



Horsham
District
Council

Horsham District Local Plan Examination

Matters, Issues and Questions

Matter 5: Development Quality, Design and
Heritage

Issue 1

November 2024

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Issue 1: Whether the approach to Development Quality, Design and Heritage is justified, effective, consistent with national policy and positively prepared?

Question 1: Is Strategic Policy 19: Development Quality sound?

1. **Paragraph 126** of the **NPPF** identifies that good design is a key aspect of achieving sustainable development. Strategic Policy 19 sets out the criteria required to deliver well designed places, and is clear that in these circumstances development will be supported. This strategic policy is therefore considered to be **positively prepared**, and appropriate in ensuring that development within Horsham District promotes a high standard of design, architecture and landscape.
2. Policy 19: Development Quality is **consistent with national policy** and in particular **NPPF (paragraph 126 and 130)**. The policy outlines that development will be required to deliver sustainable and beautiful buildings and places that enhance and protect locally distinctive characters through good design, landscaping (both within a scheme and in terms of the impact on surrounding landscapes), creating or contributing to the identity or 'sense of place', and in ensuring that local, social and environmental characteristics are considered. In accordance with **paragraph 127 of NPPF** the policy also provides clear design expectations so that applicants have certainty about what the Council considers to be acceptable when preparing their proposal and submitting their application.
3. The policy criteria of Strategic Policy 19 builds upon that of **Strategic Policy 32: The Quality of New Development** of the **Horsham District Planning Framework (HDC05)**, adopted in 2015. All of the original criteria have been carried forward, updated and strengthened, and additional criterion has been added so that the policy endorses the ten characteristics set out within the **National Design Guide** and **National Modal Design Code**. It also reflects wider community aspirations such as those reflected in Neighbourhood Plans and local (e.g. Parish) **Design Statements (SS04)**. The policy is therefore considered to be **justified and effective**.

Q1.a) Should criterion 8 also reference setting?

4. **Paragraph 176** of the **NPPF** sets out that great weight should be given to conserving and enhancing the landscape and scenic beauty of National Parks and Areas of Outstanding Natural Beauty. It states that development within their setting should be sensitively located and designed. To reflect this requirement (and following the Regulation 19 representation from the **High Weald Joint Advisory Committee (Response #1192760¹)**), the **HDC Schedule of Suggested Modifications to the Regulation 19 Local Plan (SD14)**, Ref HM027 proposes an amendment to the text of criterion 8 to include a reference to the setting.

Q1.b) Should the opportunities associated with strategic scale developments be recognised in this policy, particularly with regard to creating defensible boundaries?

5. Strategic Policy 19 is the overarching design policy which sets criteria to ensure that good design is achieved throughout the District, regardless of the scale or location of development.

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https://strategicplanning.horsham.gov.uk/Regulation_19_Local_Plan/showUserAnswers?qid=9331459&voteID=1192760

6. **Strategic Policy HA1: Strategic Site Development Principles** sets out the key design principles specifically in relation to strategic development, and **criterion 1** addresses the requirement for a long-term defensible boundary. Read alongside the individual strategic allocation policies (**Strategic Policies HA2, HA3 and HA4**), opportunities associated with each strategic scale development are clearly identified.
7. **Paragraph 1.6** of the **Horsham District Local Plan 2023-2040 (SD01)** is clear that all policies within the Plan relate to each other, and that the document should be read as a whole. Repetition of criteria is therefore not required.

