

Historic England response to the Rugby Local Plan Preferred Options, 18 February 2016

Plan ref and relevant extract	Historic England comment	Recommendation/ suggestion / advice to support the relative sustainability and soundness of the Plan
<p>Local Plan: Development Strategy Consultation Spring 2014 Page 9 “Next Steps: <i>In addition to identifying any additional strategic growth that the LA should plan for, the council will also be embarking on the update of other evidence documentation. Further work will include the necessary suite of environmental evidence, about which this authority will be contacting of the EA, English Heritage and NE directly to ensure that this will be a robust evidence base in which to inform future allocation of housing land.”</i></p>	<p>Historic England was pleased to see such a pledge but is concerned that it is not clear how this commitment has been met. The list of technical studies does not refer to the historic environment.</p> <p>Is there “robust evidence” available to demonstrate that an understanding of the significance of the historic environment has been applied to inform the allocations proposed in the Preferred Options?</p>	<p>Provide “robust evidence” to demonstrate that an understanding of the significance of the historic environment has been applied to inform the allocations proposed in the Preferred Options.</p>
<p>Rugby Borough Local Plan – Discussion Document, 2013 Section 8.4 The Historic Environment <i>8.4.3 Paragraph 129 of the NPPF states that LPAs should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account</i></p>	<p>It is unclear how this expectation has been met. In respect of the proposed allocations has the Borough Council identified and assessed the particular significance of any heritage asset that may be affected (including by development affecting the setting of a heritage asset).</p> <p>Has the Borough Council taken such</p>	<p>The Borough Council should identify and assess the particular significance of any heritage asset that may be affected (including by development affecting the setting of a heritage asset) by any emerging proposal in the Plan.</p>

<p><i>of the available evidence (up-to-date and available Historic Environment Registers are required) and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal. Clearly the production of any further evidence base will be in partnership with Warwickshire County Council who manage and update the Heritage Environment Register and other relevant databases. Any such identification should also include Locally Listed Buildings. This will also identify the Locally Listed Buildings within the Borough. Any such identified assets will then benefit from the appropriate policy protection.</i></p> <p><i>8.4.4 Whilst CS16 is considered to be in conformity with the NPPF, it is clear that additional wording is needed to ensure that there is a <u>comprehensive strategy at the local level for heritage protection</u> ...</i></p>	<p>evidence into account?</p> <p>To be “comprehensive” the emerging Local Plan’s strategy for the Borough’s historic environment will require further development. Historic England is happy to advise further.</p>	<p>Historic England has suggested - below - additions to the Plan to help ensure an appropriate more comprehensive strategy for the historic environment.</p>
<p>Sustainability appraisal of the Rugby Local Plan preferred options, December 2015</p>	<p>There is an expectation in the SEA Regulations that when preparing an environmental report the <u>likely</u> significant effects on the environment and the</p>	<p>The SEA should set out clearly how an evaluation of the impact on affected heritage assets has been undertaken; and what evidence has been applied in that process to determine the likely significant effects.</p>

	<p>reasonable alternatives should be <u>identified, described and evaluated</u>.</p> <p>It is not clear that reasonable alternatives have been assessed or suggested to the 8 of the 142 strategic residential sites that would have a “significant negative impact” on the historic environment.</p> <p>It is also unclear what evidence has been applied to come to a conclusion that harm may be offset by an appropriate high quality design response (SEA paragraph 6.89).</p> <p>To conform to NPPF paragraph 129 development will be expected to avoid or minimise conflict between any heritage asset’s conservation and any aspect of the proposal, taking into account an assessment of its significance. At present with the evidence provided it is not clear the scale, size, housing numbers can be delivered without causing harm.</p>	<p>It should also set out whether there are reasonable alternatives that would avoid harm to the significance of any affected heritage asset.</p>
<p>Vision and Objectives</p>	<p>Historic England welcome the commitment to <i>protect and enhance the Borough’s historic environment</i>, and to <i>Build on Rugby’s rural market town character by protecting, utilising and enhancing historic assets and ensuring all new development demonstrates high quality design</i>,</p>	<p>-</p>

