

**The Borough of Oadby and Wigston Submission  
Local Plan 2011 to 2031**

**Statement of Common Ground between Oadby  
and Wigston Borough Council and Historic  
England**

**March 2018**

This Statement of Common Ground (statement) has been prepared jointly by Oadby and Wigston Borough Council (the Council) and Historic England.

The purpose of this statement is to inform the Inspector and other parties about the areas of agreement between the Council and Historic England in relation to the Council's Submission Local Plan.

## **Background**

During the preparation of the Council's Local Plan, Historic England's representations have generally welcomed and supported its content. However, during the Council's most recent Local Plan consultation (Pre-Submission) Historic England, alongside its support, submitted suggestions for possible wording amendments / additions to the Plan.

The specific comments relating to suggested amendments, received from Historic England (comments of support have not been included), and the Council's published responses are outlined in the table below. In summary, the comments related to minor wording clarification; additional wording in relation to heritage assets and their settings; and, the strategic nature of certain policies.

Comment No.	Date comment received	Organisation	<u>Organisation Comment</u>	Council's Initial Response
1	13.12.17	Historic England	<p><u>Key Focus Areas</u></p> <p>Bullet 11 should be updated to include reference to settings in order to reflect the NPPF and ensure a sound plan, such as:- "Conserve and enhance heritage assets and their settings."</p>	<p>Comment noted. The Council is proposing minor modifications to the Local Plan from the comments received from the Historic England for the reasoning set out below.</p> <p>The Council propose to add '<b>and their settings</b>' to bullet 11 of the Key Focus Areas section of the Plan. It is considered that the wording would better reflect that of the NPPF.</p>
2	13.12.17	Historic England	<p><u>The Spatial Objectives, page 25</u></p> <p>Spatial Objective 12: Enhancing local heritage In order to more closely reflect the NPPF and ensure a sound plan, reference to 'settings' should be included and 'preservation' substituted for 'conservation', such as:- "To encourage the enhancement and <b>conservation</b> preservation of historically significant buildings and heritage assets <b>and their</b></p>	<p>Comment noted. The Council is proposing minor modifications to the Local Plan from the comments received from the Historic England for the reasoning set out below.</p> <p>The Council propose to amend the text of Spatial Objective 12 as suggested by Historic England as it is considered that the wording would better reflect that of the NPPF.</p>

			<b>settings, archaeological sites, conservation areas, parks ..."</b>	
3	13.12.17	Historic England	<p><u>Policy 17 Kilby Bridge Settlement Envelope</u></p> <p>Due to the very close proximity of the Grand Union Canal Conservation Area to the south, the inclusion of a key objective for heritage assets within the policy is strongly welcomed. A supporting paragraph outlining the particular importance of the Grand Union Canal Conservation Area would strengthen this policy. The site is within an area of ridge and furrow. Please ensure that the advice of the County Archaeological Advisor is sought.</p>	<p>Comment of support noted.</p> <p>The Council will ensure that if any development is proposed within the Kilby Bridge Settlement Envelope, the County Archaeological Advisor will be consulted for comments.</p> <p>It should be noted, that Local Plan Policy 41 Conservation Areas has more information relating to the Grand Union Canal Conservation Area. The Policy also seeks the conservation and preservation of all of the designated Conservation Areas within the Borough.</p>
4	13.12.17	Historic England	<p><u>Policy 18 Stoughton Grange Direction for Growth</u></p> <p>Development at this location would require very careful design due to the numerous heritage assets nearby, including those within the site and at Evington and Stoughton. Supporting paragraph 7.2.5 is welcomed; reference should also be made to the numerous heritage assets at Evington to the north west and Stoughton to the north east. The policy should be revised to include reference to the other heritage assets and their settings close to the site. Whilst the requirement for a detailed masterplan is welcomed, the need for a detailed Heritage Impact Assessment should be included within the policy.</p> <p><u>Oadby Cemetery Allocation</u> Due to the proximity of the site to the moated grange at Stoughton scheduled monument, the County archaeologist should be consulted.</p>	<p>Comment noted. The Council is proposing minor modifications to the Local Plan from the comments received from the Historic England for the reasoning set out below.</p> <p>The Council proposes to include the need for a Heritage Impact Assessment within Policy 18 Stoughton Grange Direction for Growth upon the advice of Historic England. The Council proposes the following wording in the 1<sup>st</sup> sentence of the 4<sup>th</sup> paragraph (directly below the bullets).</p> <p><i>'Any proposal for development of this growth area will be required to conform to all other relevant policies set out within this Plan and should be accompanied by a Heritage Impact Assessment'.</i></p> <p>The Council will ensure that the County Archaeologist is consulted should a development proposal for the cemetery allocation be submitted to the Council.</p>
5	13.12.17	Historic England	<p><u>Smaller sites</u></p> <p>A site specific policy would be helpful for the following sites due to potential impact upon the significance of heritage assets:-</p> <p><u>Off Long Street</u></p>	<p>Comment noted. No proposed change to the Local Plan document for the reasoning set out below.</p> <p>All development proposals on the 'smaller site' allocations will need to conform to relevant policies set out within the</p>

