



Historic E

MIDLANDS OFFICE

South Staffordshire Council

Regulation 19 Local Plan Consultation

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FAO

Local Plans Team Leader

22 December 2022

Dear Sir, Madam,

Many thanks for consulting Historic England on the South Staffordshire Local Plan Regulation 19 Publication Consultation, December 2022 and accompanying Strategic Environmental Assessment Report, December 2022.

Please find our comments to these consultation documents appended to this letter, in Table 1.

We welcome the Council preparing a Historic Environment Assessment Report to evidence their Local Plan and we support an iterative process which has evolved throughout the life of the Plan process.

We have made a variety of comments to both local plan policy and the proposed site allocations, in chronological order of the Plan.

If you have any questions, please contact us.

Kind regards

Kezia Taylerson

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Correspondence or information which you send us may therefore become publicly available.

South Stafford Local Authority Local Plan Publication consultation, December 2022

The following comments are either supportive of the Plan – paragraph/policy or where we consider amendments are required in order to make the Plan sound.

Table 1: Historic England specific comments on the Regulation 19 version of South Staffordshire Local Plan Review, December 2022.

Comments on the Local Plan – chronologically as they appear in the Plan
Para 2.4 we welcome reference to the historic environment in the introductory paragraphs.
Para 3.2 we welcome consideration of the historic environment as a key issue.
We welcome recognition of the historic environment as a key issue in Table 5, page 20.
We welcome Strategic Objective 13, within Table 6, on page 22.
Policy DS3 – Open Countryside – page 26 – under list of constraints please amend ‘historic assets’ with ‘heritage assets’ to reflect terminology within the National Planning Policy Framework.
Policy MA1 – Masterplanning Strategic Sites We welcome a specific policy that seeks to ensure appropriate masterplanning is undertaken for strategic sites, in collaboration with relevant stakeholders. Historic England are keen to engage on these masterplans, where relevant to the historic environment. We would, however, require reference within the policy to the need to conserve the significance of heritage assets, including their setting, as a specific bullet point. At present there is no reference to the historic environment within this policy, although there are heritage assets affected by developing the strategic sites.
Strategic Sites As a general point, whilst we welcome a clause within these policies on the historic environment, we consider that the clause needs to be site specific and set out the specific and appropriate mitigation measures per site rather than a general sentence that requires the reader to refer to an alternative document to access this information. We do not consider this is currently a sound approach.
Policy SA1 Land East of Bilbrook – we welcome the inclusion of clause h) however, consider that it should be clear in the policy text what the expected mitigation measures are for the historic environment and how these will need to be/why they need to be considered in any future planning

application. The HESA 2022 Report sets out the need for ‘a detailed programme of archaeological mitigation’ to be required, as a result of the nearby discovery of the remains of a Romano-British settlement. We would require any application to be supported by archaeological investigations (pre-determination) so that the design of the scheme and archaeological mitigation can address the significance and importance of remains (on the basis of their identification on land adjacent). We would require this to be set out in the policy.

Policy SA2 Land at Cross Green - we welcome the inclusion of clause j) however, we would request that the specific mitigation measures are incorporated into the policy wording and an amendment to the existing wording for example, ‘preserving and potentially enhancing tree and hedge boundaries’ ... should read ‘conserve existing tree and hedge boundaries and enhance their provision to ...’

SA3 Land North of Linthouse Lane – we welcome the inclusion of clause g). However, the clause should set out the specific mitigation measures rather than rely on having to access a separate document to ascertain what those mitigation measures may be. The policy should set out that planning applications should include both details to address the physical protection of the non-designated moat from damage but also a positive management plan for its conservation, including its setting relationship with the nearby Scheduled Moated site. Further given the setting of the Shropshire Union Canal Conservation Area the mitigation measures for retaining existing tree and hedgerows is essential and additional planting will be an enhancement opportunity.

SA4 Land North of Penkrige – we welcome the inclusion of clause h) we would request that the specific mitigation measures are cited within the text rather than a general paragraph. There is no reference to the historic environment within any of the reasoned justification text attached to the policy within the Plan.

We would further anticipate the inclusion of a paragraph within the reasoned justification text in paragraph 6.17 may be appropriate, setting out the key issues.

Chapter 14: Historic Environment:

Para 14.3 we welcome updated Conservation Management Plans for the borough’s Conservation Areas.

Para 14.3 we welcome the Council preparing a locally important list of buildings and structures and consider this is best practice.

