Dear Richard

I am writing in relation to the following:

LP: Local Plan
RUSHCLIFFE LOCAL PLAN PART 2
[Case Ref. PL00188023; HE File Ref. HDP5351; Your Reference. ]

Please see attached letter in relation to the Local Plan and the SA.

Kind regards, Ros

Yours Sincerely

Rosamund Worrall
Historic Environment Planning Adviser
E-mail: ______________________________

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Dear Mr Mapletoft

RUSHCLIFFE LOCAL PLAN PART 2: LAND AND PLANNING POLICIES -
REGULATION 19 CONSULTATION AND ASSOCIATED SUSTAINABILITY
ASSESSMENT (SA)

Thank you for the opportunity to comment on the Regulation 19 consultation for the
Part 2 Plan and the associated SA. We note that our previous comments on preferred
sites have been taken into account in some respects and that a Heritage Assets
Assessment report dated April 2018 is included as part of the evidence base for the
Plan. It is noted that there has been no earlier consultation on the wording of the
Proposed Land and Planning Policies so some comments at this stage may extend
beyond the matters of soundness and legal compliance. In respect of the current
consultation Historic England wishes to submit the following comments:

Local Plan

Policy 2.1: Housing Allocation: Land rear of Mill Lane/Old Park, Cotgrave - This site is
allocated for some 180 dwellings. In our previous comments Historic England
indicated it did not support the proposed allocation for housing development on the
site (COT01 at that stage) for the following reason:

‘There is the possibility for buried archaeology at this site. This, and any significance
associated with such finds, is not known at this stage and it is recommended that
further evaluation be undertaken prior to taking this site forward for allocation in order
to determine whether the site is capable of being developed or not, and/or what
mitigation may be required. As such, it is not clear at this stage whether the preferred
site as part of a Local Plan would meet the requirements of Paras.7, 17, 126 and 135
of the NPPF.’

The Heritage Asset Assessment of April 2018 does not address these concerns. The
report sets out information, presumably obtained from the HER but this is not clear.
However, it does not set out any expert analysis of the information in terms of
assessment of significance or harm to the significance of the asset or its setting as a
result of the proposed development and there is no consideration of this against public benefit. It is not clear how the conclusion that the archaeology is likely to be of substantial interest, but not of national interest’ has been reached. The proposed mitigation and Plan mitigation is unsound and the use of the word ‘unless’ is inappropriate since harm to the significance of an asset cannot be mitigated against simply through excavation and recording works when the significance is not known at this stage. As such, the assessment report, through its general approach, does not meet the requirements of the NPPF.

The mitigation wording suggested in the Heritage Asset Assessment report dated April 2018 has been carried through to criteria a) of Policy 2.1 and the justification paragraph 3.15 and is unsound in respect of the requirements of the NPPF.

As such, we can confirm that Historic England does not support this allocation for housing development based on the information available, and objects to Policy 2.1 and the justification paragraph 3.15 since the allocation and Plan wording are not sound in respect of NPPF requirements.

Policy 11: Housing development on unallocated sites within settlements - It is not clear what it meant by criteria d) of this policy. It implies that the architectural and historic qualities of a building may make it capable for conversion. It is recommended that the wording be reviewed and made clear if the intention is to reuse buildings as part of a development scheme where it is considered there are architectural or heritage related merits that would merit retention, as indicated in the later historic environment related section (paras. 9.13-9.15).

Policy 28: Conserving and enhancing heritage assets; and Policy 29: Development affecting archaeological sites and associated text - General comments - It is not clear why archaeology has been separated in its own policy when it is also a heritage asset. In the justification text it is not clear why some heritage assets are mentioned in some parts and not others e.g. para 9.1 refers to LB’s, CA’s, SM’s and non-designated assets; para 9.3 refers to LB’s, CA’s, SM’s, PAG’s and battlefields but subsequent paragraphs provide further information on all these other than the battlefield which is part located within the Borough, and SM’s which are dealt with in text after Policy 29. Heritage at Risk is not highlighted in the Plan. It is recommended that the policies in their current form are reviewed and we would be happy to discuss this further with you.

Policy 28: Conserving and enhancing heritage assets - Criteria c) goes beyond NPPF requirements which requires ‘conserve or enhance’; it is recommended that the text be revised to ‘conserve or enhance’ in line with NPPF terminology and since the policy addresses other assets in addition to listed buildings and conservation areas (where legislation states ‘preserve’ as the applicable term).

Policy 29: Development affecting archaeological sites - The policy is not sound since it
Policy 43: Planning Obligations Threshold - The policy does not make provision for contributions towards the historic environment which could prevent heritage assets from being brought back into use and potentially result in harm to an asset. In addition, there is no mention of viability reports should they be required and it is recommended that these be included to ensure that schemes can be tested appropriately.

Sustainability Appraisal

Paragraph 3.14 - refers to English Heritage’s 2012 Heritage at Risk register. All references to English Heritage should be revised to Historic England and the most up to date baseline information should be considered e.g. 2017 Heritage at Risk register.

Table 6.2: Housing and mixed use allocation options - We note that the assessment for COT1 (Policy 2.1 site) indicates a minor negative outcome in respect of heritage but do not agree with this outcome since it is not clear what expert analysis has been undertaken to conclude that any archaeology at the site is not of national importance. As such, the outcome should be ‘?’ to indicate uncertainty and that further work is required before allocating the site.

Table 7.1 Cumulative impact of policies - We do not agree with the ‘++’ significant positive outcomes for Polices 28 or 29 due to soundness issues in respect of Policy 29 and the overall unclear approach of the policies to separate archaeology from other heritage assets.

As previously indicated, we would be happy to meet with you to discuss further. At this stage we would be seeking to establish whether issues raised can be addressed prior to the EIP. We look forward to hearing from you in due course.

Yours sincerely,