

Chelmsford Local Plan

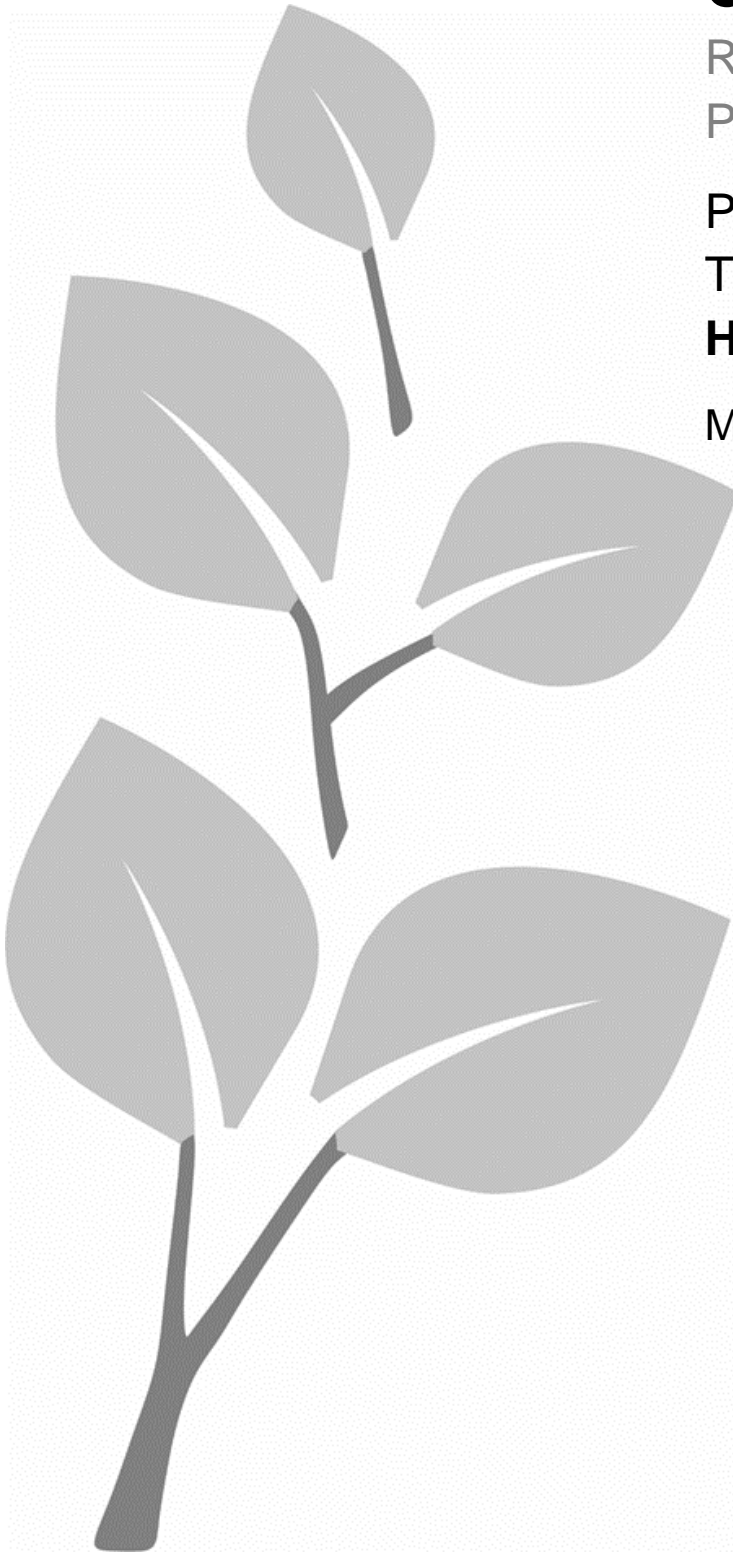
Review of the adopted Local
Plan

Preferred Options

Topic Paper:

