

Appendix 1

POLICY BACKGROUND

Introduction

A1.1 In taking account of the impact of development, Government planning guidance urges the protection and enhancement of the environment, urban and countryside character and local distinctiveness. This approach is reflected in the new regional level of statutory land use planning emerging in the *South East Plan*. Various Government-sponsored agencies provide non-statutory policy and guidance relating directly or indirectly to landscape character and biodiversity. The paragraphs below summarise briefly the policy background at national, regional, county and local levels.

Government planning guidance

A1.2 Government Planning Policy Statement 1 (PPS1) entitled *Delivering Sustainable Development* (2005) aims *inter alia* to protect and enhance the natural and historic environment and the quality and character of the countryside (Objectives, p.2). It stresses the importance of protecting the wider countryside and taking account of the impact of development on landscape quality and the preservation of the built and archaeological heritage (para 20). It recognises that character is a significant material consideration in planning policy formulation and development control decisions.

A1.3 Government Planning Policy Statement 7 (PPS7) entitled *Sustainable Development in Rural Areas* replaces PPG7 (*The Countryside – Environmental Quality and Economic and Social Development*) published in 1997. Para 1 (vi), p.7) states:

...the Government's overall aim is to protect the countryside for the sake of its intrinsic character and beauty, the diversity of its landscapes, heritage and wildlife, the wealth of its natural resources and so it may be enjoyed by all.

Para 15 states:

Planning authorities should continue to ensure that the quality and character of the wider countryside is protected and, where possible, enhanced. They should have particular regard to any areas which have been statutorily designated for their landscape, wildlife or historic qualities where greater priority should be given to restraint of particularly damaging development.

And para 24:

The Government recognises and accepts that there are areas of landscape outside nationally designated areas that are particularly valued locally. The Government believes that carefully drafted, criteria-based policies in Local Development Documents (LDDs), utilising tools such as landscape character assessment, should provide sufficient protection for these areas, without the need for rigid local designations that may unduly restrict acceptable, sustainable development and the economic activity that underpins the vitality of rural areas.

A1.4 The *Planning and Compulsory Purchase Act 2004* introduced major changes to the way the planning policy system operates. The Development Plan now consists of a Regional Spatial Strategy and Local Development Frameworks (structure plans will disappear). Government Planning Policy Statement 12 (PPS12) entitled *Local Development Frameworks* (2003) replaces PPG12 on Development Plans published in 1999. It sets out the development plan documents which planning authorities must

prepare. The core strategy should set out the key elements of the planning framework for the area. Once adopted, all other development plan documents must be in conformity with it. The core strategy should draw on the various strategies with implications for the development and use of land and provide an integrated approach to the implementation of these strategies. It should set out the long term spatial vision for the authority's area and the strategic policies and proposals required to deliver that vision (paras 2.2.2-3).

A1.5 Of particular interest in a character context is the use of *Action Area Plans* (paras 2.2.12-14) to provide the planning framework for areas where significant change or conservation is needed, including the protection of areas sensitive to change and the resolution of conflicting objectives in areas subject to development pressure:

In areas of conservation, area action plans should set out the policies and proposals for action to preserve or enhance the area, including defining areas where specific conservation measures are proposed and areas which will be subject to significant controls over development.

A1.6 In addition, *Supplementary Planning Documents* (SPDs) (paras 2.4.1-3) can play a valuable role in supplementing the policies and proposals in development plan documents. This is particularly helpful in pursuing character-based planning initiatives. SPDs will not form part of the development plan. However, they should be subjected to rigorous procedures of community involvement. They may take the form of design guides, area development briefs, or issue-based documents which supplement policies in a development plan document.

Countryside Agency

A1.7 In April 1999, the new Countryside Agency published *Tomorrow's Countryside – 2020 Vision* envisaging a countryside rich in landscape and biodiversity, managed to the highest standards for the benefit of all, and with development of a high standard thought *good enough to approve*. The Vision was followed in 2001 by the Agency's *Strategy Towards Tomorrow's Countryside* setting out how the Agency will work by influencing and implementing countryside policy including securing the quality of England's finest landscapes and helping people locally to care for their landscapes, landmarks and traditions:

We [The Agency and its partners] will promote wide adoption of Countryside Character as a way in which all whose decisions impact on the countryside can evaluate their actions as they prepare their plans and investments (p.11).

