

Plan ref and relevant extract	Historic England comment	Cheltenham Borough Council response
<p>Vision theme C and Objective (a)</p> <p><i>Cheltenham is a place where the quality and sustainability of our cultural assets and natural and built environment are valued and recognised locally, nationally and internationally and where tourists choose to visit and return.</i></p> <p><i>a) Conserve and enhance Cheltenham's architectural, townscape and landscape heritage, particularly within the town's conservation areas;</i></p>	<p>Historic England welcomes the Plan's recognition of the importance of Cheltenham's historic environment in shaping the town's future planning and supporting its economic well-being.</p>	<p>N/A</p>
<p>Chapter 9 Historic Environment</p>	<p>Historic England welcomes the Plan's positive strategy for the conservation of the historic environment expressed within this chapter and, in particular, the twelve commitments at paragraph 9.8 and the Conservation Area reviews, all underpinned and explained by the robust and helpful Historic Environment Background Paper, January 2018.</p> <p>We note the intention to rely on the strategic heritage policy in the Joint Core Strategy (relating to designated heritage</p>	<p>The heritage policies, the conservation area reviews, the outlined approach to development management in the historic environment and the 'positive strategy' in protecting the wider historic environment, as per the submitted plan, do provide a suitable replacement for the numerous policies of the existing plan by providing a focussed approach underpinned by the National Planning Policy Framework and relevant legislation.</p>

	<p>assets), supplementing it in this Local Plan with archaeological, non-designated heritage asset, and advertisements policy.</p> <p>We also note the intention to cancel 20 heritage related policies currently Saved from the 2006 Plan. Is CBC confident that this Local Plan and its heritage policies provide an adequate replacement?</p>	
<p>Chapter 11 Residential Development</p> <p>Reference to the term “constraint”.</p>	<p>The Plan identifies 8 strategic housing sites. Each site is described and “constraints” are identified. Heritage assets are included as a constraint. Historic England object to the outdated notion that heritage assets are a constraint. The context within which a site is located may include a number of significant contextual considerations. These are not constraints but the factors in which future development needs to be considered and they may indeed be positive rather than negative as currently implied.</p>	<p>The Local Authority absolutely recognises that heritage assets do provide opportunities and positives, and should not be considered as a negative aspect in development.</p>
<p>POLICY HD2: FORMER MONKSCROFT PRIMARY SCHOOL</p>	<p>The Plan proposes a large housing development next to St Mark’s Conservation Area. The Council’s evidence base (LP Housing Site Allocations Historic Environment Appraisal, ECUS December 2017) fails to indicate the likely impact on the significance of the architectural and historic interest of the Conservation Area. There appears to be some doubt as the ECUS report refers to the need for a further setting appraisal “to consider the impact”.</p>	<p>The Local Authority acknowledges that the LP Housing Site Allocation Historic Environment Appraisal (ECUS: December 2017) does not provide a conclusion on the likely impact of development on the St. Mark’s Conservation Area; however it is contended that the appraisal does sufficiently engage with the conservation area by recognising the heritage asset and proposing appropriate measures to aid the consideration of any impact on the asset by development in its setting. The policy (HD2) does recognise the value of the conservation area by providing site specific requirements which include “A layout and form of development that respects the character and significance of the St. Mark’s Conservation Area.”</p>

