

Shropshire Council

**Historic Environment
Supplementary Planning Document**

Consultation Draft

March 2016

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1. Introduction

- 1.1 This Draft Supplementary Planning Document (SPD) has been prepared to support those policies in the Shropshire Local Plan which aim to protect, maintain and enhance the historic environment. These are CS6 and CS17 in the Core Strategy and MD13 in the Site Allocations and Management of Development (SAMDev) Plan.
- 1.2 This draft SPD provides guidance to support Policy MD13 Historic Environment, which forms part of the SAMDev Local Plan. Policy MD13 seeks to ensure that change to the historic environment is managed sustainably throughout the development process, and this draft SPD provides additional details on how this policy will be implemented.
- 1.3 The SPD aims to build upon 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.
- 1.4 Further guidance in appendix 1 will provide detailed advice about development affecting the Registered Battlefield, Shrewsbury and its setting. Appendix 2 will provide further policy detail in regard to NPPF, NPPG, Core Strategy and SAMDev. Further highlighted sections of policy and guidance will identify key points which are relevant to the historic environment.
- 1.5 The draft SPD provides a question and answer style document, designed to provide further support for Policy MD13 and more detailed guidance as to what the policy entails and what assessments need to be provided when submitting a planning application. Each chapter relates back to a key point/paragraph from MD13. These key points from Policy MD13 have been expanded upon with a short overview for each question and a more detailed explanation designed to provide further detail. The end document is designed to be a web based document, although will be shown as one single document for the purpose of this consultation.
- 1.6 This draft 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. The document aims to provide applicants with guidance on what type of information to submit in order to be compliant with Local Plan policies.
- 1.7 The consultation period for this Draft Historic Environment SPD runs for 6 weeks from Friday 18th March 2016 to 5pm on Friday 29th April 2016. Consultation responses should be sent to: planning.policy@shropshire.gov.uk. Responses received after 5pm on 29 April will not be considered.
- 1.8 It would be most helpful if respondents could identify the Draft SPD that is being commented on in the subject heading and indicate which sections of the document their comments relate to by quoting the chapter and paragraph numbers used in the Draft Historic Environment SPD itself.

2. Aims of the SPD

- To ensure the key principles of Policy MD13 are met
- To ensure that the key principles of National Planning Policy Framework on the historic environment are fully met locally, ensuring that local planning decisions protect, conserve and enhance 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 planning application process by ensuring that all appropriate supporting material regarding the historic environment is provided
- To fulfil Shropshire Council's Statutory Duties relating to the Historic Environment.

3. What is a heritage asset?

- 3.1 “A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage asset includes designated heritage assets and assets identified by the local planning authority (including local listing).”

Annex 2: Glossary, National Planning Policy Framework, Department for Communities and Local Government, 2012

- 3.2 Heritage assets include both designated and non-designated asset. Further guidance on both designated and non-designated heritage assets can be found in the following paragraphs below, with more detailed information on each of the individual assets found in Shropshire. Guidance on where to find heritage assets can be found below.

What is a designated asset?

Designation

3.3 Designation is the term given to the practices of listing buildings, scheduling monuments, registering parks, gardens and battlefields, and protecting wreck sites. These are collectively known as designated assets. Designation allows us to highlight what is significant about an asset and help to make sure that any future changes made to it do not result in the loss of its significance.

3.4 Designated assets comprise:

- Scheduled Monuments
- Listed Buildings
- Conservations Areas
- Registered Parks and Gardens
- Registered Battlefields
- World Heritage Sites

Information about each of the assets can be found via the link below;

<http://planningguidance.planningportal.gov.uk/blog/guidance/conserving-and-enhancing-the-historic-environment/how-do-heritage-assets-become-designated/>

3.5 Designated assets are not designated by just one organisation; it is dependent on the asset in question.

- The Department for Culture, Media and Sport (DCMS) is responsible for the identification and designation of listed buildings, scheduled monuments and protected wreck sites.
- Historic England identifies and designates registered parks, gardens and battlefields.
- World Heritage Sites are inscribed by the United Nations Educational, Scientific and Cultural Organisation (UNESCO).
- In most cases, conservation areas are designated by local planning authorities.

NPPG, Designated heritage assets, Paragraph: 021 Reference ID: 18a-021-20140306

<http://planningguidance.planningportal.gov.uk/blog/guidance/conserving-and-enhancing-the-historic-environment/how-do-heritage-assets-become-designated/>

Table 1 showing Designated Heritage Assets within Shropshire and Relevant Legislation

Type of designated Heritage Asset	Grade	Relevant Legislation	Protected in planning process
Scheduled monuments	N/A	Ancient Monuments and Archaeological Areas Act 1979	Section 12 of NPPF, specifically paragraphs 128, 132, 133 and 134 Shropshire Council Core Strategy Policies CS6 and CS17
Listed buildings	Grade I	Planning (Listed Buildings and Conservation Areas) Act 1990	
	Grade II*		
	Grade II		
Conservation Areas	N/A	Planning (Listed Buildings and Conservation Areas) Act 1990	
Registered Parks and Gardens	Grade I	National Heritage Act 1983	
	Grade II*		
	Grade II		
Registered Battlefields	N/A	National Heritage Act 1983	
World Heritage Sites	N/A	UN Convention concerning the Protection of the World Cultural and Natural Heritage 1972	

Scheduled Monuments

- 3.6 A Scheduled Monument is an archaeological site or historic building that is included in the Schedule of Monuments kept by the Secretary of State for Culture, Media and Sport. The regime is set out in the Ancient Monuments and Archaeological Areas Act 1979.
- 3.7 A Scheduled Ancient Monument is of national importance by reason of its historic, architectural, traditional, artistic or archaeological importance. Protection is granted to everything that forms part of the land and buildings within the boundary as shown on the schedule entry – unless expressly excluded such as modern day road surfaces.
- 3.8 Once a monument is Scheduled any works to it, and including flooding and tipping operations that might affect it, with few exceptions require Scheduled Monument Consent from the Secretary of State, (not the local planning authority). Historic England manages the process of Scheduled Monument Consent on behalf of the Secretary of State. This is in addition to any requirement for planning permission.
- 3.9 It is a criminal offence to:
- disturb a scheduled monument by carrying out works without consent
 - cause reckless or deliberate damage to a monument
 - use a metal detector or remove an object found at one without a license from English Heritage

Conviction for these offences can lead to fines.

For more details relating to consent please use the link below:

<https://www.historicengland.org.uk/advice/planning/consents/smc>

- 3.10 Shropshire Council 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 Historic England and have either already obtained, or will be able to obtain, Scheduled Monument Consent.
- 3.11 Details of the monuments on the Schedule, including copies of the Schedule citations are available on the National Heritage List for England: -
<https://www.historicengland.org.uk/listing/the-list>

Listed Buildings

- 3.12 A Listed Building is of national importance by reason of its special architectural or historic interest. The listing of buildings of special architectural or historic interest also includes structures, such as bridges or statues. There are three grades of listed building, which are grade I, II* or II. Whilst the different grades serve to highlight levels of significance, all listed buildings are treated the same in terms of the law.
- 3.13 The designation regime is set out in the Planning (Listed Buildings and Conservation Areas) Act 1990. The list is maintained by Historic England and is available online through the National Heritage List for England: - <https://www.historicengland.org.uk/listing/the-list>
- 3.14 Applications for new entries and to remove or amend an existing entry are made to Historic England. It will investigate the merits of the application and make a recommendation to the Secretary of State (for Culture, Media and Sport) who will make the decision. Once listed, the whole of any principal building makes up the listing, including the interior. Any pre-1948 objects, structures and buildings that formed part of the land within the curtilage of the principal listed building at the date of listing, and were ancillary to the principal building are considered to be part of the listing, and consequently treated as Listed Buildings in their own right.
- 3.15 Listed Building Consent is required if proposed works will affect the special interest of the listed building. Consent is therefore required where the proposals intend to alter, extend, demolish or restore a Listed Building or a curtilage Listed Building or structure. This also includes alterations to the building's interior or parts of the building that are not visible from public spaces. See section 5 below for further detail on the types of works requiring Listed Building Consent. When considering applications for development to, or affecting the setting of, a Listed Building the overriding consideration will be the effect on the significance of the heritage asset.

Conservation Areas

- 3.16 Conservation Areas are designated by the Local Planning Authority under the Planning (Listed Buildings and Conservation Areas) Act 1990. They are areas of special architectural or historic interest, the character and appearance of which it is desirable to preserve or enhance. Plans showing the extent of all of the Conservation Areas administered by Shropshire Council are available on the authority's website at: - <http://shropshire.gov.uk/environment/historic-environment/conservation-areas/>
- 3.17 Conservation Area designation introduces a general control over the demolition of unlisted buildings and a planning application is required for proposed demolition of buildings exceeding 115 cubic metres.
- 3.18 The Conservation Area designation has an impact on development through the Town and Country Planning (General Development Order) (GDPO), requiring the submission of planning applications for certain types of development, which are elsewhere classified as permitted development. These include various types of cladding, the erection of dormer windows and satellite dishes. The size of extensions that may be erected without planning consent is also more restrictive in conservation areas.
- 3.19 Any work planned to a tree in a conservation area must be notified to the local planning authority at least six weeks in advance so that the local planning authority may assess whether to make a Tree Preservation Order. For further details please refer to Shropshire Council's Natural Environment Supplementary Planning Document.
- 3.20 The Council can withdraw permitted development rights for a prescribed range of developments that affect the external appearance of buildings by the use of a direction under Article 4 of the GPDO. This can include minor alterations and extensions, such as porches, replacement of windows and doors and painting of the exterior of a building. Usually these Directions only relate to those facades of the building facing onto a street or public footpath or open space, but can cover alterations and extensions at the rear or developments such as sheds in back gardens. Article 4 directions are used to control works that could threaten the character of an area of acknowledged importance such as a Conservation Area, and can increase the public protection of designated and non-designated heritage assets and their settings.
- 3.21 Conservation Area Appraisals can be produced by the Local Authority detailing the important historic elements of the area and its vernacular. These are a material consideration when determining planning applications and appeals for development within Conservation Areas or their settings, and applications for conservation area consent and appeals.

Registered Parks and Gardens

- 3.22 Historic England has compiled a 'Register of Historic Parks and Gardens of special historic interest in England', and these assets are of national value. There are three grades of registered Parks and Gardens (I, II* or II) and these serve to highlight significance of the place. They are Registered under the National Heritage Act 1983 and details of those parks which are included on the Register are available on the National Heritage List for England: - <https://www.historicengland.org.uk/listing/the-list>
- 3.23 A registered park or garden is not protected by a separate consent regime, but substantial weight is given to their conservation in the consideration of applications for planning permission. When considering applications for development in or affecting the setting of a historic park and garden, the **primary** consideration will be the effect(s) on the significance of the heritage asset.
- 3.24 Registered Parks and Gardens can equally be of value and importance due to their biodiversity interest in terms of protected species, habitats, flora and fauna. The Natural Environment SPD outlines the protection measures in place in this regard.

Registered Battlefields

- 3.25 English Heritage, under the National Heritage Act 1983, maintains a Register of Historic Battlefields.
- 3.26 The identification of an historic battlefield imposes no specific obligations on landowners, and they are not subject to a separate consent regime. When considering applications for development on or affecting the setting of a historic battlefield, consideration will be given to the effect on the significance of the heritage asset.

World Heritage Sites

- 3.27 World Heritage Sites are places of outstanding universal value to all humanity and are of great importance for the conservation of mankind's cultural and natural heritage. They need to be preserved for future generations, as part of a common universal heritage.
- 3.28 The World Heritage Convention was established in 1972 by UNESCO (United Nations Educational, Scientific and Cultural Organisation). By signing up to the Convention, national governments commit themselves to identify, protect, conserve, present and transmit their World Heritage Sites to future generations. The World Heritage List set up by the Convention includes natural sites, cultural sites and mixed sites. Examples around the world include the Pyramids, Machu Picchu, the Victoria Falls, the Great Barrier Reef and the Frontiers of the Roman Empire including Hadrian's Wall. Under the National Planning Policy Framework, World Heritage Sites are designated heritage assets and thereby subject to the policies relating to them.
- 3.29 Shropshire Council's administrative boundary currently contains parts of two World Heritage Sites: the Ironbridge Gorge World Heritage Site and the Pontcysyllte Aqueduct and Canal World Heritage Site (including the associated Buffer Zone).
- 3.30 Further guidance on how World Heritage Sites are considered in the planning process is provided in Circular 07/2009: -
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/7698/circularworldheritage.pdf

Where does the protection of heritage assets come from?

- 3.31 One of the ways of protecting heritage assets is through the national designation. These assets appear on the National Heritage List for England (NHLE). The following link to Historic England provides a search of all heritage assets which are legally protected by national designation. <http://historicengland.org.uk/listing/the-list/>. This provides information about each individual asset; character detail about the asset in question; historical background; date and reason for designation and a map of the location of the asset.
- 3.32 The aim of designation is to protect the character and significance of the asset. There are number of types of designation; listing, scheduling; registering and protecting. Each type of heritage asset is designated in a different way.

Table 1 in shows designated assets and their relevant protection.

Listing

- 3.33 “A listed building does not mean that the building is preserved in one state and can never be changed. It means that listed building consent must be applied for before any changes can be made to the building. Listing covers both the exterior and interior of the building.”
- 3.34 The majority of buildings on the NHLE are listed. The criteria for listing a building are based on its architectural and historic interest. Definitions of architectural and historic interest are as follows.
- 3.35 Architectural Interest: To be of special architectural interest a building must be of importance in its architectural design, decoration or craftsmanship; special interest may also apply to nationally important examples of particular building types and techniques (e.g. buildings displaying technological innovation or virtuosity) and significant plan forms;
- 3.36 Historic Interest: To be of special historic interest a building must illustrate important aspects of the nation’s social, economic, cultural, or military history and/or have close historical associations with nationally important people. There should normally be some quality of interest in the physical fabric of the building itself to justify the statutory protection afforded by listing.

<https://content.historicengland.org.uk/content/docs/guidance/principles-of-selection-for-listing-buildings-2010.pdf>

- 3.37 The following is the criteria used for determining whether or not a building is to be listed, which has been approved by the Secretary of State.

(a) any respect in which its exterior contributes to the architectural or historic interest of any group of buildings of which it forms part; and

(b) the desirability of preserving, on the ground of its architectural or historic interest, any feature of the building consisting of a man-made object or structure fixed to the building or forming part of the land and comprised within the curtilage of the building.

Chapter 1, Listing of Special Buildings, p1, 2

http://www.legislation.gov.uk/ukpga/1990/9/pdfs/ukpga_19900009_en.pdf

3.38 Listed buildings are graded depending on their level of architectural and historic interest. Listing can be used as a way of preserving features and characteristics of a building, which might otherwise be changed as a result of building work. There are three different levels of grading; Grade I, Grade II* and Grade II.

- Grade I buildings are of exceptional interest, only 2.5% of listed buildings are Grade I
- Grade II* buildings are particularly important buildings of more than special interest; 5.5% of listed buildings are Grade II*
- Grade II buildings are of special interest; 92% of all listed buildings are in this class and it is the most likely grade of listing for a home owner.

<https://historicengland.org.uk/advice/hpg/has/listed-buildings/>

What is the difference between Grade I, Grade II and Grade II listing?*

3.39 “Grade I or II* are those of 'outstanding architectural or historic interest'. The difference in grading between Grades I, II* and II is not significant as far as the need to apply for listed building consent is concerned; the principal practical implication of grading is that a higher Grade I and II* buildings may be eligible for some grants and other forms of funding that are not available for Grade II buildings.”

<http://www.victoriansociety.org.uk/advice/listed-buildings/>

Listed building consent

3.40 Listed Building Consent is a type of planning consent which protects buildings of special architectural or historical interest. The consent is intended to preserve buildings and prevent any unwanted works to buildings. Both Listed Building Consent and planning permission are needed before any building work can commence. Any works to a building without listed building consent is considered to be a criminal offence.

3.41 When submitting an application for listed building consent, the more information that can be provided, the more accurate the assessment will be. Information which can be submitted includes; photographs of the building in question and a map of the area to show the location of the building and any other listed buildings in the area. Detailed information is needed to explain what changes are being proposed to the building and how this may have an effect on the listing in terms of the architectural and historic interest.

- 3.42 For further guidance and information on Listed Buildings and how to apply for consent please see link below.

Planning (Listed Building and Conservation Areas) Act 1990

http://www.planningportal.gov.uk/uploads/1app/guidance/guidance_note-listed_building_consent.pdf

Scheduling

Why scheduled monument consent is needed

- 3.43 A monument which has been scheduled is protected against ground disturbance or unlicensed metal detecting. Written consent must always be obtained before any work on a scheduled monument can begin.
- 3.44 Applicants have to apply for scheduled monument consent to be able to carry out any works affecting a scheduled ancient monument.
- 3.45 The following link provides detailed information about how to apply for scheduled monument consent. It contains information about what to include in the application and who to send the application to.

<https://content.historicengland.org.uk/content/docs/planning/smc-notes-applicants.pdf>

Who grants scheduled monument consent

- 3.46 Application for Scheduled Monument Consent (SMC) must be made to the Secretary of State for Culture, Media and Sport before any work can be carried out which might affect a monument either above or below ground level. Some change may also require planning permission, which should be obtained from the Local Planning Authority.

Scheduled monuments acts and legislation

- 3.47 Scheduled monument consent is a specific requirement of the Ancient Monument and Archaeological Areas Act 1979. The types of works that require SMC are specified under section 2 of the 1979 Act. Where appropriate, consent may be issued for repetitive works to a single monument or for identical works to a group of monuments in single ownership.

<https://content.historicengland.org.uk/content/docs/planning/smc-notes-applicants.pdf>

How does this affect planning process?

- 3.48 Scheduled Monument Consent is a separate consent which must be applied for within its own right. Both SMC and planning permission are needed when work

involves a Scheduled Ancient Monument. Planning permission must be applied for separately and applicants need to demonstrate when applying that SMC has been granted or that discussions with Historic England are in progress.

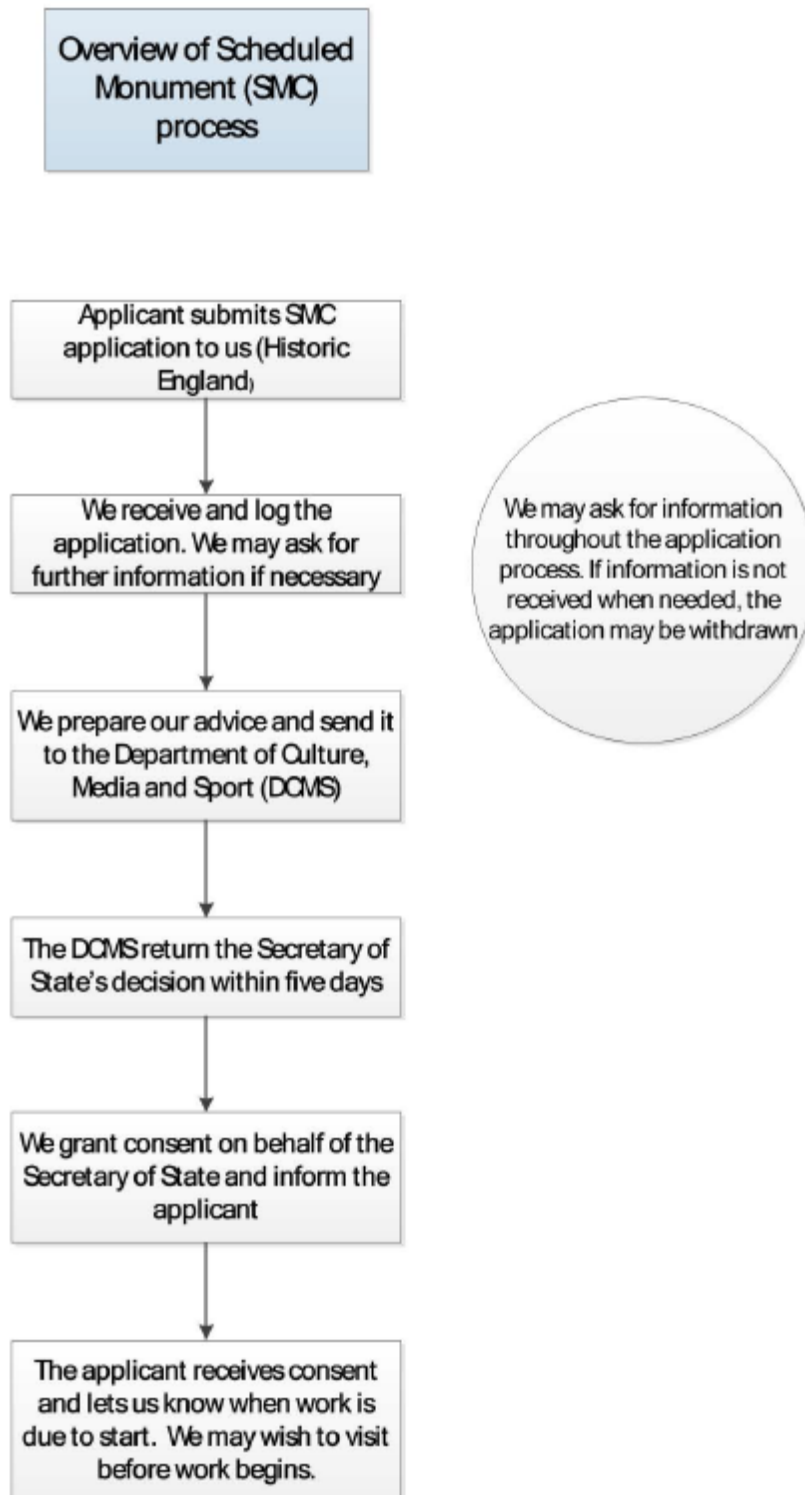
- 3.49 “Scheduling is discretionary: the Secretary of State has a choice as to whether to add a site to the schedule or not. Scheduling is deliberately selective: given the ever-increasing numbers of archaeological remains which continue to be identified and interpreted, this is unavoidable. The schedule aims to capture a representative sample of nationally important sites, rather than be an inclusive compendium of such assets.”

“Law and Government, Designation Scheduling Selection Guide”,

<https://content.historicengland.org.uk/images-books/publications/dssg-law-govt/law-govt-ssg.pdf/>

The following diagram shows the process of obtaining Scheduled Monument Consent.

<https://content.historicengland.org.uk/content/docs/planning/overviewofsmcprocess.pdf>



Registering

- 3.50 The following link provides information about how a site becomes registered;

<https://historicengland.org.uk/listing/what-is-designation/registered-parks-and-gardens/how-do-parks-and-gardens-become-registered/>

Visiting the site

- 3.51 If the initial investigation suggests that the park or garden is of a sufficiently high level of historic interest, we will contact the main owner(s) to request a site visit. Although we are not obliged to visit a site prior to its inclusion in the Register, a visit is not only of help in judging the quality of the landscape but also, most importantly, it can provide an opportunity to meet the owner(s) and/or managers of the site.
- 3.52 Should it not prove possible to arrange a site visit, then the site will usually be viewed, if necessary and so far as is possible, from public vantage points and rights of way.

Assessment and recommendation

- 3.53 Further research to fill in any vital gaps in our knowledge follows a site visit, and then an initial report is compiled for consultation with the owner, local planning authority, the Garden History Society and the applicant. They will be invited to respond within 21 days on the facts we have laid out. All the information and representations will then be considered and we will produce a final recommendation report.
- 3.54 Where a park or garden is found to be of sufficient historic interest to merit registration, site details are added to the National Heritage List for England (NHLE), and the site is deemed to be registered. A formal letter of notification is sent out to the applicant and all known owners and occupiers of the site.
- 3.55 The notification letter is accompanied by a Register text describing the site and a site boundary map. The local planning authorities at district, unitary, and county levels (as relevant) are also notified at this point, and are sent copies of the text and map.

Why register

- 3.56 Historic parks and gardens are a fragile and finite resource: they can easily be damaged beyond repair or lost forever. Whether in town or country, such places are an important, distinctive, and much cherished part of our inheritance and we have a duty to care for them.
- 3.57 In order to identify those sites which are of particular historic significance, Historic England is enabled by government to compile the 'Register of Parks and Gardens of special historic interest in England
- 3.58 The main purpose of this Register is to celebrate designed landscapes of note, and encourage appropriate protection. It is hoped that, by drawing attention to sites in this way, we will increase awareness of their value and encourage those who own them,

or who otherwise have a role in their protection and their future, to treat these special places with due care.

Who is responsible?

- 3.59 Historic England is responsible for the designation of registered parks and gardens. Any applicants wishing to apply to have a park or garden registered can do so to Historic England and follow the formal designation process. Successful designations will then be added to the National Heritage List for England.
- 3.60 Selection guide for parks and gardens is split into four categories, these being;
- Rural landscapes
 - Urban landscapes
 - Landscapes of Remembrance
 - Institutional Landscapes

<https://historicengland.org.uk/listing/selection-criteria/pag-selection/>

- 3.61 For each of the categories, there are nine criteria to be met in order to include the land in question on the Register of Parks and Gardens, all regarding the level of historic interest.
- 3.62 Part of the considerations relate to the date and rarity of the landscape. Further considerations relate to the character and style of the landscape.
- 3.63 For further detail on each of the criteria, please visit the Historic England website where each of the four documents can be found.

<https://historicengland.org.uk/listing/selection-criteria/pag-selection/>

Acts/legislation

- 3.64 Registration is a 'material consideration' in the planning process, meaning that planning authorities must consider the impact of any proposed development on the landscapes' special character.
- 3.65 The Register of Historic Parks and Gardens of Special Historic Interest in England was set up in 1983. The register lists 1620 sites, both public and private landscapes. The aim of the register is to increase awareness of the historic landscape and provide long term management strategies to help maintain the landscape.
- 3.66 Registered Parks and Gardens have a statutory designation status, much the same as listed buildings, and therefore protected under the controls of NPPF. However, there are no statutory controls over the development of land, in that there is no separate planning consent such as listed building consent.

Local Heritage Designations

- 3.67 Local Planning Authorities are able to make local designations in their area. Local designation “allows for the management of local heritage through the planning system.” (Historic England) It includes both individual heritage assets and areas of local character. Individual elements of a building are also taken into account and can be individually designated, where they provide an important contribution to the character of the building and/or surrounding area.
- 3.68 It can also be used as a way for both Local Authorities and communities to identify heritage assets, which are seen to be important elements of the historic environment.
- 3.69 The three main local listings are:
- Conservation Areas
 - Local Listing
 - Archaeological sites

What is a non-designated asset?

Non-designated heritage assets

- 3.70 Local planning authorities may identify non-designated heritage assets. These are buildings, monuments, sites, places, areas or landscapes identified as having a degree of significance and making a positive contribution to the local character of an area and its sense of place thereby meriting consideration in planning decisions, but are not formally designated as a heritage asset by the relevant national organisations. In some areas, local authorities identify some non-designated heritage assets as 'locally listed'.
- 3.71 Shropshire Council's Historic Environment Team can provide initial advice relating to non-designated heritage assets and these would be defined as set out in the following paragraphs. This advice should then be used to inform development proposals and their impact on the asset/s identified.
- 3.72 Further information regarding non-designated assets can be found via the link below;
<http://planningguidance.planningportal.gov.uk/blog/guidance/conserving-and-enhancing-the-historic-environment/what-are-non-designated-heritage-assets-and-how-important-are-they/>

Defining non-designated heritage assets

- 3.73 Shropshire Council will use the Historic Environment Record (HER) and other information (e.g. information provided by applicants and/ or objectors, other historic documentary sources, Shropshire Council's expert advisors professional judgement) to define non-designated heritage assets.
- 3.74 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 English Heritage in Conservation Principles: -
<https://historicengland.org.uk/advice/constructive-conservation/conservation-principles/>

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

- 3.75 Non-designated heritage assets with archaeological interest are not subject to a separate consent regime. However, since 1990 they have been a material consideration within the planning process and this remains the case under the National Planning Policy Framework. When determining applications for development affecting non-designated heritage assets with archaeological interest consideration will be given to the effect on their significance. In this respect heritage assets can be defined as having archaeological interest if: - "It holds, or potentially may hold, evidence of past human activity worthy of expert investigation at some

point. Heritage assets with archaeological interest are the primary source of evidence about the substance and evolution of places, and of the people and cultures that made them.” *NPPF Annex 2, pg. 50.*

- 3.76 Where there is a reasonable expectation that a heritage asset or a spatial area holds such interest it will be deemed to hold archaeological potential. The level of potential will vary depending upon the likelihood that such interest is present and/ or the level of importance that any archaeological structures, features or deposits will have.
- 3.77 In identifying non heritage assets with archaeological interest, Shropshire Council will refer to the Historic Environment Record and the professional judgement of its expert advisors.
- 3.78 In weighing planning applications that affect directly or indirectly non-designated heritage assets with archaeological interest, Shropshire Council is required to make a balanced judgement having regard to the scale of any harm or loss and the significance of the heritage asset. Additionally, under the National Planning Policy Framework Shropshire Council will determine applications that affect the significance of Non-designated heritage assets of archaeological interest that are demonstrably of equivalent significance to scheduled monuments with regard to the policies for designated heritage assets.
- 3.79 To assist it in making this judgement, the Council will require a Heritage Assessment to be submitted where the significance of non-designated heritage assets with archaeological interest will be affected. The level of detail of the assessment should be proportionate to the potential importance of remains and must be sufficient to understand the likely impact of any development proposal on their significance. Where necessary, a field evaluation will be required, and the relevant Codes, Standards and Guidance issued by the Institute for Archaeologists should be adhered to: -
- <http://www.archaeologists.net/codes/ifa>
- 3.80 In identifying non-designated heritage assets with archaeological interest, Shropshire Council will refer to the Historic Environment Record and the professional judgement of Shropshire Council’s expert advisors.

