

INTERIM PLANNING GUIDANCE NOTE

SAFEGUARDING THE REGISTERED SITE OF THE BATTLE OF SHREWSBURY INTERPRETATION OF RELEVANT HERITAGE POLICIES AND GUIDANCE



View south from Battlefield 1403 Visitor Centre with the church of St Mary Magdalene in the foreground

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INTERIM PLANNING GUIDANCE NOTE

SHROPSHIRE COUNCIL, DEVELOPMENT MANAGEMENT

INTERPRETATION OF STRATEGIC HERITAGE POLICIES AND GUIDANCE WITH REFERENCE TO DEVELOPMENT IN PROXIMITY TO THE REGISTERED SITE OF THE BATTLE OF SHREWSBURY AT BATTLEFIELD IN NORTH SHREWSBURY

1. THE PURPOSE OF THIS GUIDANCE

- 1.1 The purpose of this document is clarify how existing local and national heritage policies and guidance should be applied when considering development proposals in the vicinity of the registered site of the Battle of Shrewsbury. The main objectives are:
- i) To define a buffer zone in the area surrounding the Battle of Shrewsbury site where new development may have greater potential to affect the setting of the registered site (the Battlefield Buffer Zone - BBZ);
 - ii) To provide advice on how heritage policies and guidance should be interpreted 'on the ground' for new development proposals within the Battlefield Buffer Zone;
 - iii) To achieve a consistent approach towards appraisal of the heritage impact of new development proposals, reducing the potential for individual or cumulative effects to impact on the Registered Battlefield site;
 - iv) To achieve a consistent approach to landscaping within the BBZ, facilitating improved visual integration for the setting of the Registered Battlefield site wherever appropriate;
 - v) To clarify when a Heritage Assessment is likely to be appropriate for development within the BBZ.
- 1.2 This document does not represent new heritage policy. Advice and justification is provided instead on how existing heritage policies and guidance should be interpreted within the BBZ.

2. THE CONTEXT OF THIS GUIDANCE

- 2.1 The Registered Site of the Battle of Shrewsbury extends to approximately 105 hectares and is located immediately adjacent to the northern edge of Shrewsbury (see Plan 1). The site is a nationally designated heritage asset 'of the highest significance' (NPPF para 132). It is one of just 43 Registered Battlefields in England and is the only such site in Shropshire. The historical significance of the battle is explained in Appendix 1.
- 2.2 The site is also a popular educational and leisure attraction with a visitor centre (Battlefield 1403) at its elevated northern end. This complements and integrates with the Shrewsbury Battlefield Heritage Park to the south, comprising a viewing mound and a network of surfaced footpaths aligned so as to optimise viewpoints and the interpretation of the Battle.

- 2.3 The registered site is close to an area of existing and allocated employment land in Shrewsbury. It is also close to other areas which may also potentially be subject to development proposals in the future. This includes areas of open countryside adjoining the existing urban edge of Shrewsbury and its continuation along the A49 corridor (see Plan 1).
- 2.4 Registered Battlefields and their settings are afforded general protection by relevant heritage policies and guidance (Appendix 2). However, it is appropriate to provide more detailed clarification on how such policies should be interpreted in practice at a local level when considering specific development proposals in proximity to the registered site of the Battle of Shrewsbury. This is given:
- i) The national importance of the Registered Battlefield and the need to protect its setting; and
 - ii) The amount of potential development land in close proximity to the registered site and the potential for this either individually or cumulatively to affect the setting of the Registered Battlefield.

3. DEFINING THE SAFEGUARDING BUFFER ZONE

- 3.1 Plan 1 shows the location of the Registered Battlefield in relation to surrounding areas of potential development and defines a buffer zone (the Battlefield Buffer Zone - 'BBZ') within which the advice of this document is intended to apply.
- 3.2 The Battlefield Buffer Zone has been identified based on the proximity of allocated and potential development land to the Registered Battlefield site and the associated potential for effects on the setting of the registered site. The visibility of existing and potential development from the Registered Battlefield site was highlighted by visual appraisals undertaken in connection with the 2011 Public Inquiry into the Battlefield Energy from Waste Facility. This work has also informed the extent of the BBZ. Some parts of the BBZ are not currently allocated for business / employment uses, but may be subject to future development proposals. The inclusion of such non-allocated land in the BBZ should not be taken as implying that future development applications within such areas would be likely to succeed.
- 3.3 In general, land which is within 300m to the south and east of the Registered Battlefield has been included as there is a potential that development or re-development in this area could be visible from and may affect the setting of the registered site. Land to the north and west of the Registered Battlefield has been excluded because such land is not considered likely to be subject to the same type of development pressure in the foreseeable future. The section of the railway line that is on high embankment will screen the area to the east of the Registered Battlefield when viewed from the lower-lying southern portion of the Battlefield. However, most of the area to the east of the railway line is visible from elevated northern parts of the Registered Battlefield in the vicinity of the Battlefield 1403 visitor centre. Accordingly, an area to the east of the Registered Battlefield has been included in the Battlefield Buffer Zone.

- 3.4 Geographical breaks such as road lines have been used where appropriate to form logical boundaries for the BBZ. Some existing areas of business / industrial development have also been included. This is given the possibility that some re-development or layering on to existing development may occur within such areas within the timescale of this interim guidance.
- 3.3 The area of the BBZ will be reviewed and may be subject to further refinement in the future in the light of relevant new information.

4. RELEVANT POLICY CONTEXT

- 4.1 National Guidance: The National Planning Policy Framework NPPF establishes a presumption in favour of sustainable development. Sustainable development can be defined as providing for present needs without compromising the requirements of future generations. This in turn requires effective conservation of both natural and cultural heritage resources. The NPPF advises that as part of any planning application, local planning authorities should require applicants to describe the significance of any heritage assets affected by a development proposal, including any contribution made by their setting, and to assess the potential impact of the development proposals upon that significance. In determining applications, local planning authorities should give great weight to the conservation of designated heritage assets. Any proposals which could result in a loss of significance of the heritage asset will require clear and convincing justification. Development which results in substantial harm or total loss of significance to a designated heritage asset should be wholly exceptional and will normally be refused. For developments which will result in less than substantial harm, the harm must be weighed against the public benefits that the scheme will deliver
- 4.2 Regional and Local Policy: The heritage policies of the West Midlands Regional Spatial Strategy and the Shropshire Core Strategy generally reinforce the guidance in the NPPF (Appendix 1). The Shropshire Core Strategy provides an overarching strategic policy context for future development in the county.
- 4.3 Shropshire Council is also currently preparing additional more detailed planning policy documents as part of its Local Development Framework. The Site Allocations and Management of Development document ('SAMDEV') will replace policies saved from the district local plans, including some heritage policies, and is likely to be adopted in the second half of 2014. The Council has also commenced work on the production of a range of Supplementary Planning Documents (SPD's). However, a Historic Environment SPD is not likely to be published until after the SAMDEV has been adopted. The main policies and guidance which are currently applicable to heritage matters in Shropshire are listed in Appendix 1.
- 4.4 English Heritage Guidance: English Heritage has published specific guidance on the Setting of Heritage Assets (October 2011) and Seeing the History in the View (May 2011) which sets out a methodology for evaluating the effects of development on heritage assets (see Appendix 3). The English Heritage guidance and the other policies and guidance referred to above informs the recommended safeguarding measures listed in the succeeding section.

5. IMPACTS ON THE SETTING OF THE REGISTERED BATTLEFIELD

- 5.1 A significant area of potential future development land, both allocated and unallocated, exists in close proximity to the Registered Battlefield. A number of development proposals have already come forward in this area and others are expected.
- 5.2 The setting of the Registered Battlefield has already been affected by existing developments including:
- Recent removal of vegetation from the adjacent railway embankment;
 - The electricity pylons which traverse the southern edge of the Registered Battlefield;
 - The A5124 Battlefield Link Road which truncates the southern edge of the Registered Battlefield;
 - The industrial developments within the Battlefield Industrial Estate;
 - New three storey housing development to the west of Battlefield Road;
 - Recent development to the east of the A49 at Shawbury Turn including the service station, Two Henrys Public House, hotel and Halls Auction buildings.
- 5.3 Future impacts to the setting of the Registered Battlefield are most likely to arise from the individual and cumulative effects of new development within the BBZ, including development of the Battlefield Energy from Waste Facility (see below).
- 5.4 The need for a consistent planning framework to assess potential impacts on the setting of the Registered Battlefield was highlighted during the 2011 Public Inquiry into the Battlefield Energy from Waste Facility. This interim planning guidance will assist in achieving this objective at the current time. In due course this document will be superseded by a Heritage Supplementary Planning Document (SPD) which will carry forward relevant heritage policy objectives.