			<p>The site is within The Lanes Conservation Area, with numerous other heritage assets within the vicinity including Grade I and II* Listed buildings. As such, the development will require particularly careful design in relation to heritage assets; a site specific policy would help to ensure this.</p> <p><u>Off Station Street</u></p> <p>The site is within South Wigston Conservation Area, with other heritage assets close by, including the Grade II* Church of St Thomas. The office section of the depot, an attractive feature within the Conservation Area, should be incorporated into the scheme if possible – a site specific policy is therefore suggested.</p>	<p>Local Plan. Due to the location of the Long Street and Station Street allocations, both Local Plan Policy 40 Culture and Historic Environment Assets and Local Plan 41 Development in Conservation Areas will apply. The Council considers that these policies provide sufficient wording for the management, conservation and enhancement of heritage assets and their settings for any development proposed within such locations.</p>
6	13.12.17	Historic England	<p><u>Culture and Historic Environment Assets</u></p> <p>The inclusion of the 'List of locally significant buildings' is strongly welcomed within Appendix 3 together with its' link to policy 40. Policy 41 is also strongly welcomed, and in particular 'new shop fronts and advertisements in Conservation Areas'.</p> <p>The policies should be strategic and this should be made clear within the Local Plan, in order to comply with the NPPF. Paragraph 156 of the NPPF stresses that Local Plans should include strategic policies to deliver conservation and enhancement of the historic environment.</p>	<p>Comment of support noted.</p> <p>Paragraph 156 of the NPPF states that local planning authorities should set out strategic priorities for the area in the Local Plan and this should include strategic policies. The Council considers that both Local Plan Policy 40 Culture and Historic Environment Assets and Local Plan 41 Development in Conservation Areas are strategic in nature, however that they have specific elements to them, for example new shop fronts and advertisements within the conservation area. With the Local Plan being the predominate planning policy document for all development within the Borough up to 2031, the Council considers it appropriate to incorporate more locally specific policy elements within the two policies mentioned.</p>

### Current situation

Since the submission of the Local Plan to the Planning Inspectorate, the Council has been working closely with Historic England. The following paragraphs set out the amendments and matters on which both the Council and Historic England agree.

### **Historic England comment 1**

#### *Key Focus Areas*

*Bullet 11 should be updated to include reference to settings in order to reflect the NPPF and ensure a sound plan, such as:- "Conserve and enhance heritage assets and their settings."*

#### **Initial Council response**

*Comment noted. The Council is proposing minor modifications to the Local Plan from the comments received from the Historic England for the reasoning set out below.*

*The Council propose to add **'and their settings'** to bullet 11 of the Key Focus Areas section of the Plan. It is considered that the wording would better reflect that of the NPPF.*

Both the Council and Historic England are in agreement with the amendment as stated above. The amendment was included within the Council's submitted Schedule of Minor Changes (Mi4).