[Q1.c\) Should any specific development constraints be identified that can significantly influence the design of any scheme such as the presence of utilities infrastructure or flooding?](#)

8. As stated in **paragraph 7** of this paper, the Plan should be read as a whole. Strategic Policy 19: Development Quality and **Strategic Policy 20: Development Principles** are directly related and as such should be read alongside each other when preparing or assessing a development proposal. Strategic Policy 19 is the high-level overarching design policy for the District, and Strategic Policy 20 sets out the specific, more detailed design principles.
9. **Criterion 1** of **Strategic Policy 20** makes specific reference to “respecting any constraints that exist”, and it is therefore considered that this addresses development constraints, as depicted on the submission **Policies Map (SD02)**, which may significantly influence the design of a scheme. It should be noted, however, that the submission **Policies Map (SD02)** is limited to depict geographical information that is either the Councils data, or to data that is given to us under license with the expressed consent that it may be used for external purposes. Data in relation to utilities infrastructure is provided under license for internal use only and cannot be displayed on our policies map under the terms of this agreement. It is, however, available to the public via external sources and can therefore be taken account of by those preparing planning applications.
10. With regards to flooding, **Strategic Policy 10** aims to ensure that development adapts to the changes in the future climate and that flood risk is not increased. The policy also includes criterion in relation to the consideration of flood risk when deciding the layout and design of the site. For the purposes of clarity, flood zones are depicted on the submission **Policies Map (SD02)**.

Question 2: Is Strategic Policy 20: Development Principles sound?

11. **Paragraph 126** of the **NPPF** identifies that good design is a key aspect of achieving sustainable development. It creates better places in which to live and work and helps to make development acceptable to existing communities. In line with **NPPF paragraph 126**, this strategic policy provides clear design expectations, all of which should be considered in relation to a development proposal. Policy 20 is therefore considered to be **positively prepared, and consistent with national policy**, as it will ensure that development within Horsham District promotes a high standard of design, architecture and take account of the existing character of the area.
12. The policy criteria incorporate and strengthens that contained within **Policy 33: Development Principles of the Horsham District Planning Framework (HDC05)**, adopted November 2015, which has worked well to date in ensuring that development is of high quality. Additional criteria has been incorporated into the revised policy to address the inclusion of newly-planted trees (**NPPF, paragraph 131**) and ensure that the policy is more closely aligned with the characteristics set out in the **National Design Guide** and **National Model Design Code**. It also reflects wider community aspirations such

as those reflected in Neighbourhood Plans and local (e.g. Parish) **Design Statements SS04**). The policy is therefore considered to be **justified and effective**.

Q2.a) Is it necessary for effectiveness to reference reducing the need to travel?

13. **Strategic Policy 24: Sustainable Transport, criterion 1 (a – f)** specifically addresses the mechanisms required for reducing the need to travel. **Criterion 10** of Strategic Policy 20 provides the design principles required to reducing the need to travel by stating that development proposals should provide pedestrian, cycle and public transport priority over the use of private motor vehicles, incorporating the provision of safe recreational / utility routes, public rights of way and connectivity within the development and to the surrounding area.
14. As stated in **paragraph 7** of this statement, the Plan is clear that all policies relate and that the document should be read as a whole, negating the need for criteria to be repeated in multiple policies.

Question 3: Is Policy 21: Heritage Assets and Managing Change within the Historic Environment sound and legally compliant?

Soundness

15. **Chapter 16** of the **NPPF** specifically addresses conserving and enhancing the historic environment. It makes it clear that heritage assets are an irreplaceable resource which should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing, and future generations. The importance of the historical environment in Horsham District is recognised within **Objective 6** of the Plan.
16. In accordance with **paragraphs 189 and 190** of the **NPPF**, the policy seeks to preserve and enhance its historic environment through positive management of development affecting both designated and non-designated heritage assets, and their settings. Furthermore, **Planning Practice Guidance (PPG): Historic Environment** compliments the principles outlined within the NPPF. In line with the PPG, the supportive text of the policy (**paragraphs 7.11 and 7.12**) includes specific reference to Horsham Roofing Stone to help address the importance of this locally distinctive building material, which makes a strong contribution to the character of the District. The policy is therefore considered to be **positively prepared** and **consistent with national policy**.
17. At present, it is noted that policy title does not reflect that of the actual policy. Therefore, as a means of clarification a modification to the text is proposed (**SM23** in **Suggested Modifications to the Regulation 19 Local Plan: Response to MIQs November 2024**) to make clear that this policy is a strategic policy.
18. The policy criteria incorporate and strengthens that contained within **Policy 34: Heritage Assets and Managing Change within the Historic Environment** in the **Horsham District Planning Framework (HDC05)**, adopted November 2015, which has worked well to date in ensuring that development takes account of the historic character of the District. The policy also draws on evidence base documents including **Conservation Area Character Statements, Appraisals and Management Plans (SS03)**. Furthermore, **Historic England (Response #1193303)**² is supportive of the inclusion of policies for

