



Historic Environment Supplementary Planning Document

Scoping Draft

July 2014

Historic Environment SPD – Scoping Draft

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(Scope notes in italics)

1 Introduction

This Shropshire Council (SC) Supplementary Planning Document (SPD) forms part of the Shropshire Local Development Framework (LDF), and will be a material planning consideration in the determination of planning applications. The SPD applies to development proposals whether or not they require a statutory Environmental Impact Assessment (EIA).

The SPD expands on policies concerning historic environment contained within the Core Strategy adopted in March 2011 and the Site Allocation and Management of Development document 2014. These policies seek to ensure that change to the historic environment is managed sustainably throughout the development process, and this SPD provides additional details on how these policies will be implemented.

The SPD builds on national planning policy as well as policies in the Shropshire Core Strategy and SAMDev document. These policies promote sustainable well-designed development, which protects, maintains and enhances the significance of heritage assets, whilst also delivering economic growth for the people of Shropshire. This will contribute to a high quality historic environment, within which new development responds to and complements the historic character and local distinctiveness of the county. This in turn will ensure that the historic environment remains one of Shropshire's most important economic assets, which underpins and reinforces the vitality, sense of place and quality of life of our communities.

This SPD is aimed at applicants and developers but will also assist heritage consultants, planning development control officers and members of the public. It is relevant to all stages of the planning process from pre-application enquiries through to full planning applications and is also relevant in forward planning and to the site allocations made in Local Plans.

2 Aims of the SPD

- To ensure that the key principles of national planning guidance on the historic environment are fully met locally, ensuring that local planning decisions conserve the significance of Shropshire's heritage assets whilst delivering sustainable economic growth.
- To promote current best conservation and archaeological practice in a consistent and open manner.
- To minimise the cost to development and streamline the application process by ensuring historic environment implications are as predictable as possible and that only relevant development proposals are affected.
- Fulfil Shropshire Council's Statutory Duties relating to the Historic Environment.

3 Description of Shropshire’s Historic Environment:

3.1 Designated heritage assets.

Table 1 There are a number of levels of designated heritage assets within Shropshire.

Type of Designated Heritage Asset	Grade	Relevant Legislation	No. of sites in Shropshire
Scheduled Monuments	N/A	Ancient Monuments and Archaeological Areas Act 1979	444
Listed Buildings	Grade I	Planning (Listed Buildings and Conservation Areas) Act 1990	117
	Grade II*		503
	Grade II		6250 (Total - 6870)
Conservation Areas	N/A	Planning (Listed Buildings and Conservation Areas) Act 1990	122
Registered Parks and Gardens	Grade I	National Heritage Act 1983	1
	Grade II*		6
	Grade II		27 (Total - 34)
Registered Battlefields	N/A	National Heritage Act 1983	1
World Heritage Sites	N/A	UN Convention concerning the Protection of the World Cultural and Natural Heritage 1972	2

3.1.1 Scheduled Monuments

General intro to SM's + reference to legislation.

Need for SMC – criminal offence to carry out works without it. Link to EH's application process: -

<http://www.english-heritage.org.uk/professional/advice/our-planning-role/consent/smc/>

SC will not provide planning permission which would involve works to a Scheduled Monument unless the applicant can demonstrate that they have discussed their proposals with EH and have either already obtained or will be able to obtain SMC.

3.1.2 Listed Buildings

General intro to LB's + reference to legislation and grading.

Curtilage structures

Need for consent for works (LBC)

3.1.3 Conservation Areas

General intro to CA's + reference to legislation

Article 4 Directions

Trees in CA's – cross reference to NE SPD

Duty to review conservation areas and carry out appraisals

3.1.4 Registered Parks and Gardens

General intro to RPG's + reference to legislation

Material consideration in planning process

Biodiversity as well as heritage interest – cross link to NE SPD

3.1.5 Registered Battlefields

General intro to RB's + reference to legislation

Material consideration in planning process

3.1.6 World Heritage Sites

Background and status

Ironbridge Gorge

Pontcysyllte

Further guidance provided in Circular 07/2009: -

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/7698/circularworldheritage.pdf

