



Historic England

Neighbourhood Planning Officer
Horsham District Council
Parkside
Chart Way
North Street
Horsham, RH12 1RL

Our ref: 2020.05.25
Your ref: Cowfold NP
Submission RLS
Comments

Telephone 01483 252028

neighbourhood.planning@horsham.gov.uk
by email only

25th May 2020

Dear Mr. [REDACTED]

Re: Cowfold Neighbourhood Plan Submission Version

Thank you for consulting Historic England on the submission version of the Cowfold Neighbourhood Plan. Historic England are the government's advisors on planning for the historic environment including promoting the conservation and enjoyment of heritage assets and champion good design in historic places. As such our comments are limited to those areas of the plan that fall within our remit. Silence on other matters should not be treated as agreement or consent. We hope the following comments are of assistance to the examiner.

We previously responded to consultation on the pre-submission version of the neighbourhood plan and are pleased to see that some of our concerns have been addressed in the updated plan and the revised Sustainability Appraisal. I attach our previous comments for the examiner's attention.

Whilst we can see that the site allocation Policy CNP03 has been amended to identify the need for archaeological investigation we feel that the level of protection required and process of consideration set out in the revised policy falls below the standards required in the NPPF. This requires that a balancing exercise is undertaken to ensure the consideration of the need to conserve archaeological remains is undertaken in a manner appropriate to their significance. The significance of these assets may not become entirely clear until further investigation is undertaken. Our preferred wording, as set out in our response to the regulation 14 consultation identifies that, the ideal outcome would be for all remains to be preserved in situ but, where this is not possible the highest priority should be given to preserving those of national interest. This follows the requirement of the NPPF that should remains of national importance be revealed, then their conservation should be given a similarly 'great weight' in decision making as a designated heritage asset (i.e. in this case a scheduled monument).

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Given that the site is identified in the Historic Environment Record as an Archaeological Notification Area and is adjacent to a second, we are concerned that without a clear direction on how archaeological remains should be treated in the allocation policy, its promotion for development would result in a conflict with the local plan. As such we feel that it fails to support sustainable development as defined within the NPPF including paragraph 190 which requires local planning authorities to take into account the understanding of the significance of a heritage asset to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

The wording that we have previously recommended is: "The design of the development, including the layout of buildings and open space, is informed by a programme of archaeological investigation conducted according to a brief agreed with the Council's archaeological advisor and is designed to preserve remains of importance in-situ giving the greatest weight to any remains of national interest. Where the preservation of remains is not merited they should be recorded to an appropriate level of detail prior to their loss and provision for interpretation of the site's past, as revealed, made within the village either on site or at another suitable location."

We feel it is necessary to ensure that any harm or loss to the heritage asset's significance that is considered acceptable should be justified based on the merits of the scheme including the benefits for the heritage assets that can be secured, whilst recognising that recording lost assets is not a factor in deciding whether such loss should be permitted (NPPF, paragraph 199). Policy 34 of the Horsham District Planning Framework provides a strategic policy for the conservation of heritage assets including archaeological remains. We are concerned that the requirements set here should not fall below those requirements whilst they should also clearly conform with the requirements of the NPPF. At the regulation 14 stage we felt it was advisable to include a requirement to ensure that interpretation of any remains was provided locally. This would be a clear benefit for the conservation and enhancement of the asset, alongside other benefits that might be considered to outweigh harm, and, as it could be secured as a part of the scheme we feel that this is a justified requirement.

Given our concerns and that some attempt has been made to accommodate them we are confused by the supportive text to the policy at 6.7.10 that "The site is adjacent to the Conservation Area although there are no other heritage assets giving cause for concern." To avoid confusion we would recommend that in addition to the conservation area's presence, the presence of the two Archaeological Notification Areas is identified in this paragraph and attention drawn to the need to sustain or enhance heritage assets in a manner appropriate to their significance.

We also feel that the policy fails to provide clear direction that would address our concern about the effect of the development proposal on the approach to the



conservation along the A272, where the transition from countryside to village would be replaced by the new development. This could be addressed by setting a clearer expectation of the response of development than the present requirement to provide a 'high quality frontage' to the A272. We would recommend requiring a deep set back of development from the roadside, in addition to retaining the hedgerow to retain a green landscape approach to the village.

We remain concerned that the Sustainability Appraisal, which as presented appears to provide the only form of formal site assessment to inform the plan, takes a crude approach to assessing the impact of options on the historic environment and heritage assets. Whilst it identifies the presence or absence of heritage assets and their relative proximity to the sites considered, there does not appear to be a meaningful understanding of the potential impact of each option/site on the significance of these assets, or the potential for mitigation. It is not clear what expertise has been applied to this assessment.

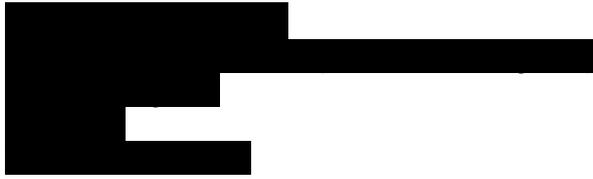
We do not at present have a view on whether other sites might be preferable and we have recognised the potential benefits of the Potters site but we are concerned that the site assessment and allocation process should be based on a robust and transparent process that includes the understanding of impacts on the historic environment, the consideration of options to avoid or minimise harmful impacts and securing those benefits that justify harm that cannot be avoided as well as the mitigation required to reduce harm. We do not wish to frustrate or delay the planning process but at present we feel that the site selection process has not addressed those concerns we raised previously and as such we cannot support the allocation of the Potters site and must, with regret, object to its allocation. We feel that without addressing these issues the plan would remain open to challenge on the grounds that it does not meet the basic conditions on the grounds of failing to be appropriate to make it with regard to advice or guidance issued by the secretary of state; that the plan does not clearly contribute to the achievement of sustainable development; and that the making of the plan would breach EU obligations with regards to the Strategic Environmental Assessment Directive.

The Archaeological Notification Areas have been defined by the District Council's archaeological advisors and would be considered non-designated heritage assets. At a planning application stage these would be outside our priorities for comment unless remains of national interest were uncovered, whilst they would fall within the remit of the District Council's archaeological advisor to advise on planning requirements both before and after submission of an application. Should the Council's archaeological advisor consider that in this case potential impacts to the potential area of archaeological interest should not merit a more restrictive policy requirement and more detailed site assessment process, we would be pleased to withdraw our objection.

We hope these comments are of assistance to the examiner but would be pleased to answer any queries that arise from them.



Yours sincerely



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