

Report to Cabinet

24 September 2020

By the Cabinet Member for Planning and Development

KEY DECISION



**Horsham
District
Council**

Not Exempt

Adoption of Conservation Area Appraisals & Management Plans for Slinfold and Warnham

Executive Summary

There are 37 designated conservation areas in Horsham District. Each has a Conservation Area map which identifies the area boundaries. However, at present, only ten Conservation Areas in the District have an adopted Conservation Area Appraisal (Amberley, Billingshurst, Bramber, Henfield, Horsham, Pulborough (Lower Street and Church Place), Slinfold, Storrington and Steyning).

Without Conservation Area appraisals in place, there is a lack of information on the significance and importance of each area, which then informs and support Horsham District Council in managing change positively in the remaining 27 Conservation Areas. Given this, and the significant development pressures that Horsham District Council is currently facing, the Council has undertaken to review the Slinfold and Warnham Conservation Areas.

Cabinet agreed on 28 November 2019 to approve the draft Conservation Area Appraisals and Management Plans for Slinfold and Warnham for public consultation. These draft documents included some proposed boundary changes (additions and deletions) to the existing conservation areas.

A four-week public consultation exercise was held on the proposed changes to the two Conservation Areas between 6 February 2020 and the 5 March 2020. This report sets out the key issues raised by consultees to the draft Conservation Area Appraisals during the consultation period, and the recommended responses to the comments. It is recommended that a final version of the two Conservation Area Appraisals and Management Plans, incorporating revisions following consultation, is adopted with effect from 25 September 2020.

Recommendations

Cabinet is recommended to:

- i) Approve the revised Conservation Area boundaries for Slinfold and Warnham, as shown on the Conservation Area designation maps (1 and 2) included in this report.
- ii) Approve the Conservation Area Appraisals and Management Plans for Slinfold and Warnham, as set out in Appendices 3 and 4, to be used in the determination of planning applications from 25 September 2020.

- iii) Delegate authority to the Cabinet Member for Planning & Development to approve minor editorial changes prior to final publication of the documentation.

Reasons for Recommendations

- i) To formally designate the amended Conservation Area boundaries.
- ii) To provide updated Conservation Area guidance for the two settlements 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.

Background Papers:

1. Conservation area designation maps (<https://www.horsham.gov.uk/planning/design-and-conservation/conservation-areas/conservation-area-maps>)
 - a. Slinfold – Designated 1973 – Map published online 8 September 2011
 - b. Warnham – Designated 1973 – Map published online 8 September 2011
2. Representations and Responses to the draft Conservation Area Appraisal and Management Plan for Slinfold (See Appendix 1)
3. Representations and Responses to the draft Conservation Area Appraisal and Management Plan for Warnham (See Appendix 2)
4. Draft Conservation Area Appraisal and Management Plan for Slinfold (March 2020) (See Appendix 3)
5. Draft Conservation Area Appraisal and Management Plan for Warnham (February 2020) (See Appendix 4)

Wards affected: Slinfold and Warnham

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Background Information

1 Introduction and Background

- 1.1 Conservation Areas were introduced through the Civic Amenities Act (1967). 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 Section 69 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires local planning authorities to review their conservation areas from time to time.
- 1.3 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.
- 1.4 In line with these responsibilities this Council has commenced a programme to review and update out conservation areas. This has resulted in the updating of the Conservation Area Appraisals and Management Plans for Billingshurst, Henfield, Pulborough (Lower Street and Church Place), Storrington and Steyning. These were adopted in February 2018.
- 1.5 Following the completion of the Neighbourhood Plans for Warnham and Slinfold parishes respectively, it was considered that these historic settlements should be programmed for a review of their Conservation Areas. A draft Conservation Area Appraisal and Management Plan for Slinfold and Warnham was produced and published for public consultation between 6 February 2020 and 5 March 2020. The Slinfold Conservation Area and Management Plan was discussed by Slinfold Parish Council at its parish meeting on the 30 January 2020. The Warnham Conservation Area Appraisal and Management Plan was discussed by Warnham Parish Council at its meeting on the 3 December 2019. All comments received from the parish meetings and the public consultation have been taken into consideration in the proposed Conservation Area Appraisal and Management Plans.

