



East Cambridgeshire
District Council

East Cambridgeshire Local Plan 2016 – 2036

Local Plan Examination Stage

Statement of Common Ground between:

East Cambridgeshire District Council

Historic England

17 October 2018

1 Introduction

- 1.1 This is a Statement of Common Ground (SoCG) between the following parties:
- East Cambridgeshire District Council ('the Council')
 - Historic England (HE)
- 1.2 The SoCG has been prepared in relation to the representations submitted in December 2017 by HE to the Kennett proposed allocation site in the Proposed Submission Local Plan. All other representations made by Historic England, to other elements of the Local Plan, are not covered in this SoCG.
- 1.3 The Statement sets out the confirmed points of agreement or disagreement between the above parties.
- 1.4 We hope this SoCG will assist the Inspector during the examination of the Plan.

2 The Original Representation

- 2.1 HE duly made the following representation (ID PS590):

KEN.M1 and Policy Kennett 4 This is a large mixed use allocation for approximately 500 dwellings. The site contains a scheduled monument, Howe Hill bowl barrow. There is also a grade II listed building to the east of the site. Historic England continues to have concerns regarding the allocation of all of the land within this site. We note bullet point 1 of Policy Kennett 4 seeks to address the matter of the scheduled monument.

However, we are concerned that this does not provide sufficient protection to the heritage asset. The buffer zone shown on the policies map is very small. We also have concerns about impact of the development on the setting of the listed building. We consider that this allocation is unsound. Paragraph 158 and 169 of the NPPF refer to the need for a proportionate evidence base. We consider that the allocation is not justified and there is insufficient evidence to properly assess the impact on the historic environment. That evidence which does exist points to the unsuitability of the site as an allocation. The allocation is not consistent with national policy and is contrary to the policies in the Framework, in particular paragraphs 132 and 134. Paragraph 132 states that 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 by development within the setting of a heritage asset. We consider that development of this allocation would result in harm to the setting of the scheduled monument and this should be avoided in the first instance. We therefore object to the principle of the allocation.

However, should you decide to maintain this allocation in order to make the Plan sound, we suggest that either the allocation site is reduced in size, removing the monument and its setting from the allocation, or the buffer zone is increased in size to provide greater protection to the heritage asset. A heritage impact assessment will be required to ensure sufficient protection of this heritage asset at masterplanning and application stage. This requirement should be included in the Plan as paragraph 154 of the NPPF states that policies should provide a clear indication of how a decision maker should react to a development proposal.

3 The Areas of Agreement

- 3.1 Both parties agree that the site, as submitted, contains a scheduled monument, Howe Hill Bowl Barrow, located near the northern boundary of the site. It is also agreed that there is a grade II listed School House and School to the east of the site (but beyond the site allocation boundary). It is agreed that these are the main known designated heritage assets in the area,

though any planning application would have to consider the potential of impacts on any wider heritage assets, and potentially investigate whether there are any presently 'unknown' assets.

- 3.2 Both parties agree that some form of development could, in principle, take place on some of the land to the west of Station Road. However, the extent of that development will need to be determined through some assessment of the potential impact on the historic environment.
- 3.3 Both parties agree that the Policies Map (Inset Map 19), as submitted, correctly identifies the extent of the Scheduled Monument itself, but that the Key to Inset Map 19 does not accurately describe what is identified on the Map. It is therefore agreed that the Key be simplified by simply referring to 'Scheduled Monument', the extent of which includes the horizontal lines which are currently used to describe 'Scheduled Monument Buffer' in the Key. The Key will therefore no longer refer to any 'Buffer' and will simply have a single reference (which comprises both the M symbol and the horizontal lines) with the title 'Scheduled Monument'. There will be no change as a consequence of this to the Policies Map (Inset 19) itself. It is further agreed that the principles of this paragraph be equally applied to all other Inset Maps, except where a policy related buffer zone has already been established (eg at Bottisham, see Inset Map 5). In these instances, the applicable Inset Map will continue to refer to a scheduled monument buffer.
- 3.4 Both parties agree that, if development is to take place on land to the west of Station Road, then some kind of buffer zone around the Scheduled Monument will be necessary. Ideally this should have been considered at the allocation stage through the preparation of a Heritage Impact Assessment (HIA) as part of the evidence base for the Plan. However, both parties agree that in the absence of that evidence at the present time, neither the Local Plan nor the Policies Map should attempt to set such a 'buffer' zone now. As such, the extent of the buffer (and what can / cannot be located in the buffer, including any enhancement works) should be established through the preparation of an HIA at master-planning and a planning application stage.
- 3.5 Notwithstanding the agreement that the Local Plan / Policies Map should not establish the precise extent of a buffer, it is agreed that, on the basis of the evidence as presently known, a significant buffer will be necessary around the Scheduled Monument. Such a buffer is also not likely to be of a 'uniform' distance around it. The buffer is highly likely to extend in greater length to the south-west of the Scheduled Monument, reflecting, for example, views and linkages with other Scheduled Monuments to the south east (located off-site). However, the Local Plan, it is agreed, should make it clear that a significant buffer will be required, but the extent of which will need to be determined having taking account of a national policy/advice compliant Heritage Impact Assessment (HIA).
- 3.6 It is further agreed that such an HIA (requirement for) should be expressly referenced in the policy. The HIA will be necessary not only for the Scheduled Monument, but also the Listed Building. The HIA will also need to consider whether any other heritage assets may be affected, and if so, to what degree, by any proposed development.
- 3.7 Pulling all of these areas of agreement together, both parties agree that two modifications are necessary, as follows.
- 3.8 Criterion (I) of Policy Kennet 4 should be amended as follows:

