



Managing change within an historic environment

- 8.1 The quality of Brighton & Hove's historic environment is outstanding. When people think of the Brighton & Hove area they often conjure up images of the Royal Pavilion, the piers and promenade, Regency and Victorian terraces and the historic village of Rottingdean. This unique 'sense of place' deserves to be protected and is important in the promotion of tourism and the economy in general. Many of the local consultees involved in the preparation of this Plan highlighted the importance of the historic environment to them when they identified older buildings as one of the main contributors to the appearance of Brighton & Hove and felt they should be retained and restored.
- 8.2 The historic environment is a central part of our cultural heritage and contributes to a sense of national identity. It is an irreplaceable record, which helps us to understand both our present and past. The council will therefore continue to operate policies that seek to protect and enhance the buildings and areas that contribute to this fine and valued legacy. This will inevitably present challenges as the city seeks to accommodate changes in economic and technological trends and the way we choose to live. The historic environment has proved itself in the past to be adaptable and flexible to changing needs and can contribute greatly to the need for future sustainable development. Nevertheless, an integrated approach involving innovative thinking will be required in order to tackle all the various issues surrounding new developments within the historic environment. Such an approach is essential for the prosperity of Brighton & Hove and to promote its image as 'the place to be'.

HE1 Listed Buildings

Proposals involving the alteration, extension, or change of use of a listed building will only be permitted where:

- a. the proposal would not have any adverse effect on the architectural and historic character or appearance of the interior or exterior of the building or its setting; and b. the proposal respects the scale, design, materials and finishes of the existing building(s), and preserves its historic fabric.**

- 8.3 Listed buildings are of national importance due to their architectural and historic interest. In Brighton & Hove they contribute greatly to the image of the city as an attractive place to visit and in which to invest; they also provide much of the city's low cost housing accommodation.
- 8.4 Brighton & Hove has a wealth of stunning historic architecture. Renowned for its Regency stucco architecture, the area also has a wide range of buildings of the highest quality from all historic periods, including the Victorian era and the middle part of the 20th century. There are now some 3,600 listed buildings in Brighton & Hove. Few are still in the form or use as first built and certainly those that predate the 19th century most likely include features of interest from a number of periods of history. There will be opportunities for further sensitive alterations to and/or changes of use for these buildings, particularly where necessary to secure their viable future and to maintain their contribution to the prosperity of the town. Nevertheless, the retention of the original use will normally be the most appropriate and any new use must respect the internal plan, form and features and should maintain quality of design.
- 8.5 Many buildings however, have lost a good deal of their special interest through unsympathetic alterations. For example, to roofs, doors and windows and facades - including the removal of bays, balconies and canopies or the addition of incongruous additions such as alarm boxes, boiler flues and waste pipes. The cumulative effect of such alterations is nearly always to cause harm to their historic character and contribution to the wider historic environment. The planning authority will take a rigorous approach in protecting these buildings, especially in relation to ensuring their care and maintenance and the quality of any alterations that are undertaken. Further advice regarding alterations to listed buildings is provided in supplementary planning guidance, which is consistent with government guidance set out in PPG 15 'Planning and the Historic Environment', for example, making use of section 215 notices of the 1990 Planning Act and sections 47/48 and section 54 of the Planning (Listed Building and Conservation Areas) Act 1990. Conservation advice is available from the council and owners considering changes to their listed property are encouraged to take such advice at an early stage. See SPGBH 11 Listed Building Interiors and SPGBH 13 Listed Buildings - general advice.
- 8.6 Policy HE1 has particular links with the following in this Plan: the other policies relating to listed buildings; conservation areas; archaeology; design; external lighting; advertisements; blinds; landscaping; open space; densities; telecommunications; nature conservation; and species protection.

