it is not a highway hazard? Would it be better to put a full stop after Highway and delete ‘where it constitutes a highway hazard’, otherwise who decides whether it is a hazard?</p> <p>O – Should the words ‘they will’ or ‘owners’ be inserted in the third line? ‘..responsibility and .....will be advised to have.’</p> <p>V - Display of goods outside premises is discouraged... What does this actually mean? At present there are three shops in West Street that regularly place goods outside. What happens if that number is doubled, or trebled, or this extends into Middle Street? It should be noted that one of the three shops also has an A board. Another one of the shops displays goods in a number of advertising structures on the highway. This statement needs to more precise so that action can be implemented. If it is allowed to continue then a precedent, having been set, therefore applies to all businesses and the highway could easily become cluttered and unsafe.</p> <p>One other point regards the use of ‘should’. In points A, D, G, H, I, K, ‘should’ has been used. Whereas in other points</p>	<p>Policy as worded achieves an acceptable balance and does not prohibit wider colour choices.</p> <p><b>Yes:</b> Policy as worded achieves an acceptable balance. In some areas, outside built up areas, illumination may be appropriate. A hazard would be electrical wiring. Add clarification: <b>‘A’ Board type structures must be non-illuminated.</b></p> <p>Amend to include <b>‘they will be advised.....’</b></p> <p>Amend to Display of goods outside premises, within Horsham Town Centre, is <b>not permitted</b> and instead an appropriate type ‘A’ Board, advertising and promoting the trader’s business, or an attractive and alternating shopfront display should be considered.</p> <p>Guideline A. Amend to <b>‘must’</b> only display one “A” Board. Guideline D. Amend to <b>‘must’</b> not be any bigger than 0.6m wide and 1.1m high.</p>
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		<p>'not permitted' or 'not allowed' is used. Traders could disregard 'should', taking it as a guideline and therefore weakening the policy, having opened it up to be challenged.</p>	<p>Guideline H: Amend to '<b>must</b>' not be fixed permanently onto the highway.  Guideline I: Retain as '<b>should</b>' as colour/layout designs are subjective.  Guideline K: Amend to '<b>must</b>' not be distracting</p>
5	Horsham Denne Neighbourhood Council	<p>Denne NC is delighted that a policy on "A" Boards is imminent &amp; thanks for the opportunity for our members to comment.</p> <p>We agree with the majority of the document but would ask for some minor changes; I have attached a version showing our suggested amendments in red.</p> <p>However we would ask for one major change &amp; that is the title of the policy. Although "A" Boards are the major cause of concern at the moment we would like a more generic title for the policy to make it absolutely clear that it encompasses all forms of advertising on the highway. It seems counter-intuitive to go from the specific title to general forms of advertising in the text. If the title cannot be changed it needs to be made much clearer at various places in the document that "A" Board advertising encompasses flag banners, for sale signs etc.</p>	<p>Support welcomed</p> <p>Minor changes incorporated</p> <p>Agree: Amend title to: <b>Use of 'A' Boards and other Advertising Structures on the Highway - Policy, Guidelines and Enforcement Procedure.</b></p>
6	Horsham Older Peoples' Forum	<p>Thank you for consulting Horsham District Older Peoples Forum.</p> <p>We agree with Para 3.1 in the Draft Policy of 'A' Boards Policy that these boards are a hazard to pedestrians, the disabled, the visually impaired, wheelchair and mobility scooter users etc.</p> <p>The proliferation of the use of 'A' Boards is such that every shop now feels the need to have one displayed outside on the street to the point where they are no longer serving their intended purpose, simply merging with the background whilst being a</p>	<p>Noted</p> <p>Support welcomed</p> <p>Noted and agree, in principle, as they represent unnecessary street clutter that impedes movement and access and are visually intrusive within the historic town centre. Due to the number and proliferation of A Board structures it is considered doubtful</p>

		<p>hazard and an unnecessary obstruction. In our opinion, the overhead fixed hanging name Boards used by businesses i.e. to advertise their presence, are safe, easily seen and serve their purpose.</p> <p>We would prefer to see no 'A' Boards placed on the highway at all and thus without them, it would fully comply with Para 2 'Rationale' of the draft HDC Policy. It would be safer, fair, consistent and no one business would have an advantage over another.</p>	<p>that they achieve their primary purpose to promote businesses.</p> <p>The specific use of 'A' Boards and the wider policy should be reviewed in the future. It may be the case that either an outright or partial ban in certain areas may be considered appropriate following evaluation of the policy in practice. The policy as drafted seeks to make a balance between the needs of businesses and pedestrians.</p>
7	Horsham Forest Neighbourhood Council	<p>Thank you for asking Forest Neighbourhood Council to comment on the draft policy for A Boards. We have seen the comments that have been sent from Denne and Trafalgar Neighbourhood Councils and we would like to add the following:</p> <p>We are assuming that the policy applies to the whole of the district but when reading, it does appear to refer mostly to Horsham town. We would suggest that 3.2 third line reads "within the Horsham town centre". You may consider renaming the policy too?</p> <p>The footnote relating to the definition of A Boards at the bottom of page 2 should be incorporated into the policy itself as it is easily missed.</p> <p>Overall, this is a welcome document, making everything clearer and regularising a situation that has previously been abused.</p>	<p>Support welcomed</p> <p>Policy as drafted applies districtwide in case there are specific issues arising outside Horsham Town Centre. North Horsham Parish support a districtwide policy.</p> <p>It is at Para: 1.1 The use of the term 'A' Board in this policy denotes all types of structures for advertising on the highway, such as For Sale/Let Boards and flag banners.</p> <p>Support noted</p>

8	Swan Walk Shopping Centre - Manager	<p>The draft policy looks strong and details most eventualities. My comments would be as follows:</p> <ul style="list-style-type: none"> <li>• If all businesses are allowed one A board outside their premises the pavements/streets will still be pretty littered with clutter? Hard one to cover off from a fairness point of view though hence why we don't allow any the centre outside of store demise.</li> <li>• Above could be helped by only allowing certain messaging. If I read it right clause 4.0 M states that offers/product detail would not be allowed – just the business name? I would argue the opposite and that just the business name on its own adds no value to the economic vitality of the area and states the obvious. Many businesses already have a protruding sign at fascia level which is much more visible on a busy street/pavement. I would suggest that the policy should be designed to only allow/encourage tactical product and service offer/seasonal produce etc (absolutely not just Sale now on) that will then change quite regularly, may not always be out/appropriate depending on the seasons and be much more dynamic. It would also reduce the overall number of A boards I think as “Store X now open” would disappear?</li> <li>• Could be worth being specific on A board colour palettes too? I would suggest black and maybe a second option keeping it classic/neutral?</li> </ul>	<p>Support welcomed</p> <p>Noted and agree, in principle, as they represent unnecessary street clutter that impedes movement and access and are visually intrusive within the historic town centre. Due to the number and proliferation of A Board structures it is considered doubtful that they achieve their primary purpose to promote businesses. The specific use of ‘A’ Boards and the wider policy should be reviewed in the future. It may be the case that either an outright or partial ban in certain areas may be considered appropriate.</p> <p>Noted: Guideline M attempts to address gaudy Sale/Special Offer advertising and does not restrict other messaging.</p> <p>Noted: A specific colour who require a majority of existing boards to be changed without sufficient justification.</p>
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9	North Horsham Parish Council	<p>At the Parish Council's Planning, Environment and Transport Committee meeting held on 24<sup>th</sup> February 2022 it was agreed to support the A Boards Policy and for it to be upheld districtwide.</p> <p>The Committee would like you to be aware of these areas of concern;</p> <ul style="list-style-type: none"> <li>• Norfolk Arms Public House, Crawley Road,</li> <li>• The Star Inn Roffey, Crawley Road,</li> <li>• All shopping parades in the Parish area such as Fitzalan Road, Coltsfoot Drive, Bartholomew Way,</li> <li>• If the Café is established in Crawley Road, at Roffey Corner (DC/21/1806) has the potential to cause issues.</li> </ul>	<p>Support welcomed</p> <p>Note potential A Board issues/locations</p>
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## Report to Cabinet

29th September 2022

By Cllr Lynn Lambert, the Cabinet Member for  
Planning & Development

**DECISION REQUIRED**



**Horsham  
District  
Council**

Not Exempt

### **Community Infrastructure Levy Governance Arrangements in the three Neighbourhood Councils/unparished areas of Horsham Town**

#### **Executive Summary**

The Council adopted its Charging Schedule for Community Infrastructure Levy (CIL) on 26 April 2017 and implementation of the levy commenced on 1 October 2017 to allow funds to be raised from developers to pay for infrastructure that is needed to support growth. The Council has overarching responsibility for the allocation of CIL monies and reporting the amount of money collected and spent.

At the December 2019 Council meeting, a report setting out the Community Infrastructure Levy Governance Arrangements for the main CIL receipts was agreed. This report also discussed that the infrastructure needs in the unparished area of Horsham Town would be identified and prioritised through consultation with local members, neighbourhood councils and interested parties using a dedicated process which would later be established for that purpose.

The purpose of this report is to delegate the CIL Governance arrangements for the unparished area of Horsham Town to enable the Governance arrangements to be finalised and implemented.

#### **Recommendations**

That the Cabinet is recommended:

To agree to delegate the Governance arrangements for the prioritisation, allocation and spend of the unparished areas of Horsham Town CIL receipts to the Director of Place in consultation with the Cabinet Member for Planning and the Cabinet Member for Horsham Town.

#### **Reasons for Recommendations**

It is necessary to update the current CIL Governance arrangements to provide clarity, transparency and consistency in the collection, allocation and spending of CIL receipts within the three Neighbourhood Councils/unparished areas of Horsham Town.

## **Background Papers**

Report to December 2019 Council meeting on Community Infrastructure Levy Governance Arrangements

**Wards affected:** Denne, Forest and Trafalgar

**Contact:** Madeleine Hartley, Planning Compliance Team Leader, 01403 215168

## **Background Information**

### **1 Introduction and Background**

- 1.1 The Community Infrastructure Levy (CIL) is a charge which is payable on new development. Most new development which creates 100 square metres of floorspace or more, or creates a new dwelling, is liable for CIL. Horsham District Council implemented a CIL Charging Schedule in October 2017 which sets out the CIL rates applicable to development in our area.
- 1.2 Local planning authorities use CIL to fund ‘the provision, improvement, replacement, operation or maintenance of infrastructure to support the development of the area’. There is also a neighbourhood portion of CIL – ‘Local CIL’ – which is similarly able to fund infrastructure but can also fund ‘anything else that is concerned with addressing the demands that development places on an area’. Under ‘Local CIL’, a CIL charging authority must pass 15% of local CIL receipts to the parish council for the area where a CIL liable development takes place, rising to 25% if the parish has a Neighbourhood Plan in place. In unparished areas, the CIL charging authority can spend equivalent amounts in the locality, following engagement with local communities.
- 1.3 The governance arrangements for spending CIL funds and for delegating the prioritisation, allocation and spend of CIL receipts to the Director of Place were agreed by the Council in January 2020. These include the need for a project to have been identified in the Council’s Infrastructure Delivery Plan for it to be considered for CIL funding. Projects identified in the Infrastructure Delivery Plan are then prioritised and those of the highest priority for receiving CIL funding will be set out in a ‘CIL Spending Plan’.
- 1.4 These arrangements set out that infrastructure needs in the unparished area of Horsham Town would be identified and prioritised through consultation with local members, neighbourhood councils and the Blueprint Forum using a dedicated process which would later be established for that purpose.
- 1.5 This report therefore seeks an agreement for the delegation of the CIL governance arrangements for the prioritisation, allocation and spend of CIL receipts collected from chargeable developments within the unparished area of Horsham Town.

### **2 Relevant Council policy**

- 2.1 The Corporate Plan identifies key priorities that have been grouped and presented under five broad headings which cover our economic, environmental, social and organisational responsibilities.
  - A great place to live - creating well balanced communities that meet residents’ needs

By ensuring an effective governance of CIL money, the Council can work with central government and key partners to identify the strategic infrastructure necessary to support sustainable development.

- A strong, safe and healthy community - Ensure Horsham District remains one of the best places in Sussex to live

By ensuring we will ensure that we provide high quality neighbourhoods that our residents will want to live and work in including the provision of new community facilities that can be used by all residents.

### **3 Details**

- 3.1 It is proposed that the Governance of the CIL arrangements for Horsham Town are delegated to the Director of Place, in consultation with the Cabinet Member for Planning and the Cabinet Member for Horsham Town. This will enable consultation to take place with Cabinet members, local members, Neighbourhood Councils and relevant parties to ensure the Governance arrangements are fit for purpose. Delegation to the Director of Place will ensure that the arrangements remain fit for purpose given changes could be made as and when necessary to do so.

### **4 Next Steps**

- 4.1 To approve the new procedural arrangements and agree the arrangements for the Infrastructure Projects Working Group and Officer responsibilities within the un-parished areas of the Town.

### **5 Views of the Policy Development Advisory Group and Outcome of Consultations**

- 5.1 Councillors considered the proposal at Planning PDAG on 4 July. Councillors were supportive of a governance structure for the town to best consider how local CIL monies should be spent. It was requested that consultation take place regarding who would sit on a panel, and how decisions would be made. The proposal is that consultation will take place on the proposed Governance arrangements once the delegation as set out in this report is considered by Cabinet.

### **6 Other Courses of Action Considered but Rejected**

- 6.1 The other course of action which was considered, but was rejected was not to update the approved CIL Governance Arrangements to cover the unparished areas of the Town.

### **7 Resource Consequences**

- 7.1 The implementation of the revised Governance arrangements will be contained within existing resources.

### **8 Legal Considerations and Implications**



- 8.1 Once consultation has taken place and Governance is drafted legal advice will be necessary to ensure this complies with the Community Infrastructure levy legislation.

## **9 Risk Assessment**

- 9.1 There are no risks associated with the proposal.

## **10 Procurement implications**

- 10.1 There are no procurement implications of the proposed decision.

## **11. Equalities and Human Rights implications / Public Sector Equality Duty**

- 11.1 Under equality legislation, the Council has a legal duty to pay 'due regard' to the need to eliminate discrimination and promote equality in relation to Race, Disability, Gender including gender reassignment, Age, Sexual Orientation, Pregnancy and maternity, Religion or belief. The Council also has a duty to foster good relations, and to consider the impact of its decisions on human rights. The law requires that this duty to pay 'due regard' is demonstrated in the decision making process.
- 11.2 It is not considered that the proposal will have an impact on any of the above groups and no Equalities Impact Assessment is required.

## **12 Environmental Implications**

- 12.1 It is not considered that the proposal has any impact on the environment such as on the use of natural resources (for example energy, water, raw materials); quality of environment (contribution to safe and supportive environments for living, recreation and working); bio-diversity (protection and improvement of wildlife and habitats); waste and pollution (effects on air, land and water from waste and emissions).

## **13 Other Considerations**

- 13.1 The consequences of any action proposed in respect of GDPR/Data Protection and Crime & Disorder have been considered as part of the preparation of this report, and it is not considered that there will be any adverse impact on them.

## **APPENDICES TO REPORT**

None

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## Report to Cabinet

29 September 2022

By the Cabinet Member for Planning and Development

### KEY DECISION



**Horsham  
District  
Council**

Not Exempt

**Consultation on the proposed designation of a new Conservation Area for the area characterised by Wells Cottages, in West Chiltington and proposed amendments to the Rusper Conservation Area.**

## Executive Summary

The Planning (Listed Building and Conservation Areas) Act 1990 places a duty on local planning authorities to review whether any parts or further parts of their area should be designated as conservation areas.

Conservation areas can be created where a local planning authority identifies an area of special architectural or historic interest, which deserves careful management to protect that character. In this respect the area identified as the Wells Cottages Conservation Area which consists of properties within Spinney Lane, Sunset Lane, Heather Lane, Westward Lane, Monkmead Lane, Common Hill, Roundabout Lane, Ling Common Place, Grove Lane, Bower Lane, Silver Glade, Birch Tree Lane, Fir Tree Lane and Threals Lane in West Chiltington has been identified as being an area of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance.

Section 71 of the Planning (Listed Buildings & Conservation Areas) Act 1990 also requires a local planning authority from time to time, to review and publish proposals for the preservation and enhancement of their existing conservation areas. In view of this a draft Conservation Area Appraisal and Management Plan has been produced for the existing Rusper Conservation Area designated in 1976. It includes proposed additions to the current conservation area boundary.

This report seeks agreement to undertake a public consultation firstly for the proposed designation of the Wells Cottage Conservation Area and associated draft Conservation Area Appraisal and Management Plan and secondly the extension of the Rusper Conservation Area and the draft Rusper Conservation Area Appraisal and Management Plan.

## Recommendations

Cabinet is recommended:

- i) To approve the proposed new conservation area boundary, and draft Conservation Area Appraisals and Management Plans for public consultation for both the new Conservation Area in West Chiltington and the existing Conservation Area in Rusper.

- ii) To approve that the Director of Place in consultation with the Cabinet Member for Planning and Development be given delegated authority to agree minor editorial changes prior to publication.

## **Reasons for Recommendations**

- i) To formally designate a new conservation area for the Wells Cottages, West Chiltington.
- ii) To enable Conservation Area Appraisals and Management Plans to be produced to help guide development in West Chiltington and Rusper.
- iii) To provide conservation area guidance for residents, occupiers, developers and Members in determining applications.
- iv) To give the Cabinet Member for Planning and Development delegated authority to approve minor changes to the document, without the need for it to be referred back to Cabinet.

## **Background Papers:**

1. Conservation area designation maps (<https://www.horsham.gov.uk/planning/design-and-conservation/conservation/conservation-areas/conservation-area-maps>)
  - a. Rusper – Designated November 1976 – Map published online 8 September 2011.
2. Draft Conservation Area Appraisal and Management Plan for Rusper (September 2022) – See Appendix 1
3. Draft Conservation Area Appraisal and Management Plan for Wells Cottages (September 2022) – See Appendix 2

**Wards affected:** West Chiltington, Thakeham and Ashington. Colgate and Rusper.

**Contact:** Catherine Howe, Head of Strategic Planning x5505.

## **Background Information**

### **1 Introduction and Background**

- 1.1 Conservation areas were introduced through the Civic Amenities Act (1967). Conservation areas exist to manage and protect the special architectural and historic interest of an area and contribute to forming a unique sense of place. Horsham District Council has a duty under the Planning (Listed Buildings and Conservation Areas) Act 1990 to designate conservation areas where appropriate, to review the designations regularly, and to plan for the management of conservation areas to ensure that they retain their special character and interest.
- 1.2 There are 37 designated conservation areas within the Horsham District at present. In Horsham District, only eleven Conservation Areas have an adopted appraisal. The Council has started a rolling programme of reviewing our Conservation Areas and producing Conservation Area Appraisals and Management Plans. The Ruser Conservation Area has therefore been reviewed as part of this work.
- 1.3 In addition to reviewing the district's existing conservation areas work has been undertaken to identify new areas that have a special architectural quality or historic interest, that could be designated as a new conservation area, such as the Park Terrace Gardens Conservation Area (Horsham) and the subject of this report the Wells Cottages in West Chiltington. Evidence of the special interest of the Wells Cottages has been identified within the West Chiltington Draft Neighbourhood Plan and earlier documents and has been highlighted in recent applications for planning permission.
- 1.4 This report sets out the detail of the proposed Wells Cottages Conservation Area and associated Appraisal and Management Plan, as well as the proposed Ruser Conservation Area Appraisal and Management Plan for the existing conservation area in Ruser.

### **2 Relevant Council policy**

- 2.1 The Horsham District Planning Framework (HDPF) is the relevant Plan that sets out how growth and development will take place in the District in the period to 2031. Policy 34 "Cultural and Heritage Assets" sets how the Council will deal with proposals affecting cultural and heritage assets in the District. The Conservation Area Appraisal and Management Plan, once adopted, will be used along with Policy 34 (where relevant) to help determine planning applications and as historic guides for local residents. The Council is currently preparing a new Local Plan. The emerging Local Plan policy will retain the provisions of the existing policy ensuring that development in conservation areas is consistent with the special character of those areas.

### **3 Details**

- 3.1 As part of the proposed designation of the Wells Cottages Conservation Area and review of the Ruser Conservation Area draft appraisals have been undertaken and

management plans produced to provide guidance to preserve and enhance the area. The appraisals set out the significance of each conservation area and have been undertaken in accordance with current best practice as described in Historic England's document, Conservation Area Designation, Appraisal and Management, Historic England Advice Note 1 (2016).

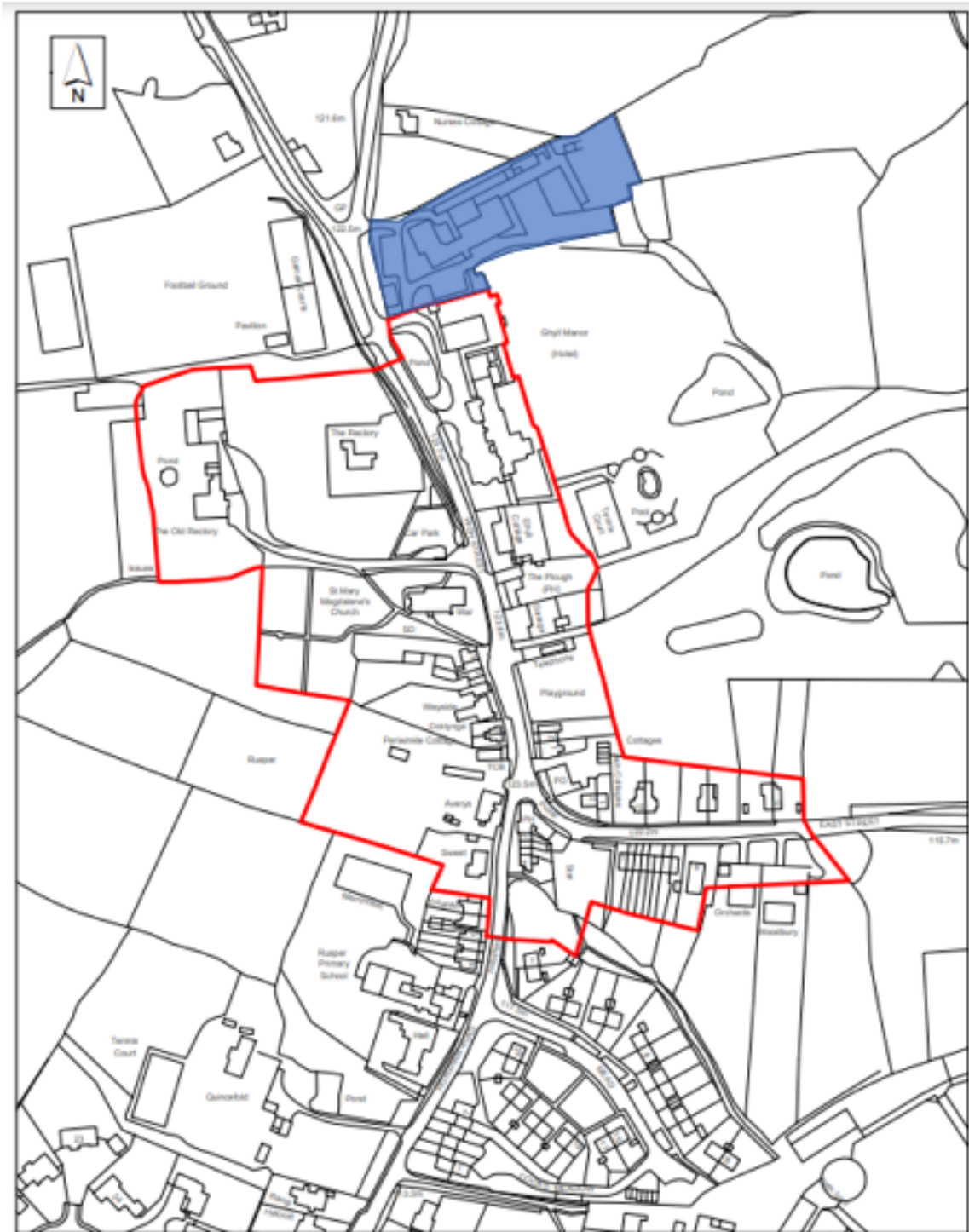
- 3.2 Both the Rusper and Wells Cottages Conservation Area Appraisals set out background information and details of the historic development of the existing/proposed conservation areas. It includes details of their setting, their townscape, historic environment and describes the key features of the conservation areas. There is a section on views and negative elements of the conservation areas. There is also a draft Management Plan. There are two appendices included within each document: a list of listed and locally listed buildings, and a glossary of terms.
- 3.3 The following paragraphs include a summary of the details of the draft Conservation Area Appraisals and Management Plans. The full text of the documents are set out in Appendix 1 and 2 of this report.

#### Rusper

- 3.4 The Rusper Conservation Area was designated in November 1976. Work was undertaken in 2003 to review the conservation area however full adoption was not progressed.
- 3.5 The Conservation Area Appraisal notes that at the time of the original designation of the Conservation Area in November 1976, the Conservation Area contained concentrations of historic buildings and landforms that helped to define its special character.
- 3.6 The review has drawn a number of conclusions:
- i) Over the last 40 years, the guidance concerning the assessment of heritage significance and value ascribed to late 19th century and 20th century architecture has evolved.
  - ii) It is important that design is properly informed by an appreciation of prevailing character and setting sensitivity.
  - iii) Ghyll Manor Hotel is situated at the northern entrance to the village. The conservation area boundary currently runs through the grounds of the hotel resulting in part of the site falling outside of the conservation area. Due to the location of Ghyll Manor it is considered that the conservation area should be extended to include the northern section of the estate. The proposed extension would result in the site of Rusperhouse Farm historic farmstead falling within the conservation area. The inclusion of Ghyll Manor gardens up to its northern boundary is considered to be consistent with the evolution and character of the Conservation Area and would enhance and protect the specific character of the Conservation Area.

- iv) **Map 1** on page 6 illustrates the current Conservation Area boundaries for Rusper and the proposed addition. The draft Appraisal proposes Rusper as having one continuous Conservation Area, with a single character area.
- 3.7 Part 1 of the draft Conservation Area Appraisal includes a brief historic development summary for the area, as well as details of townscape, views, character areas and Conservation Area setting. Part 2 focuses on the draft Management Plan. The draft Management Plan offers guidance on how works to the historic built environment, new development and the works affecting the “Environment and Public Realm” should be carried out.
- 3.8 There is one change proposed to extend the current boundary to the north (shown on **Map 1**).

**Map 1 Rusper – Current and Proposed Conservation Area Boundary**



**Horsham District Council**  
 Park North, North Street, Horsham,  
 West Sussex. RH12 1RL  
 Rod Brown : Head of Planning & Environmental Services

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<b>Rusper Conservation Area</b>	
Reference No :	
Date : 08/09/11	Scale : 1:2500
Drawing No :	Revisions :



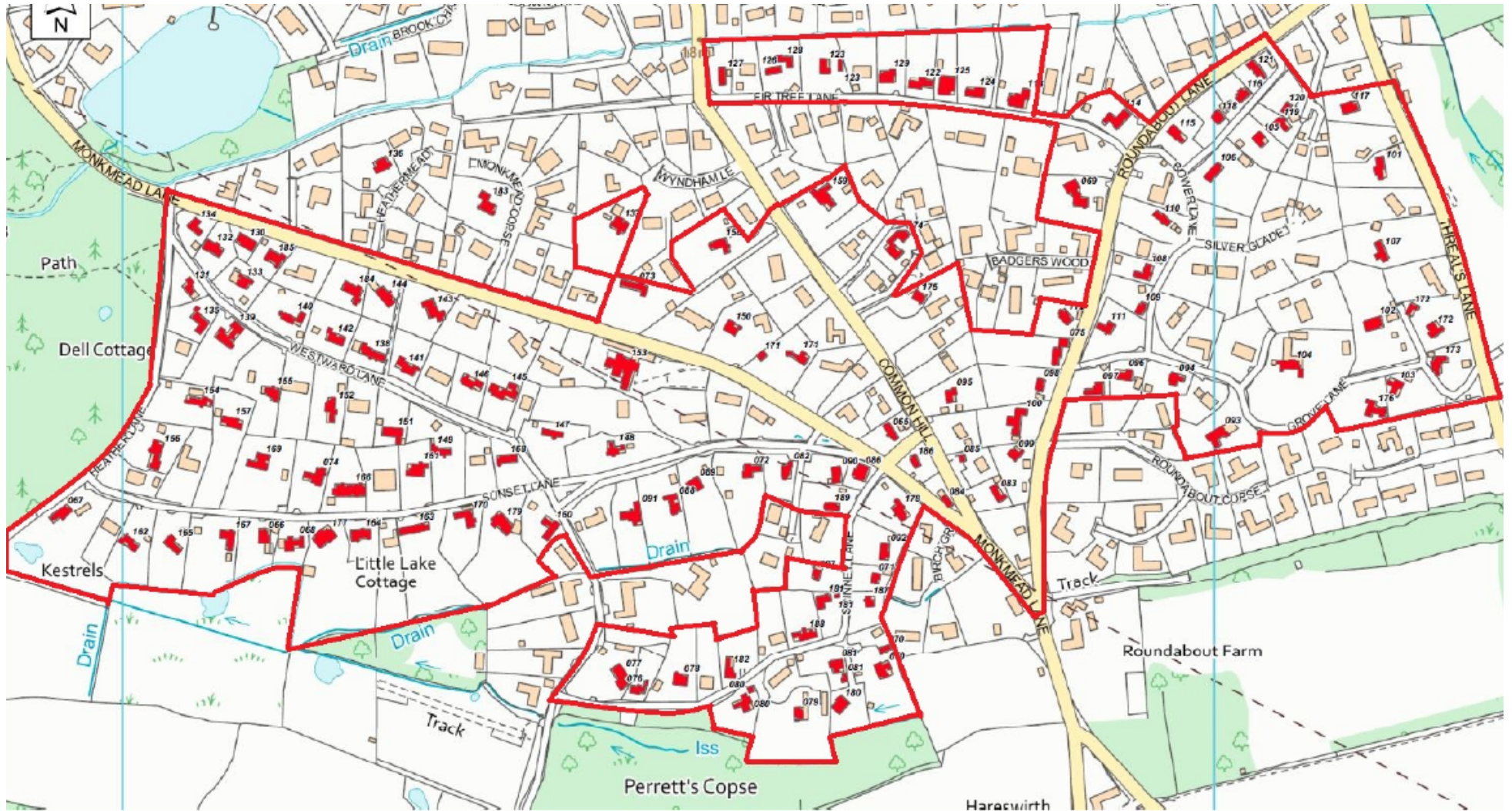
## Wells Cottages

- 3.9 The proposed Wells Cottages Conservation Area would extend to Spinney Lane, Sunset Lane, Heather Lane, Westward Lane, Monkmead Lane, Common Hill, Roundabout Lane, Ling Common Place, Grove Lane, Bower Lane, Silver Glade, Birch Tree Lane, Fir Tree Lane and Threals Lane in West Chiltington as shown in **Map 2**. It is suggested that the new conservation area would be known as the Wells Cottages Conservation Area.
- 3.10 The NPPF is clear that local planning authorities should ensure that an area justifies its status as a conservation area because of its special architectural or historic interest and ensure that the concept of conservation is not devalued through the designation of areas that lack special interest.
- 3.11 The boundaries of the conservation area have been tightly drawn following consideration of historic maps and site visits. The boundary seeks to ensure that the conservation area encompasses an area of special architectural and historic interest, the character or appearance of which should be preserved. In addition to being part of a cherished local scene, the proposed conservation area is of interest as an area for its group value as a community constructed by Reginald Fairfax Wells, a well regarded sculptor and ceramicist. Wells created his vision of a rural idyll on West Chiltington Common building dwellings of various sizes but with a consistency of materials and architectural details.
- 3.12 The proposed conservation area is situated to the southwest of the historic core of West Chiltington on land which was common and heath land. A key characteristic of the conservation area is the style and form of the properties and the underlying values of Reginald Fairfax Wells.
- 3.13 Reginald Fairfax Wells moved to the Storrington area in 1925 and began to purchase parcels of land close to Roundabout Farm to create his vision of a quintessential English village. The properties designed by Wells are strongly influenced by the philosophy of the Arts and Crafts movement. Wells sought to reject the increasing industrialisation of materials and goods, and promote hand crafted, traditional skills and a simpler way of life. Wells dwellings were originally designed as weekend escapes, enabling a retreat from the modern world with often basic facilities. It is thought that Wells constructed up to 130 cottages in West Chiltington. This concentration of his buildings has created a distinctive character which it is suggested contributes to a unique sense of place and provides an insight into the building philosophy of the inter war period.
- 3.14 Although the dwellings were designed individually by Wells the lanes in which they were placed were not formalised. The trackways that crossed the heath were to evolve into the modern lanes of Monkmead, Sunset and Westward Lanes. The lanes do not have pavements or streetlights and often retain hedgerows and soft planting reinforcing a rural appearance.
- 3.15 The materials used within the conservation area are predominantly whitewashed brick with rubble plinths. Originally the pitched roofs were likely to be thatched although several cottages now have a replacement roof of plain clay tiles. The decorative dentil courses, shallow brick arches to the window lintels, small metal

windows in timber frames, large chimneys, and eyebrow dormers are all typical features of a Wells Cottage. To meet the needs of the motor car Wells also built small garages some of which remain. The consistency of materials and features although reinterpreted into differing formations and sizes of property all add to the areas architectural interest.

- 3.16 The proposed conservation area consists of predominantly detached two storey properties with no uniform building line set within sylvan gardens. The area when viewed in plan form appears suburban in density, however the nature of the boundary treatments, the mature vegetation and planting, the lack of pavements and varying building line all result in the proposed conservation area having a rural tranquillity and picturesque charm.
- 3.17 The designation of an area as a conservation area means that the Local Planning Authority can control more closely any changes that might affect the environmental quality of the area and its sense of place and seek to protect and enhance the “special character” of the area for the benefit of all its residents and businesses. In determining planning applications the Local Authority must pay special attention to the desirability of preserving or enhancing the character of the conservation area. The designation of a conservation area introduces a constraint on property owners with regards to works to trees, reduces some permitted development rights and imposes more stringent controls on advertisements.
- 3.18 Designation is a tool to manage the process of change so that the special character of the area is not detrimentally affected. Conservation area status does not mean that no change is allowed; simply that it should be carefully considered and should not harm the special interest of the area.
- 3.19 **Map 2** below illustrates the proposed conservation area boundaries for the Wells Cottages. The draft Appraisal proposes the Wells Cottages as having one continuous conservation area, with a single character area.