3.2 Non-designated heritage assets

3.2.1 Defining non-designated heritage assets

SC will use HER and other information (e.g. information provided by applicants and/ or objectors, other historic documentary sources, SC's expert advisors professional judgement) to define non-designated heritage assets

Not all HER records automatically represent heritage assets – only those which can be defined as having significance in relation to the heritage values outlined by EH in Conservation Principles (cross reference to 5.2.2)

Accessing and consulting the HER

3.2.1 Non-designated heritage assets with archaeological interest (including archaeological potential).

Definition of archaeological interest and archaeological potential

Non-designated heritage assets with archaeological interest a material consideration in the planning process – need to balance judgement informed by scale of harm and loss of significance (NPPF P135). Need for measures to offset harm but ability to record loss does not in itself provide justification for that loss (NPPF P141).

Consideration of non-designated heritage assets with archaeological interest of demonstrably equivalent significance to Scheduled Monuments (NPPF 139).

Use of HER and professional judgement of SC's expert advisors to identify non-designated heritage assets with archaeological interest.

3.2.2 Non designated buildings and structures

Pre-1940s buildings and structures constructed using traditional materials and techniques; WWII and earlier military buildings or structures; Pre-1940s industrial/ utilities/ transport buildings and structures (e.g. quarry/ mining buildings, lime kilns etc.); Post-war buildings which can be considered to hold some architectural merit

3.2.4 Non-designated historic parklands

Parklands identified through the Survey of Historic Parks and Gardens of Shropshire or the Shropshire HLC

3.3 Historic Landscape Character

Principles of HLC

Shropshire HLC report - web link

<http://shropshire.gov.uk/environment/shropshires-landscape/historic-landscape-characterisation/>

Cross reference to LCA and NE SPD

EH guidance

<http://www.english-heritage.org.uk/publications/using-historic-landscape-characterisation/>

4 Planning policy and legislation

4.1 NPPF

Integral to definition of sustainable development (P's 7, 8, 9, 14); Incorporated into core planning principles (P17).

Specific policies in Section 12

Guidance provided by PPS5 Practice Guide

<http://www.english-heritage.org.uk/publications/pps-practice-guide/pps5practiceguide.pdf>

4.2 Shropshire's Core Strategy

CS2 (including battlefield), CS3 (character of market towns); CS5 (rural buildings); CS6 (sustainable design and development); CS13 (economic role of HE); CS16 (links between HE and tourism sector/ visitor economy); CS17 (environmental networks)

4.3 SAMDev Policies and site allocations

MD13 – but also close links with MD2, MD12

5 How to take the Historic Environment into account when submitting a planning application.

5.1 Submitting a Planning Application or Listed Building Consent

Outline SC processes for assessing impacts on historic environment

When we consultant EH:: -

<http://www.english-heritage.org.uk/professional/advice/our-planning-role/consent/planning-permission/>

Table 2: When is a Heritage Assessment required?

Select development site(s) or select new site

Initial assessment by developer/agent of historic environment constraints and need for Assessment (will be informed by pre-application discussions with Shropshire Council)

Heritage Assessment carried out by competent heritage professional, (qualified archaeologist and/or historic buildings specialist)

Design development to take account of, and where necessary respond to, the significance of any heritage assets affected, including any enhancement opportunities

Submit planning application with Heritage Assessment, including any recommended detailed

5.1.1 Guidance available on the Shropshire Council website

Overview and links to HE guidance docs available on the HE website – currently being reviewed by HE Team.

5.1.2 Seeking pre-application advice

Introduction to SC pre-application system

Will identify heritage assets which are likely to be affected by a development proposal and the information required to accompany a planning application

SC's expert historic environment advisors will work across disciplinary boundaries with other officers to identify and seek to resolve any areas where the historic environment is in conflict with other specialisms (i.e. ecology, highways, drainage, building regulations etc.).