Natural England

In the *Review of the Rural White Paper* (2004) the Secretary of State announced the reorganisation of English Nature and parts of the Countryside Agency and the Rural Development Service into a new body called *Natural England*. The new, integrated agency will be responsible for all of the functions of English Nature; the landscape, access and recreation elements of the Countryside Agency; and the environmental and land management functions of the Rural Development Service. The formal establishment of this arrangement is anticipated in January 2007 although the partners have been acting as a confederation since April 2005. The *Natural England* name will be in formal use from October 2006.

English Nature

A1.8 English Nature is a Government-funded body set up under the *Environmental Protection Act 1990*. Its purpose is to promote the conservation of wildlife and natural features in England. The actions of English Nature regarding wildlife protection and conservation have considerable direct benefits for landscape restoration in the District. The agency is responsible for the protection, management control and monitoring of Sites of Special Scientific Interest (SSSIs) in the District, which contain important habitats deemed worthy of protection at a national level. The agency is also committed to achieving the nature conservation goals in the *UK Biodiversity Action Plan* over the next 20 years and beyond, at national and local levels. In Mid Sussex this will be achieved through partnership working with the Sussex Biodiversity Partnership (see **Appendix 3** paras 3.48-50).

Environment Agency

A1.9 The Environment Agency was set up by the *Environment Act 1995*. It provides a comprehensive approach to the protection and management of the environment by combining the regulation of land, air and water. There are various ways in which the activities of the Agency may influence sound landscape and wildlife management and creation including through flood management planning and conservation projects which deliver habitat and species biodiversity targets at specific sites.

Catchment Flood Management Plans (CFMPs)

A1.10 The Agency is currently producing a series of Catchment Flood Management Plans (CFMPs) for the major river catchments in the Southern Region. The aim of the CFMPs is to identify long-term, sustainable policies to manage flood risk within the catchment including the identification in more detail of appropriate flood defence measures. Mid Sussex District contains a small portion of the headwaters of the Medway/Eden and Mole catchments and major portions of the Adur and Ouse catchments. Completed CFMPs have yet to be produced for these catchments.

A1.11 Flood defence measures will have implications for landscape. As an example, catchment objectives in the recent *River Arun Catchment Flood Management Plan Scoping Report* (August 2005) include enhancement of the recreational and amenity value of areas where flood mitigation measures are required. This includes ensuring the protection and enhancement of landscape character and visual amenity, and the protection of cultural heritage and scheduled sites.

English Heritage

A1.12 The actions of English Heritage also benefit the maintenance of landscapes and townscape character. Among its many duties, the agency is responsible for administering the listed buildings system, advising on the scope and content of Conservation Area designations, and conducting extensive applied research into historic and archaeological aspects of the built heritage. English Heritage also pioneered the technique of Historic Landscape Characterisation (HLC), the history and outcomes of which are explained in more detail in its publication *Historic Landscape Characterisation: Taking Stock of the Method* (2003). The agency is currently funding the *Sussex Historic Landscape Characterisation Project* and a programme of Intensive and Extensive Urban Surveys for historic towns in Sussex. The preliminary findings from the Sussex HLC have been used extensively in the Assessment (see paras 2.45-80 on the historic landscape of the District and the *Historic character* sections in the chapters on each Landscape Character Areas).