**Map 2 Wells Cottages – Proposed New Conservation Area Boundary**



## **4 Next Steps**

- 4.1 It is proposed to publish these documents for a 5 week period of consultation (6 October to the 10 November 2022) to seek the views and knowledge of the local community. Engagement with the community is a key element in achieving a designation which is informed and supported by residents and businesses. The proposed conservation area boundary, Appraisal and Management Plans will be published in draft form to enable amendments to be undertaken where required, once any feedback is considered.
- 4.2 The Conservation Area designation, Appraisal and Management Plans, if adopted, will help inform future planning decisions regarding developments within or adjoining the Conservation Areas. More detail on the next steps are set out in paragraphs 6.1- 6.3 below.

## **5 Views of the Policy Development Advisory Group**

- 5.1 The proposed draft Conservation Area Appraisal was due to be discussed at the Policy Development Advisory Group (PDAG) on 12 September 2022, however this was cancelled due to the death of the Queen.
- 5.2 In lieu of the meeting a briefing note was circulated to members of PDAG outlining the details of the proposed new conservation area and changes to the existing conservation area. No further feedback was received.

## **6. Consultation**

- 6.1 As part of the appraisal process a questionnaire was sent to each of the Parish Councils and a walk of the area with West Chiltington Parish Council was undertaken in February 2022. If it is agreed to go out to consultation on the draft Conservation Area designation, Appraisal and Management Plans, it is intended to update the relevant Local Members, and Parish Councils of the forthcoming (2022) public consultations. The Chief Finance Officer and Monitoring Officer have been consulted and their comments and feedback has been incorporated into this report.
- 6.2 It is anticipated that following Cabinet, a five week public consultation will be held:
- on the proposed designation of the new conservation area for the Wells Cottages (West Chiltington)
  - the adoption of a Conservation Area Appraisal and Management Plan for the Wells Cottages,
  - on the review of the existing conservation area boundary in Rusper
  - and the adoption of a Conservation Area Appraisal and Management Plan for Rusper.
- 6.3 As with proposals to extend a conservation area, a notice will be placed in the local paper and letters sent to all addresses within the proposed (West Chiltington) and existing (Rusper) conservation areas, to advise residents and businesses of the consultation for the proposed new conservation area in West Chiltington, and the associated appraisal and management plans, and how they can be viewed. An

email address and postal address will be provided to enable feedback. A Frequently Asked Questions (FAQ's) sheet will accompany the letters to inform occupiers/owners of the ramifications of a conservation area designation. The documents will be published on the Horsham District Council website.

- 6.4 Following the public consultation exercise, a report summarising the responses and the council's proposed response in light of feedback will be prepared and presented to Cabinet in due course.

## **Other Courses of Action Considered but Rejected**

- 6.5 The option of not producing Conservation Area Appraisals and Management Plans was considered but it was decided that the development pressures on these sensitive locations was too great not to produce the conservation guidance which clearly sets out the Council's expectations for development proposals in these areas. It is also a duty of local authorities under the Planning (Listed Buildings and Conservation Areas) Act 1990 to review whether any parts or further parts of their area should be designated as conservation areas, as well as formulate and publish proposals for parts of their area which are conservation areas.

## **7 Resource Consequences**

- 7.1 The cost of implementing the Conservation Area appraisals will be met from within the existing budgets and will largely consist of staff time.

## **8 Legal Consequences**

- 8.1 The designation of conservation areas is a continuous duty under Section 69 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and local planning authorities must consider whether it should designate new conservation areas or extend existing ones.
- 8.2 In accordance with Section 70 and Section 71 of the same Act the Council is also required to formulate and publish proposals for the preservation and enhancement of their conservation areas and consult the local community about the proposals.
- 8.3 Section 71(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that "It shall be the duty of a local planning authority from time to time to formulate and publish proposals for the preservation and enhancement of any parts of their area which are conservation areas." It is considered that the contents of this report are consistent with the statutory duties referred to above.

## **9 Risk Assessment**

- 9.1 The review and updated information provided within the Appraisal's will give both applicants and officers in Development Management improved information to develop and assess proposals, resulting in higher quality development.

## **10 Procurement implications**

- 10.1 There are no procurement implications which arise from the consultation to designate a new conservation area and Conservation Area Appraisal and Management Plan.

## **11 Equalities and Human Rights implications / Public Sector Equality Duty**

### Equality and Diversity Implications

- 11.1 The publication of the draft Conservation Area boundary, Appraisal and Management Plans are not expected to have any adverse impact on people with protected characteristics under the Equality Act 2010. It is not considered that the Conservation Area Appraisals or their policies will have any direct impacts on gender reassignment, pregnancy and maternity, race, religion or belief, sex or sexual orientation.

### Human Rights

- 11.2 Article 8 (Right to respect of a Private and Family Life) and Article 1 of the First Protocol (Protection of Property) of the Human Rights Act 1998 would be relevant in consideration of planning applications within the conservation area. Consideration of Human rights would form part of any planning assessment.

## **12 Environmental Implications**

- 12.1 If adopted, the new and amended conservation areas and associated appraisal's main focus is to provide guidance in protecting the historic environment but also indirectly delivers on the environmental objectives embedded in the Corporate Plan such as protecting and enhancing air quality, the quality of places we work and live, protecting existing habitats and green infrastructure. It is considered that these policies will help to protect and enhance the local environment of the conservation areas in relation to planning matters.

## **13 Other Considerations**

- 13.1 It is not considered that the publication of the draft Conservation Area designation and associated Appraisal and Management Plans will have any further additional impacts including those in relation to GDPR/Data Protection or Crime & Disorder.

## **Appendix 1**

Draft Conservation Area boundary, Appraisal and Management Plan for Rusper (October 2022).

## **Appendix 2**

Draft Conservation Area boundary, Appraisal and Management Plan for Wells Cottages  
(October 2022)



## Report to Cabinet

29 September 2022

By the Cabinet Member for Planning and Development

**DECISION REQUIRED**



**Horsham  
District  
Council**

Not Exempt

### **Facilitating Appropriate Development and Biodiversity and Green Infrastructure Planning Guidance documents**

#### **Executive Summary**

Two advice documents have been drafted to provide guidance to those involved in submitting and determining planning applications prior to the adoption of the new Local Plan.

Both the Facilitating Appropriate Development (FAD) and the Biodiversity and Green Infrastructure Planning Advice Note (PAN) are non-statutory planning documents. This report is seeking formal endorsement to allow for the documents to be published and utilised in the consideration of planning applications. This will help to ensure that the Council is clear on its emerging aspirations and evidence including biodiversity net gain requirements, climate change measures and emerging evidence indicating the potential for higher levels of affordable housing provision.

#### **Recommendations**

It is recommended that the Cabinet agree to recommend to Council that it:

- i) Formally endorses the Facilitating Appropriate Development (FAD) and agrees to the publication of the document for use as a non-statutory Planning Guidance document.
- ii) Formally endorses the Biodiversity and Green Infrastructure Planning Advice Note (PAN) and agrees to the publication of the document for use as a non-statutory Planning Guidance document.
- iii) Grants the Cabinet Member for Planning and Development delegated authority to agree any necessary minor editorial changes to the documents referenced in i) and ii) above.

#### **Reasons for Recommendations**

- i) To provide clear and consistent planning guidance to aid applicants, stakeholders and those involved in determining planning applications in advance of the adoption of the new Local Plan.

#### **Background Papers**

Horsham District Planning Framework

**Wards affected:** All

**Contact:** Catherine Howe – Head of Strategic Planning ext 5505,

Tal Kleiman, Senior Planning Officer, ext. 5213

Rebecca Fry, Senior Planning Officer, ext. 5522

## **Background Information**

### **1 Introduction and Background**

- 1.1 The planning policies for Horsham District are set out in the Horsham District Planning Framework adopted in 2015. It sets out policies on a range of issues and sets a housing target of 800 new homes per year. It is the Council's overarching development plan document and is the starting point for decisions made on planning applications.
- 1.2 It is a requirement of National Planning Policy that Local Plans be reviewed and if necessary, updated every five years. The Council has been progressing a Local Plan review, but this has been delayed due to unforeseen changes to National Planning Policy, and more recently by the requirement for the Local Plan to demonstrate that it is water neutral. This has limited the Council's ability to introduce desired changes to its policy to ensure greater consideration of environmental matters including biodiversity and green infrastructure. In addition, as the Council cannot currently demonstrate a five-year housing land supply, policies that control the supply of housing may be considered out of date.
- 1.3 Given this background, it is proposed that non-statutory advice documents are published that reflect updated Council aspirations and provide guidance and advice to assist the consideration of planning applications.

### **2 Relevant Council policy**

- 2.1 The Local Plan review is identified as a key project in the Corporate Plan and can help to deliver many of the five goals contained in the Corporate Plan. Given the delays to the Local Plan review it was considered that publication of the two advice documents will help to achieve the Council's corporate goals ahead of the adoption of the Local Plan.

### **3 Details**

- 3.1 Two Planning Advice documents have been drafted. These are appended to this report as Appendix 1 and Appendix 2. It is proposed that two advice documents are endorsed and published by Council.

#### Facilitating Appropriate Development (FAD) (Appendix 1).

- 3.2 The key aim of the FAD is to provide advice and guidance primarily in relation to applications for new housing development. The Council is not currently able to demonstrate a five-year housing land supply, and whilst there remains a requirement for new development to demonstrate that it is water neutral, the Council has nevertheless received a number of speculative applications. It is anticipated that further applications may also be received in the period before a new Local Plan is adopted.
- 3.3 In the event that development can demonstrate that it is water neutral, it is likely that the National Planning Policy Framework's (NPPF) 'presumption in favour of sustainable development' will apply as the Council cannot currently demonstrate a

five-year housing land supply. As the Council's current Local Plan is over 5 years old, the Local Plan's policies on housing are considered out of date and are unlikely to be sufficient to justify a refusal on these grounds alone. However, in light of both the Council's wider environmental aspirations, changing legislation and the content of the emerging Local Plan, it is considered that prospective applicants and decision makers should be aware of the Council's aspirations and weight that can be assigned to emerging policy.

3.4 The content of the FAD therefore discusses the Council's five-year housing land supply position and the presumption in favour of sustainable development, as well as the weight to be afforded the emerging Local Plan and Neighbourhood Plans. It also provides signposting as to where applicants can find the most up-to-date information on water neutrality. The document provides guidance in relation to different planning matters that need consideration when determining planning applications, including:

- locational suitability and scale – development should be focused in appropriate locations and should relate to the current settlement;
- deliverability – it is preferable to apply for full planning permission and that applicants of complex schemes should provide detailed information relating to delivery to help improve the Council's housing land supply;
- local housing needs – latest viability work shows that 10 or more homes on greenfield land can deliver at 45% of homes as affordable housing;
- biodiversity – it is the expectation that development delivers at least 10% biodiversity net gain and that the PAN provides further guidance on this matter;
- climate change – applicants are advised to consider climate change when developing proposals in terms of layout, orientation, energy use, etc.;
- transport – proposals should seek to promote sustainable modes of transport, balance the need for parking and ensure that it is well located and not in conflict with other use and consider principles and priorities set out in other documents; and
- design – development should be well designed and applicants should have regard to the National Design Guide and Model Design Code.

#### Biodiversity and Green Infrastructure Planning Advice Note (Appendix 2)

3.5 Since the adoption of the HDPF the Government and Natural England have provided greater clarity over the regard to be given to biodiversity net gain and green infrastructure. The Biodiversity and Green Infrastructure Planning Advice Note (PAN) therefore seeks to provide guidance to cover the interim period before the introduction of the new Environment Act 2021 requirements relating to 10% biodiversity net gain, which are expected to come into force in November 2023 and the adoption of the revised Local Plan. The PAN seeks to provide clear guidance to applicants in respect of the Council's expectations that can be sought in the meantime in accordance with the HDPF and the NPPF.

3.6 The PAN clearly sets out how biodiversity net gain should be calculated. It is important to note that prior to the Environment Act requirements coming into force or the updated Local Plan being adopted, the Council is not able to set a specific percentage of biodiversity net gain to be delivered. Until the Environment Act provisions are in force, or a respective Local Plan policy adopted, the refusal of a

planning application solely on the basis that it fails to deliver 10% biodiversity net gain, could not be justified. The PAN therefore provides guidance to ensure there is no net loss in biodiversity and that some measurable net gain is delivered.

## **4 Next Steps**

- 4.1 Should the recommendation be agreed, the documents will be considered by full Council. If endorsed by full Council, the documents will be published on the Council's website and could be used to inform the consideration of planning applications and provide advice to prospective applicants.

## **5 Views of the Policy Development Advisory Group and Outcome of Consultations**

- 5.1 The Facilitating Appropriate Development (FAD) document was discussed at the Planning & Development Policy Development Advisory Group (PDAG) on 4 July 2022. Members agreed that it would be helpful to publish such a document in order to seek the best possible outcomes on applications being submitted in advance of the new Local Plan being adopted. A draft of the document was made available for consideration by PDAG members in early September and feedback from this review has been incorporated into the FAD.
- 5.2 The Biodiversity and Green Infrastructure Policy Advice Note (PAN) was made available to PDAG members in early September 2022. Due to cancellation of PDAG on 12<sup>th</sup> September written feedback was requested. Feedback was received and respective amendments have been incorporated into the PAN.
- 5.3 This report has been submitted to the Monitoring Officer and the Interim Director of Resources for input and their comments have been incorporated into this report.

## **6 Other Courses of Action Considered but Rejected**

- 6.1 The Council could decide not to prepare or publish the advice documents. However, not doing so would limit the ability of the Council to work towards its corporate aspirations in so far as they are reflected in planning applications.
- 6.2 A further course of action that was considered was whether it was appropriate to prepare additional Supplementary Planning Documents (SPDs) to cover the issues contained within the advice documents. SPDs are statutory planning documents designed to supplement existing policies contained within a Local Plan. They must be prepared in accordance with regulations. SPDs cannot amend existing policy nor introduce new policy nor can SPDs be easily amended when adopted. Given that the Council is seeking to outline new aspirations and identify emerging policy direction, SPDs cannot be used as they would be regarded as amendments to the existing policy framework. Such an approach could be successfully challenged through a Judicial Review.

## **7 Resource Consequences**

- 7.1 There are no direct financial consequences of the recommendations of this report. The documents have already been produced as part of existing Strategic Planning budgets. The documents will be published on the Council's website only.

## **8 Legal Considerations and Implications**

- 8.1 There are no specific legal implications arising from the recommendations of this report. The advice documents are not statutory planning documents and do not form part of the development plan. There is no statutory duty to prepare planning advice documents. On their own, they are unlikely therefore to be capable of being used to justify a refusal of a planning application.
- 8.2 The advice documents are not intended to introduce legal implications for the council or developers, but instead provide guidance to assist with the determination of planning applications.

## **9 Risk Assessment**

- 9.1 There are no obvious risks to following the recommendation of the report. The documents provide advice and do not change Council policy.

## **10 Procurement implications**

- 10.1 No procurement implications arise from the recommendations of this report. The documents have been produced in-house by the Strategic Planning Team.

## **11. Equalities and Human Rights implications / Public Sector Equality Duty**

- 11.1 There are no Human Rights or Equality & Diversity implications arising from this report.

## **12 Environmental Implications**

- 12.1 The advice documents are likely to have positive impacts as both contain advice to planning applicants as to environmental aspirations of the Council above that contained in existing Local Plan policy

## **13 Other Considerations**

- 13.1 There are no GDPR, data protection or Crime and Disorder implications arising from this report.



Horsham  
District  
Council

# Facilitating Appropriate Development

Version 1.0, X 2022

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# 1. Introduction

## Horsham District Planning Framework and Local Plan Review

- 1.1 Horsham District Council (HDC) adopted its Local Plan, known as the Horsham District Planning Framework (HDPF)<sup>1</sup>, on 27 November 2015. The HDPF contains a set of policies and strategic allocations, which are used in the determination of planning applications in Horsham District<sup>2</sup>.
- 1.2 All local planning authorities are required<sup>3</sup> to review and, if necessary, update their Local Plan five years from its adoption. Furthermore, the Inspector who examined the HDPF stated that the Council must commence an early review within 3 years of adoption. As a consequence, HDC commenced its review of the HDPF in 2018, consulting on a Local Plan Review: Issues and Options document that concentrated on matters related to employment, tourism and sustainable rural development. The Council subsequently consulted on a draft version of its Local Plan between 17 February and 30 March, 2020<sup>4</sup>.
- 1.3 A draft version of the Regulation 19 document was considered by Cabinet on 15 July 2021, but following legal advice obtained in light of the Government's revisions to the National Planning Policy Framework (NPPF) on 20 July 2021, the document did not progress to the programmed meeting of Full Council in September 2021 and thus was not published for a representation period. The subsequent receipt of a Position Statement from Natural England regarding water neutrality (see section 4 of this document) on 14 September 2021, has resulted in further delays to the Local Plan's progress. The Council will seek to update its Local Development Scheme to identify timescales for the progress of the Local Plan – including the publication of the Regulation 19 – when it is in a position to do so.

## Housing Land Supply

- 1.4 The HDPF will continue to form part of the Council's development plan until the adoption of the new Local Plan. The HDPF sets an annualised housing target of 800 homes to be provided in Horsham District until 2031, to which the housing land supply and housing delivery tests can be measured against. However, given that over five years has lapsed since the HDPF was adopted, the HDPF's housing target can no longer be used for calculating HDC's Housing Land Supply. NPPF Paragraph 74 stipulates that the figure calculated using the Government's standard method for assessing housing need should instead be utilised and therefore the annual housing target for HDC using this method is currently 948<sup>5</sup>.

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<sup>1</sup> [https://www.horsham.gov.uk/data/assets/pdf\\_file/0016/60190/Horsham-District-Planning-Framework-November-2015.pdf](https://www.horsham.gov.uk/data/assets/pdf_file/0016/60190/Horsham-District-Planning-Framework-November-2015.pdf)

<sup>2</sup> Excluding the part of Horsham District located in the South Downs National Park

<sup>3</sup> Regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended)

<sup>4</sup> Under Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended)

<sup>5</sup> Correct at the time of writing. This figure is likely to change when new datasets are released or should the methodology be updated

- 1.5 Using a target of 897<sup>6</sup>, the Council's Authority Monitoring Report (AMR) 2020/21<sup>7</sup> indicates that HDC can only demonstrate a four-year housing land supply, less than the five-year supply required by Government. The consequences of not having a five year housing land supply is set out in section 2 of this report.
- 1.6 As described above, the Council has been disrupted in efforts to produce a Local Plan and cannot currently demonstrate that it has a five-year housing land supply. Though the Council will seek to progress a revised Local Plan as quickly as possible, and regularly monitors its housing land supply, it recognises that it is unlikely to be able to report a five-year housing land supply until a new Local Plan is adopted, and there is uncertainty as to when adoption will occur. Because of this situation, and notwithstanding issues relating to the current position on water neutrality, it expects to receive planning applications proposing housing development in locations not supported by the HDPF or in Neighbourhood Plans.
- 1.7 Against this background, the NPPF<sup>8</sup> is clear that an objective of Government policy is to significantly boost the supply of homes and in combination with guidance set out in Planning Practice Guidance (PPG), makes clear that Councils should be proactive in this endeavour. The Council has been proactive in discharging its planning responsibilities in both plan-making and determining planning applications. This is demonstrated by its excellent record in housing delivery as measured against the Government's Housing Delivery Test, which shows that the housebuilding over the last three monitoring years has been at 147%<sup>9</sup> of that which was required to be built.
- 1.8 HDC will continue to act in a proactive manner to deliver housing by supporting sustainable development that both delivers the requisite number of houses and ensures that other objectives are met. To demonstrate this, HDC has produced this document to provide clarity as to its approach and guidance to those who engage with the planning system in Horsham District.
- 1.9 The remaining sections of this document are structured as follows:
- Section 2 provides guidance as to how much weight may be given to the existing Horsham District Planning Framework 2015 and the Regulation 19 Local Plan that was considered by HDC's Cabinet in July 2021.
  - Section 3 covers Neighbourhood Plans produced by Parish and Neighbourhood Councils in Horsham District
  - Section 4 discusses the impact of Natural England's Position Statement regarding water neutrality on housing applications
  - Section 5 provides advice as to how the Council will continue to facilitate appropriate development
- 1.10 HDC may seek to withdraw or alter the advice contained within this document to reflect the most up to date position in respect of planning and housebuilding in Horsham District. In stating the above, HDC is particularly conscious that the Government is seeking to reform the planning system, which is likely to impact on housing

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<sup>6</sup> This was based on applying the 2021 figures to the standard housing method.

<sup>7</sup> <https://www.horsham.gov.uk/planning/planning-policy/authority-monitoring-report>

<sup>8</sup> Paragraph 60

<sup>9</sup> <https://www.gov.uk/government/publications/housing-delivery-test-2021-measurement>

requirements. However, at the time of writing this document it is clear that this will be subject to further consultation and the exact timeframe in which this would be introduced is not known.

## 2. Weight of current and emerging Local Plans

### Horsham District Planning Framework

- 2.1 The Horsham District Planning Framework 2015 (HDPF) sets out the Council's planning policies to be used in the determination of planning applications. Alongside Neighbourhood Plans produced by communities, it forms the central component of the development plan for Horsham District.
- 2.2 As explained in Paragraph 47 of the NPPF and in legislation<sup>10</sup>, applications for planning permission must be made in accordance with the development plan, unless material considerations indicate otherwise. Such material considerations include national policy and guidance contained in the NPPF and PPG.
- 2.3 As discussed in the introductory section of this document, the Council is unable to demonstrate a five-year housing land supply. Policy contained in NPPF Paragraph 11, an excerpt of which is shown below, sets out the impact on existing development plan policies where a five-year housing land supply cannot be demonstrated:

*“Plans and decisions should apply a presumption in favour of sustainable development...*

*For decision-taking this means: ...*

*d) where there are no relevant development plan policies, or the policies which are most important for determining the application out-of-date<sup>8</sup>, granting permission unless:*

*i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed<sup>7</sup>; or*

*ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole”*

*[Footnotes taken from NPPF page 6]*

*“7 The policies referred to are those in this Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 181) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 68); and areas at risk of flooding or coastal change.*

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<sup>10</sup> 38(6) of the Planning and Compulsory Purchase Act 2004

*8 This includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 74); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years.”*

- 2.4 The above is a key material consideration in applications for housing applications in Horsham District. This is as, in the absence of a five-year housing land supply, it indicates that policies that affect that supply of housing may be considered out-of-date. This has the effect of reducing the weight that may be afforded such policies and engages the ‘presumption in favour of sustainable development’ where there is an expectation that planning applications for housing should be approved. As such, the relevant policies of the HDPF are unlikely to be sufficient to justify refusals.
- 2.5 There are exceptions that would disengage ‘the presumption in favour of sustainable development’ and support refusals. NPPF Paragraph 11d)i. would be in force if development cannot demonstrate water neutrality in order to protect a designated habitats site – the Arun Valley SAC (see section 4 of this report for more details). The application of NPPF Paragraph 11d)ii. will depend on the circumstances of an individual planning application and the judgment of the decision maker but ultimately this is a deliberately high bar and the refusal of applications on this basis is unlikely to be common.

### **Emerging Horsham District Local Plan**

- 2.6 A draft version of a Regulation 19 Horsham District Local Plan was considered by HDC’s Cabinet in July 2021. Paragraph 48 of the NPPF explains that *“local planning authorities may give weight to relevant policies in emerging plans according to:*
- a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);*
  - b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given);*  
*and*
  - c) the degree of consistency of the relevant policies in the emerging plan to this Framework [NPPF] (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)”*
- 2.7 Alongside the preparation of the Local Plan, it will therefore be necessary for the Council to consider the degree of weight that should be attached to policies in the emerging Local Plan when determining relevant planning applications based on the above criteria. Given that the criteria relate to factors that will change over time, the weight will be dependent on when an application is determined. An indicative assessment of the weight to be applied at the time of writing has been undertaken below, in order to provide clarity on the degree of weight to be applied by the Council to policies in its emerging Local Plan.

Table 1: Indicative assessment of emerging Local Plan against NPPF Paragraph 48

NPPF Paragraph 48 criterion	Assessment
<p><b>a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given)</b></p>	<p>A draft Regulation 19 document was prepared and considered by Cabinet in July 2021. It did not progress as intended to Full Council and was not approved for a representation period. It is not therefore Council policy and its policies could change, including to reflect different Council objectives, changed circumstances, including updates to local evidence, changes to national policy, and to respond to issues relating to water neutrality. As such, the draft Local Plan is considered to be at an early stage of preparation and there is uncertainty as to when it will progress to a more advanced stage of development.</p>
<p><b>b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given)</b></p>	<p>The draft Regulation 19 document has not been subject to a representation period, however over 6,000 comments were received on the latest (February 2020) Regulation 18 document. Most of the comments received objected to either the level of housebuilding proposed across the district/in specific settlements and/or development on sites identified with potential for allocation. As such, it is considered that there remain unresolved objections to elements of the emerging Local Plan, in particular to policies relating to housing. Formal consultation on the Regulation 19 documentation has yet to take place and the final level of objection is as yet unknown.</p>
<p><b>c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)</b></p>	<p>The draft Regulation 19 Local Plan fully reflected the NPPF at the time it was written. Subsequent to the meeting of Cabinet, the NPPF was subsequently updated and legal advice obtained by the Council suggests that elements of the draft Regulation 19 Local Plan required further consideration to ensure they reflected the requirements of the updated NPPF (July 2021).</p>

2.8 In summary, the above concludes that the plan is at an early stage of preparation, that there remains a significant amount of unresolved objections to policies relevant to planning applications and that the plan has not been independently assessed against the NPPF in order to examine its consistency with national policy. In the longer term the consideration of any objections made on the Regulation 19 Local Plan will be considered by an Independent Local Plan inspector as part of the Local Plan Examination. As a

consequence, it is assessed that at the time of writing, little weight can be given to policies within the emerging Local Plan.

- 2.9 It therefore follows that policies contained within the draft Regulation 19 Local Plan are unlikely to be able to be an important factor in the determination of planning applications. In advance of the adoption of the Council's emerging Local Plan, it should not be assumed that applications for development on sites identified in the draft Regulation 19 Local Plan will be approved. Conversely, there is a risk that applications for development on sites that were not proposed for allocation in the draft Regulation 19 Local Plan could be approved in line with the presumption in favour of sustainable development, taking account of the specific circumstances in relation to each site at the time the application is received.
- 2.10 Notwithstanding the above, the considerable evidence base undertaken as part of the preparation of the emerging Local Plan may still be used to support decisions on planning applications. This will include in situations where it reinforces existing policy in the HDPF or where it justifies decisions that depart from policies set out in the HDPF, in the event that circumstances have changed. This is further explained in Section 5 of this document. The same section also discusses the issue of applications being premature in the context of plan-making.

### 3. Neighbourhood Plans

- 3.1 Neighbourhood Plans allow local communities to help shape the future of their locales. When 'made' by local authorities the Neighbourhood Plans prepared by Parish Councils and other qualifying bodies become part of the statutory development plan and together with the Local Plan are the starting point for determining planning applications.
- 3.2 HDC has an excellent record in relation to Neighbourhood Plans and at the time of writing this document, 17 Neighbourhood Plans have been made, with other Neighbourhood Plans being at an advanced stage of preparation<sup>11</sup>.
- 3.3 As Neighbourhood Plans form a part of the development plan, they are however not immune from the requirements of NPPF Paragraph 11d) (see paragraphs 1.6 and 1.7 of this document) and as such policies may be considered out-of-date due to HDC being unable to demonstrate a five-year housing land supply.
- 3.4 Notwithstanding the above, Neighbourhood Plans benefit from extra support in national policy where particular circumstances are met, even if a local authority is not able to demonstrate a five-year housing land supply. In the scenario outlined below (NPPF para 14) planning permission is unlikely to be granted where a proposal conflicts with policies in a Neighbourhood Plan. This is outlined in NPPF Paragraph 14, which states that:

*"In situations where the presumption (at paragraph 11d) applies to applications involving the provision of housing, the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits, provided all of the following apply:*

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<sup>11</sup> <https://www.horsham.gov.uk/planning/neighbourhood-planning>

- a) the neighbourhood plan became part of the development plan two years or less before the date on which the decision is made;
- b) the neighbourhood plan contains policies and allocations to meet its identified housing requirement;
- c) the local planning authority has at least a three-year supply of deliverable housing sites (against its five-year housing supply requirement, including the appropriate buffer as set out in paragraph 74); and
- d) the local planning authority's housing delivery was at least 45% of that required over the previous three years."

3.5 It will therefore be necessary at the time of determination of a relevant planning application, for the Council to consider whether the conditions exist that allow NPPF Paragraph 14 to be engaged. An indicative assessment below, based on the situation at the time of writing, has been undertaken.

Table 2: Indicative assessment of Neighbourhood Plans against NPPF Paragraph 14

NPPF Paragraph 14 criterion	Assessment
<p><b>a) the neighbourhood plan became part of the development plan two years or less before the date on which the decision is made</b></p>	<p>Ten Neighbourhood Plans became part of the development plan less than two years prior to the publication of this document, all of which were made on 24 June 2021. They cover the parishes of Ashington, Billingshurst, Bramber, Henfield, Rudgwick, Rusper, Shipley, Southwater, Upper Beeding and West Grinstead.</p>
<p><b>b) the neighbourhood plan contains policies and allocations to meet its identified housing requirement</b></p>	<p>Of the Neighbourhood Plans adopted within the last two years, those covering Ashington, Henfield, Southwater and Upper Beeding contain policies and allocations to meet its identified housing requirement.</p>
<p><b>c) the local planning authority has at least a three-year supply of deliverable housing sites (against its five-year housing supply requirement, including the appropriate buffer as set out in paragraph 74)</b></p>	<p>As reported in the Council's latest AMR, it has a four-year supply of deliverable housing sites.</p>
<p><b>d) the local planning authority's housing delivery was at least 45% of that required over the previous three years</b></p>	<p>Latest figures, reported by Government, show that 147% of the Council's required amount of housing was delivered.</p>

- 3.6 The table above indicates that based on the circumstances at the time of writing<sup>12</sup>, NPPF Paragraph 14 would be engaged in the parishes of Ashington, Henfield, Southwater and Upper Beeding. Thus, applications would be unlikely to be granted that conflict with the policies and allocations of their respective Neighbourhood Plans in these locations.
- 3.7 Paragraph 14 would not be engaged for Neighbourhood Plans covering other parishes. This would mean that the presumption in favour of sustainable development would be engaged, reducing the weight to be applied to respective neighbourhood plan policies that relate to the supply of housing. In these instances, the expectation will be that planning applications for housing are approved, unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF when taken as a whole, unless exceptions apply (see paragraph 2.5 of this document for more details).

## 4. Water Neutrality

- 4.1 Horsham District is supplied with water by Southern Water from its Sussex North Water Resource Zone. The supply is sourced from abstraction points in the Arun Valley, which include sites afforded environmental protection. On 14 September 2021, the Council received a Position Statement from Natural England stating that it cannot be ruled out that the abstraction of water for drinking supplies is having a negative impact on the environmental sites in the Arun Valley. They have therefore advised that any new development must not add to this impact and therefore must not increase the amount of water that is abstracted. Such development is described as 'water neutral'.
- 4.2 HDC recognise that the need for development to be water neutral is a relatively new ask for applicants and has published comprehensive information about the subject on the Council's website<sup>13</sup>. Such information includes Natural England's Position Statement, legislative background and FAQs, as well as general advice to applicants. As detailed information will continue to evolve advice is contained online and will be regularly updated to reflect the latest position. It is anticipated that further advice and a mitigation strategy will be created by the Council and its partners to demonstrate how developments can achieve water neutrality. Such details are not covered in this document and prospective applicants and other interested parties are advised to check the Council's website for the most-up-to date information.
- 4.3 Notwithstanding the above and regardless of any other guidance contained within this document, it is the current position that all applications that increase the demand for mains (drinking) water will need to demonstrate that their proposed development is water neutral. If an application cannot demonstrate water neutrality, it will not be determined positively.

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<sup>12</sup> Insert publication date

<sup>13</sup> <https://www.horsham.gov.uk/planning/water-neutrality-in-horsham-district>



## 5. Facilitating Appropriate Development

- 5.1 As detailed earlier in this document, HDC acknowledges that it is unable to demonstrate a five-year housing land supply and that in accordance with the NPPF, the presumption in favour of sustainable development is engaged where Water Neutrality can be demonstrated. In part of its commitment to act in a positive way to ensure that local housing needs are met, it has set out below advice to guide applicants in submitting applications that would deliver sustainable and appropriate development. In providing the advice below and elsewhere in this document, the Council is not altering the statutory decision-making framework.
- 5.2 NPPF Paragraph 219 explains that existing development plan policies should not be considered out-of-date because they were adopted or made prior to the latest NPPF's publication and that due weight should be given to such policies, according to their consistency with the NPPF. Therefore, and notwithstanding that policies relating to housing delivery targets, sites and location of development may be considered out of date, the HDPF and the district's Neighbourhood Plans are broadly up-to-date and compliant with the NPPF. As such it is expected that the policy requirements on most matters, including affordable housing provision, planning obligations, infrastructure and other on-site requirements must still be complied with in order for development to be considered favourably by the Council.

### Pre-application Service

- 5.3 The Council provides pre-application advice and strongly encourages prospective applicants for major housing development to use this service. The service can be used to identify key issues regarding a proposal, highlight what information may be required to support an application and, ultimately, indicate whether a proposal is likely to gain planning permission or not. For larger and more complex proposals, a Planning Performance Agreement (PPA) may be appropriate. Full details are online<sup>14</sup>.

