



ADUR DISTRICT
C O U N C I L

Adur Planning Committee
4 October 2021
Agenda Item no. 8

Wards:
Southwick Green, St Nicholas

Conservation Area Character Appraisal Reviews

Report by the Director for the Economy

1.0 Summary

1.1 This report updates Members on the review of character appraisals undertaken for the following conservation areas:

- Old Shoreham
- Kingston Buci

1.2 The report asks the Committee to recommend that the Executive Member for Regeneration authorise public consultation and adoption of:

- Updated character appraisals for the both conservation areas
- Revised boundaries for both conservation areas.

1.3 The report asks the committee to recommend that the Executive Member for Regeneration authorise the making of an Article 4 direction to limit certain permitted development rights within both conservation areas. This would be subject to public consultation alongside the character appraisals and boundary revisions.

2.0 Background

2.1 Conservation Areas were introduced through the Civic Amenities Act of 1967. A conservation area is an “area of special architectural and/or historic interest, the character or appearance of which it is desirable to preserve or enhance”. There are seven conservation areas within Adur. The Planning (Listed

Buildings and Conservation Areas) Act 1990 requires local planning authorities to:

- Keep its conservation areas under review
- Prepare policies and proposals for the preservation and enhancement of the character or appearance of its conservation areas
- Pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area in exercising its planning function.

2.2 Designation of a conservation area introduces a further level of control over the way that individual owners can alter their properties, in order to allow local planning authorities to exercise their duty to preserve or enhance the character or appearance of the conservation area under Section 72[1] of the Act.

2.3 National Planning Policy Framework (NPPF) sets out Government policy and guidance on the protection of conservation areas and other elements of the Historic Environment. The NPPF advises that Local Planning Authorities should ensure that an area justifies such status because of its special architectural or historic interest. Historic England's guidance on Conservation Areas advises that there are many benefits to a character appraisal, including as a tool to demonstrate any areas of special interest and in providing a basis for development control and informing management proposals.

2.4 The Adur Local Plan 2017 includes place specific policies relevant to the settlements considered in the character appraisals. It also includes Policy 16: A Strategic Approach to the Historic Environment which commits to producing and reviewing character appraisals, encouraging appropriate and productive use of heritage assets and working with other parties to ensure that Adur's historic environment is conserved.

2.5 Policy 17: 'The Historic Environment' sets out the development management framework within which proposals for change to heritage assets will be assessed. It states that conservation area character appraisals will be used as a tool to assess applications for change.

2.6 Three of Adur's conservation areas have a Conservation Area Character Appraisals and Management Strategy. These are:

- Shoreham-by-Sea (adopted 2008)
- Southlands (adopted 2008)
- Southwick (adopted 2009).

2.7 The four remaining conservation areas do not have a Conservation Area Character Appraisal. The Conservation Area Reports for these areas were produced in the 1990s. The review of conservation areas has therefore focussed on the following:

- Kingston Buci
- North Lancing
- Old Shoreham
- Sompting.

2.8 The North Lancing and Sompting conservation areas are partly within the South Downs National Park. The Planning Policy team is working with the National Park Authority to progress these character area appraisals, which will be brought to a future meeting of the Planning Committee.

2.9 The Conservation Area Character Appraisals and maps are appended to this report. Each document serves as an introduction setting out the legislative and policy background and methodology employed in compiling the appraisals. It also provides a short summary of the landscape character and historical development of the district of Adur.

2.10 There follows an appraisal and management plan for each of the four conservation areas, including a map showing proposed boundary changes and character areas where relevant.

2.11 Subject to approval by the Executive Member of Regeneration, the character appraisals and boundary amendments will be subject to a six week period of public consultation. Under section 70(8) of the Planning (Listed Buildings and Conservation Areas) Act 1990, a local planning authority is required to notify both the Secretary of State and Historic England; and to publicise designation of a conservation area by a notice placed in the London Gazette and a local newspaper.

2.12 Subject to approval by the Executive Member of Regeneration, a Direction will be made under the provisions of Article 4 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO) (as amended). This will also be subject to a six week period of consultation. Occupiers within the area covered by the Article 4 direction will be notified. Under Schedule 3 of the GDPO, a local planning authority is required to confirm the Article 4 direction; notify the Secretary of State and County Council as a planning authority.

3.0 Proposals

3.1 Proposals for each Conservation Area are set out within the relevant Character Appraisal. Each appraisal is accompanied by a map showing the proposed boundary.

Boundary changes

3.2 Kingston Buci: Proposed revisions to the boundary proposed here include the removal of land south west of Shoreham College and immediately north of the railway line, which is now used as a transmitter station. It is also proposed to remove some modern housing along Rectory Road and at Spinnals Grove east of Kingston Lane.

3.3 Old Shoreham: Proposed revisions to the boundary proposed here include the addition of the tollbridge, and the removal of Tollbridge House on the west side of Connaught Avenue south of the junction with the Upper Shoreham Road, 74 Adur Avenue, Conifers and (house opposite) on Lesser Foxholes cul-de-sac.

