

NORTH WEST LEICESTERSHIRE LOCAL PLAN

STATEMENT OF COMMON GROUND – NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL AND HISTORIC ENGLAND

This Statement of Common Ground represents the shared view of both North West Leicestershire District Council and Historic England in respect of the North West Leicestershire Local Plan.

Preparatory work on the Local Plan commenced in late 2013. Throughout the process of preparing the Local Plan the Council has involved Historic England in the development of policies relevant to the historic environment.

Meetings between representative of the Council and Historic England took place during the process of preparing the draft Local Plan.

Following publication of the draft Local Plan in September 2015 Historic England made comments on the following policies:

Objectives

H3
Ec2
Ec5
Ec8
Ec9
IF6
He 1

In response to these comments the Council agreed to

- Amend Objective 10
- Include the changes suggested by the SA para 10.2 will be amended to reflect these changes.
- Amend supporting text to Ec5
- Include reference to mitigating impacts upon heritage assets in Policy Ec7
- Prepare a Background Paper which would list all of the supporting evidence.
- Amend para 4.0 to refer to heritage assets rather than assets of heritage value.
- Amend para 10.8 to give greater detail in relation to the heritage assets identified within the para.
- Inclusion of the text suggested by Historic England at para 10.10.

Following publication of the Local Plan on 4 July 2016 Historic England made representations as follows:

Policy/Paragraph	Representation number	Comments	NWLDC response	Agreed position
Paragraph 1.22 (Background)	16/11/1.22	Clarity regarding evidence base	A full list of evidence to support the Local Plan is listed within the heritage chapter, a background paper has also been published alongside the Local Plan on the District Councils website providing clear links to the evidence base that has been used to support the Local Plan policies.	It is noted that a list of is included in the document. The reference in the Council's response to a Background Paper is incorrect.
Paragraph 4.2 (What are the issues?)	16/1/4.2	Reference in section 4 should be to 'heritage assets' not 'assets of heritage value'	Minor Modification M2 proposed	Change proposed by Minor Modification M2 meets these concerns.
Paragraph 4.6 (What are the issues?)	16/2/4.6	Support revised objective 10	Noted	
Policy H3 (Housing provision : new allocations)	16/3/H3	Criteria (v) of policy H3a does not sufficiently cover protection of all heritage assets in accordance with paragraph 141 of the NPPF.	Minor Modification M12 proposed.	Change proposed by Minor Modification M12 meets these concerns
Policy Ec2 (Employment provisions: new allocations)	16/12/Ec2	Criteria (d) of policy H3a does not sufficiently cover protection of all heritage assets in accordance with paragraph 141 of the NPPF.	Minor Modification M14 proposed.	Change proposed by Minor Modification M14 meets these concerns
Policy Ec4 (East Midlands Airport)	16/4/Ec4	The addition of criteria (e) strongly welcomed	Noted	

Policy Ec7 (Donington Park)	16/13/Ec7	Criteria 1(d) would not sufficiently protect heritage assets.	Minor Modification M24 proposed.	Change proposed by Minor Modification M24 meets these concerns
Policy Ec13 (Tourism development)	16/5/Ec13	Welcome reference to heritage in criteria (e)	Noted	
Paragraph 11.9 (Historic Environment)	16/6/11.9	Welcome wording of paragraph 11.9	Noted	
Paragraph 11.12 (Historic Environment)	16/7/11.2	Request inclusion of additional bullet point relating to evidence base	Not addressed but the Council considers that it is not necessary to include an additional bullet point.	
Policy He1 (Conservation and enhancement of North West Leicestershire's historic environment)	16/8/He1	Not clear as to whether Policy He1 is a strategic policy for the purposes of Neighbourhood Planning as required by NPPF. Wording of part 2 is not considered to be as clear as that proposed in consultation draft and merely repeats the NPPF.	The assessment of harm to the significance of a heritage asset is not absolute. It is an established planning principle that any harm that is identified should be weighed against the benefits of the proposed development. It would not, therefore, be appropriate to operate a blanket policy approach to always refuse permission if harm is identified.	In respect of the issue of whether Policy He 1 is a strategic policy it is agreed that the following wording be inserted at the end of paragraph 13.5; "The policies in this Local Plan are the strategic policies that Neighbourhood Plans will be required to be in conformity with". In respect of part 2 it is agreed that this should be deleted and replaced with the following: "There will be a presumption in favour of development that would conserve the significance of a heritage asset and its setting. Any development proposal which would cause harm to a heritage asset will not be supported unless the works are justified, there are overriding public benefits and mitigation measures are secured".
Policy He2	16/9/He2	Welcome inclusion of this	Noted	

<p>(Shopfront Design)</p>	<p>16/10/Cc1</p>	<p>separate policy</p>	<p>Identification of areas suitable for wind energy not based on sufficiently robust evidence base; identification of these areas could result in harm to designated heritage assets and a receptor buffering approach is not considered appropriate.</p>	<p>The methodology used to prepare the study is based on the DECC guidance within Renewable and low carbon energy capacity methodology. Policy Cc2 (2) is required to be read in accordance with Cc1 (1) which states that planning applications for renewable energy will be supported where .. the special qualities of all heritage designations including their settings are conserved or enhanced.</p>	<p>Amend Cc1 (1) (d) to state “ Heritage assets and their settings are conserved or enhanced”</p> <p>Amend paragraph 12 .12 second sentence to state:</p> <p><i>In respect of heritage assets (and their settings) and landscape designations, this will require a detailed assessment during the planning process and will be assessed on a site by site basis. In respect of landscape designations these will have regard to the National Character Area profiles; more information about these can be found at paragraph 5.29 of this Local Plan.</i></p> <p>In addition, on the wind energy maps published as part of the Local Plan include the following wording:</p> <p><i>“It should be noted that those areas identified as potentially suitable have only been the subject of detailed assessments in respect of wind speed and proximity to residential properties. No detailed assessment has been undertaken in respect of other factors such as landscape character or potential impacts upon heritage assets or their settings. Any proposal will need to consider such as part of a detailed assessment”.</i></p>
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Representatives of the council and Historic England met on 6 December 2016 and agreed to put forward the above amendments.

Emilie Carr (Historic Environment Planning Adviser)

Historic England



08/12/16

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Ian Nelson (Planning Policy Team Manager)

North West Leicestershire District Council



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