HE2 Demolition of a listed building

Development involving the demolition or major alteration of a listed building will not be permitted save in exceptional cases where all the following criteria can be met:

- a. clear and convincing evidence has been provided that viable alternative uses cannot be found, through, for example the offer of the unrestricted freehold of the property on the market at a realistic price reflecting its condition and that preservation in some form of charitable or community ownership is not possible;
- b. the redevelopment would produce substantial benefits for the community which would decisively outweigh the resulting loss from demolition or major alteration; and
- c. the physical condition of the building has deteriorated, through no fault of the owner / applicant for which evidence can be submitted, to a point that the cost of retaining the building outweighs its importance and the value derived from its retention. A comprehensive structural report will be required to support this criterion.

Demolition or major alteration will not be considered without acceptable detailed plans for the site's development. Conditions will be imposed in order to ensure a contract exists for the construction of the replacement building(s) and / or for the landscaping of the site prior to the commencement of demolition.

Before any demolition or major alteration takes place, applicants may be required to record details of the building by measured drawings, text and photographs, and this should be submitted to and agreed by the planning authority.

- 8.7 There is a general presumption in favour of the preservation of listed buildings. It is important that these buildings are given maximum protection. Indeed there is a statutory duty on local planning authorities to 'have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'. Demolition will be acceptable only in very exceptional circumstances.
- 8.8 Government guidance set out in PPG15 'Planning and the Historic Environment' advises that once lost, listed buildings cannot be replaced; and they can be robbed of their special interest as surely by unsuitable alteration as by outright demolition. They represent a finite resource and an irreplaceable asset. During the last 25 years no consent has been given to demolish a listed building in either Brighton or Hove, except where collapse has been so sudden and unexpected as to be irretrievable. Many listed buildings have been rescued from near collapse and now make a very positive contribution to the historic environment and the prosperity of the 'towns'.

- 8.9 The council will maintain a 'listed buildings at risk' register and where necessary take legal action to secure the proper preservation and repair of the area's listed buildings. 'Enabling development' may occasionally be considered in order to finance the rescue and secure the future of a listed building. In such instances, regard will be given to English Heritage's statement 'Enabling Development and the Conservation of Heritage Assets' which sets out a rigorous approach to assessing enabling development.
- 8.10 Grant assistance may be available toward the cost of major repairs to listed buildings, particularly those so dilapidated and / or without economic use as to make repairs financially unviable.
- 8.11 Policy HE2 has particular links with the following in this Plan: the policies relating to minimisation and reuse of construction industry waste; efficiency in development; design; listed buildings; conservation areas; historic parks and gardens; archaeology; densities; nature conservation; and species protection.



HE3 Development affecting the setting of a listed building

Development will not be permitted where it would have an adverse impact on the setting of a listed building, through factors such as its siting, height, bulk, scale, materials, layout, design or use.

- 8.12 The setting of a listed building is often an essential part of the building's character, especially if a garden or grounds have been laid out to complement its design or function. It will rarely be considered appropriate to develop within the grounds of a listed building or to partition off a garden to a listed building, particularly where the remaining grounds would appear mean or undersized relative to the size and status of the listed building. Such partitioning of gardens can also affect the future economic viability of historic buildings. The visual effect of so called 'enabling development' within the curtilage of a listed building, which is intended to assist in the restoration of a listed building, will be critically examined.
- 8.13 Moreover, listed buildings should not be considered in isolation. They invariably contribute to a wider landscape or street scene and are often designed in the context of a larger estate or to be viewed from particular street views. Preserving the skyline above historic buildings may also be important and proposals for development, which may affect near or distant views to and from listed buildings, will be critically examined. All likely adverse consequences of development, including physical development such as street furniture and advertising within the street or on frontages immediately adjoining the listed building, will also be critically examined.
- 8.14 Policy HE3 has particular links with the following in this Plan: the policies relating to design; listed buildings; conservation areas; historic parks and gardens; archaeology; landscaping; trees; open space; densities; telecommunications; and nature conservation.

HE4 Reinstatement of original features on listed buildings

Where appropriate, the planning authority will require - in conjunction with applications for a change of use, alteration or refurbishment - the reinstatement of original features on listed buildings, such as: mouldings, traditional doors and windows.