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. These appraisals, once adopted, will be used along with Policy 34 where relevant to help determine planning applications and as historic guides for local residents.

3 Details

- 3.1 The Conservation Area Appraisals for Warnham and Slinfold set out background information and details of the historic development of the two settlements, including

details of the landscape setting. They look at the townscape and historic environment of each settlement and describe the key features of each Conservation Area. The appraisals look in turn at each of the character areas that have been identified for each settlement. There is a section on views and negative elements of each Conservation Area. There is also a draft management plan included with each Conservation Area Appraisal. Three appendices are included with each document: a gazetteer of listed and proposed locally listed buildings within each Conservation Area; a glossary of terms; the landscape sensitivity criteria and a map of the amended Conservation Area.

- 3.2 In response to the consultation on the draft Consultation Area Appraisals, a total number of 29 comments were received to the Conservation Area and Management Plans:
Slinfold – 24 comments from 11 respondents;
Warnham – 5 comments from 4 respondents;
The comments were received from Slinfold and Warnham Parish Councils, representatives of the development industry, local landowners as well as local residents. These comments have been reviewed and where appropriate, changes are proposed to the text of the documents in light of the comments received. A summary of comments received and the Council's response is included at **Appendix 1** (Slinfold), **Appendix 2** (Warnham).
- 3.3 The Updated Appraisals are included as **Appendix 3** (Slinfold); and **Appendix 4** (Warnham).
- 3.4 A summary of the main consultation points raised is set out below, under the relevant settlement heading.

Slinfold

Landscape Fringe and land to the north of the cricket field

- 3.5 Most respondents to the Slinfold Conservation Area raised concerns about the area of land adjoining the Conservation Area north of the cricket field. This land has been allocated for development in the Slinfold Neighbourhood Plan, and is currently the subject of an outline planning application. As the Neighbourhood Plan is 'made' it forms a material consideration in the determination of the current application.
- 3.6 The Conservation Area Appraisal cannot disregard strategic policy documents (such as the made Neighbourhood Plan), which define areas for settlement expansion and are committed for development. The purpose of the appraisal is not to prevent development but to provide guidance to ensure that any development that does take place preserves or enhance the special historic or architectural character or appearance of the Conservation Area. It should also be noted that for those with concerns about the proposed development north of the Cricket pitch, comments can be lodged as part of the planning application process.

Inclusion of Old Stables within the Conservation Area

- 3.7 An objection was received objecting to the inclusion of Old Stables. It is considered that Old Stables should be included in the Conservation Area as the building

appears on the 1870/71 OS map and is connected in function and form to Old House Farm and therefore better informs the special interest of this property.

Inclusion of positive and negative buildings within the Conservation Area

- 3.8 The draft Conservation Area appraisal identified designated and non-designated heritage assets. It was suggested a description of buildings outside these categories which could be considered to positively or negatively contribute to the Conservation Area should be included. This change was made as it was agreed that the inclusion of an analysis of non-designated 'positive' and 'negative' buildings, in addition to those that have been designated, would help better understand the quality of the built environment within the Conservation Area. This would inform opportunities to improve, and build upon, the character, heritage and setting of the Conservation Area by future development, in line with the NPPF's stance in Paragraph 185 that plans should set out positive strategies to the conservation and enjoyment of the built environment through new development making a positive contribution to local character and distinctiveness.

Views and Setting

- 3.9 An objection was received relating to the chosen views into and out of the Conservation Area, suggesting that the appraisal does not encompass all the views that it should. In response to this comment the text in the Conservation Area Appraisal and Management Plan has been amended to further support the views presented in the appraisal, and to justify the reasons why they were chosen. A further photograph from Stane Street is also included, to reinforce the importance of firstly the church tower as a landmark, and secondly the planting which forms a strong green edge to the northern boundary of the Conservation Area.
- 3.10 In light of the objection additional text has been added to the appraisal confirming that each view is 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. It is now specified within the text that the appraisal by its nature is unable to highlight every view into and out of the Conservation Area. Therefore the views have been chosen to help inform an 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" 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.
- 3.11 An objection was received raising concern that the views within the appraisal are all from public rights of way. The text within the appraisal has been updated to highlight that where key features of the Conservation Area are visible in private views these would need to be addressed in a site allocation or development management context. Paragraph 013 of 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.