### **Historic England comment 2**

#### *The Spatial Objectives, page 25*

#### *Spatial Objective 12: Enhancing local heritage*

*In order to more closely reflect the NPPF and ensure a sound plan, reference to 'settings' should be included and 'preservation' substituted for 'conservation', such as:- "To encourage the enhancement and **conservation** ~~preservation~~ of historically significant buildings and heritage assets and their settings, archaeological sites, conservation areas, parks ..."*

#### **Initial Council response**

Comment noted. The Council is proposing minor modifications to the Local Plan from the comments received from the Historic England for the reasoning set out below.

The Council propose to amend the text of Spatial Objective 12 as suggested by Historic England as it is considered that the wording would better reflect that of the NPPF.

Both the Council and Historic England are in agreement with the amendment as stated above. The amendment was included within the Council's submitted Schedule of Minor Changes (Mi6).

### **Historic England comment 3**

#### *Policy 17 Kilby Bridge Settlement Envelope*

*Due to the very close proximity of the Grand Union Canal Conservation Area to the south, the inclusion of a key objective for heritage assets within the policy is strongly welcomed. A*

*supporting paragraph outlining the particular importance of the Grand Union Canal Conservation Area would strengthen this policy. The site is within an area of ridge and furrow. Please ensure that the advice of the County Archaeological Advisor is sought.*

### **Initial Council response**

*Comment of support noted.*

*The Council will ensure that if any development is proposed within the Kilby Bridge Settlement Envelope, the County Archaeological Advisor will be consulted for comments.*

*It should be noted, that Local Plan Policy 41 Conservation Areas has more information relating to the Grand Union Canal Conservation Area. The Policy also seeks the conservation and preservation of all of the designated Conservation Areas within the Borough.*

### **Further Council response**

To ensure that the Conservation areas and heritage assets that are situated within the Borough have sufficient importance, the Council proposes to add additional minor wording to paragraphs 2.4.5 and 2.4.6 of the Submission Local Plan. The Council is proposing the following minor wording:

*2.4.5 In total, there are 10 Conservation Areas which are influential in maintaining the townscape and landscape of the Borough. Nine of these were designated by Oadby and Wigston Borough Council and benefit from individual Conservation Area Appraisals and a Conservation Area Supplementary Planning Document. The other area, the Grand Union Canal Conservation Area was designated by Leicestershire County Council. **Each of the conservation areas are extremely important and are designated due to their special architectural and / or historic interest. Each conservation area contributes to the Borough's varied and distinctive landscape character. It is imperative that these areas are conserved and enhanced for future populations to enjoy. In addition to the 10 Conservation areas, there are currently 37 listings of Listed Buildings and Structures situated in the Borough. There are currently no identified Buildings at Risk. There are a number of parks within the Borough that are home to equipped children's play and sports facilities, such as football and cricket pitches.***

*2.4.6 In addition to the above, there are areas of archaeological importance, as well as a number of non designated heritage assets, for example locally listed buildings. **Although not nationally designated, locally listed buildings are as important to the local historic landscape and heritage of the Borough. The Borough Council recognises their importance locally, and will seek to conserve and enhance these heritage assets. There are currently a number of locally listed buildings within the Borough, which are illustrated within Appendix 3 of this Plan.***

In addition to minor wording amendments to paragraph 2.4.5 and 2.4.6, the Council would propose minor additional wording to paragraph 7.1.2.