Historic Environment

May 2024



1. Purpose

- 1.1. This Topic Paper is one of a number produced by Chelmsford City Council to set out how the review of the adopted Local Plan has been developed. Topic papers will be refreshed and updated at each stage of the Local Plan review process to ensure the latest information/ position is available. The previous Issues and Options Historic Environment Topic Paper is given in Appendix 1. As such, this topic paper supersedes previous versions.
- 1.2. The intention of the topic papers is to provide background information; they do not contain any policies, proposals or site allocations. Topic papers will form part of the Local Plan evidence base which will be submitted alongside the Local Plan for independent examination.
- 1.3. This topic paper covers the Historic Environment, taking in all aspects including archaeology, built heritage, local character and distinctiveness.
- 1.4. The Topic Paper provides background information and provides context of how the Local Plan has been formulated. This Topic Paper should be read alongside the other Topic Papers produced, in particular:
 - Spatial Strategy and Strategic Sites
 - Infrastructure
 - Climate Change
 - Natural Environment.
- 1.5. The main issues covered by this Topic Paper relate to:
 - Strategic Priority 3 – Protecting and enhancing the Natural and Historic Environment, and support and increase in biodiversity and ecological networks
 - Strategic Policy S1 - Spatial Principles with principle (f) relating to the historic environment: respect the character and appearance of landscapes and the built environment, and preserve or enhance the historic and natural environment and biodiversity
 - Strategic Policy S3 – Conserving and Enhancing the Historic Environment, and
 - Relevant Development Management Policies related to the historic environment.

2. Background

- 2.1. The historic environment is all around the area, within the city, the villages and the countryside. It gives a connection to our past and shapes communities and local identity. It can be a constraint, but also presents opportunities.
- 2.2. This topic paper sets out the background to the historic environment so that the review of the adopted Local Plan is fully informed and any additional evidence base information is prepared.
- 2.3. Chelmsford has a rich and diverse heritage. It has many heritage assets which are worthy of protection for their significance and for their contribution to the special character of

Chelmsford. Within Chelmsford's administrative area there are 1,011 listed buildings (February 2024). There are also 25 Conservation Areas, 19 Scheduled Monuments, and 6 Registered Parks and Gardens all of which are shown on the Policies Map. With the exception of Conservation Areas, these designated heritage assets are identified within the National Heritage List for England, administered by Historic England.

- 2.4. Buildings are listed on the basis of their special architectural or historic interest. These buildings are subject to special planning controls over their demolition, partial demolition, alteration or extension in any manner which affects their special character. Within Chelmsford there are a high number of timber frame buildings from the 14th-17th centuries reflecting the prosperity of the area in this period and displaying vernacular building techniques, notably within the rural areas and village centres, such as Stock, Writtle, Boreham and Great Waltham. The survival of vernacular buildings across the administrative area contributes to its distinctiveness. There are 64 Grade I and II* listed buildings, including medieval parish churches, structures at Pleshey Castle, Henry VIII's palace at New Hall, country houses (such as Langleys, Leez Priory and Boreham House) and exceptionally complete timber framed buildings and rectories.
- 2.5. Conservation Areas are designated under the Planning (Listed Building and Conservation Areas) Act 1990. Conservation Areas are defined and designated by the Council. They are areas of special architectural or historic interest where the Council has a statutory duty to preserve or enhance their character or appearance. The Council will produce character appraisals and management plans for its Conservation Areas. 5 Conservation Areas cover the City Centre, 17 historic village centres, St John's Hospital and John Keene Memorial Homes and are designated for their special character.
- 2.6. The Chelmer and Blackwater Navigation is also designated as a Conservation Area. This historic waterway, which extends through Braintree and Maldon districts, resulted in Chelmsford's expansion and development as an industrial centre from the late eighteenth century. It is significant for its structures (including 13 locks), landscape character, leisure and recreational value.
- 2.7. There are 6 Registered Parks and Gardens, including an 800m long Avenue at New Hall, the rare 'canal' water feature at Boreham House and the Humphry Repton landscape at Hylands Park. The public parks at Hylands and Danbury have an important role in the distinctness of Chelmsford and social wellbeing. They also contribute to the local economy through organised events and formal and informal recreation. The Council recognises that Registered Parks and Gardens should be protected.
- 2.8. Archaeological and/or historical features represent a finite and non-renewable resource that are vulnerable to damage and destruction. Any works to Scheduled Monuments require the consent of the Secretary of State. There are 19 Scheduled Monuments, including a number of moated sites, Roman villas, the Iron Age Hillfort at Danbury, the late twelfth century earthwork castle at Pleshey and medieval salt works at South Woodham Ferrers. The Essex Site and Monument Record records for over 3,000 archaeological sites in Chelmsford.
- 2.9. In addition to designated heritage assets, Chelmsford has many non-designated assets which are worthy of protection and conservation for their architectural, townscape, landscape or historic interest. The Council will continue to update a list of heritage assets which have local value. This is titled Register of Buildings of Local Value and includes buildings, structures or features of local architectural or historic interest which make a positive