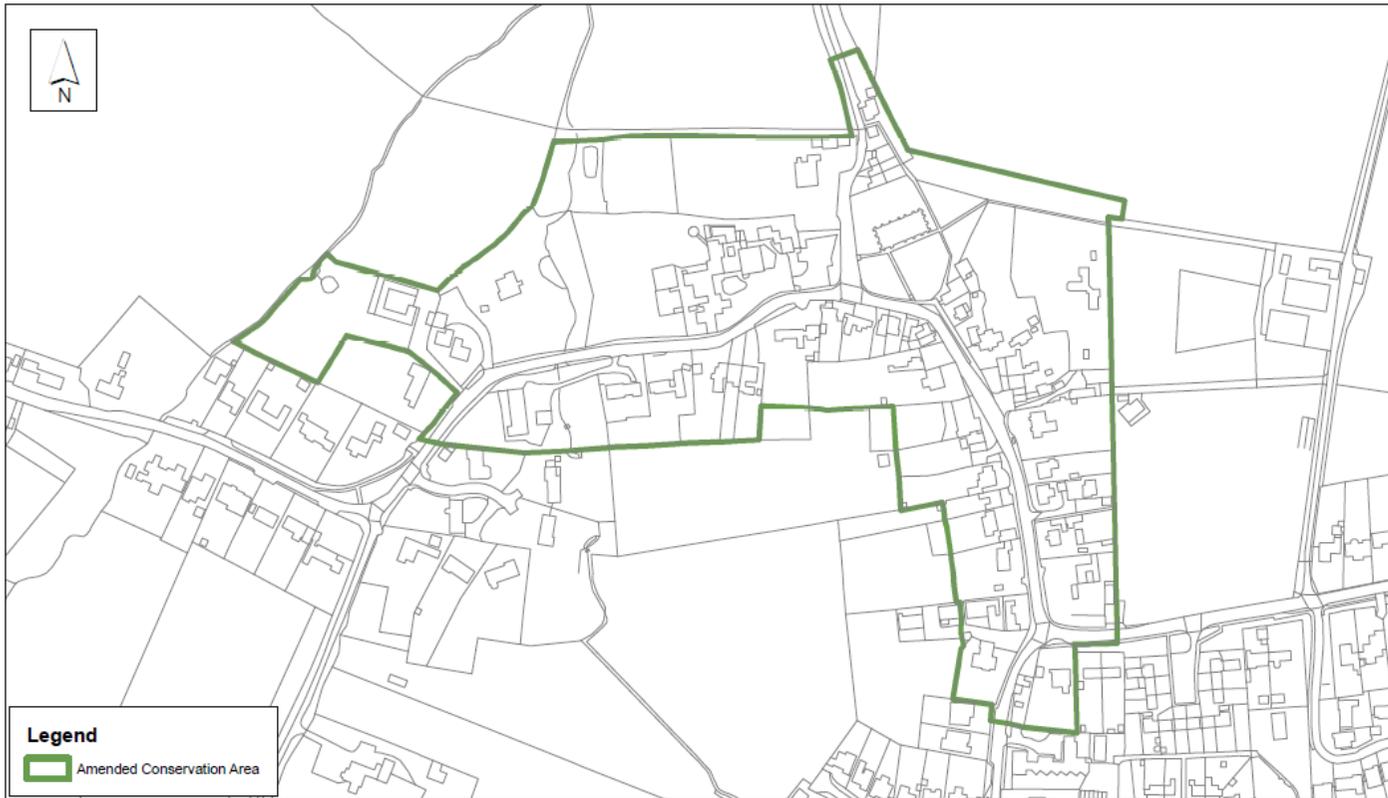
- 3.12 The appraisal has also been updated to ensure that it is clear that the appraisal presents a general rather than site detailed understanding of the setting of the Conservation Area as it stands at a moment in time, from land that is currently accessible. The text now explains that views although important, are not the only factor to be considered when understanding setting, and can change. This would be in accordance with paragraph 13 of Planning Policy Guidance: Historic Environment (updated July 2019) which notes; “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.”