### Site Allocations

- 5.4 Subject to water neutrality being demonstrated, the Council strongly encourages applications on site allocations contained within the HDPF and in Neighbourhood Plans. Applications on such sites have in-principle support, subject to schemes being consistent with other relevant policies and any site specific requirements contained within the relevant allocation policies – such as those that seek to protect important existing assets in or around a site or those that indicate the acceptable quantum of development for the site.

### Locational Suitability and Scale

- 5.5 Policies 3 and 4 of the HDPF set out the Council's development hierarchy and approach to settlement expansion. The policies collectively seek to ensure that development is located in the most sustainable locations, whilst retaining the character and function of the District. Policy 3 categorises the primary settlements of the district into different settlement types based on the characteristics and function of each town and village. Settlements categorised within the development hierarchy (other than unclassified settlements) have a defined settlement boundary, also referred to as a Built-up Area

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<sup>14</sup> <https://www.horsham.gov.uk/planning/planning-applications/planning-permission-advice-services/pre-application-planning-advice>

Boundary (BUAB), as depicted on the Policies Map. Policy 4 relates to settlement expansion where there is a defined BUAB.

- 5.6 These policies are still relevant and relate well to the current settlement form of the district. This is shown by the inclusion in the draft Regulation 19 Local Plan of a similar development hierarchy based on updated evidence<sup>15</sup>, and is supported by paragraph 20 of the NPPF, which seeks to ensure that strategic policies identify an overall strategy for the pattern and scale of development, as well as NPPF paragraphs 79 and 80 that seek to promote sustainable development in rural areas and prevent isolate homes in the countryside, respectively. As such, and as set out in Policy 3 of the HDPF, the Council will generally support applications within BUABs where the nature and scale of development proposed does not affect the settlement's characteristics and function.
- 5.7 The Council recognises that it is likely to receive applications outside of defined BUABs and on unallocated sites as it is unable to demonstrate a five-year housing land supply. Given this position and the principles behind HDPF Policy 4, it will consider positively applications that meet all of the criteria below:
- The site adjoins the existing settlement edge as defined by the BUAB;
  - The level of expansion is appropriate to the scale and function of the settlement the proposal relates to;
  - The proposal demonstrates that it meets local housing needs or will assist the retention and enhancement of community facilities and services;
  - The impact of the development individually or cumulatively does not prejudice comprehensive long-term development; and
  - The development is contained within an existing defensible boundary and the landscape character features are maintained and enhanced.

### Deliverability

- 5.9 As the Council wishes to improve its housing land supply position, it is conscious of the need to approve sites that are defined in the NPPF as being 'deliverable' and therefore capable of being included in housing land supply calculations from the point a planning application is determined. This is as the glossary to the NPPF explains that:

*"To be considered deliverable, sites for housing should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years. In particular:*

*a) sites which do not involve major development and have planning permission, and all sites with detailed planning permission, should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered within five years (for example because they are no longer viable, there is no longer a demand for the type of units or sites have long term phasing plans).*

*b) where a site has outline planning permission for major development, has been allocated in a development plan, has a grant of permission in principle, or is identified on a brownfield register, it should only be considered deliverable where*

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<sup>15</sup> <https://www.horsham.gov.uk/planning/local-plan/local-plan-review-evidence-base>

*there is clear evidence that housing completions will begin on site within five years.”*

- 5.10 Given the national policy position, the Council’s clear preference is for applicants to apply for full planning permission for schemes compliant with the HDPF and this document, indicating their commitment to deliver sites awarded planning permission and helping to improve the Council’s housing land supply.
- 5.11 Notwithstanding the expectation that applications for full planning permissions will be made, the Council recognises that on large and/or complex sites, applications for outline planning permission may be submitted. In such instances, the Council would prefer hybrid applications that seek full planning permission for part of their proposal with an outline application for the remainder of the site.
- 5.12 To support any form of outline application, relevant supporting information will be requested to demonstrate when development would be expected to be delivered. This will include details relating to land ownership, partnership agreements with developers, phasing plans, timings for the submission of reserved matters applications and any other relevant information.
- 5.13 To encourage timely progression of schemes awarded planning permission, and in accordance with Paragraph 77 of the NPPF, the Council may wish to impose conditions that shorten the length of years from date of grant of planning permission by which development must commence, and/or the period within which all reserved matters must be submitted. This will be considered on a case-by-case basis, for example where there is a clear need or agreement that development be expedited.

### **Meeting Local Housing Needs**

- 5.14 The Council’s approach to meeting local housing needs is set out in Policy 16 of the HDPF. This sets out that the latest Strategic Housing Market Assessment – currently the Northern West SHMA 2019<sup>16</sup> - should be used in establishing the housing mix provided in a new development and that the mix should also take into account established character and density of a site as well as the viability of a scheme. Such principles will still form the basis of decisions on planning applications and applicants are advised to consider the SHMA’s findings, as well as local housing needs work supporting a relevant Neighbourhood Plan, when progressing schemes.
- 5.15 The same policy also sets out affordable housing requirements and is supported by the Planning Obligations and Affordable Housing SPD<sup>17</sup>. It specifies that in schemes that would deliver 15 or more dwellings that the Council will seek 35% of the homes to be affordable, and that on schemes of between 5 and 14 it would seek 20% of the homes to be affordable. On the latter requirement, the Council recognises that it is not consistent with national policy<sup>18</sup> and accordingly no longer seeks affordable housing on schemes of less than 10 homes.

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<sup>16</sup> [https://www.horsham.gov.uk/\\_data/assets/pdf\\_file/0020/79130/Northern-West-Sussex-Strategic-Housing-Market-Assessment.pdf](https://www.horsham.gov.uk/_data/assets/pdf_file/0020/79130/Northern-West-Sussex-Strategic-Housing-Market-Assessment.pdf)

<sup>17</sup> [https://www.horsham.gov.uk/\\_data/assets/pdf\\_file/0005/66821/Planning-Obligations-and-Affordable-Housing-September-2017.pdf](https://www.horsham.gov.uk/_data/assets/pdf_file/0005/66821/Planning-Obligations-and-Affordable-Housing-September-2017.pdf)

<sup>18</sup> NPPF Paragraph 64

- 5.16 As set out in paragraph 6.8 of the HDPF, the Council seeks 70% of affordable homes to be provided as social/affordable rented units and 30% as intermediate/shared ownership units. Applicants are also advised that Planning Practice Guidance<sup>19</sup> requires that 25% of all affordable housing units should be First Homes – the government’s preferred discounted market tenure and that such homes are considered to be a form of intermediate housing. The Council may produce standalone advice on First Homes and its implementation in Horsham District.
- 5.17 The Council has undertaken a Viability Study<sup>20</sup> to support the emerging affordable housing policy in the emerging Local Plan. The report indicates that schemes on greenfield sites that deliver 10 or more homes (gross) or exceed 0.5 hectares, can deliver at least 45% of all homes as affordable housing. This was reflected in Strategic Policy 16 of the draft Regulation 19 Local Plan that was considered by Cabinet in July 2021, and further strengthens the evidence for such sites to deliver at least 35% affordable housing. The Council encourages applicants to consider the findings of the Viability Study in developing proposals and would consider positively schemes that exceed current policy requirements for affordable homes.

### **Biodiversity**

- 5.18 Policy 31 of the HDPF, supported by Strategic Policy 25, contains the Council’s approach to green infrastructure and biodiversity. It underlines that the Council wish to protect and enhance the natural assets in the district. These policies remain consistent with Government policy contained in Chapter 15 of the NPPF.
- 5.19 Further, Government has indicated an increased commitment to improving biodiversity within the Environment Act 2021. Among other things this seeks to create Local Nature Recovery Strategies and a national Nature Recovery Network (NRN). Therefore, the Council encourages development that makes a positive contribution to biodiversity, including the creation of linkages that enhance or connect priority habitats together.
- 5.20 The Environment Act 2021 also states that development should result in a biodiversity net gain of at least 10% against what previously existed on a site. Though the Government has not yet determined precisely how it will be implemented<sup>21</sup>, the Regulations requiring development to demonstrate a 10% biodiversity net gain is expected to be in place November 2023. As such, the Council strongly encourages potential applicants to consider the issue and to design schemes that deliver a minimum biodiversity net gain of 10%. Applicants are advised to measure the net gain using the Biodiversity Metric 3.0<sup>22</sup> or the Small Sites Metric (or the latest updated tool produced by Natural England). Further guidance on this has been developed by the Council<sup>23</sup>.

### **Climate Change**

- 5.21 At a meeting of Full Council on 26 June 2019, Horsham District Councillors acknowledged in a Notice of Motion strong scientific evidence and growing public

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<sup>19</sup> Paragraph: 001 Reference ID: 70-001-2021052

<sup>20</sup> [https://www.horsham.gov.uk/\\_data/assets/pdf\\_file/0016/104821/210726-HLP-Viability-Assessment\\_Submission-Version-V1-red.pdf](https://www.horsham.gov.uk/_data/assets/pdf_file/0016/104821/210726-HLP-Viability-Assessment_Submission-Version-V1-red.pdf)

<sup>21</sup> Draft regulations have been subject to consultation - <https://consult.defra.gov.uk/defra-net-gain-consultation-team/consultation-on-biodiversity-net-gain-regulations/>

<sup>22</sup> <http://nepubprod.appspot.com/publication/6049804846366720>

<sup>23</sup> [To add link to Biodiversity and Green Infrastructure PAN](#)

concern about a wide range of damaging environmental matters. The Council has committed to the development and implementation of a range of measures<sup>24</sup> that work towards a net zero carbon target, to achieve the national commitment by 2050 and aspires to achieve net zero carbon from its own activities by 2030.

- 5.22 Legislation is clear that it is a fundamental requirement to combat the causes of climate change and mitigate its ongoing effects. In terms of the NPPF and PPG, addressing climate change is one of the core land use planning principles expected to underpin both plan-making and decision taking. The NPPF emphasises that responding to climate change is central to the economic, social and environmental dimensions of sustainable development and aligns with HDPF policies 35-38 that seek to address the district's contribution to climate change.
- 5.23 Given this context, applicants are advised to fully consider the impacts of climate change from the onset of early design, taking account of the landform, layout, building orientation, massing and landscaping to minimise energy consumption. Consideration should also be given to non-carbon based forms of energy, including heat pumps and /or renewable energy. In addition, sustainable and active modes of transport and forms of movement should be facilitated and actively promoted as an alternative to private car use in order to further reduce carbon emissions.

## Transport

- 5.24 HDPF Policy 40 sets out the Council's approach to sustainable transport. In general, the policy seeks to promote sustainable and active modes of transport and movement as an alternative to private car use. The policies align with the NPPF and the Council expects them to be embedded in any development scheme. Further, it is expected that proposals will demonstrate accordance with the principles and priorities set out in the West Sussex Transport Plan 2022-2036<sup>25</sup>, Local Transport Note 1/20: Cycle Infrastructure Design<sup>26</sup> and the Horsham Local Cycling & Walking Infrastructure Plan<sup>27</sup> and any subsequent updates to these documents.
- 5.25 Additionally, the Council's approach to parking is set out in HDPF Policy 41, which seeks to balance the need for parking whilst ensuring that parking is well located and does not conflict with other uses. West Sussex County Council has produced parking guidance for new development<sup>28</sup>, which applicants are advised to consider when working up development schemes. HDC is producing its own advice on street design and parking standards to further guide applicants in Horsham District which should be given consideration once published.

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<sup>24</sup> <https://www.horsham.gov.uk/climate-and-environment>

<sup>25</sup> <https://www.westsussex.gov.uk/about-the-council/policies-and-reports/roads-and-travel-policy-and-reports/west-sussex-transport-plan/>

<sup>26</sup>

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/951074/cycle-infrastructure-design-ltn-1-20.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/951074/cycle-infrastructure-design-ltn-1-20.pdf)

<sup>27</sup>

<https://horsham.moderngov.co.uk/documents/s15932/LCWIP%20Appendix%201%20Main%20Document%20October%202020.pdf>

<sup>28</sup> [https://www.westsussex.gov.uk/media/1847/guidance\\_parking\\_res\\_dev.pdf](https://www.westsussex.gov.uk/media/1847/guidance_parking_res_dev.pdf)

## Design

- 5.26 The NPPF is clear that good design is a fundamental element in sustainable development. The creation of high quality, beautiful and sustainable buildings and places is essential to what the planning and development process should achieve.
- 5.27 Strategic Policy 32: The Quality of New Development and Policy 33: Development Principles of the HDPF set out the Council's requirements in terms of design and remain up to date. Applicants must consider the relevance of all criteria in relation to their proposal. In terms of Policy 33, applicants must be aware that they may be asked to justify why they do not consider any specific element of the policy is relevant to their application.
- 5.28 The National Design Guide<sup>29</sup>, National Model Design Code<sup>30</sup> and Guidance Notes for Design Codes<sup>31</sup> illustrate how well-designed places that are beautiful, healthy, greener, enduring and successful can be achieved in practice. They form part of the Government's collection of planning practice guidance and should be read alongside the PPG section on design process and tools<sup>32</sup>.

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[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/962113/National\\_design\\_guide.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/962113/National_design_guide.pdf)

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[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/957205/National\\_Model\\_Design\\_Code.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/957205/National_Model_Design_Code.pdf)

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[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/957207/Guidance\\_notes\\_for\\_Design\\_Codes.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/957207/Guidance_notes_for_Design_Codes.pdf)

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[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/957207/Guidance\\_notes\\_for\\_Design\\_Codes.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/957207/Guidance_notes_for_Design_Codes.pdf)

## Appendix 1: Policies 3 and 4 of the Horsham District Planning Framework

The policy wording of policies 3 and 4 of the Horsham District Planning Framework (HDPF) are found below.

### Policy 3

#### Strategic Policy: Development Hierarchy

Development will be permitted within towns and villages which have defined built-up areas. Any infilling and redevelopment will be required to demonstrate that it is of an appropriate nature and scale to maintain characteristics and function of the settlement in accordance with the settlement hierarchy below:

Settlement Type	Settlement Characteristics and Function	Settlements
<b>Main Town</b>	Settlement with a large range of employment, services and facilities and leisure opportunities, including those providing a district function. Strong social networks, with good rail and bus accessibility. The settlement meets the majority of its own needs and many of those in smaller settlements.	Horsham
<b>Small Towns and Larger Villages</b>	These are settlements with a good range of services and facilities, strong community networks and local employment provision, together with reasonable rail and / or bus services. The settlements act as hubs for smaller villages to meet their daily needs, but also have some reliance on larger settlements	Billingshurst Bramber and Upper Beeding Broadbridge Heath Henfield Pulborough and Codmore Hill Southwater Steyning Storrington & Sullington*
<b>Medium Villages</b>	These settlements have a moderate level of services and facilities and community networks, together with some access to public transport. These settlements provide some day to day needs for residents, but rely on small market towns and	Ashington Barns Green Cowfold Partridge Green Rudgwick and Bucks Green Slinfold Warnham

Settlement Type	Settlement Characteristics and Function	Settlements
	larger settlements to meet a number of their requirements.	West Chiltington Village and Common
<b>Smaller Villages</b>	Villages with limited services, facilities, social networks but with good accessibility to larger settlements (e.g. road or rail) or settlements with some employment but limited services facilities or accessibility. Residents are reliant on larger settlements to access most of their requirements.	Christ's Hospital Lower Beeding Mannings Heath Rusper Small Dole Thakeham (The Street and High Bar Lane)
<b>Unclassified settlements</b>	Settlements with few or no facilities or social networks and limited accessibility, that are reliant on other villages and towns to meet the needs of residents	All other settlements

\* This does not include the hamlet of Sullington which is located entirely within the South Downs National Park

## Policy 4

### Strategic Policy: Settlement Expansion

The growth of settlements across the District will continue to be supported in order to meet identified local housing, employment and community needs. Outside built-up area boundaries, the expansion of settlements will be supported where;

1. The site is allocated in the Local Plan or in a Neighbourhood Plan and adjoins an existing settlement edge.
2. The level of expansion is appropriate to the scale and function of the settlement type.
3. The development is demonstrated to meet the identified local housing needs and/or employment needs or will assist the retention and enhancement of community facilities and services.
4. The impact of the development individually or cumulatively does not prejudice comprehensive long term development, in order not to conflict with the development strategy; and
5. The development is contained within an existing defensible boundary and the landscape and townscape character features are maintained and enhanced.





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Horsham  
District  
Council

# Biodiversity and Green Infrastructure

Planning Advice Note

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## 1.0 Purpose of this Planning Advice Note

- 1.1 The purpose of this Planning Advice Note (PAN) is to provide interim guidance for applicants and decision makers on how Biodiversity and Green Infrastructure should be taken into account within development proposals in accordance with the Horsham District Development Plan<sup>1</sup> and the National Planning Policy Framework (NPPF) following the enactment of the [Environment Act 2021](#) but before all the necessary secondary legislation is in place and enacted in respect of the emerging statutory 10% biodiversity net gain requirement<sup>2</sup>.
- 1.2 It supports the implementation of the policies of the [Horsham District Planning Framework 2015](#) (HDPF), in particular Strategic Policy 25 and Policy 31.
- 1.3 The existing strong statutory and policy protections for statutory protected sites, protected species and irreplaceable habitats remain in place<sup>3</sup>. This Planning Advice Note does not seek to repeat them here,

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<sup>1</sup> The Development Plan comprises all relevant adopted plans, such as, Horsham District Planning Framework 2015 (HDPF), Site Specific Allocations of Land DPD 2007, West Sussex Joint Minerals Local Plan 2018, West Sussex Waste Local Plan 2014 (revised 2019), and made Neighbourhood Plans.

<sup>2</sup> Further information is available via the [consultation](#) on the [Biodiversity Net Gain Regulations and Implementation](#) (11 January- 4 April 2022). The Government indicates the BNG Regulations will be in place in November 2023.

<sup>3</sup> Protected sites are shown on the [HDPF policies map \(as at 2015\)](#) and the Sussex Wildlife Trust provide advice and links in its document titled [Biodiversity and Planning in Sussex \(2014\)](#).

instead it focuses on the emerging changes and increased regard to biodiversity and green infrastructure and sets out a clear interim approach.

- 1.4 This Planning Advice Note draws together current adopted Local Plan policies, and up-to-date national policy guidance including relevant ministerial statements. It therefore forms a material consideration that will be taken into account by decision makers when determining planning applications.

## 2.0 Policy Background

### Horsham District Planning Framework (HDPF):

- 2.1 The HDPF was adopted in 2015 and comprises policies that seek to ensure development creates “no net loss of wider biodiversity” and provides “net gains in biodiversity where appropriate”. It also requires proposals to “contribute to the enhancement of existing biodiversity” and also “create and manage new habitats where appropriate”.
- 2.2 The HDPF also seeks to ensure development contributes to the multi-functional network of green spaces known as ‘Green Infrastructure’. This covers more than the key areas shown in the [Green Infrastructure Strategy 2014](#) (and its [2021 update plan](#)) and includes both rural and urban areas such as parks, allotments, cemeteries, sports areas, amenity space, woodlands, trees, road verges, and areas of water and wetlands. Policy 43 of the HDPF which relates in part to the retention and provision of open space, in conjunction with Policy 39 relating to infrastructure provision, is therefore a key vehicle for the delivery of green infrastructure. By virtue of these policies, development is required to accord with the open space standards set out in the [Open Space, Sport & Recreation Review 2021](#) (the key elements in respect of future development requirements is provided in its [Non-Technical Summary](#)).
- 2.3 The Green Infrastructure Strategy identifies ‘Biodiversity Opportunity Areas’, where biodiversity could be significantly enhanced, and reflects regard should be given to any subsequent updates. The HDPF also advises the Sussex Biodiversity Action Plan may help provide further information in this respect. Biodiversity Action Plans and Biodiversity Opportunity Areas remain relevant, however, the significant decline in biodiversity is heralding a more ambitious approach, as evidenced by the Environment Act’s requirement for Local Nature Recovery Strategies (LNRS) and a deliverable national Nature Recovery Network (NRN).
- 2.4 On this basis, the [Wilder Horsham District](#) (WHD) partnership between Horsham District Council and Sussex Wildlife Trust has produced a draft [Horsham District NRN \(Version 1, July 2021\)](#). From a planning perspective, the document or any updates, should be seen as highlighting opportunities and should not be read as a ‘constraints’ map. The draft NRN has been informed by ecologists and informed by the Sussex Local Nature Partnership’s [Natural Capital Investment Strategy \(2019\)](#). It is considered to set out an approach for enhancing and linking ecological networks and biodiversity, the achievability of which is being explored by the WHD partnership. The work will help to inform the future Local Nature Recovery Strategy (LNRS) that would cover the District and consequent national NRN<sup>4</sup>.
- 2.5 The draft Horsham District NRN therefore identifies, alongside statutorily and policy protected sites<sup>5</sup>, areas of ‘opportunity’ for biodiversity enhancement (such as, areas with very high or high habitat potential, buffer zones, potential corridors and ‘stepping stones’ for wildlife movements). These

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<sup>4</sup> Further information on the NRN can be found in the Defra / Natural England: [Policy Paper – Nature Recovery Network](#)

<sup>5</sup> Statutorily and policy protected sites include SSSIs, Local Wildlife Sites (LWS), Ancient Woodland, and also SPA, SAC which lie in the District but within the planning area of the South Downs National Park (NB: this should not be read as an exhaustive list).

'opportunity' areas should be taken into account within any development proposal when it considers the opportunities for delivering BNG presented by the development of the site. The draft Horsham District NRN assists in the consideration of the wider ecological network and therefore how a proposal can contribute to the overarching objectives of the Environment Act 2021 and the Lawton principles of: Bigger, Better, More and Joined Up<sup>6</sup>. Of particular importance is the identified importance of hedgerows, woodland, freshwater and floodplain habitats, and pollinating insects.

### National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG):

- 2.5 The [National Planning Policy Framework](#) (NPPF) (2021) requires development to provide “*measurable net gains for biodiversity*”. National planning practice guidance (PPG) on [Natural Environment](#) explains “*Biodiversity net gain delivers measurable improvements for biodiversity by creating or enhancing habitats in association with development.*” There is also a focus on retaining and planting trees and it makes clear that all new streets should be tree lined. The need to deliver ‘measurable improvements’ means that some kind of measure is required to demonstrate that net gain has been achieved.
- 2.6 Natural England has helped develop ‘[Biodiversity Metrics](#)’ as a tool to measure biodiversity net gains. It has also recently reviewed and updated its guidance in respect of [Green Infrastructure](#) and recognises it has an important role to play in our urban and rural environments for improving health and wellbeing, air quality, nature recovery and resilience to and mitigation for climate change, along with addressing issues of social inequality and environmental decline. It has also produced a [national mapping tool](#) which provides various layers of information relating to green and blue infrastructure that can be toggled on and off. The mapping tool also includes layers in relation to Access to Natural Green Space Standards (ANGST) and provides the ability to zoom right down to an individual street. This should therefore be taken into account, as appropriate.

## 3.0 Applications

- 3.1 All planning proposals requiring the submission of a planning application will be expected to have regard to biodiversity and its enhancement in accordance with the [NPPF](#). This advice does not seek to introduce or set new ‘Policy’ requirements such as requiring a specified % BNG in advance of the legislative requirements entering into force. The purpose of this guidance note is to provide clear guidance on the Council’s approach during the transition towards the emerging statutory requirements. All applicants are, however, strongly encouraged to seek to achieve 10% BNG (or more if practicable) in light of the clear direction set by government.
- 3.2 During the transition period before the statutory 10% BNG comes into force, the following applications will be required to achieve biodiversity net gain:
- **Relevant Development: All major applications; and minor applications with a site area of 0.5 hectares or above and / or where priority habitat is present on site** – Applicants will be expected to use the [Biodiversity Metric](#) (version 3.1 or subsequent updates) to demonstrate a BNG will be achieved and to provide the expected % gain. These developments are likely to have the greatest impact and opportunity for securing biodiversity net gain. They are of a scale where ecological assessments are common.
  - **Relevant Development: Minor Applications providing 1 - 9 dwellings with a site area less than 0.5 hectares; and new build / replacement commercial** - Applicants will be expected to

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<sup>6</sup> The Lawton principles are reflected in the Government document titled [A Green Future: Our 25 Year Plan to Improve the Environment 2018](#) (often called the 25 Year Environment Plan / 25 Year Plan) which preceded the Environment Act 2021.

use the [Small Sites Metric](#)<sup>7</sup> (or subsequent updates) to demonstrate a BNG will be achieved and to provide the expected % gain because these developments can have a significant impact on existing habitats, and present opportunity for securing biodiversity net gain. They are of a scale where development is likely to have an impact on biodiversity and where there are opportunities to deliver environmental enhancements.

- 3.3 All other applications, including householder and the change of use of buildings / land, applicants are highly encouraged to take biodiversity into account and to provide biodiversity enhancements on-site wherever possible. This means such applications only need to consider paragraph 4.7 below. The reduced 'requirement' in respect of these applications reflects that the emerging BNG Regulations are considering exempting some of these types of applications from a 10% BNG requirement. The regard given to the protection and enhancement of biodiversity should be included in the supporting statement or planning statement. The use of the Small Sites Metric or Biodiversity Metric (version 3.1 or subsequent updates), as appropriate for the scale and nature of the development, is encouraged.

## 4.0 Approach

### Baseline information:

- 4.1 In the first instance, all 'Relevant Development' applications, as defined in paragraph 3.2 above, will have to establish the baseline biodiversity value of the whole site area (red line boundary) using, as appropriate, the biodiversity metric or small sites metric (version 3.1 or subsequent updates).

### Mitigation hierarchy:

- 4.2 To achieve biodiversity net gain, all 'Relevant Development' applications must demonstrate use of the mitigation hierarchy as set out in [BS42020 Biodiversity: Code of Practice for Planning and Development](#) (and subsequent updates) and as expected in the Environment Act 2021 and emerging Regulations. In summary, the mitigation hierarchy seeks to address impacts on biodiversity in the order detailed: avoidance, minimisation, mitigation [rehabilitation / restoration], and then as a last resort compensation / off-setting for unavoidable biodiversity loss that is considered acceptable in accordance with the NPPF<sup>8</sup>.

### Provision of BNG:

- 4.3 The delivery of BNG is **in addition to** any mitigation / compensation measures required to address any harm caused by the development to habitats in accordance with the mitigation hierarchy. The Biodiversity Metric or small sites metric, as appropriate, should be used to measure the proposed enhancements (habitat creation) against the baseline of the whole site area. This means it is important that the baseline (existing habitats) is an accurate reflection of the site. Any habitat degradation of pre-development habitats since 30 January 2020<sup>9</sup> will have to be accounted for in the baseline<sup>10</sup>, unless the action causing degradation has been approved by planning permission (the details and planning reference of which should be submitted).
- 4.4 Development proposals will be expected to take a landscape led approach. They must provide any necessary ecological / geodiversity surveys and reports in line with best practice guidance from the

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<sup>7</sup> The full [Biodiversity Metric](#) can be used if preferred by the applicant and will have to be used in some cases such as when off-site BNG is to be calculated.

<sup>8</sup> Such as paragraph 180 of the [NPPF 2021](#)

<sup>9</sup> This date is used in both the Environment Act 2021 and the consultation on the BNG Regulations

<sup>10</sup> This will require the use UKHab data, aerial photography and historic habitat data going back to 30 January 2020 to determine the baseline value, as appropriate. An earlier baseline must be applied where activity, other than that permitted by a planning permission, has reduced the on-site biodiversity value since this date.

Chartered Institute for Ecology and Environmental Management (CIEEM)<sup>11</sup> and have regard to the advice from the Landscape Institute<sup>12</sup>. They should also have regard to relevant British Standards, such as, BS42020, BS8683 and BS42021<sup>13</sup>; as well as guidance from the [Planning Advisory Service \(PAS\)](#) and the national [PPG](#) (which get updated regularly). Impacts arising from development such as lighting and recreational impacts, including dog walking should be assessed using professional assessment methods, and appropriately mitigated.

- 4.5 BNG should be delivered on site in the first instance. If this is not possible regard may be given to off-site provision if this can be secured by the applicant. The market in off-site 'Biodiversity Units' is in its infancy but is expected to rapidly grow in light of the Environment Act 2021. In the meantime, the Council will consider off-site offsetting on a case-by-case basis, and as a minimum will expect to see proof that the applicant has control of the land providing the offsetting, and a deliverable biodiversity gain plan. Any off-setting will be expected to be located within the District of Horsham, as close as practicable to the development site, unless an alternative location offers more appropriate biodiversity net gains and is agreed by the Council.
- 4.6 BNG projects will normally be secured by a legal agreement and require a Council approved funded management and maintenance plan. The BNG aims and objectives should be outlined in any Landscape and Ecological Management Plan (LEMP) secured as a condition of any consent. The emerging statutory requirements seek the management of sites to secure the BNG for a minimum of 30 years. Applicants are therefore expected to be mindful of this when considering future management arrangements. The council will seek to ensure there are sufficient measures in place to support long term management and monitoring, and may require financial contributions in all relevant instances to monitor and provide a contingency (to resolve any situations where there is a likelihood the proposed habitat enhancements may fail to reach their target type and condition) for the delivery of BNG for the respective period.
- 4.7 On sites not captured as 'Relevant Development' in paragraph 3.2 above it is recognised they may not be required to provide a funded management and maintenance plan and secure provision for 30 years. However, every effort should be made to protect and enhance biodiversity in the longer term. This may be through the provision of wildlife / hedgehog gateways as appropriate in boundaries, bird boxes / swift bricks, bat boxes, bee bricks, bug hotels, living 'green or brown' walls / roofs, ponds / water features, appropriate lighting (eg either none or dim, orangey / red lighting) and the planting of native trees and shrubs. Further information on measures which can be incorporated is provided by a number of nationally recognised bodies, such as:
- Natural England's Wildlife Gardening Forum : [Booklets on Wildlife Gardening](#)
  - The Royal Horticultural Society (RHS) – [Wildlife Gardening](#) and [Garden lighting: effects on wildlife](#)
  - The Wildlife Trust – [Simple things to help wildlife](#)
  - The RSPB – [Birds and Wildlife Advice](#); and joint guidance on [Swift Bricks](#)
  - The Woodland Trust – [How to attract wildlife to your garden: 5 top tips](#)
  - The [European Federation of Green Roofs and Walls](#)
  - Natural History Museum – [Seven simple ways to create a wildlife friendly garden](#)

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<sup>11</sup> Guidance such as, Further guidance CIEEM/CIRIA (2016) Biodiversity Net Gain: Good Practice Principles, and CIEEM/CIRIA (2019) Biodiversity Net Gain: A good practice guide

<sup>12</sup> For example, the Landscape Institute's [Policy Briefing on Biodiversity Net Gain for Landscape Professionals](#)

<sup>13</sup> British Standards such as: BS42020 Biodiversity - Code of practice for planning and development; BS8683 Process for designing and implementing biodiversity net gain – Specification; and BS42021 Integral nest boxes: selection and installation for new developments – Specification.



## Documents to accompany 'Relevant Development' proposals:

- 4.8 To help process and determine quickly 'Relevant Development' applications, as defined in paragraph 3.2 above, the council will expect the following information to be submitted in respect of biodiversity net gain:
- a) Biodiversity net gain information, as a minimum, – to include:
    - maps showing clearly where the habitat units occur both pre-development (baseline) and post-development (habitat retained, enhanced, and created);
    - clear information on the pre-development biodiversity value;
    - the steps taken to minimise adverse biodiversity impacts;
    - the proposed approach to enhancing biodiversity on-site, and any proposed off-site biodiversity enhancements that have been planned or arranged for the development;
    - submissions should include Phase 1 Habitat Surveys (Preliminary Ecological Appraisals), as appropriate and undertaken by suitably qualified ecologists (SQEs), a list of which can be found on the CIEEM website<sup>14</sup>. It is recommended that ecological consultants with local knowledge are employed;
    - the expectation is for ecological consultants to obtain data from, and then share any subsequent updates with, the [Sussex Biodiversity Records Centre](#).

(Please see [CIEEM BNG Report and Audit Templates](#) and [Annex B in BNG Regulations consultation document](#), or subsequent updates, for guidance on the information to submit).

  - b) Biodiversity net gain summary – this should include full calculations, along with justification of the condition for the baseline habitat (to help provide clarity should the spreadsheets requested below be amended), and a table showing for each broad habitat type:
    - the baseline (units and hectares / sqm),
    - predicted gains / losses (units and hectares / sqm),
    - area change (units) and percentage change (%), with respective maps.
  - c) Biodiversity Metric – the latest version of the Defra approved Biodiversity Metric including all spreadsheets to provide evidence for calculations (or as appropriate when using the Small Sites Metric).
  - d) Evidence that consideration has been given to the ecological functionality of the existing site, to ensure any existing value for biodiversity is incorporated into site designs, and that consideration has also been given to the on-site options for linking existing ecological networks.
  - e) Information on how the habitats will be implemented, managed, and monitored for the period to be agreed – at application stage this may be high level. This will however have to be provided in detail before development commences and will therefore be subject to condition as appropriate.
- 4.9 Should permission be granted, a pre-commencement condition will be imposed requiring the submission of a Biodiversity Gain Plan which will be more comprehensive, taking into account site investigation works, appropriate extended ecological surveys for habitats and protected within seasonal constraints etc – to address any such information that was not required at application stage to support a legal / s106 agreement. Applicants are welcome to submit a Biodiversity Gain Plan at the application stage, as this is likely to enable the relevant conditions to be discharged more quickly and efficiently.
- 4.10 For outline and phased permissions applicants will be expected to explain the strategy to achieve the biodiversity gain objective across the whole site and to demonstrate how this could be delivered on a phase-by-phase basis. Should permission be granted, the condition imposed to secure the BNG will also require the submission of a report at each Reserved Matters application, or as appropriate, which

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<sup>14</sup> <http://events.cieem.net/ProfessionalDirectory/Professional-Directory.aspx>

must set out how the proposals meet the principles / requirements included in the approved biodiversity gain strategy / plan and how any shortfalls in provision will be addressed.

