

Statement of Common Ground between Bath & North East Somerset Council and Historic England

Introduction

Historic England made representations on the Draft Placemaking Plan during the seven week consultation period (16 December 2015 – 3 February 2016). The Council, as part of its consideration of representations made under Regulation 20 of the Town & Country Planning (Local Planning) (England) Regulations 2012, summarised the main issues arising from duly made representations from all respondents including those from Historic England. The Council provided responses to the main issues identified as documented in the Regulation 22(1) (c) Statement (CD/PMP/G13).

The Council has proposed a number of amendments to the Placemaking Plan in the Schedule of Limited Changes which have been submitted to the Inspector for consideration alongside the Placemaking Plan. This includes changes in response to concerns raised by Historic England.

Historic England has further responded to confirm which of the proposed changes address their concerns and those they still wish to resolve (CD/PMP/R1). In view of Historic England's status as a statutory consultee, in recognition of the importance of heritage issues to Bath & North East Somerset and in light of the fact that Historic England considers that these are matters of soundness, the Council has agreed to provide a response with the intention of resolving their outstanding concerns. The schedule below relates to Historic England's outstanding areas of concern and reflects the outcome of the informal discussions between the Council and Historic England.

These changes are included in the 'Schedule of Rolling Changes' (CD/PMP/E1) for consideration by the Inspector.

Deletions to existing text are shown as ~~strike through~~ and additional text is shown as underlined.

Plan ref	Historic England's representations	B&NES Council's consideration	Historic England's response
POLICY SCR2 Roof mounted/Building integrated scale solar pv	Comment on Draft Placemaking Plan Such development has the potential to affect the significance of individual heritage assets, townscapes and landscapes. However the policy only refers to a limited number of matters to be considered and unfortunately	The purpose of Policy SCR2 is to set out design principles that should be addressed in instances where planning permission is required for roof mounted/ building integrated scale solar PV. This being the case, rather than include a specific heritage criteria it is considered more appropriate to	Historic England appreciates the proposed adjustment and agrees that it will resolve this outstanding matter.

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	<p>does not include a requirement to consider, and avoid harm to the significance of effected heritage assets.</p> <p>Recommendation/ suggestion / advice to support the relative sustainability and soundness of the Plan</p> <p>Cross reference to HE policy (para 230) or include specific heritage criteria.</p> <p>Response following proposed Limited Changes, March 2016</p> <p>The proposed <i>Limited Changes</i> fail to respond to this concern.</p> <p>As decisions are to be made in accordance with the Development Plan this Policy should recognise the potential harm to the HE caused by such development and adjust the Policy as suggested.</p>	<p>instead include a reference to Policy HE1 in para 112 where mention is already made of the historic environment. This, the Council believes, would accord with Historic England's original request. As this change does not relate to a policy it was not included in the Limited Changes Schedule but will be form part of the emerging Schedule of Rolling Changes.</p> <p>Whilst it is imperative that decisions should be made in accordance with the Development Plan, the Plan is expected to be read as a whole and on that basis it is not always necessary to refer to potential harm to the historic environment in every policy.</p> <p>SUGGESTED CHANGE TO PARA 112</p> <p><i>Designing solar arrays as a complementary part of a building can enable the PV arrays to complement the aesthetic of a building or development and need not compromise the character of protected areas such as the World Heritage Site and Conservation Areas provided proposals are consistent with Policy HE1. When designing building-mounted solar arrays, consideration should be aesthetics and character in design choices in line with the Policy SCR2.</i></p>	
POLICY SCR3	Comment on Draft Placemaking Plan	The Council considered that rather than include a specific heritage criterion within	Historic England notes the proposed clarification to

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<p>Ground Mounted Solar Arrays</p>	<p>Solar Arrays have the potential to cause harm to the significance of individual heritage assets, including their setting, and historic landscapes. However the policy makes no reference to such important matters.</p> <p>Recommendation/ suggestion / advice to support the relative sustainability and soundness of the Plan</p> <p>Cross reference to HE / Landscape policy (para 230) or include specific heritage / landscape criteria.</p> <p>Response following proposed Limited Changes, March 2016</p> <p>The proposed <i>Limited Changes</i> fail to respond to this concern.</p> <p>As decisions are to be made in accordance with the Development Plan this Policy should recognise the potential harm to the HE caused by such development and adjust the Policy as suggested.</p>	<p>Policy SCR3 including reference to the need to refer to the relevant historic environment and landscape policies in para 117 would be sufficient to overcome Historic England's concerns. As this change did not relate to a policy it was not included in the Limited Changes Schedule.</p> <p>However, given that other environmental impacts are addressed in the policy it would be pertinent in this instance to cross reference to historic environment and landscape policies as suggested.</p> <p>SUGGESTED CHANGE TO POLICY SCR3</p> <p>Insert a new final paragraph to read:</p> <p><i>In all cases proposals will be expected to be consistent with the relevant design, heritage and landscape policies.</i></p>	<p>resolve this outstanding concern.</p>
<p>POLICY D.6: Amenity</p>	<p>Comment on Draft Placemaking Plan</p> <p>(d) Include adequate storage and functional arrangements for refuse and recycling</p> <p>(e) Ensure communal refuse and</p>	<p>Noted. As this is not a matter of soundness, the Plan can be amended by the Council to make reference to good practice examples of appropriately designed and located bin storage before it is adopted.</p>	<p>Historic England note and welcome this clarification and commitment. Matter resolved.</p>