5.2 Information to be submitted when a Heritage Assessment is required with a planning application.

5.2.1 Circumstances in which a Heritage assessment is required

P128 of NPPF; P54-59 PPS5 PG + MD13

Level of required information needs to be reasonable and proportionate

Use of appropriate expertise

5.2.2 Aims of Heritage Assessment

To describe the significance of the heritage assets effected by a development proposal, including contribution made by their setting & provide an assessment of the impact of the proposed development on that significance (+ & -).

Significance to be assessed in line with Conservation Principles (heritage values – evidential, historic, aesthetic, communal)

<http://www.english-heritage.org.uk/professional/advice/conservation-principles/ConservationPrinciples/>

5.2.3 Heritage assets with archaeological interest

5.2.3.1 Desk based assessments

Field evaluations need to be undertaken in accordance with the relevant IfA standards and guidance.

5.2.3.2 Field evaluations

Field evaluations need to be undertaken in accordance with the relevant IfA standards and guidance.

Geophysics – techniques to be used will depend upon the nature of the site and anticipated character of the archaeology. Surveys need to be undertaken in accordance with EH guidance: -

<http://www.english-heritage.org.uk/publications/geophysical-survey-in-archaeological-field-evaluation/>

Trial trenching (targeted at 2 – 4% of anomalies where geophysics has been used depending upon extent and likely significance of anomalies revealed; up to 5% on sites which are unsuitable of geophysics)

Other techniques – walkover survey; field walking; test pitting; sediment coring

5.2.4 Historic Building Assessments

Historic building assessments need to be undertaken in accordance with relevant professional standards and guidance and in accordance EH's guidance: -

<https://www.english-heritage.org.uk/publications/understanding-historic-buildings/>

5.2.5 Assessing effects on character and setting

5.2.5.1 Assessing the of the character of heritage assets

5.2.5.1.1 Conservation Areas

Proposals relating to building or structures which constitute non-designated heritage assets that make a positive contribution to the character of a CA

Other proposals development proposals within CAs

EH guidance: -

<http://www.helm.org.uk/guidance-library/understanding-place-conservation-area/>

5.2.5.2.2 Parks and Gardens

Proposals which are likely to affect parks and gardens, including Registered Parks and Gardens, should be accompanied by a heritage assessment which assesses the impacts on their character and significance, together with any associated archaeological interest. The register citation for designated parklands will contain much useful information to assist with this process and their significance should be assessed in line with EH's guidance on Conservation Principles.

5.2.5.2.3 World Heritage sites

Developments within a World Heritage Site or an associated Buffer Zone should be accompanied by a heritage assessment which assesses the impacts on their character, significance and outstanding universal value.

Applications will be determined in accordance with Circular 07/2009: -

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/7698/circularworldheritage.pdf

5.2.5.2.4 Historic Landscape Character

Impacts on historic landscape character will depend on the scale and type of development and the degree of time depth any given area of landscape exhibits.

Cross reference to landscape information in NE SPD

Shropshire HLC report, including case studies of how to use HLC data, available from: -

<http://shropshire.gov.uk/environment/shropshires-landscape/historic-landscape-characterisation/>

EH guidance

<http://www.english-heritage.org.uk/publications/using-historic-landscape-characterisation/>

5.2.5.2 Assessing effects on the setting of heritage Assets

Introduce and define concept of setting

Outline how development has the potential to affect setting

Importance of Section 66(1) of Planning (Listed Buildings and Conservation Areas) Act 1990 emphasised by recent case law & appeal decisions.

Procedure for assessing impacts on setting as outlined in EH guidance: -

<https://www.english-heritage.org.uk/publications/setting-heritage-assets/>

Also link to assessing impacts on historically significant views: -

<https://www.english-heritage.org.uk/professional/advice/advice-by-topic/setting-and-views/seeing-the-history-in-the-view/>

5.3 Key tips for developers to avoid delays to planning applications

Prompt submission of Heritage Assessments likely to result in fewer delays

6 Types of development requiring special consideration

6.1 Renewable energy schemes

6.1.1 Wind turbines

Wind turbine applications to be accompanied by a Heritage Assessment which assess the direct and indirect (i.e. effects on the setting) impacts on heritage assets within at least the 5km ZTV.

