

## **Harborough Local Plan 2011 to 2031 (Proposed submission version)**

### **Statement of Common Ground agreed between Harborough District Council and Historic England**

**October 2018**

This Statement of Common Ground represents the shared view of both Harborough District Council and Historic England in respect of the Harborough Local Plan 2011 to 2031. It is intended to inform the Inspector and other interested parties about the areas of agreement in the Harborough Local Plan detailed policy wording and supporting explanatory text.

At various stages of production of the Harborough Local Plan the Council has consulted Historic England in the development of policies, particularly those relevant to the historic environment. Following publication of the Harborough Local Plan Proposed Submission version in September 2017, Historic England made representations on the following policies:

- Policy GD8 – Good design in development
- Policy RT3 – Shop fronts and advertisements
- Policy HC1 – Built Heritage
- Policy CC2 – Renewable energy generation
- Policy IN3 – Electronic Connectivity
- Policy L1 – East of Lutterworth Strategic Development Area

In response to these comments the Council has agreed to:

- Amend Policy HC1, as set out in IC7
- Amend Policy L1, as set out in Appendix A

The following table sets out in full the areas of common ground agreed.

As set out in the consultation responses, Historic England objected to proposed allocation L1.

Whilst not agreeing with paragraphs 8.19.3 – 8.19.7 of the Council's EIP Statement nor with the entirety of the findings, and in particular the conclusions, of the Built Heritage Assessment (HLFII) carried out by the current site promoters, Historic England now consider that the objection can be addressed with site specific criteria within policy L1. This is following illustration within the current draft masterplan, that sufficient set back from St Leonards church can be achieved in the form of a community park to prevent a high level of harm from development to the north of the church, subject to criteria relating to height, design, layout and scale. Concerns in relation to the road proposed to the west remains, however it is considered that other options including a scheme bringing the road into the application site from the A4303 but then coming west and running parallel to the M1 could be considered which would reduce the impact of the road considerably.

It is therefore proposed that heritage assets should be addressed within their own numbered section within policy L1, rather than as a sub section of “j. green infrastructure network”, replacing j iv). The agreed wording to replace j, iv is set out in Appendix 1.

<b>Policy</b>	<b>Rep no.</b>	<b>HE Comments</b>	<b>HDC response</b>	<b>Agreed position</b>
GD8 – Good design in development, 1. c)	7410	Criteria c is welcomed.	Noted.	n/a
Policy RT3 – Shop fronts and advertisements, 1	7409	This policy is welcomed.	Noted.	n/a
Policy HC1 – Built heritage, Para 8.1.1 – 8.1.3 and 8.1.13 to 8.1.15	7426 & 7428	<p>The provision of a built heritage policy is strongly welcomed; however it should be clearly strategic as emphasized by paragraph 156 of the NPPF. Without clarification in the Local Plan that the policy is strategic, the policy would not be considered to be sound.</p> <p>Supporting text 8.1.12/13 should be shortened and amended to reflect the NPPF. By definition within the NPPF, enabling development is development that is not otherwise in accordance with adopted policy.</p>	Noted. The explanation text is based on HE guidance and provides useful explanation. Amended policy wording to HC1 set out in IC7 to be new NPPF compliant.	Deletion of criteria 4 is welcomed by HE.
Policy CC2 – Renewable energy generation,	7396	Historic England object to the wording of section one, criteria c in relation to 'harm', being unclear and over-simplistic in relation to	Amended policy wording to CC2 set out in IC7. To clarify that heritage assets have not been assessed within the Landscape Study and to	Revised clause 2 does not address HE concerns. A 'heritage assets and their settings' criteria was included in the recent south East Lincolnshire EIP Main Modifications

