

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.

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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**).

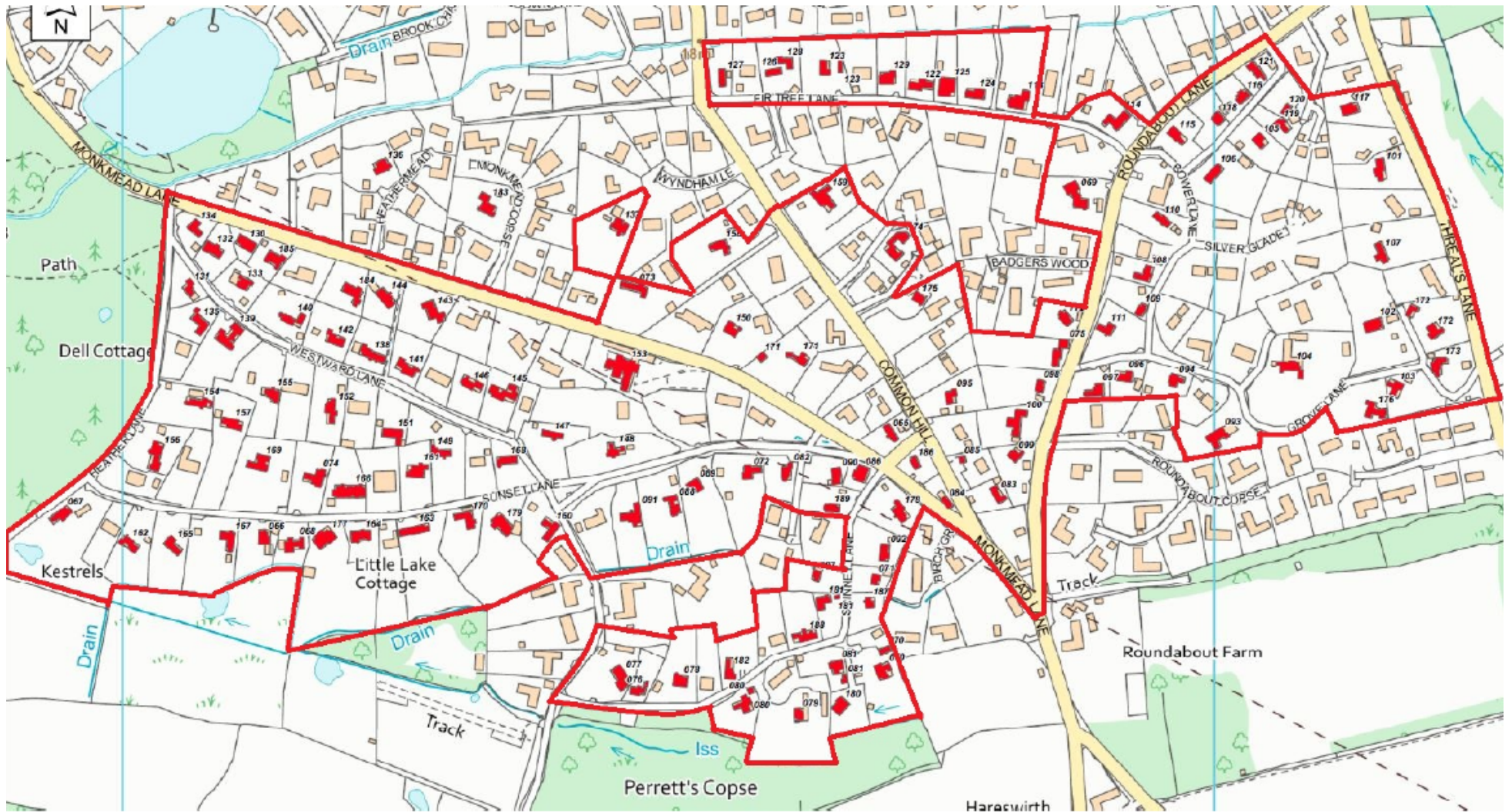
Wells Cottages

- 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)