



WEST DORSET, WEYMOUTH & PORTLAND LOCAL PLAN EXAMINATION

STATEMENT OF COMMON GROUND 1

1. GENERAL

- 1.1 This Statement of Common Ground (SOCG) has been produced by West Dorset and Weymouth & Portland Councils' to assist the Inspector at the West Dorset and Weymouth & Portland Local Plan Examination.
- 1.2 The purpose of this SOCG is to illustrate the adjustments agreed by both parties to address and resolve specific outstanding concerns previously expressed by English Heritage. It should be noted that English Heritage has withdrawn its concerns regarding Policy W13 and SHER1 following confirmation that planning permission has now been granted for these developments. It should also be appreciated that English Heritage retains its formal position in opposition to the proposed Policy DOR10 - allocation of a park and ride and service station to the east of Maiden Castle.
- 1.3 These key matters include the content of policy ENV 4 (Heritage Assets) and Policy ENV11 (The Pattern of Streets and Spaces).
- 1.4 West Dorset and Weymouth & Portland Councils circulated this SOCG to Mr Rohan Torkildsen of English Heritage, for agreement on 6th November 2014.

2. CONCERNS RAISED BY RESPONDENTS

- 2.1 Concerns were raised by English Heritage with regard to the clarity of the approach of the local plan to heritage conservation.

3. AGREED POSITION

- 3.1 English Heritage confirms that the Councils proposed revised wording to policies, associated text and the glossary (appended to this Statement) would address the concerns previously raised and that they support the proposed modifications to the plan (as appended to this Statement).

3.2 The position has been agreed by Mr Rohan Torkildsen on 7th November 2014.

APPENDIX: REVISED POLICY ENV4 (HERITAGE ASSETS)

The text below shows the Councils proposed revised wording for Policy ENV4. These changes are shown as changes to the Submission version of the Local Plan (June 2013):

Underlined red text: Text added

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2.3 PROTECTING AND ENHANCING OUR HERITAGE ASSETS

- 2.3.1 Much of the area retains strong links with its past heritage, providing a sense of continuity, local identity and pride. This includes a rich historic and built heritage largely protected through Listed Building and Conservation Area status. There are also a large number of heritage assets that are of local architectural or historic interest and importance that add to the richness of the local built environment. In recognition of this interest, and in order to ensure that the character of these buildings is respected by development, the Councils have prepared lists of locally important heritage assets. There is also a multitude of archaeological sites and features. The South Dorset Ridgeway is a fine example of this, with a concentration of prehistoric barrows. There are also cultural associations with some of these places through the works of authors such as Thomas Hardy, William Barnes and Jane Austen and painters such as Fra Newbery.
- 2.3.2 Heritage assets ~~cannot be replaced, they~~ provide wide social, cultural, environmental and economic benefits and once lost they can not be replaced. Every year English Heritage publishes a list of those heritage assets most at risk of being lost as a result of neglect, decay or inappropriate development. The councils also maintain a local building at risk register of Grade II Listed Buildings. Each council has a commitment to the management of heritage assets through the ongoing production and review of conservation area appraisals, reducing the vulnerability of assets and securing their removal ~~of assets~~ from the local and national 'at risk' registers.
- 2.3.3 Wherever possible, the councils' strategy is to ensure that historic buildings and other heritage assets that make a positive contribution to local character are put to an appropriate and viable use that is consistent with their conservation. These assets can be harmed through development, either directly or by an indirect impact to the setting. Such harm should be exceptional and will require clear and convincing justification. The effect of development on the significance of a heritage asset will be taken into account in determining planning applications, and proposals will be expected to include available information sources to help evaluate any such impact. Where development is likely to impact on a heritage asset, a statement of heritage significance must be submitted with the application. The information required in the statement will be proportionate to the importance of the asset and no more than is needed to understand the potential impact. It should normally include:
- reference to the Dorset Historic Environment Record (maintained by Dorset County Council)
 - information on the purpose of works / justification for the development

- a description of the built heritage asset and its setting, including its historical context and evolution (identifying any key phases when additions or alterations have taken place). Where there is evidence of deliberate neglect of or damage to a heritage asset, the deteriorated state of the heritage asset will not be taken into account in any decision.
- an assessment of its overall significance, and the significance of the particular element/s affected by the proposal, identifying the degree of harm if any.

