



ADUR DISTRICT  
C O U N C I L

**Adur Planning Committee**

**Date - 7 July 2022**

**Agenda Item no.8**

**Ward: X]**

**Conservation Area Character Appraisal Reviews**

**Report by the Director for the Economy**

**1.0 Summary**

- 1.1 This report updates the Planning Committee on public consultation carried out of the following documents:
- Kingston Buci Conservation Area Character Appraisal
  - Old Shoreham Conservation Area Character Appraisal
  - Article 4 Direction for Kingston Buci Conservation Area
  - Article 4 Direction for Old Shoreham Conservation Area
- 1.2 A summary of the representations received during consultation, together with Officer responses and recommendations is included as Appendix 1 to this report.
- 1.3 The Planning Committee is asked to note these representations and responses. Any comments will be passed to the Executive Member for Regeneration to inform his decisions on:
- Adoption of the character appraisals for each conservation area
  - Adoption of an updated Adur Policies Map to reflect revised boundaries for each conservation area
  - Confirmation of the Article 4 Direction for each conservation area.

## 2.0 Background

- 2.1 On 4 October 2021, the Planning Committee agreed the Executive Member for Regeneration could authorise:
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).
- 2.2 This report updates the Planning Committee on the public consultations on the character appraisals and Article 4 Directions.
- 2.3 Public consultation was held in accordance with the Council's Statement of Community Involvement, and the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990, and the Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO) (as amended).
- 2.4 The character appraisals and Article 4 Directions were made available on the Council's website for a period of 8 weeks. Physical copies were also available at the Shoreham Centre, Portland House and at libraries in Adur.
- 2.5 The Secretary of State, Historic England and West Sussex County Council were notified of the making of Article 4 Directions and the consultation on the draft character appraisals for the conservation areas. All addresses within the conservation areas were sent letters notifying them of the consultations and the making of the Article 4 Directions.
- 2.6 The consultations were advertised in the Shoreham Herald and the London Gazette. The Council also produced a press release, and advertised the consultations on its social media accounts and through the Adur Planning Policy newsletter.
- 2.7 The Council received the following representations:
- Kingston Buci Conservation Area Character Appraisal - 9 representations

- Old Shoreham Conservation Area Character Appraisal - 0 representations
- Kingston Buci Article 4 Direction - 1 representation
- Old Shoreham Article 4 Direction - 0 representations

2.8 A summary of the representations and Officer responses to these comments is provided as Appendix 1 to this report.

### **Kingston Buci Conservation Area**

2.9 Seven representations objected to the proposed removal of Spinnals Grove from the conservation area. Spinnals Grove was built in 1988 after the designation of the conservation area. It is a well-maintained cul-de-sac of modern residential homes built around existing mature trees. Representations suggested that the road should remain within the conservation area for the following reasons:

- Spinnals Grove residents wish to retain restrictions on development.
- Conservation Area status is important to buying/selling of properties in Spinnals Grove
- Conservation Area status protects the natural habitats, wildlife and existing mature trees in Spinnals Grove
- Conservation Area status protects Spinnals Grove from overdevelopment
- Spinnals Grove has retained its original and intended features since being built in 1988

2.10 Whilst recognising the desire of local residents to remain part of the conservation area, Officers recommend that the street be removed from the conservation area. Local Authorities have a duty to review conservation areas. Designation of the conservation area relates to its special architectural and/or heritage qualities. Conservation Areas should only include buildings / features which have special historic or architectural significance. The inclusion of areas which do not relate to these undermine the purpose.

2.11 Furthermore:

- The setting of the conservation area will be taken into account in assessing relevant applications. There are no vacant sites in Spinnals Grove which would lend themselves to allocation by the local authority.
- The role of conservation area status in buying/selling a property is not a relevant planning consideration.
- There are several individual and group Tree Preservation Orders in the area in question which provide protection to the existing mature trees.

The Council's Tree Officer has visited the site and does not consider that any further designations are required.

- Other green areas are private gardens, the management/ design of which conservation area legislation has no control.

- 2.11 The Council received a representation from Historic England supporting the recommendations in the character appraisal and management plan.
- 2.12 The Council received a representation from the owner of the transmission mast site supporting its removal from the conservation area
- 2.13 The Council received a representation from a resident supporting the making of Article 4 Direction.