	<i>maintaining an attractive built environment throughout the Borough.</i>	
Distribution Strategy (page 14) <i>The objective of the distribution strategy is to make sure development occurs in the most sustainable locations. For Rugby Borough, this means meeting identified development needs in locations that can support and deliver this development within existing and planned services and <u>environmental capacity</u>.</i>	Historic England seeks clarification from the local authority on the evidence that has been gathered and applied to have informed the “environmental capacity” of the Borough (in respect of the historic environment) and the distribution of development mindful of national policy and the Plan’s proposed vision, objectives and historic environment policy.	The Borough Council should clarify the evidence gathered and applied to inform its “environmental capacity” (in respect of the historic environment) and the distribution of development, mindful of national policy and the Plan’s proposed vision, objectives and historic environment policy.
Coton House (page 18)	<p>On the basis of the information provided our initial assessment would appear to suggest that the site contributes to the significance of Coton House, a grade II* listed building.</p> <p>However no evidence has been provided to demonstrate how an understanding of the site’s contribution to the significance of the grade II* listed house has informed the principle of development, nor without prejudice, the capacity and necessary design response.</p> <p>The relevant heritage considerations include, that:-</p> <ol style="list-style-type: none"> 1. Great weight should be given to the conservation of heritage assets 	<p>The NPPF requires Local Plans to demonstrate a positive approach, and great weight, to the conservation of heritage assets in the delivery of sustainable development, one of the core dimensions being the protection and enhancement of the historic environment.</p> <p>Sites which are likely to result in harm to the significance of heritage assets are not expected to be allocated.</p> <p>If the local authority intends to pursue the inclusion of this site then evidence will be required. In this respect Historic England recommends that the following are considered and applied.</p> <ul style="list-style-type: none"> • GPA 1.Historic England Good Practice Advice Note number 1 – The Historic Environment in Local Plans (2015).

	<p>(NPPF Para 132);</p> <ol style="list-style-type: none"> 2. Special regard must be given to desirability of preserving the setting of a listed building in the exercise S66 of the Planning (Listed Buildings and Conservation Areas) Act 1990); 3. Development will be expected to avoid or minimise conflict between any heritage asset’s conservation and any aspect of the proposal (NPPF Para 129); 4. Harm should always be avoided in the first instance. Only where this is not possible should mitigation be considered (NPPF Para 152). Any harm and mitigation proposals need to be fully justified and evidenced to ensure they will be successful in reducing harm. <p>If evidence were to demonstrate that harm would be caused to the significance of the listed building, to respond to the above point 4, is the local authority unable to show that there is not a more suitable alternative elsewhere in the Borough?</p>	<ul style="list-style-type: none"> • GPA3. Historic England Good Practice Advice Note number 3 – The Setting of Heritage Assets (2015). • The Historic Environment and Site Allocations in Local Plans (Historic England Advice note no.3, 2015).
South West Rugby (page 19)	This sizeable allocation would have an	The NPPF requires Local Plans to demonstrate a

<ul style="list-style-type: none"> • 5400 houses • 14.5 ha employment • 13.5 ha safeguarded employment land 	<p>impact on the landscape and may affect numerous heritage assets to some degree including, potentially, Bilton Grange, Dunchurch and Thurlaston conservation areas and various listed buildings.</p> <p>However, no evidence has been provided to demonstrate how an understanding of the allocation site(s) contribute to the significance of the heritage assets and how this understanding has informed the principle of development, nor without prejudice, the capacity and necessary design response.</p> <p>Relevant national policy heritage considerations are set out in relation to Coton House and apply equally to this allocation.</p>	<p>positive approach, and great weight, to the conservation of heritage assets in the delivery of sustainable development, one of the core dimensions being the protection and enhancement of the historic environment.</p> <p>If the local authority intends to include this site then evidence will be required. In this respect Historic England suggest that the same guidance as recommended in relation to Cotton House should also be applied to this site i.e. GPA 1 and 3 and our Site Allocation Advice Note no.3. The latter to inform a suitable Historic Environment Setting Assessment.</p>
<p>Main rural settlements (page 20)</p>	<p>It is indicated that 7 settlements will each provide for 100 new homes over the plan period. However, it is unclear how this figure was calculated or where these sites are proposed to be located and as consequence the likely impact on the historic environment.</p>	<p>To accord with national policy expectations, information and evidence should be gathered and made available.</p>
<p>Coventry Urban Fringe: Land south of Walsgrave Hill Farm (page 20) 1,500 new homes</p>	<p>This sizeable proposed allocation is located on rising pastoral land between the A46 and Coombe Park, a popular public grade II* registered park and garden</p>	<p>If this site is to be included in the Plan, the local authority would need to demonstrate how it has addressed national planning policy for the historic environment; how the significance of all the effected</p>