2.3.4 Development that makes a positive contribution to, or better reveals the significance of the heritage asset, will be encouraged. One of the strategic objectives of the local plan is to protect and enhance the outstanding built environment and the local distinctiveness of places within the area. Our strategy and policies for the historic environment will be to protect and enhance our heritage assets, secure positive improvements and play positive role in the delivery of other plan objectives such as supporting the local economy and regeneration of key areas. Key initiatives include:

- The council's Weymouth Town Centre Strategy (policy WEY1) will provide a mechanism for improving the condition of the historic environment and provide an opportunity to secure appropriate sustainable economic viable uses.
- Providing public realm improvements in town centres, for example the Dorchester Transport and Environment Plan (DTEP).
- Recognising the importance of markets to the vitality of historic town centres, ports, resorts and harbours.
- Encouraging heritage led tourism, for example through the conversion of the Shire Hall, Dorchester into a sustainable heritage visitor centre.
- Monitoring and reducing the number of 'at risk' heritage assets on the local and national registers.
- Working in partnership with local stakeholders to appraise conservation areas which are deemed to be under threat of inappropriate development or incremental degradation.
- Continuing to prepare and update lists of locally important heritage assets through conservation areas appraisals
- Engaging communities in the use of neighbourhood plans as a tool for addressing conservation issues, and supporting them in the identification of locally important heritage assets.
- Exploring the potential for CIL or S106 funding to support future public realm projects.
- Using masterplans and relevant evidence to further assess the impact of development on the significance of any heritage asset or its setting.

ARCHAEOLOGY

2.3.5 Today's archaeological remains reflect human activity over thousands of years. The plan area is particularly rich in archaeological remains, which include burial grounds, farms and field systems, defence installations and industrial sites, lime-kilns, lighthouses and older quarry workings. Archaeological sites are an important educational, recreational and tourist resource and the councils will encourage steps to secure their appropriate management and interpretation.

- 2.3.6 Many archaeological sites are legally protected in whole or part through designation as Scheduled Monuments, in which case the granting of planning permission will be contingent on approval by the Secretary of State. There are also sites of regional or county importance. The level of protection afforded to these sites will depend upon:
- The intrinsic importance of the remains and their settings;
 - The need for development and availability of alternative sites;
 - The opportunities for mitigating measures and whether the remains are preserved in situ;
 - The potential benefits, particularly to education, recreation and tourism
- 2.3.7 The area covered by the plan has significant potential for undesignated archaeological remains and a great deal of archaeological material has yet to be discovered.
- 2.3.8 Applications affecting sites of archaeological importance must be accompanied by the results of an archaeological assessment and, where necessary, a field evaluation in order that an informed decision can be made on the application. This may also be required in areas of archaeological potential. Advice is available from the County Archaeologist.

CONSERVATION AREAS

- 2.3.9 Councils have a duty to designate areas of special architectural or historic interest as Conservation Areas and make sure that their character and appearance is preserved or enhanced. In designating Conservation Areas, consideration is given not only to individual and groups of buildings but also to their surrounding townscape, landscape and setting.
- 2.3.10 Conservation Area designation means that greater control is exercised over new development which affects the area and its setting, including the demolition of buildings and the lopping, topping or felling of trees. In assessing proposals that may affect a Conservation Area, the councils will have particular regard to:
- avoiding the loss of buildings and features which make a positive contribution to the character or appearance of the area;
 - the characteristics of proposed development (including its function) and how it reinforces local distinctiveness;
 - the relationship of the new development to historic development patterns both in terms of the siting of buildings on plots and the form and layout of streets or the settlement as a whole;
 - the appropriateness of the proposed design and use of the development and its likely impact on any built or landscape features which make a positive contribution to the character or appearance of the Conservation Area.
- 2.3.11 Adverse impacts on buildings, open spaces (including garden areas and the setting of Important Local Buildings), views or features (including trees, walls and architectural features such as windows, doors, chimneys, porches, canopies and ironmongery) which make a positive contribution to the character or appearance of the area, will not normally be permitted.
- 2.3.12 Applications for total or partial demolition of an Important Local Building (as identified in the Conservation Area Appraisals) or an unlisted building that makes a positive

contribution to the character and appearance of a conservation area, will be required to explain the planning benefits of redevelopment and justify why the repair and retention is not viable ..

