STATEMENT OF COMMON GROUND (SoCG)

BETWEEN

LANCASTER CITY COUNCIL AND **HISTORIC ENGLAND**

Suggested Modifications to Historic Environment Policies contained within the Climate Emergency Local Plan Review submission document (SD_02.1)

DATE: 21st July 2022

ON BEHALF OF LANCASTER CITY COUNCIL

Signed: Maurice Brophy

Name & Position: Maurice Brophy - Service Manager – Planning & Housing Strategy

Date 21nd July 2022

ON BEHALF OF HISTORIC ENGLAND

Signed:

E. Hrycan

Name & Position: Emily Hrycan – Historic Environment Planning Advisor (North West)

Date 21nd July 2022

1.0 INTRODUCTION

1.1 This statement of common ground has been prepared jointly between Lancaster City Council (LCC) and Historic England (HE). The two parties are here after referred to as 'the Parties'.

1.2 It relates specifically to Matter 5 (Heritage) to be discussed on Day 3 of the Examination in Public Hearing Sessions, taking place on the 6th October, with specific reference to Matter 5.1- 5.8.

1.3 The Council have sought to work with Historic England to ensure that their concerns have been addressed in relation to the specific working of a number of policies in the Climate Emergency Local Plan Review (CELPR), specifically the Climate Emergency Local Plan Review of the Development Management DPD (SD_02.1_)

2.0 CLIMATE EMERGENCY LOCAL PLAN REVIEW OF THE DEVELOPMENT MANAGEMENT DPD

2.1 **Policy DMCCH1**

The parties agree that through the main modification process that Policy DMCCH1 should be amended to reflect the following wording:

Policy DMCCH1: Retrofit of buildings of traditional construction for energy efficiency

The Council will support the responsible retrofitting of energy efficiency measures and appropriate use of micro-renewables in historic buildings of traditional solid-walled construction.

Proposals will be supported where they:

I. ***Demonstrate that they are consistent with the energy hierarchy – firstly reducing energy demand in the building, secondly increasing energy efficiency, and finally looking to generate renewable energy;***

II. ***Avoid compromising permeability, ventilation or structural stability***

III. ***Avoid harm to the ~~heritage~~ historic fabric and significance of the building.***

Where energy efficiency measures would unacceptably harm and alter the character or appearance of listed buildings, buildings in a conservation area, and buildings within scheduled monuments, these building types are exempt from the prescriptions of Part L of the building regulations.

Other buildings are subject to special considerations under Part L. This includes: buildings of architectural or historic interest (whether locally listed or not), within a National Park, Area of Natural Beauty, in a Registered Park or Garden, Battlefield or within the curtilage of a Scheduled Monuments or World Heritage Sites; and buildings of traditional construction with permeable fabric which can conflict with modern materials and methods.

New paragraph 46

Many buildings in the district are of traditional construction, with solid masonry walls and no integrated moisture barriers. Such buildings are designed to perform differently to modern buildings of cavity wall construction. While modern buildings depend on barriers which ensure that the structure is watertight, traditional solid walled buildings cyclically absorb and release moisture through their fabric. This process depends on maintaining an equilibrium of heating and ventilation, which can be easily upset by changes to the building.

New paragraph 47

Responsible Retrofit is a holistic approach to retrofit in which all interacting factors across the whole building are considered, and negative impacts, risks and benefits are balanced. In practice, this means considering how fabric measures such as insulation, draught proofing, glazing and rainwater protection; services such as ventilation, heating and renewable energy; and occupant behaviours interact with one another, and what effect they have both individually and cumulatively on the character and appearance of a historic building. For example, where one change to the building might have benefits in terms of energy usage, this might also be outweighed by risks to heritage significance or building fabric and environment. Retrofit measures ~~may be~~can sometimes be safely introduced individually, ~~but~~ whilst a combination of several may have a cumulative harmful effect. Where Responsible Retrofit is not achieved, it can lead to unintended consequences on historic building fabric and sometimes occupant health through for example measures that cause inadequate permeability and ventilation.

