

## Response to Regulation 18 Pre-submission Draft of Shropshire Local Plan— Wednesday 30<sup>th</sup> September 2020.

### Introduction




Bishop's Castle Community Partnership responded on Wednesday 30<sup>th</sup> September to the Shropshire Council Draft Local Plan. The Partnership felt a response was necessary because historically, Shropshire Council Local Plan allocations in Bishop's Castle have always been proposed along the western edge of the Development Boundary, despite overwhelming objections from the Bishop's Castle community. This remained the case in 2019 with the original Shropshire Local Plan Consultation which has now been updated as this Pre-submission Draft Local Plan.

Unless it can be agreed that clear and specific Planning reasons exist as to why development along the western edge of the Development Boundary is inappropriate, future Local Plans are likely to continue to allocate sites on the western boundary as long as landowners are happy to put the land forward. This Local Plan Consultation process provides the opportunity to define Planning reasons for appropriate site allocations.

### The Community Partnership Response

Responses had to be made online, in a specified format and directly referenced to specific sections, paragraphs and Policies of the Draft Shropshire Local Plan.

Below is the response that was submitted. To differentiate between the copy that is the paragraph or Policy in the Draft Local Plan and the copy that is the Partnership response, the text is illustrated as follows:

-  Text that is **blue, bold and italicised** refers to the section/paragraph/Policy or Strategy in the Local Plan;
-  Text that is **black and bold** is the action required by the Partnership response; and
-  Text that is **black and plain** states the Partnership's justification for the response/action required.

On pages 120-122, the Draft Local Plan contains a key Policy: **DP24. Conserving and Enhancing the Historic Environment**. This constitutes a significant planning reason to determine future development in Bishop's Castle. The Partnership response below addresses each paragraph contained in this policy.

On pages 159-160, the Draft Local Plan sets out the strategy for Bishop's Castle – **S2.1 Development Strategy: Bishop's Castle Key Centre**. It includes the strategic approach to future housing development and refers to the Neighbourhood Development Plan (NDP) that is currently being prepared by the Town Council. This Strategy also provides the Planning context for future housing development and the Partnership response addresses the relevant paragraphs and supports the proposals contained in the NDP.

## The Partnership Response in detail

### A. DP24. Conserving and Enhancing the Historic Environment

**DP24** is a key component of the Local Plan as regards the Bishop's Castle Key Centre. DP24 is highly significant as regards future development in the town as the Conservation Area constitutes a significant portion of the settlement. It is also one of Shropshire's significant heritage assets and thus is defined by DP24 as needing to be "*protected, conserved, sympathetically enhanced and restored.*"

A Character Assessment (CA) of the Bishop's Castle Conservation Area (BCCA) has recently been produced jointly by the Bishop's Castle Community Partnership (CP) and the Bishop's Castle Town Council (TC): the former as part of the annual update of their Community Led Plan; and the latter in preparation of the Bishop's Castle Neighbourhood Development Plan.

The CA which forms Appendix 1 of the Neighbourhood Development Plan (NDP) (currently in Draft Regulation 14 Stage) identifies and evidences critical issues that need to be addressed if this significant heritage asset is to be "*protected, conserved, sympathetically enhanced and restored.*"

The **DP24 Policy** includes 7 actions required to address the Policy. As regards the BCCA, to realise the 7 actions, the following is required:

#### ***1. Ensuring that wherever possible, proposals avoid harm or loss of significance to designated or non-designated heritage assets, including their settings.***

The boundary of the BCCA is that of the original Norman planted town. The current settlement and its infrastructure mirror the original 12<sup>th</sup> century settlement. Hence the Historic Environment Record lists 267 separate heritage assets, within the BCCA including: 1 Scheduled Monument; 5 Grade II\* Listed properties; 100 Grade II Listed premises; and 161 non-designated heritage assets.

Through the following 8 centuries the town has prospered and developed, enhanced by the impact of its Tudor and Georgian edifices and its position as a Rotten Borough. It has also retained its original form, street pattern and buildings, including the medieval thoroughfares with premises hard up against the carriageway or narrow pavements. The consequence of this in the 21<sup>st</sup> century is the difficulty of accommodating the demands of modern traffic and parking requirements without "*harm or loss of significance to designated or non-designated heritage assets, including their settings.*"

The CA provides evidence of both harm already done to heritage assets within the BCCA and the ongoing dangers that are regularly occurring to assets and their settings because of the conflict between traffic and parking demands and the medieval street pattern that exists within the Conservation Area setting.