- 8.15 It is important to preserve and where possible to reinstate original features of buildings that are protected due to their special historical / architectural interest. The planning authority will take the opportunity, therefore, to secure enhancements to these buildings for the benefit of the wider community and to enable future generations to experience the buildings and learn from them. Neither conjectural restorations nor restoration work that would destroy important later phases of a building's development will be permitted.
- 8.16 The implementation of this Policy may be assisted by obtaining advice at an early stage in the preparation of proposals from the council's Design and Conservation team. Grants may also be available toward the cost of reinstating traditional shopfronts or missing architectural features.
- 8.17 Policy HE4 has particular links with the following in this Plan: the policies relating to design; shopfronts; and listed buildings.

HE5 West Pier

~~The restoration and re-use of the West Pier must preserve its architectural integrity. New uses which exclude public access to the Pier will not be acceptable.~~

~~New development on land beside the West Pier will be acceptable provided it forms part of a proposal for the restoration and re-use of the Pier. This enabling development must not materially detract from the architectural and historic interest of the Pier or harm its setting. It must be demonstrated to be the minimum amount necessary to secure the viable future of the West Pier and that its form minimises disbenefits. A legal agreement will be sought in order to link this development to the restoration and long term future of the Pier.~~

- 8.18- Brighton & Hove City Council accepts that the Pier itself is unlikely to be able to generate sufficient income to secure its future and that some form of enabling development is therefore required. Land side development will have to be of a scale and height that causes no harm to the Regency Square Conservation Area and will preserve the setting of the West Pier.
- 8.19- There are a wide range of possible appropriate uses both on the Pier itself and in an enabling development. Uses in both locations must take account of the location of the Pier site in the wider residential context. On the Pier, appropriate uses are those that preserve its architectural integrity. Appropriate uses in the enabling development are likely to be 'leisure' uses, which complement the Pier and other adjoining seafront uses, including those proposed within the Seafront Development Initiative (SDI). They should have activity over an extended season and must ensure the continued maintenance of the Pier. External works to the enabling development should have regard to the landscape themes established under the SDI.
- 8.20- The council strongly supports the principle of a competitive architectural selection process to ensure that any development is of the very highest architectural quality. The planning authority will pay particular note to the English Heritage guidance note on 'Enabling Development and the Conservation of Heritage Assets' in considering any application for enabling development. Policy HE5 has particular links with the following in this Plan: the policies relating to design; listed buildings; conservation areas; seafront recreation; coastal defences; and development within the coastal zone.

HE6 Development within or affecting the setting of conservation areas

Proposals within or affecting the setting of a conservation area should preserve or enhance the character or appearance of the area and should show:

- a. a consistently high standard of design and detailing reflecting the scale and character or appearance of the area, including the layout of the streets, development patterns, building lines and building forms¹;
- b. the use of building materials and finishes which are sympathetic to the area;
- c. no harmful impact on the townscape and roofscape of the conservation area²;
- d. the retention and protection of trees, gardens, spaces between buildings, and other open areas which contribute to the character or appearance of the area;
- e. where appropriate, the removal of unsightly and inappropriate features or details; and
- f. the retention and, where appropriate, the reinstatement of original features such as chimneys, chimney pots, gates, railings and shopfronts and small scale architectural details such as mouldings which individually or cumulatively contribute to the character or appearance of the area³.

Proposals that are likely to have an adverse impact on the character or appearance of a conservation area will not be permitted.

- 8.21 There are 33 conservation areas in Brighton & Hove, in which areas the planning authority has a duty to pay special attention to the desirability of preserving or enhancing their character and appearance. For each conservation area the council has, or is in the process of preparing, an individual character assessment and visual appraisal detailing the area's distinctive qualities. When considering proposals affecting a conservation area, including changes of use and traffic calming measures, the planning authority will have regard to the need to preserve or enhance the character or appearance of the area as detailed in these assessments / appraisals.
- 8.22 The council will review the existing conservation areas and their boundaries from time to time and as part of a city wide review, following public consultation, will assess which, if any, additional areas may merit designation as a conservation area.