- 2.3.13 Proposals for demolition will be refused where this would lead to an unsightly gap in the street scene or where there are no suitable arrangements in place to provide an approved replacement development in keeping with the character of the conservation area. Where consent is granted, a planning condition will be imposed to prevent implementation until a contract has been let for the approved replacement development.

LISTED BUILDINGS

- 2.3.14 Buildings are 'listed' by English Heritage as being of special architectural or historic interest. They are protected by law. Listing covers the whole property, inside and out, and any object or structure fixed to it, and any object or structure within the building's curtilage that was built prior to 1 July 1948.
- 2.3.15 Owners of Listed Buildings should keep them in good repair. If a Listed Building falls into disrepair and remains neglected, the councils can serve an urgent works notice or a repairs notice on the owner specifying what work needs to be done. The councils may carry out works and seek to recover the costs from the owner in certain circumstances.
- 2.3.16 A Listed Building can be harmed through inappropriate development. Even minor alterations and extensions or development within its setting, can potentially adversely affect the significance of a Listed Building. The original plan form, roof, walls and openings as well as interior and exterior features should be retained. The replacement of doors, windows and other features with alternatives that harm the character or significance of the building will not normally be permitted.
- 2.3.17 The best way to conserve Listed Buildings is to keep them in use, ideally the use for which they were originally designed. Consent will not be given for the demolition of any Listed Building without clear and compelling evidence from the applicant that the building cannot be conserved, including that adequate efforts have been made to retain the building in its current use or a compatible alternative use, and that its redevelopment will provide substantial planning benefits, including economic regeneration or environmental enhancement. The evidence should include an assessment of the condition of the building, costs of repair and what alternatives have been considered and why they have been dismissed. Where consent is granted for the demolition of a Listed Building, owners will be required to make provision for the appropriate recording and assessment of details of the building. Measures must be taken during demolition and building works to ensure the structural stability of retained parts and adjoining structures.

Historic Parks and Gardens

- 2.3.18 Historic parks and gardens are important both for their own intrinsic value, and for their contribution to the character of their surrounding landscapes, [tourism, recreation and leisure](#). Parks and gardens of national significance are identified by English Heritage and listed in its Register of Parks and Gardens of Special Historic Interest as

either Grade I (international importance), Grade II* (exceptional historic interest), or Grade II (special historic interest).

- 2.3.19 In addition to these sites, there are other historic parks and gardens in the plan area that are of local importance. Dorset County Council and the Dorset Gardens Trust are preparing a list of sites.
- 2.3.20 The appearance or setting of a park or garden will be a material planning consideration in the determination of planning applications.

~~ENV 4. HERITAGE ASSETS~~

- ~~i) Proposals which respect, protect or enhance the significance and setting of heritage assets will be supported.~~
- ~~ii) In considering the impact of a proposed development on the significance of a heritage asset a judgement will be made, taking into account the scale of any harm, potential public benefit and the nature, significance and level of importance of the asset.~~
- ~~iii) Where nationally important archaeological remains and their settings are affected by proposed development, there should be a presumption in favour of their physical conservation. Development should not be permitted which would have an adverse effect upon the remains and their settings. Adequate provision must be made for preserving any archaeological remains, either in situ or by record.~~
- ~~iv) Proposals for development within a Conservation Area, or outside but which would affect its setting or the views into or out of the area, should not be permitted unless they preserve or enhance the character or appearance of the Conservation Area.~~
- ~~v) Development should not be permitted if it is likely to have an adverse effect on the significance, setting, character or integrity of a Listed Building. The total or substantial demolition of a Listed Building will be wholly exceptional.~~
- ~~vi) Substantial harm to or loss of a historic park or garden should not be permitted.~~