Non-designated buildings and structures

- 3.81 There are a number of buildings, structures and historic features within Shropshire which, while not statutorily protected, are considered to be heritage assets of local architectural and historic interest. These heritage assets make a substantial contribution to the significance, quality or local distinctiveness of a place. The Council considers that many of these non-designated heritage assets merit recognition and are worthy of conservation for the benefit of future generations.

- 3.82 Historic buildings, structures and features which can often be considered as non-designated heritage assets include pre-1940s buildings and structures (including traditional farm buildings) constructed using traditional materials and techniques; World War II and earlier military buildings or structures; pre-1940s industrial, utilities or transport buildings and structures (e.g. quarry/mining buildings, lime kilns); post-war buildings which can be considered to hold some architectural merit.
- 3.83 The Shropshire Historic Farmstead Character Assessment provide further information about the historic character of historic farmsteads within the county. It can be used to aid decision making on development proposals that affect historic farmsteads, and a report is available on the Council's website at: -

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

Non-designated historic parklands

- 3.84 In addition to the Registered Parks and Gardens, the Shropshire Historic Environment Record also contains records for a significant number of non-designated historic parklands as a consequence of survey work undertaken in the 1990s. Their significance and importance as non-designated heritage assets vary according to the range of factors, including the level of heritage interest they hold and the degree to which their parkland character survives.
- 3.85 In weighing planning applications that affect directly or indirectly non-designated historic parklands, Shropshire Council will make a balanced judgement having regard to the scale of any harm or loss and the significance of the heritage asset.
- 3.86 In identifying historic parklands that it considers to be non-designated heritage assets, Shropshire Council will refer to the Historic Environment Record and the professional judgement of Shropshire Council's expert advisors.

How can I find out about heritage assets?

3.87 There are a number of ways of finding the relevant information regarding Heritage Assets, either by contacting the Historic Environment team or visiting the Shropshire Council website. These are ways of first establishing if a Heritage Asset will be affected by a potential development site and if so, will provide the necessary background information on these assets.

3.88 The Historic Environment Record provides information about all aspects of the Historic Environment including location, type and date of all heritage assets across Shropshire. A further reference is the Historic England website, which again, provides background information on all Heritage Assets.

- Access the Historic Environment Record
<https://new.shropshire.gov.uk/environment/historic-environment/archaeology/historic-environment-record/>
<https://new.shropshire.gov.uk/media/1804/her-information.pdf>
- Contact the Historic Environment Team
<https://www.shropshire.gov.uk/environment/historic-environment/>
- Utilise the Local View Mapping system to view Conservation Areas
<http://shropshire.gov.uk/maps/default.htm>
- Access the Heritage List at; <https://historicengland.org.uk/listing/the-list/>

3.89 For further guidance about Historic Environment Records, please see link to Historic England website below.

<https://historicengland.org.uk/advice/hpg/heritage-assets/hers/>

4. ***How do I know if my proposal will have an effect?***

- 4.1 If the proposed development is to cause harm or loss to the significance of the asset or the significance of the setting of the heritage asset, this constitutes a negative effect. There are varying degrees of negativity, mostly dependant on the proposed development and the significance of the heritage asset. Policy MD13 refers to adverse effects to the significance of a heritage asset, including its setting. The following answers explain in further detail what significance and setting are, and how they can be affected.
- 4.2 Development proposals can impact on the significance of non-designated heritage assets in two ways: -
- **Direct** – through the physical loss of historic fabric; archaeological structures, features or deposits; and/or a negative impact upon character.
 - **Indirect** –through impacts on the setting of an asset
- 4.3 For direct physical impacts this would comprise demolition or destruction, or serious damage to a buildings structure. The equivalent effect non-physical or indirect impacts would be of such a serious order that significance is either totally removed or very substantially reduced. It therefore follows that a loss of significance which does not equate to these measures would constitute less than substantial harm.
- 4.4 The National Planning Policy Framework identifies two levels of harm to significance of designated heritage assets: substantial and less than substantial. Substantial harm has been defined through recent case law¹ as comprising a total or near total removal of significance.
- 4.5 *When judging the proposed development, this must be in line with the policy requirements of MD13. The key test within this policy is to assess the effect(s) on the significance of the heritage asset(s).*
- 4.6 “It is the degree of harm to the asset’s significance rather than the scale of the development that is to be assessed. The harm may arise from works to the asset or from development within its setting.”

Decision taking: Historic Environment

<http://planningguidance.communities.gov.uk/blog/guidance/conserving-and-enhancing-the-historic-environment/why-is-significance-important-in-decision-taking/>

¹ Bedford Borough Council v Secretary of State for Communities and Local Government and Nuon UK Ltd [2012] EWHC 4344 (Admin)

- 4.7 Development has the potential to affect heritage assets in a number of ways. These can be positive or negative changes, and may result in a permanent or temporary impact on both the physical fabric or form of the heritage asset affected, and the landscape context within which it is appreciated. This is what is known as setting, and is often overlooked or misunderstood in the context of assessing how a proposal impacts on the asset or assets affected. It has been given increased weight in planning terms since the introduction of the NPPF, in which Section 12 specifically deals with assessing impacts to heritage.
- 4.8 The first step in assessing the potential for your proposal to have an effect on the heritage assets is to evaluate the values or significance of the assets and their sensitivity to change. This is often termed a baseline assessment, and incorporates the statement of significance among other recommended elements.
- 4.9 Between them these form the first part of a Heritage Assessment, as required in policy MD13.

What is significance and how is it affected?

4.10 The NPPF defines the significance of a Heritage Asset as: -

‘The value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset’s physical presence, but also from its setting.’²

4.11 The significance of an asset relates to the importance given to that particular heritage asset. Its significance can be defined by its worth and importance, which may be different for each type of heritage asset. When examining the significance of an asset, the questions to consider are; what makes an asset significant and how that significance could be affected.

4.12 Historic England’s guidance document ‘Conservation Principles’ (2008) provides a methodology for assessing the significance of a heritage assets by establishing an understanding of their ‘heritage values’. This is available at: -

<https://content.historicengland.org.uk/images-books/publications/conservation-principles-sustainable-management-historic-environment/conservationprinciplespoliciesguidanceapr08web.pdf/>

4.13 These values can be summarised as follows: -

- **Evidential** – this relates to the ability of the physical fabric of an asset to yield evidence about past human activity.
- **Historical** – this consists of the “...ways in which past people, events and aspects of life can be connected through a place to the present.”. This can be illustrative, whereby an asset will illustrate certain aspects of history or prehistory and provide a perceptual ink for people between the past and present. Historical value can also come from association with a notable person, family, movement or event.
- **Aesthetic** – this value derives from the way in which people can derive sensory and intellectual stimulation from an asset. It can come from design, where it results from the “...aesthetic qualities generated by the conscious design of a building, structure or landscape as a whole.”. In relation to a building it may result from it being attributable to a notable patron, architect or designer or as consequence of being “... a mature product of a vernacular tradition of building.”. Aesthetic value may also be fortuitous as an “...outcome of the way in which a place has evolved and been used over time.”.
- **Communal** – this comprises the meanings an asset has for people who relate to it, or for whom it plays a role in their collective experience and memory. It can be commemorative, symbolic or spiritual, in the sense that people draw part of their

² NPPF, Annex 2, pg.56

identity and/ or have emotional links to it, or because of its links to religious beliefs and teachings. It can also be social because it is "...associated with places that people perceive as a source of identity, distinctiveness, social interaction and coherence."

- 4.14 Whilst these 'values' differ to the 'interests' set out in the Framework's definition of significance, they can be related to one another. For example, archaeological interest can be equated with evidential value, architectural and artistic interest to aesthetic design value, and historic interest to the various types of historical value.
- 4.15 Historic England's document 'Historic Environment Good Practice Advice in Planning 2: Managing Significance in Decision-Taking in the Historic Environment' makes it clear that Conservation Principles continues to provide a valid methodology for assessing significance.
- <https://content.historicengland.org.uk/images-books/publications/gpa2-managing-significance-in-decision-taking/gpa2.pdf/>
- 4.16 These elements collectively make up the assets importance and self-worth. If any of these elements are affected, there is a knock on effect on the importance of the asset. If the importance of the asset is affected, the significance of the asset is affected. If the effect on the significance is so great that the asset loses its important and its value is no longer worth retaining, it therefore can't be significant and classed as a non-designated asset. If the asset no longer has significance, then an adverse effect has been caused.

What is setting and how is it affected?

- 4.17 The setting, or context within which a heritage asset is viewed, will in most cases affect the asset's significance. It will change according to differences in viewpoint, weather and time, and is usually made up of visual relationships with other heritage assets, which can sometimes stretch for miles depending on the nature of the asset and the landscape within which it was designed or is appreciated.
- 4.18 Setting contributes to significance and as such must be considered fully in the Heritage Assessment. There may be instances where the setting of a heritage asset has been compromised through inappropriate development, in which case a proposal may respond to the opportunity to improve setting of the heritage.
- 4.19 For further guidance on setting, please refer to Historic England's guidance on The Setting of Heritage Assets: -

<https://content.historicengland.org.uk/images-books/publications/gpa3-setting-of-heritage-assets/gpa3.pdf/>
- 4.20 The effects of a proposal can have the potential to enhance as well as harm the significance of the asset.

- 4.21 The following refer to the Registered Battlefield and World Heritage Sites within Shropshire where the significance of a heritage asset, including its setting, must be taken into account if/when submitting a planning application for a proposed development.

Registered Site of the Battle of Shrewsbury at Battlefield, North Shrewsbury

- 4.22 For developments which may affect the significance and setting of the Registered Battlefield, Shrewsbury, applicants should take account of the planning guidance which has been prepared. This provides detailed guidance and advice on how to manage the impact of any proposals which may affect the significance of the Registered Battlefield including its setting. For further information about this planning guidance please see Appendix 1.

Pontcysyllte World Heritage Site

- 4.23 For developments which may take place in the Weston Rhyn/ Chirk Bank area, applicants need to be aware of any proposals which may have an effect on the significance and setting of the Pontcysyllte World Heritage Site. This is due to the fact that the buffer zone for the Pontcysyllte World Heritage Site is located within Shropshire. Shropshire Council will have regard to this Guidance when determining planning applications that fall either within the World Heritage Site itself or within the associated Buffer Zone. For further details about the World Heritage Site, please see link below.

https://www.wrexham.gov.uk/assets/pdfs/consultations/pontcysyllte_spg.pdf

Ironbridge Gorge World Heritage Site Management Plan

- 4.24 Applicants need to be aware of any development which may affect the Ironbridge Gorge World Heritage Site. A management plan is being prepared in conjunction with Telford and Wrekin and will be prepared in due course.

5. What is a Heritage Assessment?

- 5.1 A heritage assessment is required by Paragraph 128 of the National Planning Policy Framework requiring applicants to “describe the significance of any heritage assets affected” including any contribution made by their setting, and provide an assessment of any impacts from the proposals on the significance of heritage assets, both positive and negative. A heritage assessment should provide sufficient information to enable the Council to make informed planning decisions about any potential impacts upon the significance of a heritage asset as well as the setting of the asset. The scope and content of the heritage assessment should be proportionate to the importance of the heritage asset(s) which will be affected, the scale of the proposed development and the magnitude of any impacts.
- 5.2 The requirement to identify the potential impacts on the significance of the Heritage Assets should have regard to the NPPF (Section 128) as well as guidance in the NPPG and the guidance within Historic England Good Practice Advice Notes 2 and 3: Managing The Setting of Heritage Assets (March 2015) and Seeing the History in the View (May 2011).
- 5.3 Most heritage assessments as a minimum will have consulted any relevant records contained within the Shropshire Historic Environment Record and when necessary appropriately qualified expert advice taken. Details of how to consult the Shropshire Historic Environment Record are available on the Council's website at: -

<http://shropshire.gov.uk/environment/historic-environment/shropshire-historic-environment-record/>

Aims of Heritage Assessment

- 5.4 A Heritage Assessment will have three primary aims;
- To describe and assess the significance of any heritage assets that will be affected by a development proposal, including any contribution to that significance made by the assets setting.
 - To assess the potential impacts upon and any resultant harm to, the significance of heritage assets that may arise from the development proposal.
 - To identify any opportunity for a development proposal to positively enhance the significance of a heritage asset.
- 5.5 A Heritage Assessment should assess the degree to which any such impacts will harm the significance of a heritage asset. The significance of a heritage asset derives from its heritage interest. As defined within the National Planning Policy Framework, this interest derives from four component heritage values: archaeological (sometimes referred to as evidential value); architectural, artistic and historic. When defining these values and assessing the significance of heritage of heritage assets,

those preparing a Heritage Assessment should follow the guidance provided within Historic England's Conservation Principles (2008): -

<https://historicengland.org.uk/advice/constructive-conservation/conservation-principles/>

- 5.6 For further detail about the structure of heritage assessments; why they need to be undertaken, when an assessment is needed and what type of information to include, see example guide below, which provides a general format for a heritage assessment.

What do I need to provide in a Heritage Assessment?

- 5.7 In terms of the level of detail and assessment which needs to be provided, this will evidently vary depending on the scale and nature of the scheme and the heritage assets affected. As described above, it should be a proportionate assessment in accordance with Paragraph 128 of the NPPF and the onus is on the applicant to provide sufficient information for the Local Authority to make informed decisions on submitted applications. Understanding what is and isn't important about the asset, and what makes up its significance is essential in formalising how it can be altered/developed whilst ensuring it is sensitive to its historical and architectural importance.

Example format for Heritage Assessment

- 5.8 The following example guide is for applicants needing to submit a heritage assessment with an application form, providing a general outline of what to submit. The level of detail needed in an assessment is proportionate to the proposal being submitted. Applicants should refer to Shropshire Council Historic Environment team for further clarification.

Section	Content
	<p>Report title and site location</p> <p>Date of report</p> <p>Details of author and client</p>
Executive Summary	<p>Can be read as a standalone report</p> <ul style="list-style-type: none"> • Purpose of the report • Description of development • Methodology • The heritage asset; its significance, including assessment of setting and sensitivity • Impacts and effects assessment • Proposed mitigation measures • Conclusions
Planning policy background	<p>State the National and Local Plan policies which apply to the proposal, e.g. MD13 Historic Environment or S16 Shrewsbury</p> <p>State any Core Strategy policies which may be relevant.</p> <p>Outline what it is that the policies require and how this relates to the planning application in question.</p>
Gather relevant information about the site – heritage baseline information	<ul style="list-style-type: none"> • Any documentation about the designation of the heritage asset if applicable <ul style="list-style-type: none"> ○ Statutory list description ○ Written schedules ○ Previous published evaluation reports • Documentation from archives/libraries/manuscripts • Historical photos – these will help to show any changes to the building • Historical maps – these will show the layout of the building and surroundings and any phasing of development over time, showing how the site and its surroundings have changed.
Statement of significance	<p>Explain the importance of the asset and what makes it significant, for example, the age or rarity of the building. When assessing significance, it is good practice to identify significance in terms of values: historic, cultural, aesthetic/architectural or archaeological. It is also essential that the statement considers the role of setting in terms of its contribution to significance of the asset/s. In most cases, it will be appropriate to include a qualitative visual assessment as part of this stage.</p> <p>It should be noted that the level of information required within the statement of significance is proportionate to the work proposed and</p>

	significance of the heritage asset(s) involved. Therefore the more extensive and potentially detrimental the changes are, the more detail will be needed within the statement.
Detailed presentation of development proposed	<p>Site map and/or floor plans showing proposed layout and scale of development.</p> <p>Full presentation in text and drawings of the proposal including proposed timetable.</p> <p>This may need to include demolition plans, foundation depths, details of proposed heights and finishes depending on the nature of the scheme. The more information at this stage, the more robust the impact assessment will be.</p>
Impact Assessment	<p>This is normally presented in tabular format, with columns for Asset description, Sensitivity level, Description of potential impact, Effect and Significance.</p> <p>When identifying the level of impact on a heritage asset, there are a number of different factors which should be taken into account. These include; whether the impact is direct or indirect, it's magnitude, extent of the area covered and context. These are all factors which could influence the level of impact in different ways depending on the asset in question, which should appear in the resulting assessment of effect.</p> <p>The impact assessment must include within it details of the proposal to allow the impact to be properly assessed. This must be done for both outline and full applications. For example for a housing application, details may include; height, density, massing and layout of the proposed development.</p>
Conclusions and recommendations	Provide an overall assessment of the potential harm to heritage assets caused by the proposals
Mitigation measures	Detail proposed mitigation (improvement) measures to offset any adverse effects caused as a result of the proposal. These mitigation measures will need to be secured to allow the proposed development to proceed and will be included within the planning conditions of any consent given.
References	<ul style="list-style-type: none"> • List any organisations who have been contacted • List any websites that have been used • Describe any requests for information and state where the information is available from • List any data searches which were carried out and provide dates

- 5.9 The following provides examples of where and why a heritage assessment may be required.

Listed Building Consents

- 5.10 All Listed Building Consents require a Design and Access Statement and this should include a heritage assessment with an explanation of the special architectural or historic importance of the building, building recording and detail of the method of the proposed works, along with the design principles and concepts that apply to the proposal (where relevant). This is to ensure that the Local Authority has sufficient information to assess development having special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses in accordance with Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990).
- 5.11 The level of detail to be provided within the heritage assessment will be dependent on the nature and extent of the works to the building and may also require a full historic building assessment in order to evaluate the above requirements. If the submitted information is deemed insufficient it may be that further details may be requested prior to the consent being progressed.

Non-designated Heritage Assets

- 5.12 Works or development affecting non-designated heritage assets, for example traditional agricultural buildings proposed to be converted, would also require a heritage assessment. Whilst they are not formally designated, paragraph 135 of the NPPF and annex 2 and MD13 refer to the requirement to take into account the effect of development on non-designated heritage assets, and in weighing applications that affect non-designated heritage assets take a balanced judgement having regard to the scale of harm or loss and the significance of the heritage asset. As part of the submitted heritage assessment, a historic building assessment may be required to evaluate the architectural and historic significance of the building in order that the impact of the proposal on the heritage asset can be fully considered.

What methods of assessment may be needed?

- 5.13 A Heritage Assessment could comprise a variety of documents/sections to accompany a planning application or Listed Building Consent, (e.g. archaeological desk based assessment, historic buildings assessment, assessment of impacts on setting etc.). The type of proposal and the potential impact upon the heritage asset in question will determine the type of work which will need to be undertaken.

Heritage assets with archaeological interest

- 5.14 Where a proposed development site is known to hold archaeological interest, or is deemed by the Council's expert advisors to hold a sufficient level of archaeological potential, a Heritage Assessment should contain one or more of the following as appropriate. Those preparing a Heritage Assessment for a development site with archaeological interest will be expected to hold an appropriate level of expertise and experience, and should adhere to the relevant Codes, Standards and Guidance issued by the Institute for Archaeologists (IfA). The latter are available on the Institute's website: - <http://www.archaeologists.net/codes/ifa>

Desk-based assessments

- 5.15 The Institute for Archaeologists defines a desk-based assessment (DBA) as "...a programme of study of the historic environment within a specified area or site...that addresses agreed research and/or conservation objectives." It will be compiled through collation of existing written, graphic, photographic and electronic data in order to identify the likely character, extent and significance of any heritage assets, including their heritage values and any contribution made by their setting. The Shropshire Historic Environment Record (HER) should be consulted prior to undertaking the assessment. A site visit will normally be conducted during its preparation in order to provide a rapid assessment of the conditions on site. The desk based assessment may also identify the need for a further field evaluation in order to fuller assessment of the archaeological interest of the proposed development site and may, therefore, represent the first step in a wider programme of work.
- 5.16 Desk-based assessments should conform to the Institute for Archaeologists Standard and Guidance for Historic Environment Desk-based Assessment: -
http://www.archaeologists.net/sites/default/files/node-files/DBA2012-New_Format.pdf
- 5.17 Details of how to consult the Shropshire Historic Environment Record are available on the Council's website at: -
<http://shropshire.gov.uk/environment/historic-environment/shropshire-historic-environment-record/>

Field evaluations

- 5.18 The Institute for Archaeologists defines a field evaluation as "...a limited programme of non-intrusive and/or intrusive fieldwork which determines the presence or absence of archaeological features, structures, deposits, artefacts or ecofacts within a specified area or site..." Where such archaeological remains are present the purpose of the evaluation will be to define their character, extent, quality and preservation, and thereby also their significance.
- 5.19 A field evaluation may comprise of one or more of the following methods. These can be broadly subdivided in non-destructive (i.e. approaches which cause little, if any, physical impact) and destructive (i.e. approaches which will have a direct physical impact on archaeological remains) approaches.
- 5.20 All archaeological field evaluation should be carried out in accordance with the Institute for Archaeologists Standard and Guidance for Archaeological Field Evaluation: -

<http://www.archaeologists.net/sites/default/files/node-files/IfASG-Field-Evaluation.pdf>

Non-destructive methods

- 5.21 Geophysical Survey –comprises a range of non-intrusive techniques that allow the physical properties of the ground sub-surface to be measured, thereby enabling the presence anomalies with archaeological potential to be identified. The selection of the method or methods to be used will depend upon the nature of the site and the anticipated character of the archaeology. Surveys need to be undertaken in accordance with Historic England guidance: -
- 5.22 In addition, all surveys should be undertaken in accordance with the Institute for Archaeologists Standard and Guidance for Archaeological Geophysical Survey:
- 5.23 Remote sensing – comprises a range of archaeological imaging techniques that include aerial photography, airborne and ground based Lidar³ and laser scanning. English Heritage guidance should be followed when utilising the latter approaches: -

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

<http://www.archaeologists.net/sites/default/files/node-files/IfASG-Geophysics.pdf>

http://www.english-heritage.org.uk/publications/3d-laser-scanning-heritage2/3D_Laser_Scanning_final_low-res.pdf

<http://www.english-heritage.org.uk/publications/light-fantastic/light-fantastic.pdf>

³ Light detection and ranging

- 5.24 Earthwork or landscape survey –for larger archaeological landscapes or sites where archaeological earthwork are known or suspected to be present. This may comprise a rapid walkover survey, to confirm presence/ absence and provide a rapid characterisation of features, or a more detailed analytical survey. Such surveys need to be undertaken in accordance with English Heritage’s guidance: -

<https://www.english-heritage.org.uk/publications/understanding-archaeology-of-landscapes/understandingthearchaeologyoflandscapespart1pp1-9.pdf>

- 5.25 Building survey – For guidance on building surveys, applicants should refer to; <https://historicengland.org.uk/images-books/publications/understanding-historic-buildings/>

- 5.26 Other methods – other more rarely used non-destructive techniques include geochemical survey⁴ and field scanning⁵.

Destructive methods

- 5.27 Trial trenching – comprises the excavation of trenches, either by hand or by machine, to investigate and assess any underlying archaeological features, structures, deposits. The sampling strategy and size to be adopted will vary upon a variety of factors, including the amount of available existing information, the anticipated character and significance of the archaeology and on-site constraints. For example, when used in combination with geophysical survey trenches may be positioned to ‘target’ identified anomalies in order to achieve a 2% - 4% sample of the overall survey area. However, on sites which are unsuitable for geophysics a sample of up to 5% of the overall site area may be necessary.
- 5.28 Test pitting - comprises the excavation of test pits, either by hand or by machine. This technique may be deployed to investigate the distribution of artefacts across a site which is otherwise unsuitable of other surface collection/ survey techniques. Alternatively, it may be used where sites constraints otherwise prevent the use full trial trenching but where the opportunity non-the less exists gain a make a more limited assessment of any underlying archaeological deposits. In the latter instance, the approach may be combined with other ground investigations, with that geotechnical trial pits being excavated under archaeological supervision.
- 5.29 Field walking – this comprises the systematic collection and recording of artefact distributions across a given area. It is typically used on agricultural land that is subject to regular ploughing and cultivation

⁴ Geochemical survey comprises the analysis soil samples to identify subtle variations in the physical and chemical properties of the soil that result from past human activity. This technique is often used in combination with geophysical survey.

⁵ Field scanning comprises the observation and/ or recording of artefacts or other distributions across a given area but not their collection and removal from the site.

- 5.30 Auguring/ sediment coring – auguring can be used to rapidly establish the depth of archaeological features and deposits which not accessible to other evaluation techniques. Similarly sediment coring may provide samples that enable an assessment to be made buried sites and land surfaces and organic deposits that may hold palaeoenvironmental information. Where the latter type of deposits are being targeted Historic England guidance on Environment Archaeology should be followed: -

<https://content.historicengland.org.uk/images-books/publications/environmental-archaeology-2nd/environmental-archaeology-2nd.pdf/>

Historic Landscape Character

- 5.31 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. Historic Landscape Character may also make an important contribution to the setting, and thereby the significance, of other heritage assets.
- 5.32 Historic Landscape Characterisation is aligned with but distinct from other types of landscape assessment. Further guidance on assessing the effects of development on landscape character and visual amenity and the Shropshire Landscape Typology are provided in the Natural Environment Supplementary Planning Document.
- 5.33 Shropshire HLC report, including case studies of how to use HLC data, available from: -

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

- 5.34 Historic England guidance on historic landscape characterisation also indicates how it can be used to assess impacts on historic landscape character.

<https://content.historicengland.org.uk/images-books/publications/using-historic-landscape-characterisation/using-historic-landscape-characterisation2004.pdf/>

Landscape and Visual Impact Assessment (LVIA)

- 5.35 Assessments could be expected to include a qualitative visual assessment in the form of a Landscape and Visual Impact Assessment (LVIA) with Accurate Visual Representations (AVR). Please refer to the Natural Environment SPD on Landscape Character Assessments and the Registered Battlefield Guidance Note in Appendix 1 for further detail on what a Visual Impact Assessment includes and when it is deemed necessary.

Assessing the effects of development

- 5.36 The assessment of the effects of a proposal involves the identification of activities associated with the development, their impacts and consequences on the heritage assets, and the significance of these on the heritage status of the asset.
- 5.37 The effect of something can be defined as the outcome on an asset caused by the impact of development.

Assessing the effects

- 5.38 Once the impacts of the potential development have been defined, the effects should be determined. Policy MD13 requires the identification of any adverse effects on the significance of non-designated heritage assets. Any proposal which may lead to an adverse effect needs to be identified and justified.

Table 2: The relationship between activities, impacts and effects

Activity	Impact	Effect	Effect
Demolition of building	Total loss of listed building which is a designated asset	Loss of heritage interest	Complete loss of significance of designated heritage asset
Construction of road	Loss of trees which have historical value, separate to the biodiversity value	Loss of features within a registered park or garden	Loss of significance of designated heritage asset

Assessing the significance of effects

- 5.39 Policy MD13 seeks to avoid harm or loss of significance of a designated or non-designated heritage asset, including its setting. The policy aims to protect heritage assets from any adverse effects on the significance of such assets. Only those effects identified as adverse need be assessed for the effect on the significance. There is a varying degree of negative effects ranging from negative to adverse. Only those which are adverse will be assessed under Policy MD13.

