

Copeland Local Plan 2021-2038

Statement of Common Ground between Copeland Borough Council and Historic England

Introduction

This Statement of Common Ground has been prepared jointly between Copeland Borough Council (CBC) and Historic England (HE). HE are the public body that helps people to care for, enjoy and celebrate England's historic environment.

The purpose of a Statement of Common Ground is to set out the confirmed agreements and disagreements with regard to strategic cross- boundary issues surrounding the Copeland Local Plan. This is the result of early, meaningful and continuous engagement between the Local Planning Authority and statutory consultees and key stakeholders in the Local Plan process.

The statement is intended to assist the Inspectors during the examination of the Copeland Local Plan to show where effective co-operation and agreement on key issues has taken place. For more information on how Copeland Borough Council has engaged with key stakeholders throughout the Local Plan preparation process, please see the Duty to Co-operate statement.

Appendix A provides a full breakdown of Historic England's response to the Copeland Local Plan Publication Draft consultation and CBC's response to this. This approach has been agreed by the two organisations.

Copeland Borough Council and Historic England agree the following:

1. Consultation and engagement has been undertaken in accordance with the Statement of Community Involvement and has provided adequate opportunity for Historic England to get involved with the development of the Plan and the Integrated Assessment (incorporating Sustainability Appraisal, Strategic Environmental Assessment and Health Impact Assessment).
2. Copeland Borough Council has a duty to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it has under s.66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. Considerable weight should be given to this Duty under the NPPF and this requirement is clearly set out within the Local Plan.
3. The Local Plan sets out a positive strategy for the conservation and enjoyment of the historic environment and policies within it relating to the historic environment support those found within the NPPF.
4. The Local Plan, through the Site Profile document which forms Appendix F and the Heritage Impact Assessment refers to identifies where the proposed allocations would cause potential harm to the significance of heritage assets, what mitigation is required and also identifies opportunities to better reveal heritage assets where they exist

5. The Local Plan, following the proposed modifications (should they be accepted by the Inspector), identifies the key elements of the historic environment that makes Copeland unique.
6. There has also been adequate opportunity for Historic England to comment on and feed into the Heritage Impact Assessment (HIA). Historic England agrees with the findings of the HIA.

Signed on behalf of CBC

Name and Position: Chris Hoban, Strategic Planning Manager

Signature: 

Date: 02/08/2022

Signed on behalf of Historic England

Name and Position: Emily Hrycan, Historic Environment Planning Adviser

Signature: 

Date: 04/08/2022

Appendix A: CBC response to HE Publication Draft Comments

Please note that whilst CBC can put forward suggested main and minor modifications to policies and sites in the Local Plan Publication Draft at the time it is submitted to the Planning Inspectorate, these may or may not be taken forward by the Inspector. If they are taken forward, they will be subject to a public consultation during the Examination in Public.

Key: Proposed additional wording in bold, proposed deletion in ~~strike through~~, notes in *italics*

Historic England Comments on Copeland Local Plan Publication Draft and Suggested CBC Modifications						
Page	Section	Sound/ Unsound	Comments	Suggested Change by HE	Modification Proposed	Historic England Response
1	1.1.1	Unsound	This paragraph provides an overarching position on the area yet fails to refer to its historic environment and its unique identity and character. This contributes to making it one of the attractive places that the document identifies. Therefore, in line with the NPPF with regards a positive strategy for the historic environment, reference to this should be included here. This would also, ensure that in providing a robust context – it sets the scene for the rest of the Plan (including that contained in the vision).	Insert reference to the distinctive historic environment	<i>Modification proposed:</i> With our beautiful beaches, unique historic environment , stunning natural landscapes....	agree
15	Vision	Sound	We support the vision which seeks to enhance and promote the cultural heritage of Copeland.	None	<i>Noted</i>	-
17	Strategic Objectives - Landscapes and Built Heritage	Sound subject to minor amendment	We welcome the proposed objective support the objective which provides a clear intention for the conservation and enhancement of Copeland’s built heritage. However, the historic environment is not just ‘built assets’ and it is suggested to ensure that all elements are covered that built be deleted and just include heritage in the title and supporting text	The title be amended to read ‘Landscapes and heritage’ Line one to delete reference to ‘built’	<i>Modification proposed:</i> <i>title amended as suggested:</i> Landscapes and Built Heritage	Agree

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Page	Section	Sound/Unsound	Comments	Suggested Change by HE	Modification Proposed	Historic England Response
19	4 Spatial Portrait	Unsound	There is no mention of the historic environment within the spatial portrait. The historic environment makes an important contribution to the area, and reference should be included within this part of the plan, so that it is treated equally with all other matters, as required in the NPPF.	The spatial portrait should be amended to include some information on the historic environment.	<p><i>Modification proposed:</i></p> <p><i>Additional sentence at 4.1.3:</i></p> <p>The borough also has a wealth of heritage assets, many of which are located within its towns and villages and provide a sense of place and civic pride. These include evidence of Roman and Viking activity such as the Roman Fort at Parton which forms part of the Frontiers of the Roman Empire (Hadrian’s Wall) World Heritage Site, remnants of the borough’s industrial history and examples of fine Georgian architecture in Whitehaven’s town centre.</p>	Agree
29	Strategic Policy	Sound	We welcome reference within the policy on the sustainable reuse of resources. In addition, we also support the need for	None	<i>Noted</i>	-

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	DS2PU: Reducing the impacts of development on climate change		proposals to make efficient use of land and encouraging the reuse and refurbishment of existing buildings and previously developed land.			
39	Strategic Policy DS3PO Settlement Boundaries	Unsound	The NPPF requires plans to put forward a positive strategy for the historic environment. Development beyond established settlement boundaries can harm the historic environment and also settlement character and the wider landscape. The policy as drafted does not include reference to this, and therefore, there is a risk that these proposals may cause harm. It is recommended that an additional bullet be inserted.	An additional bullet be inserted: <i>d) There is no harm to the historic environment, landscape and settlement character.</i>	<i>Modification proposed to DS4PU (formerly DS3PO):</i> ...and d) The development accord with other relevant policies in the Local Plan	Agree
47	6.4.7 Protecting Heritage	Unsound	We welcome recognition that heritage is an important element of Copeland's built environment. It is unclear why only reference to conservation area design guides is included when this is only a small part of the historic environment. It is suggested that this be expanded given it represents a summary of the standards expected on new developments.	The paragraph should be expanded to make it clear that it is not just conservation area design guides that need to be considered in proposals for new development.	<i>Modification proposed to para 6.4.7.</i> Further information regarding these Guides, and other relevant documents which should be considered when determining applications that affect the historic environment, can be found	Agree