6. BATTLEFIELD WASTE MANAGEMENT FACILITY

- 6.1 In autumn 2011 a Public Inquiry was held into Shropshire Council's decision to refuse planning permission for an Energy from Waste Facility (EWF) on land within the BBZ south of the Battlefield Link Road and west of the Shrewsbury-Crewe railway line (Plan 1). The proposals involve the erection of a 28m high building with a 64m high chimney adjacent to an existing waste management building. The Inquiry devoted significant time to assessing the impact of the building on the setting of the Registered Battlefield site. The Inspector heard that the building incorporated design features to mitigate the scale of the building, including a curved roof and use of translucent cladding. He concluded that there would be some harm to the setting of the battlefield. However, he concluded that this was outweighed by the benefits of the proposals including renewable energy and providing a local solution for managing locally derived municipal waste. This decision was not accepted by objectors, although it was not subject to further legal challenge.
- 6.2 The decision to approve the energy from waste facility on appeal does not establish a precedent for development of more tall buildings within the BBZ. A very specific

justification was put forward in support of the EWF which is unlikely to apply in the case of other development within the BBZ.

7. VISITOR PERCEPTION OF REGISTERED BATTLEFIELD

7.1 The Registered Battlefield site incorporates the following key components:

- i. The low east-west ridge at the north of the registered site offering tactical advantages exploited by the initial deployment of the rebel army;
- ii. The 1403 visitor centre at the north east end of the registered site;
- iii. The level fields to the south (the 'pea field') where the kings army initially deployed, and site of medieval ridge and furrow earthworks;
- iv. The picnic area and viewing mound at the southern end of the registered site, which afford views of the registered site and the rebel positions;
- v. The church of St Mary Magdalene (a Scheduled Monument and Grade II* Listed Building: a collegiate church established by Henry IV as a chantry for those who fell in the battle, reputedly on the site of a mass grave);
- vi. The site of medieval fishponds for the collegiate church adjacent to the current churchyard (a Scheduled Monument);
- vii. Views from the rebel position south towards the following features:
 - The Albright Hussey manor house (a Grade II* Listed Building) is located immediately adjacent to the north western boundary of the Registered site, together with the associated moat retaining wall and bridge and garden walls (which are Grade II listed in their own right);
 - Haughmond Hill to the south west, and the associated Haughmond Abbey (a Scheduled Monument), which the Kings army camped in the vicinity of on the night before the battle;
 - The churches at the centre of Shrewsbury. The spires now visible post-date the battle, but provide a clear indication of the centre of Shrewsbury, the approximate position of Shrewsbury Castle and the direction from which Prince Henry's force would have approached the site of the battle;
 - The direction of Harlescott Grange (a contemporary Scheduled Monument) to the south;
 - The Shropshire Hills to the south west, from which general position the rebel army was expecting to receive Welsh support from Glyn Dwr;
 - The battlefield brook, running north west – south east beyond the southern and western margin of the registered site, which would have been a logical place to station the Royal baggage train (through which the Royal right wing later fled after being routed). The depression along which the watercourse was aligned may also have provided a degree of concealment for the flanking movement undertaken by Prince Henry.

7.2 The registered site would have been an open landscape at the time of the battle, without many trees or hedgerows. Subsequently hedgerows have divided the area into a series of fields. However, the area remains relatively open and the height of hedgerows is carefully managed. Consequently, the majority of the registered site is visible from the viewing platform to the south and from the 1403 centre to the north. This sense of openness / lack of cover and the tactical advantage of the slight rise of the rebel position form important elements of the visitor perception, given the

significant role which the longbow played in the battle. Longer distance views from the rebel position also have significance in interpretation of the battle as noted above.

- 7.3 The registered site is traversed by an extensive network of carefully planned public footpaths. This allows the visitor to pass from the rebel position to the King's position and appreciate the local topography from both perspectives. On the lower ground within the footpath network the visitor is isolated to some extent from views of modern Shrewsbury a short distance to the south. The footpaths also lead to the Church, whose sense of memorial for the many fallen contributes to the visitor's appreciation of the Registered Battlefield.

8. HERITAGE ASSET SAFEGUARDING OBJECTIVES

- 8.1 The following key objectives have been identified as necessary in order to safeguard the setting and visitor appreciation of the Registered Battlefield. There is:

1. A need to preserve the sense of openness of the battlefield site;
2. A need to visually isolate the registered site as far as possible from the modern urban edge of Shrewsbury to prevent any further harm to the setting of the Registered Battlefield;
3. A need to preserve the sense of quiet contemplation within the registered site, and in particular in the vicinity of the Church;
4. A need to preserve and enhance the inter-visibility of heritage assets within and surrounding the registered site, including the church, the Albright Hussey, the viewing mound, the visitor centre and views towards the longer distance features referred to above;

- 8.2 The following criteria are considered necessary in order to achieve the above objectives:

1. There is a need to protect the integrity of the existing rural setting of the registered site so that visitors can appreciate the site with a minimum of external distraction. As such, it is considered that the level of visibility of new development from the Registered Battlefield needs to be minimised by exercising appropriate control over the scale of development within the BBZ and requiring the adoption of appropriate sensitive design practices, including careful specification of materials;
2. There is a need to maintain and enhance the level of screening / filtering of built development on the urban edge of Shrewsbury as seen from views within and adjacent to the registered site, including by provision of new landscape planting where appropriate;
3. There is a need to preserve the integrity of longer distance views from the elevated ground to the north towards landscape features with significance to the battle, including Haughmond Hill, the Shropshire Hills and the churches marking the position of central Shrewsbury;

- 8.3 In addition, it is considered that development in previously undisturbed areas within the BBZ should be subject to appropriate archaeological investigation. This is given the proximity to the registered site and the possibility of encountering important battle related archaeological finds in these areas.

9. SAFEGUARDING POLICIES

- 9.1 Having regard to the criteria set out in '8' above it is recommended that any new development falling within the BBZ is subject to the following safeguarding provisions in order to protect the setting of the Registered Battlefield:

Indicative Building Heights

BBZ1a. The maximum building height of any development within the southern area of the BBZ as shown on Plan 1 (including roof-mounted equipment and/or increase above existing ground levels) should not exceed 8.5 metres above existing ground level, other than in exceptional circumstances.

BBZ1b. The maximum building height of any development within the eastern area of the BBZ as shown on Plan 1 (including any roof-mounted equipment and/or increase above existing ground levels should not exceed 7m, other than in exceptional circumstances.

Notes / Interpretation:

- i. 'Maximum building height' means the height of the main built structures within the site, including any roof-mounted equipment but excluding essential associated ancillary structures such as lamp posts and telegraph poles;
- ii. Reference to 'exceptional circumstances' in this policy means development where there is a demonstrable exceptional need justification such as an overriding public benefit and where appropriate mitigation measures have been agreed with the Local Planning Authority in full accordance with the requirements of the sections 132, 133 & 134 of the NPPF.

Justification BBZ1a: Photomontages carried out in connection with the Public Inquiry into the Battlefield Energy from Waste Facility in 2011 demonstrated that industrial buildings 12m in height on plots to the immediate south of the Battlefield Link Road would be highly visible from the Registered Battlefield site and would have the potential to adversely affect its setting. By contrast, buildings 7m high in the same location were seen to be effectively screened by existing and proposed vegetation and would be unlikely to adversely affect the setting of the registered site.

It is considered that maximum heights of 8.5m within the southern part of the BBZ are capable in principle of being accommodated without unacceptable adverse effects to the setting of the Registered Battlefield, provided the design of the development is acceptable. This is having regard to the location of this area within and adjacent to an established Enterprise Park which already incorporates taller / larger buildings such as the existing waste management building (maximum height 14m) and the Stadco building.

Justification BBZ1b: Within the BBZ to the east of the 4-5m high railway embankment buildings with a maximum height exceeding 7m (the approximate height of a normal 2-storey house) may be visible from within the Registered

Battlefield. This includes views from the elevated area at the northern end of the Registered Battlefield and from the picnic area viewing platform to the south. Longer distance views towards Haughmond Hill may also be affected. Hence, the setting of the Registered Battlefield could be adversely affected. It is considered that buildings which are no more than 7m in height are potentially capable of being accommodated in this area without adversely affecting the setting of the Battlefield, provided they are well designed. This is having regard to local topography, the localised screening effect of the rail embankment and the relatively less developed nature of the area in question.

Relevant policies / guidance: NPPF section 129, 132; RSS Policy QE5, QE6; Core Strategy policy CS6; EH Guide – Setting of Heritage Assets.

Requirement for Heritage Assessment

BBZ2. All planning applications for new buildings within the BBZ, including those falling below the height thresholds specified in policy BS1a and BS1b should incorporate a Heritage Assessment which considers the potential effects of the development on the Registered Battlefield site. The level of information required to support the Heritage Assessment should be proportionate to the scale of the development and the magnitude of any likely impacts.