The traffic conflict is exacerbated by the fact that the A488, which lies immediately to the east of the town provides the only access to the English hinterland and to major centres along the Welsh borders to the south. The rural lanes leading out of Bishop's Castle on the western side access only the rural Welsh hills and the Montgomery Road, the B4385 leads only to Welshpool and Newtown and then to distant towns and their hinterland in north and west Wales. The A488 therefore is by far the major route for both commercial and residential journeys to and from the town. Consequently, all traffic including commercial

deliveries to and from premises on the western side of the Conservation Area, must travel through the Conservation Area to access the hinterland either via the A488 or the B4385.

**To satisfy DP24 1. It is essential that no future development of sites outside the development boundary that would require to use a Conservation Area street(s) to access the A488 either by School House Lane or Brampton Road is permitted.**

*2. Ensuring that proposals which are likely to affect the significance of a designated or non-designated heritage asset, including its setting, are accompanied by a Heritage Assessment. The level of detail in the Heritage Assessment should be proportionate to the asset's significance.*

The CA includes a detailed analysis of what constitutes the character of the Conservation Area and each of the 9 zones that were surveyed within it. This includes architectural design features and decorative embellishments through the ages.

**To satisfy DP24 2. The Heritage Assessment should be required to always reference consideration of the CA (NDP Appendix 1) document including the appropriate zone analysis and acknowledge any relevant architectural or setting features that may be appropriate.**

*3. Ensuring that proposals which are likely to result in any loss of, harm to, the significance of a designated heritage asset, including its setting, either directly or indirectly, are determined in line with the National Planning Policy Framework.*

**To satisfy DP24 3. When undertaking Local Plan Reviews to accommodate the required, ongoing 5 year supply of housing land, a priority rating must be given in the assessment process to eligible sites that do not require access to the A488 via a street(s) in the Conservation Area.**

*4. Ensuring the proposals which are likely to result in loss of, or harm to, the significance of a non-designated heritage asset and/or its setting, either directly or indirectly, will only be permitted if it can be clearly demonstrated that the benefits of the proposal outweigh that loss or harm. In making this assessment the following will be taken into account:*

*a. The degree of harm or loss of significance to the asset and/or its setting;*

*b. The importance of the asset; and*

*c. Any potential beneficial use.*

*5. Where such proposals are permitted, measures will be required to:*

*a. Mitigate and record the loss of significance to the asset and/or its setting; and*

*b. Advance understanding in a manner proportionate to both the asset's and/or its setting's importance and the level of impact.*

The CA identifies the collective nature of the BCCA in that the footprint of the settlement today mirrors that of the 12<sup>th</sup> century settlement and its medieval street pattern. The

Conservation Area setting is in itself part of the significance of each of its assets and is inseparable from them.

The fact that in this small area there are 267 separate heritage assets, tightly packed together, including a Scheduled Monument, 5 Grade II\* Listed properties and 100 Grade II Listed premises as well as 161 non-designated heritage assets confirms that the area as a whole is a unique heritage asset of great significance. Damage to a single asset within it, regardless of whether it has a designated or non-designated status, impacts therefore on the whole setting and as such is of equal importance (Point 4.b.).

**To satisfy DP24 4. and 5. It is necessary when assessing “*loss of or harm to the significance of a non-designated heritage asset and/or its setting*” to take account of the fact that in the case of this 12<sup>th</sup> century settlement and its footprint, the interrelationship between the designated and non-designated assets and between the setting as a whole and a non-designated asset are significant factors in the overall character of the BCCA. Thus, a property’s significance is greater than its non-designated status would imply.**

*6. Encouraging development which delivers positive benefits to heritage assets. Support will be given in particular, to proposals which appropriately conserve, manage or enhance the significance of a heritage asset including its setting, especially where these improve the condition of those assets which are recognised as being at risk or in poor condition.*

The CA identifies 9 sensitive sites, 5 of which are within the BCCA boundary and 4 immediately adjoining it. Development on all these sites could either enhance or harm the heritage asset that is the Conservation Area.