7.1.2 *Within the proposed Settlement Envelope (as illustrated in the Council's Adopted Policies Map), small scale regeneration masterplans should be prepared for any proposed development and should take account of the local environs, including The Grand Union Canal, Limeselves Site of Special Scientific Interest, Barn Pool Meadow Local Wildlife Site and its associated Regionally Important Geological Site and linkages between the Wigston Direction for Growth and Kilby Bridge. **It is extremely important that such assets are conserved and enhanced where possible. The Grand Union Canal's designation comprises the canal and all canal related facilities, including towpaths, boatsheds, wharfs, mileposts, bollards, local keeper's cottages, ponds and clay pits.***

Both the Council and Historic England are in agreement with the amendment as stated above.
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#### **Historic England comment 4**

##### Policy 18 Stoughton Grange Direction for Growth

*Development at this location would require very careful design due to the numerous heritage assets nearby, including those within the site and at Evington and Stoughton. Supporting paragraph 7.2.5 is welcomed; reference should also be made to the numerous heritage assets at Evington to the north west and Stoughton to the north east. The policy should be revised to include reference to the other heritage assets and their settings close to the site. Whilst the requirement for a detailed masterplan is welcomed, the need for a detailed Heritage Impact Assessment should be included within the policy.*

##### Oadby Cemetery Allocation

*Due to the proximity of the site to the moated grange at Stoughton scheduled monument, the County archaeologist should be consulted.*

#### **Initial Council response**

*Comment noted. The Council is proposing minor modifications to the Local Plan from the comments received from the Historic England for the reasoning set out below.*

*The Council proposes to include the need for a Heritage Impact Assessment within Policy 18 Stoughton Grange Direction for Growth upon the advice of Historic England. The Council proposes the following wording in the 1<sup>st</sup> sentence of the 4<sup>th</sup> paragraph (directly below the bullets).*

- *'Any proposal for development of this growth area will be required to conform to all other relevant policies set out within this Plan **and should be accompanied by a Heritage Impact Assessment**'.*

*The Council will ensure that the County Archaeologist is consulted should a development proposal for the cemetery allocation be submitted to the Council.*

### **Further Council Response**

In addition to the Council's initial wording amendment to Policy 18, the Council would propose a minor amendment to paragraph 7.2.5 of the Submission Local Plan to reflect the importance of heritage assets beyond the Borough's boundary. The proposed amendment is shown below.

*7.2.5 The growth area is also adjacent to a number of privately owned buildings that have statutory listings. Grange Cottage, Lodge Cottage and South Lodge are all Grade II listed buildings. To the north east of the site in Harborough District is Stoughton Conservation Area, a scheduled monument and numerous Listed Buildings. **There are also other heritage assets at Evington to the north west and Stoughton to the north east** These heritage assets will need to be taken into account and protected through any proposed development of the growth area.*

<p><u>Both the Council and Historic England are in agreement with the amendment as stated above. The initial amendment was included within the Council's submitted Schedule of Minor Changes (Mi19).</u></p>
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### **Historic England comment 5**

#### **Smaller sites**

*A site specific policy would be helpful for the following sites due to potential impact upon the significance of heritage assets:-*

#### **Off Long Street**

*The site is within The Lanes Conservation Area, with numerous other heritage assets within the vicinity including Grade I and II\* Listed buildings. As such, the development will require particularly careful design in relation to heritage assets; a site specific policy would help to ensure this.*

#### **Off Station Street**

*The site is within South Wigston Conservation Area, with other heritage assets close by, including the Grade II\* Church of St Thomas. The office section of the depot, an attractive feature within the Conservation Area, should be incorporated into the scheme if possible – a site specific policy is therefore suggested.*

### **Initial Council response**

*Comment noted. No proposed change to the Local Plan document for the reasoning set out below.*



*All development proposals on the 'smaller site' allocations will need to conform to relevant policies set out within the Local Plan. Due to the location of the Long Street and Station Street allocations, both Local Plan Policy 40 Culture and Historic Environment Assets and Local Plan 41 Development in Conservation Areas will apply. The Council considers that these policies provide sufficient wording for the management, conservation and enhancement of heritage assets and their settings for any development proposed within such locations.*

<p><u>Both the Council and Historic England are in agreement with the amendment as stated above.</u></p>
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### **Historic England comment 6**

#### **Culture and Historic Environment Assets**

The inclusion of the 'List of locally significant buildings' is strongly welcomed within Appendix 3 together with its' link to policy 40. Policy 41 is also strongly welcomed, and in particular 'new shop fronts and advertisements in Conservation Areas'.

