

FoDDC Allocations Plan Heritage Keynote- September 2016

1 This is a draft note prepared to provide supporting information for the Allocations Plan and to demonstrate how it considers heritage matters in respect of sites considered for allocation for housing following the Inspector's Interim Findings of June 2016. It pays particular attention to the assessment of the various allocations and to the way in which the development proposed by them takes account of heritage matters. The plan overall is assessed in the SA, and the impact on the plan must always be considered alongside the CS which itself requires the protection of sites, buildings, and other protected areas.

AP overview

2 The AP itself sets out a strategy that takes account of the nature of the area and in particular seeks to protect and allow the enhancement where appropriate of the natural and built environment. The latter includes as features within the built environment those that are of historic importance and these may be buildings or other artefacts.

3 This note sets out the approach that has been taken and addresses the requirements of the NPPF. It is written in the context that many of the allocated sites have been the subject of detailed previous scrutiny and have been examined as part of the planning application process. Where this is the case the general and detailed analysis of the development in relation to any heritage interests will have been carried out and where permitted, development is compatible with both the Plan and the requirements of the NPPF. The policies of the CS and AP will however continue to have an impact on sites where development is permitted and most notably where in principle (outline) approval is translated into full permission.

4 Following the examination hearings in January 2016, a series of Main modifications have been prepared. Two of these are of particular relevance to the historic environment, MM006 and MM005. Rather than the draft AP with its separate design and materials policies it is proposed to combine the general design and style and materials policy but also to introduce a policy directed at the locally distinctive and historic character of the area. This (MM006) emphasises the importance of local character in a manner that is in accord with the NPPF in its approach to heritage and also its desire for local character and distinctiveness to be enhanced.

designations

5 The proposals map itself contains the main designations which affect the area and some of these (for example the identified Important Open Areas and Conservation Areas, Ancient Monuments and Historic Gardens) are in themselves heritage assets or contain features that are. Three areas that are defined as Locally Valued Landscapes are also protected. The first which envelopes Staunton/Corse provides a context for the chartist settlement and is in itself an asset. The second around much of Coleford seeks to support the careful planning treatment of the setting of the town and nearby settlements in order to protect the areas character which to a great extent comes from the historic development of the forest fringe and Coleford within its different and distinct landscape. The third area recognises the importance and vulnerability of the setting of May Hill and protects a zone of influence around it.

6 The AP uses an hierarchy of settlements and employs boundaries to define them. Within some settlements there is a policy which identifies areas of particular character (Locally Distinctive Areas). These are then protected by a policy seeking to ensure that new development is compatible with the character of the areas concerned. Most (8) of the villages that have such areas (11 areas in total)

are within the statutory Forest and the aim of the policy is to protect the characteristics of these. The character of the areas concerned often depends on subtle traits and there are few statutorily protected buildings or sites within the areas. They are however very important to the FoD and are referred to in the AP generally and in the individual settlement chapters. The areas identified include open spaces identified by the AP as Important Open Areas, most of which are Forest waste which is protected by the CS for its cultural, historic and functional value. Also included are small enclosed paddocks which are typical of the forest fringe settlements. The built forms and the other characteristics of the locally distinctive areas are the subject of additional material on the evidence base, entitled "Locally Distinctive areas Keynote". There is also further information in relation to the nature of the Important Open Areas themselves.

7 "Important Open Areas" is a term used in the AP to define areas that are considered to contribute to the setting and nature of settlements and should be retained as such (or their contribution should be maintained). Many are in themselves heritage assets, some, especially forest waste, and some will contain buried features of historical importance. These areas are individually identified in the AP and are protected for their own sake. A separate note providing further explanation and a schedule of individual IOAs is in the evidence base.

8 In many cases land that is protected for one reason is important for another. Sites identified as of regional geological importance are an example, these are often exposed geological formations which are exposed as a result of quarrying and are protected because of the formation but this also protects historic features, especially in the Forest.