~~I. Provide appropriate protection to Howe Hill Bowl Barrow Scheduled Monument in accordance with policy LP27 and national policy~~

I Development should conserve, and where appropriate, enhance heritage assets and their settings, including the Howe Hill Barrow Scheduled Monument and the grade II listed School House and School. A comprehensive Heritage Impact Assessment will be required to inform the extent of the development at the master-planning stage and submitted with any planning application. Harm to the significance of the heritage assets should be avoided in the first instance and appropriate mitigation measures should be identified for any remaining harm.

This is likely to include a significant buffer around the scheduled monument, with links to the other scheduled monuments off-site.

3.9 An additional supporting text paragraph should be inserted, prior to Policy Kennet 4, as follows

7.18.6 Criterion (l) of the policy below requires submission of a comprehensive Heritage Impact Assessment. This must be prepared consistent with national policy, guidance and advice, and should describe the significance of any heritage assets affected (on-site and off-site), and any contribution made by their setting. The Assessment must be of a degree sufficient to understand the potential impact of the proposal on their significance. Harm to the significance of the heritage assets should be avoided in the first instance and appropriate mitigation measures should be identified for any remaining harm. Opportunities for the enhancement of the historic environment should also be identified. The HIA should be undertaken to inform the master-planning and should be submitted as part of any planning application. Of particular importance is the Howe Hill Bowl Barrow Scheduled Monument (including its setting, and its links to other Scheduled Monuments off-site). This Scheduled Monument will require a significant buffer zone around it, the scale and location of which should be determined having taking account of the Heritage Impact Assessment.

3.10 Provided the above two modifications are made, HE agrees that the boundary of the allocation site can remain as per the submitted draft Policies Map. However, HE wish to make it clear that its acceptance of the principle of allocation is not its acceptance of the quantum proposed (i.e. 500 dwellings) as this will be in part influenced by the findings of the HIA. The Council accepts and agrees this point.

3.11 Further, and linked to the above point, both parties agree that (and notwithstanding the general approach set out elsewhere in the Local Plan whereby the number of dwellings is predominantly listed as being 'indicative' for a particular site) in this instance this particular site should be capped at 500 dwellings maximum, due, in part, to the acknowledged heritage constraints of this site. For the avoidance of doubt, the Council also, in more general terms, never intended for this site to deliver more than 500 dwellings, and would have no objection to stipulating this in the policy. Accordingly, a further modification is recommended by both parties to criterion (c) of Policy Kennett4 as follows:

c. Provide around **up to 500 dwellings, but the total maximum quantum will be** subject to meeting other policy requirements **including the findings of the Heritage Impact Assessment;**

4 **Conclusion / Any Suggested Modification**

4.1 The signatories of this SoCG confirm support for the suggested modifications at paragraphs 3.8, 3.9 and 3.11 above and the adjustment to the Key on the Policies Map as per para 3.3 above.

4.2 Subject to the outcome of any public consultation on them, both parties would welcome the Inspector recommending such Main Modifications in due course.

5 **Agreement by**

Agreed on behalf of East Cambridgeshire District Council

Name and position

Date

Richard Kay, Strategic Planning Manager	16 October 2018
Agreed on behalf of Historic England	
Name and position	Date
Debbie Mack, Historic Environment Planning Advisor, Historic England - East of England	17 October 2018