

Part B: Your Response

Please complete a separate **Part B form** for each response that you wish to make. One **Part A form** must be enclosed with your **Part B form(s)**.

To assist in making a response, separate **Guidance** is available on the Council's website. Responses should be returned by **5:00pm on Tuesday 11th June 2024**.

Name and Organisation:	MRS ELIZABETH BODEN, HISTORIC ENGLAND
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Q1. To which document(s) does this response relate?

a. Draft policy on Housing Provision for Older People and those with Disabilities and Special Needs and its explanation.	<input type="checkbox"/>
b. Updated Additional Sustainability Appraisal of the Draft Shropshire Local Plan Report.	<input checked="" type="checkbox"/>
c. Updated Housing and Employment Topic Paper.	<input checked="" type="checkbox"/>
d. Updated Green Belt Topic Paper.	<input type="checkbox"/>

Q2. To which paragraph(s) of the document(s) does this response relate?

Paragraph(s):	b. Updated SA Report – Table 12.5 and paras. 12.95 & 12.97 c. Updated Housing and Employment Topic Paper – paras. 16.153 & 16.154
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Q3. Do you consider the document(s) are:

- A. Legally compliant Yes: No:
- B. Sound Yes: No:

Q4. Please detail your comments on the specified document(s).

Please be as precise as possible.

Response of Historic England to Shropshire Local Plan Additional Consultation – May 2024

Updated Housing & Employment Topic Paper, April 2024

- Historic England (HE) notes that for the Shrewsbury Place Plan Area around 45ha is still proposed as a “*dedicated employment allocation to the west of the A49, Shrewsbury (SHR166)*” (para. 16.153) within the Shropshire Local Plan.
- We also note that para.16.154 further explains that this site is “*intended to perform a strategic employment role, being capable of delivering a range of employment uses, including B2 and B8 uses.*” The Topic Paper goes on to explain that “*flexibility to deliver the whole range of employment uses on this site has however subsequently been impacted by heritage considerations raised by Historic England and the designation of the site of a temporary Roman marching camp as a Scheduled Monument. It is acknowledged that this issue is yet to be discussed fully at the Examination and is likely to form part of the considerations for Stage 2 hearing sessions*”.

3. Historic England has raised an objection to the proposed employment allocation Site SHR166 throughout the preparation of the Shropshire Local Plan (the Plan). We refer to our representation to the consultation on the Regulation 19 Plan dated 26/02/21 (attached as **Appendix A**) and to our Hearing Statement to Stage 1, Matter 1 of the Shropshire Local Plan Examination in Public (EiP), May 2022, (attached as **Appendix B**), which details our responses to the various stages of the Plan; setting out our objections to this proposed allocation and our concerns regarding the SA of the Submission Plan in respect of this proposal.
4. Since the Hearing Sessions held in July 2022 in relation to Stage 1, Matter 1 of the EiP, and as referenced in para.16.154 of the Updated Housing and Employment Topic Paper, the part of site SHR166 once occupied by a temporary Roman marching camp, and known as ‘*Uffington Roman Temporary Camp, Shrewsbury*’, has been designated as a Scheduled Monument by the Secretary of State for Culture, Media and Sport, under the Ancient Monuments and Archaeological Areas Act 1979 (as amended). We wrote to inform the EiP Inspectors of this on 5th October 2022 and a copy of this letter is attached at **Appendix C**. The Schedule entry for this monument, as published on the National Heritage List for England as List Entry Number: 1480432, is available through Historic England’s website, via the link below: [Uffington Roman Temporary Camp, Shrewsbury, Uffington - 1480432 | Historic England](https://www.historicengland.org.uk/monuments/uffington-roman-temporary-camp-shrewsbury-uffington-1480432)
5. Designation as a Scheduled Monument confirms the status of the area of Uffington Roman Temporary Camp as a nationally important archaeological site and necessitates that Scheduled Monument Consent (SMC) is now required to carry out any works to the monument. There is a presumption that Scheduled Monuments will be handed on to future generations in much the same state that we have found them, with the NPPF advising that great weight should be given to an asset’s conservation (para.205) and that substantial harm or loss of assets of the highest significance, which includes Scheduled Monuments, should be wholly exceptional (para.206).
6. Scheduled Monument Consent is a separate process to obtaining planning permission and, as such, whilst there is an association to the NPPF, the determinative document in respect of SMC is the Department for Culture, Media and Sport (DCMS) Policy Statement for “*Scheduled Monuments & nationally important but non-scheduled monuments*” October 2013: <https://www.gov.uk/government/publications/scheduled-monuments-policy-statement>
7. Attention is drawn to Part 1, paragraph 6 of the DCMS 2013 Policy Statement, which states that the purpose of the schedule of ancient monuments of national importance is to “*help preserve them, so far as possible, in the state in which they have come down to us today*”. Only in the case of Nationally Significant Infrastructure Projects (NSIPs) under the Planning Act 2008: Development