9 Ancient monuments are quite well represented across the district and are protected from development by national legislation. There are particular cases where the AP includes one in its policies for development, most notably Lydney Harbour but the ancient monument and also the Listed bridge adjacent is required to be protected. The policy itself has as one of its aims the provision of a secure long term future for the site and the allocation is therefore intended to provide greater long term protection for the asset.

10 Listed buildings are numerous and some lie in areas that are covered by allocations in the AP. There are about 1464 Listed Buildings in the district ranging from part of the old Severn Bridge at Beachley to enclosure markers within the Forest. Many are within settlements especially in town and village centres, and most are buildings, generally now in residential use. The great majority of the listed buildings are not likely to be affected by allocations in the Plan and will be protected in general terms by its policies. In addition to the CS the AP provides greater detail and additional policies on sustainable development, design and encourages additional attention to be given to heritage assets. These policies will protect both the buildings themselves and their settings adding to the statutory protection they already enjoy.

11 In Newent there are 11 separate Listed buildings within an allocation in the town centre and this also lies within the Conservation Area. The policy for selective redevelopment contains safeguards to protect the area and the Listed buildings themselves and is intended to provide development that supports the establishment of the area as one of greater activity and mixed use. The shop buildings are also protected as part of a retail frontage which would retain appropriate shopfronts.

12 The greatest concentration of Listed buildings is in Newnham. Related to these and especially to the buildings fronting the High Street is a bespoke policy seeking to protect them, which applies in addition to the any existing Listed Building or Conservation area legislation. In order to conserve the overall appearance of the high street frontage, there is an Article 4 direction to safeguard non listed buildings from inappropriate change. One notable building, the Former Victoria hotel is allocated for conversion to dwellings. It has been in decline and vacant for a number of years and is identified

along with adjoining buildings and land. The allocation as one site is intended to ensure that development takes place in a complementary manner and provides a secure future.

13 In Mitcheldean, important buildings within the Conservation Area are identified for retention through conversion in recognition of the important contribution it makes to the area.

14 Hartpury College policy is an example of a local policy intended to conserve and enable development in relation to Hartpury College. This includes a Listed building and garden. The policy in the AP protects the setting of the building and garden.

15 There are 27 Conservation Areas within the district, many of which (14) are supported by detailed appraisals. These form part of the evidence base and the AP is compatible with the needs of each. All but three areas are at settlements which have settlement boundaries in the AP and are regarded as potential locations for additional development of the nature expected in towns and villages. The AP does refer to any particular considerations over and above those normally expected in a Conservation Area and records the existence and extent of each.

16 The NPPF requires the following approach:

126. Local planning authorities should set out in their Local Plan a positive strategy for the conservation and enjoyment of the historic environment,29 including heritage assets most at risk through neglect, decay or other threats. In doing so, they should recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance. In developing this strategy, local planning authorities should take into account:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;*
- the desirability of new development making a positive contribution to local character and distinctiveness; and*
- opportunities to draw on the contribution made by the historic environment to the character of a place.*

conservation areas

129. 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.

29 The principles and policies set out in this section apply to the heritage-related consent regimes for which local planning authorities are responsible under the Planning (Listed Buildings and Conservation Areas) Act 1990, as well as to plan-making and decision-taking. Achieving sustainable development | 31

132. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck

sites, battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

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.

139. Non-designated heritage assets of archaeological interest that are demonstrably of equivalent significance to scheduled monuments, should be considered subject to the policies for designated heritage assets.

140. Local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies.

141. Local planning authorities should make information about the significance of the historic environment gathered as part of plan-making or development management publicly accessible. They should also require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible.³⁰ However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted.

³⁰ Copies of evidence should be deposited with the relevant Historic Environment Record, and any archives with a local museum or other public depository.

169. Local planning authorities should have up-to-date evidence about the historic environment in their area and use it to assess the significance of heritage assets and the contribution they make to their environment. They should also use it to predict the likelihood that currently unidentified heritage assets, particularly sites of historic and archaeological interest, will be discovered in the future. Local planning authorities should either maintain or have access to a historic environment record.

170. Where appropriate, landscape character assessments should also be prepared, integrated with assessment of historic landscape character, and for areas where there are major expansion options assessments of landscape sensitivity.