Notes / Interpretation:

- i. *The Heritage Assessment should 1) identify the position of the development site in relation to the Registered Battlefield and other heritage assets, 2) describe the significance of these assets, 3) identify any potential effects on heritage assets and 4) incorporate mitigation recommendations where appropriate to protect the setting of the heritage assets. This assessment should have regard to the English Heritage Guidance referred to in Appendix*

Justification: The requirement for development proposals to include information assessing the potential implications of the proposals on any nearby heritage assets is set out in section 128 of the NPPF. Whilst specific height limits are defined in Policy BS1a and BS1b, all development proposals within the BVSA are in close proximity to the Registered Battlefield and may therefore have the potential to affect this heritage asset, either individually or through the cumulative effect of development. Whilst the main potential effect is visual other indirect effects could occur, for instance through development affecting areas which might otherwise be capable of being used for landscape planting. Any assessment will need to be proportionate to the scale of the development and the magnitude of any potential impacts. In the case of smaller-scale proposals a short section in the Design and Access Statement may be all that is required. For larger scale developments a fuller Heritage Assessment is likely to be necessary. The Local Planning Authority will be able to advise on the heritage requirements for a given development proposal in consultation with the Council's Historic Environment service.

Relevant policies / guidance: NPPF section 132, 133, 134. RSS Policy QE5, QE6; Core Strategy policy CS17; EH Guide – The Setting of Heritage Assets.

Additional Requirements for Taller Structures

BBZ3. All applications involving development which exceeds the relevant height threshold specified either in BBZ1a or BBZ1b above should be accompanied by:

- i) An 'exceptional circumstance' justification under BBZ1a or BBZ1b; and
- ii) A Heritage Assessment under BBZ2 which also incorporates a full Heritage Visual Appraisal.

Notes / Interpretation:

- i. The exceptional circumstance justification should explain the particular circumstances which justify exceeding the relevant height specified in BBZ1a or BBZ1b and the consideration which has been given to mitigation to prevent adverse impacts on the setting of the Registered Battlefield and related heritage assets.
- ii. The Heritage Visual Assessment should 1) evaluate the visual context of the proposed development, 2) consider the potential for the development to impact on the setting of the Registered Battlefield and 3) assess the potential for mitigation to address any identified impacts (through materials, landscaping/ planting, design & alignment of roof, etc.).

Justification: The requirement for visual appraisal is in accordance with the provisions of sections 128 and 129 of the NPPF and with English Heritage guidance on the setting of heritage assets which is summarised in Appendix 2. Available evidence supports the conclusion that buildings exceeding 8.5m in height within the southern area of the BBZ and 7m within the eastern area have the potential to adversely affect the setting of the Registered Battlefield, either individually or cumulatively. It is appropriate therefore for the requirement for visual appraisal to be triggered for buildings exceeding 8.5m and 7m in height in these respective areas.

Relevant policies / guidance: NPPF section 128, 129, 132, 170. RSS Policy QE5, QE6; Core Strategy policy CS6; EH Guide, Seeing the History in View.

Landscape Planting for Larger Development Sites

BBZ4. All development proposals for plots exceeding 0.5ha in area within the BBZ should be designed to accommodate tree/shrub planting proposals in order to assist in visually integrating the development with the setting of the nearby Registered Battlefield site.

Notes / interpretation:

- i. Planting proposals should seek to provide density and height within any planted areas. The emphasis should be on filtering views of new development as seen from the Registered Battlefield site and providing links with existing planted / habitat areas wherever possible. Native broadleaved trees of local provenance should be used in preference to ornamental or evergreen species.

Justification: The visibility of modern business/industrial development from the Registered Battlefield has the potential to undermine the setting of the medieval battlefield site. The ability to undertake tree planting within the BBZ in areas visible from the registered site has the potential over time to soften the appearance of the urban edge as seen from the vicinity of the Registered Battlefield and to reduce the evidence of modern development. It is recognised that there will normally be insufficient space to undertake any significant landscaping works on smaller development plots within the BBZ. However, it is considered that plots of more than 0.5ha would normally be sufficient in size to accommodate some tree planting.

To have maximum effect, such planting should be located in areas where it can over time filter views of new development as seen from the Registered Battlefield. Tree planting should use native species, ideally of local provenance, to optimise visual integration. Shrub planting is also desirable but would not have the same effect over time as seen from the registered site. The cumulative effect of planting associated with different developments would be to improve the setting of the Registered Battlefield in accordance with relevant heritage policies and guidance (Appendix 2). Significant off-site tree planting has been secured on the top of the northern embankment of the Battlefield Link Road in connection with the Battlefield Energy from Waste Facility.

Relevant policies / guidance: NPPF section 128, 170. RSS Policy QE5, QE6; Core Strategy policy CS6; EH Guide – The Setting of Heritage Assets.

Visual Integration of the Development

BBZ5. Proposed buildings and or structures within the BBZ should avoid the use of highly reflective and/or visually obtrusive materials and/or designs with the potential to impact on the setting of the Registered Battlefield.

Notes / interpretation:

- i. The term 'visually intrusive' in this context means use of materials, lighting, banners and/or designs which have the potential to detract from the setting of the Registered Battlefield site. Particular emphasis should be placed on the design of elevations which would face and would be visible from the Registered Battlefield site.*
- ii. It is recommended that the design of proposed development within the BBZ is discussed with the Local Planning Authority prior to submission of any planning application, particularly where development frontages would be clearly visible from within the Registered Battlefield.*

Justification: Certain styles of development and types of materials and lighting may have the potential to increase the visual evidence of modern development as seen from the Registered Battlefield site. Such development could potentially impact on the setting of the Registered Battlefield, either individually or in combination with other development. This is particularly the case where such development exceeds the height thresholds specified in BBZ1a and BBZ1b above.

Relevant policies / guidance: NPPF section 129. RSS Policy QE5, QE6; Core Strategy policy CS6. EH Guide – The Setting of Heritage Assets.

Requirement for Archaeological Evaluation

BBZ6. Development proposals on all greenfield plots within the BBZ should be accompanied by a Heritage Assessment which incorporates an archaeological desk based assessment and, where appropriate, the results of a field evaluation.

Notes / interpretation:

- i. The term 'greenfield' for these purposes means land which is not currently in use as part of a built development. This included agricultural land and also other areas of undeveloped land where excavations and topsoil removal have not previously occurred..*
- ii. The Developer should seek advice from Shropshire Council's Historic Environment Team to determine the circumstances in which further field based evaluation will be required following an initial archaeological desk based assessment.*
- ii. Where the archaeological evaluation indicates that further field based archaeological investigations are necessary, these may need to be submitted prior to determination or may be required as a condition of any planning permission. Such further archaeological work will potentially include metal detector survey and an archaeological watching brief during soil stripping activity, conforming to the Standards and Guidance of the Institute for Archaeologists.*

Justification: Whilst the registered site is considered to be the main initial site of the battle it is likely that the fighting fragmented subsequently into a series of skirmishes covering a wider area. Hence, the possibility of more widespread archaeological remains linked to the battle being encountered. Any such finds could add significantly to the overall understanding of the battle and the heritage asset. Therefore an appropriate level of archaeological evaluation is required for development affecting previously undisturbed areas within the BBZ.

Relevant policies / guidance: NPPF 128, 135, 141; Core Strategy CS17.

Protecting the Setting of the Registered Battlefield

BS7. Development proposals within the BBZ which would give rise to substantial harm to the setting of the Registered Battlefield and/or the other designated heritage assets shown on Plan 1 will be refused, unless it can be demonstrated that:

- i. There is no other reasonable alternative;**
- ii. Appropriate mitigation measures have has been included; and,**
- iii. The proposals will deliver substantial public benefits that outweigh any harm or loss to the heritage asset.**

Notes / interpretation:

- i. To be accepted a proposal should satisfy all 3 of the above criteria.*

- ii. *The potential level of harm will be judged with reference to the Heritage Assessment required under BBZ2 above.*
- iii. *It is strongly recommended that the developer contacts the Local Planning Authority to discuss mitigation options before the application is submitted in the event that the Heritage Assessment indicates the possibility that the proposed development may result in harm to a heritage asset.*
- iv. *'Public benefits' in this context means direct benefits to society as a whole and not benefits to individuals or companies.*

Justification: The national planning policy statement recognises that there may be exceptional circumstances where development delivering substantial public benefits but which results in harm to a heritage asset may be justified. However, such circumstances would be exceptional.

Relevant policies / guidance: NPPF section 132, 133, 134. RSS Policy QE5, QE6; Core Strategy policy CS17; EH Guide – The Setting of Heritage Assets.