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					<p>within the Built Environment chapter.</p> <p><i>Also link to the heritage evidence document also added to Heritage Chapter (para 16.4.1)</i></p>	
47	6.4.9 Reuse of buildings	Sound	We welcome the promotion of the reuse of buildings and the need to ensure that they are suitably adapted in line with their design and construction.	None	<i>Noted</i>	-
48	Policy DS6PU: Development and Design Standards	Sound	We welcome the content of the policy including particular reference to ensuring new development creates and enhances locally distinctive places.	None	<i>Noted</i>	-
67	Policy E2PU Location of Employment	Unsound	<p>The NPPF expects that development proposals should avoid harm to the historic environment, where this is not possible it is expected that proposals include mitigation measures and/or opportunities for enhancement.</p> <p>The policy as drafted includes a list of impacts which will require mitigation measures. The proposed list excludes reference to the historic environment/heritage assets. The historic environment is given equal weight in the NPPF as</p>	<p>An additional bullet be included to say:</p> <p><i>Impact on the historic environment and heritage assets.</i></p>	<p><i>Modification proposed: Policy E2PU (additional bullet after impact on biodiversity bullet)</i></p> <p>Impact on the historic environment and heritage assets.</p>	<p>Should there be a modification proposed here?</p> <p>CBC July 22: Now added to</p>

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			<p>other matters and therefore, the policy should be amended to include an additional bullet point in the list.</p> <p>This amendment will ensure that the historic environment is considered in any mitigation measures put forward and also ensure it is in accordance with the requirements of the NPPF.</p>			modification table
75	Policy E5PU Employment Sites and Allocations		<p>The NPPF makes it clear that the significance of heritage assets can be harmed through development including within their setting.</p> <p>The policy itself contains a list of employment allocations. Some of these allocations have the potential to harm the historic environment. The Council have produced a series of heritage impact assessments to accompany their inclusion. These can be found in the supporting evidence base. We have provided specific comments on their content for individual sites within this policy (see below). Appendix F of the Plan contains the housing allocation profiles but the Appendix contains no profiles for employment allocations.</p> <p>In terms of Policy E5PU Employment Sites and Allocations, the policy does little to guide developers as to what is required in order to develop individual sites that form part of this policy. We would expect the policy to highlight that development needs to be in accordance with the requirements contained within the Site Allocation Profiles of Appendix F. Yet there does not appear to be any profiles for</p>		<p><i>Modification proposed at paragraph 7.8.5:</i> Developers should give consideration take into account the to the Council’s Heritage Impact Assessment that supports the Local Plan. This document identifies where there may be harm caused to nearby heritage assets through development and proposes mitigation measures. Where there is likely harm identified developers will be required to build upon this document with a detailed site specific HIA in accordance with policy BE1PU</p>	<p>See proposed change – change now made</p> <p>CBC July 22: Proposed modification updated as suggested</p>

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			<p>employment sites. It is important to note that some of the content of the HIA's should be embedded within the profiles to ensure compliance with any mitigation measures. Therefore, without any profiles, any proposed mitigation measures and design requirements to reduce the harm to heritage assets are not a requirement for the site allocation and development.</p> <p>Without this, the Policy and the individual sites included within the Policy are unable to demonstrate that they can be developed without harm to the historic environment and therefore, without this the Plan does not put forward a positive strategy for the historic environment as required by the NPPF.</p>			
75	ES5 Haig Business Park, Whitehaven	Unsound	<p>The site allocation has the potential to affect a number of heritage assets including a scheduled monument.</p> <p>The NPPF considers Scheduled Monuments to be of the highest significance and any substantial harm to or loss of these designated assets (including setting) should be wholly exceptional.</p> <p>The NPPF considers that any substantial harm to the significance or loss of a Grade II listed heritage asset (including setting) should be exceptional.</p>	See comments for amendments	<i>HIA has been reviewed and updated in light of comments.</i>	

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			<p>There is a requirement in the Town and Country Planning Act 1990 that “special regard” should be had to the desirability to preserving listed buildings and their setting or any features of special architectural or historic interest which they possess.</p> <p>Therefore, before allocating the site there will need to be some evaluation of the impact the development of the site might have upon those elements that contribute to the significance of the heritage assets including their setting. The assessment of the historic environment should be undertaken for all sites prior to their inclusion in the Plan to inform their suitability as an allocation, to provide evidence of the impact on the historic environment and put forward mitigation measures to minimise harm.</p> <p>The HIA (Page 27) does not provide a robust assessment of the significance of the heritage assets. Without this assessment, the Plan cannot demonstrate that the principle of development and the quantum (numbers) can be achieved on the site without harm to the historic environment.</p> <p>The Appendix does not include any profiles of employment sites to guide the development of them. The Plan in including such sites is setting the principle of development and they should be treated in the same way as other sites. Without this detail, the Plan does not provide any guidance to develop the</p>			

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			<p>site and embed any mitigation/enhancement measures for the historic environment.</p> <p>In view of our comments on the site allocation, HIA and profiles we object to the proposed allocation and consider it unsound as it is contrary to the requirements of the NPPF in terms of the historic environment.</p>			
76	Policy E6PU: Opportunity Sites	Unsound	<p>Appendix C contains a list of opportunity sites related to this policy. We have provided a response to some sites (see relevant section of this table).</p> <p>In terms of Policy H6PU Opportunity Sites, the policy does not guide developers as to what is required in order to develop individual sites that form part of this policy. In the absence of site profiles for these sites, we would expect the policy to highlight that development needs to be in accordance with the requirements contained within the HIA. However, it is important to note that we are concerned with the assessment contained within the HIAs (see site specific comments).</p> <p>Without this site profiles, incomplete HIAs and the content of the policy the Plan is unable to demonstrate that the sites can be developed without harm to the historic environment and therefore, without this the Plan does not put forward a positive strategy for the historic environment as required by the NPPF.</p>	See comments for suggested amendments.	<p><i>Modification proposed at paragraph 7.9.5:</i> Developers should <u>give consideration to take into account</u> the Council's Heritage Impact Assessment that supports the Local Plan. This document identifies where there may be harm caused to nearby heritage assets through development and proposes mitigation measures. Where there is likely harm identified developers will be required to build upon this document with a detailed site specific HIA in</p>	<p>See change – change now made</p> <p>CBC July 22: Proposed modification updated as suggested</p>

