



Historic England

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Date: 09/04/2020

Dear Sir or Madam

## Rusper Neighbourhood Plan: Regulation 16 Consultation

Thank you for inviting Historic England to comment on the above document. As the government's adviser on the historic environment, we are keen to ensure neighbourhood plans make adequate provision for the conservation and enhancement of the historic environment. Our comments are limited to the matters concerning the historic environment, in line with our remit.

### Vision & objectives

Historic England supports the vision and the reference to respecting Rusper's heritage. Within the section on objectives, heritage is again referenced, grouped with some other objectives:

*"5.2. The key objectives of the Neighbourhood Plan are:*

...

- *continue to be a distinctive, vital and thriving community where its identity, heritage and aspirations for the future are valued, protected and promoted".*

Again, we are supportive of the reference to heritage, but we suggest the reference to heritage could be more effective if it was drafted as a separate objective (rather than grouped as it is with distinctiveness, vitality, a thriving community, identity, and aspirations. This is because, while all these objectives are important, heritage policy is a distinct body of national policy with the overall objective of *conserving and enhancing the historic environment*. It contains a number of special terms, with established definitions, such as 'conserve', 'enhance' and 'historic environment'. Therefore, if the Rusper Neighbourhood Plan objective relating to heritage is fully



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aligned with national policy, the objective is likely to be implemented more effectively. We suggest a new objective of: “the historic environment is conserved and enhanced.”

Section 5.3 gives some more detail about the objectives. However, bullet vi only refers to housing, rather than heritage (and the other parts of Objective 5). To avoid confusion, we suggest this should be rewritten. If our point about moving ‘heritage’ into a separate objective, this explanatory section could discuss what conserving and enhancing the historic environment means in the context of the parish of Rusper, including the commitment to undertake an appraisal of the conservation area to support the forthcoming review of the neighbourhood plan.

## Land use policies

Historic England welcomes the range of issues addressed by Policy RUS3 and the identification of elements of the local environment that are considered to be important, such as key views. We also welcome the high standards of design and the policy seeks to achieve. However, we are concerned that the way the policy is constructed could introduce some confusion into the application of heritage policy. This is because while design and heritage policies often closely interact with each other, they are fundamentally different. Heritage policy requires an understanding of the significance of any affected heritage assets and an assessment of the impact development would have on those assets. The principle of whether development would be appropriate often turns on the outcome of this assessment. By contrast, in design policy generally, and in the case of Policy RUS3, the policy is constructed on the basis that the principle of development has already been accepted, and the policy provides for how the development should be implemented. While the NPPF and the local plan will continue to apply, the possibility of confusion would remain, if policy RUS3 is retained in its current form, and therefore we consider that the policy is not consistent with the NPPF<sup>1</sup>. We believe this issue could be remedied, with the insertion of a new sentence into the first paragraph of RUS3. We suggest the first paragraph could be amended so that it has the following effect:

“Proposals for new development, including extensions to existing buildings, must be of the highest design standards, and will be required to reflect the character and scale of surrounding buildings. **Proposals that affect heritage assets will be assessed in accordance with the local plan and the NPPF. Additionally,** pProposals should have specific regard to:”

The final paragraph refers to the National Model Design Code. As this document has not yet been published, we suggest also referring to the National Design Guide here.

We note that the Rusper Conservation Area currently lacks an appraisal, but that an appraisal will be done through the review of the neighbourhood plan, expected to commence in 2021, with the potential to include site allocations. Historic England

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<sup>1</sup> Paragraph 16 (d)



agrees that an appraisal of the conservation area is not essential as part of the current neighbourhood plan, as no site allocations are proposed. However, an appraisal is likely to be an essential part of the evidence base for the forthcoming neighbourhood plan review, if any sites are proposed within the conservation area or its setting.

We support the identification of key views in the policy and the supporting text. We also support the identification of local heritage assets in Policy RUS4, the supporting text and Appendix A Heritage Report. The assessment considerations identified in Policy RUS4 are consistent with those of the Framework<sup>2</sup>.

Yours faithfully



Historic Environment Planning Adviser

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<sup>2</sup> Paragraph 197