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	<p>recycling provision is appropriately designed, located and sized.</p> <p>Recommendation/ suggestion / advice to support the relative sustainability and soundness of the Plan</p> <p>Might the Plan refer to good practice examples of appropriately designed and located bin storage?</p> <p>Response following proposed Limited Changes, March 2016</p> <p>The proposed <i>Limited Change</i> does not respond to this suggestion however the matter is not a significant concern and does affect the Soundness of the Plan.</p>		
<p>POLICY HE2: Somersetshire Coal Canal And The Wansdyke</p>	<p>Comment on Draft Placemaking Plan</p> <p>Both the Wansdyke scheduled monument and many of the surviving locks and bridges on the Northern Branch of the Canal are on the national heritage at risk register. In accordance with the requirements of NPPF paragraph 126 we would have expected the Plan and this specific policy to set out a positive strategy for their conservation and future enjoyment. However there is no indication of how the local authority via</p>	<p>Concerns acknowledged. Policy HE2 is proposed to be amended through the Limited Changes Schedule to cross refer to Policy B3a which should partially overcome Historic England's concerns.</p> <p>A new para (239a) is proposed to be introduced as a minor change to be made before the Plan is adopted. This seeks to encourage the appropriate management of these historic assets and the elements most at risk. The Council considers that the text proposed in Para 239a is positively and flexibly worded to allow initiatives that come</p>	<p>Historic England notes the clarifications and commitments to satisfy NPPF paragraph 126 and the need for the Local Plan to have a positive strategy to address heritage assets at risk. Matter resolved.</p>

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	<p>the Local Plan intends to positively address the condition of these assets and therefore it does not accord with the NPPF.</p> <p>Surprisingly Policy HE2 fails to cross reference to the positive initiative agreed in relation to POLICY B3a: Land adjoining Odd Down, Bath Strategic Site Allocation.</p> <p>Recommendation/ suggestion / advice to support the relative sustainability and soundness of the Plan</p> <p>Policy HE2 should set out a positive strategy for these heritage assets at risk.</p> <p>Response following proposed Limited Changes, March 2016</p> <p>Proposed changes only partially address the concern expressed and as a consequence the Plan fails to accord with the NPPF.</p> <p>Officers should be able to succinctly describe the action the Council intends to take. For example as part of the Bathscape Project initiatives are proposed to respond to the poor condition and management of the</p>	<p>forward to be supported.</p> <p>SUGGESTED NEW PARAGRAPH</p> <p><i>239a The Council will encourage the appropriate management of these heritage assets and those elements most at risk, and will support proposals that seek to conserve and enhance their significance.</i></p>	

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	Wansdyke.		
<p>Promoting sustainable travel paragraph 592, 596</p>	<p>Comment on Draft Placemaking Plan At paragraph 592 the Plan makes a welcome reference to the benefits to the historic environment of a positive transport strategy. It is therefore disappointing and surprising this is not reflected in paragraph 596 in relation to the policy's aims and objectives.</p> <p>Recommendation/ suggestion / advice to support the relative sustainability and soundness of the Plan At paragraph 596 refer to the aim and objective of safeguarding the Districts historic areas, heritage assets, landscapes and townscapes and making improvements where the opportunity arises.</p> <p>Response following proposed Limited Changes, March 2016 The proposed Changes (March 2016) do not respond to this concern. As decisions are to be made in accordance with the Development Plan this Policy should recognise the</p>	<p>Historic England's original comment infers that reference should be made to the benefits to the historic environment of a positive strategy under the Policy Aims (para 596). The Council is willing to make this amendment but treat it as a minor change to be made before the Plan is adopted. This is in accordance with advice in the <i>Examining Local Plans Procedural Practice</i> (PINS, 2013)¹. As such this minor change was not included in the Limited Changes Schedule.</p> <p>Historic England is now suggesting the policy should be adjusted to recognise the potential harm to the historic environment caused by inappropriate development. The Council however considers that this concern has already been addressed in the proposed amendment to Policy ST1 as set out in the Limited Changes Schedule which Historic England has confirmed addresses their concerns. This is the inclusion of a new clause which reads:</p> <p><i>Ensure schemes seek to safeguard affected heritage assets, historic areas, townscapes, landscapes, streets, places and spaces.</i></p>	<p>Historic England welcomes this helpful clarification. Matter resolved.</p>

¹ Para 2.4

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	potential harm to the HE caused by inappropriate development, and adjust the Policy as suggested.		