## 5.0 Future Approach

- 5.1 Development will be expected to take this guidance into account until the Biodiversity Net Gain Regulations are in force or the Horsham District Local Plan is adopted, whichever comes first.
- 5.2 Once the Biodiversity Net Gain Regulations are in place, which is expected to be November 2023, development will have to accord with those requirements. This means all development covered by the Regulations will have to deliver at least 10% BNG.
- 5.3 HDC will provide updated policies and biodiversity net gain requirements as part of the emerging Local Plan. If you wish to be kept informed about the emerging Local Plan please sign up via the following link to register for email updates(GDPR compliant): <https://strategicplanning.horsham.gov.uk/consult.ti/system/register>. Alternatively, you can check the Council's webpages for any updates.

## Links to Documentation Detailed in the Advice Note:

### National:

- [A Green Future: Our 25 Year Plan to Improve the Environment 2018](#) (often called the 25 Year Environment Plan / 25 Year Plan)
- The [Environment Act 2021](#)
- The BNG [consultation](#) (11 January - 4 April 2022) on the [Biodiversity Net Gain Regulations and Implementation](#)
- The [Biodiversity Metric \(version 3.1 or as updated\)](#)
- The [Small Sites Metric \(simplified version of Biodiversity Metric 3.1 or as updated\)](#)
- The [National Planning Policy Framework](#) (NPPF)
- National [Planning practice guidance](#) (PPG) on [Natural Environment](#)
- Defra / Natural England: [Policy Paper – Nature Recovery Network](#)
- British Standard: [BS42020 Biodiversity: Code of Practice for Planning and Development](#)
- British Standard: [BS42021 Integral nest boxes: selection and installation for new developments - Specifications](#)
- British Standard: [BS8683 Process for designing and implementing biodiversity net gain – specification](#)
- [CIEEM/CIRIA/IEMA \(2019\) Biodiversity Net Gain: Good practice principles for development A practical guide](#) and [Clarification and errata](#) and [Case Studies](#)
- [CIEEM/CIRIA/IEMA \(2016\) Biodiversity Net Gain – Good practice principles for development](#)
- [Natural England’s Green Infrastructure principles and guidance](#) and [Mapping Tool](#)
- [Landscape Institute’s Policy Briefing on Biodiversity Net Gain for Landscape Professionals](#)
- Planning Advisory Service (PAS) – [Biodiversity Net Gain](#)
- Natural England’s Wildlife Gardening Forum : [Booklets on Wildlife Gardening](#)
- The Royal Horticultural Society (RHS) – [Wildlife Gardening](#) and [Garden lighting: effects on wildlife](#)
- The Wildlife Trust – [Simple things to help wildlife](#)
- The RSPB – [Birds and Wildlife Advice](#); and joint guidance on [Swift Bricks](#)
- The Woodland Trust – [How to attract wildlife to your garden: 5 top tips](#)
- The [European Federation Green Roofs and Walls](#)
- Natural History Museum – [Seven simple ways to create a wildlife friendly garden](#)

## Local:

- The [Horsham District Planning Framework 2015](#) (HDPF) and link to [Policies Map](#)
- The [Green Infrastructure Strategy 2014](#) and its [2021 update plan](#)
- The [Open Space, Sport & Recreation Review 2021](#) and its [Non-Technical Summary](#)
- The [Wilder Horsham District](#) (WHD) partnership
- The draft [Horsham District NRN \(Version 1, July 2021\)](#)
- The Sussex Local Nature Partnership's [Natural Capital Investment Strategy \(2019\)](#)
- The [Sussex Biodiversity Record Centre](#)
- The Sussex Wildlife Trust - document titled '[Biodiversity and Planning in Sussex](#)' (2014).

# Draft Rusper Conservation Area Appraisal and Management Plan



Horsham  
District  
Council



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Agenda Annex

September 2022





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# Introduction

## What does Conservation Area designation mean?

The statutory definition of a Conservation Area is an “area of special architectural or historic interest, the character and appearance of which it is desirable to preserve or enhance”. The power to designate Conservation Areas is given to local authorities through the Planning (Listed Buildings and Conservation Areas) Act 1990 (Sections 69 to 78). Proposals within a Conservation Area become subject to policies outlined in section 16 of the National Planning Policy Framework (NPPF), as well as local planning policies outlined in the Horsham District Council Planning Framework. The duties for Horsham District Council, set out in Section 69-72 of the Act, are:

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- from time to time, determine which parts of their area are areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance, and designate those areas as Conservation Areas
- from time to time, to review the past exercise of functions under this section and to determine whether any parts or any further parts of their area should be designated as Conservation Areas; and, if they so determine, they shall designate those parts accordingly (includes reviewing boundaries)
- from time to time, to formulate and publish proposals for the preservation and enhancement of any parts of their area which are Conservation Areas
- to submit proposals for consideration to a public meeting in the area to which they relate – the local planning authority shall have regard to any views concerning the proposals expressed by persons attending the meeting
- in the exercise, with respect to any buildings or other land in a Conservation Area, of any functions..., special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

In response to these statutory requirements, this document provides a comprehensive appraisal of the Rusper Conservation Area. It seeks to define and record the special architectural and historic interest of the Conservation Area and identifies opportunities for enhancement. Although the appraisal seeks to cover the main aspects of the designated area, it cannot be completely comprehensive; the omission of any feature in either the appraisal or the management proposals does not imply that it is of no interest.

## What is a Conservation Area appraisal?

A Conservation Area appraisal defines the special historic and architectural character of an area. Supported by a range of evidence, the document acts as a tool to demonstrate the area’s special interest, explaining to owners and residents the reasons for designation. They are educational and informative documents, which illustrate and justify what that community particularly values about the place they live and work. They provide a relatively detailed articulation of the area’s character, supported by maps and other visual information, which is used to develop a framework for planning decisions.

Character is a complex concept but is best described as the combination of architecture, materials, detailing, topography and open space, as well as the relationship between buildings and their settings. Many other aspects contribute to character such as views, land use, vegetation, building scale and form, noise and adjacent designations such as National Parks.

Appraisals also identify aspects of an area that either contribute to or detract from local character, raise public awareness and interest in the objectives of Conservation Area designation, encourage public involvement in the planning process and identify opportunities for enhancing areas.



# Introduction continued

## Purpose of this document

Once adopted, the appraisal is a material consideration in the determination of planning applications and appeals. Therefore, the appraisal is an important document informing private owners and developers concerning the location, scale and form of new development.

This appraisal concludes with a Conservation Area management plan. This takes forward the issues presented in the appraisal, considering them in the context of legislation, policy and community interest. This will then assist in developing local policies Horsham District Council will adopt to protect the special interest of the Conservation Area in such a way that it becomes self-sustaining into the future. This includes policies to protect the survival and use of local materials, architectural details and to propose forms of development based on the findings of the appraisal.

This document has been produced using the guidance set out by Historic England in their document, Historic England Advice Note 1: Conservation Area Designation, Appraisal and Management (2019).

## Policy background

On 27th November 2015, Horsham District Council adopted the Horsham District Planning Framework (HDPF). The HDPF sets out the planning strategy for the years up to 2031 to deliver social, economic and environmental needs for the district (outside the South Downs National Park). Chapter 9, Conserving and Enhancing the Natural and Built Environment, is of particular importance for conservation and design issues. The policies contained within this chapter deal with many themes central to the conservation and enhancement of heritage assets and local character more generally, such as:

- district character and the natural environment (policy 25);
- the quality of new development (policy 32);
- development principles (policy 33); and
- heritage assets and managing change within the historic environment (policy 34).

However, other sections also contain policies relevant to Conservation Areas, for example chapter 5 concerns economic development and includes policy concerning shop fronts and advertisements (policy 14).

Therefore, Conservation Area designation introduces controls over the way owners can alter or develop their properties. It also introduces control of the demolition of unlisted buildings, works on trees, the types of advertisements that can be displayed with deemed consent and the types of development that can be carried out without the need for planning permission (permitted development rights).

However, research undertaken by Historic England and the London School of Economics has demonstrated that owners of residential properties within Conservation Areas generally consider these controls to be beneficial because they often also sustain or increase the value of those properties within the Conservation Area.



# Introduction continued

## Rusper

*An "Unspoilt village in unspoilt country north of Horsham. Central triangular space, with pleasant cottages around, half-timber and tile hung."\**

Rusper village is located approximately 3 miles north east of the market town of Horsham, within the low weald, close to the Surrey border. The village is the centre point of the parish and contains a community owned shop and post office, church, primary school, two pubs, village hall, sports pavilion and recreation ground.

Rusper is a linear village set on a 400ft high ridge. Due to the village's elevated location, during the 16th century the village was known as High Rusper. The ridge forms the watershed between tributaries of the River Arun and River Mole which gives expansive views of the surrounding area. The parish predominately lies on Weald clay with outcrops of Tunbridge Wells sand and Paludina limestone.

The roads entering the village are rural in appearance with the primary route ways through the parish running roughly north to south, with a further routeway from the east. The Sussex Border Path runs through the village. The wider area has a pastoral and densely wooded character.

## The appraisal

The Conservation Area covers a large proportion of the village core and includes a number of listed buildings. This appraisal offers an opportunity to re-assess the Rusper Conservation Area and to evaluate and record its special interest. It is important to note that designation as a Conservation Area will not in itself protect the area from incremental changes that can erode character over time.

Undertaking this appraisal offers the opportunity to draw out the key elements of the Conservation Area's character and quality as it is now, define what is positive and negative and identify opportunities for beneficial change. The information contained within the appraisal can be used to guide the form of new development within the Conservation Area, help to those considering investment in the area and be informative for the local community, planners and developers alike.

This document is divided into two parts:

Part I: The character appraisal highlights what is architecturally and historically important about the Rusper Conservation Area, identifies any problems within it and assesses whether its boundary is still appropriate. The character appraisal is supported by photographs to illustrate the general character of the conservation area and highlight both its good and bad features.

Part II: The management proposals identify opportunities for preserving and/or enhancing the character of the Conservation Area based on the negative features identified in Part 1.



4 \*Nairn, I. & Pevsner, N., 2001. Sussex, Harmondsworth : [s.l.: Penguin distributed by Yale University Press]. p.314

# Introduction continued

## Summary of special interest

The key positive characteristics of the Rusper Conservation Area are identified in detail in Part I (Appraisal) but can also be summarised as follows:

- The historic origins and development of the village through the medieval, post-medieval and Georgian periods is still clearly discernible in the surviving townscape.
- Many buildings within the Conservation Areas are little altered from the time of their construction and designated in their own right as listed buildings. Many other unlisted buildings contribute positively to local character.
- The buildings within the Conservation Areas utilise local building materials in a range of vernacular and historic techniques, establishing and reinforcing a strong sense of place.

There is a clear contrast between the historic core of the settlement and the surrounding countryside reinforced by the Conservation Area boundary.



## Boundary review

The Rusper Conservation Area was designated in November 1976. After 40 years without change these boundaries have been reviewed, as directed by the Planning (Listed Buildings and Conservation Areas) Act 1990. Over the previous 40 years, the guidance concerning the assessment of heritage significance and the value ascribed to late 19th and early 20th century architecture has evolved, and it is important that design is properly informed by an appreciation of prevailing character and setting sensitivity. This review has drawn the following conclusions:

- **The Conservation Area should be extended.** Due to the location of Ghyll Manor it is considered that the conservation area should be extended to include the northern section of the estate. The proposed extension would result in the site of Rusperhouse Farm historic farmstead falling within the conservation area. The inclusion of Ghyll Manor up to its northern boundary is considered to be consistent with the evolution and character of the Conservation Area and would enhance the specific character of the Conservation Area.
- The properties of:
  - 1 - 5 Church Cottages, High Street
  - 1 - 8 East Street
  - 1 - 4 Star Cottages, Horsham Roadshould be locally listed as they are considered to be of local historic, architectural or townscape interest.

Our assessment has been informed by current guidance and in partnership with interested parties.

The following map illustrates the historic Conservation Area boundary and areas where this boundary has been amended. This appraisal identifies Rusper as having one continuous Conservation Area with a single character area.

# Introduction continued

Map of amended conservation area.



# Part I: Appraisal

## Origins and development of Rusper

Woods would have formerly covered most of the land that was to become Rusper and this is reflected in its Norman-Saxon name which is thought to mean an enclosure or clearing within forest land.

Evidence of Roman activity has been discovered below the ridge on which the village sits with evidence of early iron working. Iron working continued in the area until the sixteenth century.

Prior to the Norman Conquest Rusper was situated within the Rape of Bramber, one of seven rapes within Sussex. Often the southern part of the Rape was occupied by larger settlements with the northern sections being used for grazing, pannage, and timber.

The settlement is first mentioned in a description by Seffrid II Bishop of Chichester from 1180 - 1204. He mentions a small community of nuns, living in a Benedictine Priory. The Priory was situated 1 mile south-west of the present day village and was founded shortly before the 12th century. The parish of Rusper came into existence in 1287 with the appointment of the first rector and it is believed the church was built a few years earlier.

Rusper grew primarily out of the workings of the backlands of the priory and therefore no lord of the manor existed as the nuns undertook the administrative duties. It is believed the De Braose family located the nuns at Rusper to look after their interests in this remote part of their domain. The lands that were not under jurisdiction of the priory were predominately under the control of manors outside of the parish. The priory was dissolved and its land sold off in 1536 by Henry VIII during the Reformation. In 1840 the remains of a Prioress and 4 nuns were accidentally disinterred at the former priory site and are now laid to rest near the south wall of the church tower.

As a result of the loss of the priory Rusper grew into a principally farming village. In 1841 there was about five times as much arable land as meadow and pasture in the parish. Throughout the 19th and 20th century arable farming continued to dominate and farms remained generally small. In 1867 the average farm size was under 100 acres. Around 1875 the number of orchards and market gardens increased to supply the nearby town, however the holding had fallen to 33 from 62 in 1909. In addition to this, between 17th and early 19th century Rusper had all the tradesmen (carpenters, wheelwrights and builders) usual to a place of its size. In 1898 the village shop was thriving and a grocer, baker and draper all existed. Other work, for servants, gardeners, or gamekeepers, was provided by the landed estates.

In the early 16th century the surrounding roads were of sufficient quality to allow servant travel but prior to this the medieval clay roads were often impassable. By the early 19th century the increased use of wheeled traffic caused great deterioration of the roads to the extent that in 1824 the roads again often became impassable. This left the village isolated on numerous occasions. The opening of Faygate Station in 1848 did result in the area becoming more accessible. It also enabled produce such as milk to be delivered to markets in London, with the Vineries even growing and transporting grapes.

The Church of St. Mary Magdalene, formerly St. Mary, dates back to the 13th and 14th century. However, the only remaining medieval fitting in the church is the monumental brass to John Kingsfold and his wife. The church is of sandstone construction and consists of a chancel with north vestry, aisled and clerestoried nave, timber south porch, and west tower; all dating from the mid 19th century and built to the designs of Henry Woodyer (in memory of J.S. Broadwood), except for the tower which dates back to the 14th century and was only restored in the mid 19th century works. In 1979 the roof collapsed and was rebuilt in 1980. The war memorial in the grounds of the church was constructed in 1921.

# Part I: Appraisal

In 1762 two small schools existed within the parish. By 1814-15 a National School was built to the south of the Star Inn. In 1872 a new National School was built and today is Rusper County Primary School.

Ghyll Manor Hotel was originally a farmhouse and was built in the 17th century and further extended in the 19th century. Ghyll Manor Hotel was originally called Hile and Butts. "Butts" may mean it was an overnight stopping place for the cattle drovers who came through the village on their way to market. In 1866 Ghyll Manor became a private residence and by 1938 there were 35 residents. Ghyll Manor is now a hotel and restaurant. Ghyll cottages are also typical examples of vernacular dwellings of the 16th century.

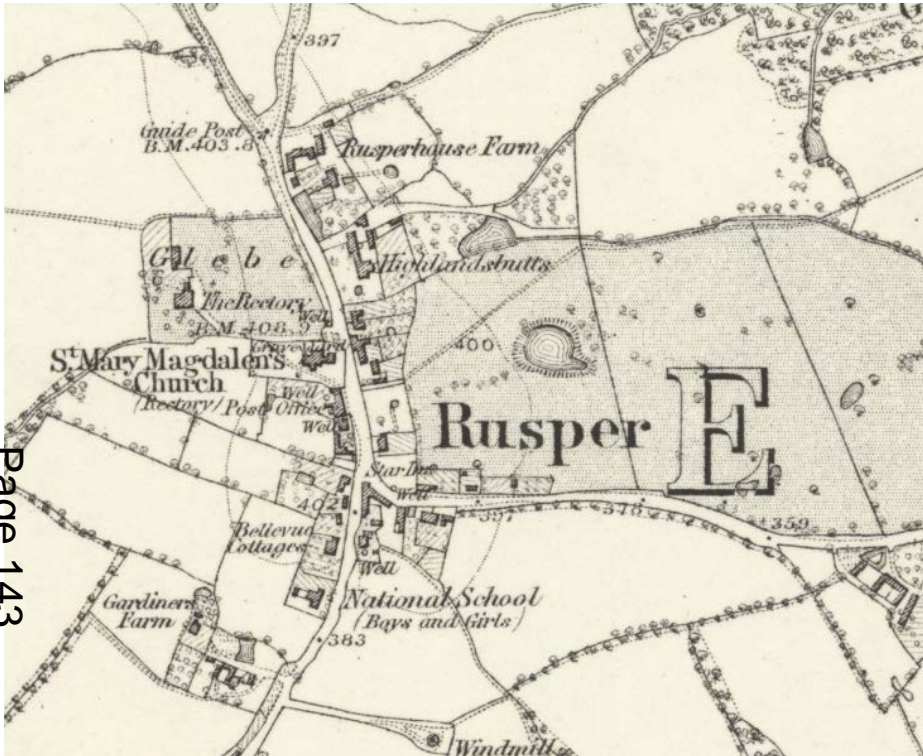
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The Star Inn is a coaching inn dating from the 1600's whilst the Plough Inn is seventeenth century or earlier was originally a beer house attached to the wheelwrights shop. The brewer Henry Michell donated the pump and well outside the Star Inn to the village in 1898. The Village Hall was built in 1910 and was further extended in 1913, 1930 and 1938 and is situated to the south of the conservation area, close to the school.



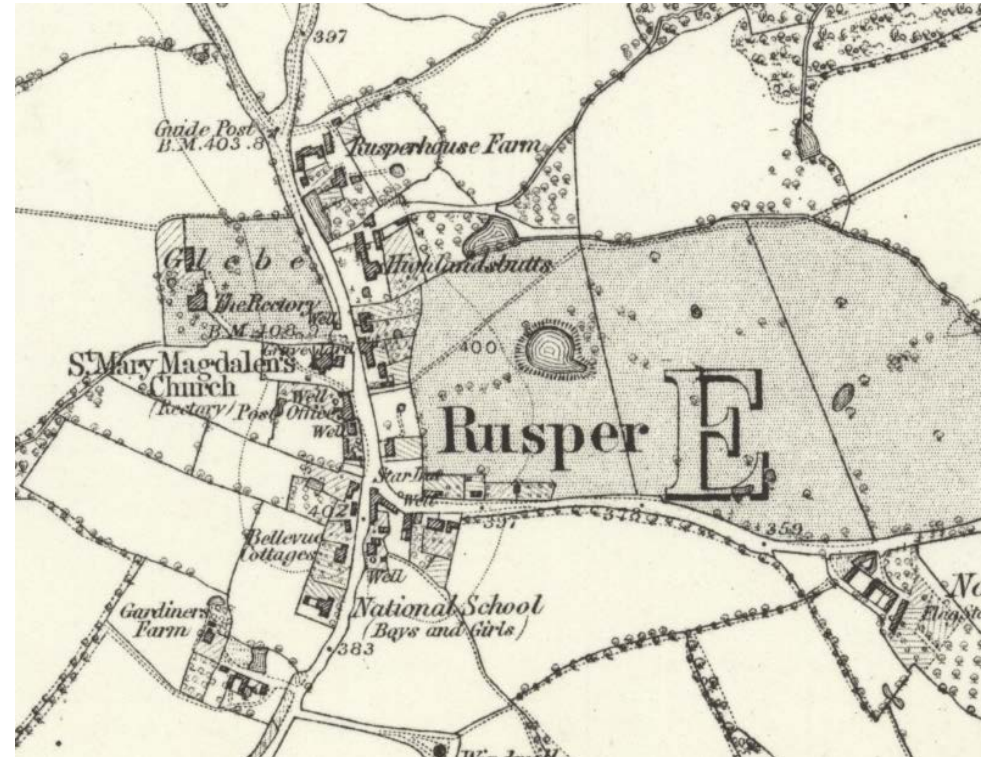
# Part I: Appraisal continued

## Rusper's evolution through historic maps

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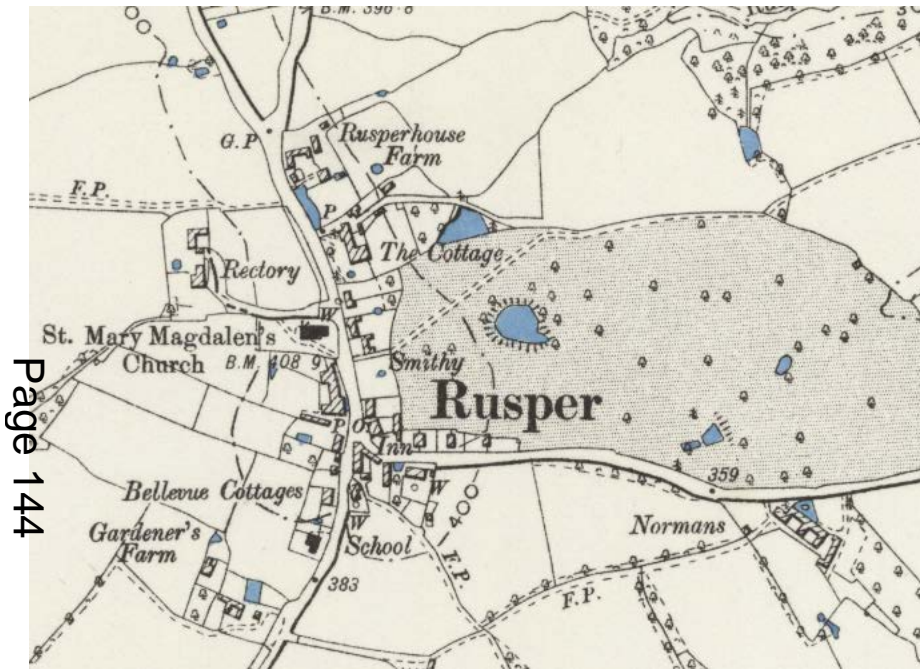
The 1870 map shows the linear settlement of Rusper with the majority of development including the National School along Horsham Road and High Street. The school was built in 1872 by Thomas Potter of Horsham. The Rectory is set back within the Glebe field. The rural character of the village and the importance of the rural economy is clear with the presence of Gardiners Farm and Ruperhouse Farm within the nucleus of the village.



The 1874 - 75 map shows a similar form to the earlier map with limited changes. The wells within the village provided a source of water until the arrival of mains water in the 1930's. Aveyrs to the west of the Star Inn was originally the village blacksmith. Rusper Windmill which milled corn was located to the south of the village core and burnt down in 1894, and was replaced with a steam mill in Aveyrs Barn.

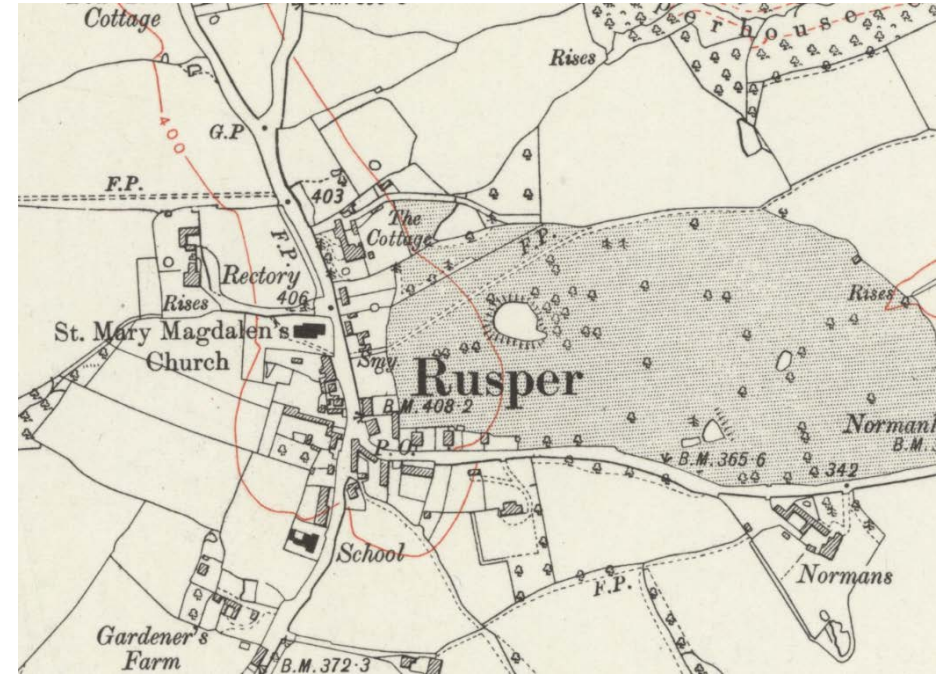
# Part I: Appraisal continued

## Rusper's evolution through historic maps continued



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By 1895 the layout of the village has changed little although the opening of Faygate Station in 1848 did result in the area becoming more accessible. It also enabled produce such as milk to be delivered to markets in London, with the Vineries even growing and transporting grapes.



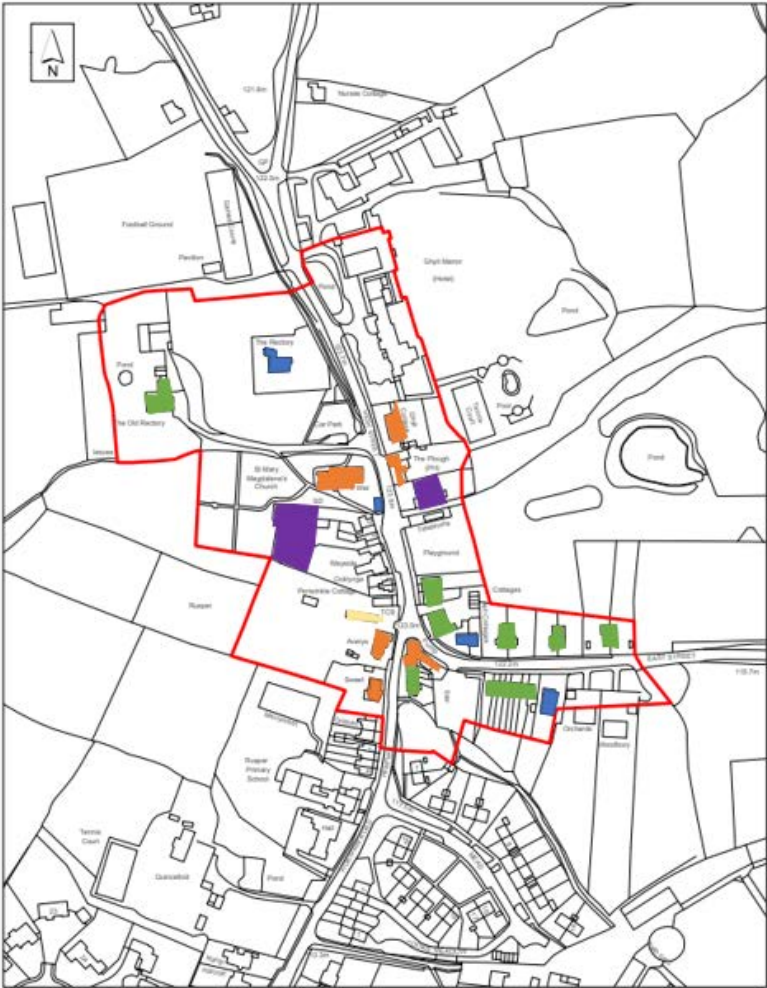
By 1913 the core of the village remains similar to today, with many of the changes and the construction of modern housing being undertaken to the south outside of the core of the conservation area. However some changes have been undertaken including the construction of a new rectory to the east of the original, the extension of Ghyll House Manor, the addition of housing to the rear of Church Cottages (Chalice Walk), and the demolition of Rusper Garage and the construction of the properties known as 1 - 5 Old Forge.

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# Part I: Appraisal continued

Rusper Historic Phasing Map



<b>Horsham District Council</b> Park North, North Street, Horsham, West Sussex. RH12 1RL Rod Brown : Head of Planning & Environmental Services		<b>Rusper Conservation Area</b>	
Reproduced by permission of Ordnance Survey map on behalf of HMSO. © Crown copyright and database rights (2011). Ordnance Survey Licence 100023865		Reference No : Date : 08/09/11 Drawing No :	Scale : 1:2500 Revisions :



# Part I: Appraisal continued

## Open spaces and public rights of way

The grounds of St Marys Church and the children's playground are the only sizable green spaces within the Conservation Area and play a key role in retaining the semi-rural transition of the Conservation Area and its wider setting.

The recreation ground lies to the north of the Conservation Area and due to the openness of the space, it enables long distance views to the north and east which enable an appreciation of the wider context of the Conservation Area with the land falling away. This reinforces the separation of Rusper from the larger settlements despite the interruptions of aircraft noise from Gatwick Airport.

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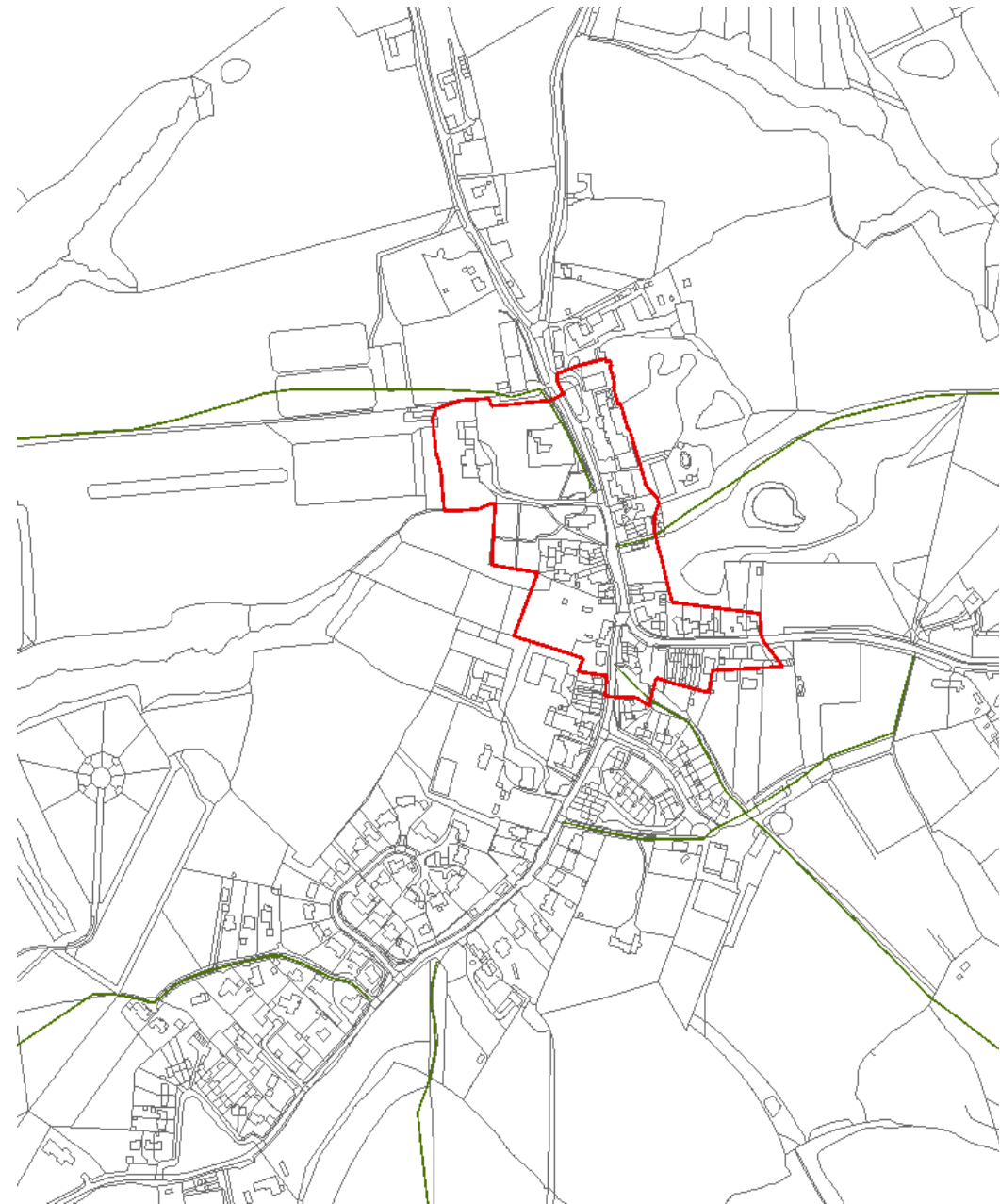
Otherwise, open spaces are generally small green verges and hedgerow boundaries which overall give the Conservation Area a leafy, verdant character.

These spaces provide a positive setting to listed buildings and help to retain the rural character of the historic village core, but equally help to provide visual links with the surrounding countryside.

There are three public footpaths which intersect within the Conservation Area ROW 1496 and ROW 1502 to the east, and ROW 1492 to the west. The Sussex Border Path includes ROW 1502 and ROW 1492.



Map showing existing conservation area outlined in red, and the ROW in green.



# Part I: Appraisal continued

## Underlying geology

The underlying geology is predominantly Weald clay, although within it are outcrops of Tunbridge Wells sand and Paludina limestone. Horsham Stone is a calcareous, flaggy sandstone which occurs naturally in the Wealden clay and is used as a roofing material, and for flooring.

The Weald clay also provided a ready supply of material for brick making. The bricks have a warm orange colour, although the bricks from Warnham brickworks (close to Warnham station) have a more purple hue.

The geology of the area facilitated the growth of woods and forests, with a predominance of oak and ash. The oak forests would have provided a ready supply of materials for the traditional timber framing used in the oldest houses in the village.

## Topography

The historic core of Rusper is set upon a ridge at approximately 120m AOD with the land falling away to the south, east and west. When entering the village from the south the road rises and the straightens as it enters the Conservation Area.