ENV 4. HERITAGE ASSETS

- vii) The impact of development on a designated or non-designated heritage asset and its setting must be thoroughly assessed against the significance of the asset. Development should conserve and where appropriate enhance the significance.
- viii) Applications affecting the significance of a heritage asset or its setting will be required to provide sufficient information to demonstrate how the proposals would positively contribute to the asset's conservation.
- ix) A thorough understanding of the significance of the asset and other appropriate evidence including Conservation Area Character Appraisals and Management Plans should be used to inform development including potential conservation and enhancement measures.
- x) Any harm to the significance of a designated or non-designated heritage asset must be justified. Applications will be weighed against the public benefits of

the proposal; if it has been demonstrated that all reasonable efforts have been made to sustain the existing use, find new uses, or mitigate the extent of the harm to the significance of the asset, and; if the works proposed are the optimum required to secure the sustainable use of the asset.

- xi) The desirability of putting heritage assets to an appropriate and viable use that is consistent with their conservation will be taken into account.
- xii) Where harm can be justified, appropriate provision will be required to capture and record features, followed by analysis and where appropriate making findings publically available.

Monitoring Indicator: number of designated heritage assets at risk. **Target:** no net increase

Monitoring Indicator: number of conservation areas with up to date appraisals (assessed every 10 years). **Target:** at least 65%

APPENDIX: REVISIONS TO ENV11 (THE PATTERN OF STREETS AND SPACES)

The text below shows the Councils proposed revised wording for the supporting text for Policy ENV11. These changes are shown as changes to the Submission version of the Local Plan (June 2013):

Underlined red text: Text added

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2.5 ACHIEVING HIGH QUALITY AND SUSTAINABILITY IN DESIGN

THE IMPORTANCE OF STREETS AND SPACES

- 2.5.7 In built up areas, proposals should create layouts of buildings and spaces with a clear identity. The design should be informed by the relationship with nearby buildings and the general pattern of development that contributes to the character of the area. Where development will alter the prevailing street pattern, this should be justified in terms of improved legibility, permeability or local character.
- 2.5.8 Streets and spaces should be easy to move around and well connected to the surrounding area. Streets should be designed as public spaces and places in their own right and include a network of interconnected spaces and routes for pedestrians and cyclists as well as vehicles. Well defined public and private areas, with active and overlooked public areas and secure private areas, create places that are safe and easily understood.
- 2.5.9 Works to the public realm within the historic environment should positively contribute to local character and identity, sensitively integrating and retaining in situ traditional surface materials, boundary treatments and street furniture
- 2.5.10 New developments should make provision for sustainable methods of transport including bus routes, footways, cycle routes and bridleways and proposals should not unduly limit opportunities for future connections and growth. Consideration should be given to how linkages relate to the wider route network in terms of an overall hierarchy, and how key routes and junctions are defined through their scale and enclosure, use of views, spaces and stopping places, and local landmarks. In residential areas or where pedestrian activity is high, the design of new vehicle routes should aim to keep traffic speeds below 20mph. The road layout including any parking provision should be designed so as not to dominate the street scene.

APPENDIX: REVISIONS TO GLOSSARY

The text below shows the Councils proposed revised wording for the glossary. These changes are shown as changes to the Submission version of the Local Plan (June 2013):

Underlined red text: Text added

~~Strikethrough red text~~: Text deleted

Heritage Asset	<p>a building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. They are likely to hold evidence of the substance and evolution of places, and of the people and cultures that made them. Designated heritage assets include World Heritage Sites, Scheduled Monuments, Listed Buildings, Protected Wreck Sites, Registered Park and Gardens, Registered Battlefield and Conservation Areas designated under the relevant legislation. <u>Features of a heritage asset include those which contribute to its special historical, archaeological, social, artistic or architectural interest.</u></p>
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Setting	<p>the surroundings <u>in which</u> of a heritage asset <u>is experienced.</u> that make a positive (or negative) contribution to its significance, or may affect the ability to appreciate that significance. <u>Its</u> The extent <u>is not fixed and of the setting</u> may change as the asset and its surroundings evolve. <u>Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral. The setting may include:</u></p> <ul style="list-style-type: none"> <u>• the physical surroundings of the asset, including its relationship with other heritage assets;</u> <u>• the way the asset is appreciated; and</u> <u>• the asset's associations and patterns of use.</u>
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