### **Old Shoreham Conservation Area**

- 2.14 Three representations supported the inclusion of the Old Shoreham Toll Bridge within the conservation area.
- 2.15 One representation objected to the removal of 74 Adur Close from the regeneration area due to the importance of the trees along the roadside verge on The Street. As a result of consultation, the boundary has been adjusted to retain the roadside verge, but exclude the property.
- 2.16 Representations welcomed the identification of areas of poor public realm, particularly around the Red Lion and Amsterdam pubs. However one noted that the text was out of date as the Red Lion has now reopened. This has been amended in the revised document. Another representation wanted more stringent requirements to improve these areas. This is outside the remit of the character appraisal. However the appraisal does highlight opportunities that can be taken when a relevant planning application comes forward or where there are relevant public realm schemes.
- 2.17 Representations suggested extending the conservation area to include parts of Buckingham ward which form the setting for the church and link to the downland landscape in order to prevent the loss of biodiverse road verges to residential driveways and hardstanding. The land between Steyning Road and the River Adur is now identified within the appraisal as an area of open space important to the setting of the conservation area.
- 2.18 Land at Mill Hill has now been highlighted in the revised document as an area of open space important to the setting of the conservation area.

- 2.19 Regarding road verges, it is recognised that there are areas of landscape and biodiversity value. However conservation areas must be designated in relation to heritage matters. Applications for vehicle crossovers over Highways land are a matter for West Sussex County Council to consider.
- 2.20 The Council received a representation from Historic England supporting the character appraisal and management plan. This representation strongly supported the identification of open space important to the setting of the conservation area
- Land between Steyning Road and River Adur
  - Shoreham Airport
- 2.21 These sites comprise the remainder of the undeveloped river plain, form a very picturesque grouping in views and have high aesthetic value. The relationship of the conservation area, St Nicolas' Church and the Toll Bridge to the river is important to understanding the origins and historic development of Old Shoreham.
- 2.22 The Council received a representation from the owner of the land between Steyning Road and the River Adur stating that the site makes only a modest contribution to the setting of the conservation area, and that views are transitory. Officers consider that this directly contradicts the views of Historic England, and the landscape evidence which informed the Adur Local Plan 2017, which excluded the site from allocation for development.
- 2.23 The Council did not receive any representations relating to the making of an Article 4 Direction.

### **3.0 Proposals**

- 3.1 Following this committee, a report will be taken to the Executive Member for Regeneration recommending that the Council adopt the revised character appraisals for Kingston Buci and Old Shoreham Conservation Areas, including boundary changes and management recommendations. The boundary changes are:
- 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.

- 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 (but retaining the roadside verge), Conifers and (house opposite) on Lesser Foxholes cul-de-sac.

3.2 The report to the Executive Member for Regeneration will also recommend the adoption of an updated Adur Policies Map to reflect the revised boundaries of the conservation areas.

3.3 If the character appraisals are adopted, a further report to the Executive Member for Regeneration will recommend that the Council conform the Article 4 Directions for Kingston Buci and Old Shoreham conservation areas.

3.4 Planning Committee is asked to note the representations to the public consultations, and the Officers' responses to these comments. The comments and feedback of the committee will be passed on to the Executive Member to inform his decisions.

#### **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.

## **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 note the representations to the public consultations, and the Officers' responses to these comments; and recommend that the Executive Member for Regeneration approve:
- Adoption of the character appraisals for Kingston Buci and Old Shoreham conservation areas
  - Adoption of an updated Adur Policies Map to reflect revised boundaries of the conservation areas
  - Confirmation of the Article 4 Directions for Kingston Buci and Old Shoreham conservation areas

## **Local Government Act 1972**

### **Background Papers:**

- Appendix 1: Consultation Summary - Kingston Buci and Old Shoreham Conservation Area Character Appraisals and Article 4 Directions
- Kingston Buci Conservation Area Character Appraisal
- Old Shoreham Conservation Area Character Appraisal
- Article 4 Direction for Kingston Buci Conservation Area
- Article 4 Direction for Old Shoreham Conservation Area

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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. The appendix to this report summarises the representations received and Officers' responses to these comments

## **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