

Chapter 5

Built Environment

Context

5.1 The quality of Wealden's historic and built environment is highly valued and enjoyed by residents and visitors alike throughout the countryside, towns and villages. Buildings and the spaces around them contribute significantly to the quality of life for those living and working in the District, which in turn is essential to the continued economic and social well-being of the area. The Council therefore attaches great importance to protecting and enhancing the built heritage of its towns, villages and countryside for future generations. This means encouraging good quality design, respecting the historic environment, and enhancing local character and distinctiveness whenever the opportunity arises.

5.2 There is growing recognition of the need to achieve a high standard of design in all forms of development. Good design is essential in order to produce attractive and sustainable places in which people will want to live, work and relax. It can help to reinforce community identity, create a sense of place, reduce crime, improve accessibility, and contribute to energy efficiency and biodiversity. The Government through its Planning Policy Guidance Notes and Statements clearly establishes the responsibilities of local planning authorities to secure good design and the importance of achieving high quality development that respects the environment.

5.3 Buildings and areas of architectural or historic interest are particularly important to protect since, by definition, they are impossible to replace. Wealden has a rich and valued legacy of listed buildings and conservation areas, as well as historic parks and gardens, scheduled ancient monuments, and sites of archaeological importance. Such assets contribute to the District's cultural identity and unique sense of place; they need to be protected and treated with due sensitivity and care. This is recognised by Government guidance, which urges local planning authorities to maintain and strengthen their commitment to stewardship of the historic environment. The policies set out in this Chapter for the protection of historic assets will be applied to both existing and future designations.

5.4 The protection and enhancement of the quality of the built environment is also central to the Structure Plan's strategy for achieving a more

environmentally sustainable future. The approach set out in this Chapter to balancing the need to make provision for development and change with the need to protect and enhance the environment builds upon, and is supported by a range of Structure Plan policies.

Strategy

5.5 The Plan's strategy for the built environment is to ensure that development at every scale responds appropriately to its context, protecting what is of value whilst enhancing the environmental qualities of the District for future generations. The key objectives are:

- (1) to ensure a high standard of design in new development that respects the architectural, historic, and landscape character of towns, villages and the countryside;*
- (2) to encourage the creation of functional, accessible, safe, and energy efficient new sustainable development, which preserves amenity and enhances the overall quality of the environment;*
- (3) to preserve and enhance the historic environment;*
- (4) to protect the character, appearance, setting and identity of towns and villages, including important areas of open space within and between them.*

Design

5.6 The Council seeks to ensure a high standard of design in all new development, whether inside or outside of the development boundaries. The aim is to achieve high quality development that will maintain and enhance the District's unique and distinctive character. Development is never too small to be considered in design terms. It is often the cumulative effects of extensions and alterations, rather than major new buildings, which impact on people's perception of a place.

5.7 Policy BE1 sets out the general design criteria with which all development proposals will be expected to comply. Its purpose is to ensure a consistency of approach, whilst providing scope for innovative and imaginative design. In considering these criteria, regard will be had to the best practice advice contained in *Better Places to Live* (DTLR, 2001), *By Design* (DETR, 2000) and *Places, Streets & Movement* (DETR, 1998). Proposals for new residential estates are specifically addressed by Policy HG8 in the Housing Chapter.

5.8 In the case of large developments, applicants will be expected to submit a design statement. The degree of detail in such a statement will depend on the scale and likely impact of the development but should address design principles, show the proposal in its context, and include illustrative plans and elevations.

Policy BE1

Development will only be permitted if the following design criteria are met:-

- (1) its siting, layout, density, orientation and landscape treatment take full account of the characteristics of the development site, its relationship with its immediate surroundings and, where appropriate, views into, over and out of the site;**
- (2) its size, shape, height, massing, scale and proportions are compatible with the character of its surroundings;**
- (3) its architectural detailing, building materials, floorscape and boundary treatment are compatible with the local character of the area;**
- (4) important trees, hedgerows and other valuable landscape features are retained and opportunities taken to enhance the wildlife potential of the site, wherever practicable;**
- (5) adequate consideration has been given to the spaces between and around buildings, demonstrated where appropriate by the submission of a landscape scheme;**
- (6) it ensures a satisfactory environment for future occupants, including adequate provision for daylight, sunlight, privacy,**

garden space and/or landscaped amenity areas;

- (7) there will be no unacceptable adverse impact on the privacy and amenities of adjoining properties or the immediate locality by reason of scale, height, form, outlook, noise, light intrusion or activity levels, including vehicular movements;**
- (8) its layout and design, including car parking and public spaces, will maximise surveillance and reduce opportunities for criminal behaviour;**
- (9) its siting, layout, orientation and design achieve the highest practicable degree of energy and water efficiency.**

5.9 In assessing the acceptability of development proposals against the criteria set out in Policy BE1, careful regard will be had to the principles set out below.