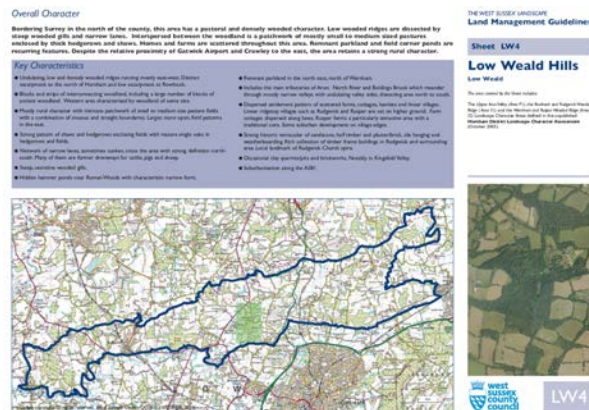
## Relationship of Conservation Area to its surroundings

### Landscape character

The character of the Conservation Area is influenced by the landscape and development that surrounds it. Rusper is located within the West Sussex Low Weald Hills landscape character area - West Sussex Landscape Character Assessment (2003); and area I2 - Warnham and Rusper Wooded Ridge - Horsham District Landscape Character Assessment (2003); and Horsham District Landscape Capacity Assessment (2014). These identify the key characteristics and sensitivities of the landscape at varying scales. The key character considerations are:

- Undulating wooded ridges.
- Distinctive escarpment to the north of Horsham
- Secretive wooded ghylls
- Strong pattern do shaws and hedgerows
- Intricate pattern of small to medium pasture fields.
- North to south running lanes.
- Strong historic vernacular of half timber with paster/brick, tile hanging and weatherboarding
- Strong rural character.
- occasional long views to and from the ridges
- recreational value associated with the network of public rights of way .

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# Part I: Appraisal continued

## Landscape setting

Although the landscape setting is not subject to special designation, the attractive characteristics of the countryside have an important relationship with the village and the Conservation Area.

The area within which the village of Rusper nestles has a pastoral and densely wooded character with low wooded ridges dissected by steep wooded gills. The lanes are narrow and cross the area with a strong definition north to south echoing the traditional drove routes. Interspersed between the woodland is a patchwork of mostly small to medium sized pastures enclosed by thick hedgerows and shaws. Despite the relative proximity of Gatwick Airport and Crawley to the east, the area retains a strong rural character.

The village is surrounded by woods of varying sizes consisting of predominately mature native trees. The pasture fields are sometimes enclosed by woodland and shaws with sinuous boundaries. The hedgerows of these fields include a large proportion of these original native trees, which further adds to the rural farmed character of the landscape.

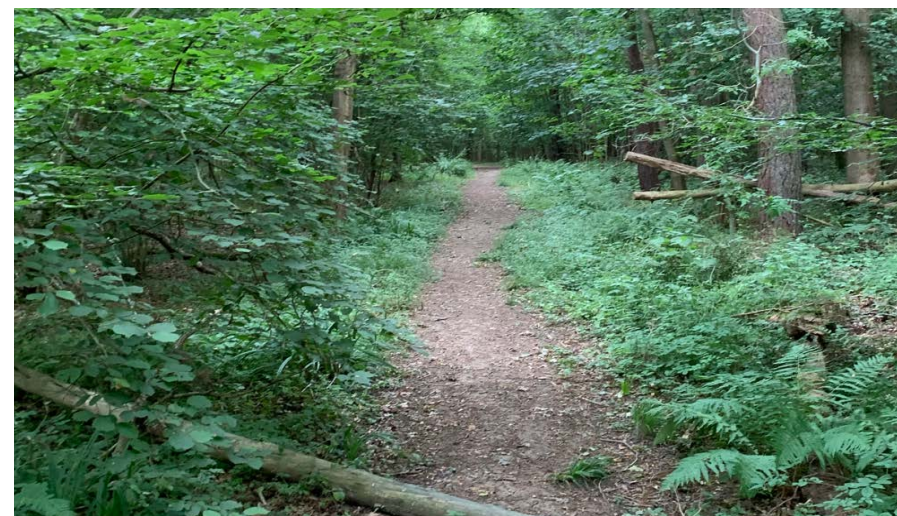


## Conservation Area setting

The close proximity of the rural fields and wider countryside contributes to the setting of the Conservation Area and the listed buildings, which can be viewed as part of the historical development of this small rural village. The intimate village settlement with its tight urban grain is set against the closely related rural hinterland and this provides a pleasing contrast.

Approaches to the village from the west have a wooded character of sunken rural lanes as opposed to the much more open character of the north approaches. Overall, the area has a strong rural character notwithstanding some road and aircraft noise.

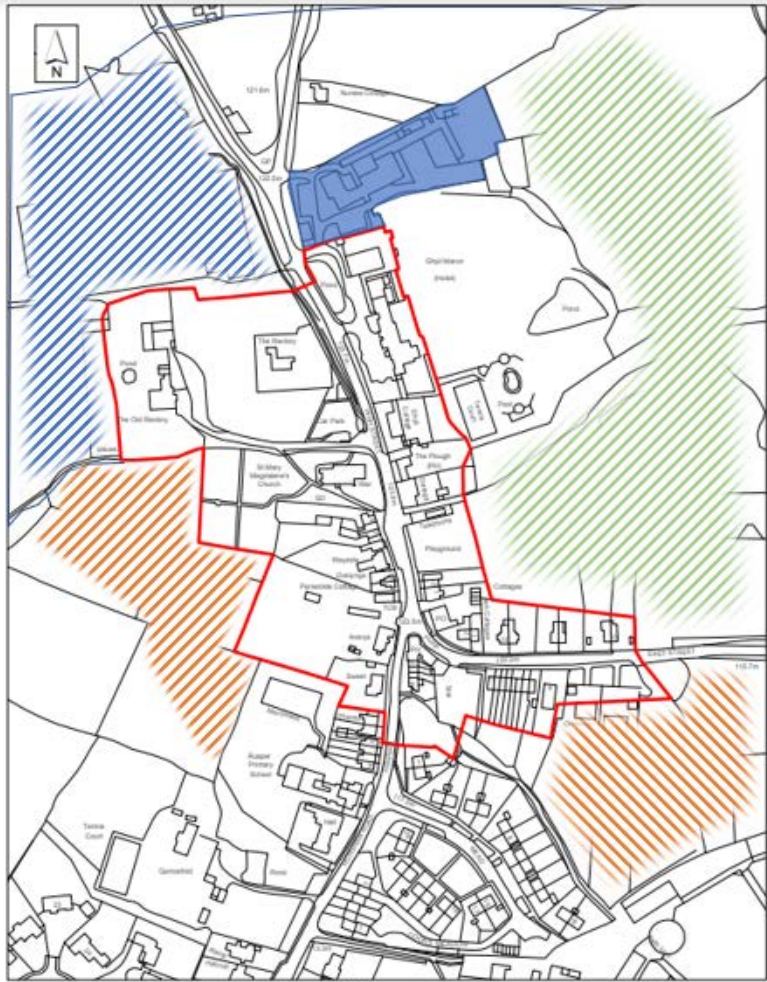
Where the Conservation Area abuts the surrounding countryside, the character of the landscape fringes is defined below. The fringe area has been identified through the variation in characteristics of the land adjacent to the Conservation Area. Using typical criteria included in Appendix 2, the sensitivity of the landscape fringe to change associated with development has been evaluated, through consideration of the associated key characteristics.



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# Part I: Appraisal continued

Landscape Fringe sensitivity map



<p><b>Horsham District Council</b>                  Park North, North Street, Horsham,                  West Sussex, RH12 1RL                  Rod Brown - Head of Planning &amp; Environmental Services</p>		<p><b>Rusper Conservation Area</b></p>	
<p>Reproduced by permission of Ordnance Survey map on behalf of HMSO. © Crown copyright and database rights (2011).                  Ordnance Survey Licence: 100023865</p>		<p>Reference No :                  Date : 08/09/11                  Drawing No :</p>	<p>Scale : 1:2500                  Revisions :</p>

-  Fringe 1
-  Fringe 2
-  Fringe 3

# Part I: Appraisal continued

## Landscape fringe 1

- Moderate to steep sloping landform falling westwards from the approx north-south running ridgeline on which the village sits.
  - A locally enclosed landscape that becomes more open further from the settlement edge with the fields in the valley bottom bounded by woodland.
  - The boundary to the Conservation Area is wooded and there is limited visible built form that breaks the skyline, other than the tower of the church.
  - Medium-large scale field pattern of arable and pasture fields.
  - The tranquillity is low-moderate due to aircraft noise, but otherwise there is a lack of urbanising influences.
- Attractive panoramic views across the wider landscape towards Leith Hill and Chanctonbury Ring as well as important views of Rusper Church and its associated historic settlement.
- Amenity value of the Sussex Border path running through the centre of the area.
- The visual sensitivity of the area is high due to the relatively open character of the area and the visual prominence of the landform.

The landscape fringe of the Conservation Area has a high sensitivity to change associated with development.



*Rusper landscape fringe 1 looking east along ROW 1492 with views of St Marys Parish Church tower*



*Rusper landscape fringe looking west along ROW 1492*

# Part I: Appraisal continued



*Rusper landscape fringe 2, viewed from unmarked path to the north of East Street looking west. Some properties along East Street are visible through the gaps in the vegetation.  
Below view from footpath 1496 looking west towards Crawley and Gatwick.*



## Landscape fringe 2

- Well integrated built edge, set back behind and softened by trees and hedgerows associated with rear gardens.
- Gentle-moderate valleyside slopes falling east from the ridgeline.
- A mix of modern housing and historic farms and cottages form the village edge.
- Wider skylines are well vegetated and would be susceptible to change arising from development.
- Low-moderate tranquillity due to aircraft noise but otherwise there is a lack of urbanising influences.
- The informal parkland character can be recognised with parkland trees.
- Irregular small scale field pattern of pasture fields enclosed by thick hedgerows and woodland.
- Land between Capel road and Newdigate Road contributes to rural approach to the village.
- Attractive views of Rusper church tower.
- Unspoilt rural character.
- This fringe makes a positive contribution to the landscape setting of the Conservation Area and village.

The landscape fringe of the Conservation Area has a high sensitivity to change associated with development.

# Part I: Appraisal continued



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*Rusper landscape fringe 3, looking north east from ROW 1501*

## Landscape fringe 3

- Whilst much of the area is enclosed by hedgerows, shaws and woodland, other parts are more visible from rural lanes.
- Gentle to moderate valley side slopes.
- Small to medium scale field pattern of pasture fields.
- Fields bounded by thick hedgerows with hedgerow trees, wooded shaws and woodland.
- Attractive hedged rural lanes.
- Landscape in moderate condition due to localised horsiculture influence.
- Mostly unspoilt rural character



*Image from ROW 1501 looking west towards the conservation area boundary and properties within East Street.*

- Some ecological interest of woodland, including hedgerows and shaws and the adjoining ancient woodland.
- Landscape is tranquil with some level of intrusion associated with traffic and aircraft noise.
- Views out of the Conservation Area towards the fringe are available throughout through the gaps on hedgerows or houses in East Street and from the public ROW.
- Amenity value of ROW.
- This fringe plays a key role in the rural setting of the Conservation Area.



# Part I: Appraisal continued

## Views

The views identified are all from public viewpoints and were specifically chosen following site visits as being representative of the visual relationship between the rural surroundings of the Conservation Area, and the importance of visual landmarks such as the church. The Appraisal by its nature is unable to highlight every view into and out of the Conservation Area. Consequently, the views chosen are considered to be representative of the experience and character of the Conservation Area. The views help to inform and appreciate the understanding of how the Conservation Area has evolved within its landscape. Paragraph 13 of Historic England's Good Practice Advice in Planning Note 3 (second Edition) "The Setting of Heritage Assets" also indicates that although views may be identified by local planning policies and guidance, this does not mean that additional views or other elements or attributes of setting do not merit consideration. By necessity each view provides a pointer to the key features in the landscape and their association with the Conservation Area.

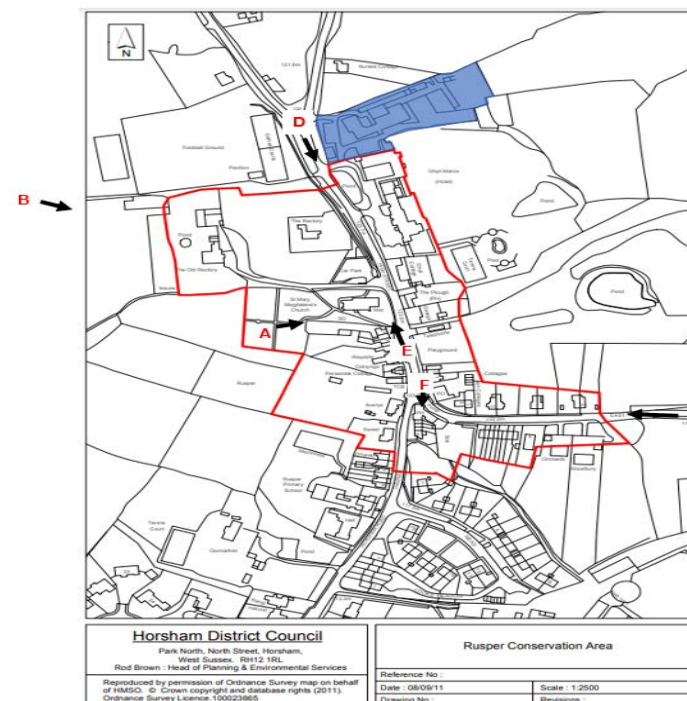
These pointers may be expanded in private views that may come forward through proposed development and these would need to be addressed in a site allocation or development management context. Paragraph 013 Planning Policy Guidance – Historic Environment is clear that the contribution that setting makes to the significance of the heritage asset does not depend on there being public rights of way or an ability to otherwise access or experience that setting.

Specific analysis would need to be carried out in relation to applications which would impact on the setting of the Conservation Area from areas which are not accessible from public rights of way, including considering the positive attributes development could bring to enhancing the character of the Conservation Area and where there are cumulative impacts of several developments.

This is required as the Conservation Area Appraisal presents a general rather than site detailed understanding of the setting of the Conservation Area as it stands at a moment in time, from land that is currently accessible. Paragraph 13 of Planning Policy Guidance: Historic Environment (updated July 2019) also notes that; **"The extent and importance of setting is often expressed by reference to the visual relationship between the asset and the proposed development and associated visual/physical considerations. Although views of or from an asset will play an important part in the assessment of impacts on setting, the way in which we experience an asset in its setting is also influenced by other environmental factors such as noise, dust, smell and vibration from other land uses in the vicinity, and by our understanding of the historic relationship between places."**

Consequently although important views are not the only factors to be considered when understanding setting.

Map showing location of photographs on following page and view points



# Part I: Appraisal continued

Important views of the Conservation Area are gained from the network of public rights of way. St Mary Magdalene Church tower (photo A) and Ghyll Manor are dominant landmarks (photo D); the church tower is visible from the west and the Sussex Border Path (photo B) and Ghyll Manor is visible from the east (photo D).

The north of the Conservation Area gently rises up to the end of the perimeter wall of Ghyll Manor, where the area beyond turns to pastoral fields. The view back into the High Street and into the Conservation Area from this point is of particular merit and should be retained (photo D).

The southern and eastern boundaries of the Conservation Area gently slope down and out of the village. The eastern boundary is defined by the edge of built up area and, provides a transition between the wider countryside and the village edge. The trees and lack of pavements coming into the village reinforce the rural setting of the village, and this view and sensitive approach to the village should be retained (photo C).

The southern boundary of the Conservation Area is defined by two dwellings of particular merit and quality, Averys and Sweet Briar and an informal wooded area. From this point the village slopes gently away south encompassing the more recently developed parts of the village.

The loss of any of these views, fields, and woods forming the landscape around the village should be avoided as this could have a detrimental impact on the landscape setting and character of the Conservation Area. Important views into the Conservation Area between 10 to 15 East Street can be gained from the Sussex Border Path and their retention should be sought.

The building lines within the village add interest, softening the development form and are sensitive to change. Views of the church within the Conservation Area should be retained (photo E and F)



# Part I: Appraisal continued

## Character assessment

### Building and materials

There are a number of elements which come together to form the unique character of the Conservation Area as a whole. These include:

- small front gardens
- low level boundary picket fences or hedges
- variety of house designs, two storey or lower
- predominant use of natural materials
- traditional detailing
- inconspicuous or subservient extensions
- green features and mature tree planting.

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Within the Conservation Area there are a variety of building materials and building types which add a diversity of style which are unified by the scale of development and the use of local/natural materials. As noted in the brief history of Rusper above, the village has evolved slowly.

The oldest buildings within the village are timber framed, principally small in scale and either single storey with accommodation within the roof space or two storey. The buildings are often gabled, with a traditional pitch with Horsham Stone or a handmade clay tile. Generally the windows are small with wooden casements. The buildings are detached or terraced. As Rusper became more prosperous fashion and ideas of status evolved and many humble timber framed buildings within the Conservation Area were refaced in brick, hanging tile or weather boarded.

The timber framed medieval buildings are complemented by more formal Victorian buildings. The Victorian houses are distinctive with gable roofs of tile or slate, decorated with plain bargeboards. Some have simple porches, again with bargeboards, and attractive bay windows.



# Part I: Appraisal continued

## Character areas

The historic core of Rusper as illustrated by the Conservation Area boundary has a tightly formed Conservation Area with a linear pattern along High Street and East Street. The general air within the Conservation Area is informal, and in places even intimate. There is an absence of grand gestures and formal vistas. As the village is linear and in an elevated position gaps between the buildings allow views of sky and trees which reflect the countryside setting of the village.

Unusually within the district the parish church does not have an overall prominent visual position within the streetscene. The church sits comfortably in harmony with its surroundings as the core of the village rather than appearing as a dominating feature. The open and verdant church yard behind the war memorial allows longer views to the west. The church tower provides a landmark feature identifying the village within the wider landscape.



The central section of the conservation area is characterised by the convergence of the High Street, East Street, Hills Place and Horsham Road. The historic character, details and relationships of the buildings in this part of the conservation area are considered to contribute to this focal point.

On the southern side of the crossroad stands the Star Inn, first documented in 1842. This grade II listed, 2 storey collection of buildings, is rendered with clay tile hanging on the upper sections, timber windows and large chimneys fronts directly onto the pavement. The pub spans the section between Horsham Road and East Street, forming a prominent important corner within the conservation area.



Adjacent to the Star Inn are Star Cottages, a row of four 19th Century two storey cottages, of white painted brick, with plain tiled gabled roofs. The cottages abut Hills Place and have small front gardens which positively contribute to the village character of the conservation area. Although some modern alterations to fenestration have slightly eroded some historic character of the facades, overall the group of cottages have a positive impact on the character of the conservation, especially the approach to the crossroads.

Opposite Star Cottages are two listed buildings of particular merit and quality that make an important contribution to the character of the Conservation Area. Sweet Briars is a two storey 17th century timber framed building with red brick infilling and a tile hung first floor. Sweet Briar is also modestly set back from Hills Place and fronted with hedging and a picket fence. Avery's is a good example of a two storey L-shaped 16th century timber framed listed building with plaster and painted brick infilling. The building has a Horsham slab gable roof. The house is modestly set back from Hills Place and sits within a large garden fronted by a picket fence and large yew hedge and is wooded to the rear.

# Part I: Appraisal continued

Rusper Stores and Post Office opposite the Star Inn is a crucial element of, and over looks, the southern focal point of the Conservation Area. The two storey Edwardian building has a gable roof and two dormers set within it. Its height and bulk contrast with the small scale buildings adjacent. The first storey façade is clay hung tile containing four sash windows. The shop front is an interesting inter-war design and helps preserve the village character of the conservation area.

North of the village store are 1 and 2 Norman Cottages, they are pair of two storey listed early 19th century cottages. The ground floor is painted brick and above hangs fishscale tiles leading to a tiled roof. The two cottages sit comfortably in the busy rural village High Street; however, it is unfortunate that 2 Norman Cottages side extension was not built in the same sympathetic design and style as that at number 1 with regard to the area's scale and materials.

The enclosed recreation ground to the north of the cottages acts as well used green lung for the High Street. Opposite the recreation ground and set between Avery's and St Mary Magdalenes church is a fine collection of two storey terraced 19th century cottages with gable roofs, casement, dormer and sash windows and with painted brick, plastered and rendered façades. The cottages abut the High Street and enclose the western side of this section of the Conservation Area. To the rear are the new build properties of Chalice Walk.

At the junction of the crossroads stands a cast-iron finger post, traditional telephone box (now used as a community library) and the village notice board. These small details add village character to the conservation area, without cluttering the street scene.



## Part I: Appraisal continued



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East Street begins at the junction of the High Street and Hills Place and then curves around Ash Cottages and slopes away gently until 12 East Street where the road begins to drop away more sharply. The view out of the village is one of a heavily treed lined road heading out into the countryside, with the oak trees to the front of Orchards and Woodbury contributing significantly to this transition from village to countryside. This view adds to the rural character and nature of the village reinforcing the fact the area is located within a rural landscape. The view up into the village is in stark contrast to the view out of the village and is focussed on a particularly good view of the Star Inn. Another noteworthy view within the East Street area is across the Star Inn car park, from the northern side of East Street, of the mixed woodland scrub to the rear of the car park. The woodland scrub contributes to the rural character of not only Hills Place but also East Street and to a degree softens the hard appearance of the Star Inn car park.

1 to 8 East Street is a row of 19th century terrace cottages, notwithstanding their extensive alterations including porches, replacement windows and front hard standing, the terraces' mass, scale and traditional design makes a valuable contribution to the Conservation Area in terms of demonstrating a particular residential development type and design in the history of the village.

## Part I: Appraisal continued

The modern properties of Orchards and Woodbury which replaced May Cottage are set back from the conservation area boundary. However the verge and front gardens (particularly the mature trees) contribute to the rural character and nature of area.

Ash Cottages on the northern side of East Street are a pair of late 20th century two storey semi-detached houses, which have been developed with appropriate materials and landscaping measures and are sympathetic to the character, design and scale of the Conservation Area.

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The properties along East Street are a collection of three pairs of two storey semi-detached late 19th century early 20th century dwellings. The dwellings have gabled tiled roofs with small gables above the first floor windows. The facades now consist of either hung tile, the original brick façade, plaster or painted brick or render. Numbers 14 and 15 have an attractive brick string course. The properties although having differing materials are viewed as a group, and have a rhythm that reflects the village character of the conservation area.

The dwellings are again modestly set back from East Street, with front gardens and either boundary walls, hedges or fences. A number of the properties have been extended, to the rear and to the side.

The large spaces between the dwellings allow glimpses into the well-maintained rear gardens and the countryside landscape beyond, which adds particular merit to this part of the Conservation Area.



## Part I: Appraisal continued



In contrast to the southern section, the northern section of the High Street is characterised by large buildings set amongst large grounds, as well as open green spaces, and low density of development, especially around Ghyll Manor Hotel and the Old Rectory.

The northern section of the High Street has a predominantly enclosed nature due to the spacing between the buildings and the presence of extensive vegetation and boundary walls and enclosures. Although the nature of the northern High Street is predominantly enclosed, the rural character of the area is maintained by the presence of glimpses of the wider rural landscape along side the recreation ground, of hedge boundaries and open spaces such as the recreation ground, church yard and the grounds surrounding The Rectory. The gardens in this section of the area have a traditional English cottage garden appearance which enhances the village character of the area.

Predominately, the alterations and extensions to the buildings within this section of the area have been sympathetically developed with regard to the character of the area, particularly the northern expansion of Ghyll Manor, and the redevelopment of the former garage site (The Old Forge).

Together the group of buildings comprising St Mary Magdalenes Church, the Plough Inn, and Ghyll Cottages have a strong and positive relationship to the High Street. The nature of the activities related to the church and the Plough Inn makes this section of the area a northern focal point within the conservation area. In addition to the character and nature of these buildings, and activities, the area contains the war memorial which is of particular note. The village car park which is situated to the north of the church has a minimal impact on the character of the area due to the sympathetic development of the car park and the large level of potential on street parking and congestion it prevents, which would have a greater detrimental impact on the area than the existing car park.





## Part I: Appraisal continued

The Plough Inn is a listed two storey 17th century or earlier timber framed building. The ground floor is now fronted with stucco and weatherboarding above. The roof is Horsham slab, although the southern end is tiled. Ghyll Cottages are set back from the road with the front gardens consisting of a soft road verge and a well maintained short box hedge, behind which are lawns. The building is itself a listed 16th century timber framed painted building with brick infilling. The building is two storey with a tiled roof and five casement windows. Both Ghyll Cottages and the Plough Inn buildings have a Sussex vernacular appearance and make a particularly notable contribution to the character of the area.

St Mary Magdalenes Church is set in the east of its churchyard with a south facing entrance. The church yard is modestly vegetated with well maintained hedges and shrubs and also consists of a number of trees of note. The church yard gently slopes down east to west and then into the country landscape beyond. The Church itself is grade 1 listed building with an eastern Chancel, northern vestry, southern porch and western tower. The central nave has been extended and now includes a southern aisle. The church was originally built in the 14th century and the tower in the 15th century; however, excluding the tower, the church was rebuilt in 1855. The church is considered suitable for grade one listing on the basis of the particularly fine quality and value of the original medieval tower and the important views it offers particularly the Sussex Border Path.

The Old Rectory is a large 19th century building which relates well to the churchyard but is also set within its own well maintained garden. The building has a gothic arched entrance and tower, with a gable roof, and the building still retains its original casement windows. The Old Rectory is also a prominent feature of the views of the village from Sussex Border Path. The new Rectory is an early 1980's simple weather boarded two storey house. Although this style is out of character with the wider architectural design of the properties in the conservation area, its extensive gardens and screening from the road does not detract from the historic village character of the area.



## Part I: Appraisal continued



Ghyll Manor Hotel, like many of the buildings within the Conservation Area adds character to the area through both its architectural merit, setting and use.

Ghyll Manor was originally a farmhouse and is a 17th century brick in filled timber framed building with a tiled gable roof containing a number of dormer leaded windows. In addition the brick boundary wall of the Manor is particularly valuable in architectural terms and makes an important contribution to the character of this section of the conservation area and the Manor. Over a number of years a number of extensions have been made to the Manor; fortunately these have been sympathetically developed and the historic character of the original Manor remains intact.

The setting, garden, and grounds of the Manor are one of its greatest assets. The grounds and garden include a high proportion of trees of particular note and value some of which enjoy the additional protection of Tree Preservation Orders.

The lawns, hedges and other vegetation are well maintained and reinforce the more formal character of the Manor and its setting. The Manor and its setting offers views out eastwards into the countryside landscape from an advantageous high point. In light of the genuine quality and character of the Manor's setting, views and garden the Conservation Area Boundary has been extended to include the curtilage of Ghyll Manor, and therefore, ensuring its preservation and continued valuable contribution to the character of the area.

# Part I: Appraisal continued

*Building audit map*

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# Part I: Appraisal continued



## Negative elements

The Conservation Area designated in 1976 included numerous statutorily listed buildings, designated at the time of the first survey in 1955. These only increased in number as the result of a resurvey in 1980. The Conservation Area also included green areas that were either public open spaces or the gardens of residential properties. All these factors have helped to resist pressures for change. Today the Ruspur Conservation Area appears well maintained and prosperous. However, there are features that detract from this impression. Inappropriate repair work on historic buildings (such as relaying Horsham slab roofs with mortared joints and repointing masonry in cement rather than lime mortar) detracts from their appearance and can also cause damage to historic fabric.

Indeed, the use of non-traditional materials and techniques has a cumulative effect on the wider Conservation Area. Principally, this is the replacement of sash and casement windows with plastic windows.

Other general features that detract from the appearance of the Conservation Area include prominent TV aerials and satellite dishes mounted on chimneys and wire runs across street elevations.

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*Wirescape within the Conservation Area*

# Part I: Appraisal continued

The position of satellite dishes need to be carefully considered and should be inconspicuous locations either set within a roof valley, on outbuildings or placed so that they do not detract from the historic character of the area.

Good management of the streetscape is essential to maintain the sense of place. It is spoilt by the use of street furniture of a type marketed as suitable for Conservation Areas, but in fact are 'off the peg' and poorly designed. This is evident in features such as litter bins and salt containers, which draw excessive attention to themselves.

Signage and other features associated with road traffic need to be carefully managed and balanced to ensure public safety but respect the special character of the Conservation Area. Traffic and its associated noise and fumes detract from the Conservation Area. Noise from aircraft can also detract from the rural tranquility of the village.

Whilst the Conservation Area consists of a number of elements of particular merit to the area, there are other features that detract from the quality of the area. These are considered to be the road surface particularly outside Church Cottages.



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Parked cars along High Street



# Part II: Management Plan

## The need for a Management Plan

It is the role of the Management Plan to take forward the challenges and opportunities identified in the appraisal, and to identify means by which the special interest of the Conservation Area will become self-sustaining into the future. To achieve this requires a partnership between those living, working and carrying out property improvement and development in the Conservation Area and Horsham District Council. All development proposals should preserve or enhance the character and appearance of the Conservation Area in accordance with the Horsham District Planning Framework. In a Conservation Area there are some extra controls over works to buildings, boundaries and trees intended to ensure that the character is not eroded by unintended loss or change and the appearance is not changed in a negative way.

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**For advice on whether planning permission is required for works please refer to the Horsham District Council website or The Planning Portal ([https://www.planningportal.co.uk/info/200125/do\\_you\\_need\\_permission](https://www.planningportal.co.uk/info/200125/do_you_need_permission)).**

## Control of development

It is essential that any development should preserve or enhance the setting of any adjacent historic buildings and existing landscape features and trees, and the overall special qualities of the character area. Therefore, careful consideration must be given to the size, scale, urban grain, layout, design, massing, height, plot width, frontage activity, landscape and materials in any such development. This does not dictate architectural style but does attempt to ensure that proposals respond positively to their context.

The Council strongly encourages applications for planning permission or other consents for proposals which meet these criteria and avoid:

- the demolition of any building or structure if its loss would damage the character or appearance of the Conservation Area.
- development (including extension/alteration) which would be harmful to the setting or character or appearance of the Conservation Area.
- development which would adversely affect or result in the loss of important views, open spaces, tree cover or boundary features within the Conservation Area.

Residents and business owners should contact the Council to confirm what proposed extensions and alterations constitute 'development'.

## Buildings at Risk

There are no buildings on the Buildings at Risk Register in the conservation area. It is important to ensure that any listed buildings that fall into disrepair are identified early so that Horsham District Council can work with the owners to find appropriate solutions and bring the building into productive use. Whilst the main responsibility falls with the owner, it is advantageous that others interested in the built heritage of Ruspur 'keep an eye' on the historic fabric and report anything of concern.

## Monitoring and compliance

If necessary, the Council has a range of tools at its disposal to compel building owners to appropriately maintain and repair buildings which are causing a local nuisance or which are designated heritage assets.

## Issues

The preparation of the Ruspur Conservation Area Appraisal has included consultation with stakeholders, specifically the Parish Council. A number of issues were identified. These have been used as a basis for the following section identifying principal issues to be addressed by this Management Plan.

# Part II: Management Plan continued

## Historic built environment

- Loss of traditional architectural features.
- Equipment and installations.
- Boundary enclosures.
- Drives, off-street parking and loss of front gardens.
- Enhancement of existing buildings.
- Extensions.
- Retention of chimneys.
- Window replacement.
- Dormer windows and rooflights.
- Cladding, rendering and the painting of walls.
- Re-pointing of brickwork.
- Demolition.

New development and environmental improvement

- Opportunities for new development.
- Setting and views.

The environment and public realm

- Trees.
- Public realm.
- Street furniture.
- Surface materials.
- Wirescape.
- Opportunities for enhancement.

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## Historic built environment

### Loss of traditional built and architectural features

Architectural features set out in the appraisal, such as traditional windows, Horsham Stone slate roof covering and so on, should be preserved due to the significant contribution they make to the character and appearance of the buildings and the Conservation Area.

Horsham Stone roofs are a distinctive traditional feature of the locality with the stone quarried locally. The mortar on a Horsham Stone roof should be subordinate to the stone and the roof laid in diminishing courses. Prior to the relaying or repair of a Horsham Stone roof it is suggested that advice is sought from the District Council, and appropriate guidance considered such as that produced by Historic England <https://historicengland.org.uk/images-books/publications/horsham-stone-roofs/> and the Stone Roofing Association <http://www.stoneroof.org.uk/Horsham%20guide%20v2.pdf>.

*Horsham Stone slate roof*



*Laying of Horsham Stone slate roof with shadow slates and inconspicuous mortar*

## Part II: Management Plan continued

### Equipment or installations

The presence of modern types of equipment on or around buildings, such as large aerials or satellite dishes and microgenerators, can detract from the character of a Conservation Area and/ or the special architectural qualities of buildings. To minimise their visual impact, they should be positioned away from public view or prominent positions. The removal of existing fixtures cluttering front elevations is encouraged and care should be taken to repair the affected surfaces.





## Part II: Management Plan continued

### Boundary enclosures

The use of low timber paling fences is common within the Conservation Area, although there are instances of low brick walls or hedgerow planting. Retention of these fences and walls and increased use of trees and hedgerow as a 'soft' boundary treatment is considered preferable to higher, harsher enclosures such as panel fencing, high brick walls or security gates. In some cases, installing traditionally detailed brick walls and railings may be appropriate.

*Photographs of positive and negative boundary treatments within the Conservation Area*



## Part II: Management Plan continued

### **Drives, off street parking and loss of front gardens**

Landscaped gardens to building frontages make an important contribution to the quality of the streetscape. A key characteristic of the buildings in the Conservation Area are their front gardens enclosed by low timber fences or brick walls, hedges or railings. The loss of front gardens to parking detracts from their historic setting and should be resisted. The use of porous pavements, reinforced grass paving, or gravel instead of tarmac, with the retention of some garden space and the use of appropriate boundary treatments, would offer a more attractive setting for buildings, reduce run-off and give a more sustainable approach. Where there is existing frontage parking which adversely impacts the character and setting of the Conservation Area, any new planning application should include a condition requiring the reinstatement of front garden areas and any traditional boundary treatments.