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https://strategicplanning.horsham.gov.uk/Regulation_19_Local_Plan/showUserAnswers?qid=9331459&voteID=1193303

the historic environment that meet the obligation for preparing a positive strategy. The policy is therefore considered to be **justified and effective**.

19. To provide clarity on the classification of designated (statutory) and non-designated (local) heritage assets proposed modifications have been made to **paragraph's 7.8, 7.9 and 7.10 (SM20, SM21 and SM22 in Suggested Modifications to the Regulation 19 Local Plan: Response to MIQs November 2024)** of the policy's supportive text. In support of this, a proposed modification (**SM60 in Suggested Modifications to the Regulation 19 Local Plan: Response to MIQs November 2024**) has been made, to add the term 'heritage asset' to the **Glossary**.
20. Proposed modifications (**SM24, SM25 and SM26 in Suggested Modifications to the Regulation 19 Local Plan: Response to MIQs November 2024**) have been made to **criterion 1, criterion 1.f) and criterion 2** to make the policy more effective in terms of the NPPF test of soundness.
21. The key legislation applicable to the historic environment located within Horsham District is the **Planning (Listed Building & Conservation Areas) Act 1990 (as amended)**. Strategic Policy 21 complies with the wording set out within the Act, which sets out the general duty of the local planning authority in terms of its planning functions. Most notably, **Section 66** which relates to listed buildings and the desirability of preserving the building and its setting, and **Section 72** which relates to conservation areas and the desirability of preserving or enhancing the character or appearance of that area.

Question 4: Is Policy 22: Shop Fronts and Advertisements sound and legally compliant?

Soundness

22. Policy 22 is a non-strategic policy. **Paragraph 136 of the NPPF (September 2023)** states that the quality and character of places can suffer when advertisements are poorly sited and designed, but it is also recognised that the character and appearance of shop fronts and advertising can also help ensure a vibrant and successful economy (as set out in **Chapter 6** of the **NPPF**). This policy therefore seeks to strike this balance, protecting the historical character of town and village centres, that the distinct characters of these settlements are retained and enhanced, and amenity is protected whilst enabling growth. This approach is therefore considered to be **positively prepared** and **consistent with national policy**.
23. This policy continues the policy approach that has already been applied in the **Horsham District Planning Framework (HDC05) Policy 14: Shop Fronts and advertisements** which has been effective in protecting the character of town and village centres. Many of these areas are within designated **Conservation Areas**³ and the policy therefore helps protect and enhance these areas, in accordance with their management plans. This approach is therefore considered to be **justified and effective**.

Legally compliant

24. It is recognised that most advertising is exempt from planning control. Notwithstanding this, **Section 3.1 of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007** states that a local planning authority shall exercise its powers under these Regulations in the interests

³ <https://www.horsham.gov.uk/planning/conservation-areas/maps-and-character-statements>

of amenity and public safety, taking into account (a) the provisions of the development plan, so far as they are material; and (b) any other relevant factors.

25. It is considered that Policy 22 is a material provision of the Local Plan, and therefore does need to be taken into consideration in the control of adverts. It is proposed to add a new paragraph to the supporting text of the policy to clarify the legal basis (**SM27 in Suggested Modifications to the Regulation 19 Local Plan: Response to MIQs November 2024**).