Context

5.10 The design of new development should be informed by the local topography, the existing natural features of the site, the surrounding built character and its landscape setting. Development that responds sensitively to the distinctive qualities of a site and its setting is more likely to create a place that is valued and attractive to the eye. At the same time, drawing inspiration from the indigenous character of a neighbourhood or locality can help to maintain local identity and strengthen a sense of place.

5.11 Every effort should be made to incorporate existing landscape features, including trees, hedgerows, rivers, streams and ponds, into the development scheme. Natural features can help to shape a development and integrate it into the wider area, particularly on greenfield sites. Maximising the use of native species in planting proposals will also help to integrate a development into the existing landscape and reinforce the local distinctiveness of a locality.

5.12 Local building materials, forms and details are another important consideration. The District's varied vernacular architecture, from the weather-boarding and tile hanging of the High Weald to the traditional flint and red brick dressing of the South Downs, generally displays a close link to the geological character of its

locality. Such building traditions and techniques can usually be successfully interpreted in new development without unduly restricting the scope of the designer.

5.13 Regard should also be had to the layout of buildings, streets and spaces in order to ensure that new proposals are well related to, and integrated with, the existing pattern of development. The degree of connection to the existing street network and movement patterns is often the key to a successful development and creating a sense of place. In larger developments, opportunities should therefore be taken to create new linkages to adjoining areas.

5.14 Further advice is contained in the Council's draft publication *Housing Estate Design Guidance*, intended for adoption as supplementary planning guidance. In addition, the County Council's *Manual for Estate Roads* sets out the basic principles to be followed in designing roads, cycle tracks and footpaths which are intended to be adopted by the Highway Authority.

Landscape

5.15 Landscape design should be an integral and functional component of new development and must be considered at the earliest possible stage. The appearance and treatment of spaces between and around buildings is often as important as the design of the buildings themselves. Landscape proposals should be based on a comprehensive survey of the site, including existing trees and other surrounding vegetation, landscape features, soil type, existing and proposed levels, drainage and existing services. Issues that need to be considered in the detailed design include:

- the mature size of trees and shrubs
- the proximity of buildings
- obstruction of light or views
- the routing of services
- root interference and subsidence
- the creation, restoration or enhancement of wildlife habitats
- implementation and maintenance

5.16 Landscape assessment, design and implementation are complex issues and it is recommended that, where appropriate, professional landscape advice is sought at the outset. On large or complex sites, a full landscape/ecological impact assessment will

normally be required prior to the determination of a planning application. In all cases, a sufficient level of detail should accompany planning applications to enable the visual and functional impact of the development as a whole to be assessed.

5.17 Summary leaflets covering landscape schemes, landscape design, tree work applications and the protection of trees on development sites are available from the Council, as listed in Appendix 7. Policies for the protection of important trees and woodland are contained in the Natural Environment Chapter.

Privacy and Amenity

5.18 Good design is essential to create attractive and functional developments that enhance the quality of life of those who use them and preserve the amenities of adjacent properties. In order to reduce the pressure on greenfield sites and create more sustainable environments, the Government is promoting higher densities and a mix of uses in new developments. However, care must be taken to ensure that this does not lead to cramped developments, or to loss of privacy and other types of nuisance.

5.19 The aim should be to use a variety of forms, spaces, ancillary buildings, planting and boundary treatments to create privacy and amenity whilst achieving a more efficient and sustainable use of land. Overlooking of ground floor living rooms and private gardens will be a particularly important consideration where relevant. The sensitive design of entrances, access points and servicing arrangements will also be necessary in order to minimise disturbance to existing and future occupants.

5.20 Convenient access to open space will be an important consideration, particularly in larger developments. All open space should have a recognisable function in order to ensure that it makes a positive contribution to the development and maintenance arrangements can be clearly established and agreed. Space that does not have a clear function will become neglected and a potential crime risk. Open space provision is further addressed in the Leisure and Recreation Chapter.

Public Art

5.21 Public art can play an important role in enhancing local distinctiveness and a sense of place. The Council therefore encourages the inclusion of art works in public places, both through its own initiatives and through negotiations with developers. Public art can include permanent works of art created for specific places, artists working within a design team to integrate creative ideas and works into the fabric of a development, and temporary events and installations. In appropriate cases, contributions will be sought towards the provision of public art as part of major development schemes. The Council's Arts Development Officer can offer advice and expertise on commissioning public art in association with a development and managing the artist's contribution within the building programme.

