

Historic England response to the Proposed Modifications to the Publication Draft Warwick Local Plan, February 2016

Reference	Historic England comment
Policy DS NEW 1 Directions for Growth South of Coventry (Westwood Heath, Kings Hill) New paragraph 1.09	<p><i>Development proposals for the strategic sites will be expected to address the following as a minimum: Proposals for development must respond positively to natural and heritage assets; wherever possible and viable, development should enhance the settings of such assets.</i></p> <p>The emphasis of the caveat "<i>wherever possible and viable</i>" is inconsistent with the NPPF and should either be deleted or replaced with "where appropriate" (NPPF Glossary – definition of Conservation).</p>
H42 Westwood Heath 425 dwellings	<p>The Local Plan Site Allocations Historic Environment Assessment Statement 2015 confirms that the proposed allocation site at Westwood Heath would have a "moderate adverse impact" on the setting of non-designated medieval remains and the overall archaeological potential of the site. Consequently Historic England recommends that the Statement's suggested mitigation is referred to within the Local Plan - perhaps an abbreviated version of the below .</p> <p><i>- a staged programme of investigation and mitigation, including pre determination field evaluation to establish the presence, extent and significance of any unrecorded archaeological remains within the proposed allocation site boundary. The results should influence the design and layout of any development proposals including contributing to the sites green infrastructure provision.</i></p>
H43 Kings Hill Lane 1800 dwellings	<p>The Local Plan Site Allocations Historic Environment Assessment Statement 2015 demonstrates the likely harm that would be caused by future development to the significance of the Kings Hill Deserted Mediaeval Village (Scheduled Monument) unless an informed strategic design response is pursued.</p> <p>Historic England recommends that the Local Plan include specific reference to the effected heritage assets within the site and the necessary strategic design response to mitigate/avoid harm.</p>
Policy DS NEW3 Former Police Headquarters, Woodcote House 115 dwellings	<p>In principle, the proposal provides a welcome opportunity to restore this Grade II Listed Building and its setting. However it has not been demonstrated, by the provision of evidence, that 115 new homes can be accommodated on the site in accordance with the DS NEW3 policy criteria, and without causing significant harm to the setting of the Listed Building its associated park/garden and the adjacent Conservation Area.</p>

	<p>Evidence needs to be provided to illustrate how the quantum of development might be delivered without causing an unacceptable level of harm to the setting of the affected heritage assets.</p> <p>Historic England Guidance on Enabling Development may help to inform any viability issues that may arise.</p>
<p>H19 Baginton – Land north of Rosswood Farm. Extended area. 80 dwellings</p>	<p>The Additional Local Plan Site Allocations Historic Environment Assessment Statement (January 2016) highlights the significant impact of future development on the setting of the Conservation Area. From the report it is not clear if harm can be avoided. WDC should clarify this matter to demonstrate that special attention has been paid to the desirability of preserving or enhancing the character or appearance of the adjacent Conservation Area in accordance with S72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.</p> <p>How might development respond to ensure the Conservation Area’s significance is sustained and how should appropriate and effective safeguards (if they exist) be reflected in the Local Plan itself?</p>
<p>H44 North of Milverton 250 dwellings</p>	<p>It is not apparent whether evidence been gathered and applied to inform this allocation and The Additional Local Plan Site Allocations Historic Environment Assessment Statement (January 2016) highlights the potential impact of future development on the setting of the Leamington Spa Conservation Area.</p> <p>The Local Plan should set out the desired design approach 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); and that special attention has been paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area in accordance with S72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 might the Local Plan set out the required design response.</p>
<p>H46A Gallows Hill (Strawberry Field) 630 dwellings</p>	<p>It is widely accepted that that the southern approach to Warwick, including the Gallows Hill site, contributes to the significance of the town (a designated Conservation Area), the Castle (a Grade 1 Listed Building and Scheduled Monument), and Castle Park, a Grade 1 Registered Park and Garden. The site is also ‘in itself’ a (non-designated) historic landscape of some historic importance and abuts the Grade II Listed Toll House.</p> <p>National policy expects that 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 (NPPF paragraph 132). There is also an expectation that local planning authorities set out in their Local Plan a positive strategy for the conservation and enjoyment of the historic environment , recognising that heritage assets</p>

are an irreplaceable resource (NPPF paragraph 126). To ensure the Local Plan's soundness it is important to satisfy these national planning policies.