## Part II: Management Plan continued

### Enhancement of existing buildings

Some of the listed and unlisted buildings in Rusper have been altered and lost features. Proposed enhancements to make a building look grander than it ever was should be resisted. The following enhancement works should be encouraged as part of any future development:

- Reinststate boundaries that have been removed to their original height and footprint.
- Ensure that new boundaries are built from quality materials, paying full attention to timber detailing, brick bond, lime mortar and coping details.
- New gates and timber fences should be good quality traditional timber design.
- Encourage the use of good quality paving, trees or planting where the back yards or gardens are visible from the public domain.

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*Example of a well proportioned extension taking its design inspiration from the original dwelling*

### Extensions

Modern extensions should not dominate or compete with the existing building in either scale, material or their siting. There will always be some historic buildings where any extensions would be detrimental and should not be permitted. Successful extensions require a sound understanding of the building type to be extended together with careful consideration of scale and detail.

## Part II: Management Plan continued

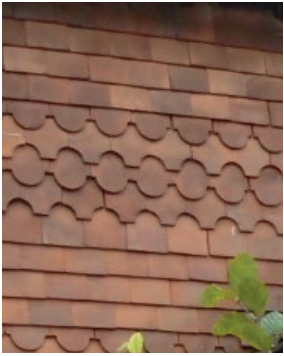
Within the Conservation Area porches are simple and functional and do not dominate the frontage of the properties. Proposals for porches should consider the style of the host property whilst also taking inspiration from the context of the surrounding area.

*Where porches are present within the Conservation Area they are simple in form complementing the appearance of the host building.*



Brick bonds help to provide interest in a building. Prior to the introduction of cavity wall insulation different types of brick bond were popular. The colours of the brick also added interest with local bricks often being used, and in some cases the brickwork was worked to show the affluence and social standing of the building's owner. Within Rusper the number of properties with unpainted brick is limited with only 12 and 13 East Street having brick elevations with a Flemish bond. The ground floor of 2 and 3 East Street, have a Flemish bond with burnt headers.

## Part II: Management Plan continued



*Hanging clay tile – club and fishtail decorative bands*

*Bullnose hanging tile*

Consideration should therefore be given when seeking to extend a property to assess the existing materials and architectural details. It may be appropriate in some instances to reflect these traditional details or reinterpret them in a modern context.

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A further traditional feature within Rusper is the use of hanging clay tile, in various patterns to break up blank elevations. Weatherboarding may also be appropriate in some circumstances.



# Part II: Management Plan continued

Examples of chimneys within the Conservation Area



## Retention of chimneys

The removal or loss of chimneys within the Conservation Area impacts on the character of the Conservation Area as a whole. The presence of chimneys break up the roofscape and add interest to the streetscene. Chimneys can also inform our understanding of the plan form of a historic building and can provide valuable evidence of changes in technology, fashion and wealth.



*In modern developments chimneys can add interest to the roofscape, reflect traditional details and break up the roof design.*



## Part II: Management Plan continued

### Window replacement

The loss of traditional windows, ironmongery and glazing from our older buildings poses one of the major threats to our heritage and the character of historic areas. The character of windows profoundly affects the appearance of buildings but are particularly vulnerable as they are easily replaced or altered. The desire to improve the energy efficiency of historic buildings encourages windows' replacement with inappropriate and inferior quality modern alternatives. If well maintained, historic windows can last more than 200 years. Where the windows being considered for replacement are themselves modern replacements in inferior softwood that are now failing, what they are replaced with needs to be carefully assessed.

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Within the Conservation Area, historic windows should be retained whenever possible and their repair prioritised. In general, consent will not be granted for their removal. Within the Conservation Area there are a variety of timber casement and vertical sliding sash windows.

The design of historic windows evolved through the early modern period and so, where repair is not possible, replacement windows should be designed to either replicate the historic windows being replaced or be based upon a period design contemporaneous with the host building. In general, a consistent approach should be taken across a building. Further guidance from Historic England can be found at <https://historicengland.org.uk/images-books/publications/traditional-windows-care-repairupgrading/heag039-traditional-windows-revfeb17/>.

Historic glass should be retained as its construction methods may no longer exist and its appearance creates reflections and distortions which add to the visual appreciation of the building and its historic character.



Historic England

## Traditional Windows

Their Care, Repair and Upgrading



## Part II: Management Plan continued

### Dormer windows and rooflights

New dormer windows and rooflights should not be located on street-facing and prominent roofscapes. Where new dormer windows and rooflights are considered appropriate, they should be small in scale and not dominate the roofslope, ensuring that a large area of the roof remains visible. Dormers need to be of a traditional form, in scale with the building and its roof and their windows should be smaller than those on the floor below. Rooflights need to be flush with the roof face and normally the 'conservation' type metal rooflight is preferred. In most cases, the dormer or rooflight should align with the window below.

### Cladding, rendering or painting of walls

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In most cases, the walling material of a building is part of its character and contributes positively to the appearance of the Conservation Area. There may however be cases where the existing wall surface is unattractive or is decaying, and cladding, rendering or painting can be justified. Where this is the case the cladding needs to be in a locally used material, such as tile-hanging using local red clay tiles, or timber weatherboarding. Painting natural brickwork and stonework is discouraged. If proposed work involves changing the front elevation of a building, Conservation Area advice from the Local Planning Department at Horsham District Council should be sought.





## Part II: Management Plan continued

### Repointing brick or stone walls

Repointing can ruin the appearance of brick or stone walls. The purpose of the mortar in the joints is to stop rainwater penetrating into the wall and to act as a conduit for moisture trapped in the wall to escape. The mortar joint or pointing is therefore sacrificial and needs to be softer and more porous than the wall material. This is why for conservation work a lime based mortar is normally recommended. It is important to dig out the old pointing to allow a sufficient 'key' for the repointing. Mortar should fill the joints but not spread out onto the surface of the wall material, and where the arises (corners) have been worn away, the mortar face may have to be slightly setback. Raised or 'strap' pointing should be avoided as not only does it stand out and change the appearance of the wall, it can act as a shelf for rainwater.

### Demolition

Within the Conservation Area, the demolition of an unlisted building or wall over a certain volume or height without prior planning permission is a criminal offence. Furthermore, demolition of buildings or built features which have been identified as making a neutral or positive contribution to local character will normally not be permitted. Where buildings and features have been identified as making a negative contribution of local character, development incorporating some demolition may be permitted, as long as what will replace the existing building is judged to respond positively to its local context.

**For advice on whether planning permission is required for works please refer to the Horsham District Council website or The Planning Portal ([https://www.planningportal.co.uk/info/200125/do\\_you\\_need\\_permission](https://www.planningportal.co.uk/info/200125/do_you_need_permission)).**

# Part II: Management Plan continued

## New development

### Opportunities for new development

These must be considered carefully and the effect of new buildings on the setting of the Conservation Area, and on views both into it and out of it, particularly taken into account. New development must be sympathetic to its context in terms of its siting, scale (including height, size and massing), materials and details. It should also follow the existing pattern or grain of development, not obstruct important views, and not dominate buildings in the immediate vicinity. Materials should be carefully chosen to complement the Conservation Area's existing palette of materials such as local bricks, clay hanging tiles, traditional roofing materials (clay roof tiles, Horsham Stone), use of traditional brick bonds and timber windows and doors.

### Setting and views

All development affecting the setting of the Rusper Conservation Area should demonstrate how the setting and long distance views, into and from the Conservation Area, are preserved and enhanced. The important views are identified in section I of the Conservation Area appraisal.

Key threats:

- Erosion of front boundaries in the Conservation Area.
- Loss of traditional joinery details in windows and doors, as properties are improved both visually and for thermal upgrading.
- Loss of traditional roof coverings, chimneys and chimneypots on unlisted properties when the roof is replaced. Machine made clay tiles, imported slates and similar though 'natural' materials look different to what is there now.
- Erosion of green spaces and loss of prominent trees and bushes in the Conservation Area.
- Proliferation of wires and telegraph poles.
- Street signage.

# Part II: Management Plan continued

## The environment and public realm

### Trees

The presence of trees make an important contribution to the character and appearance of the Conservation Area. Anyone who cuts down, uproots, lops, wilfully destroys or wilfully damages a tree of a diameter 75mm or more at 1.5m above ground level in a Conservation Area without giving the Local Planning Department at Horsham District Council six weeks' prior notice of their intention may be guilty of an offence. In Conservation Areas, the same penalties apply as those for contravening a Tree Preservation Order and a person who cuts down a tree in a Conservation Area without first giving notice is liable, if convicted in the Magistrates Court, to a fine. A person who carries out damaging work in a way that is not likely to destroy the tree is also liable to a fine.

### Public realm

#### Street furniture

There needs to be a consistent style to help create a cohesive identity for the Conservation Area. The presence of excessive or redundant street furniture causes street clutter and is visually unattractive. The rationalisation of street furniture such as street nameplates (a simple design of black letters on a white background), lamp posts, seating and the provision of a standard sage green for finger posts and litter bins is encouraged. A-boards and blade, feather and teardrop flags though not fixed, add to street clutter and are generally discouraged in Conservation Areas.

### Surface materials

A large format paving slab in natural stone should be used as part of considered approach to the location and the heritage context. Older surfacing materials such as local stone on edge, pebbles and even flint are rare vernacular survivals that should be conserved. The use of high quality paving materials, together with the layout and jointing detail, are key elements of the overall surface appearance. The following measures should be encouraged:

- The existing areas of high quality traditional paving must be protected.
- Further areas of traditional paving should be added as funding allows.
- Any redundant street furniture such as signage should be removed.

### Opportunities for enhancement

There are sites within the Conservation Area where works could be undertaken to enhance the Conservation Area as a whole. These include the removal of redundant aerials and the rationalisation of the wirescape throughout the village.

A partnership between West Sussex County Highways Authority, Horsham District Council and Rusper Parish Council could be considered to instigate schemes that would make vehicles less dominant and pedestrians might feel more comfortable. This could be undertaken as part of the Neighbourhood Plan Home Zone Scheme, although any changes to the appearance of the roadway should reflect the special historic character of the Conservation Area.

# Appendix

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# Gazetteer of listed buildings

Image	Name	Grade	Description
	Ghyll Manor Cottage	2	Formerly 2 cottages, now one house. C16 timber-framed building with painted brick infilling. Tiled roof. Casement windows. Two storeys. Five windows.
	The Plough Inn	2	C17 or earlier timber-framed building, now fronted with stucco on ground floor and weather-boarding above. Horsham slab roof, south end tiled. Casement windows. Two storeys. Four windows.
	1 and 2 Normal Cottages	2	Early C19. Two storeys. Two windows. Ground floor painted brick, above hung with fishscale tiles. Tiled roof. Casement windows. Doorways with flat hoods over.
	The Star Inn	2	V-shaped building at fork in the road. Probably C17 timber-framed building, refaced, the south-east wing in the C18, the south-west wing in C19. Now faced with painted brick, roughcast and tile-hanging. Tiled roof. Casement windows. Two storeys. Four windows facing south-east, 3 windows facing south-west.

Image	Name	Grade	Description
	Sweet Briar (referred to as Michealmas Cottage on NHLE)	2	C17 or earlier timber-framed building with red brick infilling, first floor now tile-hung. Tiled roof. Casement windows. Two storeys. Two windows. Large modern addition behind.
	Averys	2	L-shaped C16 timber-framed building with plaster and painted brick infilling. Two storeys. Four windows. Horsham slab roof. Casement windows. North-east wing has a tile-hung gable oversailing on a moulded bressumer. Modern porch.
	Outbuilding adjoining Averys on north west side	2	Tall C18 building faced with tarred weather-boarding. Tiled roof. One sash window with glazing bars.
	Rusper War Memorial	2	<p>The stone of the memorial is rough finished and the plinth bears a plain arched cartouche of polished stone on each of its faces. These panels bear the incised inscriptions and names of the fallen. The front face of the plinth is enriched with a raised carving of a wreath with a cross at its centre. Below this is the inscription: IN / THANKFUL REMEMBRANCE / OF THE MEN OF THIS PARISH / WHO GAVE THEIR LIVES IN / THE GREAT WAR / 1914 – 1919.</p> <p>On another face of the plinth, following the list of names from the First World War, is inscribed 1939 – 1945 followed by the names of the fallen from the Second World War.</p>

# Gazetteer of listed buildings continued

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Image	Name	Grade	Description
	The Parish Church of St Mary Magdalene	1	Chancel with north vestry, nave with aisles, south porch and west tower. Tower C15. Remainder originally C14 rebuilt in 1855. Graded for good medieval tower.

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# Gazetteer of locally listed buildings

## What is a locally listed building?

It is a building identified by Horsham District Council as of local historic, architectural or townscape interest. Local listed buildings are non-designated heritage assets as defined within the National Planning Policy Framework. Many local authorities have lists of such buildings and structures. The National Planning Policy Guidance suggests it is helpful

for local planning authorities to keep a local list of non-designated heritage assets and that this list is publically accessible. Historic England advises that local lists play an essential role in building and reinforcing a sense of local character and distinctiveness in the historic environment.

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Image	Name	Description
	1 - 5 Church Cottages, High Street	Church Cottages in the High Street of Rusper village were rebuilt around the start of the 1900's. They replaced a number of dwellings that had occupied the site for several hundred years. The style of these buildings, with their distinctive low archway through them in the middle, maintain some of their original commercial shop front features.
	1 - 8 East Street	The cottages to the south of East Street, built during the 19th century, form an important aspect of the eastern approach to Rusper village. These cottages with their small front porches help to capture the rural village atmosphere. Despite the loss of front gardens to off-street parking over the years, they still maintain their rural character.
	1 - 4 Star Cottages	Star Cottages in Horsham Road date from the 1700's and compliment the older Star Inn next door. They are an important part of the Rusper village conservation area forming the initial street views of the area on the approach from Horsham.



# Landscape sensitivity criteria

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Criterion	High	Medium	Low
<b>Conservation area edge character, mitigation and enhancement potential (including landscape function in relation to gateways, nodes, edge integration/relationship, landmarks etc).</b>	<p>Very well integrated built edge with natural, clear and defensible boundaries. Well defined but often porous form, where gaps are particularly important to the edge character and relationship to the surrounding landscape. Intact historic settlement and landscape character interface may persist e.g. adjacent manor/parkland/historic fieldscapes. The integrity of such features would be susceptible to change arising from further development.</p> <p>Built edge forms a key/positive approach or gateway to the settlement. May have strong intervisibility with the settlement core and associated distinctive landmarks e.g. church tower/spire.</p>	<p>Generally, well integrated built edge. A mostly clear/natural/defensible boundary, albeit with some erosion where development may have breached such parameters. Some remnant historic features.</p> <p>Built edge contributes to a positive approach or gateway to the village and has limited intervisibility with the settlement core and associated distinctive features.</p>	<p>Poorly integrated/raw/exposed settlement edges, which may offer mitigation potential through new development and edge landscape treatment.</p> <p>Much expanded, modern settlement edge with little relationship to the historic settlement structure or key features. Settlement edge land uses/management is prevalent and historic features have been eroded.</p>
<b>Topography and skylines</b>	<p>Contours form a clear and defensible limit to the conservation area extents and create a prominent setting to the built edge.</p> <p>Distinctive, strong topographic features that would be susceptible to change associated with development.</p> <p>Open or 'natural' and undeveloped skylines which are apparent in key views and/or would be susceptible to change arising from development.</p>	<p>Contours are apparent as part of the conservation area's setting, and such features may be distinctive and to a degree susceptible to change associated with development.</p> <p>Skylines may be mostly undeveloped or with only localised developed intrusions, such that they have some susceptibility to change arising from development.</p>	<p>Few strong topographic features that define the edge of the conservation area, with little landform variation.</p> <p>Developed/settled skylines including modern settlement and human influences, or skylines that are neither visually distinctive nor prominent and have a low susceptibility to change arising from development.</p>
<b>Landscape scale and pattern (including cultural pattern)</b>	<p>Small scale, intimate and intricate landscape pattern which the legibility would be susceptible to change arising from development.</p> <p>Strong sense of / intact cultural pattern, historic functional relationships and evolution.</p>	<p>Medium scale landscape patterns with some susceptibility to change arising from development.</p> <p>Moderate, perhaps partially eroded, sense of cultural pattern, historic functional relationship and evolution.</p>	<p>Expansive, open landscapes with few features that are susceptible to change arising from development.</p> <p>Eroded, fragmented, weak sense of cultural pattern, historic functional relationships and evolution.</p>
<b>Aesthetic and perceptual quality including landscape experience and tranquillity</b>	<p>Intricate, complex landscapes, the integrity and legibility of which would be affected by development.</p> <p>Tranquil, peaceful landscape such that any development would represent a significant intrusion.</p>	<p>Landscape patterns that display a degree of intactness and relative complexity in areas, with some potential for development to affect the integrity and legibility of these.</p> <p>A landscape with relatively few or moderate levels of intrusion, with some level of tranquillity.</p>	<p>Simple or fragmented, eroded landscapes with low legibility such that new development may present an enhancement opportunity.</p> <p>Landscape of low tranquillity, already characterised by levels of intrusion.</p>
<b>Views, visual character and intervisibility</b>	<p>Expansive, open and prominent views in and out, wide intervisibility with adjacent landmarks, visually important/prominent elements associated with the wider landscape character that are susceptible to change arising from development.</p>	<p>Medium range views and medium level/filtered intervisibility with nearby landmarks, visually prominent landscape elements and characteristic features.</p>	<p>Enclosed visual character with views kept short. Little or no intervisibility with adjacent landmarks, visually prominent landscape elements and characteristic features.</p>

- 1.1 The above typical criteria have been defined in order to focus the analysis. The criteria have been informed by the information in the district landscape character assessment and capacity study, and knowledge gained of the area through fieldwork. They have been developed with reference to best practice guidance<sup>1</sup>. They have been applied to the landscape fringes associated with the conservation area, in order to determine the susceptibility to change and the sensitivity of the fringe to development.
- 1.2 It should be noted that different combinations of the attributes within the typical criteria may apply, and professional judgement is applied in each case.

<sup>1</sup> Natural England, 2014, *An Approach to Landscape Character Assessment* and Landscape Institute and Institute of Environmental Management and Assessment, 2013, *Guidelines for Landscape and Visual Impact Assessment 3<sup>rd</sup> Edition (GLVIA3)*

# Glossary of Terms

## A

**Arcade** - a row of arches supported by columns.

**Arch** - a section above a door or opening window with the structural function of dispersing the weight from above around the opening. Also referred to as a head above a door or window. The shape will determine its name; most common are segmental (semi-circular), lancet (pointed) and gauged (composed of shaped bricks).

**Architrave** - in Classical architecture, the lower part of a moulded cornice. Commonly used term for the moulded surround of a door or window.

**Arts and Crafts** - derived from an artistic movement of the late C19, based on the ideas of William Morris, which promoted traditional forms of design and the use of craft techniques in construction. Its architectural expression is seen in the use of traditional materials and restrained vernacular decoration.

**Art Nouveau** - an artistic movement of the turn of the century characterised by stylised forms of flowers and animals, prevalent in Edwardian buildings.

**Ashlar** - smoothed, even blocks of stone masonry.

## B

**Baluster** - the upright in a staircase or balustrade that supports the horizontal top rail or coping.

**Balustrade** - the upstanding part of a stair or balcony that supports a rail or coping. The individual uprights (balusters) may be decorated or ornate, for example in the shape of bottles, in which case it is termed a bottle balustrade.

**Bargeboard** - a timber piece fitted to the outer edge of a gable, sometimes carved for decorative effect.

**Baroque** - a style associated with late Classical architecture, that evolved during the C17 and C18 and is characterised by exuberant decoration overlaid on classical architectural details.

**Battered** - a feature, such as a chimney, with sloping faces or sides making it narrower at the top than at the bottom.

**Battlement** - the top part of a castle wall, often used to detail a parapet; also known as crenellation.

**Bay** - an extension to the main building line, termed canted or splayed when angled back at the sides, and squared when perpendicular (see also Window).

**Bow window** - a curved window extending from the front of a building.

**Bull nose** - the rounded end of a brick or tile.

**Burr** - a rough, poor quality brick used as infill.

## C

**Canted** - angled at the sides, as in a bay window.

**Cap** - a stone piece on top of a pier to protect it from weathering.

# Glossary of Terms continued

**Cape** - extension to the footpath to narrow the road width.

**Capital** - the ornate top of a column, sometimes decorated with carvings of leaves and flowers.

**Cartouche** - a carved panel of stone or plaster.

**Casement window** - a window opening on side or top hinges.

**Chamfered** - an object with the edges of the front face angled back to give a sense of depth; e.g. on a door stile.

**Channelled** - stucco or render grooved to look like stone masonry.

**Character** - The main visual characteristics of an area resulting from the influence of geology, topography, urban layout, plot form, and predominant building ages, types, form and materials.

**Chinoiserie** - a decorative style, inspired by oriental art and design.

**Classical** - an architectural style based on Greek and Roman antiquities, characterised by the arrangement of the elements of a building according to a set of rules (i.e. Orders).

**Clerestorey** - a row of windows at high level lighting the ground or principal floor; very common in churches where they are positioned over the aisles.

**Colonnade** - a small, slim column, usually arranged in groups. Column - a structural or decorative vertical element, usually circular, supporting or framing the upper parts of a building.

**Coping** - a sloping or curved, overhanging section of stone on top of a wall or parapet designed to protect the masonry from rain water.

**Corbel** - a projecting piece of timber, stone or brick supporting an overhanging structure, such as an arch or balcony.

**Corinthian** - an ornate type of column with exuberant decoration of the capital.

**Cornice** - a decorative mould applied to parapets and pediments.

**Crenellation(s)** - a parapet that has been built in the form of castle battlement.

**Crow-stepped gable** - a gable with stepped sides like a stair case.

**Cupola** - a domed structure on the roof.

**Curtilage** - the area within the boundaries of a property surrounding the main building.

## D

**Dentil** - a square block, often used as a detail in a cornice, where it is alternated with a gap.

**Distinctive frontage** - a structure or series of buildings, such as a terrace, that has specific architectural quality, recognisable plot rhythm, consistent use of materials, or a combination of the above. A distinctive frontage will make a positive contribution to local character or even define the local character.

**Doorcase** - the surrounding frame of a door, usually timber.

**Doric** - a plain column with little decoration.

**Dormer window** - a window projecting from a roof.

**Dressings** - the decorative elements of building elevations used to define windows, doors, etc., and usually of a material contrasting with the main one; for instance, stone window surrounds on a brick facade.

**Dutch gable** - a gable with tiered and curved sides as evolved in the Low Countries.

**Eaves** - the lower, overhanging section of a pitched roof, intended to throw rain water away from the wall below.

**Egg and Dart** - a moulding pattern of alternating eggshaped and arrowhead shaped pieces.

**Engineering brick** - an extremely hard brick used mainly in engineering structures such as bridges.

**Entablature** - the top part of a column or pediment comprising a number of elements; i.e. architrave, cornice, modillion, capital, etc.

## F

**Faience** - a glazed clay tile or block.

**Fenestration** - the pattern of windows.

**Fielded** - a flat, undecorated but raised part of a door panel.

**Fin** - a simple projection at right angles to the face of the building, repeated to give some relief to flat modernist facades.

**Finial** - a decorative device to finish off a building element with a flourish, most commonly seen on railings.

**Fleche** - a pointed spike or finial, common on church roofs.

**Frieze** - a band or decorative motif running along the upper part of the wall, sometimes carved.

**Fluted** - carved with long vertical depressions, as in many columns.

## G

**Gable** - a decorative finish to the upper part of a wall designed to obscure the roof structure. Termed Dutch if replicating the style common in Holland; crow-stepped if rising in stages like a staircase.

**Gablet roof** - roof with a small gable at the top of a hipped or half-hipped section.

**Galleting** - a technique in which small pieces of stone are pushed into wet mortar joints during the construction of a building. Has both a decorative and weathering function.

**Gardenesque** - of a style associated with the C18 English Romantic garden designs; naturalistic rather than formal.

**Gauged** - bricks shaped to fit together closely, as in an arch or head.

**Gault brick** - a light cream/yellow brick commonly made in East Anglia (hence Suffolk gaults).

# Glossary of Terms continued

**Gothic(k)** - term applied to Medieval architecture characterised by pointed arches and windows, fine decorative carving, tracery, etc. Revived in the later C19 by ecclesiastical architects who looked back to the Medieval cathedrals and churches for their main inspiration.

## H

**Ha ha** - a linear hollow or ditch defining a property or field boundary and primarily used to exclude livestock from the grounds of a house while maintaining a view of the landscape.

**Head** - the common term for the arch over an opening.

**Heritage asset** - Heritage assets are identified as having a degree of significance meriting consideration in planning decisions, because of their heritage interest. Designated heritage assets include Conservation Areas, Listed buildings, Scheduled Monuments, Registered Parks and Gardens. A non-designated heritage asset are those identified by the Local Authority of local communities that are not of sufficient interest to be statutorily designated but still warrant consideration in planning decisions due to their local interest. Non-designated heritage assets can be identified at any time and within the context of Conservation Areas are those which contribute to local distinctiveness.

**Herringbone pattern** - a pattern created by laying rectangular blocks of wood or stone in an interlocking arrangement; e.g. some door panels and paving.

**Hipped roof** - a roof sloping at the ends as well as the sides.

**Hood** - a projecting moulded section over a door or window.

## I

**International** - a modern architectural style that eschews decoration and is based on designing buildings in simple cubist forms with no reference to local styles or materials. Characterised by modern building materials, such as concrete, steel and plate glass.

**Ionic** - a type of column.

**Italianate** - built in a style derived from Italy.

## J

**Jettied** - extended out over the floor below, usually on timber joists.

## K

**Knapped flint** - flint stones that have had one side broken off and flattened to present a smooth face.

## L

**Lancet** - a window or arch coming to a narrow point and much used in Gothic architecture.

**Leaded light** - a window pane subdivided into small squares or diamonds by lead strips (known as cames).

**Lesene** - a pilaster without a base or capital.

**Light** - a window with fixed glazing.

**Lintel** - a structural beam above an opening, such as a window or door, which may be expressed externally as an architectural feature.

**Loggia** - an open gallery, often in the form of an arcade.

## M

**Mansard roof** - a roof set back from the building frontage, usually behind a parapet, and rising in two pitches to form an attic space.

**Materials** - the predominant building materials used in an area for walling, windows, paving and roofing.

**Mathematical tile** - a building material used extensively in the southeastern counties of England—especially Sussex and Kent—in the C18 and early C19. They were laid on the exterior of timber-framed buildings as an alternative to brickwork, which their appearance closely resembled. Mathematical tiles had an extra price advantage during the time of the brick tax (1784–1850), although later there was a tax on tiles also. The tiles were laid in a partly overlapping pattern, akin to roof shingles. Their lower section - the part intended to be visible when the roofing was complete - was thicker; the upper section would slide under the overlapping tile above and would therefore be hidden. They would then be hung on a lath of wood, and the lower sections would be moulded together with an infill of lime mortar to form a flat surface. The interlocking visible surfaces would then resemble either header bond or stretcher bond brickwork. Mathematical tiles had several advantages over brick: they were cheaper, easier to lay than bricks (skilled workmen were not needed), and were more resistant to the weathering effects of wind, rain and sea-spray, making them particularly useful at seaside locations.

**Modillion** - part of a cornice comprising a series of small brackets.

**Morphology** - the study of the shape and layout of an area as defined by natural and man-made features; e.g. valleys, rivers, roads, boundaries.

**Mullion** - a vertical piece of stone or timber dividing a window into sections.

## N

**Nailhead** - a style of moulding in the form of a small pyramid shaped projection, which when laid horizontally in a band form a string course.

**Negative buildings** - buildings that due to their location, scale, material, form or detailed design, are a negative intrusion on the area and which offer the potential for beneficial change that would enhance the character of the Conservation Area.

**Neutral buildings** - buildings which make neither a positive nor negative contribution to the character and appearance of a Conservation Area.

## O

**Ogee** - a moulding shaped with a double curve.

**Oriel** - a window which is suspended from the face of the building.

**Ovolar (or Ovolo)** - a moulding section of a quarter circle.

## P

**Panel tracery** - a late Medieval form of tracery characterised by subdivision of the window by strong vertical and horizontal members.

**Pantile** - a clay roofing tile with an 'S'-shaped profile.

**Parapet** - the upper part of a wall, often used to hide roofs and decorated for architectural effect; e.g. crenellated or battlemented in the form of a castle wall.

**Party-line** - the dividing wall between properties.

**Paviors** - small brick-like paving units.

# Glossary of Terms continued

**Pediment** - a triangular feature of classical buildings surmounting a portico, but often used on a smaller scale over doors and windows, which are then referred to as pedimented. When the upper sloping sides are curved it is called segmental. It may termed be broken or open when either the bottom horizontal or angled upper sides do not meet.

**Pilaster** - a flattened column used to frame door and window cases and shopfronts.

**Planter** - a container for holding plants.

**Plat** - a string course without mouldings.

**Plinth** - the base of a column or wall.

**Portico** - a grand entrance extending in front of the building line, usually defined by columns and surmounted by a pediment.

**Queen Anne Style** - an architectural style of the late C19 century, related to the Arts & Crafts movement, and reviving Dutch style buildings of the reign of William and Mary (late C17).

**Quoin** - a corner of a building defined by contrasting or exaggerated materials.

## R

**Range** - a line of buildings, often grouped around a courtyard.

**Reveal** - the area of masonry or frame visible between the outer face of a wall and a door or window which is set back from it.

**Roughcast** - a type of render of plaster or concrete with a rough surface finish.

**Rubble stone** - stonework left rough and unworked.

**Rustication** - stucco or stone blocks with large angled joints.

## S

**Salt glaze** - a method of glazing brick or clay to give a glassy finish.

**Sash window** - a window that slides vertically on a system of cords and balanced weights.

**Scale** - Building scale refers to building elements and details as they proportionally relate to each other and to humans. Aspects of scale include: size (2D measurement); bulk (visual perception of the composition of shape of a building's massing); and mass (determined by volume, shape and form, relationship to neighbouring structures, building plot and relationship to streets).

**Scorria block** - a hard, durable engineering brick, looking like granite; used in paving, especially in gutters.

**Scroll(work)** - a circular or spiral decorative piece, representing a curved leaf, such as a bracket or the top of a column. If included in a decorative panel, it would be referred to as a scroll leaf panel.

**Segmental** - a section of a circle and the term applied to a curved element, e.g. above an arch or pediment.

**Sett** - a small block of hard stone, such as granite, used for paving.

**Setting** - the setting of a heritage structure, site or area is defined as the immediate and extended environment that is part of, or contributes to, its significance and distinctive character. Beyond the physical and visual aspects, the setting includes interaction with the natural environment; past or present social or spiritual practices, customs, traditional knowledge, use or activities and other forms of intangible cultural heritage aspects that created and form the space as well as the current and dynamic cultural, social and economic context.

**Significance** - The value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting.

**Soldier band** - a string course made up of bricks set with the long side vertical.

**Soffit** - the underside of eaves or other projection.

**Spandrel** - a blank area between arch supports or below a window.

**Splayed** - a bay window with angled sides.

**Sprocket** - a small supporting piece of stone or timber carrying a larger item such as a bracket.

**Stable block** - small square stone or clay pavior traditionally used as flooring in stables and similar buildings.

**Stack** - the part of the chimney breast visible above the roof.

**Stile** - the vertical sections of a door or window.

**Stippled** - the effect created by carving small depressions in the face of stone.

**Stock brick** - a traditional clay brick commonly used in house construction; often called London stocks because of the frequency of use locally. May be yellow or red in colour.

**String course** - a horizontal band in a wall, usually raised and often moulded.

**Stucco** - a lime based render applied to the exterior of a building. Often scored to imitate courses of masonry, then called channelled, and sometimes more deeply incised to give the appearance of roughly hewn stone, in which case it is rusticated.

**Swag** - a decorative carving representing a suspended cloth or curtain.

**T**

**Tented** - a roof structure shaped to look like a tent.

**Tessellated tiles** - small clay tiles or mosaics, geometrically shaped, and fitted together to make intricate formal designs; commonly used for front paths to houses.

**Tetrastyle** - a portico with four columns.

**Toothed** - a brick detail like a dentil in which bricks are alternately recessed and projected.

**Topography** - The physical form of an area defined by natural features and geographic elements such as rivers.



# Glossary of Terms continued

**Tourelle** - a small tower-like structure suspended from the corner of a building (also called a turret).

**Tracery** - delicately carved stonework usually seen in the windows of Gothic churches and cathedrals; various forms exist, including panel type.  
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**Transom** - a horizontal glazing bar in a window.

**Trefoil** - literally “three leaves”, thus relating to any decorative element with the appearance of a clover leaf.

**Tuscan** - a plain, unadorned column.

**Triglyph** - the space between a lintel and an arch above a door.

## Unlisted building making a positive contribution to the street scene

Buildings that are not designated assets but which, due to their local architectural or historic interest or forming part of a group, contribute to or enhance our appreciation of local character and historic development. These are buildings which make a positive contribution to the overall character and sense of place of the Conservation Area. They form a material consideration in planning meaning that their preservation and sensitive adaptation will be encouraged through the planning process.

## V

**Venetian** - a window composed of three openings or lights within the frame, the central light arched, the two flanking with flat heads.

**Vernacular** - based on local and traditional construction methods, materials and decorative styles.

**Views** - Within the scope of Conservation Area appraisals, views are discussed in terms of location from a view to a specific landmark, or panorama incorporating a series of features (natural or built) is possible. For the view to have value and therefore merit consideration within planning, the features within the view should be worthy of conservation or contribute to our understanding of the place and its setting.

**Vousoir** - the shaped bricks or stones over a window forming a head or arch.

## W

**Weatherboarding** - overlapping timber boards cladding the outside of a building.

**Window** - an opening to allow light and air into a building which has developed into a significant element of architectural design; collectively referred to as fenestration. The form of opening determines the type of window; most common are sashes, which slide vertically, and casements, which are side hinged and open inwards or outwards. Those with a side light are said to have margins. A window may be projected from the building frontage, and termed a bay or bow (if curved), or oriel if suspended above ground. The top is usually defined by an arch. A dormer is one set into the roof slope.