Security

5.22 The Council has a duty, under the Crime and Disorder Act 1998, to ensure that appropriate measures are taken within all development proposals to deter crime. Careful regard should therefore be had to the detailed siting, design and layout of new development to reduce the likelihood of vandalism and the risk of personal attack. Measures which can reduce opportunities for criminal behaviour include:

- well-used or overlooked streets and spaces which maximise natural surveillance, in particular children's playgrounds and car parking areas
- a design which provides a clear definition of ownership and responsibility for each part of the development
- clear, direct and well-lit routes through a development for pedestrians and cyclists

5.23 Further guidance is available in the Sussex Police publication, *Secured by Design*, available from the Council Offices. In the case of larger residential and commercial proposals, applicants are advised to consult with the Local Crime Prevention Officer prior to the submission of a planning application.

Energy and Water Conservation

5.24 Development proposals will be expected to demonstrate a high standard of efficiency in the use of energy and water, in accordance with the principles of sustainability. In terms of reducing energy consumption, the detailed design of buildings is dealt with by the Building Regulations and largely falls outside of land-use planning controls. However, the siting, layout and orientation of a development to achieve energy efficiency should be an important consideration in new development proposals.

5.25 The Council gives a high priority to this issue and developers are encouraged to have regard to the following factors in designing new development:

- location with respect to micro-climate
- the use of heat recycling, solar energy and passive solar gain
- rainwater and greywater recycling
- maximising the efficient use of natural light
- use of materials with reduced energy inputs and low maintenance needs
- tree planting to provide shelter belts

5.26 Efficiency measure should not be achieved at the expense of appearance. Indeed, applicants will be expected to incorporate such measures appropriate to the building and its setting.

Design for people with mobility difficulties

5.27 The Council is committed to securing a more accessible environment for everyone, including wheelchair users, other people with disabilities, the elderly and those with infants in pushchairs. Legislation, including Part M of the Building Regulations and the Disability Discrimination Act 1995, requires anyone erecting a building, including dwellings, to make provision for safe and convenient access by disabled people. The policy set out below is intended to complement this legislation by ensuring that access issues are considered at an early stage in the development process, particularly in respect of public spaces and buildings.

5.28 All development to which the public will have access should make specific provision for

people who are mobility impaired wherever it is practicable and reasonable to do so. This provision will apply to extensions and changes of use to existing buildings as well as new buildings. The Council will expect applicants to provide a suitable means of access both to and within buildings, purpose-designed car parking spaces and appropriate signing. Regard should also be had to the layout, dimensions, and construction of pedestrian areas, and the location of street furniture and lighting.

5.29 Comprehensive guidance on the design of buildings and the external environment is contained in the *Sussex Coast and Countryside Access Guide*, which is available from the Council Offices. There is also a British Standards Institute Code of Practice (BS8300) to delivering building design that meets the needs of all, including people with disabilities. The Council has nominated an Access Officer who acts as a central point for guidance and advice. Standards for the provision of car parking for the disabled are contained in Appendix 2.

Policy BE2

Proposals for the development of land or buildings which are open to the public or used for employment or education purposes, including extensions, alterations and changes of use of buildings, will only be permitted if adequate provision is made wherever practicable and reasonable for safe and convenient access by people with impaired mobility.

Conservation Areas

5.30 Conservation Areas are designated under the Planning (Listed Buildings and Conservation Areas) Act 1990, which requires local planning authorities to determine which parts of their districts are areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance. There are thirty four Conservation Areas in Wealden, covering the historic parts of the following towns and villages:-

Alciston	Jevington
Alfriston	Litlington
Berwick	Maresfield
Cade Street	Mayfield
Chiddingfold	Old Heathfield

Cousley Wood	Pevensey & Westham
Crowborough	Ripe
Danehill	Rotherfield
East Dean	Rushlake Green
East Hoathly	Selmeston
Fletching	Uckfield
Forest Row	Wadhurst
Framfield	Waldron
Frant	Westdean
Hailsham	Withyham
Hartfield	Willingdon
Hellingly	Wilmington

5.31 Appraisals have been carried out for all Conservation Areas, detailing the contribution of the different features that combine to form the special interest that provides the basis for designation. These appraisals should be taken into account in formulating development proposals within a Conservation Area, since they carry significant weight in determining applications for both planning permission and Conservation Area or Listed Building consent. They are set out in individual designation reports, which are available from the Council.

5.32 The Council will continue to review existing Conservation Areas and prepare new appraisals in consultation with the public. In reviewing existing designations, the primary consideration will be the quality and interest of the area, rather than that of individual buildings and the Council will use the criteria set out in the English Heritage document *Conservation Area Appraisals* (1997).

5.33 Conservation Area designation is not aimed at prohibiting change but, rather, at ensuring that change is carried out sensitively and in a manner sympathetic to the character of the area. In order to assess the likely impact of a development proposal on the character and appearance of a Conservation Area, detailed plans and drawings will need to accompany any planning application. Outline applications for development will not be considered.