10. FURTHER ASPIRATIONAL MEASURES

- 10.1 It would be desirable for significant new development within the BBZ to adopt building design themes and landscaping principles which acknowledge and reinforce the evidence of the adjacent heritage assets and the sense of local distinctiveness they provide. This is important particularly in significant / strategic locations within the BBZ, such as widely visible new landscaping areas adjacent to public highways or building facades which are widely visible within the BBZ. This approach has been adopted with respect to the Battlefield EWF referred to above, where a legal agreement has secured a contribution towards maintenance of the heritage asset and formation of a heritage steering group. (NPPF section 126; RSS Policy QE5, QE6; Core Strategy policy CS6, CS16; EH Guide – The Setting of Heritage Assets).
- 10.2 It is recognised that harm has already been done to the setting of the Registered Battlefield site, including by electricity pylons which traverse the site, severance of the edge of the registered site by the Battlefield Link Road and loss of vegetation from the railway embankment. In the longer term it would be desirable to work with relevant stakeholders to investigate the potential to provide some further mitigation for these existing impacts on the setting of the registered site. (NPPF section 126; RSS Policy QE5, QE6; Core Strategy policy CS6, CS16; EH Guide – The Setting of Heritage Assets).

11. CONCLUSION

- 11.1 The Registered Battlefield site is a nationally significant heritage asset of the highest order and is unique in Shropshire. The setting of the registered site has been adversely affected by past development and such impact may continue/increase given the potential for additional development in in close proximity to the battlefield.
- 11.2 The safeguarding measures set out in '9' above are intended to provide a consistent and robust framework by which to assess potential individual and cumulative effects to the setting and integrity of the Registered Battlefield and associated heritage assets. They reflect national guidance which advocates:

- Ensuring that an appropriate level of heritage assessment is 'front loaded' into the development management process;
- Approval where appropriate mitigation can be achieved for identified impacts and refusal where impacts cannot be satisfactorily mitigated and no exceptional circumstances have been demonstrated.

11.3 This document does not in itself represent new planning policy. Instead, it represents a reiteration of existing heritage policies and guidance and an explanation / interpretation of how they should apply in the specific circumstances of safeguarding the Registered Battlefield Site.

11.4 Developers of land within the BBZ should work with the Local Planning Authority within the framework established by this document. This will ensure that any potential impacts on the setting of the Registered Battlefield site are minimised and this nationally important heritage asset is appropriately conserved for the enjoyment of current and future generations.

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APPENDIX 1

SIGNIFICANCE OF THE BATTLE OF SHREWSBURY

INTRODUCTION

The site of the Battle of Shrewsbury (1403) is one of just 43 Registered Battlefields in England and the only Registered Battlefield in Shropshire. It is a nationally designated heritage asset of the highest importance and is one of Shropshire's most important cultural, historical, heritage and tourism assets. The Battlefield and its setting are irreplaceable and the Local Planning Authority has a duty to ensure it is not harmed by inappropriate or unsympathetic development.

The battle was important (1) politically because, with Hotspur's death, the Percy challenge to Henry IV was crushed, (2) biographically in the military career of Prince Henry, later Henry V, victor most notably at Agincourt in 1415, and (3) militarily because it was the first major battle in which English archers had fought against each other on their own soil. As such it provided a brutal lesson in the effectiveness of the longbow in the hands of skilled exponents. The Battle of Shrewsbury is also associated with other later key historical figures and events which add to its significance including: William Shakespeare who dramatised the event in his plays Henry IV Part 1 and Part 2.

The Battlefield was Registered by English Heritage in 1995 and extends to approximately 105 ha. The southern fringes of the Battlefield were subsequently severed by the A5124 which was constructed in circa 1999. The majority of the Registered Battlefield lies to the north of the A5124 and is owned / farmed by Mrs Jagger of the Albrighton Estate. The southern edge of the site is owned by Shropshire Council with the balance being accounted for by the Churches Conservation Trust and two private residences.

CAUSE OF BATTLE

The rebellion of 1403 arose from deep resentment of the way that King Henry IV had failed to reward the Percy family for securing the northern Border Country. Henry Percy, 'Harry Hotspur'- hatched a scheme to divide England in conjunction with Edward Mortimer and the Welsh patriot Glyn Dwr. Hotspur rode south early in July 1403 with 160 followers. His ultimate destination was Shrewsbury where he may have arranged to join forces with Glyn Dwr. By 19 July he had recruited an army of 14,000. The King hurried westwards to intercept Hotspur before he and Glyn Dwr could join forces. Both armies faced each other on 21 July, three miles north of Shrewsbury. Neither side relished the prospect of battle but negotiations failed. Finally, only some two hours before dusk, Henry's troops advanced but were met by a deluge of arrows from Hotspur's Cheshire archers. Bloody hand-to-hand fighting followed in which Hotspur was killed. By dusk the rebels had fled.

SETTING

Although the open ploughed fields of 1403 have been enclosed with hedges, the lie of the land allows an appreciation of the course of events. The church of St Mary Magdalen within the battlefield was established as a memorial to the dead in 1409. The church is redundant but provides some information and a car park for visitors. The battlefield is crossed by waymarked footpaths giving access to both Royal and rebel positions. The historic Albrighton Hussey manor house is in use as a hotel. The church and surrounding earthworks is a scheduled ancient monument. The church and Albrighton Hussey manor house are also

listed buildings. A field of ridge and furrow earthworks is located to the south of the church within the Registered Battlefield and with a date range of AD 1066 — AD 1499 may well have existed at the time of the battle. The probable site of a medieval fair is located within what is now a grassland field between the church and Battlefield Farm farmstead. Amongst the privileges granted to Battlefield College was the holding of an annual fair every 22 July - the day following the anniversary of the battle. Whilst not located within the boundary of the Registered Battlefield, other designated heritage assets related to the battle include Haughmond Abbey (close to which camped King Henry's army on the eve of the battle), Shrewsbury Castle (within which Prince Henry had been ensconced) and Albright Hussey (which probably fixed the right flank of the rebel force). Collectively these assets have a very high historical value and the relationships between them are extremely important in the interpretation, understanding and appreciation of the battle.

PUBLIC INTEREST

There has been long-standing public interest in the Battle of Shrewsbury with a range of events held on its 500th and 600th anniversaries. The battle has also been featured in a number of television documentaries including the Two Men in a Trench series presented by Tony Pollard and Neil Oliver and the Battlefield Britain series presented by Peter and Dan Snow.

Shrewsbury is one of just three Registered Battlefields in England to benefit from a dedicated permanent battlefield heritage centre (Battlefield/Exhibition 1403) and is the only one in the country which has been privately developed and operated. Battlefield 1403 was opened to the public in April 2008 and has dramatically increased awareness of and interest in the Battlefield. In the year ending 31 March 2011 Battlefield 1403 attracted approximately 135,000 visitors excluding visits by 13 schools, 26 other organisations and those who just visit the Church or the southern portion of the Battlefield via the Mounds car park.

FURTHER INFORMATION

Further information on the Battle of Shrewsbury can be accessed from the following link on the English Heritage website:

<http://www.english-heritage.org.uk/caring/listing/battlefields/battle-of-shrewsbury>

APPENDIX 2

RELEVANT HERITAGE POLICIES AND GUIDANCE

NATIONAL PLANNING POLICY STATEMENT

The following extracts from the NPPF are relevant to the protection of heritage assets including the Registered site of the Battle of Shrewsbury:

6. The purpose of the planning system is to contribute to the achievement of sustainable development. The policies in paragraphs 18 to 219, taken as a whole, constitute the Government's view of what sustainable development in England means in practice for the planning system.
7. There are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:
 - an economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;
 - a social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and
 - an environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.
9. Pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life, including (but not limited to):
 - making it easier for jobs to be created in cities, towns and villages;
 - moving from a net loss of bio-diversity to achieving net gains for nature;⁶
 - replacing poor design with better design;
 - improving the conditions in which people live, work, travel and take leisure; widening the choice of high quality homes.
17. Within the overarching roles that the planning system ought to play, a set of core land-use planning principles should underpin both plan-making and decision-taking. These 12 principles are that planning should (amongst other matters):
 - Contribute to conserving and enhancing the natural environment and reducing pollution. Allocations of land for development should prefer land of lesser environmental value, where consistent with other policies in this Framework;
 - Conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations.