*Map of proposed changes to the Conservation Area*

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*Map of proposed Conservation Area*

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# Draft Wells Cottage Conservation Area Appraisal and Management Plan



Horsham  
District  
Council

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Agenda Annex

*“Sussex is a better place to see this happy marriage of old and new than anywhere else in England.”<sup>1</sup>*

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1. Nairn, I. & Pevsner, N., 2001. *Sussex*, Harmondsworth : [s.l.: Penguin ; [distributed by Yale University Press]. p.328





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# Introduction

## What does Conservation Area designation mean?

The statutory definition of a Conservation Area is an “area of special architectural or historic interest, the character and appearance of which it is desirable to preserve or enhance”. The power to designate Conservation Areas is given to local authorities through the Planning (Listed Buildings and Conservation Areas) Act 1990 (Sections 69 to 78).

Proposals within a Conservation Area become subject to policies outlined in section 16 of the National Planning Policy Framework (NPPF), as well as local planning policies outlined in the Horsham District Council Planning Framework. The duties for Horsham District Council, set out in Section 69-72 of the Act are:

- from time to time, determine which parts of their area are areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance, and designate those areas as Conservation Areas
- from time to time, to review the past exercise of functions under this section and to determine whether any parts or any further parts of their area should be designated as Conservation Areas; and, if they so determine, they shall designate those parts accordingly (includes reviewing boundaries)
- from time to time, to formulate and publish proposals for the preservation and enhancement of any parts of their area which are Conservation Areas
- submit proposals for consideration to a public meeting in the area to which they relate. The local planning authority shall have regard to any views concerning the proposals expressed by persons attending the meeting
- in the exercise, with respect to any buildings or other land in a Conservation Area, of any functions..., special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

In response to these statutory requirements, this document seeks to define and record the special architectural and historic interest of the proposed Conservation Area and identifies opportunities for enhancement. Although the appraisal seeks to cover the main aspects of the designated area, it cannot be completely comprehensive; the omission of any feature in either the appraisal or the management proposals does not imply that it is of no interest.

## What is a Conservation Area appraisal?

A Conservation Area appraisal defines the special historic and architectural character of an area. Supported by a range of evidence, the document acts as a tool to demonstrate the area’s special interest, explaining to owners and residents the reasons for designation. They are educational and informative documents, which illustrate and justify what that community particularly values about the place they live and work. They provide a relatively detailed articulation of the area’s character, supported by maps and other visual information, which is used to develop a framework for planning decisions.

Character is a complex concept but is best described as the combination of architecture, materials, detailing, topography and open space, as well as the relationship between buildings and their settings. Many other aspects contribute to character such as views, land use, vegetation, building scale and form, noise and adjacent designations such as National Parks.

# Introduction continued

Appraisals also identify aspects of an area that either contribute to or detract from local character, raise public awareness and interest in the objectives of Conservation Area designation, encourage public involvement in the planning process and identify opportunities for enhancing areas.

## Purpose of this document

Once adopted, the appraisal is material to the determination of planning applications and appeals. Therefore, the appraisal is an important document informing private owners and developers concerning the location, scale and form of new development.

This appraisal concludes with a Conservation Area management plan. This takes forward the issues presented in the appraisal, considering them in the context of legislation, policy and community interest. This will then assist in developing local policies Horsham District Council will adopt to protect the special interest of the Conservation Area in such a way that it becomes self-sustaining into the future. This includes policies to protect the survival and use of local materials, architectural details and to propose forms of development based on the findings of the appraisal.

This document has been produced using the guidance set out by Historic England in their document, Historic England Advice Note 1: Conservation Area Designation, Appraisal and Management (2019).

## Policy background

On 27th November 2015, Horsham District Council adopted the Horsham District Planning Framework (HDPF). The HDPF sets out the planning strategy for the years up to 2031 to deliver social, economic and environmental needs for the district (outside the South Downs National Park). Chapter 9, Conserving and Enhancing the Natural and Built Environment, is of particular importance for conservation and design issues.

The policies contained within this chapter deal with many themes central to the conservation and enhancement of heritage assets and local character more generally, such as:

- district character and the natural environment (policy 25);
- the quality of new development (policy 32);
- development principles (policy 33); and
- heritage assets and managing change within the historic environment (policy 34).

Therefore, Conservation Area designation introduces controls over the way owners can alter or develop their properties. It also introduces control of the demolition of unlisted buildings, works on trees, the types of advertisements that can be displayed with deemed consent and the types of development that can be carried out without the need for planning permission (permitted development rights).

However, research undertaken by Historic England and the London School of Economics has demonstrated that owners of residential properties within Conservation Areas generally consider these controls to be beneficial because they often also sustain or increase the value of those properties within the Conservation Area.



# Introduction continued

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*Aerial photograph of proposed conservation area within its wider context*

# Introduction continued

## The appraisal

This appraisal offers an opportunity to assess the area of West Chilmington occupied by dwellings constructed by Reginald Fairfax Wells during the first half of the twentieth century to determine whether it has special architectural or historic interest the character or appearance of which it would be desirable to preserve or enhance. Undertaking this appraisal offers the opportunity to draw out the key elements of the proposed Conservation Area's character and quality as it is now, define what is positive and negative and identify opportunities for beneficial change. The information contained within the appraisal can be used to guide the form of development within the Conservation Area, help to those considering investment in the area and be informative for the local community, planners and developers alike.

It is important to note that designation as a Conservation Area will not in itself protect the area from incremental changes that can erode character over time.



This document is divided into two parts:

Part I: The character appraisal highlights what is architecturally and historically important about the proposed Wells Cottage Conservation Area, identifies any problems within it and assesses the appropriate boundary. The character appraisal is supported by photographs to illustrate the general character of the Conservation Area and highlight both its good and bad features. Where a bad feature has been identified a cross is shown to indicate that the feature should not be replicated in future development.

Part II: The management proposals identify opportunities for preserving and/or enhancing the character of the Conservation Area based on the negative features identified in Part 1.

## Summary of special interest

The key positive characteristics of the proposed Wells Cottage Conservation Area are identified in detail in Part I (Appraisal) but can also be summarised as follows:

- The style and design of the dwellings create a strong sense of place
- Many buildings within the Conservation Areas are little altered from the time of their construction.
- The dwellings represent a vision of interwar development influenced by the Arts and Crafts Movement.

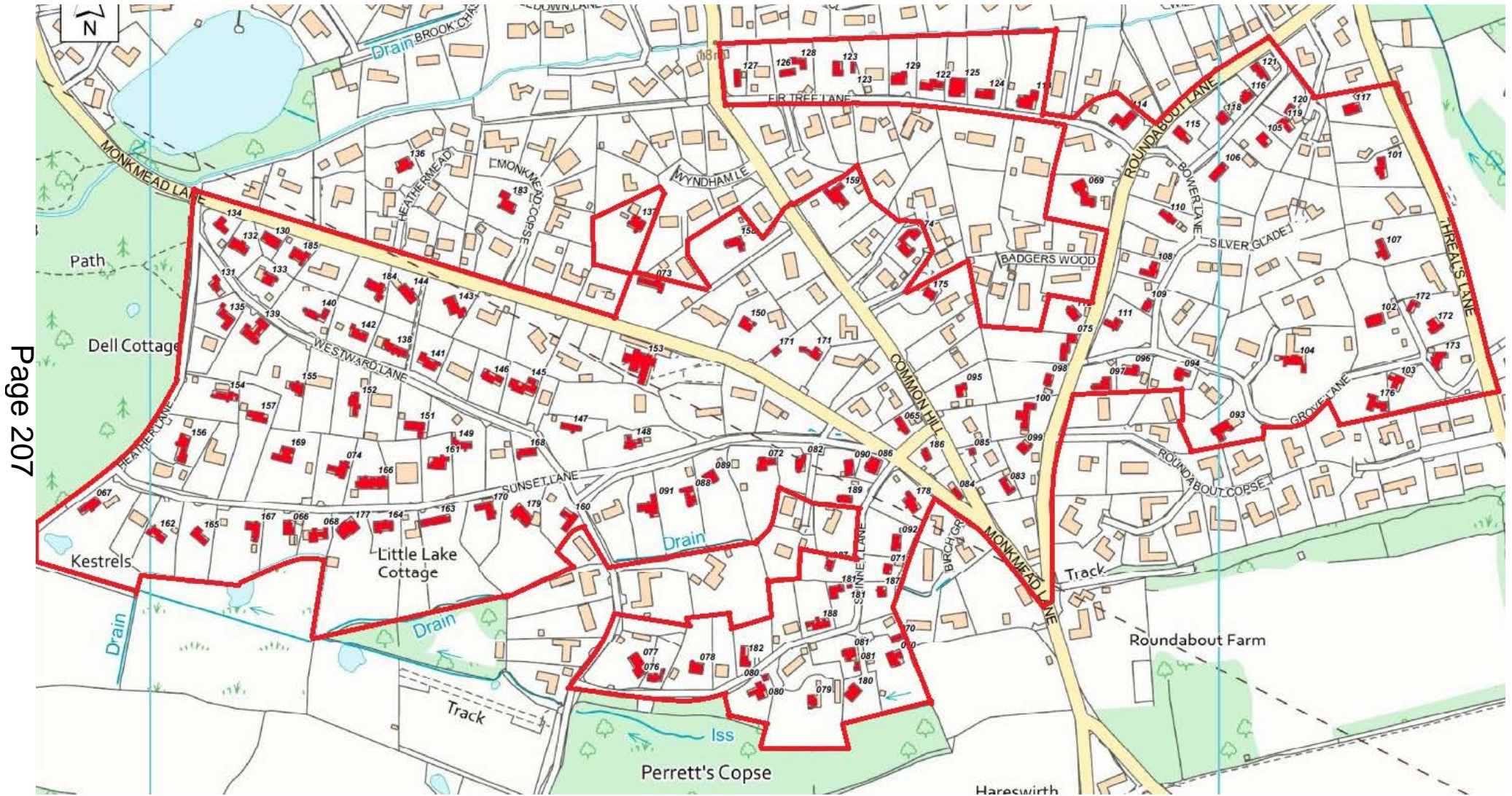
## Introduction continued

The location of the concentration of Well's built dwellings is sited in an area which was formally copse and heath land to the south of the historic core of West Chiltingon.

Our assessment has been informed by current guidance and in partnership with interested parties.

The map on the following page illustrate the proposed Conservation Area boundary. This appraisal identifies the Well's Cottages as having one continuous Conservation Area comprising a single character area. The map also shows the location of buildings that are suggested to be Wells designed. Although not all the structures shown are within the Conservation Area it is considered that all of the Wells buildings should be considered as locally listed buildings.

Map of proposed conservation area.



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# Part I: Appraisal

## Origins and development of the Wells Cottages

A settlement at West Chiltington is recorded in the Domesday Book as Cilletone/Cilletune. The settlement was within the rape of Earl Roger and contained meadows, and woodland for 30 pigs. The Domesday Book also records a church at West Chiltington which may have been subsumed into the building which can be seen today. The church of St Mary is suggested to have been constructed in the early twelfth century although Pevesner suggests that some stylistic influences in the nave and chancel walls may indicate an earlier eleventh century date.

The settlement which was to become West Chiltington grew up to the north of the church with a cluster of buildings surrounding the crossroads where trackways going north/south and east/west met. To the south west of the historic core were the commons of West Chiltington and Nyetimber. In this area following the First World War Reginald Fairfax Wells brought parcels of land close to Roundabout Farm to construct cottages of his own design. The trackways that crossed the heath were to evolve into the modern lanes of for example Monkmead, Sunset and Westward.

## Reginald Fairfax Wells

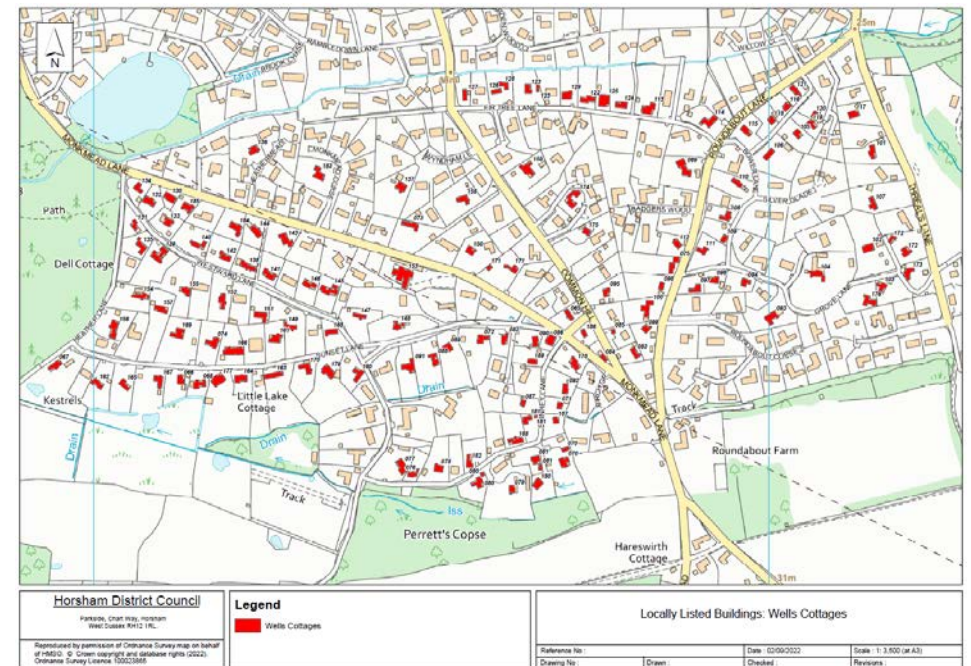
Reginald Fairfax Wells was born in Brazil in 1877. He studied sculpture at South Kensington School of Art in the 1890's and studio pottery at the Camberwell School of Arts and Crafts. Wells then moved to Coldrum in Kent setting up his own pottery at the age of 23. In 1909 he moved the pottery to Chelsea, where he continued to sculpt until the start of the First World War. During the war years he set up the Wells Aviation Company which produced aircraft parts. He then designed and manufactured whole aircraft producing 50 Vickers FB9 fighters and 100 Sopworth reconnaissance machines. He also started a flying school at Cobner.\*

\* Appendix 4 Wells Houses, West Chiltington Draft Neighbourhood Plan

In 1925 Wells moved to the Storrington area and began to purchase parcels of land to create his vision of a quintessential English village. In accordance with the ethos of the Arts and Crafts movement in which he trained Wells was looking to reject the increasing industrialisation of materials and goods, and promote hand crafted, traditional skills and a simpler way of life.

Wells dwellings were originally designed as weekend escapes, enabling a retreat from the modern world with often basic facilities. It is thought that Wells constructed up to 176 cottages in West Chiltington. This concentration of his buildings has created a unique character which it is suggested contributes to a unique sense of place.

Although the dwellings were designed individually by Wells the lanes in which they were placed were not formalised. Therefore the lanes do not have pavements or streetlights and often retain hedgerows and soft planting creating a rural appearance.



Map showing suggested Wells Cottages in red.



# Part I: Appraisal continued

## Wells Cottages evolution through historic maps

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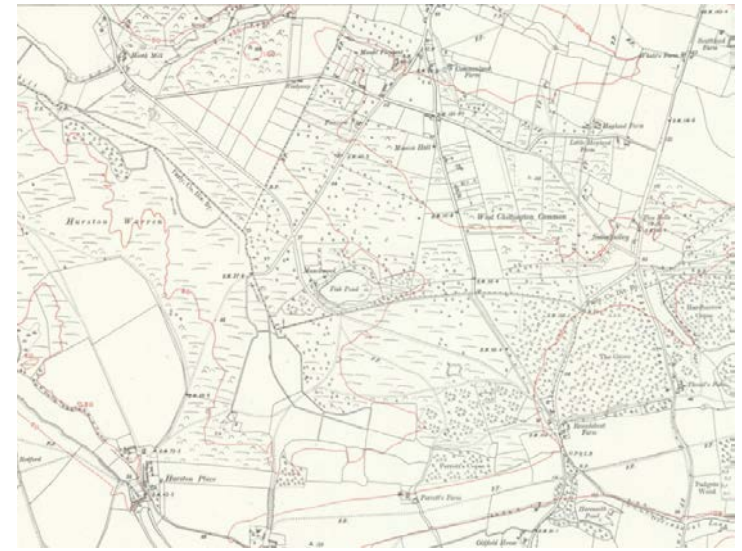
Surveyed 1876 - Published 1880

*The area which was to become known as West Chiltington Common is to the south west of the historic core of West Chiltington. The land is crisscrossed with trackways through heath and woodland.*



Revised 1895 - 96, published 1898

*There has been little change within the area of the proposed conservation area with and Old Quarry to the north west of Roundabout Farm, and an old sand pit to the north of Roundabout Farm.*



Revised 1909, published 1912

*Little change from the earlier maps.*

# Part I: Appraisal continued

Wells Cottages evolution through historic maps



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Revised 1909 published 1924



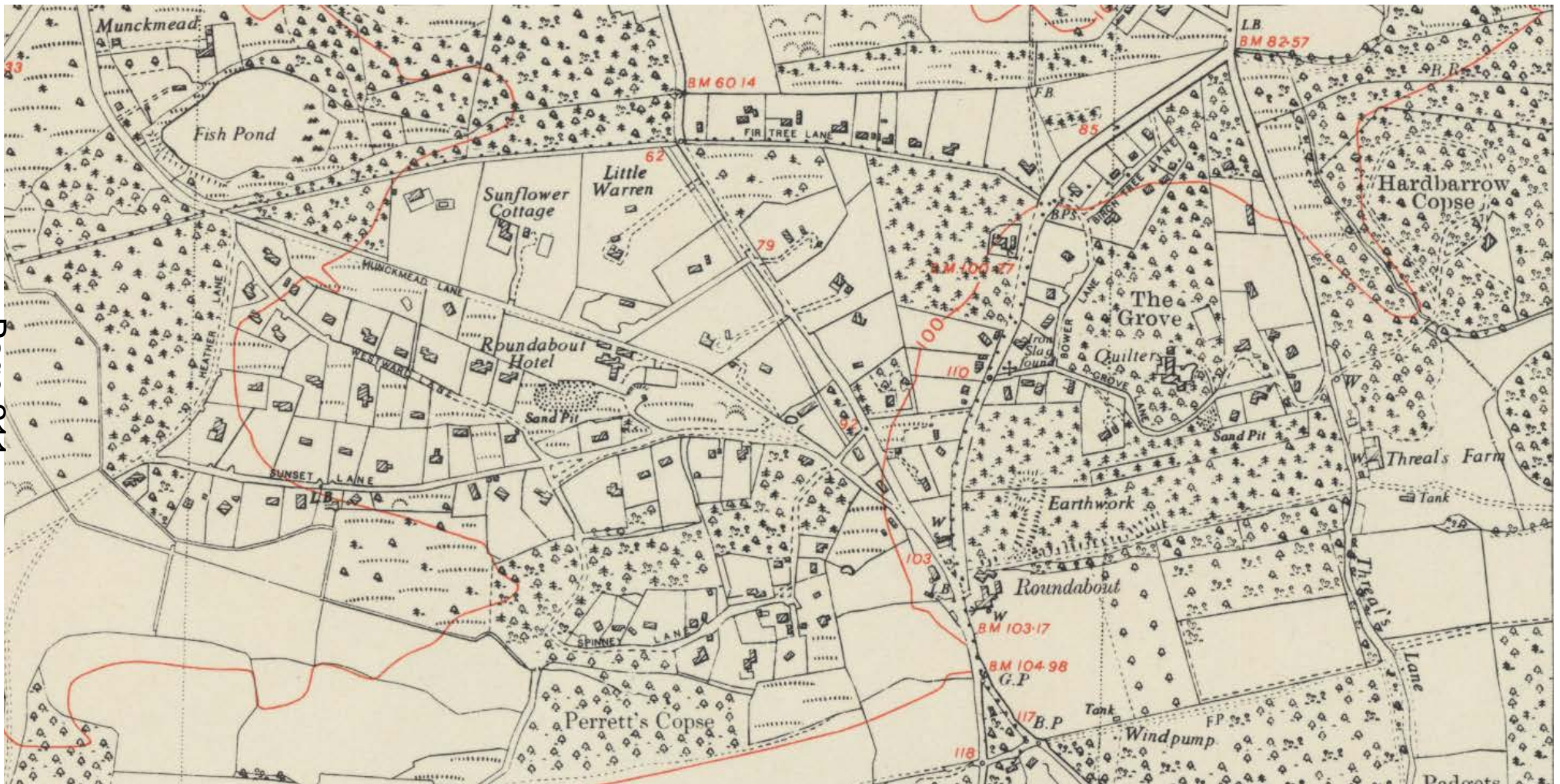
Revised 1938, published 1950

This map shows the development of the Wells Cottages with the naming of Muncckmead Lane, Sunset Lane, Westward Lane, Birch Tree Lane, Bower Lane, Grove Lane, Spinney Lane, Fir tree Lane and Heather Lane, and the identification of the Roundabout Hotel with a sand pit to the rear, Sunflower Cottage, Little Warren, Quilters. It is clear from these maps that the properties were planned with differing building lines and plot sizes. A larger image is shown on the following page.

Reproduced with the permission of the National Library of Scotland:  
<https://maps.nls.uk/index.html>

# Part I: Appraisal continued

Wells Cottages evolution through historic maps



Revised 1938, published 1950

Reproduced with the permission of the National Library of Scotland:  
<https://maps.nls.uk/index.html>

# Part I: Appraisal continued

## Underlying geology

The area in which the Conservation Area is situated has a distinctive landform of low ridges alternating with shallow valleys, reflecting a complex geology of sandstone and clay. Heavily wooded ridges to the south are interspersed with patches of heathland.

## Land use and open space

The conservation area is predominantly residential with the exception of Roundabout Hotel.

There are no formal open spaces such as a village green or recreation area. This is understandable when considering the lifestyle Wells thought the occupants of his properties might follow. The proximity to undeveloped common land also meant formal open space was a less desirable feature for any new community. The fantasy of living a rural idyll was in contrast to a suburban life of busy planned activity.

Originally there was a mix of plot sizes. Plot size related to a certain degree to the property size. Over time the largest plots have been divided and infill development has resulted in a more homogeneous grain of development. Despite the lack of formal public and recreational space and the large increase of infill development over the past hundred years, the area retains a strong rural, sylvan streetscape character.

Outside of the Conservation Area to the west of Heather Lane is the local wildlife site of Monkmead Woods, whilst to the south is Perretts Copse ancient woodland, and Hardbarrow Copse to the east.

## Movement and Connectivity

The intention, following development of this area, was to retain a sense of rural dispersed settlement. For this reason the principal routes over West Chiltington Common were maintained as the principal roads and the paths used as a framework for the secondary residential lanes. This use of established but unplanned route ways results in a winding and meandering movement through the area.

The lanes have retained an informal character without pavement or other segregation between traffic and pedestrians. The narrowness of the lanes and the lack of segregation acts as a traffic calming measure and reinforces the intended historic rural character of the route ways through the area.

Walking around the area is a pleasant experience. Connectivity is generally good and there are a few tertiary route ways to reduce travel distances when on foot. These secondary and tertiary route ways such as Bower Lane illustrate the character of the lanes before they were paved.



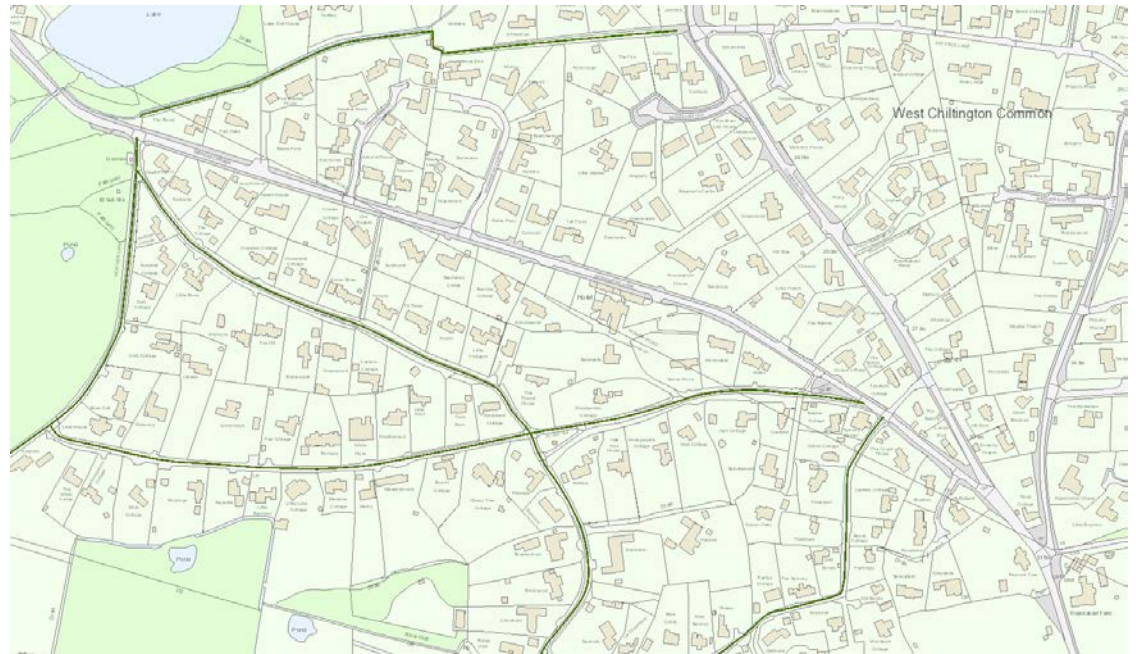
# Part I: Appraisal continued

## Public rights of way

Although many of the lanes within the conservation area are private, there are a number of public rights of way particularly in the southern area along Heather Lane ROW 2640, Westward Lane ROW 2438, Spinney Lane, Sunset Lane ROW 2639 and to the north of Monkmead Lane ROW 2855.

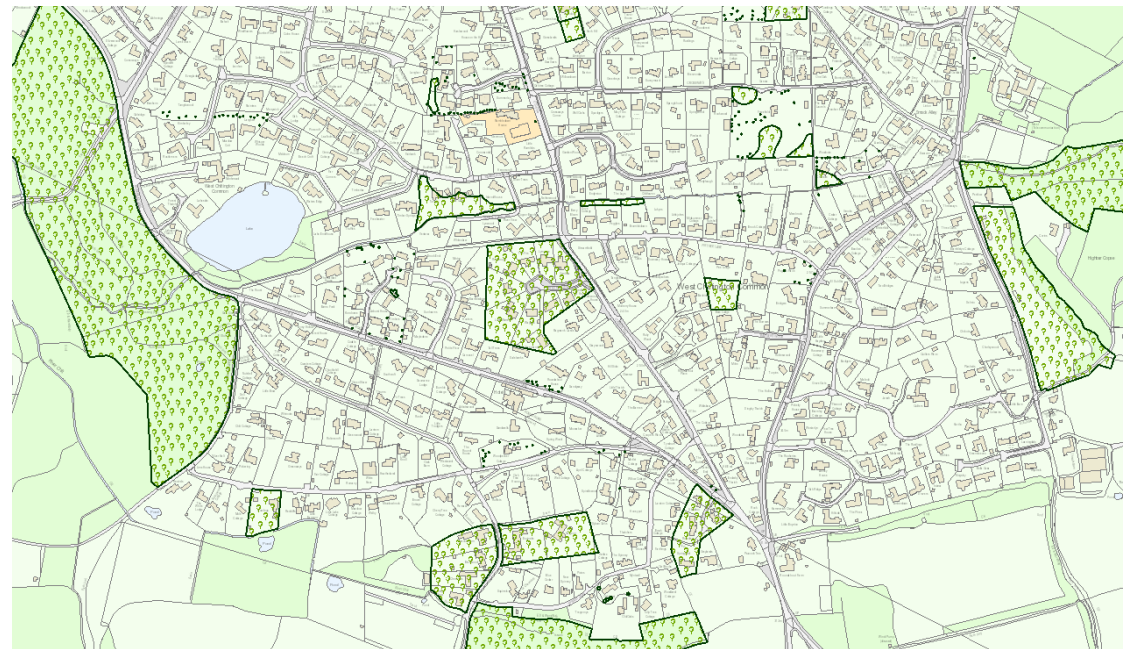
## Protected Trees

Within and adjoining the conservation area are a number of individual and group Tree Preservation Orders.



Above: Map showing ROW in green

Below: Map showing Tree Preservation Order



# Part I: Appraisal continued

## Heritage Assets

There is one listed building in the conservation area, Rock Cottage, an eighteenth century stone built cottage. This forms a group with two other listed buildings to the south but these are excluded from the conservation area. Rock Cottage is included as it is experienced in combination with the small area of common land at the junction of Monkmead Lane and Roundabout Lane as an attractive gateway composition reflecting inspiration for the picturesque intention of the Wells development.

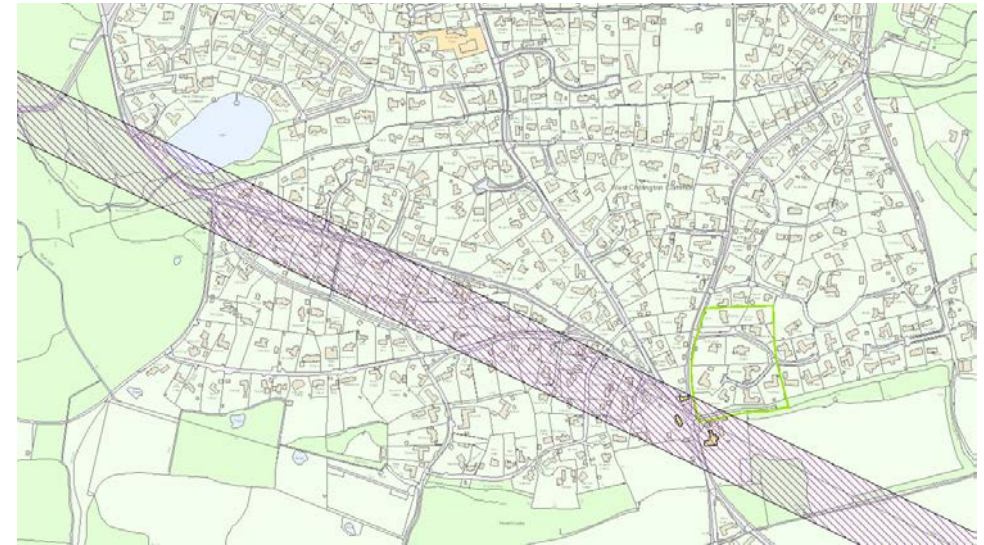
Each Wells Cottage is also considered to be a non-designated heritage asset. Each cottage is a good example of one of the five standard models Wells initially conceived. He did make changes to each of these where he saw fit and would also make changes at the request of purchasers.

However, if he thought this would compromise the essence of what he wished to achieve he would decline the alterations.

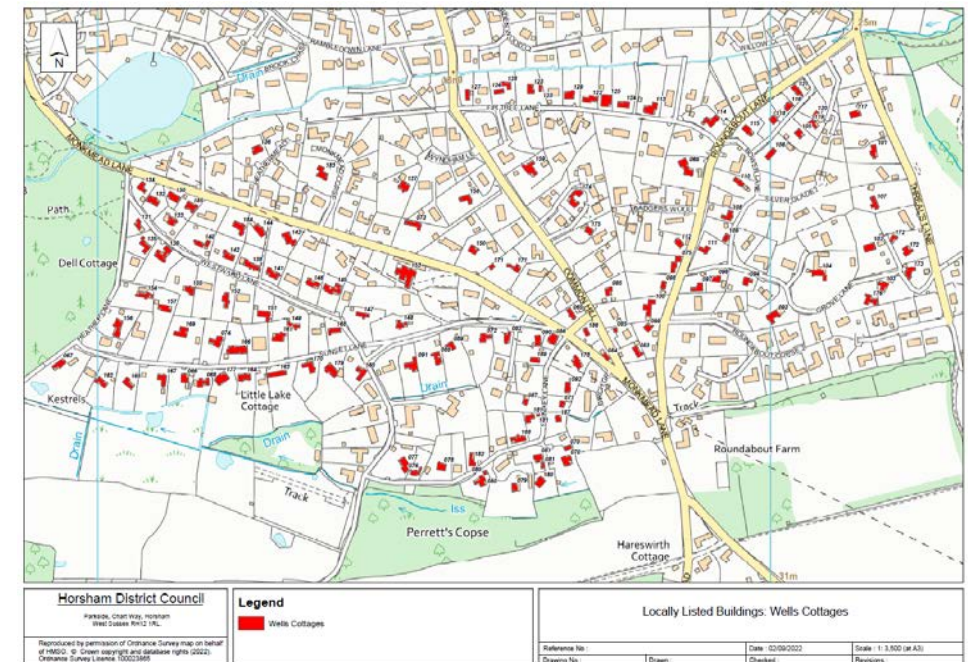
Alteration has been carried out on many if not all the cottages. Despite this they all remain recognisable as Wells Cottages and are considered to be of local historic and architectural interest.

Locally listed buildings are buildings identified by Horsham District Council as being of local historic, architectural or townscape interest. Local listed buildings are non-designated heritage assets as defined within the National Planning Policy Framework.

A section of the Hardham to Barcombe Mills Roman Road runs north west to the south east through the conservation area, and is designated as an Archaeological Notification Area.



Map showing the location of the listed buildings to the south in yellow, and the Roman Road identified in purple hatching. Below the buildings shown in red have been identified as being designed by Wells, and would be considered to be locally listed buildings.



# Part I: Appraisal continued

## Views and Streetscape

There are few long views through the conservation area due to the density of mature trees. This is in contrast to the original open character of the Common and the low density of development before plots were divided. However, the sylvan character of the existing area adds to its attraction and in contrast to the mid-twentieth century development in the vicinity.

The predominant long views are along the principal route ways and these are characterised by the attractive framing of the trees as they stretch towards the centre of the lanes.

Page 215 The predominance of soft natural property boundaries reinforces the verdant and lush streetscapes. There are glimpses between properties and through gardens and it is often possible to appreciate the attractiveness of larger trees at a distance.