Consent Orders, can a planning process obviate the need for Scheduled Monument Consent.

8. Historic England advises the Secretary of State on applications for Scheduled Monument Consent, and thus an employment development on the Scheduled Monument, as per the proposed allocation in the Shropshire Local Plan, would be highly unlikely to comply with the requirements of the DCMS 2013 Policy Statement. As such we would be minded to advise the Secretary of State that any such application should refuse Scheduled Monument Consent and this position would be mirrored in Historic England's advice on planning permission for such works, as it would clearly cause substantial harm, and possible total loss, of the Scheduled Monument, as well as substantial harm to its setting, contrary to the NPPF.
9. Furthermore, without Scheduled Monument Consent it is the case that site SHR166 would be undeliverable and thus the spatial strategy set out in the Shropshire Local Plan would not be achievable. The designation of site SHR166 as an employment allocation would therefore mean that the Shropshire Local Plan, as well as not being consistent with national policy, would not be justified or effective, and thus it would not comply with the tests of soundness as set out in the NPPF at para.35.
10. In addition to the above, we refer back our representation to the consultation on the Regulation 19 Plan dated 26/02/21 (attached as **Appendix A**), where we raised objection to the proposed allocation of site SHR166 on several grounds aside from the harm to the significance of the Roman marching camp and its setting, and we consider that our objection on grounds 2, 3 and 4 still remain.
11. Moreover, Historic England notes that '*The Proposed Spatial Strategy*', as revised by the Updated Housing & Employment Topic Paper at para.21.6 a. sets out that it will deliver a minimum of 320 hectares of employment land; of which 30 hectares will contribute towards the unmet needs forecast to arise within the Black Country and meaning that 290 hectares are to meet Shropshire's needs. However, previously the Topic Paper has calculated the residual employment land requirement as 270 hectares (para. 17.6), meaning that the Plan proposes an oversupply of employment land.
12. HE therefore concludes that our objection could be addressed through removal of site SHR166 from the Local Plan; which, if developed for employment, has the potential to substantially harm both designated and undesignated heritage assets.



Additional Sustainability Appraisal of the Draft Shropshire Local Plan, April 2024