¹ With regard to criterion (a), in respect to buildings that contribute to the area's character or appearance, the alteration of the style and detail of traditional panelled timber doors and timber sliding sash, or original timber or metal casement windows, will be resisted.

² With regard to criterion (c), alteration to roofs including the insertion of roof dormers or roof lights will be considered against the guidance in the council's Supplementary Planning Guidance note BH1 'Roof Alterations and Extensions' and subsequent revisions.

³ With regard to criterion (f), the removal of boundary walls, fences, railings, gates and formation of car hardstandings will be resisted.

Conservation Area Name	Date of Designation	Date of Extension
Avenues (The)	September 1985	July 1989
Benfield Barn	June 1989	
Brunswick Town	May 23 1969	June 1978
Clifton Hill & Montpelier	February 1973	January 1977, November 2005 (name change only)
Cliftonville	May 23 1969	September 1985
College	April 1988	
Denmark Villas	July 17 1984	
Drive (The)	1977	September 1985
East Cliff	February 1973	January 1977 June 1989 June 1991 September 2002
Engineerium	1982	
Hangleton	1984	
Hove Station	December 1996	
Kemp Town	September 1970	January 1977
North Laine	January 1977	September 1989 February 1995
Old Hove	February 1997	
Old Town	February 1973	January 1977
Ovingdean	September 1970	
Patcham	September 1970	September 1992
Pembroke & Princes	July 1989	
Portslade Old Village	1974	
Preston Park (Formerly Preston)	September 1970	January 1977 November 1980 Split June 1988 Further extension June 1995
Preston Village (Formerly Preston)	September 1970	January 1977 November 1980 Split June 1988
Queens Park	January 1977	
Regency Square	February 1973	January 1977, November 2005
Rottingdean	September 1970	
Round Hill	January 1977	
Sackville Gardens	February 1997	
Stanmer	September 1970	June 1988
Tongdean Ave / Road	June 1989	
Valley Gardens	February 1973	January 1977 June 1988 June 1989 September 1989 February 1995 October 1995
West Hill	January 1977	June 1988 February 1995
Willett Estate	July 1989	
Woodland Drive	December 1996	

- 8.23 Some possible future designations were indicated in the former Hove Borough Local Plan. These areas and other similar areas will be tested against approved selection criteria, which will endeavour to maintain the status of conservation areas and ensure the concept is not devalued.
- 8.24 In conservation areas, the planning authority will give special regard to matters of detailed design to avoid the gradual erosion of character. The retention of architectural features, which contribute to the appearance of buildings in conservation areas, is vital. The planning authority will seek the reinstatement or repair of such features when considering applications for planning permission and will also do its utmost to prevent the removal of features such as curtilage walls and chimneys. Trees are also important features within conservation areas and should therefore be retained. If this is not possible, the planning authority will seek suitable replacements in appropriate locations. Similarly, where a proposal involves changes within the street, the planning authority will seek the retention of traditional street furniture and surfaces such as cast iron lamp-posts, natural stone paving and kerbstones.
- 8.25 The loss of original features to those buildings that contribute to an area's special character is nearly always harmful to the quality of the area. Much of this visual harm is a consequence of 'permitted development' rights. In many conservation areas 'Article 4 Directions' are now in force which bring under planning control minor alterations to properties, such as alterations to front boundary walls and the painting of facades and, in respect of houses, alterations to doors, windows, roofs and chimneys. Article 4 Directions will be sought for other conservation areas where, after review, it is clear that the area's appearance and special architectural interest is being harmed.
- 8.26 Further guidance on alterations to existing properties, including to doors, windows, roof extensions and shop fronts is provided in the form of supplementary planning guidance (SPGs) or Supplementary Planning Documents (SPDs). Planning briefs will be prepared for sites in conservation areas, which are identified in conservation area studies as causing harm to the area's character.
- 8.27 Particular attention will be given to the impact of proposed changes of use on a conservation area. The mix of uses can be an important element of the character of a conservation area. For example, the North Laine Study seeks to protect warehouses, light industrial uses and shop uses in certain streets because these are an important element of the North Laine's character. (See also Policy EM10 in Chapter 5 'Supporting the economy and getting people into work'.)
- 8.28 The implementation of Policy HE6 will be assisted by applicants entering into discussions with the council's Design and Conservation team at an early stage in the preparation of proposals. Grants may also be available toward the cost of reinstating traditional shop fronts or missing architectural / original features.
- 8.29 Policy HE6 has particular links with the following in this Plan: the policies relating to design; conservation areas; listed buildings; historic parks and gardens; shopfronts; blinds; advertisements; landscaping; trees; open space; densities; telecommunications; nature conservation; and external lighting.