Policy BE3

Development within a Conservation Area must preserve or enhance the character or appearance of the Area and will only be permitted if the following criteria are met:

- (1) the scale, volume, form, design and detailing respect the characteristics of existing buildings in the area;**

- (2) the siting, density and plot coverage are compatible with neighbouring buildings and spaces and the historic settlement pattern;
- (3) the use and application of building materials and finishes is appropriate to the area. Walls, fences and gates should be of a type traditionally used in the area;
- (4) historic or locally distinctive features, such as boundary walls, ground surfaces, shop fronts and street furniture are retained and, where necessary, restored;
- (5) open spaces important to the character and appearance of the area are retained;
- (6) important views within and out of the area are retained;
- (7) trees, hedgerows and other landscape features contributing to the character and appearance of the area are retained and protected;
- (8) the character of the area would not be adversely affected because of traffic generation, vehicle parking and servicing, or noise.

5.34 With some minor exceptions, proposals for the demolition of unlisted buildings or structures in Conservation Areas require Conservation Area Consent. There is a general presumption in favour of retaining all unlisted buildings that make a positive appearance to the character or appearance of a Conservation Area. Where consent for demolition is approved, a condition will normally be attached to ensure that demolition shall not take place until a contract for the carrying out of works of redevelopment has been made.

Policy BE4

Development involving demolition within a Conservation Area will not be permitted unless:

- (1) the structure to be demolished either makes no positive contribution to the character or appearance of the area or it can be demonstrated that it is wholly beyond repair or incapable of a reasonable beneficial use; and

- (2) detailed proposals for the re-use of the site, including any replacement building or other structure, have been approved.

5.35 In accordance with Government advice in PPG15, *Planning and the Historic Environment*, careful consideration will also be given to proposals which are outside a Conservation Area but could nevertheless affect its character or appearance.

Policy BE5

Proposals for development outside of a Conservation Area, but which affect its setting or views into or out of it, should respect its character and appearance.

Buildings of Special Architectural or Historic Interest

5.36 Buildings which the Secretary of State, advised by English Heritage, considers to be of special architectural or historic interest are included on a list under the provisions of the Planning (Listed Buildings and Conservation Areas) Act 1990. The purpose of listing is to identify the best of the nation's built heritage and to give such buildings legal protection from demolition or alterations which might damage their character. There are over 2,500 such buildings in Wealden, detailed by parish in lists that are available for inspection at the Council Offices.

5.37 The extent to which a listed building can accommodate change without loss of special interest varies according to the individual circumstances. Careful attention needs to be given to the area around it, as well as to any works involved in alterations or extensions, including building materials, doors, windows and other architectural features. These and other issues affecting historic buildings are more fully explained in a series of Conservation Guidance Notes, available from the Council Offices and listed in Appendix 7.

5.38 In exceptional cases, in order to secure the retention of a listed building, the Council may consider relaxing planning policies or building control standards to allow the design of sympathetic additions, alterations or changes of

use. The Council provides advice to owners on building conservation and in certain instances, financial assistance may be available for repair and maintenance under the Council's Buildings Conservation Grant Scheme.

Policy BE6

Proposals to extend, alter or change the use of a listed building will only be permitted where it would preserve or enhance the building, its setting and any features of special architectural or historic interest the building possesses.

5.39 The Council places a high priority on preserving and, where necessary, improving listed buildings in recognition of their contribution to the quality of the historic environment. Demolition will only be permitted in exceptional circumstances and there is the expectation that owners of listed buildings will keep them in good repair, backed up by the use of statutory powers where necessary. Where such buildings are substantially unused, it is important that their potential for rehabilitation and the accommodation of new uses is fully investigated before redevelopment is contemplated.

Policy BE7

There is a general presumption in favour of the preservation of listed buildings, and proposals for their total or substantial demolition will not be permitted unless the following criteria are met:

- (1) all reasonable efforts have been taken to sustain the existing use or find viable new uses, and these efforts have failed;**
- (2) the preservation of the building in charitable or community ownership is not practicable;**
- (3) the redevelopment of the building would provide substantial community benefits which would decisively outweigh its loss.**

5.40 The Council will also give careful consideration to proposals which would affect the setting of a listed building. The setting may be limited to obviously ancillary land, including possibly parkland around a building, but may also involve land or properties some distance away. For instance, where a listed building forms an

important visual element in a street, any development in that street could be regarded as being within the setting of the building. Proposed high or bulky buildings and structures might also affect the setting of a listed building despite being some distance away.

Policy BE8

Proposals for development which would adversely affect the setting of a listed building will not be permitted.