Views of properties are characterised by interesting roofscapes and punctuated by chimneys. The informal positioning of properties within their plots means views are simultaneously of roof slopes and gables and oblique views of each. These opportunities positively contribute to the character of the conservation area.



# Part I: Appraisal continued

## Character Assessment

The conservation area has a single continuous character area. However, there are subtle differences and contrasts in character and appearance between parts of the conservation area due to the relationship between properties and route ways. The properties built along secondary and tertiary route ways are experienced with a greater perception of intimacy than those along the principal route ways. Nevertheless, the character Wells intended for the development as a whole is not lost and remains coherent and appreciable.

Despite later infill development the area remains relatively low density with properties enjoying large gardens or certainly proportionate to their size. There is not a strong sense of development in the streetscene. And when moving through the area much of the views of properties are glimpsed.

## Building and materials

### Wall Details

Wells designed all his cottages with brick as the principal wall construction material. The bricks are sometimes salvaged or “seconds” to increase the rustic appearance of the cottages. Many examples have white painted brickwork (originally Sussex dinging white wash) above an unpainted plinth. However there are unpainted and timber framed forms within the Conservation Area.

In some examples local Hythe Sandstone is used as a plinth. There are examples of ironstone and flint used occasionally in principal elevations to reinforce a perception of random coursing. Wells studied and replicated local building traditions in an attempt to authenticate his designs.





# Part I: Appraisal continued

## Principal Elevations

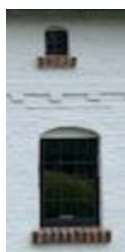
Decorative dentil courses are a further feature of the Wells Cottages which add texture to the facades adding a horizontal emphasis to the buildings. Often the cills of the windows were designed with the brick left unpainted which added colour and contrast to the buildings to the white paint. Some examples of Wells Cottages have mock buttresses which seek to establish an aura of antiquity.

## Roofs

Wells designed many of his cottages with thatched roofs. Some examples remain roofed with thatch but most now have clay tile roofs. This is not unusual for other historic dwellings in the area and is a trend born out of expediency. Although long straw was the predominant material used in West Sussex, it is likely that historically the thatch used in the local area would have been water reed available from the marshy floodplain of the River Arun.

## Windows

Salmon in her book "Voices of the Village" (1999) suggests that Wells made the windows and doors for his cottages in his workshop in Spinney Lane. Originally the Wells Cottages would have had metal windows in timber frames. Although some windows are standard is size, Wells introduced miniature or differently shaped windows which create a distinctiveness and quirky feature to the properties.



# Part I: Appraisal continued

## Porches

Within the conservation area porches are simple in form with a central door, and often a small opening to the front and windows in the side elevations. Originally the doors were constructed of timber boards with strap hinges.

## Outbuildings and Logias

A number of the cottages benefited from a semi enclosed loggia which was integrated with the main building. Wells also constructed detached garages to meet the needs of early car owners. The garages were single bays with gabled or half hipped roofs clad in waney edge boarding.

## Front Boundary Treatments

The predominant boundary treatments are natural with post and rail fencing increasing a sense of domestic enclosure. This is important in reinforcing the picturesque rural character of the area.

## Chimneys

These were an important feature of Wells' designs. Coal fires were the primary method of heating dwellings at the time and the cottages were provided with fireplaces in principal rooms. These were simple brick designs rather than cast iron pieces. The external chimney breast were designed to be conspicuous and reflect the intricacy and detail of seventeenth and early eighteenth century examples. These reinforce the aesthetic he was seeking.



# Part I: Appraisal continued

## *Building Audit Map*

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# Part I: Appraisal continued

## Negative elements

The cottages have been altered over time. The dilution of their architectural character through the removal of features such as chimneys and the replacement of timber and metal windows with plastic is not unique to these historic buildings and is a general problem in conservation areas.

The replacement of thatch for clay tiles is not as harmful as other alterations as this is a traditional alteration and driven by a scarcity of thatch and thatchers and the additional financial considerations. However, retaining thatch on the cottages is important to preserve the character of the conservation area. Returning thatch to the roofs of those cottages that have been tiled is an alteration that should be supported and encouraged.

Alterations that suburbanise the pedestrian and vehicular access to the properties has also had a negative impact on their historic character. Metal gates with brick piers and pillars have diluted the picturesque rural character of the setting of some cottages. The large areas of hard surfacing laid to provide parking areas immediately surrounding the cottages is also a negative element.

Disproportionate extensions which do not reflect the architectural style of Wells' designs are also harmful to their character. There are examples of extensions which have been designed with respect to Wells' designs. The desire to extend is not unexpected as the cottages were not provided with large service areas as many were intended as weekend and holiday retreats. There was an expectation that residents would visit the Roundabout Hotel for main meals. The desire to provide additional space for kitchens, utility rooms and areas where extended families can come together is understandable. This can be achieved in a way that reinforces the historic and architectural interest of the cottages.

The continued threats to the conservation area include:

- a continuation of suburbanising alteration to property boundaries and accesses.
- The creation of large areas of hard standing for parking.
- Loss of Wells garages.
- Loss of original windows and doors.
- Disproportionate extensions.

# Part II: Management Plan

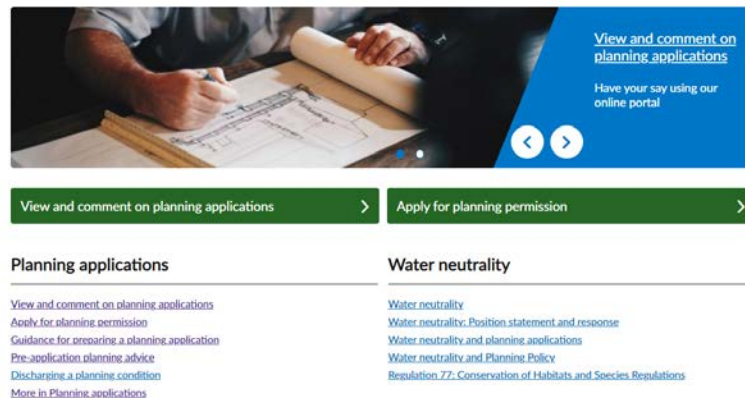
## The need for a Management Plan

It is the role of the Management Plan to take forward the challenges and opportunities identified in the appraisal, and to identify means by which the special interest of the Conservation Area will become self-sustaining into the future. To achieve this requires a partnership between those living, working and carrying out property improvement and development in the Conservation Area and Horsham District Council. All development proposals should preserve or enhance the character and appearance of the Conservation Area in accordance with the Horsham District Planning Framework. In a Conservation Area there are some extra controls over works to buildings, boundaries and trees intended to ensure that the character is not eroded by unintended loss or change and the appearance is not changed in a negative way.

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For advice on whether planning permission is required for works please refer to the Horsham District Council website or The Planning Portal ([https://www.planningportal.co.uk/info/200125/do\\_you\\_need\\_permission](https://www.planningportal.co.uk/info/200125/do_you_need_permission)).

## Planning and development



The screenshot shows a website interface with a header image of hands writing on a document. Below the image are two green navigation buttons: 'View and comment on planning applications' and 'Apply for planning permission'. Underneath, there are two columns of links. The left column is titled 'Planning applications' and includes links for 'View and comment on planning applications', 'Apply for planning permission', 'Guidance for preparing a planning application', 'Pre-application planning advice', 'Discharging a planning condition', and 'More in Planning applications'. The right column is titled 'Water neutrality' and includes links for 'Water neutrality', 'Water neutrality: Position statement and response', 'Water neutrality and planning applications', 'Water neutrality and Planning Policy', and 'Regulation 77: Conservation of Habitats and Species Regulations'.

## Control of development

It is essential that any development should preserve or enhance the setting of any adjacent historic buildings and existing landscape features and trees, and the overall special qualities of the character area. Therefore, careful consideration must be given to the size, scale, urban grain, layout, design, massing, height, plot width, frontage activity, landscape and materials in any such development. This does not dictate architectural style but does attempt to ensure that proposals respond positively to their context. The Council strongly encourages applications for planning permission or other consents for proposals which meet these criteria and avoid:

- the demolition of any building or structure if its loss would damage the character or appearance of the Conservation Area.
- development (including extension/alteration) which would be harmful to the setting or character or appearance of the Conservation Area.
- development which would adversely affect or result in the loss of important views, open spaces, tree cover or boundary features within the Conservation Area.

Residents and business owners should contact the Council to confirm what proposed extensions and alterations constitute 'development'.

## Monitoring and compliance

If necessary, the Council has a range of tools at its disposal to compel building owners to appropriately maintain and repair buildings which are causing a local nuisance or which are designated heritage assets.

## Issues

The preparation of the Wells Cottage Conservation Area Appraisal has included consultation with stakeholders, specifically the Parish Council. A number of issues were identified. These have been used as a basis for the following section identifying principal issues to be addressed by this Management Plan.

# Part II: Management Plan continued

## Historic built environment

- Loss of traditional Wells designed architectural features.
- Equipment and installations.
- Boundary enclosures.
- Drives, off- street parking and creation of large parking areas.
- Enhancement of existing buildings.
- Extensions.
- Window replacement.
- Dormer windows and rooflights.
- Cladding, rendering and the painting of walls.
- Re-pointing of brickwork.
- Demolition.

## Historic built environment

### Loss of traditional built and architectural features

Architectural features such as Wells designed traditional windows, should be preserved due to the significant contribution they make to the character and appearance of the buildings and the Conservation Area.

### Equipment or installations

The presence of modern types of equipment on or around buildings, such as large aerials or satellite dishes and microgenerators, can detract from the character of a Conservation Area and/or the special architectural qualities of buildings. To minimise their visual impact, they should be positioned away from public view or prominent positions. The removal of existing fixtures cluttering front elevations is encouraged and care should be taken to repair the affected surfaces.



## New development and environmental improvement

- Opportunities for new development.
- Setting and views.

## The environment and public realm

- Trees.
- Public realm;
- Street furniture.
- Surface materials.
- Opportunities for enhancement.

# Part II: Management Plan continued

## Boundary enclosures

Within the conservation area boundaries should retain the informal and landscape led character of the conservation area. The use of traditional hedgerows and planting, and post and rail fencing enable the rural character of the area to be retained. Panel fencing should be restricted to areas that are hidden from public view, and screened with planting.

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*Examples of positive boundary treatment within the Conservation Area*

## Part II: Management Plan continued

### Drives, offstreet parking and loss of front gardens

Gardens to building frontages make an important contribution to the quality of a streetscape.

### Enhancement of existing buildings

Proposed enhancements to make a building look grander than it ever was should be resisted. The following enhancement works should be encouraged as part of any future development:

- Reinststate boundaries where they have been removed to their original location and height.
- New gates should be good quality traditional design.
- Encourage the use of good quality paving, trees or planting where the back yards or gardens are visible from the public domain.
- Removal of unsympathetic features that do not contribute to the special interest of the conservation area or the listed buildings.

### Extensions

Development should seek to retain views into and out of the Conservation Area. Modern extensions should not dominate the existing building in either scale, material or their siting. There will always be some buildings where any extensions would be detrimental and should not be permitted. Successful extensions require a sound understanding of the building type to be extended together with careful consideration of scale and detail.

Consideration should therefore be given when seeking to extend a property to assess the existing material and architectural details. It may be appropriate in some instances to reflect traditional details or reinterpret them in a modern context such as eyebrow dormers, flat segmental brick arches to the windows, decorative dental course and differing window sizes.

Care should be taken that the modern interpretation of historic features in modern materials will be appropriate in form, and appearance and can be achieved with modern materials and when meeting building regulations.



*Photograph of a successful porch extension taking into consideration the proportions of the existing dwelling.*

*Photograph of a new dwelling which has sought to take into consideration the traditional detailing of the original Wells Cottages with a decorative dental course and dormer detailing.*





## Part II: Management Plan continued

### Retention of chimneys

The removal or loss of chimneys within the Conservation Area impacts on the character of the Conservation Area as a whole. The presence of chimneys break up the roofscape and adds interest to the streetscene. Chimneys can also inform our understanding of the plan form of a historic building and can provide valuable evidence of changes in technology, fashion and wealth.

### Window replacement

The loss of traditional windows, ironmongery and glazing from our older buildings poses one of the major threats to our heritage and the character of historic areas. The character of windows profoundly affects the appearance of buildings but are particularly vulnerable as they are easily replaced or altered. The desire to improve the energy efficiency of historic buildings encourages windows' replacement with inappropriate and inferior quality modern alternatives. If well maintained, historic windows can last more than 200 years. Where the windows being considered for replacement are themselves modern replacements in inferior softwood that are now failing, what they are replaced with needs to be carefully assessed.

Within the Conservation Area, original Wells windows should be retained whenever possible and their repair prioritised. In general, consent will not be granted for their removal.

Where repair is not possible, replacement windows should be designed to either replicate the historic windows being replaced or be based upon a period design contemporaneous with the host building. In general, a consistent approach should be taken across a building. Further guidance from Historic England can be found at <https://historicengland.org.uk/images-books/publications/traditional-windows-care-repair-upgrading/heag039-traditional-windows-revfeb17/>.

### Dormer windows and rooflights

Within the conservation area there are examples of dormer windows in a street facing location. In many cases the windows were constructed as part of the original design of the dwelling, and are designed so as to retain the character of the host dwelling. With regards to new dormer windows within the Conservation Area careful consideration should be given to the architectural style of the dwelling, including whether it forms part of a semi detached pair where the symmetry of the building adds to the appearance of the Conservation Area.

Where new dormer windows and rooflights are considered appropriate, they should be small in scale and not dominate the roofslope, ensuring that a large area of the roof remains visible. Dormers need to be of a traditional form, in scale with the building and its roof and their windows should be smaller than those on the floor below. Rooflights need to be flush with the roof face and normally the 'conservation' type metal rooflight is preferred. In most cases, the dormer or rooflight should align with the window below.



## Part II: Management Plan continued

### Cladding, rendering or painting of walls

In most cases, the walling material of a building is part of its character and contributes positively to the appearance of the Conservation Area. There may, however, be cases where the existing wall surface is unattractive or is decaying, and cladding, rendering or painting can be justified. Where this is the case the cladding needs to be in a locally used material. Painting of natural brickwork is discouraged. If any proposed work involves changing the front elevation of a building, Conservation Area advice from the Local Planning Department at Horsham District Council should be sought.

### Repointing of brick walls

Repointing can ruin the appearance of brick walls. The purpose of the mortar in the joints is to stop rainwater penetrating into the wall and to act as a conduit for moisture trapped in the wall to escape. The mortar joint or pointing is therefore sacrificial and needs to be softer and more porous than the wall material. This is why for conservation work a lime-based mortar is normally recommended. It is important to dig out the old pointing to allow a sufficient 'key' for the repointing. Mortar should fill the joints but not spread out onto the surface of the wall material, and where the arises (corners) have been worn away, the mortar face may have to be slightly set back. Raised or 'strap' pointing should be avoided as not only does it stand out and change the appearance of the wall, it can act as a shelf for rainwater.

# Part II: Management Plan continued

## Demolition

Within the Conservation Area, the demolition of an unlisted building or wall over a certain volume or height without prior planning permission is a criminal offence. Furthermore, demolition of buildings or built features which have been identified as making a neutral or positive contribution to local character will normally not be permitted. Where buildings and features have been identified as making a negative contribution of local character, development incorporating some demolition may be permitted, as long as what will replace the existing building is judged to respond positively to its local context.

**For advice on whether planning permission is required for works please refer to the Horsham District Council website or The Planning Portal ([https://www.planningportal.co.uk/info/200125/do\\_you\\_need\\_permission](https://www.planningportal.co.uk/info/200125/do_you_need_permission)).**

## New development

### Opportunities for new development

These must be considered carefully and the effect of new buildings on the setting of the Conservation Area, and on views both into it and out of it, particularly taken into account. New development must be sympathetic to its context in terms of its siting, scale (including height, size and massing), materials and details. It should also follow the existing pattern or grain of development, not obstruct important views, and not dominate buildings in the immediate vicinity. Materials should be carefully chosen to complement the Conservation Area's existing palette of materials.

### Setting and views

All development affecting the setting of the Conservation Area should demonstrate how the setting and long distance views, into and from the Conservation Area, are preserved and enhanced. The important views are identified in section 1 of the Conservation Area appraisal.



## The environment and public realm

### Trees

The presence of trees makes an important contribution to the character and appearance of the Conservation Area. Anyone who cuts down, uproots, lops, wilfully destroys or wilfully damages a tree of a diameter 75mm or more at 1.5m above ground level in a Conservation Area without giving the Local Planning Department at Horsham District Council six weeks' prior notice of their intention may be guilty of an offence. In Conservation Areas, the same penalties as those for contravening a Tree Preservation Order apply and a person who cuts down a tree in a Conservation Area without first giving notice is liable, if convicted in the Magistrates Court, to a fine. A person who carries out damaging work in a way that is not likely to destroy the tree is also liable to a fine.

# Part II: Management Plan continued

## Public realm

### Street furniture

Careful consideration should be given to the placing of telecommunication cabinets to ensure that they are placed in less sensitive locations.

Due to the sylvan nature of the lanes within the conservation area, any provision of street lighting, and for example formalised pavements and kerbs should be carefully considered as these could result in harm its special character.

### Surface materials

The use of high quality paving materials, together with the layout and jointing detail are key elements of the overall surface appearance.

### Opportunities for enhancement

The Council wishes to encourage schemes which preserve or enhance the character and appearance of the Conservation Area. The key objective is to encourage the repair, reinstatement or retention of features which would reinforce the special character of the area.

# Appendix

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# Gazetteer of listed buildings

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Image	Name	Grade	Description
	Rock Cottage, Roundabout Lane	2	C18, two storeys. Two windows. Coursed stone with red brick dressings and quoins. Hipped tiled roof. Casement windows.

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# Gazetteer of locally listed buildings

## What is a locally listed building?

It is a building identified by Horsham District Council as of local historic, architectural or townscape interest. Local listed buildings are non-designated heritage assets as defined within the National Planning Policy Framework. Many local authorities have lists of such buildings and structures. The National Planning Policy Guidance suggests it is helpful

for local planning authorities to keep a local list of non-designated heritage assets and that this list is publically accessible. Historic England advises that local lists play an essential role in building and reinforcing a sense of local character and distinctiveness in the historic environment.

Image	Name	Description

# Glossary of Terms

## A

**Arcade** - a row of arches supported by columns.

**Arch** - a section above a door or opening window with the structural function of dispersing the weight from above around the opening. Also referred to as a head above a door or window. The shape will determine its name; most common are segmental (semi-circular), lancet (pointed) and gauged (composed of shaped bricks).

**Architrave** - in Classical architecture, the lower part of a moulded cornice. Commonly used term for the moulded surround of a door or window.

**Arts and Crafts** - derived from an artistic movement of the late C19, based on the ideas of William Morris, which promoted traditional forms of design and the use of craft techniques in construction. Its architectural expression is seen in the use of traditional materials and restrained vernacular decoration.

**Art Nouveau** - an artistic movement of the turn of the century characterised by stylised forms of flowers and animals, prevalent in Edwardian buildings.

**Ashlar** - smoothed, even blocks of stone masonry.

## B

**Baluster** - the upright in a staircase or balustrade that supports the horizontal top rail or coping.

**Balustrade** - the upstanding part of a stair or balcony that supports a rail or coping. The individual uprights (balusters) may be decorated or ornate, for example in the shape of bottles, in which case it is termed a bottle balustrade.

**Bargeboard** - a timber piece fitted to the outer edge of a gable, sometimes carved for decorative effect.

**Baroque** - a style associated with late Classical architecture, that evolved during the C17 and C18 and is characterised by exuberant decoration overlaid on classical architectural details.

**Battered** - a feature, such as a chimney, with sloping faces or sides making it narrower at the top than at the bottom.

**Battlement** - the top part of a castle wall, often used to detail a parapet; also known as crenellation.

**Bay** - an extension to the main building line, termed canted or splayed when angled back at the sides, and squared when perpendicular (see also Window).

**Bow window** - a curved window extending from the front of a building.

**Bull nose** - the rounded end of a brick or tile.

**Burr** - a rough, poor quality brick used as infill.

## C

**Canted** - angled at the sides, as in a bay window.

**Cap** - a stone piece on top of a pier to protect it from weathering.



**Cape** - extension to the footpath to narrow the road width.

**Capital** - the ornate top of a column, sometimes decorated with carvings of leaves and flowers.

**Cartouche** - a carved panel of stone or plaster.

**Casement window** - a window opening on side or top hinges.

**Chamfered** - an object with the edges of the front face angled back to give a sense of depth; e.g. on a door stile.

**Channelled** - stucco or render grooved to look like stone masonry.

**Character** - The main visual characteristics of an area resulting from the influence of geology, topography, urban layout, plot form, and predominant building ages, types, form and materials.

**Chinoiserie** - a decorative style, inspired by oriental art and design.

**Classical** - an architectural style based on Greek and Roman antiquities, characterised by the arrangement of the elements of a building according to a set of rules (i.e. Orders).

**Clerestorey** - a row of windows at high level lighting the ground or principal floor; very common in churches where they are positioned over the aisles.

**Colonnade** - a small, slim column, usually arranged in groups. Column - a structural or decorative vertical element, usually circular, supporting or framing the upper parts of a building.

**Coping** - a sloping or curved, overhanging section of stone on top of a wall or parapet designed to protect the masonry from rain water.

**Corbel** - a projecting piece of timber, stone or brick supporting an overhanging structure, such as an arch or balcony.

**Corinthian** - an ornate type of column with exuberant decoration of the capital.

**Cornice** - a decorative mould applied to parapets and pediments.

**Crenellation(s)** - a parapet that has been built in the form of castle battlement.

**Crow-stepped gable** - a gable with stepped sides like a stair case.

**Cupola** - a domed structure on the roof.

**Curtilage** - the area within the boundaries of a property surrounding the main building.

## D

**Dentil** - a square block, often used as a detail in a cornice, where it is alternated with a gap.

**Distinctive frontage** - a structure or series of buildings, such as a terrace, that has specific architectural quality, recognisable plot rhythm, consistent use of materials, or a combination of the above. A distinctive frontage will make a positive contribution to local character or even define the local character.

# Glossary of Terms continued

**Doorcase** - the surrounding frame of a door, usually timber.

**Doric** - a plain column with little decoration.

**Dormer window** - a window projecting from a roof.

**Dressings** - the decorative elements of building elevations used to define windows, doors, etc., and usually of a material contrasting with the main one; for instance, stone window surrounds on a brick facade.

**Dutch gable** - a gable with tiered and curved sides as evolved in the Low Countries.

**Eaves** - the lower, overhanging section of a pitched roof, intended to throw rain water away from the wall below.

**Egg and Dart** - a moulding pattern of alternating eggshaped and arrowhead shaped pieces.

**Engineering brick** - an extremely hard brick used mainly in engineering structures such as bridges.

**Entablature** - the top part of a column or pediment comprising a number of elements; i.e. architrave, cornice, modillion, capital, etc.

## F

**Faience** - a glazed clay tile or block.

**Fenestration** - the pattern of windows.

**Fielded** - a flat, undecorated but raised part of a door panel.

**Fin** - a simple projection at right angles to the face of the building, repeated to give some relief to flat modernist facades.

**Finial** - a decorative device to finish off a building element with a flourish, most commonly seen on railings.

**Fleche** - a pointed spike or finial, common on church roofs.

**Frieze** - a band or decorative motif running along the upper part of the wall, sometimes carved.

**Fluted** - carved with long vertical depressions, as in many columns.

## G

**Gable** - a decorative finish to the upper part of a wall designed to obscure the roof structure. Termed Dutch if replicating the style common in Holland; crow-stepped if rising in stages like a staircase.

**Gablet roof** - roof with a small gable at the top of a hipped or half-hipped section.

**Galleting** - a technique in which small pieces of stone are pushed into wet mortar joints during the construction of a building. Has both a decorative and weathering function.

**Gardenesque** - of a style associated with the C18 English Romantic garden designs; naturalistic rather than formal.

**Gauged** - bricks shaped to fit together closely, as in an arch or head.

**Gault brick** - a light cream/yellow brick commonly made in East Anglia (hence Suffolk gaults).

**Gothic(k)** - term applied to Medieval architecture characterised by pointed arches and windows, fine decorative carving, tracery, etc. Revived in the later C19 by ecclesiastical architects who looked back to the Medieval cathedrals and churches for their main inspiration.

## H

**Ha ha** - a linear hollow or ditch defining a property or field boundary and primarily used to exclude livestock from the grounds of a house while maintaining a view of the landscape.

**Head** - the common term for the arch over an opening.

**Heritage asset** - Heritage assets are identified as having a degree of significance meriting consideration in planning decisions, because of their heritage interest. Designated heritage assets include Conservation Areas, listed buildings, Scheduled Monuments, Registered Parks and Gardens. A non-designated heritage asset are those identified by the Local Authority of local communities that are not of sufficient interest to be statutorily designated but still warrant consideration in planning decisions due to their local interest. Non-designated heritage assets can be identified at any time and within the context of Conservation Areas are those which contribute to local distinctiveness.

**Herringbone pattern** - a pattern created by laying rectangular blocks of wood or stone in an interlocking arrangement; e.g. some door panels and paving.

**Hipped roof** - a roof sloping at the ends as well as the sides.

**Hood** - a projecting moulded section over a door or window.

## I

**International** - a modern architectural style that eschews decoration and is based on designing buildings in simple cubist forms with no reference to local styles or materials. Characterised by modern building materials, such as concrete, steel and plate glass.

**Ionic** - a type of column.

**Italianate** - built in a style derived from Italy.

## J

**Jettied** - extended out over the floor below, usually on timber joists.

## K

**Knapped flint** - flint stones that have had one side broken off and flattened to present a smooth face.

## L

**Lancet** - a window or arch coming to a narrow point and much used in Gothic architecture.

**Leaded light** - a window pane subdivided into small squares or diamonds by lead strips (known as cames).

**Lesene** - a pilaster without a base or capital.

**Light** - a window with fixed glazing.

**Lintel** - a structural beam above an opening, such as a window or door, which may be expressed externally as an architectural feature.

**Loggia** - an open gallery, often in the form of an arcade.

# Glossary of Terms continued

## M

**Mansard roof** - a roof set back from the building frontage, usually behind a parapet, and rising in two pitches to form an attic space.

**Materials** - the predominant building materials used in an area for walling, windows, paving and roofing.

**Mathematical tile** - a building material used extensively in the southeastern counties of England—especially Sussex and Kent—in the C18 and early C19. They were laid on the exterior of timber-framed buildings as an alternative to brickwork, which their appearance closely resembled. Mathematical tiles had an extra price advantage during the time of the brick tax (1784–1850), although later there was a tax on tiles also. The tiles were laid in a partly overlapping pattern, akin to roof shingles. Their lower section - the part intended to be visible when the tiling was complete - was thicker; the upper section would slide under the overlapping tile above and would therefore be hidden. They would then be hung on a lath of wood, and the lower sections would be moulded together with an infill of lime mortar to form a flat surface. The interlocking visible surfaces would then resemble either header bond or stretcher bond brickwork. Mathematical tiles had several advantages over brick: they were cheaper, easier to lay than bricks (skilled workmen were not needed), and were more resistant to the weathering effects of wind, rain and sea-spray, making them particularly useful at seaside locations.

**Modillion** - part of a cornice comprising a series of small brackets.

**Morphology** - the study of the shape and layout of an area as defined by natural and man-made features; e.g. valleys, rivers, roads, boundaries.

**Mullion** - a vertical piece of stone or timber dividing a window into sections.

## N

**Nailhead** - a style of moulding in the form of a small pyramid shaped projection, which when laid horizontally in a band form a string course.

**Negative buildings** - buildings that due to their location, scale, material, form or detailed design, are a negative intrusion on the area and which offer the potential for beneficial change that would enhance the character of the Conservation Area.

**Neutral buildings** - buildings which make neither a positive nor negative contribution to the character and appearance of a Conservation Area.

## O

**Ogee** - a moulding shaped with a double curve.

**Oriel** - a window which is suspended from the face of the building.

**Ovolar (or Ovolo)** - a moulding section of a quarter circle.

## P

**Panel tracery** - a late Medieval form of tracery characterised by subdivision of the window by strong vertical and horizontal members.

**Pantile** - a clay roofing tile with an 'S'-shaped profile.

**Parapet** - the upper part of a wall, often used to hide roofs and decorated for architectural effect; e.g. crenellated or battlemented in the form of a castle wall.

**Party-line** - the dividing wall between properties.

**Paviors** - small brick-like paving units.

**Pediment** - a triangular feature of classical buildings surmounting a portico, but often used on a smaller scale over doors and windows, which are then referred to as pedimented. When the upper sloping sides are curved it is called segmental. It may termed be broken or open when either the bottom horizontal or angled upper sides do not meet.

**Pilaster** - a flattened column used to frame door and window cases and shopfronts.

**Planter** - a container for holding plants.

**Plat** - a string course without mouldings.

**Plinth** - the base of a column or wall.

**Portico** - a grand entrance extending in front of the building line, usually defined by columns and surmounted by a pediment.

**Queen Anne Style** - an architectural style of the late C19 century, related to the Arts & Crafts movement, and reviving Dutch style buildings of the reign of William and Mary (late C17).

**Quoin** - a corner of a building defined by contrasting or exaggerated materials.

## R

**Range** - a line of buildings, often grouped around a courtyard.

**Reveal** - the area of masonry or frame visible between the outer face of a wall and a door or window which is set back from it.

**Roughcast** - a type of render of plaster or concrete with a rough surface finish.

**Rubble stone** - stonework left rough and unworked.

**Rustication** - stucco or stone blocks with large angled joints.

## S

**Salt glaze** - a method of glazing brick or clay to give a glassy finish.

**Sash window** - a window that slides vertically on a system of cords and balanced weights.

**Scale** - Building scale refers to building elements and details as they proportionally relate to each other and to humans. Aspects of scale include: size (2D measurement); bulk (visual perception of the composition of shape of a building's massing); and mass (determined by volume, shape and form, relationship to neighbouring structures, building plot and relationship to streets).

**Scorria block** - a hard, durable engineering brick, looking like granite; used in paving, especially in gutters.

**Scroll(work)** - a circular or spiral decorative piece, representing a curved leaf, such as a bracket or the top of a column. If included in a decorative panel, it would be referred to as a scroll leaf panel.

**Segmental** - a section of a circle and the term applied to a curved element, e.g. above an arch or pediment.

**Sett** - a small block of hard stone, such as granite, used for paving.

# Glossary of Terms continued

**Setting** - the setting of a heritage structure, site or area is defined as the immediate and extended environment that is part of, or contributes to, its significance and distinctive character. Beyond the physical and visual aspects, the setting includes interaction with the natural environment; past or present social or spiritual practices, customs, traditional knowledge, use or activities and other forms of intangible cultural heritage aspects that created and form the space as well as the current and dynamic cultural, social and economic context.

**Significance** - The value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting.

**Soldier band** - a string course made up of bricks set with the long side vertical.

**Soffit** - the underside of eaves or other projection.

**Spandrel** - a blank area between arch supports or below a window.

**Splayed** - a bay window with angled sides.

**Sprocket** - a small supporting piece of stone or timber carrying a larger item such as a bracket.

**Stable block** - small square stone or clay pavior traditionally used as flooring in stables and similar buildings.

**Stack** - the part of the chimney breast visible above the roof.

**Stile** - the vertical sections of a door or window.

**Stippled** - the effect created by carving small depressions in the face of stone.

**Stock brick** - a traditional clay brick commonly used in house construction; often called London stocks because of the frequency of use locally. May be yellow or red in colour.

**String course** - a horizontal band in a wall, usually raised and often moulded.

**Stucco** - a lime based render applied to the exterior of a building. Often scored to imitate courses of masonry, then called channelled, and sometimes more deeply incised to give the appearance of roughly hewn stone, in which case it is rusticated.

**Swag** - a decorative carving representing a suspended cloth or curtain.

## T

**Tented** - a roof structure shaped to look like a tent.

**Tessellated tiles** - small clay tiles or mosaics, geometrically shaped, and fitted together to make intricate formal designs; commonly used for front paths to houses.

**Tetrastyle** - a portico with four columns.

**Toothed** - a brick detail like a dentil in which bricks are alternately recessed and projected.

**Topography** - The physical form of an area defined by natural features and geographic elements such as rivers.

**Tourelle** - a small tower-like structure suspended from the corner of a building (also called a turret).

**Tracery** - delicately carved stonework usually seen in the windows of Gothic churches and cathedrals; various forms exist, including panel type.  
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**Transom** - a horizontal glazing bar in a window.

**Trefoil** - literally “three leaves”, thus relating to any decorative element with the appearance of a clover leaf.

**Tuscan** - a plain, unadorned column.

**Tympanum** - the space between a lintel and an arch above a door.

#### **U** **Unlisted building making a positive contribution to the street scene**

- Buildings that are not designated assets but which, due to their local architectural or historic interest or forming part of a group, contribute to or enhance our appreciation of local character and historic development. These are building which make a positive contribution to the overall character and sense of place of the Conservation Area. They form a material consideration in planning meaning that their preservation and sensitive adaptation will be encouraged through the planning process.

#### **V**

**Venetian** - a window composed of three openings or lights within the frame, the central light arched, the two flanking with flat heads.

**Vernacular** - based on local and traditional construction methods, materials and decorative styles.

**Views** - Within the scope of Conservation Area appraisals, views are discussed in terms of location from a view to a specific landmark, or panorama incorporating a series of features (natural or built) is possible. For the view to have value and therefore merit consideration within planning, the features within the view should be worthy of conservation or contribute to our understanding of the place and its setting.

**Voussoir** - the shaped bricks or stones over a window forming a head or arch.

#### **W**

**Weatherboarding** - overlapping timber boards cladding the outside of a building.

**Window** - an opening to allow light and air into a building which has developed into a significant element of architectural design; collectively referred to as fenestration. The form of opening determines the type of window; most common are sashes, which slide vertically, and casements, which are side hinged and open inwards or outwards. Those with a side light are said to have margins. A window may be projected from the building frontage, and termed a bay or bow (if curved), or oriel if suspended above ground. The top is usually defined by an arch. A dormer is one set into the roof slope.

*Map of proposed Conservation Area*





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