~~HE7 Land adjoining Pavilion Street, Princes Street and 3-4 Old Steine~~

~~Infill development of the highest architectural quality, will be permitted on the open land and surface car parking north and west of 3-4 Old Steine. This should include the council owned landscaped strip beside Pavilion Parade.~~

~~The site must be developed imaginatively and comprehensively with all new building of a size and scale appropriate to its location within the Valley Gardens Conservation area and adjoining the Royal Pavilion.~~

- ~~8.30- Historic building frontages to Pavilion Street and Pavilion Parade including 1 and 2 Old Steine were demolished many years ago in part to accommodate road widening proposals. The frontage to Pavilion Parade opposite the Royal Pavilion has been opened up to expose the flank wall to 3 Old Steine, and create a gap in the area's traditional and characteristic terraced form.~~
- ~~8.31- This is a challenging site, requiring careful attention to detail and imaginative design if the site's development opportunities to improve the appearance of the street scene are to be realised. The site is both prominent and visually sensitive. Policy HE7 has particular links with the following in this Plan: the policies relating to design; conservation areas; and development within the setting of a listed building.~~



HE8 Demolition in conservation areas

Proposals should retain buildings, structures and features that make a positive contribution to the character or appearance of a conservation area. The demolition of a building and its surroundings, which make such a contribution, will only be permitted where all of the following apply:

- a. **supporting evidence is submitted with the application which demonstrates that the building is beyond economic repair (through no fault of the owner / applicant);**
- b. **viable alternative uses cannot be found; and**
- c. **the redevelopment both preserves the area's character and would produce substantial benefits that would outweigh the building's loss.**

Demolition will not be considered without acceptable detailed plans for the site's development. Conditions will be imposed in order to ensure a contract exists for the construction of the replacement building(s) and / or the landscaping of the site prior to the commencement of demolition.

- 8.32 The planning authority will apply the general presumption in favour of retaining buildings, including boundary walls, which make a positive contribution to the character or appearance of a conservation area. The planning authority will not grant consent to demolish a building in a conservation area, simply because redevelopment is economically more attractive, or because the developer acquired the building at a price that reflected the potential for redevelopment rather than the condition and constraints of the existing building. Any decision concerning demolition within a conservation area will, therefore, reflect this and government guidance set out in PPG15 'Planning and the Historic Environment'.
- 8.33 The planning authority will support the removal of buildings, which are identified in the character appraisals as harming the character or appearance of a conservation area. Before demolition is allowed, detailed planning permission must first be granted for a replacement building and evidence of a contract for the replacement building must have been submitted to the council. Through Policy HE8, the planning authority will endeavour to reduce the number and impact of vacant unsightly gap sites on the historic environment. Where demolition is permitted, waste building materials must be kept to a minimum and traditional materials salvaged for reuse.
- 8.34 This Policy has particular links with the following in this Plan: the policies relating to minimisation and reuse of construction industry waste and the associated SPD 'Construction and Demolition Waste'; efficiency in development; design; listed buildings; conservation areas; historic parks and gardens; archaeology; densities; nature conservation; and species protection.