NPPG Paragraph: 004 Reference ID: 18a-004-20140306

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 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.

17 The plan comprises an adopted CS together with an adopted AAP, and an emerging AP. The first two were adopted in the context of the draft NPPF and take account of the need to address heritage issues. The Cinderford NQAAP covers only a very small (Key) area of the district and contains a dedicated heritage policy in addition to more general references. The geographical area covered is not covered by the AP.

18 The CS is a strategic document which must be read together with the AP and it sets out principles that apply over the whole district. Its first policy CSP1 is about assessing the impact of development and requires assessment of the impact of proposals on protected sites which include heritage assets. These may be a World Heritage Site, Scheduled Monument, Listed Building, Protected Wreck Site, Registered Park or Garden, Registered Battlefield or Conservation Area designated as such under the relevant legislation. The policy makes plain in the last sentence that development that does not meet the requirements of the policy will not be permitted. Details of the designated heritage assets are widely available, including from the LP evidence base itself.

19 One of the key aims and objectives of the Plan (CS, AAP and AP) is protection, as set out in the CS objective 1, and in the table expressing its spatial strategy. The objectives are repeated in the AP, and taken into policy AP1. In addition the AP in its general policies requires character and history to be taken into account in assessing design solutions, and seeks to build a better database on heritage assets themselves. The above apply throughout the area generally as below:

- Sustainable development- as part of the environmental dimension, development would not be able to be regarded as sustainable if it does not meet the basic criteria which include protection/ conservation of the environment. Links to CSP1.
- Design of development- part of the requirement is for development to take account of the local character and history. This would help ensure that new development is compatible with the locality.
- Style and materials- taking account of traditional materials is a policy to help ensure new and old development can co exist.
- Local character and assets- policy to improve knowledge and quality of information while encouraging greater involvement of local bodies. This policy recognises scope for more and better information

20 In addition to the general policies the AP protects specific important areas which are of heritage and other importance:

- Conservation Areas- principal area designation taken into account in AP which considers built environment-impact of designation set out in legislation. AP and CS reflect and support.
- Ancient Monuments- protected at national level, supported by AP and CS
- Gardens Historic gardens protected by designation
- Listed Buildings- nationally designated heritage assets protected by legislation and protection supported in AP and CS (eg CSP1)
- Forest waste- of historic and cultural significance as well as of landscape and amenity value. Refers to the non planted open areas generally around the edge of the forest. Includes some features and remains of former industry.
- Important Open Areas. Individually identified areas within the defined settlements some of which may be of historic and or cultural value- all are of amenity value and support the setting of buildings. Protection of these areas is essential to maintain the character of the areas concerned.
- Locally distinctive- areas of some settlements identified as in need of particular protection. Some contain listed Buildings but most are within Forest and are protected for the features that make up the characteristic built form. Many features such as walls and traditional cottages are important in their own right.
- AONB- The two AONBs both have management plans which are implemented in part by the actions of the FoDDC. The protection of heritage assets and other features in the landscape are required. This is largely delivered through CSP1.

- Locally valued landscapes two areas are identified which are of particular merit, and are designated to protect the locality. In Coleford it is the landscape and setting of the town itself that is protected. In Staunton/ Corse the protection is provided in order to safeguard the setting of the former chartist settlement.
- Local policy re environmental improvements
- Historic policy for Newnham – policy to support the plots layout and other features of the High Street within the Conservation Area

21 The above policies all have as their primary aim the conservation of areas, feature or classes of feature. In addition to these which set the overall tone for the Plan are the allocation policies for the various sites expected to be developed. Some of these are intended to allow development which does not affect heritage assets, some include such assets and offer particular protection and a few are designed to promote development that can support and safeguard certain assets. The table below lists all of the AP policies and considers their impact on heritage.

22 In this way there are some specific policies and some that support heritage assets through other means.

23 In addition to the policies of the AP, reference should be made to the SA which evaluates sites that were considered but not allocated. For these and the sites that were there is a comprehensive assessment that includes the appraisal of their impact on designations including heritage.