Para 14.4 we would welcome the inclusion of the consideration of an asset’s setting, where that setting is part of an asset’s significance. A Heritage Statement is a welcome approach and it would be further beneficial to provide additional detail on when a heritage statement may be required and what that statement may consider and to be prepared by a qualified professional, utilising heritage information from the Historic Environment Record, as a minimum.

Policy NB8: Protection and enhancement of the historic environment and heritage assets - First paragraph 'preserve' should be replaced with 'conserve'. Text should be amended to read that 'development proposals should demonstrate how they conserve and enhance the significance of heritage assets, including their setting' in line with the National Planning Policy Framework (NPPF) requirements. Details such as how and relating to 'character, appearance and function' could then follow on from this sentence.

The second paragraph should be amended to read that development proposals should seek to avoid, and minimise harm in the first instance, in line with the NPPF and only when this cannot be achieved should the clause in the second paragraph be relevant.

We support the inclusion of a clause that sets out the need for a Heritage Statement, though consider that additional detail is required on when and what this should contain to ensure that an appropriate evidence base accompanies a planning application.

We welcome the inclusion of a clause relating to archaeology and consider that this should include text that requires this to be undertaken by a suitable, qualified professional.

Where recording of the loss of heritage assets is unavoidable this information should be required to be added onto the Historic Environment Record (HER) as a minimum requirement.

We support the inclusion of a clause relating to heritage at risk. We would request the inclusion of the term 'appropriate reuse' within the sentence.

Policy HC9: Gypsies, Travellers and Travelling Showpeople: We support clause b).

Policy HC10: Design Requirements:

Clause a) would recommend amending to 'and' Conservation Area Management Plans as situations will occur where you require one or more of these documents to be considered together rather than 'or'.

We support references to heritage mentioned throughout the policy and would request a link to evidence base documents relating to historic townscape and landscape character, in order to assist prospective applicants in understanding the local character need.

Clause q) we would welcome the inclusion of 'heritage' within consideration as part of public realm initiatives.

Policy EC4 Rural Economy

As it reads clause 4 a) and b) are confusing and both include reference to a mixture of points relating to heritage and other issues. We consider that a separate clause relating to the historic environment is required which clearly sets out what the expectation is for historic farmsteads and how they should be conserved, with appropriate and sensitive reuse where appropriate, ensuring that the form, scale and layout of the site respect the historic farmstead and its relationship with the surrounding landscape within which it is situated.

Policy EC5: Tourist Accommodation We would request re-wording clause c) to ensure that applications conserve and where possible, enhance the significance of heritage assets, including their setting and respect the local character, using it as a positive to enhance the visitor economy. Further we would welcome a section that seeks to encourage heritage tourism.

We support the inclusion of Chapter 12 and welcome reference to the relevant landscape and historic characterisation evidence base documents. When considering medium and long term views; does the Council have an evidence base on what these views may constitute and if not, what process should a prospective applicant follow in order to ensure that this evidence forms part of a planning application?

We support the inclusion of Chapter 13 and responding to Climate Change. Historic England has also responded to the climate emergency and is preparing a number of evidence and research documents to support managing the historic environment and climate change. There are, however, times when the provision of renewable energy technologies and the impacts on the historic environment are incompatible. We note that the Borough as a whole is a safeguarded area for wind energy but there may be areas/sites that are unsuitable due to the impacts on the significance of heritage assets and their setting and we would request that this is considered in the overall approach.

Para 14.5 We support the second sentence in this paragraph.

Policy NB9: Canal Network. We support the inclusion of this policy.

Appendix C proposed housing allocations:

As an overarching point for all of the site specific policy proformas in Appendix C, we would request that a point is included with regards to the historic environment alongside the other criteria for biodiversity, flooding, affordable housing, climate change etc. we do not consider it a sound approach to exclude the historic environment from this 'catch all' clause.

As a general point, the main mitigation measure brought through from the HESA 2022 Report is the inclusion of a measure to retain existing tree and hedgerow planting. In some cases, this is stated as where possible and in other cases not, in some cases this is supplemented with an additional planting scheme required and in few cases the need for the retention of trees and hedgerows is stipulated as a requirement from the HESA 2022 Report. We would recommend a more consistent approach which requires the retention of existing trees and hedgerows, supports additional planting and landscaping as an enhancement measure and sets out why the retention is required to ensure that it is fully understood by prospective developers i.e. along the lines of the comments for Site 379 on Page 220 of the Plan.