Factors influencing significance

- 5.40 For the purposes of the SPD, there are certain criteria which can influence the adversity of an effect. These factors include;
- magnitude
 - extent
 - reversibility

- context

Magnitude

- 5.41 This is the '**size**', 'amount', degree or scale of an **effect** determined on a quantitative basis. For example, the proposal would result in a 50% loss of a building. Where it is not possible to provide accurate numbers, the use of adjectives such as 'partial' 'total' or 'complete' can provide a relative understanding, for example the complete loss of a building.

Extent

- 5.42 The extent of an effect is the area over which it occurs. This may be part, or all, of the site/building or may extend to connected or adjacent features such as a non-designated asset situated with a designated asset. Additionally, some effects, for instance recreational pressure, may manifest themselves at a distance from the application site.

Reversibility

- 5.43 For the purposes of this SPD, reversibility is the capacity for recovery. A reversible effect is one from which spontaneous recovery is possible or which can be counteracted by mitigation. An irreversible effect is one from which recovery is not possible within a reasonable timescale or there is no reasonable chance of action being taken to reverse it.
- 5.44 Some activities may cause both reversible and irreversible effects. For example, the construction of a temporary access road through woodland might cause a loss of food and shelter to common woodland birds. This might be reversed in a few years but the compaction of the fragile woodland soils on which many ground flora species depend may be irreversible.

Context

- 5.45 This SPD is concerned with those heritage assets deemed valuable in a Shropshire context. This may be different to a regional or national context. For example, there may be historical importance associated with certain architecture within Shropshire. It may be that there are only a few buildings which have been built using a particular type of building material or style of architecture.
- 5.46 The principle behind magnitude, extent and context is that the larger/greater these are, the more important/adverse the effect. An irreversible effect is much more serious and likely to be adverse than a reversible one.

Determining significance

- 5.47 Adverse effects are likely to be those which undermine the current value of an asset since this is what the Local Plan seeks to protect. Having assessed an adverse effect against the factors above, the key question in determining significance for the purpose of Policy MD13 is;
- *Is this effect likely to prevent or result in the asset losing its value and importance and therefore its significance in its current location in the long term?*
- 5.48 An adverse effect is therefore likely to be one which means that the value of the asset will be lost and can't be retained in its current state.
- 5.49 If the answer to the above is yes, Shropshire Council is likely to consider the effect to be adverse.

Assessing the effects of development – how do I do this?

- 5.50 The next stage is to prepare your proposals in order to identify and quantify the potential impacts of the development on heritage assets.
- 5.51 It is essential to lay out the scale and nature of your proposals at an early stage, so that the scope of the Heritage Impact Assessment and Statement required can be ascertained with our Historic Environment Team. A guideline for this is provided in chapter 5.
- 5.52 The pre-application process can be invaluable and is recommended at this point, in order for you to outline your ideas, to identify potential heritage assets and associated constraints and for us to agree what will need to be provided with your application in order for us to determine whether it is acceptable or not.
- 5.53 The following checklist is provided as a guide of what constitutes this part of the assessment process:
- Introduction and site location plans
 - Description of the development proposal
 - Rationale including site selection procedure
 - Potential impacts – construction phase and operational phase (if relevant post operational phase should also be presented I.e. Legacy matters from minerals workings)
 - Plan of site showing indicative physical changes
 - Sketch or visualisation of proposals
 - Plan of designated and non-designated heritage assets on site and HER search results within a 5km radius
- 5.54 As outlined in the previous section, the type of work needed to properly assess the impacts of a proposal and their effects on the heritage assets identified in the heritage baseline assessment will vary according to the scale and type of development, and the sensitivity, type and significance of the assets.
- 5.55 The effects of these on the heritage asset should be assessed by a professional adviser specialising in impact assessment, utilising the results of the above surveys.
- 5.56 There will be a number of likely effects including positive and negative effects, and some which are complete and irreversible and others which may be temporary. These need to be identified, quantified and presented in the context of how they affect the significance of the heritage assets concerned.
- 5.57 A judgement has to be taken as to whether these effects constitute ‘substantial’ or ‘less than substantial’ harm, and may or may not be balanced against the wider public benefits of the proposal when assessing acceptability within the strict confines of the Local Plan and of Policy MD13 and the NPPF.
- 5.58 This stage of assessment should also consider potential mitigation measures which may ameliorate the level of harm by amending the proposal to reduce or avoid

negative effects. Further information on the type of mitigation measures deemed appropriate are given in Chapter 8.

6. What can be done to minimise harm or loss?

- 6.1 If harm to a historic asset cannot be avoided, the next stage is to undertake assessments, in order to highlight the effects of the development. These assessments should determine whether there is an effect on the significance of designated or non-designated assets. If an effect on the significance of assets is identified, the next stage is to consider whether the effect can be avoided through re-design or relocation.

- 6.2 The following show ways in which harm to a heritage asset can be minimised.

Alternative location

- 6.3 Whilst it is recognised that many applicants may not be in a position to find an alternative location for new development, this option should still be considered at an early stage, where impact on the significance of an asset is identified. If an alternative location can be found that does not impact on any heritage assets, there will be no requirement to submit any heritage assessments.
- 6.4 If it is not possible to find an alternative site which does not affect any heritage assets, then consideration should be given to re-designing and/or re-siting the proposal within the existing location. The aim should be to find a way of delivering the desired outcome without affecting any heritage assets. It could be useful to seek pre-application advice at this stage to prevent delays at a later stage.

Design and siting of the proposal

- 6.5 It may be considered that development proposals could avoid any harm or loss to the significance of heritage assets through appropriate design in terms of height, scale, massing, layout, density, orientation and access of buildings. These are all key considerations which will influence the overall development. These will need to be carefully considered taking into account the heritage assets affected and the sensitivity of the location. Aspects of development such as lighting should also be given due consideration.
- 6.6 The re-siting of a proposal within the site could also avoid harm to a heritage asset and should be given due consideration should the initial siting be considered inappropriate due to its impact on the significance of the asset.
- 6.7 *Where harm to the asset cannot be avoided, consideration of minimising this harm and providing appropriate justification and identifying the public benefits of the development will be required. Where harm to the heritage asset is avoided and the scheme is to be progressed to an application the following information is relevant:*

7. Public Benefits

What do I do if I can't avoid harm or loss?

- 7.1 If harm or loss can't be avoided, applicants need to demonstrate what the public benefits of the proposal are. These public benefits should be clearly outlined and assessed against the adverse effects of the proposal. This applies to both designated and non-designated heritage assets.

What are the public benefits of the proposal?

- 7.2 If a proposed development will cause adverse effects on the significance of heritage assets including their settings, the applicant must demonstrate public benefits of the proposal. The applicant must show how these public benefits outweigh any adverse effects. National Planning Practice Guidance identifies that public benefits can be created by development through delivering economic, social and environmental progress (as described in the National Planning Policy Framework para 7). These should be of a nature or scale that benefits the public and not just for private benefit, although benefits do not always have to be visible or accessible to the public in order to be genuine public benefits. Public benefits may include heritage benefits such as:

- sustaining or enhancing the significance of a heritage asset and the contribution of its setting
- reducing or removing risks to a heritage asset
- securing the optimum viable use of a heritage asset in support of its long term conservation

- 7.3 The following extract from NPPF refers specifically to designated heritage assets

'Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- *the nature of the heritage asset prevents all reasonable uses of the site; and*
- *no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and*
- *conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and*
- *the harm or loss is outweighed by the benefit of bringing the site back into use.'*

And:

'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.'

- 7.4 For non-designated heritage assets, applicants must demonstrate what the public benefits of the proposal are as part of the submitted Heritage Assessment. This forms part of Policy MD13 where “proposals which are likely to have an adverse effect on the significance of a non-designated heritage asset will only be permitted if it can be clearly demonstrated that the public benefits outweigh the adverse effect.”
- 7.5 If harm is to be caused to a heritage asset, the social and economic benefits must be greater than the damage to the heritage asset(s) in question. Therefore, the greater the adverse effect to the heritage asset, the greater the public benefits would need to be.
- 7.6 The following questions are for applicants to consider when explaining what the public benefits of a proposal are;
- What are the benefits/positives of the proposal?
 - How will the proposal benefit the public?
 - How will the proposal enhance public enjoyment?
 - Will it benefit the area in an economic sense?
 - Are there clear social benefits from the proposal?
- 7.7 It is to the applicant’s advantage, that the public benefits be demonstrated as part of the heritage assessment. Although not a necessity, if the public benefits aren’t clearly highlighted within the heritage assessment, the Council will impose conditions and/ or legal agreements when determining the planning application. The conditions will be set depending on the potential impact of the proposal and the level of harm caused to the heritage asset, and will be enforced to make sure that the development is acceptable.
- 7.8 NPPG provides an overview on public benefits; what is meant by public benefits and what may be classed as a public benefit.
- <http://planningguidance.communities.gov.uk/blog/guidance/conserving-and-enhancing-the-historic-environment/why-is-significance-important-in-decision-taking/>
- 7.9 If it is not demonstrated satisfactorily that the public benefits of the proposal outweigh the harm to the significance of the heritage asset, the application is likely to be refused.

8. If proposals are to be permitted, mitigation measures are needed

- 8.1 Once the public benefits have been outlined, the applicant must also provide details about what mitigation measures will be implemented. Mitigation measures are needed where the public benefits of a proposal are seen to outweigh the harm caused by the proposal. This means that the proposed development is likely to proceed and harm will knowingly be caused to a heritage asset(s).

What are mitigation measures?

- 8.2 Mitigation measures are needed to offset any harm caused to heritage assets by development proposals and will be specific to each individual application. The onus is on the applicant to provide the Council with mitigation measures which they see as appropriate for the proposed development and it would be beneficial for applicants to do this. The type of mitigation measures implemented may also be informed by comments from statutory bodies such as Historic England and from the Council's Historic Environment team through the consultation process. Mitigation measures will ultimately be decided by the Council and will be set within the planning conditions of the planning application. This means the measures must be implemented as part of the proposal to allow the development to take place and to deem the development acceptable.
- 8.3 Any mitigation measures should be linked to the application in question and to the public benefits previously set out in the Heritage Assessment. It would be beneficial for the mitigation measures to follow a logical format, and follow on from the public benefits and harm caused to the asset that has been previously outlined. This allows for the applicant to explain how the harm caused can be offset.
- 8.4 "Please note that the adoption of mitigation measures does not necessary mean that a development will not lead to substantial harm to an asset."

Appendix 7: General Principles – Development Impacts and Mitigation,
http://www.bathnes.gov.uk/sites/default/files/sitedocuments/Planning-and-Building-Control/Planning-Policy/Evidence-Base/Urban-Design-Landscape-and-Heritage/heritage_asset_study_report_a7.pdf

- 8.5 Where mitigation measures are needed, the applicant must also record the loss of significance and show the importance of the asset and the setting of the asset. Through recording and detailing the loss of significance to a heritage asset, an understanding will be gained about the importance and the history of that particular asset and the impact caused by the proposed development.
- 8.6 The loss of significance must always be detailed where mitigation measures are proposed. For further detail about recording the loss of significance, see links below to Historic England website.

How to record the loss of significance

- 8.7 For information about how to record the loss of significance to heritage assets, please see links below.

<https://historicengland.org.uk/advice/hpg/decisionmaking/NPPF/>

<https://historicengland.org.uk/advice/hpg/heritage-assets/recording-has/>

<https://content.historicengland.org.uk/images-books/publications/gpa2-managing-significance-in-decision-taking/gpa2.pdf/>

9. Types of development requiring special consideration

Renewable energy schemes

- 9.1 Climate change is a key environmental challenge today, with growing pressure to reduce CO2 emissions for owners and managers of traditional structures in order to improve energy efficiency and reduce fuel consumption.
- 9.2 The Council encourages residents to take steps to use energy wisely and to consider the use of renewable energy technologies in their homes. Not all measures will be appropriate in all circumstances but it is important to be aware that there are ways to improve the performance of traditional buildings whilst being sympathetic to their character and construction. For Listed Buildings and structures within Conservation Areas regard will be had to the requirement to conserve the character of the asset when considering energy conservation and installing renewable energy proposals systems.
- 9.3 It is recommended that prospective applicants discuss any proposals which affect Listed Buildings, buildings within Conservation Areas or buildings of traditional construction with the Local Planning Authority earliest the earliest opportunity.
- 9.4 Proposals for large-scale schemes, such as wind or solar PV farms have a positive role to play in the mitigation of climate change and the delivery of energy but could have an impact on the significance of heritage assets. The following sections provide further guidance with regard to schemes for wind turbines and solar PV, as well as other types of development requiring special consideration.

Wind turbines

- 9.5 Proposed schemes for wind turbines will require careful consideration by the developer and Planning Authority with a view to minimising or eliminating any potential impacts on heritage assets, including their settings. Whilst the spatial footprint of wind turbine developments may be relatively small, meaning that direct impacts may be limited, the construction of tall vertical moving structures of a contemporary industrial appearance can produce significant direct impacts over a wide area. Ideally proposals will be discussed at pre-application stage to establish an acceptable balance between the requirement for the proposal and the importance of conserving the significance of the asset. Applications for wind turbine schemes should be accompanied by a Heritage Assessment which assesses the direct and indirect (i.e. effect on setting) impacts on heritage assets within at least a 5 km Zone of Theoretical Visibility (ZTV).
- 9.6 English Heritage guidance relating to wind energy and the historic environment is available at the following link:

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

Solar

- 9.7 As with proposals for wind turbines, schemes for solar energy generation require consideration by the developer and Planning Authority with a view to minimising or eliminating any potential impact on heritage assets. Ideally proposals will be discussed at pre-application stage to establish an acceptable balance between the requirement for the proposal and the importance of conserving the significance of the heritage asset. Solar applications should be accompanied by a Heritage Assessment which assesses the direct and indirect (i.e. effects on setting) impacts on heritage assets within at least the 2 km Zone of Theoretical Visibility (ZTV).
- 9.8 Due to the spatial extent of solar schemes, the likelihood of direct impacts on archaeological interest is higher and will arise from cable trenching, access tracks and other infrastructure as well as the pile anchors for the panels themselves. The Heritage Assessment should therefore include a desk based archaeological assessment and an appropriate level of field evaluation in accordance with the guidance in Chapter 5 relating to heritage assets with archaeological interest. Further advice can be provided by Shropshire Council's expert advisors.
- 9.9 Proposals which include design measures to minimise the direct impacts and are appropriately sited to reduce these impacts are likely to be looked upon more favourably by the Authority upon submission. Written details of how this is achieved can be included within submission documents.

Poultry units, biodigesters and other large scale agricultural buildings

- 9.10 Because of their scale, form and massing, and the materials of which they are constructed, large modern agricultural buildings can have a significant impact on the surrounding landscape, and due consideration of this impact and the nearby heritage assets is required. A Heritage Assessment will therefore be required for poultry units, biodigesters and other large scale agricultural buildings in order to assess the direct and indirect (i.e. effect on setting) impacts on heritage assets. For developments subject to an EIA, this should be incorporated as a section of the Impact Assessment.
- 9.11 The extent of the groundworks required for the development may also mean the Heritage Assessment should include a desk based archaeological assessment and, when necessary, an appropriate level of field evaluation in accordance with the guidance provided in Chapter 5. Further advice can also be provided by Shropshire Council's expert advisors.

Developments in proximity to Shrewsbury battlefield.

- 9.12 A planning guidance note on safeguarding Shrewsbury Battlefield has been produced which provides advice with regard to development and highlights the potential impact to the setting of the Registered Battlefield from individual and cumulative developments in the area. It therefore identifies safeguarding objectives and policies in order to guide development within the Battlefield Buffer Zone (BBZ) and ensure it is sensitive to the setting of the Registered Battlefield, as well as taking into account any archaeological investigations that would be required.
- 9.13 It identifies that all applications for development within the BBZ will require a Heritage Assessment in order to assess the direct and indirect (i.e. effect on setting) impacts on the heritage asset.
- 9.14 More detailed standing guidance on Registered Battlefield, Shrewsbury can be found in Appendix 1.

Developments within World Heritage Sites and their buffer zones

- 9.15 The Pontcysyllte Aqueduct and Canal was inscribed as World Heritage in June 2009 as a consequence of Universal Value and significance being clearly expressed within the integrity and authenticity of its features and its landscape and cultural setting. A Supplementary Planning Guidance note (SPG) has been produced jointly between the three relevant authorities (Wrexham County Borough Council, Denbighshire County Council and Shropshire Council). This is a material consideration in the determination of planning applications that affect the World Heritage Site and its setting.
- 9.16 The aim of the guidance is to ensure the integrity of the World Heritage Site and that its buildings, structures and landscape are maintained. New development should ensure that there are no adverse impacts in this regard. Evidently the value of the Heritage Site is not contained purely within the inscribed area but also within its setting, and a Buffer Zone has therefore been drawn around the World Heritage Site to allow historic, cultural and landscape elements which contribute to the authenticity and integrity of the site, and therefore to its Outstanding Universal Value, to be conserved.
- 9.17 The document outlines the management of development in a positive way that supports the vision for the Management of the World Heritage Site. It also gives general guidance for developers with regard to the necessary information to submit in support of the application, identifying the importance of demonstrating how the development affects the setting of the World Heritage Site and its Buffer Zone, and how it minimises its impact on the integrity and authenticity of the World Heritage Site. It further outlines what needs to be included within the Design and Access Statement and sets out detailed guidance on the different types of development and the approach required.

- 9.18 The Pontcysyllte World Heritage Site SPG can be found here;

https://www.wrexham.gov.uk/assets/pdfs/consultations/pontcysyllte_spg.pdf

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

- 9.19 There will be a requirement for archaeological field evaluation on sites in excess of 5ha unless otherwise advised by Shropshire Council. Full details of the requirements for these can be found in Chapter 5.

Traditional farm buildings

Historic farmsteads characterisation

- 9.20 The Shropshire Historic Farmstead Characterisation Project was completed in 2010 and formed part of a West Midlands-wide regional project mapping and characterising historic farmsteads, outfarms, field barns and smallholdings across the region. The project mapped the historic character of each farmstead using historic and modern additions of the Ordnance Survey maps, together with a limited but consistent range of additional sources. These were analysed in a Geographical Information System (GIS) and resulted in the mapping of over 9,000 individual sites, including more than 6,000 farmsteads which have now been fully integrated into the Historic Environment Record. The results help understand the historic character of the county's farmsteads, how they have changed over time and how they relate to the landscape. Through understanding the character, condition and present day role of historic farmsteads and their traditional working buildings, Shropshire's policy and delivery programmes can respond appropriately in supporting their sustainable use, conserving landscape character and realising economic benefits. Further information and downloads can be found:

<http://www.shropshire.gov.uk/environment/historic-environment/historic-farmstead-characterisation/>

Historic farmsteads assessment framework

- 9.21 Traditional farm buildings are key features within Shropshire and make a fundamental contribution to our landscape.
- 9.22 The agricultural industry has moved towards the construction of new farm buildings which suit modern large machinery and higher quantities of stock and storage, leaving much of our traditional buildings redundant.
- 9.23 Where traditional farm buildings have no viable future agricultural use it is the preference that the buildings are retained and an alternative use sought. These building types can be of local and national importance and contribute to the landscape and are mostly worthy of retention.

- 9.24 Some traditional farm buildings are listed in their own right, and others classed as curtilage in association with a listed farmhouse. Many farm buildings may contribute to the character and appearance of a Conservation Area or to its undesignated context including rural towns, villages and landscape.
- 9.25 It is advised when seeking a new use and preparing proposals for a conversion scheme contact should be made with the Council and pre-application advice sought. This can identify the permissions, contributions, reports and surveys which are required and what implications there maybe in terms of design, technicalities and materials.
- 9.26 In some cases a Historic Building Assessment is required which would aid the design process and understand the history of the buildings and their context. Further information on Historic Building Assessments can be found in chapter 5.
- 9.27 Proposals which include the retention of existing fabric, character and materials and its enhancement with minimal new interventions, including openings are more likely to be supported.
- 9.28 Repairs should be sensitive to existing fabric, matching materials and craftsmanship.
- 9.29 It is understandable that some buildings may require upgrading and changes made to it to ensure the building is capable of providing a scheme which is suitable for today's standards. Where new additions and alterations are proposed they should seek to enhance and ensure the historic elements are dominant and subtly sit against existing historic detailing.
- 9.30 Where unsympathetic additions have been incorporated in the past, such as extensions or unsuitable modern materials used for repairs an assessment and on site discussions are advised to ensure the best solution and outcome.
- 9.31 The building should guide the scheme and proposed new use rather than making a new use fit the existing building. The existing openings, format, footprint, materials and details should inform the scheme and ensure its previous character and appearance is retained and the reference to its past use clear.
- 9.32 The relationship (including orientation) of the building to other farm buildings and its setting in the landscape setting should be respected. And where multiple units are proposed for buildings, divisions and outdoor amenity spaces should be minimal and sensitively incorporated to ensure the character of the area and the setting of such buildings be preserved.
- 9.33 Further advice and guidance can be sought from the following publication:

<https://content.historicengland.org.uk/images-books/publications/conversion-of-traditional-farm-buildings/traditional-farm.pdf/>

- 9.34 The Shropshire Hills AONB has an informative design guide which is useful especially when understanding the issues with the replacement of historic farm buildings:

http://www.shropshirehillsaonb.co.uk/wp-content/uploads/2010/10/Agricultural_Buildings_Design_Guide2.pdf

- 9.35 Upon receipt of an approval for the Conversion of a traditional farm building there will be conditions applied to ensure correct materials and craftsmanship are applied prior to works commencing. It may also be the case that conditions include legal agreements to cover the contributions and restrict uses of the building and the removal of Permitted Development Rights which will control any future works following the conversion. An assessment can also be conditioned to ensure full recording of the building prior to works commencing.

Minerals sites

- 9.36 For guidance relating to mineral sites, applicants should refer to the websites below;

<https://content.historicengland.org.uk/images-books/publications/mineral-extraction-and-historic-environment/mineral-extraction.pdf/>

<https://content.historicengland.org.uk/images-books/publications/mineral-extraction-and-archaeology/mineral-archaeology.pdf/>

Enabling development

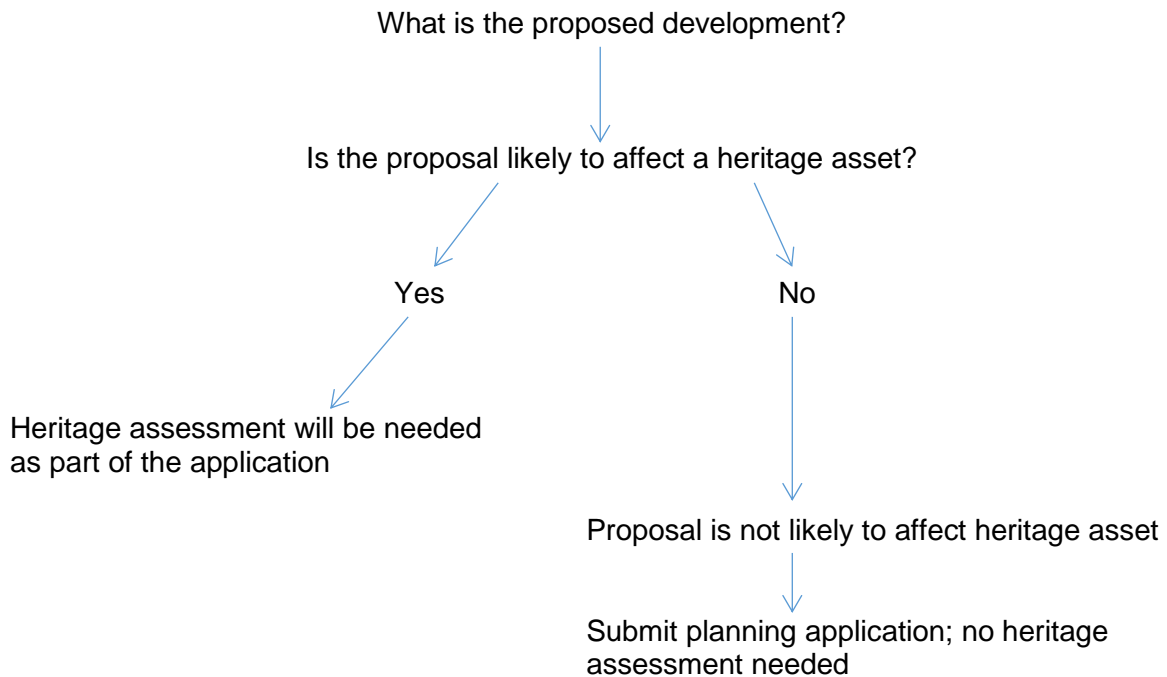
- 9.37 Enabling Development is development that would ordinarily be unacceptable in planning terms but for the fact it would bring heritage benefits sufficient to justify it being carried out, and which could not otherwise be achieved. Proposals for enabling development must involve a heritage asset which is at risk and need to be in line with English Heritage guidance, which can be found at the following link:

<https://content.historicengland.org.uk/images-books/publications/enabling-development-and-the-conservation-of-significant-places/enablingwebv220080915124334.pdf/>

10. Visual Guide to MD13

The following visual aid explains the process of MD13 in a step by step format, to allow for the policy to be followed in a logical format when submitting a planning application. This provides a visual guide to help explain each of the chapters in this document.

Stage 1



Details of how to submit a planning application or an application for Listed Building Consent are available on the Shropshire Council website at: -

<http://new.shropshire.gov.uk/planning/applications/>

The heritage assessment will determine the value/importance of a heritage asset and will determine whether any adverse effects will be caused. The following stages show the step by step process for a completing a heritage assessment.

Stage 2a

- What effects will be caused by the proposal?
- Will any of the effects be adverse?

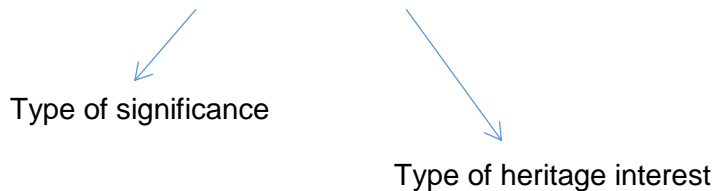
Any harm caused to the asset will have an impact on the importance of the asset; its historical value and heritage interest. This goes some way to determine whether the significance of the asset has been affected. The Heritage assessment should show what sort of effect the development will cause. The output from the Heritage assessment will show the characterisation of the effects and identify which of them are adverse.

The following diagrams outline the process for determining an adverse effect and answer the two questions above.

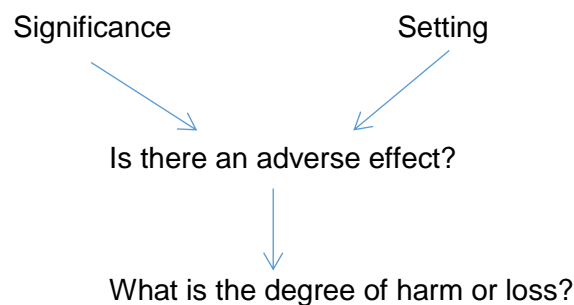
Stage 2b

An effect to a heritage asset is caused; how is this determined?

What defines the importance of the asset?



The questions above outline the importance of a heritage asset; what gives the asset its significance and historical importance. The next section examines the adverse effects on the significance and setting and how much of an effect the proposal may have on the heritage asset(s). The type of effect should also be identified; positive and negative. Any negative effects should be outlined within the Heritage Assessment with those causing the most harm clearly defined.



(Level of adversity will help to determine whether the effect is adverse)

The negativity can be identified using a number of factors, which may help to identify the level of harm; magnitude, extent of the area covered, context of the development. The following example highlights how certain factors which influence the significance of an asset can be used to explain any affects and how the results from each can set out the level of adversity caused.

Part of a proposal includes erecting scaffolding on the side of a non-designated asset.

- Extent of area covered
 - The scaffolding is only erected on part of the building



Outcome is small area of building affected

- Magnitude
 - The scaffolding may cause damage to the brickwork
 - How much of the brickwork may be damaged?