24 The NPPG requires the following, in order to meet the guidance in the NPPF:

To be compliant with the NPPF local development plans should include:

1. *strategic policies to deliver conservation and enhancement of the historic environment (9)* this aim is delivered by the Plans overall by their implementation, and especially by the policies being employed as intended in the manner described above.
2. *identify land where development would be inappropriate, for instance because of its environmental or historic significance (10)* generally carried out by identifying land where there are constraints as on the proposals map, including general constraints and site specific areas. Each of the constraints have different implications for what development may or may not be appropriate.
3. *a clear strategy for enhancing the historic environment (10)* Achieved through the Plan's main policies, with particular importance attached to CSP1 (CSP1 is referred to in the AP but is an adopted CS policy requiring development to conserve, preserve, or otherwise respect important characteristics of the environment in a manner that maintains or enhances their contribution. Thus new development must protect the contribution of key features in the environment such as Listed Buildings or other heritage assets.
4. *a positive strategy for the conservation enjoyment of the historic environment including heritage assets most at risk of neglect, decay and other threats, recognising they are an irreplaceable resource (11)* this is contained in the overall approach of the plan, as both the AP and the CS have objectives to conserve the built environment.
5. *land allocations and policies that take account of the following (11)* :
 - (a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; some allocations specifically identify sites that can contribute, whilst the Plan generally supports a range of re uses which enable such uses. CS policies encourage employment development for example which can help in the economic re use of buildings.
 - (b) *the wider social, cultural and environmental benefits that conservation of the historic environment can bring;*
 - (c) *the desirability of new development making a positive contribution to local character and distinctiveness; and*
 - (d) *opportunities to draw on the contribution made by the historic environment to the character of a place.*

Examples of this approach are the Locally distinctive areas Policy and the Important Open areas. In addition the overall approach and many of the allocations policies work towards this for example the development of Lydney Harbour is both directed at conservation and at the identification of assets which can be sensitively developed to the benefit of the community (as well as the economy)

The above requirements can potentially influence all local plan policies on all different issues. A 'positive' strategy for the conservation of heritage assets will very often require consideration of land use policies so that the threat of decay through disuse can be proactively diffused, for example. It is clearly not sufficient for local plans to contain generic policies that repeat the broad objectives of the NPPF. All the policies in the local plan taken together should be demonstrably fit for the purpose of achieving conservation and enhancement of heritage assets. It is agreed that it is essential to take the policies together, as the Cs policies are inevitably strategic in nature. They are however designed around the characteristics of the FoD and therefore add rather than repeat the NPPF.

It is important that the policies for heritage conservation are labelled as 'strategic' policies for two reasons:

1. so as to comply with the requirements of the NPPF (9)
2. so as to ensure neighbourhood development plans have to align with them as one of the 'basic conditions' for their approval (12)

Once a neighbourhood development plan has demonstrated its general conformity with the strategic policies of the local plan, the policies it contains take precedence over existing non-strategic plans in the local plan for that neighbourhood (13). So a local plan cannot demonstrate that it will achieve the sustainable development objective of net gains for the historic environment unless it has strategic policies in place, as neighbourhood development plans may override 'non-strategic' heritage-related policies.

In considering land allocations and development densities necessary to deliver the objectively assessed development needs for an area, it is vital to assess if there are any adverse impacts on heritage assets and their settings. These should be avoided (8).

If they are unavoidable a decision will have to be made, in accordance with the policies in the NPPF, as to whether the public benefits outweigh the harm (14). If they do, then still the impact should be mitigated, perhaps through design, size or height criteria.

Failure to show that the allocated development within the plan will not breach the policies within the NPPF is an obvious failure of the local plan to conform with the NPPF and it should not be adopted.

SUMMARY OF AP DRAFT POLICIES AND HERITAGE IMPACT

The following summarises the AP policies against heritage considerations. In addition to this, the policies in the CS apply- their impact on heritage assets is summarised after this table.