We support the removal of sites from the Plan that scored a 'red' in the assessment.
Site 224 Land adjacent to 44 Station Road Codsall, identified as a 'medium' effect in the updated HESA 2022 – sets out that there could be impacts for the Codsall Conservation Area and Grade II railway bridge. The retention of trees and hedgerows as well as additional planting will be required to mitigate the harm to the Conservation Area and protect existing historic character.
Site 419 a and b Land at Keepers Lane – to incorporate a mitigation measure about the archaeological investigation/ mitigation measure as well as an explanation in the policy text as to why the retention of the tree and hedgerow boundaries, in line with comments in the HESA 2022 Report.
Site 119a Land adjoining Saredon Road – it would be recommended to add in a sentence that relates to the retention of the trees and hedgerow being necessary to conserve the existing historic character.
Site 523 – Wolverhampton Road – the HESA references the need to consider the setting of a listed building and for proposed development to be sensitive to its impact on the listed building. There is no reference in the Plan in Appendix C under Site 523 to any of the mitigation measures identified in the HESA 2022 Report, which we require to be included in the Plan.
Site 141 – 154a Walsall Road - recognises the potential for archaeology to be present on the site and we would request a clause that states archaeological investigation will be required predetermination to understand what is present, prior to development and inform the design of the site.
Site 136 – Land at Landywood Lane – we would request that there is inclusion of the need for potential archaeological investigation on the site to understand the significance of finds and understand how development may come forward. We welcome an enhancement opportunity with the mining display boards and would request the inclusion of the term 'interpretation' boards.
Site 139 – Pool View, Churchbridge – would state that retention of the trees on site, which represent the historic character, of the area are required and would form a mitigation measure rather than an enhancement measure. Request delete 'wherever possible' ... in the site-specific table on Page 187 of the Plan.
Site 704 – Land off Norton Lane – would request a clause to be included with regards to archaeological investigation and mitigation being undertaken.
Site 730 – Fishers Farm – would benefit from the inclusion of a clause regarding archaeological investigation and mitigation, based on the HESA 2022 Report.
Site 536a – Land off Holly Lane – we agree that the trees and hedgerows should be retained, though would not consider this as an enhancement measure but rather a required mitigation measure to protect the setting of heritage assets and historic character. Additional planting would be considered as an enhancement measure and we support this inclusion in the table on Page 190 of the Plan. We request that it is added that the measures are to conserve the setting of heritage assets and historic character so that the information is readily available at planning application stage.
Site 638 – Loades PLC - we agree that the trees and hedgerows should be retained, though would not consider this as an enhancement measure but rather a required mitigation measure to protect the setting of heritage assets and historic character. Additional planting would be considered as an enhancement measure and we support this.
Site 005 – Land at Cherrybrook – we would support the retention of existing tree/ hedgerow belt and to request the inclusion of additional planting as a mitigation measure, so as to protect the existing character of the Canal Conservation Area.

Site 006 – Land at Boscomoor Lane – adjacent to the Staffordshire and Worcestershire Canal Conservation Area, we agree that the trees and hedgerows should be retained to protect the existing character of the Conservation Area, though would not consider this as an enhancement measure but rather a required mitigation measure to protect the setting of heritage assets and historic character. Additional planting would be considered as an enhancement measure and we support this.
Site 079 – Land South of Kiddermore Green Road – we agree that the trees and hedgerows should be retained, though would not consider this as an enhancement measure but rather a required mitigation measure to protect the setting of heritage assets and historic character. Additional planting would be considered as an enhancement measure and we support this and consider it necessary.
Site 617 – We would consider the retention of trees and hedgerows to be a required mitigation measure which we support and not an enhancement and would support the inclusion of additional planting along the boundaries as an enhancement measure that could be achieved.
Site 016 – Land at Pear Tree Farm – we agree the trees and hedgerow should be retained and enhanced. The policy clause on page 199 of the Plan should relate to the need to retain the trees and hedgerow and incorporate enhancements to conserve the setting of Grade II listed farmhouse. How will the development conserve the listed building and provide positive management for its future.
Site 274 – Land South of White Hill Kinver – there are no references to any mitigation measures in page 201 of the Plan. Historic England has always had concerns regarding this site/ larger site identified within the previous Local Plan and the impact on the Hillfort. However, we accept that this site was allocated as safeguarded for development in the previous Local Plan. We request that appropriate mitigation measures are included within the proforma to ensure that harm to the Hillfort is avoided/ minimised and the HESA used to inform this approach.
Site 576 – Land off Hyde Lane West – we support the mitigation measure referenced on Page 202 of the Local Plan.
Site 239 – Land west of Wrottesley Park Road – we would recommend the inclusion of a clause relating to the need for archaeological mitigation and investigation.
Site 416/416a – Land off Orton Lane – setting of the Canal Conservation Area will need to be protected and archaeological investigation and mitigation will be required.
Site 285 – Land off Pool House Road - we recommend a mitigation measure to retain the trees and hedgerows is included within the specific policy criteria on Page 207 of the Plan, as recommended by the HESA 2022 Report.
Site 562/415 – Land off Pool House Road - we agree that the trees and hedgerows should be retained, though would not consider this as an enhancement measure but rather a required mitigation measure to protect the setting of heritage assets and historic character. Additional planting would be considered as an enhancement measure and we support this.
Site 459 – Land off Pool House Road - we agree that the trees and hedgerows should be retained, though would not consider this as an enhancement measure but rather a required mitigation measure to protect the setting of heritage assets and historic character. Additional planting would be considered as an enhancement measure and we support this.
Site 463/284 – Page 210 of the Plan states that the trees and hedgerows should be retained if possible. We consider that it is necessary to ensure the retention of trees and hedgerows, as well as to have an additional planting scheme to further protect the setting of heritage assets.

