

# **CHARNWOOD LOCAL PLAN 2021-2037**

Statement of Common Ground between:

- Charnwood Borough Council
- Historic England

November 2021

## **CHARNWOOD LOCAL PLAN 2021-2037**

### **STATEMENT OF COMMON GROUND BETWEEN HISTORIC ENGLAND AND CHARNWOOD BOROUGH COUNCIL**

#### **1. INTRODUCTION**

- 1.1 This statement identifies the areas of common ground between Historic England and Charnwood Borough Council in respect of the policies contained in the Pre-Submission Draft Charnwood Local Plan 2021-2037.
- 1.2 The statement should be read alongside the representations made by Historic England and the Council's responses to those representations. It is made without prejudice to the participation in the formal examination of any participant and the views that may then be expressed. Nevertheless, this statement reflects the agreed position between Charnwood Borough Council and Historic England for submission to the Inspector for the examination of the Submission Draft Local Plan based on co-operation and joint working.

#### **2. PURPOSE**

- 2.1 The statement addresses strategic matters and shared issues between the parties. It provides a framework for the delivery of the Duty to Co-operate duties and obligations arising from Section 110 of the Localism Act 2011 and paragraphs 24 to 27 of the National Planning Policy Framework (2021) (NPPF). The NPPF places a duty on local planning authorities and other bodies to cooperate with each other to address strategic issues relevant to their areas. The duty requires ongoing constructive engagement on the preparation of the Local Plan and other activities related to the sustainable development of land.
- 2.2 A statement of common ground is an agreed written record which demonstrates how the Duty to Cooperate has been fulfilled. It sets out those matters where there is agreement and, if appropriate, those matters where work is ongoing to resolve differences.
- 2.3 Charnwood Borough Council is a public body and the Local Planning Authority for its administrative area. Historic England is a public body and the Government's adviser on the historic environment. Historic England is a specific consultee under the Town and Country Planning (Local Development)(England) Regulations 2012.

#### **3. JOINT WORKING**

- 3.1 Historic England and Charnwood Borough Council have worked closely together throughout the plan preparation process to inform policy development and the approach to assessing the impacts of potential allocations on the historic environment.
- 3.2 Following Historic England's comments on the Draft Local Plan in December 2019, the Council discussed proposed revisions to the policy wording relating

to the historic environment. The Council also discussed the site selection methodology, the heritage evidence that was available for the sites considered for allocation and examples of the assessments used to consider whether allocation was appropriate or how heritage impacts could be mitigated.

#### **4. MATTERS OF AGREEMENT**

##### **Duty to Co-operate**

- 4.1 There has been ongoing constructive engagement between Charnwood Borough Council and Historic England in the preparation of the Local Plan and the Duty to Co-operate has been complied with, as evidenced by the record of engagement set out in Appendix A.

##### **Matters of Soundness**

- 4.2 There is agreement with respect to the following matters:
- The plan takes a positive approach to the historic environment and highlights the varying, and special, character of Charnwood.
  - The evidence base for the assessment of sites is appropriate and sufficient to justify the selection of sites.
  - The identification of potential areas for solar farms and wind energy is appropriate and justified.
  - Matters of disagreement that will be the subject of further discussion have been identified below, but in other respects the Local Plan satisfies the tests of soundness in respect of the historic environment.

#### **5. MATTERS OF DISAGREEMENT**

- 5.1 Historic England has made two suggestions for textual changes, which in its view are required to make the plan sound in relation to buried archaeology.
- The environmental section of Policy DS1 (Development Strategy) should include specific reference to the historic environment and therefore be amended to read 'should conserve and enhance the natural, built and historic environment'.
  - Paragraph 3.84 within the place-based policy for the Loughborough Urban Centre should include specific reference to the historic environment and therefore be amended to read 'should conserve and enhance the natural, built and historic environment'.
- 5.2 While the Council believes that the issues raised do not affect that the overall soundness of the Development Strategy and Loughborough Urban Centre policies taken as a whole, it is open to improvements to wording as set out in Appendix B.

## 6. MATTERS FOR FURTHER DISCUSSION

6.1 The Council and Historic England are open to further discussion on the matters of disagreement identified in section 5

## 7. GOVERNANCE

7.1 In terms of governance arrangements the two parties agree to:

- undertake further discussions in relation to the textual changes suggested by Historic England;
- remain committed to work closely together in relation to strategic issues;
- review and update this statement in light of any material change in circumstances;
- adopt positive principles of co-operation.

## 8. SIGNATORIES TO THE STATEMENT

Signed on behalf of Historic England	Signed on behalf of Charnwood Borough Council
	
Name: Rosamund Worrall	Name: Richard Bennett
Position: Team Leader (Development Advice) Midlands Region	Position: Head of Planning and Regeneration
Date: 19 November 2021	Date: 3 December 2021

## APPENDIX A: JOINT WORKING

The following list is summary of meetings and exchanges of information between Charnwood Borough Council and Historic England. These meetings and exchanges will continue to take place on a regular basis.

Event	Date	Outcomes
Historic England's response to Regulation 18 consultation	27 <sup>th</sup> July 2016	Broad shared understanding of key heritage issues that the plan should address.
Historic England's response to Draft Local Plan consultation	11 <sup>th</sup> December 2019	Shared understanding of areas of agreement and areas of concern in relation to the draft plan.
Exchange by email and phone of draft wording in relation to heritage policy	23 <sup>rd</sup> October to 16 <sup>th</sup> December 2020	Agreement on policy wording for Policy EV8 (Heritage) including reference to heritage constraints in relation to low carbon and renewable energy, sensitive retrofitting of historic buildings and in conservation areas, reference to Neighbourhood Plans and ensuring compliance with paragraphs 189 and 190 of the NPPF.
Meeting between Historic England and Charnwood Borough Council	21 <sup>st</sup> December 2020	Agreement in relation to provision of further information in relation to site selection process.
Provision of information by Charnwood Borough Council relating to site selection process and heritage mitigation for proposed allocations	1 <sup>st</sup> February 2021	Shared understanding of role of heritage evidence in site selection process. Shared understanding of how evidence used to undertake assessments of potential harm and identify potential mitigation.
Meeting between Historic England and Charnwood Borough Council	24 <sup>th</sup> June 2021	Confirmation of suitability of wording of Policy EV8, reference to heritage constraints in relation to low carbon energy opportunity areas and approach of adding site-specific policies in relation to heritage assets where required. Shared understanding of concerns in relation to archaeological evidence. Shared understanding of carbon embodiment issues in relation to loss of historic buildings.
Historic England's response to Regulation 19 consultation	8 <sup>th</sup> August 2021	Clarification of areas of agreement and areas for further engagement as set out in this statement.

## APPENDIX B: AMENDMENTS

### 1. Policy DS1: Development Strategy

Second paragraph of Environment section

Development proposals should conserve and enhance the ~~built and natural~~ **natural, built and historic** environment, protect biodiversity and mitigate and adapt to climate change in accordance with policies in this plan.

### 2. Loughborough Urban Centre Place-based Policy

Heritage section of reasoned justification

3.84. There are 90 Listed Buildings, 2 Ancient Monuments and 8 conservation areas in Loughborough. Garendon Park, to the west of the town, is a Registered Park and Garden containing many historical features including the Triumphal Arch (Grade I) and the Temple of Venus (Grade II\*). The historic environment in Loughborough is essential in creating a distinctive place in which to live and work and needs to be safeguarded from inappropriate development. It is important that growth in Loughborough is managed carefully to strike a positive balance between safeguarding the natural, ~~and~~ built **and historic** environment and ensuring the future prosperity of the town.