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					<p>accordance with policy BE1PU</p> <p><i>HIA to be reviewed and updated in light of comments.</i></p>	
80	RE1PU Agricultural Buildings	Unsound	<p>The NPPF requires that proposals for development should sustain and enhance heritage assets and any harm to their significance including setting should be avoided.</p> <p>The policy as drafted refers to a wide variety of considerations and not heritage assets. New agricultural buildings can impact on the setting of heritage assets and therefore, reference should be included within Bullet C.</p> <p>This will ensure that the Plan puts forward a positive strategy for the conservation and enhancement of the historic environment.</p>	<p>Bullet c be amended to include reference to:</p> <p>Heritage assets</p>	<p><i>Modification proposed:</i></p> <p>The building is of a scale, form and design which is appropriate to the location and will not result in adverse visual impacts, or unacceptable adverse harm to the landscape character or heritage assets.</p> <p><i>A definition of unacceptable harm will be added to the Local Plan Glossary</i></p>	Agree
81	Policy RE2PU Equestrian Related	Unsound	<p>The NPPF requires that proposals for development should sustain and enhance heritage assets and any harm to their significance including setting should be avoided.</p>	<p>Second to last paragraph should be amended to include reference to:</p> <p>Heritage assets</p>	<p><i>Modification proposed:</i></p> <p>All development must be of a scale, form and design appropriate to the location</p>	Agree

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	Development		<p>The policy as drafted refers to a wide variety of considerations and not heritage assets. New equestrian related development can impact on the significance of heritage assets and therefore, reference should be included within second to last paragraph of the policy.</p> <p>This will ensure that the Plan puts forward a positive strategy for the conservation and enhancement of the historic environment.</p>		<p>and will not result in adverse visual impacts or unacceptable adverse harm to the landscape character or heritage assets.</p> <p><i>A definition of unacceptable harm will be added to the Local Plan Glossary</i></p>	
85	Policy CC1PU: Large Scale Energy Developments,	Sound	Historic England supports the Policy.	None	<i>Noted</i>	-
87	Policy CC2PU: Wind Energy Developments	Unsound	<p>The NPPF requires that Plans put forward a positive strategy for the conservation and enhancement of the historic environment. Wind Energy developments can have substantial impacts on heritage assets that are not just in a local area.</p> <p>Whilst the policy refers to heritage assets and their setting, additional text needs to be inserted to ensure the Outstanding Universal Value of the two World Heritage Sites within the borough is adequately protected. Whilst the plan</p>	<p>Add additional bullet point:</p> <p>The Outstanding Universal Value of the English Lake District World Heritage Site and the Frontiers of the Roman Empire (Hadrian's Wall) World Heritage Site.</p>	<p><i>Modification Proposed:</i></p> <p><i>Additional bulletpoint to be added as requested.</i></p>	agree

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			area lies beyond the boundary of the English Lake District World Heritage Site, structures such as wind turbines are capable of substantial harm to its setting, particularly from cumulative impacts.			
109	Policy R3PU: Whitehaven Town Centre	Sound	Historic England supports this policy.	None	<i>Noted</i>	-
114	Policy R4PU The Key Service Centres	Sound	Historic England supports this policy	None	<i>Noted</i>	-
115	RS5PU Retail and Service provision in rural areas	Unsound	<p>The NPPF requires that proposals for development should sustain and enhance heritage assets and any harm to their significance including setting should be avoided.</p> <p>The policy as drafted refers to a number of considerations in the section on open countryside but not heritage assets. Farm diversification and retail and leisure schemes can harm heritage assets and therefore, reference should be included within Bullet B.</p> <p>This will ensure that the Plan puts forward a positive strategy for the conservation and enhancement of the historic environment.</p>	<p>Open Countryside Bullet B be amended to include:</p> <p>Heritage assets</p>	<p><i>Modification proposed, Criterion B amended as follows:</i></p> <p>The development would not lead to unacceptable harm to biodiversity assets or heritage assets</p>	Agree

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127	Policy T1PU Tourism development	Unsound	<p>The NPPF requires that proposals for development should sustain and enhance heritage assets and any harm to their significance including setting should be avoided.</p> <p>The policy (paragraph 2) fails to refer to heritage assets. Tourism development can impact on heritage assets and therefore, reference should be included the last line of the policy</p> <p>This will ensure that the Plan put forward a positive strategy for the conservation and enhancement of the historic environment.</p>	Paragraph 2 should be amended to include reference to heritage assets.	<p><i>Modification proposed:</i></p> <p>All tourism development must be of an appropriate scale, located where the environment and infrastructure can accommodate the visitor impact, and where it does not result in unacceptable harm to environmental assets (including landscapes, heritage assets and biodiversity) or the character of the area.</p>	agree
128	Policy T2PU Coastal Development	Unsound	<p>The NPPF requires that proposals for development should sustain and enhance heritage assets and any harm to their significance including setting should be avoided.</p> <p>The policy (paragraph 2) fails to refer to heritage assets. Coastal development can impact on heritage assets and therefore, reference should be included the third line of the policy</p> <p>This will ensure that the Plan puts forward a positive strategy for the conservation and enhancement of the historic environment.</p>	Paragraph 2 should be amended to include reference to heritage assets.	<p><i>Modification proposed:</i></p> <p>In all circumstances development should be of an appropriate scale, located where the environment and infrastructure can accommodate the visitor impact, and where it does not result in unacceptable harm to environmental</p>	agree

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					assets including landscapes, heritage assets and biodiversity.	
129	Policy T3PU Caravans and Camping Sites for short-term letting	Unsound	<p>The NPPF requires that proposals for development should sustain and enhance heritage assets and any harm to their significance including setting should be avoided.</p> <p>The policy (paragraph 2) fails to refer to heritage assets but includes a wide variety of other considerations. Caravans and camping sites can impact on heritage assets and therefore, reference should be included within the different parts of the policy.</p> <p>This will ensure that the Plan puts forward a positive strategy for the conservation and enhancement of the historic environment.</p>	The policy should be amended to include reference to heritage assets.	<p><i>Modification proposed: new criterion after criterion ii)</i></p> <p>Not result in unacceptable harm to heritage assets</p>	Agree
145	Policy H5PU: Housing Allocations	Unsound	<p>For site allocations please see our individual site comments.</p> <p>The NPPF makes it clear that the significance of heritage assets can be harmed through development including within their setting.</p> <p>There is a requirement in the 1990 Act that ‘special regard’ should be had to the desirability of preserving listed buildings, their setting and or any features of special architectural or historic interest which they possess.</p>	The policy be amended to include reference to development must be in accordance with the requirements of (an amended) Housing Allocation profiles in Appendix F.	<p><i>Modification proposed at paragraph 13.7.11:</i></p> <p>Developers should <u>give consideration to take into account</u> the Council’s Heritage Impact Assessment that supports the Local Plan. This document identifies where there may be harm caused</p>	<p>See proposed amendments</p> <p>CBC July 22: <i>Proposed modification updated as suggested</i></p>