		<p>Neither the Poets Conservation Area Character Appraisal and Management Plan (June 2009) nor the draft replacement appraisal mention this allocation site. Whilst the site is adjacent to the conservation area it does not appear to form part of the historic setting. Neither does it contribute to any key views. It is therefore considered that the principle of development on the allocation site is</p>
POLICY HD3: BOUNCER'S LANE	<p>Historic England suggest that the Plan include an additional 'site specific requirement' to make sure future development safeguards the significance of the adjacent heritage assets, respecting the setting of the Grade II Listed Cemetery and Lodge.</p>	<p>Whilst the policy does not provide a site specific requirement relating to the significance of heritage assets, Cheltenham Borough Council as the Local Planning Authority would be obliged to consider the impact of proposed development on those assets in line with the provisions of the relevant legislation and national, and local policy.</p> <p>The allocation site forms part of a former industrial complex. Most of the site was granted outline planning permission in 2017 for 58 dwellings (17/00929/OUT). The permitted site wraps around the allocation site and is much larger in scale. The heritage statement which accompanied the application is included as an appendix. The approved scheme is solid evidence that development on the allocation site can be made to be acceptable in heritage terms.</p>
POLICY HD4: LAND OFF OAKHURST RISE	<p>CDC will be aware that Historic England has formally objected to a planning application for development of this site as we consider the open space makes a significant positive contribution to the setting of the Grade II* Ashley Manor (Letters dated 30 October 2017 and 7 March 2018).</p> <p>We would emphasise the following:</p>	<p>The ECUS report contends that "A residential scheme here [the western area of the site] should not harm the settings of adjacent heritage assets".</p> <p>The site is only allocated for approximately 25 dwellings within a well screened part of the site. It is recognised that a larger development may be possible on the rest of the site provided that heritage and other issues are adequately dealt with.</p>

	<p>-Local Plans need to demonstrate a positive approach, and great weight, to the conservation of heritage assets in the delivery of sustainable development, one of the core dimensions being the protection and enhancement of the historic environment (NPPF Para 132).</p> <p>-Special regard must be given to desirability of preserving the setting of a listed building; and special attention shall be paid to the desirability of preserving or enhancing the character or appearance of conservation areas in the exercise S66 and S72 of the Planning (Listed Buildings and Conservation Areas) Act 1990).</p> <p>-Development will be expected to avoid or minimise conflict between any heritage asset's conservation and any aspect of the proposal (NPPF Para 129).</p> <p>-Harm should always be avoided in the first instance. Only where this is not possible should mitigation be considered (NPPF Para 152). Any harm and mitigation proposals need to be fully justified and evidenced to ensure they will be successful in reducing harm.</p> <p>Can CDC demonstrate that there are no other potential alternative sites?</p>	<p>Following discussions between the council and Historic England a more detailed historic appraisal has been commissioned to assess the impact of the potential development on the setting of nearby heritage assets. The assessment will be undertaken in accordance with Historic England's guidance of 'The Setting of Heritage Assets. GPA3' (2nd edition, Dec 2017) and 'The Historic Environment and Site Allocations in Local Plans' (Historic England Advice Note 3, Oct 2015).</p> <p>This evidence will be available before the hearing sessions take place.</p>
POLICY HD7: PRIORS FARM FIELDS	<p>The Council's LP Housing Site Allocations Historic Environment Appraisal, ECUS December 2017 highlights the likely evidence of past Iron Age or Romano British occupation in the southern part of the site. Might the Plan include an additional 'site specific requirement' to address this matter, and also the need for a setting assessment to inform the future development's relationship to the</p>	<p>Though the policy does not provide site specific requirements relating to potential archaeology or a setting assessment, Cheltenham Borough Council as the Local Planning Authority would be obliged to consider the impact of proposed development on those assets in line with the provisions of the relevant legislation and national and local policy.</p>