Buildings of Local Interest

5.41 It is recognised that many buildings, which are valued for their contribution to the local scene or for local historical associations, will not merit statutory listing. Whilst some buildings will be protected by conservation area designation, many will have no protection. Consequently, in accordance with Government guidance, the Council has formulated a policy which seeks to retain buildings of local interest and prevent proposals that would adversely affect their character and appearance.

5.42 The Council in partnership with Town and Parish Councils, Town Partnerships and local amenity groups will draw up a list of Buildings of Local Interest which will be published, along with the criteria used for selection, as supplementary planning guidance at a later date. The local listing and policy does not mean that buildings enjoy the full protection of statutory listing.

Policy BE9

Redevelopment involving total or partial demolition of a Building of Local Interest will not be permitted unless:

- (1) the proposal would achieve an improvement on the quality of the built environment and the proposed replacement is of equal or better quality than the building it would replace; or**
- (2) it can be demonstrated that the condition of the building is such that the repair and maintenance costs for the building's**

retention, in its existing or in an appropriate alternative use, is prohibitive.

Development proposals that would be detrimental to the features, character or appearance of a Building of Local Interest will not be permitted.

Historic Parks and Gardens

5.43 A number of parks and gardens in Wealden are included in English Heritage's Register of Parks and Gardens of Special Historic Interest. These are set out below, classified according to the degree of importance of historic interest.

Bayham Abbey, Frant	(II)
Buckhurst Park, Withyham	(II)
Buxted Park, Buxted	(II)
Charleston Manor, Westdean	(II)
Eridge Park, Frant	(II*)
Groombridge Place, Groombridge	(II*)
Hammerwood Park, Forest Row	(II)
Heathfield Park, Heathfield	(II)
Herstmonceux Castle, Herstmonceux	(II*)
The Hoo, Willingdon	(II*)
Horsted Place, Little Horsted	(II)
Kidbrooke Park, Forest Row	(II)
Penns in the Rocks, Withyham	(II*)
Rotherfield Hall, Rotherfield	(II*)
Sheffield Park, Fletching	(I)
Wadhurst Castle, Wadhurst	(II)
Wych Cross Place, Maresfield	(II)

5.44 The extent of these sites is shown on the Proposals Map and details of each are given in English Heritage's Register, which is available for inspection at the Council Offices. Whilst no additional statutory controls follow from the inclusion of a park or garden on the Register, the Council seeks to protect their character, appearance and features from development which would harm their historic interest. It also encourages their conservation and restoration.

Policy BE10

Development will not be permitted if it would adversely affect the character, appearance, features or the setting of any registered Historic Park or Garden. Schemes to conserve, restore and manage the historic landscape will be sought in connection with

any development affecting a registered Historic Park or Garden.

Archaeology

5.45 There are over 400 sites of archaeological interest within the District, of which 103 are Scheduled Ancient Monuments. The latter are listed at Appendix 6 and are shown on the Proposals Map. More detailed maps showing the location and extent of all sites of archaeological interest are available for inspection at the Council Offices. Information and evidence from the County Sites and Monument Record is also available for reference.

5.46 PPG16, *Archaeology and Planning*, emphasises the importance of archaeology, pointing out that such remains are a finite, non-renewable resource which is particularly vulnerable to damage and destruction. Where nationally important archaeological remains, whether scheduled or not, and their settings, are affected by proposed development, there should be a presumption in favour of their preservation.

5.47 Where development proposals affect archaeological sites or areas of potential archaeological interest, including significant external or internal alterations to buildings or structures of historic interest, the applicant will be required to commission an appropriate professional assessment of the impact of their proposals on the archaeological and historical interest of the site in order to provide the Council with sufficient information to determine the application.

Policy BE11

There is a presumption against development which would adversely affect scheduled ancient monuments and other sites of national archaeological importance or their settings.

Policy BE12

Development proposals affecting archaeological sites or areas of potential archaeological interest, including significant external or internal alterations to buildings or structures of historic interest, will not

normally be permitted in advance of an adequate assessment of their archaeological implications.

Policy BE13

Where, exceptionally, planning permission is granted to develop a site of demonstrable archaeological importance, the applicant will normally be required to provide for the in situ preservation of valuable remains. On sites where this preferred approach is not justified, proper provision should be made for the excavation and recording of archaeological remains, together with publication of the results, and where appropriate the curation of remains, before development commences.

Enabling Development

5.48 'Enabling development' is development that is contrary to established planning policy - national or local - but which may exceptionally be justified in order to secure the future of heritage assets, such as listed buildings, scheduled monuments and historic landscapes. Its defining characteristic is that the gain from contravening planning policy subsidises a public benefit that could not otherwise be achieved. Thus, unlike most planning applications, financial issues will be central to determining this type of proposal.