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			<p>The Council also has a statutory duty under the provisions of the 1990 Act to pay special attention to the desirability of preserving or enhancing the character or appearance of its conservation areas.</p> <p>Therefore, before allocating any site there will need to be an evaluation of the impact the development of the site might have upon those elements that contribute to the significance of heritage assets including their setting. This provides evidence for the local plan as in their suitability as an allocation, the impact on the historic environment and any mitigation measures to minimise harm.</p> <p>Without this assessment, the Plan cannot demonstrate that the principle of development and the quantum (numbers) can be achieved on the site without harm to the historic environment.</p> <p>The policy itself contains a list of housing allocations. Some of these allocations have the potential to harm the historic environment. The Council have produced a series of heritage impact assessments to accompany their inclusion. These can be found in the supporting evidence base. We have provided specific comments on their content for individual sites within this policy (see below). Appendix F of</p>		<p>to nearby heritage assets through development and proposes mitigation measures. Where there is likely harm identified developers will be required to build upon this document with a detailed site specific HIA in accordance with policy BE1PU</p>	<p><i>HIA and Appendix F have been reviewed and updated in light of comments. Site profiles now contain a list of the potentially affected Heritage Assets, the mitigated effect (low, medium, high) and a link to the HIA document.</i></p>

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			<p>the Plan contains the housing allocation profiles and we have provided a separate response to these within this table.</p> <p>In terms of Policy H5PU Housing Allocations, the policy does little to guide developers as to what is required in order to develop individual sites that form part of this policy. We would expect the policy to highlight that development needs to be in accordance with the requirements contained within the Site Allocation Profiles of Appendix F. It is important to note that the content of the HIA's have not been embedded within the profiles nor do the HIAs provide a robust assessment.</p> <p>Without this the Policy and the individual sites included within the Policy and the Appendices are unable to demonstrate that they can be developed without harm to the historic environment and therefore, without this the Plan does not put forward a positive strategy for the historic environment as required by the NPPF.</p>			
144	Site HEG3 Land to the South of Daleview Gardens, Egremont	Unsound	<p>The site allocation has the potential to affect the setting of Egremont Castle (GI/SM).</p> <p>The NPPF considers Scheduled Monuments to be of the highest significance and any substantial harm to or loss of</p>	See comments for amendments	<i>HIA and relevant site profile (Local Plan Appendix F) has been reviewed and updated in light of comments.</i>	

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			<p>these designated assets (including setting) should be wholly exceptional.</p> <p>There is a requirement in the Town and Country Planning Act 1990 that “special regard” should be had to the desirability to preserving listed buildings and their setting or any features of special architectural or historic interest which they possess.</p> <p>Therefore, before allocating the site there will need to be some evaluation of the impact the development of the site might have upon those elements that contribute to the significance of the heritage assets including their setting. The assessment of the historic environment should be undertaken for all sites prior to their inclusion in the Plan to inform their suitability as an allocation, to provide evidence of the impact on the historic environment and put forward mitigation measures to minimise harm.</p> <p>The HIA (Page 13) does not identify Egremont Castle nor does it make an assessment of it. Without this assessment, the Plan cannot demonstrate that the principle of development and the quantum (numbers) can be achieved on the site without harm to the historic environment.</p> <p>Appendix F includes the site allocation profile for site HEG3. Whilst we welcome the inclusion of the profiles within the local plan and the section on the heritage impact assessment,</p>			

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			<p>we would expect the mitigation measures and/or the HIA to be better embedded within the Plan to ensure that these are requirements in the development of the site. (In this instance, any required mitigation measures, if needed for the scheduled monument)</p> <p>In view of our comments on the site allocation, HIA and profiles we object to the proposed allocation and consider it unsound as it is contrary to the requirements of the NPPF in terms of the historic environment.</p>			
143	HSB1 Land adjacent to Abbots Court, St Bees	Unsound	<p>The site allocation has the potential to affect a large number of heritage assets including the following highly graded ones:</p> <p>The Church St Mary and St Bega (GI) St Bees Priory and former Chancel to priory church of St Mary and St Bega (Old College Hall) (GI) Pow Bridge (GII*)</p> <p>As well as St Bees Conservation Area.</p> <p>The NPPF considers Grade I and Grade II* heritage assets to be of the highest significance and any substantial harm to or loss of these designated assets (including setting) should be wholly exceptional.</p>	See comments for required changes.	<i>HIA and relevant site profile (Local Plan Appendix F) has been reviewed and updated in light of comments.</i>	

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			<p>The NPPF considers that any substantial harm to the significance or loss of a Grade II listed heritage asset (including setting) should be exceptional.</p> <p>The Council also has a statutory duty under the provisions of the 1990 Act to pay special attention to the desirability of preserving or enhancing the character or appearance of its conservation areas.</p> <p>There is a requirement in the Town and Country Planning Act 1990 that “special regard” should be had to the desirability to preserving listed buildings and their setting or any features of special architectural or historic interest which they possess.</p> <p>Therefore, before allocating the site there will need to be some evaluation of the impact the development of the site might have upon those elements that contribute to the significance of the heritage assets including their setting. The assessment of the historic environment should be undertaken for all sites prior to their inclusion in the Plan to inform their suitability as an allocation, to provide evidence of the impact on the historic environment and put forward mitigation measures to minimise harm.</p> <p>The HIA (Page 16) does not identify all the potential heritage assets mentioned above nor does it make an assessment of their significance. Without this assessment, the Plan cannot</p>			

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			<p>demonstrate that the principle of development and the quantum (numbers) can be achieved on the site without harm to the historic environment.</p> <p>In the HIA the identified contribution of the site to those assets identified are identical – despite the fact that the significance of each asset type will vary. In addition, the proposed mitigation measures are identical for each asset despite there being the potential for different types of harm. The mitigation measures proposed do not relate to the harm identified which is landscape, yet the mitigation measures are building design.</p> <p>Appendix F includes the site allocation profile for HSB1. Whilst we welcome the inclusion of the profiles within the local plan and the section on the heritage impact assessment, we would expect the mitigation measures and/or the HIA to be better embedded within the Plan to ensure that these are requirements in the development of the site.</p> <p>In view of our comments on the site allocation, HIA and profiles we object to the proposed allocation and consider it unsound as it is contrary to the requirements of the NPPF in terms of the historic environment.</p>			