58. Local and neighbourhood plans should develop robust and comprehensive policies that set out the quality of development that will be expected for the area. Such policies should be based on stated objectives for the future of the area and an understanding and evaluation of its defining characteristics. Planning policies and decisions should aim to ensure that developments:
- will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
 - establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;
 - optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks;
 - respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;
 - create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and
 - are visually attractive as a result of good architecture and appropriate landscaping.
59. Local planning authorities should consider using design codes where they could help deliver high quality outcomes. However, design policies should avoid unnecessary prescription or detail and should concentrate on guiding the overall scale, density, massing, height, landscape, layout, materials and access of new development in relation to neighbouring buildings and the local area more generally.
60. Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is however, proper to seek to promote or reinforce local distinctiveness.
61. Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.
63. In determining applications, great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in the area.
64. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
65. Local planning authorities should not refuse planning permission for buildings or infrastructure which promote high levels of sustainability because of concerns about incompatibility with an existing townscape, if those concerns have been mitigated by good design (unless the concern relates to a designated heritage asset and the impact would cause material harm to the asset or its setting which is not outweighed by the proposal's economic, social and environmental benefits).
66. Applicants will be expected to work closely with those directly affected by their proposals to evolve designs that take account of the views of the community. Proposals that can demonstrate this in developing the design of the new development should be looked on more favourably.

125. By encouraging good design, planning policies and decisions should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.

Conserving and enhancing the historic environment

126. Local planning authorities should set out in their Local Plan a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. In doing so, they should recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance. In developing this strategy, local planning authorities should take into account:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;
- the desirability of new development making a positive contribution to local character and distinctiveness; and
- opportunities to draw on the contribution made by the historic environment to the character of a place.

127. When considering the designation of conservation areas, local planning authorities should ensure that an area justifies such status because of its special architectural or historic interest, and that the concept of conservation is not devalued through the designation of areas that lack special interest.

128. In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

129. Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.

130. Where there is evidence of deliberate neglect of or damage to a heritage asset the deteriorated state of the heritage asset should not be taken into account in any decision.

131. In determining planning applications, local planning authorities should take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- the desirability of new development making a positive contribution to local character and distinctiveness.

132. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.
133. Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:
- the nature of the heritage asset prevents all reasonable uses of the site; and
 - no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
 - conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and
 - the harm or loss is outweighed by the benefit of bringing the site back into use.
134. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.
135. The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
136. Local planning authorities should not permit loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred.
137. Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.
138. Not all elements of a World Heritage Site or Conservation Area will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm under paragraph 133 or less than substantial harm under paragraph 134, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole.
139. Non-designated heritage assets of archaeological interest that are demonstrably of equivalent significance to scheduled monuments, should be considered subject to the policies for designated heritage assets.

140. Local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies.
141. Local planning authorities should make information about the significance of the historic environment gathered as part of plan-making or development management publicly accessible. They should also require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted.

Plan Making - Historic environment

169. Local planning authorities should have up-to-date evidence about the historic environment in their area and use it to assess the significance of heritage assets and the contribution they make to their environment. They should also use it to predict the likelihood that currently unidentified heritage assets, particularly sites of historic and archaeological interest, will be discovered in the future. Local planning authorities should either maintain or have access to a historic environment record.
170. Where appropriate, landscape character assessments should also be prepared, integrated with assessment of historic landscape character, and for areas where there are major expansion options assessments of landscape sensitivity.

REGIONAL SPATIAL STRATEGY

POLICIES RELEVANT TO HERITAGE PROTECTION:

POLICY QE1: Conserving and Enhancing the Environment

- A. Environmental improvement is a key component of the Spatial Strategy in order to underpin the overall quality of life of all areas and support wider economic and social objectives.
- B. Local authorities and other agencies in their plans, policies and proposals should:
 - i) support regeneration, by restoring degraded areas, conserving existing environmental assets, including the reuse of redundant and under-used buildings of merit, and creating new, high quality, built and natural environments, particularly within the MUAs;
 - ii) conserve and enhance those areas of the Region, where exceptional qualities should be reinforced by sustainable use and management, including the Peak National Park, the five Areas of Outstanding Natural Beauty, the European wildlife sites, and the World Heritage Site (see Environmental Assets Diagram);
 - iii) protect and where possible enhance other irreplaceable assets and those of a limited or declining quantity, which are of fundamental importance to the Region's overall environmental quality, such as specific wildlife habitats (Annex B), historic landscape features and built heritage, river environments and groundwater aquifers;
 - iv) protect and enhance the distinctive character of different parts of the Region as recognised by the natural and character areas (Figure 4) and associated local landscape character assessments, and through historic landscape characterisation.

- C. In bringing forward development, all agencies and developers should adopt high standards for sustainable natural resource use and management in line with policies such as QE3, QE9, EN1-2 and M3.

POLICY QE4: Greenery, Urban Greenspace and Public Spaces

- A. Local authorities and other agencies should undertake assessments of local need and audits of provision, and develop appropriate strategies for greenspace to ensure that there is adequate provision of accessible, high quality urban greenspace with an emphasis on:
- i) significantly improving the overall quality of public space, especially in city and town centres;
 - ii) enhancing the setting of local residential neighbourhoods in built up areas;
 - iii) increasing the overall stock of urban trees;
 - iv) improved accessibility and community safety; and
 - v) maintaining and enhancing sports, playing fields and recreation grounds.
- B. Development plan policies should create and enhance urban greenspace networks by:
- i) ensuring adequate protection is given to key features such as parks, footpaths and cycleways, river valleys, canals and open spaces;
 - ii) identifying the areas where new physical linkages between these areas need to be forged; and
 - iii) linking new urban greenspace to the wider countryside to encourage the spread of species.
- C. Local authorities and others should also encourage patterns of development which maintain and improve air quality and minimise the impact of noise upon public space. Artificial lighting should be used sensitively to aid safety whilst minimising pollution.

POLICY QE5: Protection and enhancement of the Historic Environment

- A. Development plans and other strategies should identify, protect, conserve and enhance the Region's diverse historic environment and manage change in such a way that respects local character and distinctiveness.
- B. Of particular historic significance to the West Midlands are:
- i) the historic rural landscapes and their settlement patterns;
 - ii) historic urban settlements, including market towns and cathedral cities;
 - iii) listed buildings, scheduled and unscheduled ancient monuments, conservation areas, historic parks and gardens, all in their settings, and battlefields;
 - iv) areas of industrial heritage such as the Birmingham Jewellery Quarter;
 - v) the historic transport network;
 - vi) strategic river corridors (Severn, Wye, Trent, and Avon); and
 - vii) Ironbridge Gorge World Heritage Site.
- C. Development plans and other strategies should recognise the value of conservation led regeneration in contributing to the social, spiritual and economic vitality of communities and the positive role that buildings of historic and architectural value can play as a focus in an area's regeneration.
- D. In particular, strategies should explore the regeneration potential of:
- i) redundant or under-used industrial and commercial buildings;
 - ii) rural settlements and market towns outside the MUAs;
 - iii) Victorian and Edwardian commercial centres particularly in the MUAs;

- iv) traditional buildings of the countryside;
- v) existing church buildings and their potential community uses;
- vi) 19th and early 20th century urban housing; and
- vii) the canal network.

POLICY QE6: The conservation, enhancement and restoration of the Region's landscape

Local authorities and other agencies, in their plans, policies and proposals should conserve, enhance and, where necessary, restore the quality, diversity and distinctiveness of landscape character throughout the Region's urban and rural areas by:

- i) ensuring that a consistent approach is taken to landscape and character issues, particularly where they cross local planning authority boundaries;
- ii) establishing a positive and integrated approach to the use, management and enhancement of the urban fringe;
- iii) supporting the Community Forest and National Forest programmes;
- iv) protecting and, where possible, enhancing natural, man-made and historic features that contribute to the character of the landscape and townscape, and local distinctiveness;
- v) considering other factors that contribute to landscape character including tranquillity and the minimisation of noise and light pollution; and
- vi) identifying opportunities for the restoration of degraded landscapes including current and proposed minerals workings and waste disposal sites.

POLICY PA1: Prosperity for All

- A. Economic growth should, wherever possible, be focused on the Major Urban Areas (MUAs), with an emphasis on creating greater opportunities for development and support for existing economic activities within agreed regeneration areas.
- B. In the development of related (but essentially non-land-use) policies and programmes, local authorities, AWM and other agencies should:
 - i) ensure that conditions in 'areas of need' are addressed so that they also become 'areas of opportunity'. Particular emphasis in this approach should be given to the Regeneration Zones (PA2, RR2). To the extent that needs and opportunities cannot be matched, then beneficial economic linkages should be developed between areas of economic opportunity and more economically vulnerable areas of employment need;
 - ii) maintain and improve transport accessibility – both of goods and people – by all modes into, within and through all parts of the Region;
 - iii) ensure that the environmental and cultural assets are maintained and enhanced to help attract and develop business activity; and
 - iv) develop the skills and abilities of the West Midlands people by improving access to training, higher education and employment opportunities.
- C. Where growth opportunities are provided outside the MUAs, emphasis should be given to locating development where:
 - i) it can help meet the needs of the MUAs and promote positive economic linkages with them in areas accessible by sustainable forms of transport;
 - ii) it can help meet the needs of rural renaissance, especially of market towns;
 - iii) it can serve the needs of the local regeneration areas; and
 - iv) it can help create more sustainable communities by generally providing a better balance between housing and employment and limit the need for commuting.
- D. Any development proposed on the edge of the MUAs or on other greenfield sites should meet the following criteria:

- i) there are no suitable alternatives available on previously developed land and buildings within built up areas;
- ii) the development should be capable of being served by rail or high quality public transport within easy access of centres and facilities; and
- iii) the development respects the natural environment, built environment and historic heritage in accordance with policies QE1-9.