contribution to their locality. 586 buildings are included on the current Register of Buildings of Local Value, and 12 sites are identified on the Inventory of Design Landscapes of Local Interest prepared by the Essex Gardens Trust. Both the designated and non-designated heritage assets reflect the expansion of Chelmsford as a manufacturing and technology centre in the early twentieth century, when Hoffmann, Marconi, and Crompton were located in the town.

- 2.10. A Heritage at Risk programme has been implemented by Historic England. It protects and manages the historic environment so the number of 'at risk' historic places and sites across England is reduced. The Heritage at Risk Register identifies those sites that are most at risk of being lost as a result of neglect, decay or inappropriate development.
- 2.11. The Council also maintains a Buildings at Risk Register (including designated and non-designated heritage assets) and proactively works to seek their protection and conservation. Sustaining appropriate uses is part of a strategy to ensure their conservation and their economic contribution. The 2023 Buildings at Risk Register includes 13 entries. In determining planning applications, the Council will take account of the desirability of sustaining and promoting opportunities to enhance the significance of both designated and non-designated assets and their settings.
- 2.12. There are a number of country lanes and byways which are of historic and landscape value, and which make an important contribution to the rural character of certain areas, as set out in the Essex County Council Protected Lanes Studies. The Council intends to protect these lanes and byways by preserving, as far as possible, the trees and hedgerows, banks, ditches and verges which contribute to their character, and by resisting development proposals which have a detrimental effect upon them.
- 2.13. The role of historic assets can also contribute towards the area's wider green infrastructure network, to local character and distinctiveness, and the economy. The Council also seeks opportunities to promote the local distinctiveness of Chelmsford through heritage interpretation, blue plaques and public art.

3. Types of heritage asset and historic environment

- 3.1. The following definitions set out various aspects of the historic environment:
- 3.2. Historic environment – all aspects of the environment resulting from the interaction between people and places through time, including all surviving physical remains of past human activity, whether visible, buried or submerged, and landscaped and planted or managed flora.
- 3.3. Heritage asset – a building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. These include designated heritage assets and assets identified by the local planning authority (including local listing).
- 3.4. Designated heritage asset - A World Heritage Site, Scheduled Monument, Listed Building, Protected Wreck Site, Registered Park and Garden, Registered Battlefield or Conservation Area designated under the relevant legislation.

- 3.5. Non-designated heritage asset – includes buildings and landmarks which although not listed, are deemed to be of local historical significance and/or heritage value.
- 3.6. Setting – the surroundings in which a designated or non-designated heritage asset is experienced, which can include its own land, the wider street scene or landscape setting.
- 3.7. Conservation area – a defined area of special architectural and historic interest covering buildings, trees, public realm and historical association.
- 3.8. Conservation – The process of maintaining and managing change to a heritage asset in a way that sustains and, where appropriate, enhances its significance.
- 3.9. Landscape character – specifically including historic land use, settlement, field systems, valued historic features, and sensitivity to change.
- 3.10. Archaeological interest – an asset which holds, or potentially may hold, evidence of past human activity worthy of expert investigation at some point. Heritage assets with archaeological interest are the primary source of evidence about the substance and evolution of places, and of the people and cultures that made them.