Outcome is partial damage to the building

- Context of the site
 - What is the value of the brickwork? Is there historical importance or heritage interest associated with the building?
 - The building could be deemed important to Shropshire for historical reasons
- Reversibility
 - Scaffolding is only temporary and will be taken down, therefore being a reversible effect
 - Reversibility may be dependent on the significance/heritage interest associated with the site (see context point above)



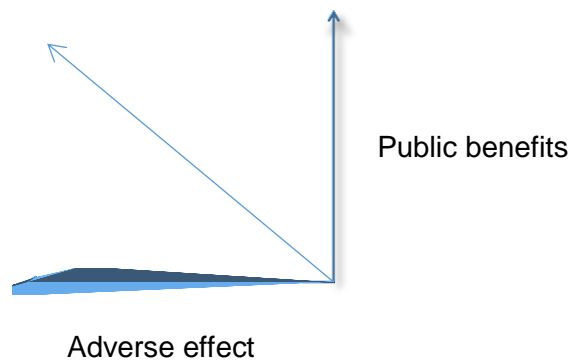
Outcome is that the damage is irreversible as the brickwork cannot be replaced

Or

Outcome is the any damage can be contained as brickwork is common to area and buildings within the vicinity are built using the same bricks.

Once the adverse effects have been outlined, these effects need to be weighed up against any potential benefits that the proposal may provide. The next stage of the heritage assessment would be to outline what these public benefits are and how they would outweigh any adverse effects caused to the heritage asset(s). Any positive benefits which were identified earlier on in the process could be seen as public benefits of the proposal.

Greater adverse effect = Greater public benefits



11. Appendices

Appendix 1: Registered Battlefield Design Guidance

Appendix 2: Historic Environment Policies and Legislation

Appendix 1: Registered Battlefield Design Guidance

PLANNING GUIDANCE

REGISTERED SITE OF THE BATTLE OF SHREWSBURY

AT BATTLEFIELD, NORTH SHREWSBURY



Contents

1. Purpose of Guidance
2. The Significance of the Registered Battlefield and its Setting
3. Relevant Policies
4. Impacts on the Registered Battlefield
5. Design Guidance and Setting Considerations
6. Conclusion

Appendix 1 – Significance of the Battle of Shrewsbury

Appendix 2 – Description of the Registered Battlefield and its setting

Appendix 3 – Relevant Heritage Policies and Guidance

Appendix 4 – Historic England Advice

- | | | |
|--------|---|---|
| Plan 1 | - | The Registered Battlefield and its historical context and setting |
| Plan 2 | - | The Registered Battlefield and its contemporary context and setting |

1. Purpose of the Guidance

- 1.1. The purpose of this document is to guide the implementation of local and national heritage policies in the assessment of development proposals which might affect the significance of the Registered Battlefield of Shrewsbury, including its setting.
- 1.2. The guidance seeks to manage any impacts of development on the significance of the Registered Battlefield and its setting. The objectives of the guidance are to:
 - i. recognise the different risks to the Registered Battlefield from development within the heritage asset or its urban or rural settings;
 - ii. provide advice on how heritage policies and guidance should influence development which might affect the heritage asset including its setting;
 - iii. provide advice on the appropriate level of Heritage Assessment for development which might affect the heritage asset including its setting;
 - iv. provide design guidance to avoid or reduce the individual or cumulative impacts of development on the heritage asset including its setting.

2. The Significance of the Registered Battlefield and its Setting

- 2.1. The Registered Site of the Battle of Shrewsbury extends to approximately 105 hectares and is located immediately to the north of the A5124 beyond the built edge of Shrewsbury town (see Plan 2). It is one of only 43 Registered Battlefields in England and the only Registered Battlefield in Shropshire.
- 2.2. The site is a nationally designated heritage asset of the 'highest significance' (NPPF, para 132) requiring great weight to be given to the conservation of the asset including its setting. Clear and convincing justification for any harm or loss to the asset (including development within the Registered Battlefield) would be required and should only be permitted in 'wholly exceptional' circumstances.
- 2.3. The significance of the Battle of Shrewsbury is explained in Appendix 1. The key components of the Registered Battlefield and its setting including other heritage assets, and the changes which have occurred over time are listed in Appendix 2. Registered Battlefields and their settings are afforded protection by the heritage policies and guidance in Appendix 3. The national advice on conserving heritage assets from Historic England is outlined in Appendix 4. This information will help determine whether proposed developments will affect the significance of the Registered Battlefield including its setting.
- 2.4. The site is a popular educational and leisure attraction with a visitor centre (Battlefield 1403) at its elevated northern end. This complements and integrates with the Shrewsbury Battlefield Heritage Park to the south, comprising a viewing mound and a network of surfaced footpaths aligned to optimise viewpoints of the site and to assist the interpretation of the Battle of Shrewsbury.
- 2.5. The Registered Battlefield is close to existing and allocated employment land and commercial sites in and around north Shrewsbury principally comprising Battlefield Enterprise Park and other urban developments (south) and the Livestock Market / roadside services (east). It is also close to other areas which may potentially be

subject to development proposals in the future including modern, intensive agricultural developments or extensive leisure facilities. This includes the countryside extending from the existing urban edge of Shrewsbury to the north of the Registered Battlefield and around the A528 (Ellesmere Road) and the route of the Shrewsbury to Crewe rail line, (see Plan 2).

- 2.6. The amount of potential development land in close proximity to the Registered Battlefield has the potential to either individually or cumulatively affect the heritage asset including its setting. It is appropriate, therefore, to provide more detailed clarification on how policies and guidance should be interpreted in practice, at the local level, in the consideration of development proposals affecting the Registered Battlefield.

3. Relevant Policies

3.1. National Guidance

- 3.1.1. The National Planning Policy Framework (NPPF), published in March 2012, sets out the Government's planning policies for England and how these are expected to be applied.
- 3.1.2. The NPPF establishes a presumption in favour of sustainable development. Sustainable development can be defined as providing for present needs without compromising the requirements of future generations. There are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles including contributing to the protection and enhancement of our built and historic environment. The core planning principles of the NPPF seek to ensure the conservation of heritage assets in a manner appropriate to their significance, so they can be enjoyed for their contribution to the quality of life of this and future generations. To achieve these objectives, the NPPF is explained in detail within the National Planning Practice Guidance (NPPG) including conserving and enhancing the historic environment.
- 3.1.3. The NPPF includes a specific section (12: Conserving and enhancing the historic environment, paragraphs 126 – 141), which identifies the Government's objectives for planning for the historic environment. It recognises that heritage assets are an irreplaceable resource and promotes their conservation in a manner appropriate to their significance. It states that Local Authorities should take into account the wider social, cultural, environmental and economic benefits that conservation of the historic environment can bring. It advises that as part of any planning application, local planning authorities should require applicants to describe the significance of any heritage assets affected by a development proposal, including any contribution made by their setting, and to assess the potential impacts of the development proposals upon that significance.
- 3.1.4. In determining applications, local planning authorities should give great weight to the conservation of designated heritage assets. Any proposals which could result in a loss of significance of the heritage asset will require clear and convincing justification. Development which results in substantial harm or total loss of significance to a designated heritage asset should be exceptional or wholly exceptional for assets of the highest significance and in both cases, should normally be refused. For developments which will result in less than substantial harm, the harm must be weighed against the public benefits that the proposed development would deliver.

3.1.5. The NPPF within section 12: Conserving and enhancing the historic environment (paragraphs 126, 128, 132, 133 and 134) also advises Local Planning Authorities to:

- i. conserve and enhance the significance of heritage assets and put them to viable uses consistent with their conservation to make a positive contribution to sustainable communities and their economic vitality; and
- ii. consider the desirability of new development and whether it might make a positive contribution to local character and distinctiveness;
- iii. ensure that where a site includes or has potential to include heritage assets with archaeological interest, they require developers to submit an appropriate desk-based assessment and where necessary, a field evaluation undertaken by a qualified professional;
- iv. refuse consent for development proposals that would cause substantial harm or loss unless it can be demonstrated that the harm or loss is outweighed by substantial public benefits;
- v. consider whether a development proposal which would lead to less than substantial harm is justified by the public benefit of the proposal.

3.1.6. Section 7 of the NPPF refers to design and specifies that design issues are a material consideration in determining planning applications (para. 64):

‘Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions’.

3.1.7. The NPPF specifies in paragraph 58 that decisions should ensure that developments:

- i. will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- ii. respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;
- iii. are visually attractive as a result of good architecture and appropriate landscaping.

and to balance these against the need to ensure that developments:

- i. establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to [live], work and visit;
- ii. optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (incorporating green and other public spaces) and support local facilities and transport networks;
- iii. create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion.

3.1.8. Paragraph 59 of the NPPF notes that design policies should avoid unnecessary prescription and should concentrate on guiding scale, density, massing, height, layout, landscaping, access and materials in relation to its context. Paragraph 60 states, it is proper to seek to promote or reinforce local distinctiveness but this should not stifle innovation, originality or initiative.

- 3.1.9. Securing high quality design also goes beyond aesthetic considerations and paragraph 61 specifies that policies and decisions should address the connections between people and places and integrate new development into the natural, built and historic environment.

3.2. Local Policy

- 3.2.1. The Shropshire Core Strategy (2011) provides an overarching strategic policy context for future development in the county. Its policies broadly reinforce the above aims of the NPPF, most notably within policies CS6: Sustainable Design and Development and CS17: Environmental Networks, in seeking to ensure that all development protects, restores, conserves and enhances the built and historic environment and is appropriate in scale, density, pattern and design taking into account the local context and character. These policies also seek to ensure high quality design and to integrate appropriate landscaping and tree planting as part of any proposal to ensure that development is better assimilated into its surroundings. The Core Strategy seeks to protect and enhance the character and quality of Shropshire's historic environment.
- 3.2.2. As part of its Local Plan, Shropshire Council has produced a Site Allocations and Management of Development Plan ('SAMDev Plan') adopted in 2015. It replaced policies saved from the district local plans, including some heritage policies. The SAMDev Plan includes a Historic Environment Policy (MD13) which sets out specific measures to implement the Core Strategy objectives.
- 3.2.3. Policy MD13 assists the determination of applications for proposed development which potentially impact directly or indirectly on heritage assets. The policy seeks to ensure that any impacts from development are minimised where possible, and that appropriate information about the proposed development is supplied in the form of a Heritage Assessment. The policy outlines the important role of heritage assets within the County with regard to promoting economic regeneration and growth. It also identifies that the policy is based on a hierarchical approach as follows:
- i. wherever possible, avoid harm or loss to the significance of heritage assets, including their settings;
 - ii. where development proposals can be justified in terms of public benefits which outweigh the harm to the historic environment, provide off-setting measures for any loss of significance to the affected heritage asset, including the setting;
 - iii. where a development proposal justifiably results in the partial or total loss of significance to an asset (including the setting), to record and advance the understanding of that significance.
- 3.2.4. A summary of the main policies and guidance which are currently applicable to heritage matters in Shropshire are listed in Appendix 3. This includes SAMDev Policy S16.1 Shrewsbury which requires development in the Shrewsbury Northern Corridor (which includes the Registered Battlefield) to protect and enhance heritage, environmental and conservation assets.

3.3. Historic England Advice

- 3.3.1. The advice in 'Good Practice Advice Note 3 (GPAN3): The Setting of Heritage Assets' (March 2015) and in 'Seeing the History in the View' (May 2011) set out

methodologies to evaluate the impacts of development on the significance of heritage assets and their settings.

- 3.3.2. GPAN3 defines setting as the surroundings within which the heritage asset is experienced, with elements of a setting making a positive or negative contribution to the significance of an asset, potentially affecting the ability to appreciate the significance of the asset, or being neutral. It identifies that conservation decision making should be based upon the nature, extent and level of a heritage asset's significance which should be investigated to a proportionate degree. It states that this approach should inform all decisions relating to setting issues, in terms of the requirements placed on applicants and agents. The approach to the submitted assessment should identify those heritage assets and their settings which are affected, the degree to which the settings make a contribution to the significance of heritage assets, the effects of the proposed development and should also explore how to maximise any enhancements and minimise any harm, documenting the assessment and the conclusions.

- 3.3.3. With regard to Seeing the History in the View, this sets out a qualitative assessment of heritage significance within views, in two phases:

Phase A: baseline analysis: defining and analysing heritage significance within a view. This sets out the reasoning for identifying a particular view as being important, the degree of significance of the heritage asset in the view, and how this significance can be sustained.

Phase B: assessment: assessment of the potential impact of a specific development proposal on heritage significance within a view as analysed in Phase A. This section assesses the magnitude of the impact on the heritage asset and the significance of this effect, and identifies ways of mitigating the impact.

- 3.3.4. Phase B of the assessment should be accompanied by 'accurate visual representations' (AVRs) to show the proposed development within the existing view. The viewpoints from which these are prepared should be agreed with Historic England and the Local Planning Authority.
- 3.3.5. The Historic England advice and the other policies and guidance referred to above inform the following sections of this document, and are included in Appendices 3 and 4 to this document. The importance of a detailed assessment of the impact on heritage assets and their settings is clearly outlined within this information, using the approach identified above.

4. Impacts on the Registered Battlefield

- 4.1. The Registered Battlefield is located beyond the northern built edge of Shrewsbury and development pressure within this area of the town is expected to continue over the longer term.
- 4.2. The Registered Battlefield and its setting have already been affected by existing developments including:
- i. construction of the railway and embankment and the recent removal of vegetation from the embankment to the east of the Registered Battlefield;
 - ii. electricity pylons which traverse the southern area of the Registered Battlefield;

- iii. construction of a viewing mound and parking at the Shrewsbury Battlefield Heritage Park on the southern edge of the Registered Battlefield;
 - iv. construction of the A5124 Battlefield Link Road which truncates the southern edge of the Registered Battlefield and isolates a small area of the heritage asset which is now situated to the south of the A5124;
 - v. construction of industrial developments within the Battlefield Enterprise Park situated along the southern edge of the A5124;
 - vi. construction of the Battlefield Waste Management Facility comprising a waste transfer station and energy recovery facility within Battlefield Enterprise Park;
 - vii. developments to the east of the A49 at the Shawbury Turn including the service station, Two Henrys Public House, hotel and Halls Auction / Livestock Market buildings and offices;
 - viii. new three storey housing development on Battlefield Road to the south east of the Registered Battlefield.
- 4.3. The configuration of these developments around the Registered Battlefield is shown on Plan 2. The development that has taken place has not been within the Battlefield itself. Maintaining the open character of the Battlefield has been a key consideration in determining these new developments, and the mitigation of any impacts on the heritage assets has been a significant consideration for the Local Authority in managing these development proposals.
- 4.4. Future impacts on the Registered Battlefield and its setting are most likely to arise from the individual and cumulative effects of new development around the edge of Shrewsbury to the south and west, particularly within the Battlefield Enterprise Park where further development land is still available and is being actively marketed. In these locations, the proposed developments should be justified by a proportionate assessment that avoids or reduces any harm to the Registered Battlefield and its setting.
- 4.5. Development to the north and west of, or within the Registered Battlefield itself, might result in substantial harm to the significance of the Registered Battlefield. In these circumstances, development would be wholly exceptional and should be justified on the basis of a proportionate assessment setting out sound justification for the substantial public benefits of the scheme and appropriate measures to conserve and enhance the heritage asset or its setting.
- 4.6. Early discussion of all development proposals prior to application is highly recommended in all cases, due to the 'highest significance' being afforded to Registered Battlefields in national policy. On this basis, developers and applicants should seek early interaction with the Historic Environment and Planning departments of the Local Authority, and Historic England, through a formal pre-application to the Development Management service. This will allow advice to be provided regarding the level of Heritage Assessment required for a proposal based on the principles identified in this guidance.

5. Design Guidance and Setting Considerations

5.1. Key Aims and Considerations

5.1.1. To take account of the potential impacts of development on the Registered Battlefield and its setting, the preparation and determination of development proposals should consider the significance of the Registered Battlefield in relation to:

- i. Protecting and conserving the open character and visual interpretation of the Registered Battlefield, respecting its national importance and unique significance in Shropshire;
- ii. Protecting and conserving the heritage assets and features within and surrounding the Registered Battlefield, including the church of St Mary Magdalene, the Albright Hussey hotel, the Heritage Park viewing mound and the Battlefield 1403 visitor centre identified in Appendix 2;
- iii. Protecting and conserving the sense of tranquillity within the Registered Battlefield, particularly in the vicinity of the church of St Mary Magdalene recognising its historical and cultural significance;
- iv. Minimising the impacts on the Registered Battlefield from development in the rural setting and along the urban edge of Shrewsbury;
- v. Protecting and enhancing the inter-visibility of heritage assets within and surrounding the heritage site, including the church of St Mary Magdalene, Albright Hussey hotel, the Heritage Park viewing mound, Battlefield 1403 visitor centre and longer views to other features including Haughmond Hill and Abbey and the Shropshire Hills.

5.1.2. It is considered that development proposals should avoid causing any harm or loss to the significance of the Registered Battlefield by:

- i. Avoiding/Minimising the impacts of development through appropriate design of height, scale, massing, layout, density, orientation and access of buildings;
- ii. Ensuring the materials used are of an appropriate type, specification and colour;
- iii. Managing the impacts of lighting from new development on the heritage asset and its setting to ensure impacts are avoided/reduced through appropriate position, height, direction, strength and hood design;
- iv. Providing new landscape planting where appropriate to maintain and enhance the level of screening/filtering of built development especially on the urban edge of Shrewsbury from views within and surrounding the Registered Battlefield;
- v. Protecting longer distance views from the elevated ground to the north towards landscape features with significance to the Registered Battlefield including Haughmond Hill, the Shropshire Hills and the churches marking the position of central Shrewsbury.

5.1.3. In addition, it is considered that development in previously undisturbed areas within the Registered Battlefield and its setting should be subject to appropriate archaeological assessment. This is particularly significant in areas close to the Registered Battlefield where there is a greater possibility of encountering important, battle related archaeological finds.

5.1.4. With regard to the above, the guidance which follows is intended to help achieve the aim of managing the effects of development on the character and significance of the Registered Battlefield and its setting.

5.2. Heritage Assessment

- 5.2.1. It is proposed that an application which has the potential to affect the significance of the Registered Battlefield including its setting should incorporate a Heritage Assessment. This assessment should consider the potential impacts of the development on the significance of the Registered Battlefield and how these impacts may be avoided or reduced by appropriate mitigation. The level of information required to support the Heritage Assessment should be proportionate to the scale of the development and the magnitude of any likely impacts.
- 5.2.2. The requirement for development proposals to identify the potential impacts on the significance of the Registered Battlefield and its setting (including other heritage assets in the locality) is set out in Sections 3 and 4 of this guidance, having regard to NPPF (Section 128), guidance in the NPPG and the guidance within both GPAN3: The Setting of Heritage Assets (March 2015) and Seeing the History in the View (May 2011). These requirements highlight the need for development proposals to be determined in relation to proportionate evidence of the impacts on the heritage assets and the need for mitigation opportunities.
- 5.2.3. These impacts, and mitigation opportunities, may be addressed by:
- i. identifying the heritage asset(s) which might be affected;
 - ii. defining the heritage significance with reference to relevant historic records;
 - iii. describing the situation of the development site in relation to the heritage asset and its setting;
 - iv. explaining the form, appearance, and effects of the proposed development;
 - v. evaluating any potential impacts on the significance of the heritage asset including its setting;
 - vi. justifying any potential mitigation measures to avoid/minimise the impacts of the development and to enhance the heritage asset and its setting.
- 5.2.4. The NPPF advises that Registered Battlefields are heritage assets of the 'highest significance' (NPPF, para 132). In this regard, it is likely that a Heritage Assessment which addresses all of the above points should be submitted with applications which might affect the Registered Battlefield including its setting, subject to considerations relating to the scale of the proposed development. In the case of smaller scale proposals, a section in the Design and Access Statement may satisfactorily address the requirement for a Heritage Assessment but such matters should be referred to the Local Authority or Historic England (see paragraph 4.6 above).
- 5.2.5. Therefore the submitted Heritage Assessment should be proportionate to the scale of the development and the magnitude of any potential impacts, in accordance with published guidance and it is advisable to seek site specific pre-application advice from the Local Planning Authority or Historic England for developments affecting the Registered Battlefield. For larger scale developments, a Heritage Assessment is likely to be expected to include a Landscape and Visual Impact Assessment (LVIA) with Accurate Visual Representations (AVR) where required (see 3.3.4 above), and address all of the points in paragraph 5.2.3. It is also considered that where development proposals might affect the Registered Battlefield, they should be supported by a Planning Statement and Design and Access Statement which fully justify the need for the development. The Local Planning Authority will be able to advise on the specific heritage requirements for any given development proposal in consultation with the Council's Historic Environment service and this is best achieved through the pre-application advice service.

Relevant policies / guidance: NPPF paragraphs 128, 129, 131-4. Core Strategy policy CS17; Historic England Guides: GPAN3 The Setting of Heritage Assets and Seeing the History in the View.

5.3. Building/Structure Height

5.3.1. In relation to the height of any proposed building/ structure, it is proposed that:

- i. all applications for a building/structure over 7 metres in height to the south and east of the Registered Battlefield should be accompanied by a Heritage Assessment as detailed within section 5.2 and below.⁶
- ii. all applications for a building/structure to the north and west of the Registered Battlefield or within the Battlefield itself should be accompanied by a Heritage Assessment irrespective of the proposed height of the buildings/structures as detailed below.⁷
- iii. where the Heritage Assessment identifies harm to the heritage asset or its setting, an 'exceptional circumstance' justification will be required to be submitted by the developer as part of the application as detailed below.⁸

5.3.2. The requirement for a Heritage Assessment is in accordance with the provisions of sections 128, 129 and where appropriate section 131 of the NPPF, and published guidance from Historic England on the conservation of heritage assets. In accordance with Phase B of the methodology set out in Seeing the History in the View, AVR's would also allow an assessment of the impact on the heritage setting contained within the view, possibly from different viewing points with historical interest, to help determine whether such impacts may be managed through mitigation.

5.3.3. The layout and landscaping of development within and around the built edge of Shrewsbury, in relation to the topography and the A5124 and railway embankment to the south and east respectively, indicate that where proposed buildings exceed a threshold height of 7 metres they may have the potential to adversely affect the Registered Battlefield. Whilst evidently, this would depend on the specific details of the proposal and the situation of the proposed development site within these areas,

⁶ The LVIA and AVR should 1) evaluate the visual context of the proposed development, 2) consider the potential for the development to impact on the setting of the Registered Battlefield and 3) assess the potential for mitigation to address any identified impacts (through materials, landscaping/ planting, design & alignment of roof, etc.).

⁷ The LVIA and AVR should 1) evaluate the visual context of the proposed development, 2) consider the potential for the development to impact on the setting of the Registered Battlefield and 3) assess the potential for mitigation to address any identified impacts (through materials, landscaping/ planting, design & alignment of roof, etc.).

⁸ a. Reference to 'exceptional circumstances' means development where there is a demonstrable exceptional need such as an overriding public benefit and where appropriate mitigation measures may be agreed with the Local Planning Authority in full accordance with the requirements of sections 132, 133 & 134 of the NPPF.

b. The exceptional circumstance justification should explain the particular circumstances which justify the height of the structure and the consideration given to mitigation to prevent adverse impacts on the setting of the Registered Battlefield and related heritage assets.

only proposals above this threshold height would justify a detailed Heritage Assessment. It is therefore considered appropriate to require a LVIA with AVR where necessary, for developments which would exceed a height of 7 metres to the south or east of the Registered Battlefield.

- 5.3.4. With regard to the land north and west of the Registered Battlefield (including the Battlefield itself), these areas are exposed within the open aspect of the countryside, all proposed developments in these areas are likely to be highly visible from the Registered Battlefield or from heritage assets within the site itself. It is considered to be appropriate to require a LVIA with AVR for any application for development to the north or west of the Registered Battlefield (including the Battlefield itself). It is reasonable to assume in the context of NPPF, section 132, that where a proposed development is likely to cause substantial harm or loss to the significance of the heritage asset including its setting, then development would only be permitted when outweighed by substantial public benefits.

Relevant policies / guidance: NPPF paragraphs 128, 129, 131-4, 170. Core Strategy policy CS6; Historic England Guide: Seeing the History in the View.

5.4 Building/Structure Design

- 5.4.1 GPAN3 refers to the design elements of a proposal having a potentially significant impact on a heritage asset including its setting. This should be assessed with regard to the height, scale, massing, density, orientation and access of buildings and the type specification and colour of materials. Seeing the History in the View also points out that such aspects of design can be particularly relevant to the impact on heritage significance within a view (see Appendix 4 for further details on this advice).
- 5.4.2 It is expected that proposed buildings and/or structures, within the Registered Battlefield or its setting, should avoid the use of highly reflective and visually obtrusive materials/colour/effects and designs which have the potential to adversely affect the significance of the heritage asset.⁹
- 5.4.3 Certain styles of development and certain types of materials and their overall visual effect may have the potential to increase the visibility of modern developments as seen from the Registered Battlefield. This may cause the development to have a potentially greater effect on the Registered Battlefield or its setting, either individually or in combination with other developments. This might provide an opportunity to introduce building designs which acknowledge and reinforce the evidence of the adjacent heritage assets and the local distinctiveness of the area. However, it is important that significant views and vistas seen from the Registered Battlefield and from locations within the setting of the heritage asset are afforded appropriate

⁹ a. The term 'visually obtrusive' in this context refers to the use of building configurations, structures, materials, banners, designs and/or effects or colour palettes which have the potential to detract from the setting of the Registered Battlefield site. Particular emphasis should be placed on the design of elevations which would face and be visible from the Registered Battlefield site.

b. It is recommended that the architectural design of proposed development is discussed with the Local Planning Authority prior to submission of any planning application, particularly where development frontages would be clearly visible from the Registered Battlefield.

protection when considering development proposals affecting the Registered Battlefield.

Relevant policies / guidance: NPPF paragraphs 128, 129, 131-4. Core Strategy policy CS6. Historic England Guides: GPAN3 The Setting of Heritage Assets and Seeing the History in the View.

5.5. Lighting

- 5.5.1. It is expected that lighting used in association with new buildings visible from within the Registered Battlefield or its setting will be considered with regard to position, height, direction, mode, colour, intensity/ambience and hood design with full details submitted as part of a planning application. Where appropriate, a light spill assessment may be required to ensure there is no potential to adversely affect the Registered Battlefield.
- 5.5.2. It is acknowledged that security and other lighting is a necessary part of commercial and industrial developments but without due consideration to their impact this has the potential to adversely affect the heritage asset and its setting. The use of hoods and downlighting, and keeping lights positioned as low as possible on the buildings, can minimise the impact of light spill. The GPAN3 identifies that in Step 3: Assessing the effect of the proposed development on the significance of the asset, lighting effects and light spill should be considered, with Seeing the History in the View also referring to a need to assess how lighting from new development affects identified heritage assets.

Relevant policies / guidance: NPPF paragraphs 128, 129, 131-4. Core Strategy policy CS6. Historic England Guides: GPAN3 The Setting of Heritage Assets and Seeing the History in the View.

5.6 Landscaping

- 5.6.1 Development proposals within the Registered Battlefield or its setting should be designed to accommodate tree/shrub planting proposals in order to assist in visually integrating the development¹⁰. It is recognised that there may be insufficient space to undertake any significant landscaping works on smaller development plots unless the applicant owns adjoining land. It is considered that plots of around 0.5ha or larger are likely to be of sufficient size to accommodate significant tree planting.
- 5.6.2 The visibility of modern business / industrial developments or intensive agricultural / extensive leisure developments from the Registered Battlefield or its setting have the potential to undermine the significance of the heritage asset. The ability to undertake tree planting in areas visible from the heritage asset has the potential, over time, to soften the appearance of the urban edge of Shrewsbury or to reduce the evidence of modern development in all directions around the Registered Battlefield.

¹⁰ *Planting proposals should seek to provide density and height within any planted areas. The emphasis should be on filtering views of new development as seen from the Registered Battlefield site and providing links with existing planted / habitat areas wherever possible. Native broadleaved trees of local provenance should be used in preference to ornamental or evergreen species.*

- 5.6.3 To have maximum effect, planting should be located in areas where it can, over time, filter views of development as seen from the Registered Battlefield. Tree planting should use native species, ideally of local provenance, to optimise visual integration. Shrub planting is also desirable but would not have the same effect, over time, when seen from the Registered Battlefield.
- 5.6.4 The cumulative effect of planting associated with different developments should improve the setting of the Registered Battlefield in accordance with relevant heritage policies and guidance. Significant off-site tree planting has already been secured on the top of both the northern and southern embankments of the A5124 Battlefield Link Road in connection with the road construction and the progressive development of Battlefield Enterprise Park. This has resulted in a significant degree of screening of building/structure heights to help address the issues identified in section 5.3 above.
- 5.6.5 With regard to the above it would be desirable for all new developments within or close to the Registered Battlefield to adopt landscaping principles which acknowledge and reinforce the evidence of the heritage assets in this locality and to create a sense of local distinctiveness. This is especially important around Shrewsbury's built edge and strategic road network and junctions where there is likely to be significant and continuing development pressures in close proximity to the Registered Battlefield.

