

Matter 11 Built and Historic Environment

Issue – Whether the approach towards the built and historic environment is justified, effective and consistent with national policy?

Relevant Policies: BE1PU; BE2PU; BE3PU; BE4PU; BE5PU; BE6PU

Heritage Assets (Policies BE1PU; BE2PU; BE3PU; BE4PU)

11.1 Does Policy SP BE1PU provide an effective strategic framework for the protection and enhancement of heritage assets? Is the policy sufficiently locally distinctive?

11.1.1 Policy BE1 provides a strategic framework for the protection and enhancement of heritage assets in Copeland. This is a key requirement for a Local Plan to be in accordance with the NPPF, in particular paragraph 190 which states that “Plans should set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats.” This strategic policy informs and guides the more specific non-strategic policies that protect and enhance the historic environment in the Copeland Local Plan.

11.1.2 The policy is locally distinctive as it highlights a number of heritage assets that make Copeland unique. The policy will be improved through suggested Main Modification MA-LP161 which will link the policy to the earlier supporting text where further elements of Copeland’s historic environment are discussed in detail. This approach has been supported by Historic England and will ensure the policy is sufficiently locally distinctive.

11.2 Does Policy BE2PU provide an effective basis for the consideration of development proposals which affect designated heritage assets? Is it justified and consistent with national policy?

11.2.1 Copeland contains a wealth of heritage assets which must be preserved and where possible enhanced. Policy BE2 is justified as it ensures the Council meets its duties under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Evidence (Heritage Impact Assessment – EB27) also shows that there is potential for a number of the proposed site allocations to have adverse impacts upon the historic environment. This evidence should be considered when identifying harm and mitigation.

11.2.2 The policy is effective as it clearly sets out how applications which effect heritage assets will be determined.

11.2.3 Policy BE2 is consistent with national policy, in particular paragraphs 194 to 202 of the NPPF (not replicated here due to their length).

11.3 Does Policy BE3PU provide an effective basis for the consideration of development proposals which affect archaeological interests? Is it justified and consistent with national policy?

11.3.1 There are many areas of known and unknown archaeological interest within Copeland which are important to help us understand the human past. Policy BE3 is justified as it will help ensure that such remains are not lost or damaged through new development.

11.3.2 The policy is effective as it sets out what is required from developers when dealing with proposals which may affect archaeological interests. It provides a guarantee that relevant archaeological heritage will be taken into consideration for all appropriate planning permissions.

11.3.3 Policy BE3 is consistent with national policy, in particular paragraph 194 of the NPPF which states that:

“Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.”

11.4 Does Policy BE4PU provide an effective basis for the consideration of development proposals which affect non-designated heritage assets? Is it justified and consistent with national policy?

11.4.1 Non-designated heritage assets have a degree of significance and are often highly valued by local communities. Policy BE4 is effective as it clearly sets out what is required from developers in terms of considering the harm development may cause to the significance of such assets and their setting. It also requires measures to be put in place as mitigation where the loss of part or whole of the assets is accepted.

11.4.2 The policy is justified as it enables the Council to meet its duties under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Evidence (Heritage Impact Assessment – EB27) also shows that there is potential for a number of the proposed site allocations to have adverse impacts upon the historic environment. This evidence should be considered when identifying harm and mitigation.

11.4.3 Policy BE4 is consistent with national policy, particularly paragraphs 203 and 204 which state the following (respectively):

“The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.”

“Local planning authorities should not permit the loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred.”

Shopfronts (Policy BE5PU)

11.5 Is Policy BE5PU justified, effective and consistent with national policy?

- 11.5.1 Poorly designed shopfronts can have a negative impact on the street-scene. The policy is justified as it ensures that any new shopfronts are appropriate to their setting in order to reduce harm.
- 11.5.2 The policy is effective as it clearly sets out what factors should be considered when designing new shopfronts. It also draws developers attention to the Shopfront Design Guide SPD.
- 11.5.3 The policy accords with national policy, in particular paragraph 28 which allows authorities to produce policies which establish design principles and paragraph 130a-d which states:
“Planning policies and decisions should ensure that developments:
a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit...”

Advertisements (Policy BE6PU)

11.6 Is Policy BE6PU justified, effective and consistent with national policy?

- 11.6.1 The PPG¹ recognises that certain forms of advertisements have the capacity to cause harm to both amenity and safety. Inappropriate lighting can also result in light pollution which can be harmful to biodiversity and health and well-being. As such, Policy BE6 is justified as it requires advertisements to meet criteria to be considered acceptable.
- 11.6.2 Policy BE6 is considered to be effective as it clearly sets out the criteria proposals for advertisements will be judged against. This will ensure that such developments can proceed without causing rise to the adverse effects listed above.
- 11.6.3 The policy accords with national policy, in particular paragraph 136 which states:
“The quality and character of places can suffer when advertisements are poorly sited and designed. A separate consent process within the planning system controls the display of advertisements, which should be operated in a way which is simple, efficient and effective. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.”

¹ PPG: “Advertisements”.