POLICY PA10: Tourism and Culture

A. Development plans should generally encourage both the improvement of existing provision as well as the creation of new facilities, subject to the capacity of infrastructure and the environment to accommodate the new facilities and visitors associated with them. They should include policies that support the further development and success of key Regional tourism and cultural assets such as:

- The National Exhibition Centre.
 - Birmingham International Airport.
 - The International Convention Centre and Eastside regeneration in Birmingham.
 - Historic town and city centres such as Ludlow, Shrewsbury, Worcester and Lichfield.
 - Stratford-upon-Avon and Shakespeare Country.
 - Warwick Castle.
 - The Region's network of live theatre and music venues.
 - The Malvern Hills and the Marches and the small parts of the Peak District National Park (covered by RPG for the East Midlands) and the Cotswolds that lie within the West Midlands Region.
 - Black Country Heritage Attractions in particular Dudley Town Centre and its surroundings.
 - Ironbridge Gorge World Heritage Site, the Severn Valley Steam Railway and West Midlands Safari Park.
 - Alton Towers and Drayton Manor Park.
 - Stoke and the ceramics and pottery heritage.
 - The canal network.
 - The Region's significant historic sites, buildings and gardens.
 - The Region's registered museum collections, major libraries and archive collections.
 - Indoor and outdoor sports stadia and venues of all types.
-

SHROPSHIRE CORE STRATEGY

RELEVANT STRATEGIC OBJECTIVES RELATING TO HERITAGE SAFEGUARDING:

7. Support the development of sustainable tourism, rural enterprise, broadband connectivity, diversification of the rural economy, and the continued importance of farming and agriculture, ensuring that development proposals are appropriate in their scale and nature with the character and quality of their location.
10. Promote high quality sustainable design and construction in all new development, ensuring that developments respond to their local context and create safe, accessible and attractive places which contribute to local distinctiveness.
11. Ensure that the character, quality and diversity of Shropshire's built, natural and historic environment is protected, enhanced and, where possible, restored, in a way that respects landscape character, biodiversity, heritage values, and local distinctiveness, and contributes to wider environmental networks.
12. Improve the quantity, quality and accessibility of multifunctional open space, rights of way, and sport, recreation and cultural facilities to provide varied opportunities for people of all ages to enjoy physical activity, cultural activities and lifetime learning, helping to improve health and well-being.

RELEVANT POLICIES:

CS2 Shrewsbury – Development Strategy

A comprehensive and co-ordinated approach will be pursued to the planning and development of Shrewsbury. The approach, encapsulated by the Shrewsbury Vision, integrates elements of housing, economic, transport, community and environmental policy, and will enable the town to achieve a significant level of housing and economic growth linked with infrastructure improvements, whilst protecting and enhancing the town's role, character and the unique qualities of its historic built and natural environment. Shrewsbury will provide the primary focus for development for Shropshire, providing up to 25% of its additional housing for the period 2006-2026 (approximately 6,500 dwellings - 325 dwellings per annum), and 90 hectares of employment land; Shrewsbury will develop its role as Shropshire's primary retail, office and commercial centre, and the vitality and viability of the town centre will be promoted, protected and enhanced. The Riverside and West End areas of the town centre will be redevelopment priorities; The Shrewsbury Northern Corridor will be improved in accordance with the aims of the Northern Corridor Regeneration Framework, with the restoration and redevelopment of the Ditherington Flaxmill site and the enhancement of major existing commercial, employment and mixed use areas, a priority;

Shrewsbury's strategy will recognise the need for the continuing development of high quality business parks on the edge of the town centre and the periphery of the town, including the Battlefield Enterprise Park and Shrewsbury and Oxon Business Parks, and the importance of the Meole Brace and Sundorne retail parks, both of which have scope for enhancement and expansion, if required; Shrewsbury will be a major focus within Shropshire for the provision of infrastructure and services to meet the needs of the town and its wider catchment area, with current priorities set out in the LDF Implementation Plan; Shrewsbury's priorities for the allocation/release of land for development will be:

- Making best use of previously developed land and buildings for housing and other uses within the built up area, especially sites contributing to the enhancement of the town

centre, the redevelopment of edge-of-centre areas, and the regeneration of the Shrewsbury Northern Corridor;

- Bringing forward, on a phased and planned basis, two sustainable urban extensions providing 25% of Shrewsbury's housing growth and 50% of its employment growth: Shrewsbury South – land off Thieves Lane/Oteley Road/Hereford Road as illustrated on the Key Diagram, to incorporate the expansion of Shrewsbury Business Park, the development of a new strategic employment site on land adjoining the Shrewsbury Town Football Club,

CS6: Sustainable Design and Development Principles

To create sustainable places, development will be designed to a high quality using sustainable design principles, to achieve an inclusive and accessible environment which respects and enhances local distinctiveness and which mitigates and adapts to climate change. This will be achieved by: Requiring all development proposals, including changes to existing buildings, to achieve criteria set out in the sustainability checklist. This will ensure that sustainable design and construction principles are incorporated within new development, and that resource and energy efficiency and renewable energy generation are adequately addressed and improved where possible. The checklist will be developed as part of a Sustainable Design SPD;

- Requiring proposals likely to generate significant levels of traffic to be located in accessible locations where opportunities for walking, cycling and use of public transport can be maximised and the need for car based travel to be reduced; And ensuring that all development: Is designed to be adaptable, safe and accessible to all, to respond to the challenge of climate change and, in relation to housing, adapt to changing lifestyle needs over the lifetime of the development in accordance with the objectives of Policy CS11;
- Protects, restores, conserves and enhances the natural, built and historic environment and is appropriate in scale, density, pattern and design taking into account the local context and character, and those features which contribute to local character, having regard to national and local design guidance, landscape character assessments and ecological strategies where appropriate;
- Contributes to the health and wellbeing of communities, including safeguarding residential and local amenity and the achievement of local standards for the provision and quality of open space, sport and recreational facilities.
- Is designed to a high quality, consistent with national good practice standards, including appropriate landscaping and car parking provision and taking account of site characteristics such as land stability and ground contamination; Makes the most effective use of land and safeguards natural resources including high quality agricultural land, geology, minerals, air, soil and water;
- Ensures that there is capacity and availability of infrastructure to serve any new development in accordance with the objectives of Policy CS8.
- Proposals resulting in the loss of existing facilities, services or amenities will be resisted unless provision is made for equivalent or improved provision, or it can be clearly demonstrated that the existing facility, service or amenity is not viable over the long term.

CS16: Tourism, Culture and Leisure

To deliver high quality, sustainable tourism, and cultural and leisure development, which enhances the vital role that these sectors play for the local economy, benefits local communities and visitors, and is sensitive to Shropshire's intrinsic natural and built environment qualities, emphasis will be placed on:

- Supporting new and extended tourism development, and cultural and leisure facilities, that are appropriate to their location, and enhance and protect the existing offer within Shropshire.
- Promoting connections between visitors and Shropshire's natural, cultural and historic environment, including through active recreation, access to heritage trails and parkland, and an enhanced value of local food, drink and crafts.
- Supporting development that promotes opportunities for accessing, understanding and engaging with Shropshire's landscape, cultural and historic assets including the Shropshire Hills AONB, rights-of-way network, canals, rivers and meres & mosses.

Development must also meet the requirements of Policy CS17. Supporting appropriate regeneration schemes and tourism development proposals that seek to enhance the economic, social and cultural value of canals and heritage railways including:

- Shropshire Union Canal
- Shropshire Union Canal - Llangollen branch
- Shropshire Union Canal - Montgomery branch
- The Severn Valley Railway
- The Cambrian Railway

Promoting and preserving the distinctive historic, heritage brand and values of Shrewsbury, the market towns and rural areas.

Supporting schemes aimed at diversifying the rural economy for tourism, cultural and leisure uses that are appropriate in terms of their location, scale and nature, which retain and enhance existing natural features where possible, and do not harm Shropshire's tranquil nature.

Development of high quality visitor accommodation in accessible locations served by a range of services and facilities, which enhances the role of Shropshire as a tourist destination to stay.