Relevant policies / guidance: NPPF section paragraphs 128, 129, 131-4, 170. Core Strategy policy CS6; Historic England Guide: GPAN3 The Setting of Heritage Assets.

5.7 Archaeology

- 5.7.1 Heritage Assessments for development proposals on sites within the setting of the Registered Battlefield should be accompanied by an archaeological desk based assessment and, where appropriate, with the results of a field evaluation, both undertaken by a qualified professional.¹¹
- 5.7.2 Whilst the Registered Battlefield is considered to be the main site of the battle it is likely that the fighting fragmented subsequently into a series of skirmishes covering a wider area. Hence, the possibility of more widespread archaeological remains linked to the battle being encountered in the setting of the heritage asset. Any such finds could add significantly to the overall understanding of the battle and to the importance and significance of the heritage asset. Therefore, an appropriate level of archaeological assessment is required for development affecting previously undisturbed areas within the setting of the Registered Battlefield.

¹¹ a. Land which is not currently in use as part of a built development including agricultural land and other areas of undeveloped land where excavations and topsoil removal have not previously occurred.

b. The Developer should seek advice from Shropshire Council's Historic Environment Team to determine the circumstances in which further field based evaluation will be required following an initial archaeological desk based assessment.

c. Where the archaeological evaluation indicates that further field based archaeological investigations are necessary, these may need to be submitted prior to determination or may be required as a condition of any planning permission. Such further archaeological work will potentially include metal detector survey and an archaeological watching brief during soil stripping activity, conforming to the Standards and Guidance of the Institute for Archaeologists.

Relevant policies / guidance: NPPF 128, 135, 141; Core Strategy CS17.

5.8 Other Material Considerations

5.8.1 Where development proposals do not satisfy the requirements of this guidance, it may be considered that development would give rise to substantial harm to the Registered Battlefield and its setting or other designated heritage assets in the locality. In these circumstances, it would be reasonable for the development proposal to be refused permission by the local planning authority in accordance with NPPF, paragraph 132. However consideration will be given to evidence demonstrating that the applicant has satisfied the following three tests:

- i. that there is no other reasonable alternative;
- ii. appropriate mitigation measures have been included;
- iii. the proposal will deliver substantial public benefits that outweigh any harm or loss to the heritage asset.¹²

5.8.2 The consideration of this evidence may provide other material considerations on which permission for the proposed development may be granted.

6 Conclusion

6.1. The Registered Battlefield is a national heritage asset of the highest significance and a unique heritage asset in Shropshire. The Registered Battlefield has been affected by past development and it is reasonable to expect that these development pressures will continue due to the close proximity of the built edge of Shrewsbury town and the significant amount of potential development land in the setting of the Registered Battlefield.

6.2. This guidance is intended to provide a consistent framework by which to assess the potential individual and cumulative effects of development on the integrity of the Registered Battlefield, associated heritage assets and the setting of the site. This approach reflects national guidance which advocates that local planning authorities should:

- ensure that an appropriate level of heritage assessment is 'front loaded' into the development management process;
- approve development where appropriate mitigation can be achieved to satisfactorily address any identified impacts; and

¹² a. The potential level of harm will be judged with reference to the submitted Heritage Assessment;
b. The need for an 'exceptional circumstances' justification for a proposed development would be expected to fully address the available mitigation options as part of the justification for the development
c. It is strongly recommended that the developer contacts the Local Planning Authority to discuss mitigation options before the application is submitted in the event that the Heritage Assessment indicates the possibility that the proposed development may result in harm to a heritage asset.
d. 'Public benefits' in this context means direct benefits to society as a whole and not benefits to individuals or companies.

- refuse development where impacts cannot be satisfactorily addressed and no exceptional circumstances can be satisfactorily demonstrated.
- 6.3. Developers of land within the Registered Battlefield including its setting should work with the Local Authority, in particular the Shropshire Council Historic Environment and Planning Departments, and use this guidance to shape development which might affect the Registered Battlefield including its setting. This will assist in managing the potential impacts on the Registered Battlefield and will ensure this nationally important and highly significant heritage asset is conserved for the enjoyment of current and future generations.

Appendix 1

Significance of the Battle of Shrewsbury

Introduction

The site of the Battle of Shrewsbury (1403) is one of just 43 Registered Battlefields in England and the only Registered Battlefield in Shropshire. It is a nationally designated heritage asset of the highest importance and is one of Shropshire's most important cultural, historical, heritage and tourism assets. The Battlefield and its setting are irreplaceable and the Local Planning Authority has a duty to ensure it is not harmed by inappropriate or unsympathetic development.

The battle was important (1) politically because, with Hotspur's death, the Percy challenge to Henry IV was crushed, (2) biographically in the military career of Prince Henry, later Henry V, victor most notably at Agincourt in 1415, and (3) militarily because it was the first major battle in which English archers had fought against each other on their own soil. As such it provided a brutal lesson in the effectiveness of the longbow in the hands of skilled exponents. The battle of Shrewsbury is also associated with other later key historical figures and events which add to its significance including: William Shakespeare who dramatized the event in his plays Henry IV Part 1 and Part 2.

The Battlefield was Registered by English Heritage in 1995 and extends to approximately 105 ha. The southern fringes of the Battlefield were subsequently severed by the A5124 which was constructed in circa 1999. The majority of the Registered Battlefield lies to the north of the A5124 and is owned/farmed by Mrs Jagger of the Albrighton Estate. The southern edge of the site is owned by Shropshire Council with the balance being accounted for by the Churches Conservation Trust and two private residences.

Cause of Battle

The rebellion of 1403 arose from deep resentment of the way that King Henry IV had failed to reward the Percy family for securing the northern Border County. Henry Percy 'Harry Hotspur' – hatched a scheme to divide England in conjunction with Edward Mortimer and the Welsh patriot Glyn Dwr. Hotspur rode south early in July 1403 with 160 followers. His ultimate destination was Shrewsbury where he may have arranged to join forces with Glyn Dwr. By 19 July he had recruited an army of 14,000. The King hurried westwards to intercept Hotspur before he and Glyn Dwr could join forces. Both armies faced each other on 21 July, three miles north of Shrewsbury. Neither side relished the prospect of battle but negotiations failed. Finally, only some two hours before dusk, Henry's troops advanced but were met by a deluge of arrows from Hotspur's Cheshire archers. Bloody hand-to-hand fighting following in which Hotspur was killed. By dusk the rebels had fled.

Setting

Although the open ploughed fields of 1403 have been enclosed with hedges, the lie of the land allows an appreciation of the course of events. The church of St Mary Magdalen within the battlefield was established as a memorial to the dead in 1409. The church is redundant but provides some information and a car park for visitors. The battlefield is crossed by

waymarked footpaths giving access to both Royal and rebel positions. The historic Albright Hussey manor house is in use as a hotel. The church and surrounding earthworks is a scheduled ancient monument. The church and Albright Hussey manor house are also listed buildings. A field of ridge and furrow earthworks is located to the south of the church within the Registered Battlefield and with a date range of AD 1066 – AD 1499 may well have existing at the time of the battle. The probable site of a medieval fair is located within what is now a grassland field between the church and Battlefield Farm farmstead. Amongst the privileges granted to Battlefield College was the holding of an annual fair every 22 July – the day following the anniversary of the battle. Whilst not located within the boundary of the Registered Battlefield, other designated heritage assets related to the battle include Haughmond Abbey (close to which camped King Henry's army on the eve of the battle), Shrewsbury Castle (within which Prince Henry had been ensconced) and Albright Hussey (which probably fixed the right flank of the rebel force). Collectively these assets have a very high historical value and the relationships between them are extremely important in the interpretation, understanding and appreciation of the battle.

Public interest

There has been long-standing public interest in the Battle of Shrewsbury with a range of events held on its 500th and 600th anniversaries. The battle has also been featured in a number of television documentaries including the Two Men in a Trench series presented by Tony Pollard and Neil Oliver and the Battlefield Britain series presented by Peter and Dan Snow.

Shrewsbury is one of just three Registered Battlefields in England to benefit from a dedicated permanent battlefield heritage centre (Battlefield/Exhibition 1403) and is the only one in the country which has been privately development and operated. Battlefield 1403 was opened to the public in April 2008 and has dramatically increased awareness of and interest in the Battlefield. In the year ending 31 March 2011, Battlefield 1403 attracted approximately 135,000 visitors excluding visits by 13 schools, 26 other organisations and those who just visit the Church or the southern portion of the Battlefield via the Mounds car park.

Appendix 2

Description of the Registered Battlefield and its setting

The Registered Battlefield site incorporates the following key components:

- i. The low east-west ridge at the north of the Registered Battlefield offering tactical advantages exploited by the initial deployment of the rebel army;
- ii. The 1403 visitor centre at the north east end of the Registered Battlefield;
- iii. The level fields to the south (the 'pea field') where the kings army initially deployed, and the site of medieval ridge and furrow earthworks;
- vi. The picnic area and viewing mound at the southern end of the Registered Battlefield, which afford views of the battle site and the rebel positions;

- vii. The church of St Mary Magdalene (a Scheduled Monument and Grade II* Listed Building: a collegiate church established by Henry IV as a chantry for those who fell in the battle, reputedly on the site of a mass grave);
- viii. The site of medieval fishponds for the collegiate church adjacent to the current churchyard (a Scheduled Monument);
- ix. Views from the rebel position south towards the following features:
 - The Albright Hussey manor house (a Grade II* Listed Building) located immediately adjacent to the north western boundary of the Registered Battlefield, together with the associated moat retaining wall and bridge and garden walls (which are Grade II listed in their own right);
 - Haughmond Hill to the south west, and the adjacent Haughmond Abbey (a Scheduled Monument), in the vicinity of which, the Kings army camped on the night before the battle;
 - The churches at the centre of Shrewsbury. The now visible spires post-date the battle, but clearly indicate the location of the existing centre of Shrewsbury and the position of Shrewsbury Castle as the direction from which Prince Henry's force approached the site of the battle;
 - The direction of Harlescott Grange (a contemporary Scheduled Monument) to the south;
 - The Shropshire Hills to the south west, from which general position the rebel army expected to receive Welsh support from Glyn Dwr;
 - The battlefield brook, running north west – south east beyond the southern and western margin of the Registered Battlefield, which would have been a logical place to station the Royal baggage train (through which the Royal right wing later fled after being routed). The depression along which the watercourse was aligned may also have provided a degree of concealment for the flanking movement undertaken by Prince Henry.

The Registered Battlefield would have been an open landscape at the time of the battle, without many trees or hedgerows. Subsequently hedgerows have divided the area into a series of fields. However, the area remains relatively open and the height of hedgerows is carefully managed. Consequently, the majority of the Registered Battlefield is visible from the viewing platform to the south and from the 1403 centre to the north. This sense of openness / lack of cover and the tactical advantage of the slight rise of the rebel position form important elements of the visitor perception, given the significant role which the longbow played in the battle. Longer distance views from the rebel position also have significance in interpretation of the battle as noted above.

The Registered Battlefield is traversed by an extensive network of carefully planned public footpaths. This allows the visitor to pass from the rebel position to the King's position and appreciate the local topography from both perspectives. On the lower ground, within the footpath network, the visitor is isolated to some extent from views of modern Shrewsbury only a short distance to the south. The footpaths also lead to the Church, where the tranquillity and continuing sense of memorial for the many fallen contributes to the visitor's appreciation of the Registered Battlefield.

The Registered Battlefield and its setting have been changed over time by the following developments:

- i. construction of the railway and embankment and the recent removal of vegetation from the embankment to the east of the Registered Battlefield;
- ii. electricity pylons which traverse the southern edge of the Registered Battlefield;
- iii. construction of a viewing mound and parking at the Shrewsbury Battlefield Heritage Park on the southern edge of the Registered Battlefield;
- iv. construction of the A5124 Battlefield Link Road which truncates the southern edge of the Registered Battlefield and isolates a small area of the heritage asset which is now situated to the south of the A5124;
- v. construction of industrial developments within the Battlefield Enterprise Park situated along the southern edge of the A5124;
- vi. construction of the Battlefield Waste Management Facility comprising a waste transfer station and energy recovery facility within Battlefield Enterprise Park;
- vii. developments to the east of the A49 at Shawbury Turn including the service station, Two Henrys Public House, hotel and Halls Auction / Livestock Market buildings and offices;
- viii. new three storey housing development on Battlefield Road to the south east of the Registered Battlefield.

Appendix 3

Relevant Heritage Policies and Guidance

National Planning Policy Framework

The National Planning Policy Framework (NPPF) came into force in March 2012 and sets out the Government's planning policies for England.

The NPPF includes a specific section (12: Conserving and enhancing the historic environment; Paragraphs 126 – 141), which identifies the Government's objectives for planning for the historic environment. It recognises that heritage assets are an irreplaceable resource and promotes their conservation in a manner appropriate to their significance.

Additional material in the NPPF which is thought to be relevant to the protection of heritage assets, including the Registered site of the Battle of Shrewsbury, can also be found in the following paragraphs: 6-7, 9, 17, 58-61, 63-66, 125-127.

Shropshire's Core Strategy

The Shropshire Core Strategy Development Plan Document (DPD) was formally adopted in March 2011. This sets out the strategic planning policy for Shropshire, including a 'spatial' vision and objectives. It also sets out a development strategy identifying the level of development expected to take place in Shropshire.

With regard to the historic environment, the following policies are key in achieving wherever possible, the protection and conservation of heritage assets.

CS6: Sustainable Design and Development Principles

CS16: Tourism, Culture and Leisure
CS17: Environmental Networks

Additional relevant Core Strategy policies which provide further guidance are as follows:

CS2: Shrewsbury Development Strategy
CS3: The Market Towns and Other Key Centres
CS5: Countryside and Green Belt
CS13: Economic Development, Enterprise and Employment

These can be found at the following link:

<http://shropshire.gov.uk/media/830904/shropshire-core-strategy-2011-reduced.pdf>

Site Allocations and Management of Development (SAMDev) Plan

The historic environment has a specific policy within the SAMDev plan, MD13, which can be found below:

MD13: The Historic Environment

In accordance with Policies CS6 and CS17 and through applying the guidance in the Historic Environment SPD, Shropshire's heritage assets will be protected, conserved, sympathetically enhanced and restored by:

1. Ensuring that wherever possible, proposals avoid harm or loss of significance to designated or non-designated heritage assets, including their settings.
2. Ensuring that proposals which are likely to affect the significance of a designated or non-designated heritage asset, including its setting, are accompanied by a Heritage Assessment, including a qualitative visual assessment where appropriate.
3. Ensuring that proposals which are likely to have an adverse effect on the significance of a non-designated heritage asset, including its setting, will only be permitted if it can be clearly demonstrated that the public benefits of the proposal outweigh the adverse effect. In making this assessment, the degree of harm or loss of significance to the asset including its setting, the importance of the asset and any potential beneficial use will be taken into account. Where such proposals are permitted, measures to mitigate and record the loss of significance to the asset including its setting and to advance understanding in a manner proportionate to the asset's importance and the level of impact, will be required.
4. Encouraging development which delivers positive benefits to heritage assets, as identified within the Place Plans. Support will be given in particular, to proposals which appropriately conserve, manage or enhance the significance of a heritage asset including its setting, especially where these improve the condition of those assets which are recognised as being at risk or in poor condition.

Further relevant policies providing related additional guidance:

MD2: Sustainable Design

MD7b: General Development in the Countryside

MD8: Infrastructure Provision

MD11: Tourism facilities and visitor accommodation

MD14: Waste Management Facilities

MD17: Managing the Development and Operation of Mineral Sites

Appendix 4

Historic England Advice

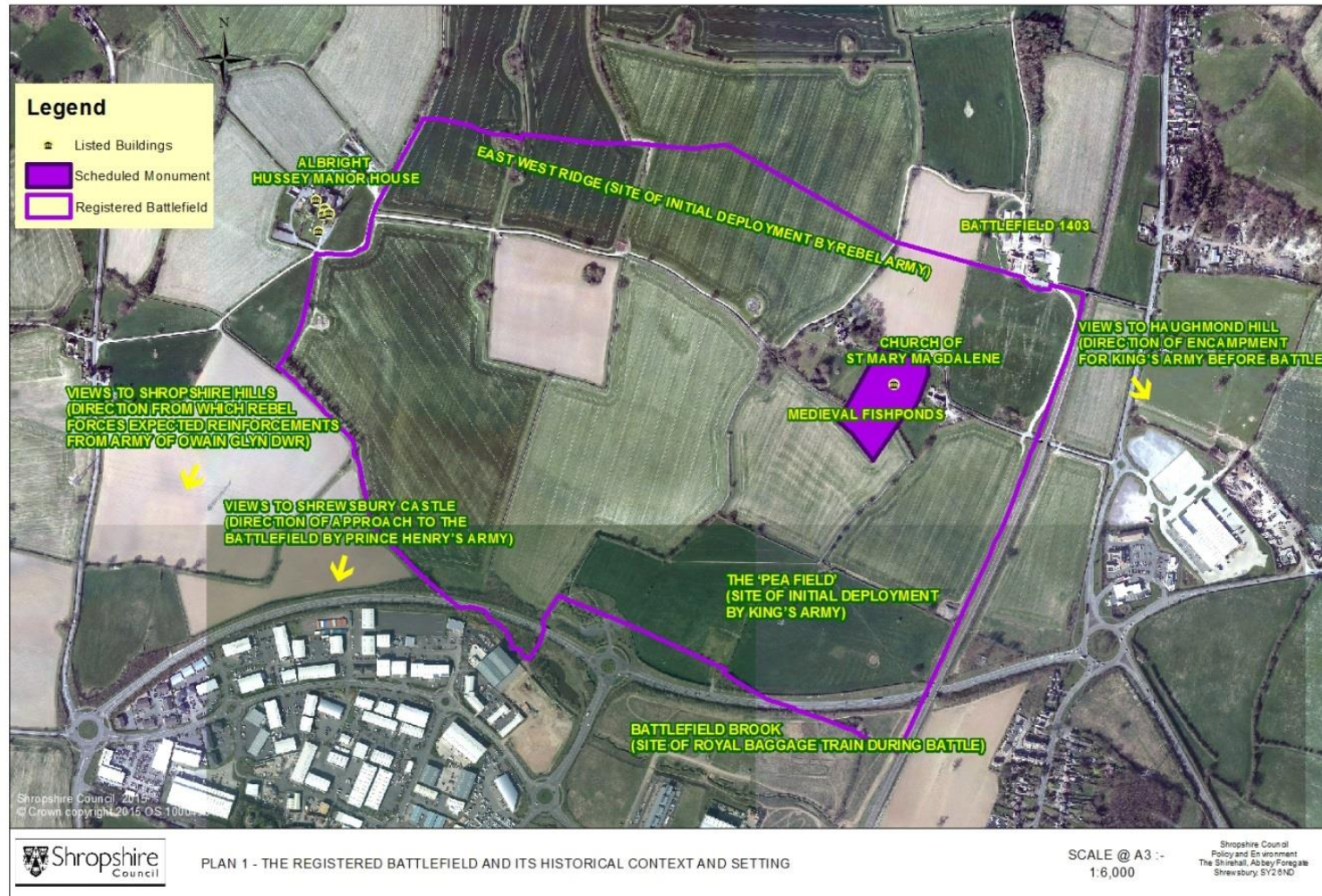
Historic England have published the following advice documents which are relevant when assessing the impacts of development proposals on the registered site of the battle of Shrewsbury.

Seeing the History in the View

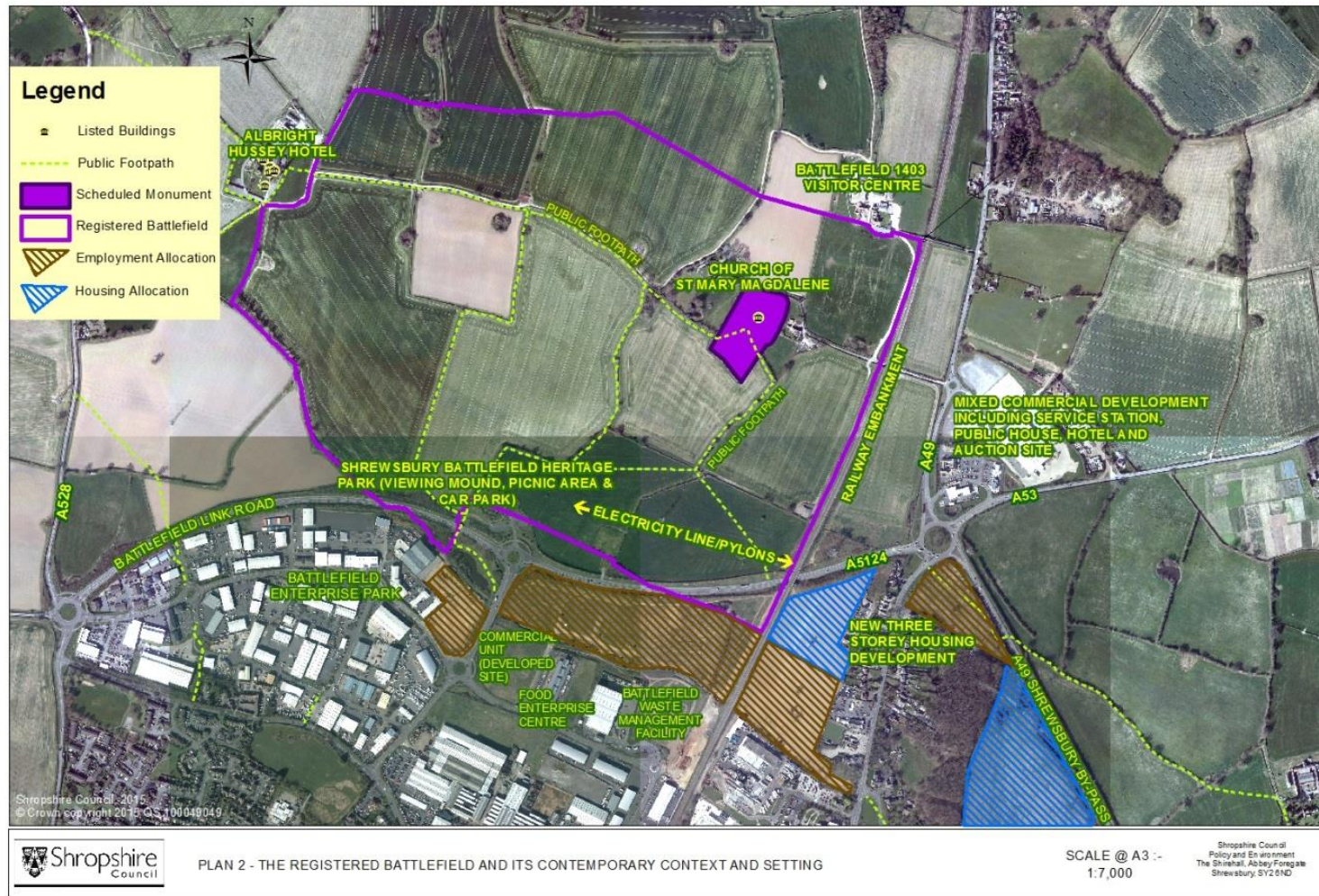
<https://historicengland.org.uk/images-books/publications/seeing-history-view/>

Historic Environment Good Practice Advice in Planning Note 3 - The Setting of Heritage Assets

<https://historicengland.org.uk/images-books/publications/setting-heritage-assets/>



Shropshire Council: Historic Environment Supplementary Planning Document
Consultation Draft: March 2016



Appendix 2: Historic Environment Policies and Legislation

1. NPPF

Page	Para	Text
Ministerial forward (i)	6*	Our historic environment – buildings, landscapes, towns and villages – can better be cherished if their spirit of place thrives, rather than withers.
3	9	Pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment , as well as in people's quality of life, including (but not limited to):
5	17	Within the overarching roles that the planning system ought to play, a set of core land-use planning principles should underpin both plan-making and decision-taking. These 12 principles are that planning should... <ul style="list-style-type: none"> • conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations;
9	28	Planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should: <ul style="list-style-type: none"> • Support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside.
14	55	To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby. Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances such as: <ul style="list-style-type: none"> • where such development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets; or • the exceptional quality or innovative nature of the design of the dwelling. Such a design should: <ul style="list-style-type: none"> ○ significantly enhance its immediate setting; ○ and be sensitive to the defining characteristics of the local area.
15	58	Local and neighbourhood plans should develop robust and comprehensive policies that set out the quality of development that will be expected for the area. Such policies should be based on stated objectives for the future of the area and an understanding and evaluation of its defining characteristics. Planning policies and decisions should aim to ensure that developments:

		<ul style="list-style-type: none"> • will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; • establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit; • optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks; • respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation; • create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and • are visually attractive as a result of good architecture and appropriate landscaping.
15	59	Local planning authorities should consider using design codes where they could help deliver high quality outcomes. However, design policies should avoid unnecessary prescription or detail and should concentrate on guiding the overall scale, density, massing, height, landscape, layout, materials and access of new development in relation to neighbouring buildings and the local area more generally.
15	60	Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.
15	61	Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.
16	64	Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
16	65	Local planning authorities should not refuse planning permission for buildings or infrastructure which promote high levels of sustainability because of concerns about incompatibility with an existing townscape, if those concerns have been mitigated by good design (unless the concern relates to a designated heritage asset and the impact would cause material harm to the asset or its setting which is not outweighed by the proposal's economic, social and environmental benefits).
18	77	The Local Green Space designation will not be appropriate for most green areas or open space. The

		<p>designation should only be used...</p> <ul style="list-style-type: none"> • where the green area is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and
19	80	<p>Green Belt serves five purposes....</p> <ul style="list-style-type: none"> • to preserve the setting and special character of historic towns; and
20	86	<p>If it is necessary to prevent development in a village primarily because of the important contribution which the open character of the village makes to the openness of the Green Belt, the village should be included in the Green Belt. If, however, the character of the village needs to be protected for other reasons, other means should be used, such as conservation area or normal development management policies, and the village should be excluded from the Green Belt.</p>
30	128	<p>In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.</p>
30	129	<p>Local planning authorities 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 of the available evidence 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.</p>
30	130	<p>Where there is evidence of deliberate neglect of or damage to a heritage asset the deteriorated state of the heritage asset should not be taken into account in any decision.</p>
31	131	<p>In determining planning applications, local planning authorities should take account of:</p> <ul style="list-style-type: none"> • the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; • the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and • the desirability of new development making a positive contribution to local character and

		distinctiveness.
31	133	Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset , local planning authorities should refuse consent , unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply: <ul style="list-style-type: none"> • the nature of the heritage asset prevents all reasonable uses of the site; and • no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and • conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and • the harm or loss is outweighed by the benefit of bringing the site back into use.
31	134	Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.
31	135	The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
32	137	Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.
34	144	When determining planning applications , local planning authorities should: <ul style="list-style-type: none"> • as far as is practical, provide for the maintenance of landbanks of non-energy minerals from outside National Parks, the Broads, Areas of Outstanding Natural Beauty and World Heritage sites, Scheduled Monuments and Conservation Areas; • ensure, in granting planning permission for mineral development, that there are no unacceptable adverse impacts on the natural and historic environment, human health or aviation safety, and

		take into account the cumulative effect of multiple impacts from individual sites and/or from a number of sites in a locality;
45	187	Local planning authorities should look for solutions rather than problems , and decision-takers at every level should seek to approve applications for sustainable development where possible . Local planning authorities should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area .

Historic Environment Planning Practice Guide

In March 2012, the National Planning Policy Framework superseded PPS5: Planning for the Historic Environment. However, the PPS5 Practice Guide still remains a valid document. The aim of the guide is to support the implementation of planning policies. Even though PPS5 is redundant, the historic environment policies within NPPF provide similar guidance and therefore the practice guide remains relevant in the implementation of national policy.