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167	Policy H15PU Rural Exception Sites	Unsound	<p>The NPPF requires that proposals for development should sustain and enhance heritage assets and any harm to their significance including setting should be avoided.</p> <p>The policy (paragraph 3) fails to refer to heritage assets. Rural exception site development can impact on heritage assets and therefore, reference should be included within this paragraph.</p> <p>This will ensure that the Plan puts forward a positive strategy for the conservation and enhancement of the historic environment.</p>	Paragraph 3 should be amended to include reference to heritage assets.	<p><i>Modification proposed:</i></p> <p>The development must not result in a significant unacceptable adverse impact on the character of the area, the surrounding landscape, heritage assets or biodiversity.</p> <p><i>Updated modification proposed (July 22)</i></p> <p>The development must not result in a significant unacceptable harm adverse impacts on the character of the area, the surrounding landscape, heritage assets or biodiversity.</p>	<p>I think on this one the use of both unacceptable and adverse is not needed. So just use one? Maybe unacceptable impact?</p> <p>CBC July 22: unacceptable harm now used – see updated mod proposed in adjacent column</p>
173	Policy H21PU Residential Caravans	Unsound	The NPPF requires that proposals for development should sustain and enhance heritage assets and any harm to their significance including setting should be avoided.	The policy should be amended to include reference to heritage assets.	<p><i>Modification proposed:</i></p> <p>The siting of the caravan will not result in unacceptable adverse impacts upon the</p>	See comment above.

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			<p>The policy fails to refer to heritage assets. The siting of residential caravans can impact on heritage assets and therefore, reference should be included within the policy</p> <p>This will ensure that the Plan puts forward a positive strategy for the conservation and enhancement of the historic environment.</p>		<p>landscape, heritage assets, or biodiversity or cause visual harm</p> <p>Updated modification proposed (July 22):</p> <p>The siting of the caravan will not result in unacceptable harm adverse impacts upon the landscape, heritage assets, or biodiversity or cause visual harm</p>	<p>CBC July 22: unacceptable harm now used – see updated mod proposed in adjacent column</p>
219	BE1PU Heritage Assets	Unsound	<p>The NPPF requires that Plans put forward a positive strategy for the conservation and enhancement of the historic environment. This includes ensuring that policies are locally specific to the area it covers.</p> <p>Therefore, we would expect that the overarching policy on heritage assets, should include details of Copeland’s historic environment, which is unique, and which would be a priority for safeguarding and enhancing throughout the Plan period and beyond. At the moment the bulleted list doesn’t not contain anything which would specifically identify Copeland’s historic environment.</p>	<p>Insert new paragraph:</p> <p>Particular attention will be paid to the conservation of those elements which contribute most to the district’s distinctive character and sense of place, which includes:</p> <p><i>(for example)</i></p>	<p><i>Modification proposed:</i></p> <p><i>Paragraph to be added to BE1PU:</i></p> <p>Particular attention will be paid to the conservation and enhancement of those elements which contribute most to the borough’s distinctive character and sense of place several of which are listed in</p>	<p>See change – wording updated</p> <p>CBC July 22: Updated modification to BE1 proposed as suggested.</p>

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			<p>It is advised that the policy be expanded at the beginning to set out the particular elements that contribute to make the area distinctive. This might include:</p> <ul style="list-style-type: none"> • Evidence of Roman and Viking activity; • Remnants of Copeland’s industrial heritage related to the mining of coal and iron ore; • The Georgian architecture of Whitehaven’s town centre and the maritime architecture of its quay • The former track beds of the wagonways • The historic farm buildings and rural villages and hamlets, • The important churches and places of worship including that of the Priory at St Bees • Key cultural assets encompassing parklands, woodlands, landscapes, and riversides, museums, libraries, art galleries, public art, food and drink, customs and traditions. 	<ul style="list-style-type: none"> • Evidence of Roman and Viking activity; • Remnants of Copeland’s industrial heritage related to the mining of coal and iron ore; • The Georgian architecture of Whitehaven’s town centre and the maritime architecture of its quay • The former track beds of the wagonways • The historic farm buildings and rural villages and hamlets, • The important churches and places of worship including that of 	<p>paragraphs 16.2.1 to 16.2.5.</p> <p><i>Modification Proposed: Additions to the following paragraphs</i></p> <p>16.2.1 Whitehaven was Britain’s first post-renaissance planned town, with its town centre set out in a grid iron pattern. The oldest streets in the planned town are King Street and Chapel Street, which were laid out in the 1640s. The Georgian architecture of the town centre and the maritime architecture of the quay contribute to its unique historic environment. There are also a number of historic Wagonways, including one which runs along the coastline on the edge of the town and links</p>	

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				<p>the Priory at St Bees</p> <ul style="list-style-type: none"> • Key cultural assets encompassing parklands, woodlands, landscapes, and riversides, museums, libraries, art galleries, public art, food and drink, customs and traditions. 	<p>to the St Bees Heritage Coast.</p> <p>16.2.4 The built form of Copeland’s rural villages is described within the Settlement Landscape Character Assessment. This varies from linear villages built along a main road to more rounded, nucleated villages with a central core. The rural areas also contain many historic farm buildings.</p> <p>16.2.5 Copeland’s towns and rural areas provide evidence of Roman and Viking activity and also contain remnants of our industrial heritage relating to the mining of coal and iron ore.</p>	

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42	Appendix c OEG01 Chapel Street Egremont	Unsound	<p>The site is adjacent to Egremont Conservation Area.</p> <p>The NPPF requires that development within or affecting the setting of a conservation areas, should enhance or better reveal their significance. The loss of any element which makes a positive contribution should be treated as less than substantial or substantial harm as appropriate.</p> <p>The Council also has a statutory duty under the provisions of the 1990 Act to pay special attention to the desirability of preserving or enhancing the character or appearance of its conservation areas.</p> <p>Therefore, before allocating the site there will need to be some evaluation of the impact the development of the site might have upon those elements that contribute to the significance of the conservation area including its setting. The assessment of the historic environment should be undertaken for all sites prior to their inclusion in the Plan to inform their suitability as an allocation, to provide evidence of the impact on the historic environment and put forward mitigation measures to minimise harm.</p> <p>The HIA (Page 56) does not include any detail/assessment to understand the contribution the site makes to the significance of the conservation area. Without this assessment, the Plan cannot demonstrate that the principle of development and</p>	See comments for required changes.	<i>HIA has been reviewed and updated in light of comments (CBC July 22)</i>	

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			<p>the quantum (numbers) can be achieved on the site without harm to the historic environment.</p> <p>In the HIA, given there is no information on the site and the contribution it makes to the conservation area, it is unclear how the decision on the impact and also why the proposed enhancement measures are defined as good design and improving connections to the conservation area. These need to flow from an understanding of significance and the site’s contribution to that, which is not undertaken in the HIA. The mitigation measures proposed do not relate to any identified harm (if any).</p> <p>Appendix F does not include any of the opportunity sites and therefore there is no profile to guide the development of these sites. The Plan in including such sites is setting the principle of development and they should be treated in the same way as other sites. Without this detail, the Plan does not provide any guidance to develop the site and embed any mitigation/enhancement measures for the historic environment.</p> <p>In view of our comments on the site allocation, HIA and profiles, we object to the proposed allocation and consider it unsound as it is contrary to the requirements of the NPPF in terms of the historic environment.</p>			