HE9 Advertisements and signs within conservation areas and on, or in the vicinity of a listed building

Advertisements and signs within conservation areas and on, or in the vicinity of a Listed Building will only be allowed where:

- a. **they do not have any adverse effect on the architectural and historic character or appearance of the building, on a conservation area or on their settings;**
- b. **the advertisement and / or sign relates to the function of the premises upon which it is displayed;**
- c. **the type of material chosen respects the character / appearance of the building and / or area; and**
- d. **if illumination is required, the advertisement and / or sign has individually halo or internally illuminated letters on an unlit fascia, or is externally spot-lit.**

Internally illuminated fascia and / or projecting advertisements and / or signs will not be permitted.

When considering such proposals, particular attention will be given to the criteria set out in the 'Advertisements and Signs' Policy (QD12).

- 8.35 The planning authority will pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area and a listed building and its setting when considering the impact of proposed outdoor advertisements and / or signs on amenity and public safety. Freestanding advertisement and / or sign display boards on forecourts or footways and high level 'banner' style advertisements and / or signs on the exterior of buildings add inappropriate visual clutter to the street scene and are unlikely to be acceptable within conservation areas and on, or in the vicinity of, a listed building.
- 8.36 Advertisements and signs are often fixed so as to conceal original fascia detail, including original timber or rendered fascia, cornices and corbelling, to the detriment of the building's character. These features must be preserved and retain visual prominence.
- 8.37 To complement Policy HE9, the planning authority will take a pro-active approach to the enforcement of advertisement and sign controls in relation to conservation areas and listed buildings, including, where expedient, discontinuance action to secure the removal of adverts/signs erected under deemed consent. This may involve targeting specific 'historic shopping streets' as part of corporate regeneration or community safety initiatives, where the adverts or signs are considered to have a harmful effect on visual amenity or public safety.
- 8.38 Policy HE9 is consistent with the Plan's other policies concerning advertisements and signs, hoardings and blinds which are detailed in Chapter 3 'Design, safety and the quality of development'. To complement this Policy, guidance on advertisements and signs in conservation areas and listed buildings will be published by the council.

HE10 Buildings of local interest

The planning authority will seek to ensure the retention, good maintenance and continued use of buildings of local interest. Whilst not enjoying the full protection of statutory listing, the design and the materials used in proposals affecting these buildings should be of a high standard compatible with the character of the building.

- 8.39 Government guidance set out in PPG15 'Planning and the Historic Environment' (1994) advises that many buildings, which are valued for their contribution to the local scene, or for local historical associations, will not merit statutory listing, but can have local architectural or historic value. The council has drawn up lists of locally important buildings for Brighton & Hove, which have been approved and will be published and regularly updated in consultation with local people. The review of the Brighton statutory list added many buildings from the Brighton local list, which in consequence now requires updating. The Hove list was last reviewed in 1997.
- 8.40 Local criteria for selecting buildings of local interest are as follows: those with historic interest will include buildings whose former use effectively reflects the development of the community; which display physical evidence of periods of local economic or social significance; or which have connections with well known local historic events, people or designers. Buildings with architectural significance will be buildings of quality of a particular architectural style or period, a good example of a particular local building or buildings displaying good innovation or craftsmanship. Such buildings remain substantially unaltered and retain the majority of their original features. Included on this list will be buildings that may merit statutory listing and which may be listed buildings in the future. In essence, buildings of local interest will equate in quality to buildings in conservation areas, but are on the local list either because they are of an unusual style within a conservation area or if outside a conservation area because they do not form part of a group that justifies the formal designation.
- 8.41 The implementation of Policy HE10 will be assisted by applicants entering into discussions with the council's Design and Conservation Team at an early stage in the preparation of proposals.
- 8.42 Policy HE10 has particular links with the following in this Plan: the policies relating to design; external lighting; densities; demolition; and landscaping and trees.