Forestry Commission

A1.13 Woodland in the South East Region covers 14% of the land surface – far more than the national average. Four of the five most wooded counties in England are found here. The South East has the highest concentration of ancient woodlands in the country, these being the richest woods in terms of biodiversity and heritage. In *Seeing the Wood for the Trees: A Forestry and Woodlands Framework for South East England* (2004), the Forestry Commission envisions woodland making an increasing contribution to the sustainable development of the Region, in both rural and urban areas. The vision anticipates better places for people to live; enhanced environment and biodiversity; a stronger contribution of woodland to the economy; and a secure **future for woodland resources. The Framework is based on a series of 12 outcomes**, all of which will greatly benefit Mid Sussex District

1. Trees and woodlands support the development of sustainable communities.
2. The health and well being of more people are improved through visiting woodlands.
3. Greater use is made of trees and woodlands for community projects and activities.
4. Woodlands enhance and protect the environment of the Region, the heritage features within them safeguarded.
5. Woodland habitats and species are being maintained or brought into good ecological condition.
6. The economic value of woodland products in the Region is being recognised.
7. Woodlands play a greater role in attracting tourism, inward investment and other economic activity.
8. Woodlands and trees, especially ancient woodlands and veteran trees, are protected from loss.
9. Integrated, strategic planning of woodland management is occurring.
10. The skills base needed to manage woodlands is being secured.
11. Public awareness about woodlands and their management is increasing.
12. The financial viability of woodland management is secured.

The Framework concludes with a list of Priority Topics based on partnership working. This will allow a good start to be made by delivering a selected range of short-term outcomes.

The draft South East Plan

A1.14 Under the new planning arrangements, the Government has asked the South East England Regional Assembly (SEERA) to prepare a plan for new housing, transport, the economy and the environment in the South East for the period to 2026. The plan is being prepared in accordance with Government Planning Policy Statement 11 (*PPS11*) entitled *Regional Spatial Strategies*. Part One of the Plan will contain region-wide policies. Part Two will set out housing numbers for each local authority area and contain proposals covering employment and infrastructure needs.

A1.15 In January 2005, SEERA published Part One of the Plan for public consultation entitled *The South East Plan: A Clear Vision for the South East*. Incorporating the Regional Transport Strategy, the draft Plan provides the spatial framework that forms the context within which Local Development Documents and Local Transport Plans

need to be prepared, as well as other regional and sub-regional strategies and programmes that have a bearing on land use activities.

A1.16 The core strategy of the draft Plan recognises that, despite being a region of economic opportunity and enterprise, with an especially varied and attractive countryside, there are also considerable environmental conflicts and development tensions. It is the intention of the Assembly and its partners to nurture and enhance regional environmental assets and quality of life whilst attempting to meet social and economic needs in a sustainable manner. The draft Plan contains policies on Countryside and Landscape Management. Reflecting *PPS1*, para 1.11 states:

The case for character as part of the wider debate on quality of life is not in dispute. Character is a recognised component of sustainable development and has become a significant material consideration in planning policy formulation and development control decisions...Policy challenges include increasing our understanding of what character is, how it is changing, and delivering benefits through land management.

A1.17 The draft Plan seeks to protect and enhance the distinctive qualities of the countryside of the Region. Also of particular importance for character are policies concerning the management of the built and historic environment, including management for an urban renaissance; unlocking the potential of the urban rural fringe; managing development in rural communities and rural market towns; and conserving and enhancing the historic environment, recognising the contribution it makes to local and regional distinctiveness and sense of place.

A1.18 Part Two of the draft Plan containing the local authority housing numbers is currently undergoing public consultation (Autumn 2005). SEERA will present the entire Plan to the Government by the end of March 2006. Formal government consultation and a public examination will follow before the Secretary of State is asked to approve the Plan in Spring 2008.

West Sussex County Council policies and plans

A1.19 The County Council and its partners seek to cherish, protect and enhance those aspects of the character and sense of place of West Sussex which are well-loved and precious. This is an important element in County Council plans and strategies covering planning, culture, the rural economy, the coast, tourism, biodiversity, archaeology, minerals and waste. A key priority of the *County Strategy 2001-2005* is "to protect and enhance the heritage and environment of West Sussex".