<https://content.historicengland.org.uk/images-books/publications/pps-practice-guide/pps5practiceguide.pdf/>

2. National Planning Policy Guidance

The following text is extracted from the Historic Environment section of the NPPG (available online at

http://planningguidance.planningportal.gov.uk/?post_type=guidance&s=historic+environment

Overview: Historic Environment

<http://planningguidance.planningportal.gov.uk/blog/guidance/conserving-and-enhancing-the-historic-environment/overview/>

Paragraph: 001	Reference ID: 18a-001-20140306
What is the policy for the historic environment?	
Protecting and enhancing the historic environment is an important component of the National Planning Policy Framework's drive to achieve sustainable development (as defined in Paragraphs 6-10). The appropriate conservation of heritage assets forms one of the 'Core Planning Principles' (Paragraph 17 bullet 10) that underpin the planning system. This is expanded upon principally in Paragraphs 126-141 but policies giving effect to this objective appear elsewhere in the National Planning Policy Framework.	
Revision date: 06 03 2014	
Policy on historic environment	

Paragraph: 002	Reference ID: 18a-002-20140306
What is the main legislative framework for planning and the historic environment?	
<p>In addition to normal planning framework set out in the Town and Country Planning Act 1990:</p> <ul style="list-style-type: none"> the Planning (Listed Buildings and Conservation Areas) Act 1990 provides specific protection for buildings and areas of special architectural or historic interest the Ancient Monuments and Archaeological Areas Act 1979 provides specific protection for scheduled monuments the Protection of Wrecks Act 1973 provides specific protection for protected wreck sites <p>Any decisions relating to listed buildings and their settings and conservation areas must address the statutory considerations of the Planning (Listed Buildings and Conservation Areas) Act 1990 (see in particular sections 16, 66 and 72) as well as satisfying the relevant policies within the National Planning Policy Framework and the Local Plan.</p>	
Revision date: 06 03 2014	
Legislation	

Paragraph: 003	Reference ID: 18a-003-20140306
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What is meant by the conservation and enhancement of the historic environment?

The conservation of heritage assets in a manner appropriate to their significance is a core planning principle. Heritage assets are an irreplaceable resource and effective conservation delivers wider social, cultural, economic and environmental benefits.

Conservation is an active process of maintenance and managing change. It requires a flexible and thoughtful approach to get the best out of assets as diverse as listed buildings in everyday use to as yet undiscovered, undesignated buried remains of archaeological interest.

In the case of buildings, generally the risks of neglect and decay of heritage assets are best addressed through ensuring that they remain in active use that is consistent with their conservation. Ensuring such heritage assets remain used and valued is likely to require sympathetic changes to be made from time to time. In the case of archaeological sites, many have no active use, and so for those kinds of sites, periodic changes may not be necessary.

Where changes are proposed, the National Planning Policy Framework sets out a clear framework for both plan-making and decision-taking to ensure that heritage assets are conserved, and where appropriate enhanced, in a manner that is consistent with their significance and thereby achieving sustainable development.

Part of the public value of heritage assets is the contribution that they can make to understanding and interpreting our past. So where the complete or partial loss of a heritage asset is justified, the aim then is to capture and record the evidence of the asset's significance which is to be lost, interpret its contribution to the understanding of our past, and make that publicly available.

Revision date: 06 03 2014

Conservation guidance

Conserving and enhancing the historic environment

Plan making: historic environment

<http://planningguidance.planningportal.gov.uk/blog/guidance/conserving-and-enhancing-the-historic-environment/plan-making-historic-environment/>

Paragraph: 004

Reference ID: 18a-004-20140306

What is a positive strategy for conservation and enjoyment of the historic environment?

In line with the National Planning Policy Framework, local authorities should set out their Local Plan a

positive strategy for the conservation and enjoyment of the historic environment. Such as a strategy should recognise that conservation is not a passive exercise. In developing their strategy, local planning authorities should identify specific opportunities within their area for the conservation and enhancement of heritage assets. This could include, where appropriate, the delivery of development within their settings that will make a positive contribution to, or better reveal the significance of, the heritage asset.

The delivery of the strategy may require the development of specific policies, for example, in relation to use of buildings and design of new development and infrastructure. Local planning authorities should consider the relationship and impact of other policies on the delivery of the strategy for conservation.

Revision date: 06 03 2014

Strategy and development

Paragraph: 005

Reference ID: 18a-005-20140306

What about the evidence base for Local Plan-making?

Policy on this is set out in paragraph 169 of the National Planning Policy Framework

Revision date: 06 03 2014

Evidence base

Paragraph: 006

Reference ID: 18a-006-20140306

Should non-designated heritage assets be identified in the Local Plan?

While there is no requirement to do so, local planning authorities are encouraged to consider making clear and up to date information on their identified non-designated heritage assets, both in terms of the criteria used to identify assets and information about the location of existing assets, accessible to the public.

In this context, the inclusion of information about non-designated assets in Local Plans can be helpful, as can the identification of areas of potential for the discovery of non-designated heritage assets with archaeological interest.

Revision date: 06 03 2014

Guidance for heritage assets

Paragraph: 007

Reference ID: 18a-007-20140306

How should heritage issues be addressed in neighbourhood plans?

Where it is relevant, neighbourhood plans need to include enough information about local heritage to guide decisions and put broader strategic heritage policies from the Local Plan into action at a neighbourhood scale.

Where it is relevant, designated heritage assets within the plan area should be clearly identified at the start of the plan-making process so they can be appropriately taken into account. In addition, and where relevant, neighbourhood plans need to include enough information about local non-designated heritage assets including sites of archaeological interest to guide decisions.

The local planning authority heritage advisers should be able to advise on local heritage issues that should be considered when preparing a neighbourhood plan. The local Historic environment record and any local list will be important sources of information on non-designated heritage assets.

Revision date: 06 03 2014

Heritage assets in neighbourhood plans

Decision taking – Historic Environment

<http://planningguidance.planningportal.gov.uk/blog/guidance/conserving-and-enhancing-the-historic-environment/why-is-significance-important-in-decision-taking/>

Paragraph: 008

Reference ID: 18a-008-20140306

What is “significance”?

“Significance” in terms of heritage policy is defined in the Glossary of the National Planning Policy Framework.

In **legislation and designation criteria**, the terms ‘special architectural or historic interest’ of a listed building and the ‘national importance’ of a scheduled monument are used to describe all or part of the identified heritage asset’s significance. Some of the more recent designation records are more helpful as they contain a fuller, although not exhaustive, explanation of the significance of the asset.

Revision date: 06 03 2014

Significance of heritage policy

Paragraph: 009

Reference ID: 18a-009-20140306

Why is ‘significance’ important in decision-taking?

Heritage assets may be affected by direct physical change or by change in their setting. Being able to properly assess the nature, extent and importance of the significance

of a heritage asset, and the **contribution of its setting**, is very important to **understanding the potential impact and acceptability of development proposals**.

Revision date: 06 03 2014

Significance

Paragraph: 010

Reference ID: 18a-010-20140306

Where can local planning authorities get help to assess the significance of heritage assets?

In most cases the assessment of the significance of the heritage asset by the local planning authority is likely to need expert advice in addition to the information provided by the historic environment record, similar sources of information and inspection of the asset itself. Advice may be sought from appropriately qualified staff and experienced in-house experts or professional consultants, complemented as appropriate by consultation with National Amenity Societies and other statutory consultees.

Revision date: 06 03 2014

Significance of heritage assets

Paragraph: 011

Reference ID: 18a-011-20140306

What is a historic environment record?

Historic environment records are publicly-accessible and dynamic sources of information about the local historic environment. They provide core information for plan-making and designation decisions (such as information about designated and non-designated heritage assets, and information that helps predict the likelihood of current unrecorded assets being discovered during development) and will also assist in informing planning decisions by providing appropriate information about the historic environment to communities, owners and developers as set out in the National Planning Policy Framework. Details of how to access historic environment records can be found on English Heritage's website.

Revision date: 06 03 2014

Environmental Records

Paragraph: 012

Reference ID: 18a-012-20140306

How do Design and Access Statement requirements relate to heritage assessments?

A Design and Access Statement is required to accompany certain applications for planning permission and applications for listed building consent.

Design and Access Statements provide a flexible framework for an applicant to explain and justify their proposal with reference to its context. **In cases where both a Design and Access Statement and an assessment of the impact of a proposal on a heritage asset are required, applicants can avoid unnecessary duplication and demonstrate how the proposed design has responded to the historic environment through including the necessary heritage assessment as part of the Design and Access Statement.**

Revision date: 06 03 2014

Design and Access Statements

Paragraph: 013	Reference ID: 18a-013-20140306
What is the setting of a heritage asset and how should it be taken into account?	
<p>The “setting of a heritage asset” is defined in the Glossary of the National Planning Policy Framework.</p> <p>A thorough assessment of the impact on setting needs to take into account, and be proportionate to, the significance of the heritage asset under consideration and the degree to which proposed changes enhance or detract from that significance and the ability to appreciate it.</p> <p>Setting is the surroundings in which an asset is experienced, and may therefore be more extensive than its curtilage. All heritage assets have a setting, irrespective of the form in which they survive and whether they are designated or not.</p> <p>The extent and importance of setting is often expressed by reference to visual considerations. Although views of or from an asset will play an important part, the way in which we experience an asset in its setting is also influenced by other environmental factors such as noise, dust and vibration from other land uses in the vicinity, and by our understanding of the historic relationship between places. For example, buildings that are in close proximity but are not visible from each other may have a historic or aesthetic connection that amplifies the experience of the significance of each.</p> <p>The contribution that setting makes to the significance of the heritage asset does not depend on there being public rights or an ability to access or experience that setting. This will vary over time and according to circumstance.</p> <p>When assessing any application for development which may affect the setting of a heritage asset, local planning authorities may need to consider the implications of cumulative change. They may also need to consider the fact that developments which materially detract from the asset’s significance may also damage its economic viability now, or in the future, thereby threatening its ongoing conservation.</p>	
Revision date: 06 03 2014	
Heritage asset	

Paragraph: 014	Reference ID: 18a-014-20140306
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Should the deteriorated state of a heritage asset be taken into account in reaching a decision on an application?

Disrepair and damage and their impact on viability can be a material consideration in deciding an application. However, where there is **evidence of deliberate damage to or neglect of a heritage asset in the hope of making consent or permission easier to gain the local planning authority should disregard the deteriorated state of the asset** (National Planning Policy Framework Paragraph 130). Local planning authorities may need to consider exercising their repair and compulsory purchase powers to remedy deliberate neglect or damage.

Revision date: 06 03 2014

Heritage asset

Paragraph: 015

Reference ID: 18a-015-20140306

What is a viable use for a heritage asset and how is it taken into account in planning decisions?

The vast majority of heritage assets are in private hands. Thus, sustaining heritage assets in the long term often requires an incentive for their active conservation. Putting heritage assets to a viable use is likely to lead to the investment in their maintenance necessary for their long-term conservation.

By their nature, some heritage assets have limited or even no economic end use. A scheduled monument in a rural area may preclude any use of the land other than as a pasture, whereas a listed building may potentially have a variety of alternative uses such as residential, commercial and leisure.

In a small number of cases a heritage asset may be capable of active use in theory but be so important and sensitive to change that alterations to accommodate a viable use would lead to an unacceptable loss of significance.

It is important that any use is viable, not just for the owner, but also the future conservation of the asset. It is obviously desirable to avoid successive harmful changes carried out in the interests of repeated speculative and failed uses.

If there is only one viable use, that use is the optimum viable use. If there is a range of alternative viable uses, the optimum use is the one likely to cause the least harm to the significance of the asset, not just through necessary initial changes, but also as a result of subsequent wear and tear and likely future changes.

The optimum viable use may not necessarily be the most profitable one. It might be the original use, but that may no longer be economically viable or even the most compatible with

the long-term conservation of the asset. However, if from a conservation point of view there is no real difference between viable uses, then the choice of use is a decision for the owner.

Harmful development may sometimes be justified in the interests of realising the optimum viable use of an asset, notwithstanding the loss of significance caused provided the harm is minimised. The policy in addressing substantial and less than substantial harm is set out in paragraphs 132 – 134 of the National Planning Policy Framework.

Related Policy: National Planning Policy Framework Paragraph 132-134

Revision date: 06 03 2014

Heritage assets

Paragraph: 016

Reference ID: 18a-016-20140306

What evidence is needed to demonstrate that there is no viable use?

Appropriate marketing is required to demonstrate the redundancy of a heritage asset in the circumstances set out in paragraph 133, bullet 2 of the National Planning Policy Framework. The aim of such marketing is to reach all potential buyers who may be willing to find a use for the site that still provides for its conservation to some degree. If such a purchaser comes forward, there is no obligation to sell to them, but redundancy will not have been demonstrated.

Related Policy: National Planning Policy Framework Paragraph 133

Revision date: 06 03 2014

Evidence base, viability

Paragraph: 017

Reference ID: 18a-017-20140306

How to assess if there is substantial harm?

What matters in assessing if a proposal causes substantial harm is the impact on the significance of the heritage asset. As the National Planning Policy Framework makes clear, significance derives not only from a heritage asset's physical presence, but also from its setting.

Whether a proposal causes substantial harm will be a judgment for the decision taker, having regard to the circumstances of the case and the policy in the National Planning Policy Framework. In general terms, substantial harm is a high test, so it may not arise in many cases. For example, in determining whether works to a listed building constitute substantial harm, an important consideration would be whether the adverse impact seriously affects a key element of its special architectural or historic interest. It is the degree of harm to the

asset's significance rather than the scale of the development that is to be assessed. The harm may arise from works to the asset or from development within its setting.

While the impact of total destruction is obvious, partial destruction is likely to have a considerable impact but, depending on the circumstances, it may still be less than substantial harm or conceivably not harmful at all, for example, when removing later inappropriate additions to historic buildings which harm their significance. Similarly, works that are moderate or minor in scale are likely to cause less than substantial harm or no harm at all. However, even minor works have the potential to cause substantial harm.

Related Policy: National Planning Policy Framework Paragraph 132 and 133

Revision date: 06 03 2014

Substantial harm to heritage assets

Paragraph: 018

Reference ID: 18a-018-20140306

What about harm in relation to conservation areas?

An unlisted building that makes a positive contribution to a conservation area is individually of lesser importance than a listed building (paragraph 132 of the National Planning Policy Framework). If the building is important or integral to the character or appearance of the conservation area then its demolition is more likely to amount to substantial harm to the conservation area, engaging the tests in paragraph 133 of the National Planning Policy Framework. However, the justification for its demolition will still be proportionate to the relative significance of the building and its contribution to the significance of the conservation area as a whole.

Revision date: 06 03 2014

Conservation areas

Paragraph: 019

Reference ID: 18a-019-20140306

How can proposals avoid or minimise harm to the significance of a heritage asset?

A clear understanding of the significance of a heritage asset and its setting is necessary to develop proposals which avoid or minimise harm. Early appraisals, a conservation plan or targeted specialist investigation can help to identify constraints and opportunities arising from the asset at an early stage. Such studies can reveal alternative development options, for example more sensitive designs or different orientations, that will deliver public benefits in a more sustainable and appropriate way.

Revision date: 06 03 2014

Heritage asset guidance

Paragraph: 020

Reference ID: 18a-020-20140306

What is meant by the term public benefits?

Public benefits may follow from many developments and could be anything that delivers economic, social or environmental progress as described in the National Planning Policy Framework (Paragraph 7). Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and should not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits.

Public benefits may include heritage benefits, such as:

- sustaining or enhancing the significance of a heritage asset and the contribution of its setting
- reducing or removing risks to a heritage asset
- securing the optimum viable use of a heritage asset in support of its long term conservation

Revision date: 06 03 2014

Public benefits

Designated heritage assets

<http://planningguidance.planningportal.gov.uk/blog/guidance/conserving-and-enhancing-the-historic-environment/how-do-heritage-assets-become-designated/>

Paragraph: 021

Reference ID: 18a-021-20140306

How do heritage assets become designated?

The Department for Culture, Media and Sport (DCMS) is responsible for the identification and designation of listed buildings, scheduled monuments and protected wreck sites.

English Heritage identifies and designates registered parks, gardens and battlefields.

World Heritage Sites are inscribed by the United Nations Educational, Scientific and Cultural Organisation (UNESCO).

In most cases, conservation areas are designated by local planning authorities.

English Heritage administers all the national designation regimes. Further information on selection criteria and processes can be found on Department for Culture, Media and Sport's website.

Revision date: 06 03 2014

Designation of assets

Paragraph: 022

Reference ID: 18a-022-20140306

What is a listed building?

A listed building is a building which has been designated because of its special architectural or

historic interest and (unless the list entry indicates otherwise) includes not only the building itself but also:

any object or structure fixed to the building

any object or structure within the curtilage of the building which, although not fixed to the building, forms part of the land and has done so since before 1 July 1948

Revision date: 06 03 2014

Guidance on listed buildings

Paragraph: 023

Reference ID: 18a-023-20140306

What is a conservation area?

A conservation area is an area which has been designated because of its special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance.

Revision date: 06 03 2014

Guidance on conservation areas

Paragraph: 024

Reference ID: 18a-024-20140306

What do planning authorities need to consider before designating new conservation areas?

Local planning authorities need to ensure that the area has sufficient special architectural or historic interest to justify its designation as a conservation area.

Revision date: 06 03 2014

Designation guidance

Paragraph: 025

Reference ID: 18a-025-20140306

Do local planning authorities need to review conservation areas?

Local planning authorities must review their conservation areas from time to time (Section 69(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990).

A conservation area appraisal can be used to help local planning authorities develop a management plan and appropriate policies for the Local Plan. A good appraisal will consider what features make a positive or negative contribution to the significance of the conservation area, thereby identifying opportunities for beneficial change or the need for planning protection.

Revision date: 06 03 2014

Policy review

Paragraph: 026	Reference ID: 18a-026-20140306
How are World Heritage Sites protected and managed in England?	
<p>England protects its World Heritage Sites and their settings, including any buffer zones or equivalent, through the statutory designation process and through the planning system.</p> <p>The Outstanding Universal Value of a World Heritage Site, set out in a Statement of Outstanding Universal Value, indicates its importance as a heritage asset of the highest significance to be taken into account by:</p> <p>the relevant authorities in plan-making, determining planning and related consents (including listed building consent, development consent and Transport and Works Act Orders)</p> <p>and by the Secretary of State in determining such cases on appeal or following call in</p> <p>Effective management of World Heritage Sites involves the identification and promotion of positive change that will conserve and enhance their Outstanding Universal Value, authenticity, integrity and with the modification or mitigation of changes which have a negative impact on those values.</p>	
Revision date: 06 03 2014	
Policy protection	

Paragraph: 027	Reference ID: 18a-027-20140306
How is the importance of World Heritage Sites reflected in the National Planning Policy Framework?	
<p>World Heritage Sites are defined as designated heritage assets in the National Planning Policy Framework. The National Planning Policy Framework sets out detailed policies for the conservation and enhancement of the historic environment, including World Heritage Sites, through both plan-making and decision-taking</p>	
Revision date: 06 03 2014	
Policy protection	

Non-designated heritage assets

<http://planningguidance.planningportal.gov.uk/blog/guidance/conserving-and-enhancing-the-historic-environment/what-are-non-designated-heritage-assets-and-how-important-are-they/>

Paragraph: 039	Reference ID: 18a-039-20140306
What are non-designated heritage assets and how important are they?	
<p>Local planning authorities may identify non-designated heritage assets. These are buildings, monuments, sites, places, areas or landscapes identified as having a degree of significance meriting consideration in planning decisions but which are not formally designated heritage assets. In some areas, local authorities identify some non-designated heritage assets as 'locally listed'.</p> <p>A substantial majority of buildings have little or no heritage significance and thus do not constitute heritage assets. Only a minority have enough heritage interest for their significance to be a material consideration in the planning process.</p>	
Revision date: 06 03 2014	
Non-designated heritage assets definition	

Paragraph: 040	Reference ID: 18a-040-20140306
What are non-designated heritage assets of archaeological interest and how important are they?	
<p>The National Planning Policy Framework identifies two categories of non-designated site of archaeological interest:</p> <p>(1) Those that are demonstrably of equivalent significance to scheduled monuments and are therefore considered subject to the same policies as those for designated heritage assets (National Planning Policy Framework Paragraph 139). They are of three types:</p> <ul style="list-style-type: none"> •those that have yet to be formally assessed for designation •those that have been assessed as being nationally important and therefore, capable of designation, but which the Secretary of State has exercised his discretion not to designate usually because they are given the appropriate level of protection under national planning policy •those that are incapable of being designated by virtue of being outside the scope of the Ancient Monuments and Archaeological Areas Act 1979 because of their physical nature <p>The reason why many nationally important monuments are not scheduled is set out in the document Scheduled Monuments, published by the Department for Culture, Media and Sport (DCMS).</p>	

Information on location and significance of such assets is found in the same way as for all heritage assets. Judging whether sites fall into this category may be assisted by reference to the criteria for scheduling monuments. Further information on scheduled monuments can be found on the Department for Culture, Media and Sport's website.

(2) Other non-designated heritage assets of archaeological interest. By comparison this is a much larger category of lesser heritage significance, although still subject to the conservation objective. On occasion the understanding of a site may change following assessment and evaluation prior to a planning decision and move it from this category to the first

Where an asset is thought to have archaeological interest, the potential knowledge which may be unlocked by investigation may be harmed even by minor disturbance, because the context in which archaeological evidence is found is crucial to furthering understanding.

Decision-taking regarding such assets requires a proportionate response by local planning authorities. Where an initial assessment indicates that the site on which development is proposed includes or has potential to include heritage assets with archaeological interest, applicants should be required to submit an appropriate desk-based assessment and, where necessary, a field evaluation. However, it is estimated following an initial assessment of archaeological interest only a small proportion – around 3 per cent – of all planning applications justify a requirement for detailed assessment.

Revision date: 06 03 2014

Non-designated heritage assets policy

Paragraph: 041

Reference ID: 18a-041-20140306

How are non-designated heritage assets identified?

Local lists incorporated into Local Plans can be a positive way for the local planning authority to identify non-designated heritage assets against consistent criteria so as to improve the predictability of the potential for sustainable development.

It is helpful if Local Plans note areas of potential for the discovery of non-designated heritage assets with archaeological interest. The historic environment record will be a useful indicator of archaeological potential in the area. In judging if non-designated sites of archaeological interest are demonstrably of equivalent significance to scheduled monuments, and therefore considered subject to the same policies as those for designated heritage assets, local planning authorities should refer to Department for Culture, Media and Sport's criteria for scheduling monuments.

When considering development proposals, local planning authorities should establish if any potential

non-designated heritage asset meets the definition in the National Planning Policy Framework at an early stage in the process. Ideally, in the case of buildings, their significance should be judged against published criteria, which may be generated as part of the process of producing a local list. For non-designated heritage assets with archaeological interest, local planning authorities should refer to 'What are non-designated heritage assets of archaeological interest and how important are they?

Revision date: 06 03 2014

non-designated heritage assets

Paragraph: 042

Reference ID: 18a-042-20140306

How should Neighbourhood Development Orders and Community Right to Build Orders take account of heritage conservation?

The policies in the National Planning Policy Framework, and the associated guidance, which relate to decision-taking on planning applications which affect the historic environment, apply equally to the consideration of what planning permission should be granted through Neighbourhood Development Orders and Community Right to Build Orders.

Neighbourhood Development Orders and Community Right to Build Orders can only grant planning permission, not heritage consents (i.e. listed building consent or scheduled monument consent).

English Heritage must be consulted on all Neighbourhood Development Orders and Community Right to Build Orders to allow it to assess the impacts on the heritage assets, and determine whether an archaeological statement (definition in Regulation 22(2) of the Neighbourhood Planning (General) Regulations 2012) is required. This, and other consultation requirements relating to development affecting heritage assets, are set out in Regulation 21 of, and Schedule 1 to, the Neighbourhood Planning (General) Regulations 2012.

Revision date: 06 03 2014

Neighbourhood Development Orders guidance on English Heritage

Heritage consent processes

<http://planningguidance.planningportal.gov.uk/blog/guidance/conserving-and-enhancing-the-historic-environment/is-an-application-for-planning-permission-required-to-carry-out-works-to-a-listed-building/>

Paragraph: 043	Reference ID: 18a-043-20140306
Is listed building consent the same as planning permission?	
<p>Listed building consent and planning permission are two separate regimes. So for some proposed works both planning permission and listed building consent will be needed and sometimes only one, or neither, is required.</p>	
Revision date: 06 03 2014	
Listed building consent	

Paragraph: 044	Reference ID: 18a-044-20140306
When is an application for planning permission required to carry out works to a listed building?	
<p>This will depend on the particular works involved, but in general terms:</p> <ul style="list-style-type: none">•an application for planning permission is required if the works would usually require a planning application if the building was not listed•an application for planning permission is not required if the works would normally be permitted development and there are no restrictions on the permitted development rights in respect of listed buildings and the permitted development rights have not been removed locally•an application for planning permission is not required if the works would not constitute 'development' e.g. internal works to listed buildings <p>The requirement for listed building consent is not the same as for planning permission. So for some proposed works both planning permission and listed building consent will be needed and sometimes only one, or neither, is required.</p>	
Revision date: 06 03 2014	
Listed building works	

Paragraph: 045	Reference ID: 18a-045-20140306
When is listed building consent required?	

Any works to demolish any part of a listed building or to alter or extend it in a way that affects its character as a building of special architectural or historic interest require listed building consent, irrespective of whether planning permission is also required. It is important to note that it may be a criminal offence to fail to apply for consent when it is required. For all grades of listed building, the listing status covers the entire building, internal and external, objects fixed to it and sometimes also attached and curtilage buildings or other structures.

Undertaking works, or causing works to be undertaken, to a listed building which would affect its character as a building of special historic or architectural interest, without first obtaining listed building consent is an offence under section 9 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

There is no fee for submitting an application for listed building consent.

The requirement for listed building consent is not the same as for planning permission. So for some proposed works both planning permission and listed building consent will be needed and sometimes only one, or neither, is required.

Revision date: 06 03 2014

Listed building consent

Paragraph: 046

Reference ID: 18a-046-20140410

What is a Listed Building Heritage Partnership Agreement?

A Listed Building Heritage Partnership Agreement is an Agreement between a local planning authority and the owner(s) of a listed building or group of listed buildings which grants listed building consent. It allows the local planning authority to grant listed building consent for the duration of the Agreement for specified works of alteration or extension (but not demolition) of those listed buildings covered by the Agreement (see sections 26A and 26B of the Planning (Listed Buildings and Conservation Areas) Act 1990). Listed Building Heritage Partnership Agreements remove the need for the owner(s) concerned to submit repetitive applications for listed building consent for works covered by an Agreement. When considering whether to grant listed building consent in a Listed Building Heritage Partnership Agreement local authorities are required to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest possessed by the listed building(s) to be included in the Agreement and should take account of the relevant policies in the National Planning Policy Framework.