	<p>(Lancelot Brown) and conservation area. Within the park are numerous highly graded listed buildings including Coombe Abbey (grade I listed building).</p> <p>However, it appears no evidence has been gathered to demonstrate how an understanding of the proposed allocation site contributes to the significance of these heritage assets has informed the principle of development, nor without prejudice, the capacity and necessary design response.</p> <p>We have already set out certain relevant national planning policy considerations in relation to Coton House and they apply equally to this case. In addition as the Park is a Conservation Area, you should be aware that Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990) also applies.</p>	<p>assets has been understood; how the site contributes to that significance and the subsequent degree of harm, and intended response.</p> <p>Guidance and advice suggested in relation to Coton House i.e. GPA 1 and 3 and our Site Allocation Advice Note no.3 is also relevant in relation to this site particularly in respect to undertaking an appropriate Historic Environment Setting Assessment.</p>
<p>Duty to Cooperate</p>	<p>The Plan includes substantial development adjacent to Coventry with significant environmental implications and is considered a strategic cross boundary matter. As a consequence the Duty to Cooperate applies.</p>	<p>The Borough Council will need to demonstrate conformity with the Duty to Cooperate. There is an expectation that LPAs should make every effort to secure the necessary cooperation on strategic cross boundary matters before they submit their Local Plans for examination.</p> <p>With regards to the Plan's cross boundary proposals Historic England considers it reasonable to expect the local authority to have properly considered the likely</p>

		<p>impact on the significance of effected heritage assets and responded positively to the implications to demonstrate a proactive and focussed approach and conformity with national planning policy for the delivery of sustainable development.</p> <p>Historic England would be happy to advise how an understanding of the historic environment can inform the emerging Local Plan.</p>
<p>Policy SD3: Previously developed land. Supporting text page 28</p> <p><i>Evidence will be required to demonstrate that there are no adverse impacts on any heritage or biodiversity assets on which advice will be sought from the relevant statutory bodies.</i></p>		<p>It would be helpful if the Borough Council could clarify their expectations of Historic England in this respect.</p>
<p>Policy SDC3: Protecting and Enhancing the Historic Environment</p>	<p>The inclusion of this policy is welcomed however it is unclear why the 'historic environment' as a topic, forms part of the Sustainable Design and Construction section of the Plan, when for example; the Natural Environment rightly has its own section. The historic environment, as a component of sustainable development, is more than just a component of good design. It should be a core policy of the Plan and have its own bespoke section. The historic environment is an asset that adds value to regeneration, business and</p>	<p>The inclusion of a specific Historic Environment section.</p>

	the growing tourism sector. It acts as a highly significant stimulus to local economic growth and should be recognised as such.	
Suggested addition to the Historic Environment section of the Plan	It may be appropriate to include the following aims for the policy	<p>The aims of this policy approach are:</p> <ul style="list-style-type: none"> - to manage the historic environment in the most efficient and effective way in order to sustain its overall value - to ensure the proper assessment and understanding of the significance of a heritage asset and the contribution of its setting in the development process
Policy SDC3: Protecting and Enhancing the Historic Environment	<p>The current version of the Plan selectively refers to the NPPF in relation to harm caused to heritage assets. Unfortunately this results in the Plan failing to reflect the overriding emphasis of national policy in respect of the principle of protecting and enhancing heritage assets (avoiding harm) as a core principle of sustainable development.</p> <p>As a consequence Historic England would advise you include additional policy text relating to any degree of harm to a heritage assets.</p>	<p>Add the following before the paragraph of Policy SDC3 beginning “Where a proposed development will lead to substantial harm...”</p> <p><i>Great weight will be given to the conservation of Rugby’s heritage assets. Any harm to the significance of a designated or non-designated heritage asset must be justified. Proposals will be weighed against the public benefits of the proposal; whether it has been demonstrated that all reasonable efforts have been made to sustain the existing use, find new uses, or successfully mitigate the extent of the harm to the significance of the asset; and whether the works proposed are the minimum required to secure the long term use of the asset.</i></p>

		<i>If such harm can be fully justified, where relevant the Council will require archaeological excavation and/or historic building recording as appropriate, followed by analysis and publication of the results.</i>
Policy SDC3: Protecting and Enhancing the Historic Environment <ul style="list-style-type: none"> <i>The proposal conserves and enhances the special interest and settings of heritage assets including:</i> 	The bullet point (not the text) is perhaps superfluous and confusing.	Suggest delete the bullet point in front of “ <i>The proposal conserves and enhances the special interest and settings of heritage assets including</i> ”.
Policy SDC3: Protecting and Enhancing the Historic Environment <ul style="list-style-type: none"> <i>Monuments and sites and areas of archaeological potential or importance <u>and their setting</u>;</i> 	Reference to setting (in this sentence) is unnecessary as the consideration of ‘setting’ is a requirement in relation to all the types of heritage assets referred to in the following list. One therefore either needs to refer to setting in all 8 bullets or none.	Omit reference to setting in “ <i>Monuments and sites and areas of archaeological potential or importance and their setting</i> ”
Policy SDC3: Protecting and Enhancing the Historic Environment <ul style="list-style-type: none"> <i>Buildings within a Conservation Area</i> 	It should be appreciated that when an area has conservation area status it means that all the elements in that area that contribute to its special character or appearance are of relevance, not just ‘buildings’. As a consequence we would we recommend that sole reference to “Buildings” is omitted.	SDC3 6th bullet point <i>Buildings within a Conservation Area</i>
Policy SDC3: Protecting and Enhancing the Historic Environment	To be able demonstrate that the Plan provides a robust and adequate ‘positive strategy for the conservation of the historic	<i>The Borough Council will:</i> <i>-review its conservation area appraisals to ensure</i>