	adjacent Grade II Listed cemetery.	<p>A heritage assessment was carried out for a planning application to the west of the cemetery in 2017 (17/00929/OUT). This concluded that the</p> <p>“The cemetery’s park-like character provides the immediate setting for the buildings and funerary monuments within it, and makes a substantial contribution to their significance, but the cemetery’s wider setting is not considered to contribute in any major way to the RPG’s significance, apart from to the east which affords views of open countryside.”</p> <p>The cemetery is also well screened from the allocation site by a mature hedgerow and trees. It is therefore considered that a development scheme on the allocation site could be made acceptable in heritage terms. Any application will be subject a detailed assessment of the proposed scheme as mentioned above.</p>
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<p>POLICY HD8: OLD GLOUCESTER ROAD</p>	<p>CDC will be aware of Historic England’s previous comments in relation to this proposed allocation.</p> <p>The Local Plan proposes a sizeable development site within proximity (approx. 80 metres) to an important historic complex of heritage assets. In accordance with NPPF paragraph 129, 158 and 169 we would expect a Historic Environment and Setting Assessment to be undertaken to demonstrate how an understanding of the significance of these assets and their setting have informed the principle, and without prejudice, the design response.</p> <p>The Council’s LP Housing Site Allocations Historic Environment Appraisal, ECUS December 2017 includes 2 bullets points of brief comment and although it cross references to a desk based assessment, survey and evaluation this is not made available. Historic England would welcome sight of these.</p> <p>Before the principal, future form and capacity can be established, great weight must be applied to the conservation of the affected heritage assets in accordance with NPPF paragraph 132. The lack of evidence suggests that great weight has not been applied and therefore the Plan has not been justified (based on proportionate evidence) or accords with national policy.</p> <p>National policy seeks to protect and or enhance the significance of heritage assets. Only where harm is unavoidable should mitigation be considered (NPPF Para 152). Any harm and mitigation proposals need to be fully justified and evidenced to ensure they will be successful in reducing harm. The local authority has failed to provide</p>	<p>The site allocation is ‘sizeable’ in area but a relatively low density assumption has been applied to allow for flexibility in layout. The Housing Site Allocations Historic Environment Appraisal, ECUS December 2017 found that:</p> <ul style="list-style-type: none"> • The western area of the site has been the subject of a desk-based assessment, a geophysical survey and an archaeological evaluation. The evaluation revealed that the site had very little archaeological potential; • The desk-based assessment considered that the development proposals would not harm the setting of the Moat House Scheduled Monument and Listed Building within the monument. <p>The Council remain confident that an acceptable scheme can be accommodated on the site which would not cause unacceptable harm to the setting of the nearby heritage assets.</p> <p>A scheme for 90 units in the south west of the site was granted outline planning permission in December 2017 (17/01411/OUT). This demonstrates that the approximately 200 dwellings allocated on this site in the Plan could be accommodated whilst leaving a substantial buffer area.</p> <p>Following discussions between the council and Historic England a more detailed historic appraisal has been commissioned to assess the impact of the potential development on the setting of nearby heritage assets. The assessment will be undertaken in accordance with Historic England’s guidance of ‘The Setting of Heritage Assets. GPA3’ (2nd edition, Dec 2017) and ‘The Historic Environment and</p>
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	<p>sufficient evidence to establish the level of impact / harm, and if harm were unavoidable, the justification.</p> <p>The advice in <i>Historic Environment Good Practice in Planning 3: The Setting of Heritage Assets (Historic England March 2015)</i> GPA3 (Setting advice) emphasises that the information required in support of proposals should be no more than is necessary to reach an informed decision. At the same time those taking decisions need enough information to understand the issues. Historic England considers that as the affected heritage assets are a Scheduled Monument and several listed structures, it is reasonable to expect a specific and moderately detailed heritage report that assesses whether, how and to what degree the setting of these assets make a contribution to their significance; and demonstrates the assessment of the effects of the proposed allocation on that significance to determine whether measures to maximise enhancement and avoid or minimise harm might be effective.</p> <p>Deferring an impact assessment to a future planning application stage is not considered appropriate as fundamental heritage considerations may affect the principle of development, its form and quantum, and as a consequence, its deliverability i.e. informing whether the allocation is justified. As such, allocating such a strategic site needs to set out clearly the type and amount of development that would be acceptable and provide details on how any affects to heritage assets can be addressed. The commentary provided by the local authority so far in respect of the impact of this allocation lacks detail or demonstrable rigour.</p>	<p>Site Allocations in Local Plans' (Historic England Advice Note 3, Oct 2015).</p> <p>This evidence will be available before the hearing sessions take place.</p>
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<p>Chapter 19 Delivery, Monitoring and Review. Monitoring indicators. Table 14: Theme C objective a) <i>Conserve and enhance Cheltenham's architectural, townscape and landscape heritage, particularly within the town's CAs.</i></p>	<p>CDC may wish to reconsider the proposed indicator - <i>"Number of planning applications that are within a conservation area"</i> - as we are unclear how this will indicate how the objective has been met. There appears to be no correlation.</p>	<p>The Council concede that this indicator does not clearly relate to the plan objective. It may be necessary to revise this.</p>