Allocation Plan Policies	Summary- heritage impacts and safeguards
Clanna Rd, Alvington	Adjoins Conservation area and is within 70m of Listed Building (The Globe Inn, recently restored). At present an open field which forms part of the setting of the CA but is not one of the key open areas which are central to its character.
Ruspidge St Whites Sneyd access	Adjoins forest boundary (outside) Historically part of ST Whites Farm but now separated by access Rd, no other heritage significance identified
Milkwall Ellwood Rd	Within forest boundary, private enclosed fields typical of area. Well enclosed, and adjoins waste which should be retained, and be used as a positive feature of any development. Adjoining areas (including forest waste) have extensive remains of iron working, including extensive Easter Iron Mine, now partly in employment use.
Worcester Walk Broadwell Coleford	Part inside forest boundary, chief historic significance is as part of agricultural land between Coleford town and nearby forest fringe settlements. This are is not prominent however.
Worcester Walk 2	
Worcester Walk Broadwell Coleford Machen Rd	
Kings Meade Coleford adj golf club	Largely hidden area of former agricultural land between Coleford and surrounding settlements, part of or close to former opencast coal working. Close to former vicarage, Listed but now itself surrounded by other development so relatively unaffected by this site.
Poolway Farm 2	Nearest Listed Building (The Coombs) 150m but unaffected. Part of gap between Coleford and Berry Hill though seen against existing edge of town. This proposed addition to the plan adjoins site already allocated (AP62) which contains formation of former tramway and unlisted but notable farmhouse. These are protected by this policy.
Adj RFC Drybrook	Part of agricultural area within forest boundary. Site on edge of village (which was partly built within open area of forest waste post war/ pre 1950s) no identified heritage issues.
Allaston Lydney southwest	Sites in close proximity to each other, no heritage impacts identified. County archaeologist does not object subject to investigation to their development as they are covered by current and recent planning applications. http://publicaccess.fdean.gov.uk/online-applications/files/ABCB10AC2FA506EAE7C3527A154E9DCB/pdf/P1111_14_OUT-ARCHAEOLOGICAL_EVALUATION-373338.pdf covers the site. As a result the County Archaeologist recommended a condition: <i>'No development shall take place within the application site until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority'</i> . but did not object to the principle of development. As a consequence it is suggested that the allocation policy for this site is allocated includes the above
Allaston Lydney southeast	

	requirement.
Coach Depot Mitcheldean	Listed building (church grade 1) within 90m and Conservation Area 40m but redevelopment and development according to policy is able to be satisfactorily accommodated.
Cleeve Mill lane Newent	Conservation area 130m distant not affected. Nearest Listed Building 100m+, not affected.
Southend Lane North Newent	Large site, part former orchard. Listed buildings 80m + to southeast, but intervening permissions and development reduces impact.
Newnham North phase 2	Adjoins AP allocation, but further from CA and Listed buildings, enables access to be further north and also greater distance from these. Close proximity to CA, and requires careful landscaping to A48.
Newnham North 3	
Redmarley Drury Lane	Permitted on appeal Inspector considered Listed Building and Conservation Area impacts satisfactory.
Staunton Chartist Way	Site within larger applications now refused, in an area where conservation policies particular to the locality apply. CA within 60m approx. and Listed Chartist bungalow 18m. Development form considered would be similar to adjoining site. Any development would depend on it being compatible with AP96. Site probably within former "Chartist Plot" associated with "Lyndale" the nearest Listed building. Policy specifies single storey development.
Yorkley	Small paddock within forest edge, adjoins former lodge and now open recreation ground.

The CS policies provide general safeguards and protection for the district in the manner shown in the table below:

Policy	Purpose in relation to heritage assets
CSP 1 Design and environmental protection	Overall environmental considerations policy which sets out basic design and impact considerations and requires development proposals to be evaluated against possible impacts including those on protected sites, landscape etc- proposals which cannot be satisfactorily accommodated will not be permitted
CSP 2 Climate change	Protects environment from impact of climate change
CSP 4 development at settlements	Requires development to be principally located at settlements
CSP 5 Housing	Housing development- allocations and other housing based on hierarchy
CSP 9 and amenity land	Recreational and amenity land- protection of land including that identified as important open areas and all forest waste (unless otherwise allocated) from development.