5.49 There is increasing concern that such developments, put forward as a way of benefiting heritage assets, may often destroy more than they save. English Heritage therefore advises that there should be a clear presumption against enabling development and that permission should only be granted exceptionally where it can be satisfactorily demonstrated that the public benefits clearly outweigh the harm that would be caused. Such benefits must be securely and enforceably linked to the planning permission, normally through a planning agreement.

Policy BE14

Enabling development relating to heritage assets will not be permitted unless the following criteria are met:

- (1) the development will not materially detract from the archaeological, architectural, historic, landscape or biodiversity interest of the heritage asset or materially harm its setting;
- (2) the development avoids detrimental fragmentation of management of the heritage asset;
- (3) the development will secure the long-term future of the heritage asset and, where applicable, its continued use for a sympathetic purpose;
- (4) the problem that the development seeks to resolve arises from the inherent need of the heritage asset, rather than the circumstances of the present owner or the purchase price paid;
- (5) sufficient financial assistance is not available from any other source;
- (6) the amount of development is the minimum necessary to secure the future of the heritage asset and its form minimises disbenefits;
- (7) the value or benefit to the survival or enhancement of the heritage asset outweighs the long-term costs to the community of providing the enabling development.

5.50 In the consideration of the criteria set out in Policy BE13, careful regard will be had to the guidance set out in English Heritage's document, *Enabling Development and the Conservation of Heritage Assets* (2001).

Light pollution

5.51 The number of outdoor lights and their power have increased considerably over recent years and light pollution is now a prominent environmental concern. The scattering or spillage of artificial light can contribute to 'sky glow' at night and can be particularly intrusive within the rural environment. Furthermore it is wasteful of the Earth's finite energy resources and can lead to unnecessary emissions of greenhouse gases.

5.52 It is recognised that the lighting of buildings and roads is sometimes necessary for

night - time security or general safety reasons. In addition, floodlighting can enable land to be used more effectively e.g. by allowing the evening use of outdoor sports facilities. However the level and intensity of lighting should be appropriate to the character of the locality and unnecessary light spillage should be minimised. Care should also be taken to avoid harming the amenities of adjoining occupiers or distracting passing road users, particularly by the illumination of advertisements.

5.53 New lighting should be integrated with the surrounding environment and should be based on an assessment of the needs of the users, the location, the size of the space and the activities to be lit. Light fittings that have been designed to minimise the amount of light spilling on to neighbouring properties or shining up into the sky will be sought wherever possible. Where appropriate, planning conditions will be imposed to restrict the intensity or hours of illumination. Further guidance can be obtained from *Lighting in the Countryside: Towards Good Practice*, published by the Office of the Deputy Prime Minister.

Policy BE15

Development proposals which include external lighting will only be permitted if:-

- (1) the alignment of lamps and the provision of shielding minimises light spillage and glow from the site;**
- (2) the number of lamps and the intensity of light is no greater than is necessary to be compatible with safety and security objectives;**
- (3) the proposal does not adversely affect the character and amenity of the locality or the countryside.**

Advertisements

5.54 Advertisements and signs are generally regarded as essential to commercial and business activity. However, they can also detract from the character and appearance of a building or area through insensitive design, colour, size or

location. A proliferation of advertisements and signs can be particularly harmful to visual amenities and often duplicates information unnecessarily. Control over their display is exercised under the Town and Country Planning (Control of Advertisement) Regulations 1992. An explanatory guide to these regulations, *Outdoor Advertisements and Signs – A Guide for Advertisers* (DETR 1995), is available from the Council Offices.

5.55 Many signs need the 'express consent' of the Council, but some are exempt or benefit from 'deemed consent' provided that certain conditions are met. The Council can seek to remove an existing advertisement, displayed with 'deemed consent', if the sign is considered to cause substantial injury to the amenity of the locality or a danger to members of the public. In such instances, a 'Discontinuance Notice' may be served which requires the advertisement's removal.

5.56 The Council will seek to ensure that advertisements and signs within its control are carefully designed and sympathetic in terms of size, proportion, colour, materials, lettering, illumination and location, in order to avoid harm to the appearance or character of the area or risks to public safety. The appropriateness of an advertisement will therefore depend upon the characteristics of the locality in which it is located. In the countryside, advertisements should generally be more restrained and internally illuminated signs, in particular, are unlikely to be acceptable. Particular regard will be had to proposed advertisements and signs in the Areas of Outstanding Natural Beauty. Special attention will also be given to signs within Conservation Areas; often a non-standard design may be required to prevent damage to the sensitive environment of such areas.