HE11 Historic parks and gardens

Planning permission will not be granted for proposals that would harm the historic structure, character, principal components or setting of an area included in the Register of Parks and Gardens of Special Historic Interest in England.

8.43 English Heritage has compiled a 'Register of Parks and Gardens of Special Historic Interest in England'. Currently the historic parks and gardens in Brighton & Hove included on this register are:

- Stanmer Park
- Kemp Town Enclosures;
- Queens Park;
- The Royal Pavilion Estate;
- Preston Manor grounds, including Preston Park and The Rookery; and
- Woodvale Cemetery.

8.43 Government guidance set out in PPG15 'Planning and the Historic Environment' (1994) advises that the effect of proposed development on a registered park or garden or its setting, is a material consideration in the determination of a planning application. Policy HE11 therefore seeks to protect such areas. The sites included on the register are identified on the Proposals Map. Consideration is being given to the drawing up of a local list of historic parks and gardens. Protection of parks and gardens on a local list would be provided by Policy QD20 'urban open space'.

8.45 Where feasible the planning authority will seek the removal of structures and uses that detract from the special historic interest of areas included in the Register of Parks and Gardens of Special Historic Interest and any restoration work will be based on sound research of lost or damaged structures and landscaping features.

8.46 The implementation of this Policy will be assisted by applicants entering into discussions with the council's Design and Conservation Team at an early stage in the preparation of proposals. Policy HE12 has particular links with the following policies: the policies relating to urban open spaces; design; conservation areas; setting of a listed building; external lighting; landscaping and trees; archaeology; telecommunications; nature conservation; species protection; and greenways.

HE12 Scheduled ancient monuments and other important archaeological sites

Development proposals must preserve and enhance sites of known and potential archaeological interest and their settings. Proposals that are likely to have an adverse impact on the archaeological interest, character or visual amenity of such sites and their settings will not be permitted. Exceptions will only be made where:

- a. in the case of Scheduled Ancient Monuments and their settings, the development would provide for an essential national need for which no alternative site is available and the archaeological remains are to be preserved, as far as practicable, in situ and the adverse impacts minimised; or
- b. in the case of other archaeological sites and their settings, the planning authority, in considering the relative importance of the site against the need for the proposal, is satisfied that the adverse impacts are to be minimised and the need for the proposal outweighs the likely harm to be done.

All proposals must be accompanied by an appropriate assessment of their archaeological implications. In considering whether an exception should be made, the planning authority may require the applicant to provide a further assessment of the significance of potential archaeological remains before the application is determined. This might form part of an Environmental Impact Assessment.

If the planning authority is satisfied that the value of the archaeological remains is outweighed by the need for the development, it will seek to preserve archaeological remains in situ as far as possible. If preservation in situ is not practicable, the applicant may be required to make provision for archaeological recording and/or specialist excavation before and during development; the conservation and storage of artefacts; and the dissemination of results.

The planning authority will also require appropriate enhancements, mitigation, and compensatory measures to be undertaken.

Planning conditions may be imposed, or a planning obligation sought, in order to secure these requirements.

- 8.47 Archaeological remains are a finite and irreplaceable resource which are particularly vulnerable to the effects of new development. It is important to reconcile the need for development with archaeological interests. Government guidance states that policies should provide for the protection, enhancement and preservation of sites of archaeological interest and of their settings.
- 8.48 There are 15 scheduled ancient monuments within Brighton & Hove. Four of these, Hollingbury Castle, Whitehawk Camp, Beacon Hill and Portslade Old Manor, are easily accessible to the public.