	environment' (NPPF paragraph 126), could we suggest including the following:	<p><i>they remain up to date and relevant, and produce management plans to guide their protection and enhancement.</i></p> <p><i>-prepare and periodically update a local Heritage at Risk Register working with Historic England,</i></p> <p><i>-define locally important heritage assets, maintain and make this Local List publically available.</i></p>
Suggested addition to the Historic Environment section of the Plan	<p>Setting To explain why the setting of a heritage asset is an important consideration, the Local Plan could include an additional paragraph as follows.</p>	<p><i>The setting of a heritage asset is an important consideration. Its contribution to the significance of any asset should be understood to inform the appropriate development response.</i></p> <p><i>Prospective applicants are encouraged to refer to Historic Environment Good Practice Advice in Planning Note 3, The Setting of Heritage Assets. This provides information on good practice to assist in the implementation of historic environment policy in the National Planning Policy Framework (NPPF) and the related guidance given in the National Planning Practice Guide (PPG). It sets out guidance on managing change within the setting of heritage assets, including archaeological remains and historic buildings, sites, areas, and landscapes.</i></p>
Suggested addition to the Historic Environment section of the Plan	<p>Traffic, transport and the historic environment Historic England is keen to ensure the traffic and transport generated by proposed growth is carefully planned for.</p>	<p><i>Transport infrastructure including for example surface treatments, street furniture, signage, road markings and lighting will be expected to be of a high standard of design to conserve and where appropriate enhance the Borough's townscape, landscape and the</i></p>

	<p>As the impact of traffic and transport infrastructure on the historic environment is an increasingly significant issue a discreet policy reference in Policy SDC3, or associated Historic Environment section, is advised.</p>	<p><i>significance of any affected heritage asset, including their setting.</i></p> <p><i>As part of Rugby's positive strategy for the conservation and enhancement of the historic environment, all highway infrastructure will be expected to comply with national guidance and standards set out in Manual for Streets, Manual for Streets 2, the Design Manual for Roads and Bridges and any subsequent updates to these documents. These provide guidance to applicants on assessing the overall transport requirements for new developments, the types of transport improvements likely to be justified, the layout and design of new accesses and the procedures and agreements which will be used.</i></p> <p><i>Transport Assessments are required alongside planning applications for major development to demonstrate that they positively contribute to Plan's objectives. The Transport Analysis Guidance (DOT May 2014) including the methodology for assessing townscape, landscape and the historic environment is of particular importance.</i></p>
<p>Suggested addition to the Historic Environment section of the Plan</p>	<p>Historic Environment Record (HER) The HER is an important resource to inform future change within the historic environment. The following additional text is suggested.</p>	<p><i>The Borough Council will continue to maintain and make available the Historic Environment Record (HER) to help inform change and the conservation of the Borough's heritage assets. It is particularly valuable to prospective developers and the local authority development management function and will be used to inform the consideration of future</i></p>

		<i>development including potential conservation and enhancement measures.</i>
Suggested addition to the Historic Environment section of the Plan	<p>Re-Use Of Rural Buildings Whilst most of the Borough's traditional rural farm buildings and farmsteads may not be formally designated, many will be of architectural and historic interest and of communal, aesthetic and evidential value. Whilst adaptation and re use can help secure their future it is vital related works are appropriate to ensure the aforementioned values are recognised and the integrity and significance of the buildings and farmsteads are safeguarded.</p> <p>Consequently it is important the Local Plan reflects such concern and ensure such non-designated heritage assets are conserved.</p>	<p><i>To help conserve the architectural and historic significance of Rugby's traditional agricultural buildings, an understanding of the essential features of the building, its relationship to the wider landscape setting and its sensitivity to change should inform the alterations that might be made. Appropriate materials should be used and also methods of repair that respect the buildings significance. As the fabric of the building will embody its character and interest, as much as possible should be retained.</i></p> <p><i>Good practice advice prepared by Historic England is available to help inform a sensitive approach to any conversion.</i></p>
<p>Policy SDC 8 Renewable energy. Page 77</p> <ul style="list-style-type: none"> <i>the design would not result in <u>substantial</u> harm to any adjacent heritage assets and local areas of historical and architectural distinctiveness;</i> 	<p>The proposed criterion is inconsistent with national policy and as a consequence we suggest the following alternative.</p>	<ul style="list-style-type: none"> <i>There is no unacceptable impact on heritage assets and their setting and that the proposal is consistent with Policy SDC3</i>