13. Historic England understands that the purpose of this additional Sustainability Appraisal (SA) is to provide a summary of the updated additional SA assessment work undertaken by Shropshire Council in order to respond to the conclusions reached by the Planning Inspectors within ID28, ID36 and ID37; mainly focussing on how the Shropshire Plan will meet any unmet housing and employment needs arising within the Black Country.
14. However, we note that the scope of the SA document (para. 4.1) includes identifying an appropriate strategic distribution of development across Shropshire and a re-assessment of relevant draft policies within the draft Shropshire Local Plan, to support identification of main modifications in response to the consideration of the updated additional SA assessment work undertaken. Furthermore, we understand that Site SHR166 is proposed to be allocated to meet the employment needs of Shropshire, and not to meet any unmet housing and employment needs arising within the Black Country.
15. With specific reference to the assessment of Site SHR166 in relation to employment development attention is drawn to the following:
Table 12.2: Summary of the Conclusions of the Stage 2a Employment Site Assessments – the ‘Overall Settlement Sustainability Conclusion’ for ‘Shrewsbury’ assesses the site as ‘Poor’, whereas many others are assessed as ‘Good’ and as a ‘Potential Strategic Site’ the assessment conclusion is ‘Fair’, again with many other sites being assessed as ‘Good’.
16. The Additional SA also considers ‘*Likely Significant Effects and Mitigation*’, with Table 12.5 summarising these for the proposed employment allocations and again the ‘Overall Settlement Sustainability Conclusion’ for ‘Shrewsbury’ assesses the site SHR166 as ‘Poor’. HE notes that paragraph 12.94 comments in relation to Table 12.5 of the Additional SA states that:
“...only 2 of the proposed allocations within the assessment area perform ‘poorly’ and as such are considered to have likely significant adverse effects for which mitigation measures should be proposed”.
17. The SA document at para.12.95 goes on: *“The first site is SHR166 at Shrewsbury, which is intended to contribute towards achieving the proposed employment land guideline for Shrewsbury, the proposed employment land requirement for Shropshire and the wider spatial strategy for Shropshire. It is not proposed to accommodate any of the proposed contribution to the unmet employment land need forecast to arise within the Black Country. Much of the site contains a newly designated Scheduled Monument (designated in late 2022). This matter is currently being given due consideration, informed by ongoing engagement with the site promoter”.*



18. Additionally attention is drawn to paragraph 12.97 of the SA: *“Having reviewed the mitigation measures previously identified for these sites (with the exception of the matter of the newly designed Scheduled Monument on site SHR166 which is currently being given due consideration), it is considered that they are effective in the context of sustainably accommodating Shropshire needs.”*

19. HE refers to our response to the ‘Updated Housing & Employment Topic Paper’ as set out above, particularly paragraphs 4, 5, 6, 7, 8 and 9 with regard to the Scheduling and the implications of this for the development of this proposed employment site.

20. We note that Table 12.6 of the Additional SA seeks to give reasons for the ‘Poor’ score in relation to Site SHR166, amongst others, and sets out mitigation measures. However, we note that both the reasons and the mitigation are deficient in that they do not include any reference to heritage or to the Scheduled Monument on the site and HE therefore considers that the likely significant effects on the historic environment have not been fully assessed.

21. Additionally, with reference the assessment of Site SHR166 as contained in Appendix 1 (p.25) and Appendix 2 (p.18) to the Additional SA Report, HE notes that again these assessments have failed to take into account the designation of a Scheduled Monument on the site and therefore require updating; potentially meaning that the assessment of effects would result in an even more negative scoring. This is similarly the case in Appendix 9 (p.157), where we consider that the ‘Heritage Comments Significant Constraints/Other Constraints’ should reference the Scheduled Monument and the implications of this.

22. Given the above, HE therefore considers that the likely significant effects on the historic environment have not been sufficiently addressed within the Additional SA document. In addition, we also consider that mitigating measures have not been adequately addressed and that a full assessment of reasonable alternatives has not been carried out. Thus, HE concludes that in relation to Site SHR166 the requirements for SEA have not been met.

(Please continue on a separate sheet if necessary)

Please succinctly provide all necessary evidence and information to support your response. After this stage, further submissions may only be made if invited by the Planning Inspectors, based on the matters and issues identified for examination.

Q5. Do you consider it necessary to participate in relevant examination hearing session(s)?

Please note: This response provides an initial indication of your wish to participate in relevant hearing session(s). You may be asked to confirm your request to participate.

No, I do not wish to/consider it necessary to participate in hearing session(s)

Yes, I consider it is necessary/wish to participate in hearing session(s)



The Inspectors will determine the most appropriate procedure to consider comments made during this consultation.