A1.20 Protecting the distinctive character of the towns and villages, countryside and coast is one of the three aims of the adopted *West Sussex Structure Plan 2001-2016*. The Plan is organised around Location, Needs, Character, Environment and resources, and Development. The character element of the Plan is therefore of central importance. **Policy CH1 (Character)** seeks to reinforce the local distinctiveness of the five national Character Areas in the County. The first clause is as follows:

Development should not be permitted unless it maintains and, where possible, enhances the character, distinctiveness and sense of place of the settlements and different areas and features of the County, including the coast, and that it reflects and, where possible, reinforces the character of the main natural character areas of the County – the South Coast Plain, the South Downs, the Wealden Fringe, the Low Weald, and the High Weald.

Other policies in the Plan safeguard Areas of Outstanding Natural Beauty; protect woodlands, forests; rivers, waterways and the coast; seek to retain the separate identities of towns and villages (strategic gaps); and safeguard the historic heritage.

Mid Sussex District Council policies, plans and strategies

Corporate Plan for 2005 – 2007

A1.21 Constantly under review, the Plan sets out the main themes for areas of improvement in the District – Better Environment, Lives and Services – to meet the primary purpose of 'Working in Partnership for the well being of all in the community'. It sets out details of the action plans for these themes and Service Plans for the 12 principal service areas of the Council.

Community Plan for Mid Sussex)

A1.22 The Plan (2003) was produced jointly by the Mid Sussex Local Strategic Partnership (LSP) and the three Area Community Forums covering the District. The LSP recognises that, to improve the quality of life for all in the District, it is imperative that all agencies work together in partnership. The basic aim of the Plan is to improve social, economic and environmental well-being and quality of life for all.

Mid Sussex Local Plan

A1.23 The *Mid Sussex Local Plan* was adopted in August 2004. Many policies in the Local Plan are crucial to the protection and enhancement of the character and amenity of the District, including its diverse landscapes and townscapes. The key policies are outlined in **Appendix 2**.

A Local Agenda 21 for Mid Sussex

A1.24 Produced in 2002, this document describes the background to *Agenda 21* arising from the Rio Earth Summit in 1992 and how the policy direction agreed at the Summit might be translated into an action plan for Mid Sussex District. The document identifies actions that will help create and maintain local quality of life and local environments.

A Cultural Strategy for Mid Sussex 2002 – 2007

A1.25 The Strategy provides a framework for the development of leisure, recreation, heritage and tourism in the District, seeking to:

- Safeguard and enhance the distinctive natural and built environment.
- Protect the appearance and character of the countryside.
- Manage resources to minimise the damage to the environment (Agenda 21).
- Promote environmental awareness and responsibility.

Landscape and Biodiversity Strategy: Our Green Heritage

A1.26 In October 2001, the District Council published a Landscape and Biodiversity for Mid Sussex entitled *Our Green Heritage*. The District Council itself has a major role to play in the protection and conservation of landscape and biodiversity as a local planning authority, as a landowner, and as a partner working with many of the agencies mentioned in this Appendix. The objectives of the Strategy are to:

- Enhance and maintain existing landscapes and biodiversity.
- Increase biodiversity by sympathetically maintaining the landscape and enhancing and creating habitats.
- Promote the varied landscapes and habitats, with the wildlife they support, to both residents and visitors.

The Strategy provides the overall framework for an action plan covering at least a ten-year period. It links with other actions concerned with landscape and biodiversity and with the activities of communities in the District. The Strategy recognises that the dynamic nature of landscape and biodiversity requires constant review and refinement if actions are to respond to changing circumstances. Of equal

importance is the means by which the community and the District Council can work together to implement (and where necessary, re-formulate) the action plan.

A1.27 The Strategy contains a description of the District focused on natural areas (equivalent to the national Character Areas used in the Assessment). This background has been fed into the Assessment, to ensure that the area-based actions in the Strategy continue to be focused on the three national Character Areas of the South Downs, the Low Weald and the High Weald.

A1.28 The core of the Strategy is a series of seven *Action Plans*, the first four District-wide (a general plan and plans for towns and villages, trees and woodlands, and historic parks and gardens), the remaining three focused on the three national (natural) Character Areas. Most importantly, the plans identify the partnerships that will be necessary to achieve the actions. Details of the Action Plans are outlined in **Appendix 3** paras A3.29-33.