New paragraph 48

Proposals must take into account the relative benefits and risks to the climate, health of building users, ~~and~~ historic fabric and ~~heritage~~ significance of the building. The ~~SBTA~~ STBA Responsible Retrofit Guidance Wheel may assist applicants in making such assessments. Decisions related to retrofit will be made on an individual basis according to the specific requirements of each building and the requirements of the other policies in the Plan.

New paragraph 49

A comprehensive understanding of the significance of heritage assets and historic buildings will be required to underpin decision making, with reference made to the degree, nature and extent of significance. There will be cases where measures cannot be accommodated without resulting in a high level of harm to heritage significance. However, with positive engagement between applicants and the Council, and where proposals are supported by creativity of design, a good understanding of traditional construction, and, where appropriate, expert advice, solutions can often be reached. ~~Moreover, simple draughtproofing and insulation can usually be achieved without harming the heritage significance of the building.~~

New paragraph 50

In some cases where proposals do not satisfy the requirements of this policy it may be possible to instead consider proposals for micro-renewables under policy DMCCH2. However, proposals should demonstrate that they are consistent with the energy hierarchy, as described in Policy DM30a and the Plan's other Historic Environment Policies. Responsible Retrofit means that, as a minimum, simple improvements to draughtproofing and insulation would need to have been carried out. This is important as the installation of new heating systems, such as heat pumps, may depend on such simple improvements to be effective.

New paragraph 51

Proposals should demonstrate that they are consistent with the energy hierarchy, as described in Policy DM30a.

2.2 ***Policy DMCCH2***

The parties agree that through the main modification process that Policy DMCCH2 should be amended to reflect the following wording:

Policy DMCCH2: Micro-renewables ~~in the~~ affecting the setting of heritage assets

Proposals for new micro-renewable systems ~~in the~~ affecting the setting of Heritage Assets will be supported where they:

I. ***Demonstrate they are consistent with the energy hierarchy – firstly reducing energy demand in the building, secondly increasing energy efficiency, and finally looking to generate renewable energy***

II. ***Avoid harm to the significance of the asset via its setting, ~~by~~ through sensitive design including appropriate mitigation and enhancement methods.~~or screening. This includes considering the impact on Conservation Areas, Scheduled Ancient Monuments and Registered Parks and Gardens and the contribution of the surrounding landscape character to the setting.~~***

III. ***Assess the potential for below ground archaeology where proposals would require breaking ground or cause vibrations. Where remains are identified, the requirements of Policy DM42 will apply, ~~and appropriately avoid or mitigate any harm.~~***

New paragraph 52

In some cases it will be possible to install micro-renewables such as photovoltaic panels or wind generators within the setting of a heritage asset, or on an outbuilding, rather than on the heritage asset itself in order to reap some of the benefits of these systems while avoiding some of the harm to the asset's significance. The decision to do so must be informed by an assessment of the contribution the asset's setting and outbuilding(s) make to its significance; outbuildings may also be curtilage listed or they may be non-designated heritage assets in their own right. Where assets are clustered, such as in Conservation Areas, the setting of surrounding heritage assets and the potential impact on the historic character and appearance of the area should also be considered.

New paragraph 53

Where harm to the significance of a heritage asset would be caused by the proposals, appropriate mitigation will be required. This might include screening the installation from view.

New paragraph 54

Proposals should demonstrate that they are consistent with the energy hierarchy, as described in Policy DM30a.

New paragraph 55

This policy is intended to support Policy DM39 (The Setting of Designated Heritage Assets) in dealing with the specific challenges posed by the installation of micro-renewable systems in the setting of a heritage asset. Proposals are expected to be supported by a heritage impact assessment as required by Policy DM39.

3.0 PROPOSED APPPROACH

3.1 Should the Inspector accept the modifications suggested within the SoCG, it is the view of the Parties that the proposed approach to the historic environment within the CELPR is considered to be sound and in accordance with national planning policy. Should the Inspector accept the modifications suggested within the SoCG these should be subject to public consultation through the Proposed Modifications process to invite the comments of third parties.