Cross reference back to Section 5.2.5.2 – guidance on assessing effects on setting.

EH guidance

<https://www.english-heritage.org.uk/publications/wind-energy-and-the-historic-environment/>

6.2.2 Solar

Solar applications to be accompanied by a Heritage Assessment which assess the direct and indirect (i.e. effects on the setting) impacts on heritage assets within at least the 2km ZTV

Because of their spatial extent likelihood of direct impacts on archaeological interest is higher – Heritage Assessment should therefore include a desk based assessment and an appropriate level of field evaluation (cross reference back to section 5.2.3). The latter to be advised by Shropshire Council's expert advisors.

Proposals which include design measures to minimise direct impacts likely to be looked on more favourably.

Cross reference back to Section 5.2.5.2 – guidance on assessing effects on setting.

6.2 Poultry units, biodigesters and other large scale agricultural buildings

Applications for large scale agricultural buildings to be accompanied by a Heritage Assessment which assess the direct and indirect (i.e. effects on the setting) impacts on heritage assets.

Extent of groundworks required for development may mean that the Heritage Assessment should include a desk based assessment and, when necessary, an appropriate level of field evaluation (cross reference back to section 5.2.3). The latter to be advised by Shropshire Council's expert advisors.

Setting assessment - cross reference back to Section 5.2.5.2 – guidance on assessing effects on setting.

6.3 Developments in proximity to Shrewsbury battlefield.

Reference standing guidance on Shrewsbury Battlefield

6.4 Developments within World Heritage Sites and their buffer zones

Pontcysyllte WHS SPG

6.5 Residential and employment land developments with sites in excess of 5ha.

Requirement for archaeological field evaluation on sites in excess of 5ha unless otherwise advised by Shropshire Council (cross reference back to section 5.2.3).

6.6 Traditional farm buildings

Historic farmsteads characterisation

Historic farmsteads assessment framework

6.7 Minerals sites

Minerals resource assessment

Link to EH guidance on minerals

<https://www.english-heritage.org.uk/publications/mineral-extraction-and-historic-environment/>

<https://www.english-heritage.org.uk/publications/mineral-extraction-and-archaeology/>

6.8 Enabling development

Proposals for enabling development must involve a heritage asset which is at risk and need to be in line with EH's Guidance

<http://www.english-heritage.org.uk/publications/enabling-development-and-the-conservation-of-significant-places/>

7 Planning conditions to offset impacts on the significance of heritage assets

7.1 Historic Buildings

Design considerations – materials, finishes, techniques

Historic Building Recording – to be carried out in accordance with EH guidance

<https://www.english-heritage.org.uk/publications/understanding-historic-buildings/>

7.2 Archaeological mitigation measures

All post determination to be carried out using appropriate expertise and in full accordance with relevant IfA standards and guidance.

Post-determination archaeological field evaluations (cross reference back to section 5.2.3).

Archaeological inspections; Watching brief; Strip, map and sample; Archaeological excavation

Palaeoenvironmental sampling – EH Guidance

<https://www.english-heritage.org.uk/publications/environmental-archaeology-2nd/>

Measure earthwork surveys – EH guidance

<https://www.english-heritage.org.uk/publications/understanding-archaeology-of-landscapes/>

7.3 Landscaping and other conditions

Landscaping schemes and other measures to reduce the impact of development proposals

8 Delivering positive benefits and enhancements

8.1 Section 106 Agreements

Use of S106 agreements to secure the conservation and enhancement of heritage assets

8.2 Place Plans and Community Infrastructure Levy

Use of place plans to identify heritage assets, including those at risk, which would benefit from CIL funded initiatives to conserve and enhance their significance.

8.3 Environmental Networks

Role of the historic environment in Shropshire's Environmental Networks

Links with Green Infrastructure

9 Glossary

Definitions of terms used in SPD

10 Appendices/Guidance Notes

10.1 Appendix 1 – Guidance for safeguarding Shrewsbury Registered Battlefield

10.2 Appendix 2 – Pontcysyllte World Heritage Site SPG