In rural areas, proposals must be of an appropriate scale and character for their surroundings, be close to or within settlements, or an established and viable tourism enterprise where accommodation is required. Where possible, existing buildings should be re-used (development must also accord with Policy CS5).

CS17: Environmental Networks

Development will identify, protect, enhance, expand and connect Shropshire's environmental assets, to create a multifunctional network of natural and historic resources. This will be achieved by ensuring that all development:

- Protects and enhances the diversity, high quality and local character of Shropshire's natural, built and historic environment, and does not adversely affect the visual, ecological, heritage or recreational values and functions of these assets, their immediate surroundings or their connecting corridors. Further guidance will be provided in SPDs concerning the natural and built environment;
- Contributes to local distinctiveness, having regard to the quality of Shropshire's environment, including landscape, biodiversity and heritage assets, such as the Shropshire Hills AONB, the Meres and Mosses and the World Heritage Sites at Pontcysyllte Aqueduct and Canal and Ironbridge Gorge.

- Does not have a significant adverse impact on Shropshire’s environmental assets and does not create barriers or sever links between dependant sites;
- Secures financial contributions, in accordance with Policy CS8, towards the creation of new, and improvement to existing, environmental sites and corridors, the removal of barriers between sites, and provision for long term management and maintenance. Sites and corridors are identified in the LDF evidence base and will be regularly monitored and updated.

EMERGING POLICIES:

SITE ALLOCATIONS AND MANAGEMENT OF DEVELOPMENT DOCUMENT (SAMDEV) POLICY DIRECTIONS

THE FOLLOWING EMERGING POLICIES ARE RELEVANT TO HERITAGE SAFEGUARDING:

MD9 – Managing Development in the Countryside (Extract)

Provide guidance to ensure that all new development in the countryside is appropriately designed and located. Protection of the heritage, landscape and biodiversity asset will be important considerations and the relevant requirements of Policy MD14 (Natural Environment), Natural and Historic Environment SPDs and the AONB Management Plan will need to be taken into account

MD14 - Protecting and Enhancing Shropshire’s Natural Environment

- i. Provide guidance to ensure that ecological networks, Nature Improvement Areas (or other landscape-scale biodiversity priority areas), biodiversity sites, habitats and species of recognised value are protected, enhanced, restored, reconnected or created, in a way consistent with the hierarchy of international, national and local designations and the Shropshire Biodiversity Action Plan;
- ii. Provide guidance to ensure that sites and areas of recognised geo-diversity value are protected and that opportunities to secure geological conservation benefits are integral to planning decisions where relevant;
- iii. Provide guidance to ensure that development protects valued landscapes and areas of tranquillity and respects the quality and sensitivity of local landscape character. Ensure that great weight is given to the protection of landscape and scenic beauty in the AONB. Further guidance is available from the AONB Management Plan;
- iv. Provide guidance on limiting the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation;
- v. Identify and prioritise the positive contribution which development can make to Shropshire’s multifunctional Environmental Network (Core Strategy Policy CS17) and Nature Improvement Areas (or other landscape scale biodiversity priority areas);
- vi. Provide guidance to ensure that development safeguards (maintains and enhances) protected or otherwise significant trees, woodland and hedges and to ensure that development compensates for the unavoidable loss of, or damage to important trees, woodland and hedges;
- vii. Identify site based development requirements which will enhance tree cover and habitat connectivity through appropriate new planting and management of the existing tree stock and hedgerow resource.

APPENDIX 3

ENGLISH HERITAGE CONSERVATION GUIDANCE

English Heritage has published 2 heritage guidance notes which are relevant when assessing the impacts of development proposals on the registered site of the Battle of Shrewsbury:

Seeing the History in the View (May 2011). Link: -
<http://www.helm.org.uk/upload/pdf/History-in-the-View.pdf?1355835314>

The Setting of Heritage Assets (October 2011). Link: -
http://www.helm.org.uk/upload/pdf/The_setting_of_heritage_assets_english_heritage_guidance_October_2011.pdf?1355817322

These documents are currently being updated following the publication in March 2012 of the National Planning Policy Framework (NPPF) which supersedes previous Government Guidance set out in Planning Policy Statement 5: Planning for the Historic Environment (PPS5).

Whilst some of the references in the above documents may now be out-of-date, English Heritage believes these documents still contain useful advice and case studies. Both documents should be consulted when preparing Heritage Assessments for any given development proposals within the BBZ and used thereafter as the basis for undertaking the assessment as appropriate.

ENGLISH HERITAGE GUIDE - SEEING THE HISTORY IN THE VIEW

1. This document explains how the heritage significance of views can be assessed in a systematic and consistent way. Phase A of the guidance describes how to analyse the content and importance of a view whatever heritage assets may be visible within it. Phase B then goes on to explain how to measure and document the likely impact of specific development proposals on historically important views. This account of English Heritage's method of assessment is intended to help clarify this heritage aspect of the planning process, and promote national consistency. The guidance is most usefully and appropriately applied when complex issues involving views of important heritage assets need to be described and formally analysed, for instance, to help in determining complex planning cases.
2. Phase A: Baseline Analysis (analysing the content and importance of a view) involves 5 steps:
 - Establishing reasons for identifying a particular view as important
 - Identifying which heritage assets in a view merit consideration
 - Assessing the significance of individual heritage assets
 - Assessing the overall heritage significance in a view
 - How can heritage significance be sustained?

3. Phase B: Assessment of Impact (focusing on the impact of specific development proposals on what is of heritage significance within a view).

- Heritage significance of the view (from Phase A Analysis)
- Establishing magnitude of impact on heritage significance
- Significance of Effect (major, moderate, minor, negligible)
- Feeds into Environmental Statement, Management guidance, Design and access statements.

The Guidance advises that high importance heritage assets will normally be a World Heritage Site, grade I or II* listed building, scheduled monument, grade I or II* historic park and garden or historic battlefield which is a central focus of the view and whose significance is well represented in the view. The Viewing Place (and/or Assessment Point) is a good place to view the asset or the only place from which to view that particular asset. A high importance view is likely to be a nationally or regionally important. For instance a view identified in a World Heritage Site management plan or designed views within grade I or II* historic parks or gardens). Alternatively, the view may contain heritage assets such as World Heritage Sites, grade I or II* listed buildings, scheduled monuments, grade I or II* historic parks or gardens or historic battlefields whose heritage significance is well represented in the view and which benefit from being seen in combination with each other.

The guidance advises that the magnitude of impact should be assessed, in a scale ranging from High Beneficial to High Adverse. The latter is where the development severely erodes the heritage values of the heritage assets in the view, or the view as a whole, or the ability to appreciate those values. The magnitude of cumulative impact should also be assessed. A High Adverse cumulative impact is where the development, in conjunction with other changes, substantially affects the heritage values of the heritage assets in the view, or the ability to appreciate those values or the view as a whole.

The final stage of the evaluation process assesses the magnitude of the impact against the value of the heritage asset. This will range from major effect on feature(s) with high heritage value to negligible effect on feature(s) with low heritage value. In the former case a development may not be acceptable unless satisfactory mitigation measures to reduce the impact to an acceptable level can be identified.

ENGLISH HERITAGE GUIDE - THE SETTING OF HERITAGE ASSETS

1. This guidance advises that the significance of a heritage asset derives not only from its physical presence and historic fabric but also from its setting – the surroundings in which it is experienced. The careful management of change within the surroundings of heritage assets therefore makes an important contribution to the quality of the places in which we live. The former Planning Policy Statement 5: Planning for the Historic Environment (PPS 5) defines the setting of a heritage asset as ‘the surroundings in which [the asset] is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. 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’.
2. The extent and importance of setting is often expressed by reference to visual considerations. Although views of or from an asset will play an important part, the way in which we experience an asset in its setting is also influenced by other environmental factors such as noise, dust and vibration; by spatial associations; and by our understanding of the historic relationship between places. For example, buildings that are in close proximity but not visible from each other may have a historic or aesthetic connection that amplifies the experience of the significance of each. The setting of a heritage asset can enhance its significance whether or not it was designed to do so.
3. The economic and social viability of a heritage asset can be diminished if accessibility from or to its setting is reduced by badly designed or insensitively located development. A new road scheme affecting the setting of an historic building may decrease the public’s ability or inclination to visit and use it, reducing its social or economic viability, or may limit the options for the marketing or adaptive re-use of a building.
4. PPS5 Policy HE 3.4 states that local development plans ‘should include consideration of how best to conserve individual, groups or types of heritage assets that are most at risk of loss through neglect, decay or other threats’ and Policy HE10.2 states that ‘Local planning authorities should identify opportunities for changes in the setting to enhance or better reveal the significance of a heritage asset’. To achieve these ends, English Heritage recommends that local development plans should address the conservation and enhancement of setting through criteria-based and site-specific policies and, where appropriate, through supplementary planning documents. Policies of this type will provide an effective framework for the consideration of individual planning applications affecting setting and can also usefully address the implications of cumulative change affecting setting. Cross-referencing to policies on urban design or on landscape conservation would also be helpful as these can be closely related to setting.
(Note: equivalent requirements to policies to HE 3.4 & HE10.2 are set out in sections 126-141 of the NPPF)
5. It is also important for consideration to be given to the setting and views of heritage assets in the preparation of spatial masterplans (such as design guides, development briefs and strategic development frameworks) and in the policies and guidance provided by management and conservation plans. While it is not practicable to definitively map setting (as a geographically bounded area) in advance of unforeseen future developments (see section 2.2), it is possible for a plan to define which aspects and qualities of a heritage asset’s setting contribute to or detract from its significance, to analyse and illustrate particularly important views or to provide appropriate design guidance.
6. Protection of the setting of heritage assets need not prevent change. Most places are within the setting of a heritage asset and are subject to some degree of change over time. Amongst the Government’s planning objectives for the historic environment is that conservation