<p>Site 272 – Land East of Dunsley Drive – Kinver – scored red in the HESA 2022 Report and Historic England has concerns regarding this site, however, we cannot find it listed within the Regulation 19 version of the Plan under these details. We support the exclusion of this site from the Plan and consider this an appropriate deletion.</p>
<p>Site 082 – Land between A449 Stafford Road and School Lane – the clause on Page 212 of the Plan is welcomed and it would be useful to include that the tree belt should be retained to protect the historic landscape character and setting of heritage assets; additional planting scheme would be considered an enhancement. The site would benefit from archaeological investigation and mitigation as set out in the HESA 2022 Report.</p>
<p>Site 397 – Land adjacent to Brookhouse Lane – we welcome a mitigation measure for a landscaping scheme to be required. Potential for archaeological remains to be found and archaeological investigation and mitigation would also be beneficial.</p>
<p>Site 251 – Hall End Farm - we agree that the trees and hedgerows should be retained, though would not consider this as an enhancement measure but rather a required mitigation measure to protect the setting of heritage assets and historic character. Additional planting would be considered as an enhancement measure and we support this to protect the historic character and setting of heritage assets.</p>
<p>Site 313 – Land of Himley Lane – Grade II listed building in the vicinity of this site, are there any opportunities for an enhancement measure to bring this building back into use and provide a positive strategy for the historic environment? We agree that the trees and hedgerows should be retained, though would not consider this as an enhancement measure but rather a required mitigation measure to protect the setting of heritage assets and historic character. Additional planting would be considered as an enhancement measure and we support this.</p>
<p>Site 379 – Land off Invetsy Road – the HESA report states that this site has already been allocated through the 2017 Local Plan, on Page 464. This is unclear as it is included within this Local Plan consultation. The HESA report states that there could be high potential for archaeological finds and as such a mitigation measure for archaeological investigation and mitigation will be required. We support the need to retain the hedge boundaries to maintain the historic character of the area and consider this should be a requirement of the development.</p>
<p>Site 426a – Bridge Farm – 54 Long Street - we welcome the reference to the mitigation measure in the Plan on Page 221 but consider that this needs to be more detailed to protect the setting and existing character of the Canal Conservation Area, in this location.</p>
<p>Site 036c – Land at Weeping Cross – we have concerns regarding this site and comments made in the 2022 HESA Report assessing the impacts to heritage assets and historic character. Site 036c appears have a higher level of impact as scored between an ‘amber’ and ‘red’ RAG score. We consider that additional mitigation measures are required in order to protect the existing historic landscape area/ non designated parkland landscape/ impacts on the setting of the Canal Conservation Area and potential for archaeological finds. The HESA Report stated that only part of this site should be allocated due to harm on heritage but we are unclear whether this advice has been taken or not. We do note that Site 036a appears to no longer be included within the Plan.</p>
<p>Site 582 – North of Langley Road – we support the mitigation measures set out on page 223 of the Plan and would encourage the Council to further consider how the setting of the Second World War finds can be conserved and enhanced. Additionally, the HESA 2022 Report sets out the possibility for high potential for other archaeological finds and so it would be relevant to include a mitigation measure requiring archaeological investigation and mitigation.</p>