Landscape Fringe

- 3.13 An objection was received to the landscape fringe and the lack of analysis of long distance views, and the positive and negative elements of the setting of the Conservation Area. Whilst noted it is considered that the appraisal appropriately considers the landscape fringes of the Conservation Area. The landscape fringes have been identified through the variation in characteristics of the land immediately adjacent to the Conservation Area. It is called a fringe because it is trying to describe the transitional area between the Conservation Area and the wider countryside. These are indicative and have blurred boundaries but importantly are providing guidance to what is important about the fringe and Conservation Area setting. It doesn't determine or undermine the value of the landscape beyond. The landscape fringes also set within them elements that suggest existing positive or negative features for example Landscape Fringe 1 refers to noise intrusion from the A29, whilst also the attractive views to the wider countryside from Clapgate Lane. Therefore no changes have been made to the appraisal in this regard apart from a change to the visual presentation of the fringe on the landscape fringe map.

- 3.14 **Map 1** below shows the final Conservation Area Map for Slinfold.

Map 1 Slinfold – New Conservation Area Boundaries for Slinfold



Horsham District Council
 Parkside, Chart Way, Horsham
 West Sussex RH12 1RL

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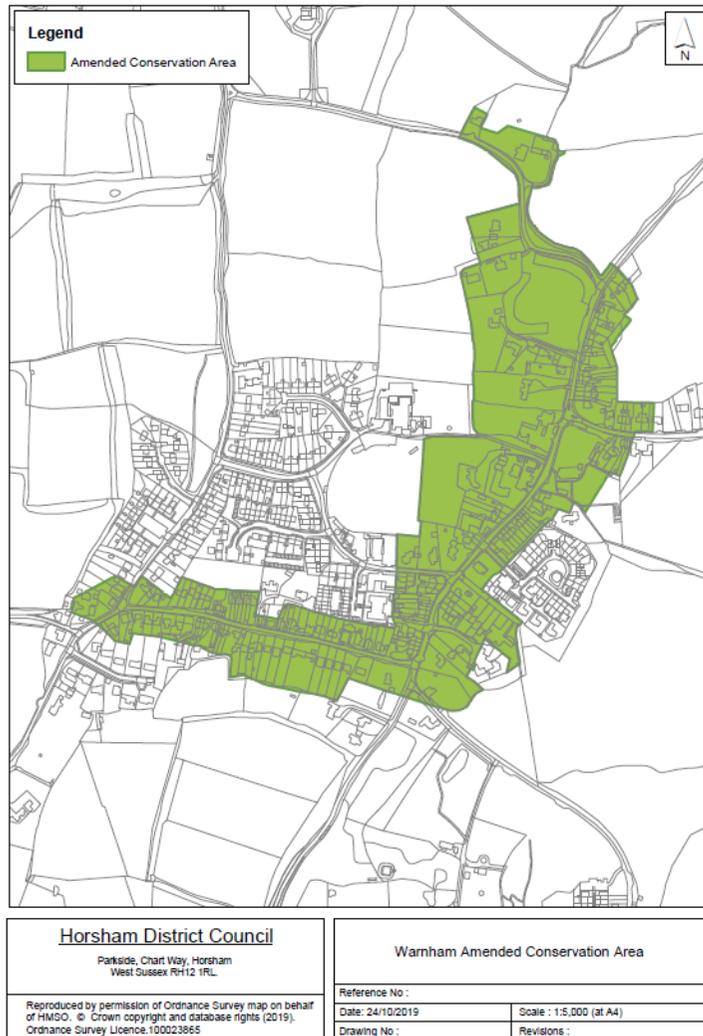
Amended Conservation Area for Slinfold			
Reference No :	Date : 24/10/2019	Scale : 1:3,000 (at A4)	
Drawing No :	Drawn :	Checked :	Revisions :