1.c)		'substantial' and 'less than substantial harm', and to the approach taken within section two, it's supporting text and figure A.4 identifying potential areas for medium scale wind development and large wind farms, contrary to the NPPF.	ensure that heritage assets are fully considered, the following text will be included within the supporting text:- <i>“Detailed assessment was not undertaken in respect of heritage assets and their settings in the Landscape Sensitivity to Renewable Energy report and subsequent definition of areas for small, medium and large scale wind farms. Applications for renewable energy development proposals will need to take account of heritage assets and their settings, and shall be supported by a detailed heritage assessment that takes into account the criteria of Policy HC1 – Heritage and community assets’.</i>	(renumbered policy 31). Following HE engagement, a similar policy was adopted within the North West Leicestershire Local Plan (policy CC1). Both were in addition to strategic heritage policies.  The supporting text proposed in the adjacent column has been jointly agreed between HDC and HE to address their concerns. ,
Policy CC2 – Renewable energy generation, 2.	7402	Historic England object to the wording of section one, criteria c in relation to 'harm', being unclear and over-simplistic in relation to 'substantial' and 'less than substantial harm', and to the approach taken within section two, it's supporting text and figure A.4 identifying potential areas for medium scale wind development and large wind farms, contrary to the NPPF.	Amended policy wording to CC2 set out in IC7. To clarify that heritage assets have not been assessed within the Landscape Study and to ensure that heritage assets are fully considered, the following text will be included within the supporting text:- <i>“Detailed assessment was not undertaken in respect of heritage assets and their settings in the Landscape Sensitivity to Renewable Energy report and subsequent definition of areas for small, medium and large scale wind farms. Applications for renewable energy development proposals will need to take account of heritage assets and their settings, and shall be supported by a detailed heritage assessment that takes into account the criteria of Policy HC1 – Heritage and</i>	Revised clause 2 does not address HE concerns. A ‘heritage assets and their settings’ criteria was included in the recent South East Lincolnshire EIP Main Modifications (renumbered policy 31). Following HE engagement, a similar policy was adopted within the North West Leicestershire Local Plan (policy CC1). Both were in addition to strategic heritage policies.  The supporting text proposed in the adjacent column has been jointly agreed between HDC and HE to address their concerns.

			<i>community assets</i> '.	
Policy IN3 – Electrical connectivity, IN3 4.b)	7405	Criteria b of section 4 is welcomed.	Noted.	n/a
Policy L1 – East of Lutterworth SDA	7393	The allocation would have a negative impact on the setting and be harmful to the overall significance the grade II* Church of St Leonard at Misterton and the Grade 1 Listed Church of St. Mary, Lutterworth and that which non-designated heritage assets derive from their setting. As such, Historic England objects to this allocation on the grounds of soundness.	A Heritage Impact Assessment demonstrates that no overriding heritage constraints to the proposals have been identified, although sensitive design is recommended to minimise the degree of harm to the Church of St Leonard. There is no need to adjust the southern boundary as the extent of development can be controlled through the masterplan and detailed design. Retention of the land within the boundary enables the LPA to ensure that the setting of the Grade II* Listed church can be protected by allocating open space in the area concerned. Proposed policy wording amendments set out in Appendix A meet the concerns raised.	Proposed policy wording amendments set out in Appendix A meet the concerns raised. Agreed by HE.

The above amendments have been agreed via a number of emails, prior to the Harborough Local Plan Examination in Public. Amendments proposed to Policy L1 are set out in Appendix A.

**Signed**

Emilie Carr (Historic Environment Planning Adviser)

Historic England

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Dated: 28 September 2018

David Atkinson (Head of Planning and Regeneration)

Harborough District Council

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Dated: 01 October 2018

## Appendix A – Proposed Amended Policy Wording

### Policy L1 – East of Lutterworth Strategic Development Area

*“Land to the east of Lutterworth, as identified on the Policies Map, is allocated as a Strategic Development Area (SDA).*

*“...2. This new community should be developed comprehensively in accordance with a masterplan, including delivery and phasing arrangements and informed by key design principles, an independent design review and community consultation. This masterplan will be incorporated into a supplementary Planning Document and/or an outline planning application and supporting Section 106 agreement.*

**3.** *The masterplan should create a sustainable, high quality and largely self-sufficient settlement and an attractive environment for living, working and recreation. It should provide for:*

***a/b/c etc: “ protection and enhancement of heritage assets and their settings, including the grade II\* Church of St Leonard at Misterton and grade I Listed Church of St Mary, Lutterworth and non-designated heritage assets including a double moat north of the GII\* church, which forms part of the deserted medieval village. The master plan will be informed by a heritage impact assessment, which must form the basis for approaches to design, scale and layout of development. Green space, such as a community park, should be provided to the south of the site together with height restrictions on buildings to the south, in order to protect the setting of the Grade II\* Church of St Leonard. The proposed new access road should be routed to avoid going through any undesignated archaeology and minimise its impact on all heritage assets, particularly the inter-visibility between Church of St Leonard at Misterton and Church of St Mary, Lutterworth.***