5.57 It is advisable to have full regard to the signage requirements of a development at the outset. Advertisements and signs added as an afterthought often appear incongruous and may be unacceptable. Early consideration of the scope, siting and design of signs associated with new development, including conversions, is expected. There is specific concern over the proliferation of roadside signs, particularly in the countryside and it is the County Council's policy, as Highway Authority, only to allow direction signs when needed for traffic reasons.

Policy BE16

Consent will only be given for advertisements and signs which do not detract from the character of their surroundings or, where appropriate, the style, scale or proportion of the building, and which are otherwise acceptable in terms of amenity and public safety, either in themselves or together with other existing signage.

Telecommunications

5.58 Modern telecommunications make an important contribution to the life of local communities and the national economy. New technology in this field is spreading rapidly to meet the demand for better communications for businesses, homes and public services. The Council recognises the need to allow the telecommunications industry to develop efficiently and safely. However it remains concerned about the visual impact of telecommunication development, especially masts, which can potentially occur over a wide area. There is a need to balance the requirements of the telecommunications industry with the protection of the best and most sensitive environments.

5.59 In weighing the impact on the environment with the need for reasonable provision of equipment, careful consideration will be given to minimising the proliferation of new masts, antennae and radio base stations. Technical information will be required on how any free-standing proposal for network telecommunications is linked to the specific network and justification for siting, including reasons why the location of development is essential in terms of network coverage. Applicants for new masts will be expected to demonstrate that they have explored the potential for erecting antennae on an existing building, mast or other structure.

5.60 Siting and design considerations will take particular account of the visual impact of a mast and any associated development on the Areas of Outstanding Natural Beauty, other areas of landscape character defined in Chapter 4 that are sensitive to the introduction of such structures, Conservation Areas, Listed Buildings, Scheduled Ancient Monuments and their settings. Design, height and mass will be taken into account, together with the scope for landscaping and

screening. Recent environmental solutions in sensitive rural locations have included masts disguised as trees.

5.61 It is a requirement of the Code Systems Operators Licence that all equipment is removed once it is no longer in use. However, the Council will normally complement this provision by imposing a condition requiring the removal of masts and other apparatus when they are no longer needed for the approved use.

5.62 Growing concerns over the potential health risks associated with mobile phone masts prompted the Government to set up an independent study into the use of this technology. The resulting Stewart Report (May 2000) concluded that "the balance of evidence does not suggest that mobile phone technologies are a risk to health", but advised that a 'precautionary approach' should be taken at present. The precautionary approach was to adopt the International Commission on Non-Ionising Radiation Protection (ICNIRP) guidelines for public exposure. The Government accepted this and all new mobile phone base stations are expected to meet the ICNIRP guidelines.

5.63 It is recognised that public concern about the effects of a proposal on health can in principle be a material consideration in determining applications for planning permission. However, Government guidance states that if a proposed development meets the ICNIRP guidelines, it should not be necessary for a local planning authority, in processing an application, to consider further the health aspects or concerns about them.

Policy BE17

Proposals for telecommunications developments will be permitted where the following criteria are met:

- (1) the siting, design, materials and colour of the equipment, together with any associated landscape treatment, minimises the visual impact on the locality;**
- (2) existing buildings or other suitable structures are used to accommodate equipment, and for mounting antennae, where technically and operationally practicable;**

- (3) site and/or mast sharing is used, where technically and operationally practicable;**
- (4) necessary operating heights and sizes for masts, antennae and other equipment are minimised;**
- (5) it has been reasonably demonstrated that all technically feasible alternatives have been explored and that the proposal results in the least environmental harm.**

Satellite Television Dishes and Antennae

5.64 Satellite television dishes raise similar issues in terms of the need to meet changing demands for telecommunications apparatus whilst preserving the appearance of buildings and their surrounding environment. A useful summary of the relevant considerations and the circumstances in which planning permission is needed is given in *A Householder's Planning Guide for the Installation of Satellite Television Dishes* (DETR 1998), which is available from the Council Offices.

5.65 A domestic satellite dish installed under permitted development rights must be sited, as far as practicable, in such a way that minimises its impact on the external appearance of the building to which it is to be attached. Where the Council considers that a satellite dish is poorly sited, it may require the dish to be re-positioned less conspicuously. It is therefore advisable to discuss the siting of such apparatus with the Council prior to its installation. Where a satellite dish is no longer needed, it should be removed.

5.66 Where planning permission is required for the installation of a satellite dish, the Council will seek to ensure that the visual impact is minimised through careful siting and the use of appropriate design, materials, and colour. Communal facilities will be encouraged, where practicable, in order to avoid the need for a proliferation of installations. When telecommunications facilities are likely to be required by the occupiers of a new development, the Council will expect the developer to incorporate provision for this into the overall design of the scheme from the outset.