Warnham

Cricket Field

- 3.15 Three of the respondents commented on the importance of the Cricket Field and raised an objection to its removal from the Conservation Area. Whilst it is acknowledged that the cricket field, village hall and play area are important community facilities the key criterion for Conservation Area designation relates to areas of architectural or historic interest. Whilst the cricket field is a valued green space, paragraph 186 of the NPPF states that “when considering the designation of Conservation Areas, local planning authorities should ensure that an area justifies such status because of its special architectural or historic interest, and that the concept of conservation is not devalued through the designation of areas that lack special interest.” Although the cricket field is shown on the revised 1895/6 OS map its shape and context differs from that retained today. Indeed due to the presence of interspersed modern development the interrelationship between the retained Conservation Area and the cricket field has been diluted.
- 3.16 It is noted that Historic England guidance advises that a Conservation Area can be designated ‘because of the quality of the public realm or a spatial element, such as... historic parks and gardens and other designed landscapes, including those included on the Historic England Register.’[3] However, it is not considered that the cricket ground and village hall meet this criteria as it is not specifically designated, and as noted above does not meet the required architectural or historic interest test.
- 3.17 Concern was raised as part of the public consultation that the changes to the Conservation Area would reduce the number of development constraints on the site and therefore make it more likely that development is proposed on the open space. It should be noted that any application received on this site would be determined in accordance with the appropriate development plan policies. These policies would consider (amongst other issues) the impact on the setting of the Conservation Area, (currently policy 34 of the HDPF), and the requirement to protect and enhance recreation facilities (Policy 43 of the HDPF). In addition paragraph 97 of the NPPF refers to the protection of existing sports facilities and open space.
- 3.18 **Map 2** shows the final Conservation Area Map for Warnham

Map 2 Warnham – New Conservation Area Boundaries for Warnham



4 Next Steps

- 4.1 Following Cabinet, the relevant Conservation Area Maps will be updated on the Horsham District Council website and appropriate publicity will be carried out to inform all those in the relevant settlements that the revised Conservation Area boundaries are in place. An adoption statement and consultation statement will be prepared and placed on the website.
- 4.2 The completed Conservation Area Appraisals and Management Plans, once adopted, will help inform private owners, interested parties and developers about the Conservation Area and constitute a material consideration in future planning decisions regarding developments within or adjoining the areas. Management Plans take forward the issues raised in the Appraisals, identifying the means by which the special interest of the Conservation Area will become self-sustaining into the future.

5 Views of the Policy Development Advisory Group

- 5.1 No substantive changes were made to the report or Conservation Area Appraisals following the Policy Development Advisory Group meetings on 30 September 2019 and 14 September 2020.

6. Consultation

- 6.1 The draft Conservation Area Appraisals were published in February 2020.
- 6.2 Cabinet gave approval on 28 November 2019 to go out to public consultation on the two draft Conservation Area Appraisals.
- 6.3 Public consultation was carried out on the two draft character area appraisals between 6 February 2020 and 5 March 2020. All relevant Parish Councils and all district councillors were consulted. In addition, a press release was put into the Horsham District Post. All address points within the relevant Conservation Areas and within 20m of the boundary of the relevant Conservation Areas were written to (a total of 416 letters). Hard copies of the draft Conservation Area Appraisals were placed in Horsham District Council Offices and Horsham Library. Details of the public consultation and electronic copies of the draft Conservation Area Appraisals were available to view and download on the Council's website.

7 Other Courses of Action Considered but Rejected

- 7.1 The option of not producing draft Conservation Area Appraisals and management plans was considered. However there is a legal requirement for Local Authorities to review these designations from time to time. To not undertake such reviews could lead to Local Authorities being at risk of not meeting our legal duties. On this occasion it was considered that following the completion of neighbourhood plans for both Slinfold and Warnham, it would be appropriate to schedule these areas for the production of conservation guidance to assist and guidance for any future development in these historic settlements

8 Resource Consequences

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

9 Legal Consequences

- 9.1 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.
- 9.2 Section 69 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires local planning authorities to review their conservation areas from time to time.
- 9.3 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. The Appraisals and Management Plans referred to in this report have been considered in light of statute and case law and interference with any individual's human rights, in particular property rights, including restricting development opportunities, etc, is considered to be necessary and proportionate to the aims sought to be realised and in accordance with the general public interest.
- 9.4 Due regard has been taken of the Council's equality duty as contained within the Equality Act 2010.

10 Risk Assessment

- 10.1 If the Council chooses not to undertake Conservation Area reviews it would be contrary to the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990. This could lead to vulnerability at planning appeal on a site or property within the conservation area where this heritage designation could be challenged.

11 Other Considerations

- 11.1 None

Appendix 1

Representations and Responses to the draft Conservation Area Appraisal and Management Plan for Slinfold

See separate Appendix 1

Appendix 2

Representations and Responses to the draft Conservation Area Appraisal and Management Plan for Warnham

See separate Appendix 2