**To satisfy DP24 6. When proposals for development on any of the 9 SITES SENSITIVE TO CHANGE that are identified in the CA (NDP Appendix 1) document are being considered, submissions must be accompanied by an assessment of their impact on the Conservation Area, referencing the relative zone survey within the NDP Appendix 1 document. The proposals to be considered in the application process accordingly.**

*7. Ensuring that development proposals affecting designated or non-designated heritage assets are determined in line with more detailed supplementary planning guidance, where applicable.*

**To satisfy DP24 7. The CA (NDP Appendix 1) document including the zone analyses, to be used as itemised above.**

#### **B. S2.1. Development Strategy: Bishop’s Castle Key Centre**

- 1. Bishop’s Castle will act as a Key Centre and contribute towards strategic growth objectives in the south of the County, delivering around 150 dwellings and around 3 hectares of employment development. New housing and employment development will respond to local needs*
- 4. New residential development will primarily be delivered through the saved SAMDev residential allocation and any residential development allocated within the Bishops Castle Neighbourhood Plan. This will be complemented by appropriate small-scale windfall*

*residential development within the Bishop's Castle development boundary shown on the Policies Map, where it is consistent with relevant policies of this Local Plan and the Bishop's Castle Neighbourhood Plan. It will also be complemented by appropriate cross-subsidy and exception development, where it is consistent with the Bishops Castle Neighbourhood Plan and relevant policies of this Local Plan.*

**When undertaking Local Plan Reviews to accommodate the required, ongoing 5 year supply of housing land, a priority rating must be given in the assessment process to eligible sites that do not require access to the A488 via a street(s) in the Conservation Area.**

*7. Saved SAMDev Plan site allocations are listed in Appendix 2 of this document and identified on the Policies Map. Development of site allocations should be in accordance with specified development guidelines and approximate site provision figures and all other relevant policies of this Local Plan.*

*8. Development proposals will be expected to positively respond to policies and guidelines identified within the Bishop's Castle Neighbourhood Plan, any other relevant community led plans and any masterplans that are adopted by Shropshire Council.*

**(N.B. All of the above Policy DP24 extracts and Partnership responses were copied into the response on paragraphs 7 and 8)**

*5.20. Bishop's Castle provides services and facilities for a large, remote, deeply rural and in places sparsely populated part of south Shropshire. The nature and scale of future development is designed to maintain and enhance this small settlement's role as a Market Town.*

*5.22. Bishop's Castle lies to the west of the Shropshire Hills Area of Outstanding Natural Beauty (AONB) and much of the remainder of the Place Plan area is within this nationally designated landscape.*

*5.23. The town's medieval settlement pattern with its narrow roads means that vehicular access is often difficult. Much of the town centre lies within a Conservation Area, there are a large number of listed buildings and the castle site is a Scheduled Monument.*

The economy of this Market Town is dependent on tourism and walking. Bishop's Castle Conservation Area and the 267 heritage assets within it are a major attraction to visitors.

Harm has already been done to heritage assets within the BCCA as evidenced in the Character Assessment (CA) that constitutes Appendix 1 of the Neighbourhood Development Plan. Ongoing dangers are regularly occurring to assets and their settings because of the conflict between traffic and parking demands and the medieval street pattern that exists within the Conservation Area setting.

This affects not only the tourism sector but also local pedestrians and the many walkers who visit the town on their journey along the long-distance footpath 'The Shropshire Way' which traverses the AONB and skirts the Welsh Hills. This footpath bisects the Conservation Area from north to south travelling along Castle Green, Bull Street, Market Square, High Street, Church Street, Church Lane and Field Lane, including some of the streets most severely affected by the traffic and parking issues highlighted in the CA.

At Church Lane there is an Information Board for walkers pertaining to the Shropshire Way and its links to other long-distance footpaths. Unfortunately, this location is described in the CA zone survey as a place where “parked and moving traffic are a constant presence” and “a hazard to the unwary pedestrian” making it “a place to pass through on the way to more gentle areas”.

**Consequently, the protection, conservation and enhancement of these assets is of paramount importance to the tourism economy.**