The policies should be strategic and this should be made clear within the Local Plan, in order to comply with the NPPF. Paragraph 156 of the NPPF stresses that Local Plans should include strategic policies to deliver conservation and enhancement of the historic environment.

#### **Initial Council response**

*Comment of support noted.*

*Paragraph 156 of the NPPF states that local planning authorities should set out strategic priorities for the area in the Local Plan and this should include strategic policies. The Council considers that both Local Plan Policy 40 Culture and Historic Environment Assets and Local Plan 41 Development in Conservation Areas are strategic in nature, however that they have specific elements to them, for example new shop fronts and advertisements within the conservation area. With the Local Plan being the predominate planning policy document for all development within the Borough up to 2031, the Council considers it appropriate to incorporate more locally specific policy elements within the two policies mentioned.*

#### **Further Council response**

In response to the comment relating the strategic nature of the policies, it is proposed that an additional paragraph be added within the supporting text to both Policy 40 and Policy 41 of the Submission Local Plan. The additional paragraph will set out how paragraph 184 and 185 of the NPPF would relate to Policy 40 and Policy 41 should the NPPF paragraphs ever be applied in the future. The wording below will apply to both (new) paragraphs 10.4.5 and 10.5.6.

**'This Local Plan policy is strategic in nature and should there ever be a relevant Neighbourhood Plan produced, any policies contained within the Neighbourhood Plan will be required to be in conformity with this Local Plan policy.'**

Within the Council's responses to the Inspector's Initial Comments and Questions document, the Council proposed the following changes to Submission Local Plan Policy 40 Culture and Historic Assets to better reflect national planning policy and guidance.

*Policy 40, paragraph 1 – 'The Council will ~~seek to~~ conserve and enhance the Borough's unique cultural identity, as well as its significant heritage and historic character through the identification and protection of designated and non-designated heritage assets.'*

*Policy 40, paragraph 4 – 'All development proposals should ~~seek to~~ safeguard, conserve or enhance both designated and non-designated heritage assets and their settings, as well as the character and setting of areas of acknowledged significance.'*

*Policy 40, paragraph 3 – '...Rutland Historic Environment Record will be taken into account when development proposals are being ~~considered~~ **determined**. The Council's Conservation Area Supplementary Planning Document and specific Conservation Area Appraisals will also be taken account of when development proposals are being ~~considered~~ **determined**.'*

In addition to the above, the Council would propose the following wording amendments / additions;

- Move the (current) 2<sup>nd</sup> paragraph and 4<sup>th</sup> paragraph of the Policy wording into a new supporting text paragraph (10.4.5).

**'10.4.5 Both, the Leicestershire, Leicester and Rutland Historic Landscape Characterisation, as well as the Leicestershire and Rutland Historic Environment Record will be taken into account when development proposals are being determined. The Council's Conservation Area Supplementary Planning Document and specific Conservation Area Appraisals will also be taken account of when development proposals are being determined. Development should respect and respond proportionately to non-designated heritage assets and their settings, where possible, avoiding their loss or damage. The degree of protection afforded to a heritage asset will reflect its level of historic value or significance.'**

- Additional wording to the (current) 5<sup>th</sup> paragraph of the Policy wording.

*'Where development is likely to have a significant adverse impact on designated heritage assets and their settings **and / or non designated heritage assets and their settings, and / or other historic / heritage character areas**, and cannot be avoided or they cannot be preserved in situ, the development will not be permitted, unless there are substantial public benefits, which outweigh that harm or loss.'*

The Council is not seeking to propose amendments to Submission Local Plan Policy 41 Development in Conservation Areas.

Both the Council and Historic England are in agreement with the amendment as stated above.

**Signed on behalf of Oadby and Wigston Borough Council**

Name and Position	Signature	Date
Adrian Thorpe Head of Planning, Development and Regeneration		3 April 2018

**Signed on behalf of Historic England**

Name and Position	Signature	Date
Emilie Carr Historic Environment Planning Adviser, Historic England		28 March 2018