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Page	Section	Sound/ Unsound	Comments	Suggested Change by HE	Modification Proposed	Historic England Response
42	Appendix C OEG02 Former Red Lion Public House	Unsound	<p>The site allocation is within Egremont Conservation Area and has the potential to affect a number of other assets including Egremont Castle (SM).</p> <p>The NPPF considers Scheduled Monuments, Grade I and Grade II* heritage assets to be of the highest significance and any substantial harm to or loss of these designated assets (including setting) should be wholly exceptional.</p> <p>The NPPF considers that any substantial harm to the significance or loss of a Grade II listed heritage asset (including setting) should be exceptional.</p> <p>The NPPF requires that development within or affecting the setting of a conservation areas, should enhance or better reveal their significance. The loss of any element which makes a positive contribution should be treated as less than substantial or substantial harm as appropriate.</p> <p>The Council also has a statutory duty under the provisions of the 1990 Act to pay special attention to the desirability of preserving or enhancing the character or appearance of its conservation areas.</p> <p>There is a requirement in the Town and Country Planning Act 1990 that “special regard” should be had to the desirability to</p>	See comments for required changes.	<i>HIA has been reviewed and updated in light of comments (CBC July 22)</i>	

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			<p>preserving listed buildings and their setting or any features of special architectural or historic interest which they possess.</p> <p>Therefore, before allocating the site there will need to be some evaluation of the impact the development of the site might have upon those elements that contribute to the significance of the heritage assets including their setting. The assessment of the historic environment should be undertaken for all sites prior to their inclusion in the Plan to inform their suitability as an allocation, to provide evidence of the impact on the historic environment and put forward mitigation measures to minimise harm.</p> <p>The HIA (Page 57) does not provide a robust assessment of the significance of the heritage assets. Without this assessment, the Plan cannot demonstrate that the principle of development and the quantum (numbers) can be achieved on the site without harm to the historic environment.</p> <p>In the HIA the identified contribution of the site to those assets identified are identical – despite the fact that the significance of each asset type will vary. In addition, the proposed mitigation measures are identical for each asset despite there being the potential for different types of harm.</p> <p>Appendix F does not include any of the opportunity sites and therefore there is no profile to guide the development of</p>			

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			<p>these sites. The Plan in including such sites is setting the principle of development and they should be treated in the same way as other sites. Without this detail, the Plan does not provide any guidance to develop the site and embed any mitigation/enhancement measures for the historic environment.</p> <p>In view of our comments on the site allocation, HIA and profiles we object to the proposed allocation and consider it unsound as it is contrary to the requirements of the NPPF in terms of the historic environment.</p>			
30	Appendix C OWH01 Former Dawnfresh Factory	Unsound	<p>The site allocation affects a number of highly graded assets including scheduled monuments, Grade I buildings as well as a wide range of Grade II. In addition, it may impact on Whitehaven Conservation Area.</p> <p>The NPPF considers Scheduled Monuments, Grade I and Grade II* heritage assets to be of the highest significance and any substantial harm to or loss of these designated assets (including setting) should be wholly exceptional.</p> <p>The NPPF considers that any substantial harm to the significance or loss of a Grade II listed heritage asset (including setting) should be exceptional.</p> <p>The NPPF requires that development within or affecting the setting of a conservation areas, should enhance or better</p>	See comments for required changes.	<i>HIA has been reviewed and updated in light of comments (CBC July 22)</i>	

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			<p>reveal their significance. The loss of any element which makes a positive contribution should be treated as less than substantial or substantial harm as appropriate.</p> <p>The Council also has a statutory duty under the provisions of the 1990 Act to pay special attention to the desirability of preserving or enhancing the character or appearance of its conservation areas.</p> <p>There is a requirement in the Town and Country Planning Act 1990 that “special regard” should be had to the desirability to preserving listed buildings and their setting or any features of special architectural or historic interest which they possess.</p> <p>Therefore, before allocating the site there will need to be some evaluation of the impact the development of the site might have upon those elements that contribute to the significance of the heritage assets including their setting. The assessment of the historic environment should be undertaken for all sites prior to their inclusion in the Plan to inform their suitability as an allocation, to provide evidence of the impact on the historic environment and put forward mitigation measures to minimise harm.</p> <p>The HIA (Page 30) does not provide a robust assessment of the significance of the heritage assets. Without this assessment, the Plan cannot demonstrate that the principle</p>			

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			<p>of development and the quantum (numbers) can be achieved on the site without harm to the historic environment.</p> <p>In the HIA the identified contribution of the site to those assets identified are identical – despite the fact that the significance of each asset type will vary. In addition, the proposed mitigation measures are identical for each asset despite there being the potential for different types of harm.</p> <p>Appendix F does not include any of the opportunity sites and therefore there is no profile to guide the development of these sites. The Plan in including such sites is setting the principle of development and they should be treated in the same way as other sites. Without this detail, the Plan does not provide any guidance to develop the site and embed any mitigation/enhancement measures for the historic environment.</p> <p>In view of our comments on the site allocation, HIA and profiles we object to the proposed allocation and consider it unsound as it is contrary to the requirements of the NPPF in terms of the historic environment.</p>			
30	Appendix C OWH02	Unsound	The site allocation affects a number of Grade II heritage assets. In addition, it may impact on the setting of Whitehaven Conservation Area.	See comments for required changes.	<i>HIA has been reviewed and updated in light of comments (CBC July 22)</i>	

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	Jackson's Timber Yard		<p>The NPPF considers that any substantial harm to the significance or loss of a Grade II listed heritage asset (including setting) should be exceptional.</p> <p>The NPPF requires that development within or affecting the setting of a conservation areas, should enhance or better reveal their significance. The loss of any element which makes a positive contribution should be treated as less than substantial or substantial harm as appropriate.</p> <p>The Council also has a statutory duty under the provisions of the 1990 Act to pay special attention to the desirability of preserving or enhancing the character or appearance of its conservation areas.</p> <p>There is a requirement in the Town and Country Planning Act 1990 that "special regard" should be had to the desirability to preserving listed buildings and their setting or any features of special architectural or historic interest which they possess.</p> <p>Therefore, before allocating the site there will need to be some evaluation of the impact the development of the site might have upon those elements that contribute to the significance of the heritage assets including their setting. The assessment of the historic environment should be undertaken for all sites prior to their inclusion in the Plan to inform their suitability as an allocation, to provide evidence of the impact</p>			