Appendix D Gypsy and Traveller proposed site allocations
Site GT01 – Wolverhampton Road - we agree that the trees and hedgerows should be retained, though would not consider this as an enhancement measure but rather a required mitigation measure to protect the setting of heritage assets and historic character. Additional planting would be considered as an enhancement measure and we support this.
Site GT05 – Dark Lane, Slade Heath – we have some concerns with this site and the impacts on the Canal Conservation Area and Listed Bridge. We welcome the mitigation measure on Page 225 of the Plan, however, consider additional detail is required about how a development can come forward and minimise its harm on the historic environment.
Site GT06 – Old Stafford Road – Slade Heath - we agree that the trees and hedgerows should be retained, though would not consider this as an enhancement measure but rather a required mitigation measure to protect the setting of heritage assets and historic character. Additional planting would be considered as an enhancement measure and we support this.
Site GT07 – Brewood Lane - we agree that the trees and hedgerows should be retained, though would not consider this as an enhancement measure but rather a required mitigation measure to protect the setting of heritage assets and historic character. Additional planting would be considered as an enhancement measure and we support this.
Site GT08 – Stafford Road – we support the mitigation measures for this site set out on Page 228 of the Plan. As the site is already developed and is seeking an additional pitch that would elevate the harm, we consider this is essential and appropriate to be included in the policy text.
Site GT14 – Land at Bursnips Road - we agree that the trees and hedgerows should be retained, though would not consider this as an enhancement measure but rather a required mitigation measure to protect the setting of heritage assets and historic character. Additional planting would be considered as an enhancement measure and we support this.
Site GT17 – The Stables – we support the retention of the trees and hedgerows to protect the existing character of the area.
Site GT18 – Pool House Road - we support the retention of the trees and hedgerows to protect the existing character of the area.
Site GT23 – Dark Lane, Slade Heath - we support the retention of the trees and hedgerows to protect the existing character of the area. Due to the comments in the HESA 2022 Report we further consider that additional planting will be necessary to protect the existing character of the Canal Conservation Area.
Site GT32 – Kingswood Colliery – Watling Street – we support the retention of the tree lined boundaries.
Site GT33 – Shaw Hall Lane - we support the retention of the trees and hedgerows to protect the existing character of the area. Due to the comments in the HESA 2022 Report we further consider that additional planting will be necessary to protect the existing character of the Canal Conservation Area.
Site GT34 - we support the retention of the trees and hedgerows to protect the existing character of the area. Due to the comments in the HESA 2022 Report we further consider that additional planting will be necessary to protect the existing character of the Canal Conservation Area.
Site GT35 - we support the retention of the trees and hedgerows to protect the existing character of the area. Due to the comments in the HESA 2022 Report we further consider that additional planting will be necessary to protect the existing character of the Canal Conservation Area.

Proposed employment allocations:

Two allocations within the HESA 2022 Report scored 'medium' for impacts to the historic environment. We note no sites taken forward have been scored as 'red'. All the sites proposed appear to be extensions to existing employment areas.

Site E33 Four Ashes proposed for large scale employment development. We note that the site has an approved Development Consent Order from 2020 and that various heritage assessments and mitigation measures were part of this approach. As such we have no additional comments to raise at this time.

Site E44 i54 we consider that as there is a medium potential for archaeological remains to be found on the site that a mitigation measure should be included which incorporates appropriate archaeological investigation and mitigation to support planning applications pre determination, to be added to the site proforma on Page 241.

Appendix J Monitoring Framework

Consider an indicator that will test how successful the policies have been, for example, number of applications approved with a negative impact for the historic environment/ against heritage advice etc.

Sustainability Appraisal/ Strategic Environmental Assessment (SA/SEA) comments:

Given resource restraints we have limited time to consider the full volumes of the SA/SEA Report.

We are supportive of a specific indicator for cultural heritage and an assessment of the key issues that heritage faces as a result of the development pressure within the Borough. We welcome a section on the consideration of reasonable alternatives within the Report. We note the comments in Table N.11 on page N37 in the SEA 2022 Volume I Report and consider that ensuring that appropriate mitigation measures that have been identified throughout the HESA Reports, are stated within the Plan under relevant site policies to minimise the harm to heritage both individually and cumulatively.

Table 6.5 from page 46 cites a '0' effect for heritage for all sites bar 036c. It is disappointing that there are no sites which have incurred a 'positive' for the historic environment. Given the comments in the HESA 2022 Report and in the SA/SEA Report Volume I (as above) we consider it likely that there are residual negative effects for the historic environment, which makes the appropriate mitigation measures necessary.

We are supportive of the range of policies within the Plan which seek to consider the impacts for the historic environment and conserve heritage assets.