Revision date: 10 04 2014

Listed Building Heritage Partnership Agreement

Paragraph: 064	Reference ID: 18a-064-20140410
How long will a Listed Building Heritage Partnership Agreement last?	
<p>A Listed Building Heritage Partnership Agreement must make provision for its termination. The duration of a Listed Building Heritage Partnership agreement will be a matter for the local planning authority and the other parties to the Agreement to decide. Setting a time limit for a Listed Building Heritage Partnership Agreement is recommended to ensure that the Agreement continues to meet appropriate standards and principles for conservation, and continues to have regard to the special interest of the building.</p>	
Revision date: 10 04 2014	
Heritage Partnership Agreement timeframe	

Paragraph: 065	Reference ID: 18a-065-20140410
What procedures does a local planning authority need to follow for a Listed Building Heritage Partnership Agreement?	
<p>The procedures, including those around consultation and publicity, which local planning authorities must follow for Listed Building Heritage Partnership Agreements, are set out in The Planning (Listed Buildings and Conservation Areas) (Heritage Partnership Agreements) Regulations 2014. Good practice advice on Listed Building Heritage Partnership Agreements can be found on English Heritage's website.</p>	
Revision date: 10 04 2014	
Listed Building Heritage Partnership Agreement	

Paragraph: 066	Reference ID: 18a-066-20140410
What is a Local Listed Building Consent Order?	
<p>Local Listed Building Consent Orders are made by local planning authorities and grant listed building consent for works of any description for the alteration or extension (but not demolition) of listed buildings in their area (see sections 26D-26G, 28A and Schedule 2A of the Planning (Listed Buildings and Conservation Areas) Act 1990). This means that owners and developers do not need to submit repetitive applications for listed building consent for works covered by an Order. When considering making a Local Listed Building Consent Order local authorities are required to have special regard to the desirability of preserving the listed building(s) to which the Order applies, their setting or any features of special architectural or historic interest they possess and should take</p>	

account of the relevant policies in the National Planning Policy Framework.	
Revision date: 10 04 2014	
Listed Building Consent Order; general guidance	
Paragraph: 067	Reference ID: 18a-067-20140410
How long will a Local Listed Building Consent last?	
There is no time limit on the duration of Local Listed Building Consent Orders set out in the regulations. Local planning authorities may consider it expedient to set a time limit for the Order.	
Revision date: 10 04 2014	
Local Listed Building Consent timeframe	

Paragraph: 068	Reference ID: 18a-068-20140410
What procedures does a local planning authority need to follow when making a Local Listed Building Consent Order?	
The procedures, including those around consultation and publicity, which local planning authorities must follow when making a Local Listed Building Consent Order are set out in The Planning (Local Listed Building Consent Orders) (Procedure) Regulations 2014 and good practice advice can be found on English Heritage's website.	
Revision date: 10 04 2014	
Local Listed Building Consent procedures	

Paragraph: 069	Reference ID: 18a-069-20140410
What is the difference between a Listed Building Heritage Partnership Agreement and a Local Listed Building Consent Order?	
<p>Listed Building Heritage Partnership Agreements are Agreements made between the local planning authority and the owner(s) of a listed building or group of listed buildings. There may be additional parties to the Agreement. As well as granting a general listed building consent for agreed works of alteration or extension to the listed building(s) to which the Agreement relates, they can cover other matters such as public access or management issues. They might be used for example, to cover university campuses or large office buildings.</p> <p>Local Listed Building Consent Orders are made by the local planning authority and grant a general listed building consent for specified works of alteration or extension to listed buildings of a specified description or in a specified part of the authority's area. They do not cover any other matters relating to the listed buildings. They are likely to be used for groups of similar or related listed</p>	

buildings in multiple ownership, for example, estate villages or rows of terraced houses.

Revision date: 10 04 2014

Listed building; comparison of policy

Paragraph: 070

Reference ID: 18a-070-20140410

What is a Listed Building Consent Order?

A Listed Building Consent Order is made by the Secretary of State to grant listed building consent for works of any description for the alteration or extension (but not demolition) of listed buildings of any description in England (see sections 26C, 26F, 26G and 28A of the Planning (Listed Buildings and Conservation Areas) Act 1990).

When considering making a Listed Building Consent Order the Secretary of State is required to have special regard to the desirability of preserving the listed building(s) to which the Order applies, their setting or any features of special architectural or historic interest they possess and should take account of the relevant policies in the National Planning Policy Framework.

A pilot Listed Building Consent Order is currently being developed with the Canal and River Trust to help inform the approach to future Orders. Further information on Listed Building Consent Orders can be found on English Heritage's website.

Revision date: 10 04 2014

Listed Building Consent Order definition
How Order is used in practice

Paragraph: 071

Reference ID: 18a-071-20140410

What is a Certificate of Lawfulness of Proposed Works?

A Certificate of Lawfulness of Proposed Works provides formal confirmation that proposed works of alteration or extension (but not demolition) of a listed building do not require listed building consent because they do not affect the character of the listed building as a building of special architectural or historic interest (see section 26H of the Planning (Listed Buildings and Conservation Areas) Act 1990).

Certificates of Lawfulness of Proposed Works are only available in respect of works which have not yet been carried out – they cannot be obtained retrospectively.

Works for which a Certificate of Lawfulness of Proposed Works is issued must be undertaken

within 10 years from the date of issue of the Certificate.

Any person wishing to obtain a Certificate must submit an application to their local planning authority – a form for this purpose can be found on the Planning Portal's website. The procedures for applications, and appeals against refusal or non-determination of an application, are set out in The Planning (Listed Buildings) (Certificates of Lawfulness of Proposed Works) Regulations 2014.

Revision date: 10 04 2014

Paragraph: 072

Reference ID: 18a-072-20140410

Is it necessary to apply for a Certificate of Lawfulness of Proposed Works before carrying out minor works to a listed building?

There is no obligation on anyone to apply for a Certificate of Lawfulness of Proposed Works.

Where a person is satisfied that the works they want to carry out do not require listed building consent they can, if they wish, proceed with those works without obtaining any confirmation from the local planning authority.

In order to avoid unnecessary applications, if there is any doubt about whether listed building consent is required, we would encourage owners and developers to discuss the matter with the local planning authority before submitting any application.

Revision date: 10 04 2014

Paragraph: 047

Reference ID: 18a-047-20140306

Is an application for planning permission required to carry out works to an unlisted building in a conservation area?

Planning permission is required for the demolition of certain unlisted buildings in conservation areas (known as 'relevant demolition') – see 'When is permission required' section of the guidance.

Generally the requirement for planning permission for other works to unlisted buildings in a conservation area is the same as it is for any building outside a conservation area, although some permitted development rights are more restricted in conservation areas. Further information in 'When is permission required' section of guidance.

Demolishing an unlisted building in a conservation area, without first obtaining planning permission where it is needed, is an offence under section 196D of the Town and Country Planning Act 1990.

There is no fee for submitting an application for planning permission for the “relevant demolition” of certain unlisted buildings in conservation areas.

Revision date: 06 03 2014

Planning guidance: unlisted buildings in conservation areas

Paragraph: 048

Reference ID: 18a-048-20140306

What permissions/consents are needed for works to scheduled monuments and protected wreck sites?

Planning permission may be required for works to these kinds of designated heritage assets depending on whether they constitute ‘development’ and whether any permitted development rights apply.

Irrespective of any requirement to obtain planning permission, works to scheduled monuments may require scheduled monument consent and works relating to protected wreck sites may require licences. These consent/licence regimes are outside the planning system and are the responsibility of the Department for Culture, Media and Sport (DCMS) advised and administered by English Heritage. Further information on these regimes, including any consultation arrangements, can be found on the Department for Culture, Media and Sport’s website

Revision date: 06 03 2014

Planning permission: scheduled monuments

Paragraph: 049

Reference ID: 18a-049-20140306

What permissions/consents are needed for registered parks and gardens, and battlefields?

Registered parks and gardens and registered battlefields are subject to the usual requirements to obtain planning permission. As they are designated heritage assets, the policies on designated heritage assets in the National Planning Policy Framework apply both in relation to plan-making and decision-taking. As paragraph 132 of the National Planning Policy Framework makes clear, substantial harm to or loss of:

- any designated heritage asset of the highest significance, which includes protected wreck sites, battlefields and grade I and II* parks and gardens, should be “wholly exceptional”
- any grade II park or garden should be “exceptional”

Local authorities are required to consult English Heritage and The Garden History Society on certain applications for planning permission in respect of registered parks and gardens.

Revision date: 06 03 2014
Planning permission: registered parks and gardens

Consultation and notification requirements for heritage related applications

<http://planningguidance.planningportal.gov.uk/blog/guidance/conserving-and-enhancing-the-historic-environment/consultation-and-notification-requirements-for-heritage-related-applications/>

Paragraph: 050	Reference ID: 18a-050-20140306
When should local planning authorities consult or notify other organisations about heritage related applications?	
Local planning authorities are required to consult or notify English Heritage, the Garden History Society and the National Amenity Societies (i.e. the Ancient Monuments Society, the Council for British Archaeology, the Georgian Group, the Society for the Protection of Ancient Buildings, the Victorian Society and the Twentieth Century Society) on certain applications.	
Revision date: 06 03 2014	
Planning consultations	

Paragraph: 051	Reference ID: 18a-051-20140306
When does English Heritage need to be consulted or notified on applications for planning permission and listed building consent?	
The requirements for consulting or notifying English Heritage for different types of applications are set out in the following tables below:	
Applications for Planning Permission;	
Broad requirements	Detailed requirements
For development that would affect the setting of a listed building	Regulation 5A(3) of the Town and Country Planning (Listed Buildings and Conservation Areas) Regulations 1990
In addition, in Greater London only, for development involving the demolition, in whole or part, or the material alteration of a listed building	Article 16 of and Schedule 5 to the Town and Country Planning (Development Management Procedure) Order 2010
For development that would affect the character and appearance of a conservation area	Regulation 5A(3) of Planning (Listed Buildings and Conservation Areas) Regulations 1990
For development within 3 kilometres of Windsor	Article 16 of and Schedule 5 to the Town and

Castle, Windsor Great Park, or Windsor Home Park, or within 800 metres of any other royal palace or park, which might affect the amenities (including security) of that palace or park	Country Planning (Development Management Procedure) Order 2010
For development likely to affect the site of a scheduled monument	Article 16 of and Schedule 5 to the Town and Country Planning (Development Management Procedure) Order 2010
For development likely to affect a grade I or II* park or garden on English Heritage's <i>Register of Historic Parks and Gardens of Special Historic Interest in England</i>	Article 16 of and Schedule 5 to the Town and Country Planning (Development Management Procedure) Order 2010
For development likely to affect certain strategically important views in London	Secretary of State for Communities and Local Government Directions relating to Protected Vistas
Applications for Listed Building Consent;	
Broad requirements	Detailed requirements (link)
To give notice of applications and decisions for works in respect of a Grade I or II* listed building	Circular 01/2001: Arrangements for Handling Heritage Applications – Notification and Directions by the Secretary of State
To give notice of applications and decisions for certain works to Grade II (unstarred) listed buildings. NB: specific requirements different in Greater London to elsewhere	Circular 01/2001: Arrangements for Handling Heritage Applications – Notification and Directions by the Secretary of State and Circular 08/2009: Arrangements for Handling Heritage Applications – Notification to the Secretary of State (England) 2009
Revision date: 06 03 2014	
Planning applications; English Heritage	

Paragraph: 052		Reference ID: 18a-052-20140306	
When do National Amenity Societies need to be notified of listed building consent applications?			
National Amenity Societies need to be notified of certain listed building consent applications.			
Broad requirements		Detailed requirements	
To give notice of applications and decisions for works which comprise or include the demolition of		Circular 09/2005: Arrangements for Handling Heritage Applications – Notification to National	

the whole or any part of a listed building	Amenity Societies Direction 2005
Revision date: 06 03 2014	
Listed building consent consultation	

Paragraph: 053		Reference ID: 18a-053-20140306
When does the Garden History Society need to be consulted on applications for planning permission?		
The Garden History Society needs to be consulted on certain planning applications.		
Broad requirements	Detailed requirements	
For development likely to affect any park or garden on English Heritage's <i>Register of Historic Parks and Gardens of Special Historic Interest in England</i>	Direction which was in Appendix C of Department of Environment Circular 09/1995	
Revision date: 06 03 2014		
Garden History Society consultation		

Paragraph: 054		Reference ID: 18a-054-20140306
When should local planning authorities notify the Secretary of State for Communities and Local Government on heritage applications?		
The current requirements for notifying the Secretary of State for Communities and Local Government are set out in the table below;		
Applications for planning permission and listed building consent: requirements to notify the Secretary of State for Communities and Local Government		
Type of application	Broad requirements	Detailed requirements
Application for planning permission	Where the local planning authority intends to grant consent for proposals to which English Heritage objects because it would have an adverse impact on a World Heritage Site	Circular 02/09: The Town and Country Planning (Consultation)(England) Direction 2009
Application for listed building consent	Outside Greater London only, where the local planning authority intend to grant consent for works to any Grade I or II* listed building or certain Grade II (unstarred) listed buildings to which	Section 13 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Circular 08/09: Arrangements for Handling Heritage Applications – Notification to the Secretary of State

	English Heritage or any of the National Amenity Societies object	(England) 2009
	In Greater London only, in certain circumstances in relation to Grade I and II* listed buildings and some Grade II (unstarred) listed buildings	Section 14 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Circular 08/09: Arrangements for Handling Heritage Applications – Notification to the Secretary of State (England) 2009
Revision date: 06 03 2014		
Consultation process; notification for Communities and Local Government		

Paragraph: 055		Reference ID: 18a-055-20140306
Are applications where the applicant is English Heritage or a local planning authority treated differently?		
Some applications where the applicant is English Heritage or a local planning authority are treated differently and are determined by the Secretary of State for Communities and Local Government rather than the local planning authority. Details are set out in the table below.		
Type of application	Broad requirements	Detailed requirements
Application for listed building consent by English Heritage	To refer for determination applications	Circular 01/2001: Arrangements for Handling Heritage Applications – Notification and Directions by the Secretary of State
Application for listed building consent by local planning authorities	To refer for determination applications	Regulation 13 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990
Application for planning permission for demolition of unlisted building in a conservation area by local planning authorities	To refer for determination applications	Town and Country Planning General Regulations 1992
Revision date: 06 03 2014		
Determination and type of applicant		

CS2 : Shrewsbury – Development Strategy

A comprehensive and co-ordinated approach will be pursued to the planning and development of Shrewsbury. **The approach, encapsulated by the Shrewsbury Vision, integrates elements of housing, economic, transport, community and environmental policy, and will enable the town to achieve a significant level of housing and economic growth linked with infrastructure improvements, whilst protecting and enhancing the town's role, character and the unique qualities of its historic built and natural environment.**

- Shrewsbury will provide the primary focus for development for Shropshire, providing approximately 25% of its additional housing for the period 2006-2026 (approximately 6,500 dwellings - 325 dwellings per annum) and 90 hectares of employment land;
- Shrewsbury will develop its role as Shropshire's primary retail, office and commercial centre, and the vitality and viability of the town centre will be promoted, protected and enhanced. The Riverside and West End areas of the town centre will be redevelopment priorities;
- The Shrewsbury Northern Corridor will be improved in accordance with the aims of the Northern Corridor Regeneration Framework, with the restoration and redevelopment of the Ditherington Flaxmill site and the enhancement of major existing commercial, employment and mixed use areas a priority;
- Shrewsbury's strategy will recognise the need for the continuing development of high quality business parks on the edge of the town centre and the periphery of the town, including the Battlefield Enterprise Park and Shrewsbury and Oxon Business Parks, and the importance of the Meole Brace and Sundorne retail parks, both of which have scope for enhancement and expansion, if required;
- Shrewsbury will be a major focus within Shropshire for the provision of infrastructure and services to meet the needs of the town and its wider catchment area, with current priorities set out in the LDF Implementation Plan;
- Shrewsbury's priorities for the allocation/release of land for development will be:
 - Making best use of previously developed land and buildings for housing and other uses within the built up area, especially sites contributing to the enhancement of the town centre, the redevelopment of edge-of-centre areas, and the regeneration of the Shrewsbury Northern Corridor;
 - Bringing forward, on a phased and planned basis, two sustainable urban extensions providing 25% of Shrewsbury's housing growth and 50% of its employment growth:
- Shrewsbury South – land off Thieves Lane/Oteley Road/Hereford Road as illustrated on the Key Diagram, to incorporate the expansion of Shrewsbury Business Park (approximately 4 hectares of employment land), the development of a new strategic employment site (approximately 22 hectares) on land adjoining the Shrewsbury Town Football Club, scope for the expansion of Meole Brace Retail Park, if required, and other commercial uses, A5 junction improvements, if needed, and sustainable transport measures, major housing development (approximately 900 dwellings to the north and south of Oteley Road) and green infrastructure improvements (including the Rea Brook Valley); Shrewsbury West – land at Bicton Heath and off Welshpool Road as illustrated on the Key Diagram, to incorporate major housing development (approximately 700 dwellings

to the north of Welshpool Road), additional employment land (approximately 9-12 hectares), the provision of a new link road connecting Churncote Island on the A5 to Holyhead Road, enhancement of Park and Ride facilities and other sustainable transport improvements, scope for additional health and care facility development, and the provision of new community facilities.

- Other sustainable housing land releases on the edges of Shrewsbury, identified in the SAMDev DPD, to provide the balance of housing land required;

- In recognition of the special character of the town and its particular environmental challenges, the development of the town will have regard to:

- the Shrewsbury Integrated Transport Strategy as advanced through the Shropshire Local Transport Plan, and the proposed Shrewsbury North West Relief Road;

- flood risk management, based on the Shropshire Strategic Flood Risk Assessment, that protects and enhances the corridor of the River Severn and its tributaries and enables development appropriate to the flood risk;

- **the promotion, conservation and enhancement of the town's natural and historic features, heritage assets, green corridors and spaces, and environmental quality, including the corridors of the River Severn and its tributaries, the town centre and the registered battlefield.**

CS3 : The Market Towns and Other Key Centres

The Market Towns and other Key Centres will maintain and enhance their roles in providing facilities and services to their rural hinterlands, and providing foci for economic development and regeneration. **Balanced housing and employment development, of an appropriate scale and design that respects each town's distinctive character and is supported by improvements in infrastructure, will take place within the towns' development boundaries and on sites allocated for development.**

North West Shropshire

Oswestry will provide a focus for major development. To accommodate growth, land allocations will include a comprehensively planned, integrated and sustainable urban extension to the south east of Oswestry, on land between Shrewsbury Road, Middleton Road and the A5/A483 Oswestry bypass, as illustrated on the Key Diagram. This strategic location will accommodate a mix of new housing (750+ dwellings), employment land (4-6 hectare Business Park), a local centre, a network of open space and green infrastructure, and a new link Road between Shrewsbury Road and Middleton Road, together with sustainable transport improvements. **Ellesmere will have development to support local business development, recognising its high quality landscape particularly the environmental and historic assets of the meres and the canal.**

North East Shropshire

Market Drayton will have substantial development that balances business development with housing development and enhances the town's infrastructure and facilities and its role as a centre for food production. Whitchurch will have substantial development, recognising its accessible location on the highway and rail network, maintaining and enhancing its vibrant town centre and balancing business and housing development. Wem will have development to strengthen its economic role and support and enhance its important community assets and to maintain its role as a sustainable place.

Shropshire

Minsterley and Pontesbury as a combined key centre will accommodate development to enhance their linked roles providing employment and services in the local area, whilst retaining their distinctive and separate identities.

Southern Shropshire

Ludlow will provide a focus for development, whilst respecting its historic character. Craven Arms will have development as a local growth point in the A49 corridor, growing its role in providing services and employment opportunities for the local area. Church Stretton, Bishop's Castle and Cleobury Mortimer will have development that balances environmental constraints with meeting local needs.

Eastern Shropshire

Bridgnorth will provide a focus for development within the constraints of its location on the edge of the Green Belt and on the River Severn. Shifnal and Albrighton will have development to meet local needs, respecting their location in the Green Belt. No changes will be made to Green Belt boundaries. Some of the development to meet the needs of

returning military personnel will be accommodated in Shifnal and Albrighton, if required. Broseley and Highley will have development that balances environmental constraints with meeting local needs. **Much Wenlock will have limited development that reflects its important service and employment centre role whilst retaining its historic character.**

Cross-boundary proposals

Shropshire will work with adjoining local authorities where settlements adjoining Shropshire require cross-boundary opportunities to meet their needs for sustainable development, including, but not limited to, sites around Burford in relation to the growth of Tenbury Wells, sites in Shropshire in relation to growth in adjoining Knighton and the Ironbridge power station site in relation to proposals for Ironbridge and Telford.

CS5 : Countryside and Green Belt

New development will be strictly controlled in accordance with national planning policies protecting the countryside and Green Belt. Subject to the further controls over development that apply to the Green Belt, **development proposals on appropriate sites which maintain and enhance countryside vitality and character will be permitted where they improve the sustainability of rural communities by bringing local economic and community benefits, particularly where they relate to:**

- Small-scale new economic development diversifying the rural economy, including farm diversification schemes;
- dwellings to house agricultural, forestry or other essential countryside workers and other affordable housing / accommodation to meet a local need in accordance with national planning policies and Policies CS11 and CS12;
- With regard to the above two types of development, applicants will be required to demonstrate the need and benefit for the development proposed. Development will be expected to take place primarily in recognisable named settlements or be linked to other existing development and business activity where this is appropriate.
- Agricultural/horticultural/forestry/mineral related development, although proposals for large scale new development will be required to demonstrate that there are no unacceptable adverse environmental impacts;
- The retention and appropriate expansion of an existing established business, unless relocation to a suitable site within a settlement would be more appropriate;
- The conversion or replacement of suitably located buildings for small scale economic development / employment generating use;
- **Sustainable rural tourism and leisure and recreation proposals which require a countryside location, in accordance with Policies CS16 and CS17;**
- Required community uses and infrastructure which cannot be accommodated within settlements;

• **Conversion of rural buildings which take account of and make a positive contribution to the character of the buildings and the countryside. Proposals for conversions will be considered with regard to the principles of PPS4, giving equal priority to the following uses:**

- small scale economic development/employment generating use, including live-work proposals and tourism uses;

- affordable housing to meet local need (including agricultural workers dwellings);

- Other uses appropriate to a countryside location. **Open market residential conversions will only be considered where respect for the heritage asset (as also required by Policy CS17) and high standards of sustainability are achieved;** a contribution to infrastructure requirements is made in accordance with Policy CS9; and, except where the buildings are listed, a financial contribution for the provision of affordable housing to be delivered off site is provided in accordance with Policy CS11. In all cases, development proposals should be consistent with the requirements of Policies CS6 and CS17.

Green Belt

Within the designated Green Belt in south-eastern Shropshire, there will be additional control of new development in line with government guidance in PPG2. Land within development boundaries in the settlements of Shifnal, Albrighton, Alveley, Beckbury, Claverley, and Worfield, and at the Alveley and Stanmore Industrial Estates is excluded from the Green Belt. In addition to appropriate development in these areas, limited infilling will be permitted in any other Community Hubs and Community Clusters listed in the SAMDev DPD, subject to the requirements of Policies CS4, CS6 and CS11. Also, limited local needs affordable housing on exceptions sites which accords with the requirements of Policy CS11 will be permitted in the Green Belt. Areas of safeguarded land are reserved for potential future development at Albrighton and Shifnal, while the military base and Royal Air Force Museum at Cosford is recognised as a major existing developed site within the Green Belt where limited defence related development will be permitted. The Green Belt boundary and all relevant policy areas are identified on the Proposals Map for the SAMDev DPD, which sets out the detailed approach to development in the Green Belt and any new site allocations required within the safeguarded land.

CS6 : Sustainable Design and Development Principles

To create sustainable places, development will be designed to a high quality using sustainable design principles, to achieve an inclusive and accessible environment which respects and enhances local distinctiveness and which mitigates and adapts to climate change. This will be achieved by:

- Requiring all development proposals, including changes to existing buildings, to achieve applicable national standards, or for water use, evidence based local standards as reflected in the minimum criteria set out in the sustainability checklist. This will ensure that sustainable design and construction principles are incorporated within new development, and that resource and energy efficiency and renewable energy generation are adequately addressed and improved where possible. The checklist will be developed as part of a Sustainable Design SPD;
- Requiring proposals likely to generate significant levels of traffic to be located in accessible locations where opportunities for walking, cycling and use of public transport can be maximised and the need for car based travel to be reduced;

And ensuring that all development:

- Is designed to be adaptable, safe and accessible to all, to respond to the challenge of climate change and, in relation to housing, adapt to changing lifestyle needs over the lifetime of the development in accordance with the objectives of Policy CS11;
- **Protects, restores, conserves and enhances the natural, built and historic environment and is appropriate in scale, density, pattern and design taking into account the local context and character, and those features which contribute to local character, having regard to national and local design guidance, landscape character assessments** and ecological strategies where appropriate;
- Contributes to the health and wellbeing of communities, including safeguarding residential and local amenity and the achievement of local standards for the provision and quality of open space, sport and recreational facilities.
- Is designed to a high quality, consistent with national good practice standards, including appropriate landscaping and car parking provision and taking account of site characteristics such as land stability and ground contamination;
- Makes the most effective use of land and safeguards natural resources including high quality agricultural land, geology, minerals, air, soil and water;
- Ensures that there is capacity and availability of infrastructure to serve any new development in accordance with the objectives of Policy CS8.

Proposals resulting in the loss of existing facilities, services or amenities will be resisted unless provision is made for equivalent or improved provision, or it can be clearly demonstrated that the existing facility, service or amenity is not viable over the long term.

CS16 : Tourism, Culture and Leisure

To deliver high quality, sustainable tourism, and cultural and leisure development, which enhances the vital role that these sectors play for the local economy, benefits local communities and visitors, and is sensitive to Shropshire's intrinsic natural and built environment qualities, emphasis will be placed on:

- Supporting new and extended tourism development, and cultural and leisure facilities, that are appropriate to their location, and enhance and protect the existing offer within Shropshire;
- **Promoting connections between visitors and Shropshire's natural, cultural and historic environment, including through active recreation, access to heritage trails and parkland**, and an enhanced value of local food, drink and crafts;
- Supporting development that promotes opportunities for accessing, understanding and engaging with Shropshire's landscape, cultural and historic assets including the Shropshire Hills AONB, rights-of-way network, canals, rivers and meres & mosses. Development must also meet the requirements of Policy CS17;
- **Supporting appropriate regeneration schemes and tourism development proposals that seek to enhance the economic, social and cultural value of canals and heritage railways** including:
 - Shropshire Union Canal
 - Shropshire Union Canal - Llangollen branch
 - Shropshire Union Canal - Montgomery branch
 - The Severn Valley Railway
 - The Cambrian Railway
- **Promoting and preserving the distinctive historic, heritage brand and values of Shrewsbury, the Market Towns and rural areas;**
- Supporting schemes aimed at diversifying the rural economy for tourism, cultural and leisure uses that are appropriate in terms of their location, scale and nature, which retain and enhance existing natural features where possible, and do not harm Shropshire's tranquil nature;
- Development of high quality visitor accommodation in accessible locations served by a range of services and facilities, which enhances the role of Shropshire as a tourist destination to stay. In rural areas, proposals must be of an appropriate scale and character for their surroundings, be close to or within settlements, or an established and viable tourism enterprise where accommodation is required. Where possible, existing buildings should be re-used (development must also accord with Policy CS5).

CS17 : Environmental Networks

Development will identify, protect, enhance, expand and connect Shropshire's environmental assets, to create a multifunctional network of natural and historic resources. This will be achieved by ensuring that all development:

- **Protects and enhances the diversity, high quality and local character of Shropshire's natural, built and historic environment, and does not adversely affect the visual, ecological, geological, heritage or recreational values and functions of these assets, their immediate surroundings or their connecting corridors;**
- **Contributes to local distinctiveness, having regard to the quality of Shropshire's environment, including landscape, biodiversity and heritage assets, such as the Shropshire Hills AONB, the Meres and Mosses and the World Heritage Sites at Pontcysyllte Aqueduct and Canal and Ironbridge Gorge;**
- Does not have a significant adverse impact on Shropshire's environmental assets and does not create barriers or sever links between dependant sites;
- Secures financial contributions, in accordance with Policies CS8 and CS9, towards the creation of new, and improvement to existing, environmental sites and corridors, the removal of barriers between sites, and provision for long term management and maintenance. Sites and corridors are identified in the LDF evidence base and will be regularly monitored and updated.

Site Allocations and Management of Development (SAMDev) Plan

With regard to the historic environment, policy MD13: The Historic Environment can be found below. Further policies thought to provide additional guidance can be found towards the end of the chapter.

MD2: Sustainable Design

MD7b: General Development in the Countryside

MD8: Infrastructure Provision

MD11: Tourism facilities and visitor accommodation

MD14: Waste Management Facilities

MD17: Managing the Development and Operation of Mineral Sites

MD13: The Historic Environment

In accordance with Policies CS6 and CS17 and through applying the guidance in the Historic Environment SPD, Shropshire's heritage assets will be protected, conserved, sympathetically enhanced and restored by:

1. Ensuring that wherever possible, proposals avoid harm or loss of significance to designated or non-designated heritage assets, including their settings.
2. Ensuring that proposals which are likely to affect the significance of a designated or non-designated heritage asset, including its setting, are accompanied by a Heritage Assessment.
3. Ensuring that proposals which are likely to have an adverse effects on the significance of a non-designated heritage asset, or including its setting, will only be permitted if it can be clearly demonstrated that the public benefits of the proposal outweigh the adverse effect. In making this assessment, the degree of harm or loss of significance to the asset including its setting, the importance of the asset and any potential beneficial use will be taken into account. Where such proposals are permitted, measures to mitigate and record the loss of significance to the asset including its setting and to advance understanding in a manner proportionate to the asset's importance and the level of impact, will be required.
4. Encouraging development which delivers positive benefits to heritage assets, as identified within the Place Plans. Support will be given in particular, to proposals which appropriately conserve, manage or enhance the significance of a heritage asset including its setting, especially where these improve the condition of those assets which are recognised as being at risk or in poor condition.