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			<p>on the historic environment and put forward mitigation measures to minimise harm.</p> <p>The HIA (Page 32) does not provide a robust assessment of the significance of the heritage assets including the conservation area. Without this assessment, the Plan cannot demonstrate that the principle of development and the quantum (numbers) can be achieved on the site without harm to the historic environment.</p> <p>In the HIA the identified contribution of the site to those assets identified are identical – despite the fact that the significance of each asset type will vary.</p> <p>Appendix F does not include any of the opportunity sites and therefore there is no profile to guide the development of these sites. The Plan in including such sites is setting the principle of development and they should be treated in the same way as other sites. Without this detail, the Plan does not provide any guidance to develop the site and embed any mitigation/enhancement measures for the historic environment.</p> <p>In view of our comments on the site allocation, HIA and profiles we object to the proposed allocation and consider it</p>			

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			unsound as it is contrary to the requirements of the NPPF in terms of the historic environment.			
30	Appendix C OWH07 Marlborough Street	Unsound	<p>The site allocation has the potential to affect a number of highly graded assets including scheduled monuments, Grade I buildings as well as a wide range of Grade II. In addition, it may impact on Whitehaven Conservation Area.</p> <p>The NPPF considers Scheduled Monuments, Grade I and Grade II* heritage assets to be of the highest significance and any substantial harm to or loss of these designated assets (including setting) should be wholly exceptional.</p> <p>The NPPF considers that any substantial harm to the significance or loss of a Grade II listed heritage asset (including setting) should be exceptional.</p> <p>The NPPF requires that development within or affecting the setting of a conservation areas, should enhance or better reveal their significance. The loss of any element which makes a positive contribution should be treated as less than substantial or substantial harm as appropriate.</p> <p>The Council also has a statutory duty under the provisions of the 1990 Act to pay special attention to the desirability of preserving or enhancing the character or appearance of its conservation areas.</p>	See comments for required changes.	<i>HIA has been reviewed and updated in light of comments (CBC July 22)</i>	

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			<p>There is a requirement in the Town and Country Planning Act 1990 that “special regard” should be had to the desirability to preserving listed buildings and their setting or any features of special architectural or historic interest which they possess.</p> <p>Therefore, before allocating the site there will need to be some evaluation of the impact the development of the site might have upon those elements that contribute to the significance of the heritage assets including their setting. The assessment of the historic environment should be undertaken for all sites prior to their inclusion in the Plan to inform their suitability as an allocation, to provide evidence of the impact on the historic environment and put forward mitigation measures to minimise harm.</p> <p>The HIA (Page 34) does not provide a robust assessment of the significance of the heritage assets. Some of the identified harm and mitigation measures don’t refer to the significance of the asset or the site and many are identical in their recommendations. Without this assessment, the Plan cannot demonstrate that the principle of development and the quantum (numbers) can be achieved on the site without harm to the historic environment.</p> <p>Appendix F does not include any of the opportunity sites and therefore there is no profile to guide the development of</p>			

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			<p>these sites. The Plan in including such sites is setting the principle of development and they should be treated in the same way as other sites. Without this detail, the Plan does not provide any guidance to develop the site and embed any mitigation/enhancement measures for the historic environment.</p> <p>In view of our comments on the site allocation, HIA and profiles we object to the proposed allocation and consider it unsound as it is contrary to the requirements of the NPPF in terms of the historic environment.</p>			
30	Appendix C OWH09 Car Park Quay Street East	Unsound	<p>The site allocation has the potential to affect a number of highly graded assets including scheduled monuments, Grade I buildings as well as a wide range of Grade II. In addition, it may impact on Whitehaven Conservation Area.</p> <p>The NPPF considers Scheduled Monuments, Grade I and Grade II* heritage assets to be of the highest significance and any substantial harm to or loss of these designated assets (including setting) should be wholly exceptional.</p> <p>The NPPF considers that any substantial harm to the significance or loss of a Grade II listed heritage asset (including setting) should be exceptional.</p> <p>The NPPF requires that development within or affecting the setting of a conservation areas, should enhance or better</p>	See comments for required changes.	<i>HIA has been reviewed and updated in light of comments (CBC July 22)</i>	

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			<p>reveal their significance. The loss of any element which makes a positive contribution should be treated as less than substantial or substantial harm as appropriate.</p> <p>The Council also has a statutory duty under the provisions of the 1990 Act to pay special attention to the desirability of preserving or enhancing the character or appearance of its conservation areas.</p> <p>There is a requirement in the Town and Country Planning Act 1990 that “special regard” should be had to the desirability to preserving listed buildings and their setting or any features of special architectural or historic interest which they possess.</p> <p>Therefore, before allocating the site there will need to be some evaluation of the impact the development of the site might have upon those elements that contribute to the significance of the heritage assets including their setting. The assessment of the historic environment should be undertaken for all sites prior to their inclusion in the Plan to inform their suitability as an allocation, to provide evidence of the impact on the historic environment and put forward mitigation measures to minimise harm.</p> <p>The HIA (Page 34) does not provide a robust assessment of the significance of the heritage assets, and they do not include all potential assets including highly graded ones. Without this</p>			

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			<p>assessment, the Plan cannot demonstrate that the principle of development and the quantum (numbers) can be achieved on the site without harm to the historic environment.</p> <p>Appendix F does not include any of the opportunity sites and therefore there is no profile to guide the development of these sites. The Plan in including such sites is setting the principle of development and they should be treated in the same way as other sites. Without this detail, the Plan does not provide any guidance to develop the site and embed any mitigation/enhancement measures for the historic environment.</p> <p>In view of our comments on the site allocation, HIA and profiles we object to the proposed allocation and consider it unsound as it is contrary to the requirements of the NPPF in terms of the historic environment.</p>			
30	Appendix C OWH10 Quay Street West	Unsound	<p>The site allocation has the potential to affect a number of highly graded assets including scheduled monuments, Grade I buildings as well as a wide range of Grade II. In addition, it may impact on Whitehaven Conservation Area.</p> <p>The NPPF considers Scheduled Monuments, Grade I and Grade II* heritage assets to be of the highest significance and any substantial harm to or loss of these designated assets (including setting) should be wholly exceptional.</p>	See comments for required changes.	<i>HIA has been reviewed and updated in light of comments (CBC July 22)</i>	