A full list of the 15 scheduled ancient monuments, is as follows:

Grid Ref.	Reference Number	Name and Description
3131,1014	SM.25458	Tegdown Hill, Patcham: A Saucer Barrow and Three Bowl Barrows.
3298,0473 3306,0485	SM.20176	Whitehawk Camp, Whitehawk Hill: Neolithic Causewayed Enclosure.
3257,0955	SM.34307	Pudding Bag Wood, Stanmer: Prehistoric Linear Boundary an Bronze Age Bowl Barrow.
3638,0276	SM.12775	Beacon Hill, Rottingdean: Long Barrow.
3646,0258	SM.29234	Beacon Hill, 160m NW of the Windmill, Rottingdean: Long Barrow.
3221,0787	SM.27028	Hollingbury, Hillfort: the possible remains of a Romano-Celtic Temple and a group of three Bowl Barrows.
378,068	AM.62	Castle Hill: Earthwork.
304,103	AM.12	Ewe Bottom, Patcham: Entrenchment.
318,096	AM.10	Near Eastwick Barn Patcham: Earthworks and Lynchets.
301,091	AM.106	Patcham Court Farmhouse: Dovecote.
3714,0544	SM.29235	Field on the Bostle: Group of Three Bowl Barrows and an Anglo-Saxon Barrow.
3286,0943	SM.27018	Great Wood, Stanmer: Bowl Barrow.
267,086 271,079	AM.183	Round Hill, Hangleton: Section of Port's Road and Barrow.
255.064	AM.159	Portslade Manor House: Ruins of Medieval Manor
3319,0924	SM.34308	Great Wood, 500m south west of Stanmer House: Cross dyke

- 8.49 In addition to this there are many sites of archaeological interest in the city, including Iron Age ditches, the site of Roman villas at West Blatchington, the site of the Medieval Village of Hove, Preston Village, Patcham, Stanmer, Ovingdean and Rottingdean. This category includes, but is not limited to, the Archaeologically Sensitive Areas.
- 8.50 Any proposal that may affect Scheduled Ancient Monuments or sites of archaeological interest or their settings will be subject to particularly close scrutiny.
- 8.51 Before the determination of an application for development that may affect a known or potential site of archaeological interest, developers will be required to make provision for an archaeological field evaluation. This may include:
- desk-top evaluation and
 - field evaluation

The evaluation should seek to define:

- the nature and extent of archaeological remains on the site or in the vicinity.
- the likely impact of the proposed development on archaeological remains; and
- how the impact of the proposed development might be mitigated by redesign of the proposal to achieve preservation of the remains in situ or, where this is not practicable or desirable, by archaeological recording/excavation before and / or during development.

- 8.52 Developments that will have an adverse impact on known significant archaeological remains will not normally be permitted. Where the principle of the proposal is considered to be acceptable, the planning authority will seek to preserve such remains in situ by requiring the applicant to redesign the proposal and/or to make provision for desk-top evaluation, field evaluation, specialist excavation prior to development, recording during development, conservation of artefacts and dissemination of results, as appropriate. (Field evaluation includes trial trenching, topographical surveying and geophysical surveying).
- 8.53 In considering whether a site is of potential archaeological interest, the planning authority will have regard to the maps of Archaeologically Sensitive Areas (ASAs). However, other archaeological sites may exist outside of these ASAs and archaeological assessments may also be required elsewhere. In order to minimise the overall impacts of a proposal, applicants may be required to improve the setting of the archaeological site and / or provide appropriate mitigating / compensatory measures.
- 8.54 Where structures or land uses exist on Scheduled Ancient Monuments or other important archaeological sites or in their settings that are damaging or potentially damaging to their archaeological interest, character or visual amenity, the planning authority will seek their removal, where practicable. Where appropriate, the planning authority will also consider making Article 4 Directions to control developments that are harmful.
- 8.55 Scheduled Ancient Monuments and ASAs are reviewed regularly and amended as appropriate, thus the designations shown on the proposals map may be subject to change. Applicants should therefore check with the council, at an early stage, as to whether amendments have been made.
- 8.56 Wildlife sites are frequently associated with ancient monuments, thus regard should be given to the policies dealing with nature conservation.