Article 4 Directions

3.4 Both Conservation Area Character Appraisals propose implementing additional controls on permitted development under Article 4 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO). Article 4 of the GPDO gives local planning authorities the power to limit these 'permitted development rights' where they consider it necessary to protect local amenity or the wellbeing of the area. An Article 4 Direction is therefore a tool available to a local authority to allow greater control over the types of changes that can cumulatively erode the historic character of a conservation area, for example loss of traditional windows or boundary treatments.

3.5 The proposed Article 4 Directions would allow additional planning controls for any works fronting a highway or public right of way, and which would involve:

- Any alteration to a roof including roof coverings, rooflights and solar panels.
- Building a porch.
- Enlargement, improvement or alteration such as an extension, removal or changes to architectural features.
- The provision of a hard surface.

- The erection, construction, improvement or alteration (including demolition) of a fence, gate, wall or other means of enclosure.
- Removing totally or partially walls, gates, fences or other means of enclosure.
- Exterior painting of previously unpainted surfaces or changes of external colour schemes, or covering walls by render or like finishes.

And the following whether or not it fronts a highway or open space:

- Removing or altering chimneys.

Other recommendations

3.6 The Conservation Area Character Appraisals make a number of further recommendations relating to the following:

- Infrastructure and public realm
- Public awareness
- Development affecting the setting of the conservation area
- New development within the conservation area and alterations to existing buildings in the conservation area
- New development within the setting of the conservation area.

4.0 Legal

4.1 Under Section 69(1) of the Planning (Listed Buildings & Conservation Areas) Act 1990 (the 1990 Act) the Council, as local planning authority, is required from time to time to 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 to designate those areas as conservation areas.

4.2 Section 69(2) of the 1990 Act imposes a duty from time to time to review the past exercise of functions to designate areas as conservation areas and to determine whether any parts or any further parts of their area should be designated as conservation areas; and, if so, to designate those parts. There is no requirement for the review to take place at particular intervals.

4.3 The Authority is under a further duty under Section 71(1) of the 1990 Act from time to time to formulate and publish proposals for the preservation and enhancement of any parts of their area which are conservation areas.

4.4 Article 4 of the GPDO gives local planning authorities the power to limit permitted development rights where they consider it necessary to protect local amenity or the wellbeing of the area. Using the provisions of Article 4 of the GPDO brings certain types of development back under the control of a local planning authority so that potentially harmful proposals can be considered on a case by case basis through planning applications.

5.0 Financial implications

5.1 The document was part of the Planning Policy team's general work programme. Any expenditure that has been incurred to date has been contained within existing budget resources.

5.2 The imposition of Article 4 Directions will have implications for Development Management as it will result in additional planning applications which will not attract a planning fee. This will marginally increase the cost of the service without any additional fee income. Whilst, the Government's intended planning reforms indicate improved resources for local planning authorities these reforms have been delayed.

6.0 Recommendation

6.1 That the Planning Committee recommends that the Executive Member for Regeneration authorises:

1. Public consultation on the revised character appraisals for Old Shoreham Conservation Area and Kingston Buci Conservation Area
2. Public consultation on the proposed boundary changes of Old Shoreham Conservation Area and Kingston Buci Conservation Area
3. Making and consulting on Article 4 Directions for Old Shoreham Conservation Area and Kingston Buci Conservation Area under the Town and Country Planning (General Permitted Development) Order 2015 (as amended).
4. Confirmation of the Article 4 Directions under the Town and Country Planning (General Permitted Development) Order 2015 (as amended).

Local Government Act 1972

Background Papers:

- Adur Conservation Area Character Appraisals Introduction
- Kingston Buci Conservation Area Character Appraisal
- Kingston Buci Conservation Area Map

- Old Shoreham Conservation Area Character Appraisal
- Old Shoreham Conservation Area Map

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Schedule of Other Matters

1.0 Council Priority

- 1.1 The Adur Local Plan 2017 includes Policy 16: A Strategic Approach to the Historic Environment which commits to producing and reviewing character appraisals, encouraging appropriate and productive use of heritage assets and working with other parties to ensure that Adur's historic environment is conserved.

2.0 Specific Action Plans

- 2.1 Matter considered and no issues identified

3.0 Sustainability Issues

- 3.1 Matter considered and no issues identified

4.0 Equality Issues

- 4.1 Matter considered and no issues identified

5.0 Community Safety Issues (Section 17)

- 5.1 Matter considered and no issues identified

6.0 Human Rights Issues

- 6.1 Matter considered and no issues identified

7.0 Reputation

- 7.1 Matter considered and no issues identified

8.0 Consultations

- 8.1 The Conservation Area Character Appraisals, proposed boundary changes, and proposed Article 4 Directions will be subject to public consultation.

9.0 Risk Assessment

9.1 Failure to periodically review conservation areas is in conflict with statutory legislation and national planning policies.

10.0 Health & Safety Issues

10.1 Matter considered and no issues identified

11.0 Procurement Strategy

11.1 Matter considered and no issues identified

12.0 Partnership Working

12.1 Matter considered and no issues identified