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			<p>The NPPF considers that any substantial harm to the significance or loss of a Grade II listed heritage asset (including setting) should be exceptional.</p> <p>The NPPF requires that development within or affecting the setting of a conservation areas, should enhance or better reveal their significance. The loss of any element which makes a positive contribution should be treated as less than substantial or substantial harm as appropriate.</p> <p>The Council also has a statutory duty under the provisions of the 1990 Act to pay special attention to the desirability of preserving or enhancing the character or appearance of its conservation areas.</p> <p>There is a requirement in the Town and Country Planning Act 1990 that “special regard” should be had to the desirability to preserving listed buildings and their setting or any features of special architectural or historic interest which they possess.</p> <p>Therefore, before allocating the site there will need to be some evaluation of the impact the development of the site might have upon those elements that contribute to the significance of the heritage assets including their setting. The assessment of the historic environment should be undertaken for all sites prior to their inclusion in the Plan to inform their suitability as an allocation, to provide evidence of the impact</p>			

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			<p>on the historic environment and put forward mitigation measures to minimise harm.</p> <p>The HIA (Page 34) does not provide a robust assessment of the significance of the heritage assets and there appears to be a lot of repetition in terms of assessment which may not relate to the significance of the heritage asset. Without this assessment, the Plan cannot demonstrate that the principle of development and the quantum (numbers) can be achieved on the site without harm to the historic environment.</p> <p>Appendix F does not include any of the opportunity sites and therefore there is no profile to guide the development of these sites. The Plan in including such sites is setting the principle of development and they should be treated in the same way as other sites. Without this detail, the Plan does not provide any guidance to develop the site and embed any mitigation/enhancement measures for the historic environment.</p> <p>In view of our comments on the site allocation, HIA and profiles we object to the proposed allocation and consider it unsound as it is contrary to the requirements of the NPPF in terms of the historic environment.</p>			

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Page	Section	Sound/ Unsound	Comments	Suggested Change by HE	Modification Proposed	Historic England Response
30	Appendix C OWH11 Mark House and Park Nightclub	Unsound	<p>The site allocation has the potential to affect highly graded assets including scheduled monuments, as well as a wide range of other designated heritage assets. In addition, it may impact on Whitehaven Conservation Area.</p> <p>The NPPF considers Scheduled Monuments, Grade I and Grade II* heritage assets to be of the highest significance and any substantial harm to or loss of these designated assets (including setting) should be wholly exceptional.</p> <p>The NPPF considers that any substantial harm to the significance or loss of a Grade II listed heritage asset (including setting) should be exceptional.</p> <p>The NPPF requires that development within or affecting the setting of a conservation areas, should enhance or better reveal their significance. The loss of any element which makes a positive contribution should be treated as less than substantial or substantial harm as appropriate.</p> <p>The Council also has a statutory duty under the provisions of the 1990 Act to pay special attention to the desirability of preserving or enhancing the character or appearance of its conservation areas.</p> <p>There is a requirement in the Town and Country Planning Act 1990 that “special regard” should be had to the desirability to</p>	See comments for required changes.	<i>HIA has been reviewed and updated in light of comments (CBC July 22)</i>	

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			<p>preserving listed buildings and their setting or any features of special architectural or historic interest which they possess.</p> <p>Therefore, before allocating the site there will need to be some evaluation of the impact the development of the site might have upon those elements that contribute to the significance of the heritage assets including their setting. The assessment of the historic environment should be undertaken for all sites prior to their inclusion in the Plan to inform their suitability as an allocation, to provide evidence of the impact on the historic environment and put forward mitigation measures to minimise harm.</p> <p>The HIA (Page 34) does not provide a robust assessment of the significance of the heritage assets, and it does not include all potential assets including highly graded ones. Without this assessment, the Plan cannot demonstrate that the principle of development and the quantum (numbers) can be achieved on the site without harm to the historic environment.</p> <p>Appendix F does not include any of the opportunity sites and therefore there is no profile to guide the development of these sites. The Plan in including such sites is setting the principle of development and they should be treated in the same way as other sites. Without this detail, the Plan does not provide any guidance to develop the site and embed any</p>			

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			<p>mitigation/enhancement measures for the historic environment.</p> <p>In view of our comments on the site allocation, HIA and profiles we object to the proposed allocation and consider it unsound as it is contrary to the requirements of the NPPF in terms of the historic environment.</p>			
	Appendix C OWH12 Former Bus Garage Bransty Row	Unsound	<p>The site allocation has the potential to affect a number of highly graded assets including scheduled monuments, Grade I buildings as well as a wide range of Grade II. In addition, it may impact on Whitehaven Conservation Area.</p> <p>The NPPF considers Scheduled Monuments, Grade I and Grade II* heritage assets to be of the highest significance and any substantial harm to or loss of these designated assets (including setting) should be wholly exceptional.</p> <p>The NPPF considers that any substantial harm to the significance or loss of a Grade II listed heritage asset (including setting) should be exceptional.</p> <p>The NPPF requires that development within or affecting the setting of a conservation areas, should enhance or better reveal their significance. The loss of any element which makes a positive contribution should be treated as less than substantial or substantial harm as appropriate.</p>	See comments for required changes.	<i>HIA has been reviewed and updated in light of comments (CBC July 22)</i>	

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			<p>The Council also has a statutory duty under the provisions of the 1990 Act to pay special attention to the desirability of preserving or enhancing the character or appearance of its conservation areas.</p> <p>There is a requirement in the Town and Country Planning Act 1990 that “special regard” should be had to the desirability to preserving listed buildings and their setting or any features of special architectural or historic interest which they possess.</p> <p>Therefore, before allocating the site there will need to be some evaluation of the impact the development of the site might have upon those elements that contribute to the significance of the heritage assets including their setting. The assessment of the historic environment should be undertaken for all sites prior to their inclusion in the Plan to inform their suitability as an allocation, to provide evidence of the impact on the historic environment and put forward mitigation measures to minimise harm.</p> <p>The HIA (Page 34) does not provide a robust assessment of the significance of the heritage assets. The contribution the site makes, and the identified mitigation/enhancement are identical for most assets. Without this assessment, the Plan cannot demonstrate that the principle of development and</p>			

Historic England Comments on Copeland Local Plan Publication Draft and Suggested CBC Modifications

Page	Section	Sound/ Unsound	Comments	Suggested Change by HE	Modification Proposed	Historic England Response
			<p>the quantum (numbers) can be achieved on the site without harm to the historic environment.</p> <p>Appendix F does not include any of the opportunity sites and therefore there is no profile to guide the development of these sites. The Plan in including such sites is setting the principle of development and they should be treated in the same way as other sites. Without this detail, the Plan does not provide any guidance to develop the site and embed any mitigation/enhancement measures for the historic environment.</p> <p>In view of our comments on the site allocation, HIA and profiles we object to the proposed allocation and consider it unsound as it is contrary to the requirements of the NPPF in terms of the historic environment.</p>			