In addition it should be recognised that 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 of S66 and S72 of the Planning (Listed Buildings and Conservation Areas) Act 1990).

In relation to the recent Asps appeal case, the Council, the local community, Historic England and others presented a clear and robust case and the Inspector and Secretary of State both acknowledged the likely harm to the significance of affected heritage assets. However the Secretary of State placed great importance on the lack of an adequate housing supply and so granted permission. Nevertheless, that decision taken by the Secretary of State does not alter the case that Gallows Hill contributes to the significance of a number of very important heritage assets and that development of that site would cause harm to that significance contrary to national policy.

It could be argued that further development to the south of Warwick on the Gallows Hill site will exacerbate the impact of intrusive development within the landscape and that the cumulative impact of development to the south of the town reinforces the importance of Gallows Hill.

I note the Council's website statement dated 22 January 2016 following the Asps decision.

Warwick District Council is very disappointed that the Secretary of State has granted planning permission for 1325 dwellings on these two sites following the public inquiries held last year. The decisions have serious consequences because of the impact on the landscape and the setting of one of our most important and unique heritage assets, Castle Park.

Historic England has had no reason to disagree with the conclusion of the Council's own evidence - **The Setting of Heritage Assets Gallows Hill, Warwick (2014)** - *that the harm to highly graded heritage assets could not be adequately mitigated or justified and therefore should not take place*. It is therefore a surprise to note the Council intends to include Gallows Hill as a development site in the Proposed Modification to the Local Plan contrary to its own evidence and previous position, most recently during the Asps public inquiry.

It should be appreciated that 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. It is not apparent whether such a case has been made by the Council to justify the allocation of Gallows Hill, or shown how harm might be mitigated.

	<p>Modifications to the Local Plan enable the Council to identify suitable sites within the District, and beyond if necessary, to accommodate future growth and the delivery of sustainable development to accord with the NPPF, a core principle being the protection and enhancement of the historic environment. Published Modifications to the Plan show the release of extensive development sites to the south of Coventry (Kings Hill and Westwood Heath). This demonstrates the potential availability of a more suitable alternative to the Gallows Hill allocation. Historic England would encourage the consideration of such an alternative spatial strategy (in respect of the Gallows Hill site), and in doing so demonstrate a positively prepared plan, that is technically sound and in accordance with national planning policy.</p>
<p>H40 East of Kenilworth (Crewe Lane, Southcrest Farm and Woodside Training Centre) 640 dwellings</p>	<p>Historic England has discussed with the Council how the Local Plan, and future development, can positively respond to the Scheduled Roman archaeology within the site, and the Grade II Thickthorn Manor. We anticipate these matters to be fully resolved and form the basis a Statement of Common Ground.</p>
<p>H48 Barford – Land South of West Ham Lane 45 dwellings</p>	<p>It is not apparent whether evidence been gathered and applied to inform this allocation and demonstrate that special attention has been paid to the desirability of preserving or enhancing the character or appearance of the adjacent Conservation Area in accordance with S72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. How should development respond to this context to ensure the Conservation Area’s significance is sustained and how should these safeguards be reflected in the Local Plan itself?</p> <p>The Landscape Sensitivity and Ecological & Geological Study – Landscape Addendum January 2016 makes no reference to the Conservation Area, and the site is not included in the Additional Local Plan Site Allocations Historic Environment Assessment Statement (January 2016).</p>