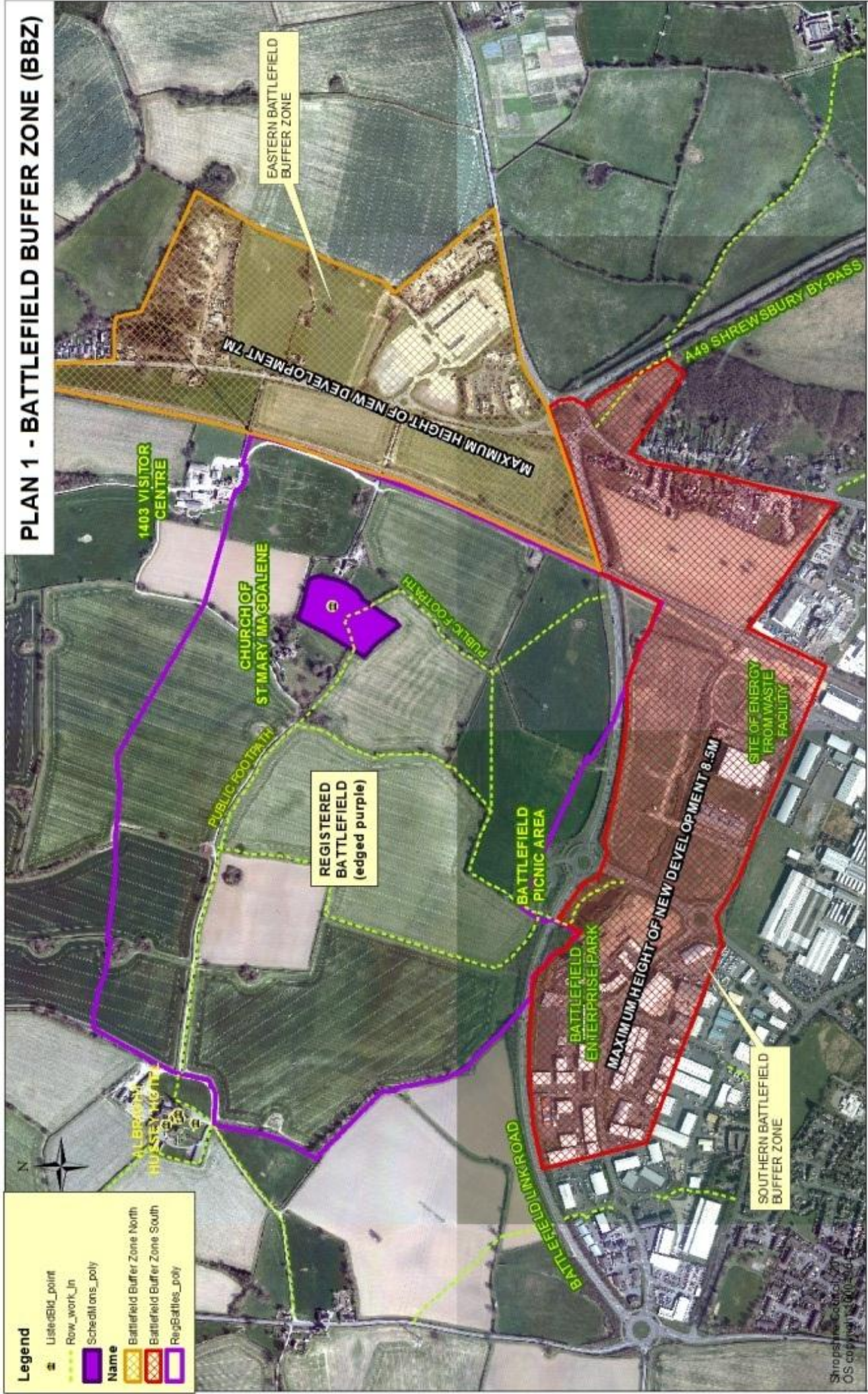
decisions are based on the nature, extent and level of a heritage asset's significance and are investigated to a proportionate degree.

7. PPS 5 Policy 6.1 requires the applicant to 'provide a description of the significance of the heritage assets affected and the contribution of their setting to that significance' and policy HE 6.2 requires that 'this information together with an assessment of the impact of the proposal should be set out in the application'. In order to assess the implications of developments affecting setting, as required by these policies, a systematic and staged approach to assessment can be adopted to provide a sound basis for any Design and Access Statement or Environmental Statement that accompanies a planning application. English Heritage recommends that the following broad approach to assessment, undertaken as a series of steps that apply equally to complex or more straightforward cases:
 - Step 1: identify which heritage assets and their settings are affected;
 - Step 2: assess whether, how and to what degree these settings make a contribution to the significance of the heritage asset(s);
 - Step 3: assess the effects of the proposed development, whether beneficial or harmful, on that significance;
 - Step 4: maximising enhancement and avoiding or minimising harm;
 - Step 5: make and document the decision and monitor outcomes.
8. After identifying which heritage assets are affected (stage 1) the second stage of any analysis is to assess whether the setting of a heritage asset makes a contribution to its significance and the extent of that contribution. In other words to determine 'what matters and why?' in terms of the setting and its appreciation. English Heritage recommends that this assessment should first address the key attributes of the heritage asset itself and should then consider its context and function in relation to a wide range of geographical, cultural/historical, amenity and perception based considerations.
9. The third stage of any analysis is to identify the range of effects a development may have on setting(s) and evaluate the resultant degree of harm or benefit to the significance of the heritage asset(s). In some circumstances, this evaluation may need to extend to cumulative and complex impacts. Different approaches will be required for different circumstances. In general, however, the assessment should address the key attributes of the proposed development and its potential effects on the heritage asset, including location/ siting, proximity, reversibility and potential to cause amenity disturbance.
10. The 4th Step seeks to maximise enhancement and minimise harm. This stage can be assisted if any effects on the significance of a heritage asset arising from development liable to affect its setting are considered from the project's inception. A well-designed scheme will avoid or minimise detrimental impacts and will identify opportunities for enhancement. Early assessment of setting may provide a basis for agreeing the scope and form of development, reducing the potential for disagreement and challenge later in the process. Policy HE 10.2 of PPS 5 confirms that local planning authorities 'should identify opportunities for changes in the setting to enhance or better reveal the significance of a heritage asset'. Enhancement of setting will therefore play a major part in the consideration of townscape improvement schemes. Enhancement may be achieved by actions including:
 - removing or re-modelling an intrusive building or feature;
 - replacement of a detrimental feature by a new and more harmonious one;
 - restoring or revealing a lost historic feature;
 - introducing a wholly new feature that adds to the public appreciation of the asset;
 - introducing new views (including glimpses or better framed views) that add to the public experience of the asset; or

- improving public access to, or interpretation of, the asset including its setting.
11. The cumulative impact of incremental small-scale changes may have as great an effect on the setting of a heritage asset as a large-scale development. The gradual loss of trees, verges or traditional surfacing materials in a historic area may have a significant effect on the setting of heritage assets, as could the provision of excessive street furniture or the loss of memorials surrounding a place of worship. The need to evaluate the cumulative effects of sequential development is recognised in national guidance, including Planning Policy Statement 22: Renewable Energy (CLG 2004), and in Schedule 4 of the EIA Regulations
 12. The final stage of the assessment process includes making and documenting the decision and monitoring outcomes.

DRAFT

PLAN 1 - BATTLEFIELD BUFFER ZONE (BBZ)



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SCALE @ A3 :-
1:7,000

SAFEGUARDING AREA FOR POTENTIAL FUTURE DEVELOPMENT SURROUNDING
THE REGISTERED SITE OF THE BATTLE OF SHREWSBURY
SHROPSHIRE COUNCIL, DEVELOPMENT MANAGEMENT - 2013



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