Policy BE18

Proposals for satellite dishes or antennae on a building or within its curtilage will be permitted where the following criteria are met:

- (1) the siting, design, materials and colour of the equipment would not have a significant adverse effect upon the appearance or setting of the building concerned or upon the amenities of neighbouring properties;**
- (2) the total number of satellite dishes and antennae sited on the building concerned, or within its curtilage, together would not have a significant adverse effect on the appearance or setting of the building or be intrusive in the surrounding locality.**

Hazardous Sites

5.67 Certain sites and pipelines are designated as notifiable installations by virtue of hazardous substances stored or otherwise present. Such installations are subject to the Planning (Hazardous Substances) Regulations 1992 and the Planning (Control of Major-Accident Hazards) Regulations 1999. Whilst it is not the role of the planning system to enforce the legislation covered by other bodies, it is appropriate to address the land use issues including the siting of new installations and development in the vicinity of such establishments.

5.68 To reduce the risk of accidents and to reduce the risk to people, there is a need to maintain appropriate distances between establishments where hazardous substances are present and residential areas, areas of public use and areas of particular natural sensitivity or interest. This should be achieved through controls on the location of new establishments at which hazardous substances are present, controls on extensions and alterations at existing establishments and controls on new developments in the vicinity of existing establishments.

5.69 Subject to other policies of this Plan proposals for development involving the storage, use, production or transportation of hazardous substances will only be permitted where it can be

demonstrated that there would be no unacceptable risk to the public, the environment or neighbouring land uses. New development in the vicinity of existing hazardous installations will only be permitted where it can be demonstrated that it would not result in the amenities of the future occupants of the proposal being adversely affected by the operations of the existing uses.

5.70 In accordance with the Town and Country Planning (General Development Procedure) Order 1995 (Article 10) and DETR Circular 04/2000 and associated regulations, the Council will consult the Health and Safety Executive where applications are received for any proposed notifiable installations, or for certain categories of development in the vicinity of an existing notifiable installation, including residential accommodation and commercial accommodation in excess of 250sqm. The consultation distances vary according to the substances involved and the zones are subject to review and may vary over the Plan period. Applicants may be requested to provide additional information on the development proposal and potential risks for the implications to be fully considered.

Policy BE19

Development involving the use, movement, storage or production of a hazardous substance will not be permitted if it would cause an unacceptable additional risk to other land uses.

Development in the vicinity of a site where hazardous substances are known to be present or which are used for the purposes of the movement, storage, or production of hazardous substances, or within the consultation distances of a notifiable installation will not be permitted if there would be an unacceptable risk to the users or occupiers of the development.

Safeguarding of Civil Aerodromes and Technical Sites

5.71 Some civil and military aerodromes, selected on the basis of their importance for the national air transport system or their strategic importance for defence are officially safeguarded to ensure that their operation and development are not inhibited by buildings, structure and other

works and development. A similar safeguarding applies to ground based technical and navigation equipment required for the operation of certain aerodromes and where specifically agreed for privately operated airfields. Wealden District is affected by safeguarding which applies to Gatwick Airport and Deanland Airfield at Ripe, as well as that applying to technical sites, including, the Mayfield Navigation Beacon at High Hurstwood, Seaford Beacon, and Pease Pottage, and Herstmonceux Meteorological Station. The safeguarded areas are shown on the Proposals Map but are neither the responsibility nor the proposal of the Council.

5.72 The Town and Country Planning (Safeguarded Aerodromes, Technical Sites and Military Explosive Storage Areas) Direction 2002 and Circular 1/2003 require local planning authorities to consult with the relevant aerodrome operator of the Ministry of Defence before granting planning permission for certain types of development, falling within the safeguarded areas, including:

- (1) Any proposal for a windfarm within the boundary of Wealden District;
- (2) tall buildings, structures and other works, including major landscaping and wetland creation proposals within the safeguarding areas for Gatwick Airport and Deanland Airfield (Ripe);
- (3) Buildings, structures and other works in the vicinity of other technical sites.

5.73 Applications within the safeguarded areas should be accompanied by details of the elevation of the site (to an accuracy of 0.25m AOD), the layout, dimensions and heights of proposed buildings and structures, together with details of proposed materials so that the potential for radar reflection or interference can be considered. In some instances, information on landscaping, including the creation of wetland or waterbodies, may also be required to assess the potential for bird strike hazard. The requirement for information on development proposals within the safeguarded areas applies to all types of planning applications, including outline applications, renewals, reserved matters or amendments. Consultations with the relevant bodies may result in permission being refused or in restrictions being placed on development. In some instances, applicants may need to undertake a full risk assessment.

Policy BE20

Development within the safeguarded areas for aerodromes and technical sites, as shown on the Proposals Map, will only be permitted if it would not prejudice the interests of defence, air transport and the safe and optimum operation and development of aerodromes and sites.