MD2 – Sustainable Design

Further to Policy CS6, for a development proposal to be considered acceptable it is required to:

1. Achieve local aspirations for design, wherever possible, both in terms of visual appearance and how a place functions, as set out in Community Led Plans, Town or Village Design Statements, Neighbourhood Plans and Place Plans.
2. **Contribute to and respect locally distinctive or valued character and existing amenity value by:**
 - i. Responding appropriately to the form and layout of existing development and the way it functions, including mixture of uses, streetscape, building heights and lines, scale, density, plot sizes and local patterns of movement; and
 - ii. Reflecting locally characteristic architectural design and details, such as building materials, form, colour and texture of detailing, taking account of their scale and proportion; and
 - iii. **Protecting, conserving and enhancing the historic context and character of heritage assets, their significance and setting, in accordance with MD13; and**
 - iv. Enhancing, incorporating or recreating natural assets in accordance with MD12.
3. Embrace opportunities for contemporary design solutions, which take reference from and reinforce distinctive local characteristics to create a positive sense of place, but avoid reproducing these characteristics in an incoherent and detrimental style;
4. Incorporate Sustainable Drainage techniques, in accordance with Policy CS18, as an integral part of design and apply the requirements of the SuDS handbook as set out in the Water Management SPD
5. **Consider design of landscaping and open space holistically as part of the whole development to provide safe, useable and well-connected outdoor spaces which respond to and reinforce the character and context within which it is set, in accordance with Policy CS17 and MD12 and MD13, including;**
 - i. **Natural and semi-natural features**, such as, trees, hedges, woodlands, ponds, wetlands, and watercourses, as well as existing landscape character, geological and **heritage assets** and;
 - ii. providing adequate open space of at least 30sqm per person that meets local needs in terms of function and quality and contributes to wider policy objectives such as surface water drainage and the provision and enhancement of semi natural landscape features. For developments of 20 dwellings or more, this should comprise an area of functional recreational space for play, recreation, formal or informal uses including semi-natural

MD2 – Sustainable Design

- open space;
 - iii. Where an adverse effect on the integrity of an internationally designated wildlife site due to recreational impacts has been identified, particular consideration will be given to the need for semi natural open space, using 30sqm per person as a starting point;
 - iv. ensuring that ongoing needs for access to manage open space have been provided and arrangements are in place for it to be adequately maintained in perpetuity.
6. Ensure development demonstrates there is sufficient existing infrastructure capacity, in accordance with MD8, and should wherever possible actively seek opportunities to help alleviate infrastructure constraints, as identified with the Place Plans, through appropriate design;
7. Demonstrate how good standards of sustainable design and construction have been employed as required by Core Strategy Policy CS6 and the Sustainable Design SPD.

MD7b– General Management of Development in the Countryside

Further to the considerations set out by Core Strategy Policy CS5:

1. Where proposals for the re-use of existing buildings require planning permission, if required in order to safeguard the character of the converted buildings and/or their setting, Permitted Development Rights will be removed from any planning permission;
 2. **Proposals for the replacement of buildings which contribute to the local distinctiveness, landscape character and historic environment, will be resisted unless they are in accordance with Policies MD2 and MD13.** Any negative impacts associated with the potential loss of these buildings, will be weighed with the need for the replacement of damaged, substandard and inappropriate structures and the benefits of facilitating appropriate rural economic development;
 3. Planning applications for agricultural development will be permitted where it can be demonstrated that the development is:
 - a. Required in connection with a viable agricultural enterprise and is of a size/ scale and type which is consistent with its required agricultural purpose and the nature of the agricultural enterprise that it is intended to serve;
 - b. Well designed and located in line with CS6 and MD2 and where possible, sited so that it is functionally and physically closely related to existing farm buildings;
- and,
- c. There will be no unacceptable impacts on environmental quality and existing residential amenity.

MD8 –Infrastructure Provision

Existing Infrastructure

1. Development should only take place where there is sufficient existing infrastructure capacity or where the development includes measures to address a specific capacity shortfall which it has created or which is identified in the LDF Implementation Plan or Place Plans. Where a critical infrastructure shortfall is identified, appropriate phasing will be considered in order to make development acceptable;
2. Development will be expected to demonstrate that existing operational infrastructure will be safeguarded so that its continued operation and potential expansion would not be undermined by the encroachment of incompatible uses on adjacent land;

New Strategic Infrastructure

3. **Applications for new strategic energy, transport, water management and telecommunications infrastructure will be supported in order to help deliver national priorities and locally identified requirements, where its contribution to agreed objectives outweighs the potential for adverse impacts. Particular consideration will be given to the potential for adverse impacts on:**
 - i. Residential and other sensitive neighbouring land uses;
 - ii. Visual amenity;
 - iii. **Landscape character and sensitivity**, including impacts on sensitive skylines;
 - iv. **Natural and heritage assets and their setting, including the Shropshire Hills AONB (Policies MD12 and MD13);**
 - v. The visitor and tourism economy including long distance footpaths, cycle tracks and bridleways (Policy MD11);
 - vi. Noise, air quality, dust, odour and vibration;
 - vii. Water quality and resources;
 - viii. Impacts from traffic and transport during the construction and operation of the infrastructure development;
 - ix. Cumulative impacts.

Development proposals should clearly describe the extent and outcomes of community engagement and any community benefit package.

4. The following infrastructure specific criteria will also apply:

Renewable Energy Infrastructure

- i. In the case of wind energy proposals, particular attention will also be paid to the potential for adverse impacts on the safe operation of military and civilian aircraft, impacts on telecommunications equipment and to potential adverse impacts from shadow flicker, amplitude modulation and electro-magnetic

MD8 –Infrastructure Provision

interference;

- ii. In the case of biomass, anaerobic digestion and geothermal energy proposals, particular attention will be also be paid to the potential for opportunities to recover heat and power;
- iii. In the case of hydro-electric energy schemes, particular attention will also be paid to impacts on flood risk, water quality and fish stocks;

Other New Infrastructure

- iv. In the case of water treatment infrastructure, particular attention will also be paid to impacts on water quality in the local river catchment and impacts on the sewerage network;

Monitoring and Decommissioning

- v. Where planning permission establishes performance standards, applicants will be expected to demonstrate compliance through the submission of regular monitoring reports;
- vi. Proposals for temporary infrastructure will be expected to include measures for satisfactory restoration, including progressive restoration, of the site at the earliest practicable opportunity to an agreed after-use or to a state capable of beneficial after-use;
- vii. Where appropriate, a planning obligation will be sought in order to secure the after-use, long term management and maintenance of the site.

MD11 - Tourism facilities and visitor accommodation

- 1. **Tourism, leisure and recreation development proposals that require a countryside location will be permitted where the proposal complements the character and qualities of the site's immediate surroundings, and meets the requirements in Policies CS5, CS16, MD7, MD12, MD13 and relevant local and national guidance;**
- 2. All proposals should to be well screened and sited to mitigate the impact on the visual quality of the area through the use of natural on-site features, site layout and design, and landscaping and planting schemes where appropriate. Proposals within and adjoining the Shropshire Hills AONB should pay particular regard to landscape impact and mitigation.

Canal side facilities and new marinas:

- 3. **Proposals for canal side development that enhance the role of canal as a multifunctional resource and heritage asset will be supported;**
- 4. New marinas should be located within or close to settlements. Applicants should demonstrate the capability of the canal network to accommodate the development;
- 5. The Policies Map identifies the canals and lines to be protected against other forms

MD11 - Tourism facilities and visitor accommodation

of development that conflict with their use as a multifunctional resource or potential for restoration or regeneration.

Visitor accommodation in rural areas:

6. **Further to the requirements in Policy CS16, proposals for new and extended touring caravan and camping sites should have regard to the cumulative impact of visitor accommodation on the natural and historic assets of the area,** road network, or over intensification of the site;
7. Static caravans, chalets and log cabins are recognised as having a greater impact on the countryside and in addition (to 6), schemes should be landscaped and designed to a high quality;
8. Holiday let development that does not conform to the legal definition of a caravan will be resisted in the countryside following the approach to open market residential development in the countryside under Policy CS5 and MD7;
9. For existing static caravan, chalet and log cabin sites in areas of high flood risk, positive consideration will be given to proposals for their relocation to areas of lower flood risk to ensure they are capable of being made safe for the lifetime of the development;
10. New sites for visitor accommodation and extensions to existing chalet and park home sites in the Severn Valley will be resisted due to the impact on the qualities of the area from existing sites;
11. To retain the economic benefit to the visitor economy, the Council will apply appropriate conditions to restrict applications for visitor accommodation to tourism uses. Proposals for the conversion of holiday lets to permanent residential use should demonstrate that their loss will not have a significant adverse impact on the visitor economy and meet the criteria relating to suitability for residential use in Policy MD7.

MD14: Waste Management Facilities

1. **Further to Policy CS19, the development of waste transfer, recycling and recovery facilities will be supported where applicants can demonstrate that potential adverse impacts on the local community and Shropshire's natural and historic environment can be satisfactorily controlled.** Particular consideration will be given (where relevant) to:
 - i. Measures to protect people and the environment from adverse effects, including: visual; noise; vibration; dust; litter; vermin and birds; air and water pollution; odour; or traffic impacts;
 - ii. The site access and traffic movements, including the impact of heavy lorry traffic on the transport network, in particular the quality of the proposed access to the Primary Route Network;
2. In the case of specific types of waste management facility, the following

MD14: Waste Management Facilities

criteria will also apply:

- i. In-vessel composting and anaerobic digestion facilities will be permitted in appropriate locations, including the re-use of existing buildings or as part of an integrated waste management facility. Open air composting facilities will be permitted in appropriate locations where bio-aerosol emissions can be acceptably controlled and the scale and impacts of the operation do not materially conflict with surrounding land uses;
- ii. Facilities for the recycling of construction and demolition materials may be acceptable on existing landfill and mineral working sites provided that the agreed restoration of the site is not unduly prejudiced and that waste recovery operations are linked to its agreed operational life;
- iii. Proposals to recover energy from waste will be permitted in appropriate locations where it can be demonstrated to the satisfaction of the Waste Planning Authority that the proposal does not undermine the provision of waste management facilities further up the waste hierarchy. Proposals for energy recovery facilities should include provision for the recovery of both heat and power, unless this can be demonstrated to be impracticable;
- iv. Facilities for the handling, treatment, processing or disposal of Hazardous Wastes will not be permitted unless it can be demonstrated that the facility is in an appropriate location and the proposal complies with other relevant policies in the Development Plan;
- v. Where planning permission is required, development proposals for the spreading onto land of untreated or treated wastes or waste derivatives including liquids, sludges or solids will not be permitted unless it can be shown that alternative methods recovering material or energy value from the waste, consistent with the waste hierarchy, are impracticable.

MD17: Managing the Development and Operation of Mineral Sites

1. Applications for mineral development will be supported where applicants can demonstrate that potential adverse impacts on the local community and Shropshire's natural and historic environment can be satisfactorily controlled. Particular consideration will be given (where relevant) to:

- i. Measures to protect people and the environment from adverse effects, including visual, noise, dust, vibration and traffic impacts;
- ii. The site access and traffic movements, including the impact of heavy lorry traffic on the transport network and the potential to transport minerals by rail. Where opportunities to transport minerals by rail are not feasible there will be a preference for new mineral sites to be located where they can obtain satisfactory access to the Primary Route Network;

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- iii. The cumulative impact of mineral working, including the concurrent impact of more than one working in a specific area and the impact of sustained working in a specific area;
- iv. Impacts on the stability of the site and adjoining land and opportunities to reclaim derelict, contaminated or degraded land (Policy CS6);
- v. Effects on surface waters or groundwater and from the risk of flooding (Policy CS18);
- vi. Effects on ecology and the potential to enhance biodiversity;
- vii. The method, phasing and management of the working proposals;
- viii. Evidence of the quantity and quality of mineral and the extent to which the proposed development contributes to the comprehensive working of mineral resources and appropriate use of high quality materials;
- ix. Protecting, conserving and enhancing the significance of heritage assets including archaeology.**

Where necessary, output restrictions may be agreed with the operator to make a development proposal environmentally acceptable;

2. Mineral working proposals should include details of the proposed method, phasing, long term management and maintenance of the site restoration, including progressive restoration towards full reinstatement of occupied land and removal of all temporary and permanent works. A satisfactory approach will avoid the creation of future liabilities and will deliver restoration at the earliest practicable opportunity to an agreed after-use or to a state capable of beneficial after-use. Where the proposed after-use includes agriculture, woodland, amenity (including nature conservation) or other uses, a satisfactory scheme will need to include the following:
 - i. Proposals which take account of the site, its surroundings, and any development plan policies relevant to the area;
 - ii. Evidence to show that the scheme incorporates best practice advice and is practical and achievable;
 - iii. A Management Plan, which should address the management requirements during each phase of the proposed development;
 - iv. A Reclamation Plan;
 - v. Provision for a 5 year period of aftercare;

Where appropriate, a planning obligation will be sought in order to secure the after-use, long term management and maintenance of the site;

3. Proposals for the working of unconventional hydrocarbons should clearly distinguish between exploration, appraisal and production phases and must demonstrate that they can satisfactorily address constraints on production and processing within areas that are licensed for oil and gas exploration or production. Particular consideration will be given to the need for comprehensive information and controls relevant to the protection of water

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resources;

4. Where relevant, applications for the winning and working of coal should include proposals for the separation and stockpiling of fireclay so that its value as a mineral resource can be captured;
5. Sustainable proposals for the working of building stone will be supported, and a flexible approach will be adopted to the duration of planning consents for very small scale, intermittent but long term or temporary working to produce locally distinctive building and roofing stone consistent with the objectives of Policy MD2;
6. Where ancillary development is proposed, proposals should include satisfactory measures to minimise adverse effects, including:
 - i. Locating the ancillary development within or immediately adjacent to the area proposed for mineral working or on an established plant site;
 - ii. Restricting the principal purpose to a purpose in connection with the winning and working of minerals at the site or the treatment, storage or removal of minerals excavated or brought to the surface at that site;
 - iii. For imported minerals, where necessary, to limit the quantities involved to control the volume and type of traffic, and the establishment of an acceptable route for the traffic to and from the site;
 - iv. The cessation of the ancillary development when working of the mineral for which the site was primarily permitted has ceased and removal of plant and machinery to allow full restoration of the site.

Where ancillary development could have an adverse effect on the local environment which cannot be mitigated to acceptable levels, a condition may be attached to the planning permission to control the adverse effects by limiting development to an established plant site, or introducing a stand off from sensitive land uses, or mitigating effects in other ways, or as a last resort, withdrawing permitted development rights so that the ancillary development can be properly controlled by the terms of the planning permission.

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Policy reference	Settlement(s)	Heritage feature	Policy wording
S1.1	Albrighton Area		4. Retail development will be directed to the village centre where it will benefit from, and contribute to, the town's historic character. The Primary Shopping Area on the High Street is protected for retail uses in accordance with policies CS15 and MD10.
S1.1: Schedule S1.1a Site ALB003	Albrighton Town	Conservation Area	Development to deliver housing that is appropriate for people of retirement age. A high proportion of the development should be one and two-bed units. Development proposals should respect and enhance the character and significance of the conservation area and its setting, and provide an attractive pedestrian route between the High Street and Garridge Close. Vehicular access should accord with the 'Manual for Streets' concept of shared streets with very low vehicular speeds.
S2.2 Community Hub and Cluster Settlements	Bishop's Castle Area	Conservation Area	The village may also offer opportunities for exceptions sites for affordable housing development where this will satisfy a proven local need. All sites should provide adequate off street parking to relieve congestion on the narrow local access roads and seek opportunities for pedestrian links through the village where possible. Development will protect, conserve and enhance the character of the village and its heritage assets, their significance and setting, particularly within the central Conservation Area and will also respect the setting of the village within the Area of Outstanding Natural Beauty (AONB).
S2.2 (iv)	Lydbury North		
S2.2(ii)	Chirbury	Conservation Area	Chirbury is a Community Hub with a housing guideline of around 30 additional dwellings over the period to 2026.

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Policy reference	Settlement(s)	Heritage feature	Policy wording
			There was a net gain of 1 house between 2011 and 2013. Key constraints include the Conservation Area and several listed buildings. Housing will be delivered through the development of the allocated site identified on the Proposals Map and listed below.
S4 Schedule S4.1	Broseley Area	World Heritage Site	1. Over the period 2006-2026, around 200 dwellings and around 2 hectares of employment land are planned for Broseley. Apart from the site at Dark Lane, housing developments should be small scale to reflect the local character and meet the design principles in policies DS1-DS9 of the Broseley Town Plan.... 5. Tourist related development will be supported where it enhances an existing business on the same site, offers a conservation gain by restoring or improving the sustainable use of a heritage asset in accordance with MD13, or creates a new tourism related business on a suitable infill or brownfield site.
S4.1b Site ELR017 Land South of Avenue Road	Broseley Town	Conservation Area	The following site is allocated for employment-related development: for small scale office, workshop and light industrial uses (B1 use class) with access directly off Avenue Road. Development is subject to the completion of an archaeological assessment and appropriate mitigation measures, as required and the layout and design must respect the character and significance of the Conservation Area.
S5.1	Church Stretton Town		1. Church Stretton will provide a focus for development in this part of Shropshire, with a housing guideline of about 370 dwellings and about 1 ha of employment land for the period 2006-2026.

Policy reference	Settlement(s)	Heritage feature	Policy wording
			6. New development must recognise the importance of conserving and where possible enhancing, the special qualities of the Shropshire Hills Area of Outstanding Natural Beauty as set out in the AONB Management Plan and should be in accordance with Policies MD12 and MD13. Particular care should be taken with the design and layout of development in accordance with Policy MD2.
Schedule S5.1a Site CSTR018	Church Stretton Town	Conservation Area	Development is subject to the provision of replacement sporting/recreational facilities of an equivalent or better quality and size (2.2ha) in a similarly accessible location and to satisfactory and appropriate vehicular access. Development must be carefully designed to take account of groundwater Source Protection Zones (SPZ) 1 and 2, in consultation with the Environment Agency. To safeguard groundwater resources, areas of SPZ1 within the site should be used for Public Open Space. Additionally, the design and layout of development must have regard to the setting of the Conservation Area.
Site CSTR019			Development is subject to satisfactory and appropriate vehicular access which must safeguard protected trees. The design and layout of development must have regard to the setting of the Conservation Area.
S7 Schedule S7.1a Site CRAV002	Craven Arms Town	Heritage assets with archaeological interest	Allocation of an exception site for affordable housing to satisfy the objectives of Policy CS11. CRAV002 is expected to provide a mix of dwelling types to accommodate local needs and to improve affordable housing provision in the town. The site requires strategic landscaping to enclose the

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Policy reference	Settlement(s)	Heritage feature	Policy wording
			development from views within the AONB to the west and should accommodate the route of the Shropshire Way. Development is subject to the completion of an archaeological assessment and appropriate mitigation measures, as required.
Schedule S7.1a Site CRAV030			Allocation will provide key worker accommodation tied to the new EQL abattoir on Newington Food Park to the north. Newington Farmstead and The Lodge (Grade II Listed) are expected to be served from the proposed new junction to the A49 with their existing accesses then being closed to vehicular traffic. Redevelopment and conversion of the farmstead must respect the architectural value of the buildings and conserve the setting of the listed Lodge. Development is subject to the completion of an archaeological assessment and appropriate mitigation measures, as required.
Schedule S7.1b	Craven Arms Town		Allocation dedicated solely for the development of a Class B2 abattoir and processing plant for Euro Quality Lambs (EQL). This is intended to create the Newington Food Park which will also include support services for the operation of the new abattoir and a strategic highway junction with the A49 trunk road constructed in conjunction with the development of site ELR055. This extensive strategic employment allocation requires appropriate schemes for design and materials, flood alleviation, drainage, tree and woodland protection and ecological, archaeological and landscape character mitigation recognising the situation of the site in relation to the strategic flood plain, the Grove

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			parkland and the Area of Outstanding Natural Beauty.
Schedule S7.1b	Craven Arms Town		Allocation for offices, industrial and warehousing (use classes B1, B2, B8 and appropriate sui generis uses). This site is required to accommodate in part, the proposed new strategic highway junction on the A49. This site might also afford the opportunity to accommodate other existing employment uses from Corvedale Road. Development of this site should provide services capable of supporting employment development including the provision of the strategic highway junction with the A49 trunk road (in conjunction with site ELR053) and a commercial standard electricity supply. The proposed employment site requires investigation of the ecological and archaeological value of the land and appropriate schemes for surface water and highway drainage.
S8.1	Ellesmere Area	Heritage assets	Ellesmere Town Development Strategy 1. Ellesmere will accommodate additional development of around 800 homes during the period 2006-2026 to support local business development, recognising its high quality landscape particularly the environmental and historic assets of the meres and the canal;
S8 Schedule S8.1a Site ELL003a	Ellesmere Town	Conservation Area	Development of site is subject to: Appropriate impact assessments where necessary, satisfactory access, layout and design. The design and layout of the site will need to satisfactorily address drainage and flood risk issues (in conjunction with

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			ELL003b) and the character, setting and significance of the Conservation Area, whilst retaining and enhancing existing ecological features.
S10 Schedule S10.1a	Ludlow Town	Heritage Asset	<p>1. As the largest market town in southern Shropshire...</p> <p>6. All development should protect, conserve and enhance the setting and significance of the historic core of the town recognising the importance of Ludlow Castle as a heritage asset of national and international significance.</p>
S11 Schedule S11.1	Market Drayton Town	Natural Asset	<p>1. Market Drayton will provide a focus for development in the north eastern part of the county with a housing guideline of around 1200 dwellings and 16 hectares of employment land for the period 2006-2026; ...</p> <p>6. New development must recognise the importance of safeguarding and where possible enhancing the landscape and historic character and amenity value of the Tern Valley and Shropshire Union Canal and expand and connect the town's environmental assets in accordance with Policy CS17.</p>
S11.2 (v)	Hodnet	Conservation Area	Hodnet is a Community Hub with a housing guideline of around 80 additional dwellings over the period to 2026. This will be delivered through the development of the allocated sites together with development by infilling, groups of houses and conversions which may be acceptable on suitable sites within the development boundary identified on the Policies Map. The allocations will together provide a coordinated residential development of 50 homes and have been taken forward from the North Shropshire Local Plan (200-2011) to provide redevelopment opportunity for two derelict sites in

Policy reference	Settlement(s)	Heritage feature	Policy wording
			the centre of the village to be accessed through an area of low density greenfield development off Station Road. There is a significant wealth of historic buildings and structures within Hodnet, reflected by the Conservation Area designation, the character of which must be preserved and enhanced as part of any new development, in accordance with national and local policy.
S12 Schedule S12.1a Site MIN002/MIN015 Hall Farm	Minsterley Town	Conservation of historic farm buildings	New build housing is allocated, as part of a mixed use development, subject to it forming part of a comprehensive development scheme for the whole site which secures the appropriate re-use and conservation of the historic farmstead and layout at Hall Farm. Development, including dwelling capacity, will be subject to the need to respect and enhance the character of the heritage asset, including the adjoining listed building and its setting, also to ecological, open space and other requirements. A roadside footway to provide improved pedestrian access is sought. Appropriate small scale, light industrial/commercial and business uses will be preferred for buildings retained on the site, with retail, other than farm shop enterprises or small scale ancillary retail, limited except as allowed by permitted development provisions.
S14 Schedule S14.1a Site OSW004 Land off Whittington Road	Oswestry Town	Scheduled Monument	Development subject to the access, layout and landscaping of the site securing high quality design and appropriate integration of development within the sensitive historic landscape. Development should demonstrate appropriate regard to the significance and setting of the Old Oswestry Hill Fort. A master plan is required for the development of the site which will apply the following design principles:

Policy reference	Settlement(s)	Heritage feature	Policy wording
			<p>1. To inform the layout of the site, full archaeological assessment will be required to enhance the understanding and interpretation of the significance of the Hillfort and its wider setting;</p> <p>2. Ensuring long distance views to and from the Hillfort within its wider setting are conserved;</p> <p>3. Development should be designed to allow views and glimpses of the Hillfort from within the site;</p> <p>4. The layout of development, its form, massing, height and roofscape design will be designed to minimise the landscape impact;</p> <p>5. A landscape plan will be required to design a landscape buffer along the northern and eastern boundaries of the site, to create a clear settlement boundary between the built form and open countryside. The landscape buffer will retain important views to and from the Hillfort, including from Whittington Road. The landscape plan should also include detail on appropriate vegetation and screening to ensure high quality design across the site;</p> <p>6. Street lighting should be designed to minimise light pollution and sky glow;</p> <p>7. The opportunity should be taken to consider measures to improve the access, interpretation and enjoyment of the Hillfort and the wider historic landscape.</p> <p>In addition to these design principles, development to be subject to pedestrian and cyclepath links to the former railway and a new footpath link between Whittington Road and Gobowen Road to improve access towards the Hill Fort. Development also to be subject to improvements to the Whittington and Gobowen Roads junction and the junction of Whittington Road with the A5/A483, and the incorporation of</p>

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Policy reference	Settlement(s)	Heritage feature	Policy wording
			appropriate buffer areas/uses to existing businesses on Whittington Road.
Schedule S14.1b Employment ELR042 and ELR043	Oswestry Town	Scheduled Monument	Development subject to access off Whittington Road, improvements to A5/A495/B4580 junction and to the provision of pedestrian/cycle links to/from Oswestry, and landscape buffers to Whittington Road and A5 and to reduce visibility from the Hill Fort, with attention also to be paid to massing and design of buildings for the same reason;
S14.2 Community Hub and Cluster Settlements	Oswestry Area		
S14.2 (ii) Site KK001 Knockin Land north of Lower House	Knockin	Conservation Area	Development subject to design measures to address potential impacts on the significance of the Conservation Area, drainage issues and the outcome of appropriate archaeological and biodiversity assessment and evaluation.
S14.2 (iii)	Llanymynech & Pant		Llanymynech & Pant together act as a Community Hub which will provide for future housing growth of about 100 dwellings over the period to 2026. New housing will be delivered through two site allocations in Llanymynech for up to 67 dwellings. These sites will help deliver sustainable development in a location close to village centre services, whilst making the best use of available brownfield land and helping to integrate the Heritage Way estate into the village. In addition to the allocated sites, there are a range of opportunities for sustainable development by infilling, small groups of houses and conversions on suitable sites within the existing Development Boundaries of the two villages. Key development constraints for Llanymynech and Pant

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Policy reference	Settlement(s)	Heritage feature	Policy wording
			include potential impacts on the Montgomery Canal Special Area of Conservation (SAC), protected species and the historic environment. Critical infrastructure investment priorities include waste water treatment infrastructure.
S14.2 (ix) Site WRN010 Land South of Brookfield's and Aspen Grange,	Western Rhyn	Non designated heritage asset with archaeological interest	Development subject to appropriate drainage, archaeological assessment including mitigation and biodiversity surveys;
S16			
S16	Shrewsbury Area		6. Key areas of change in Shrewsbury are the 'Heart' of Shrewsbury and the Shrewsbury Northern Corridor, where proposals for new development/redevelopments and enhancements should have regard to the principles, priorities and objectives of the Shrewsbury Vision and Northern Corridor Regeneration Frameworks, as appropriate, aiming to: iii. Protect and enhance heritage, environmental and conservation assets, and deliver environmental improvements;
Schedule S16.1a Site SHREW095 and 115 and ELR006 Land west of Battlefield Road	Shrewsbury Town	Registered Battlefield	Development for housing (northern part) and employment use (southern part) subject to new access off Battlefield Road. Development should have regard to the significance and setting of the Registered Battlefield including the Draft Interim Planning Guidance and its

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Policy reference	Settlement(s)	Heritage feature	Policy wording
SHREW105 Land off Shillingston Drive			design principles. Development subject to creation of eco-park on eastern side and buffer to Lion Coppice, and provision of funding for local highways improvements. Development should have regard to the significance and setting of the Registered Battlefield including the Draft Interim Planning Guidance and its design principles.