4. Preferred Options

Policy Context

- 4.1. All policies in the Local Plan must be positively prepared, justified, effective and consistent with national policy. The National Planning Policy Framework (NPPF) sets out the overarching planning policy framework, supported by the National Planning Practice Guidance (NPPG).
- 4.2. The adopted Local Plan was examined under the 2012 National Planning Policy Framework (NPPF). There have subsequently been updates to the NPPF and the Review of the Local Plan Preferred Options Local Plan has been considered against the requirements of more recent national planning policy and guidance including the 2023 NPPF. Where possible, changes to the NPPF affecting plan-making have been reflected in the Preferred Options Local Plan.
- 4.3. Further detail on these key changes for consideration are set out in the table below, included under the section ‘Local Plan Approach’.

National Policy and Guidance

- 4.4. Section 16 of the NPPF (2023) sets out the objectives for the historic environment:

Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value¹. These assets are an irreplaceable resource, and should be

1) Footnote 70 of paragraph 195 of the NPPF - The policies set out in this chapter relate, as applicable, to the heritage-related consent regimes for which local planning authorities are responsible under the [Planning \(Listed Buildings and Conservation Areas\) Act 1990](#), as well as to plan-making and decision-making.

conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations² (Paragraph 195).

4.5. Plans should set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. This strategy should take into account:

(a) the desirability of sustaining and enhancing the significance of heritage assets, and putting them to viable uses consistent with their conservation;

(b) the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;

(c) the desirability of new development making a positive contribution to local character and distinctiveness; and

(d) opportunities to draw on the contribution made by the historic environment to the character of a place. (Paragraph 196)

4.6. 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. (Paragraph 197)

Local planning authorities should maintain or have access to a historic environment record. This should contain up-to-date evidence about the historic environment in their area and be used to:

(a) assess the significance of heritage assets and the contribution they make to their environment; and

(b) predict the likelihood that currently unidentified heritage assets, particularly sites of historic and archaeological interest, will be discovered in the future. (Paragraph 198)

Local planning authorities should make information about the historic environment, gathered as part of policy-making or development management, publicly accessible. (Paragraph 199)

4.7. There are no substantial changes to national policy or guidance which directly impact the approach to this topic since the Issues and Options Local Plan stage.

2) Footnote 71 of paragraph 195 of the NPPF - The policies set out in this chapter relate, as applicable, to the heritage-related consent regimes for which local planning authorities are responsible under the Planning (Listed Buildings and Conservation Areas) Act 1990, as well as to plan-making and decision-making.

Historic England Local Plan Guidance

- 4.8. Historic England have produced guidance for planning and Local Plans.
- 4.9. The Historic Environment in Local Plans, Historic Environment Good Practice Advice in Planning: 1 (2015) states in paragraphs 4 and 5:

When gathering evidence, it is important to bear in mind that this is not simply an exercise in setting out known sites but, rather, in understanding the value to society (i.e. the significance) of sites both known (such as those on the National Heritage List for England, see www.HistoricEngland.org.uk/listing/the-list) and potential, without which an understanding of the sometimes subtle qualities of the local distinctiveness and character of the local area may be easily lost. In particular:

- *In some cases, it might be necessary to identify heritage assets outside a local authority area, e.g. where there are likely to be setting impacts caused by potential development proposals within that area*
- *Some asset types are not currently well-recorded. The Register of Parks and Gardens of Historic Interest in England, for example, is thought to represent only around two-thirds of sites potentially deserving inclusion*
- *Evidence gathering can help identify parts of a locality that may be worthy of designation as a Conservation Area, or may merit local listing*
- *Assessing the likelihood of currently unidentified heritage assets being discovered, particularly sites of historic and/or archaeological interest, will help to future proof the plan.*

It may be helpful to collate this information within a Heritage Topic Paper to draw together the evidence prepared and the subsequent implications and actions required.

<https://historicengland.org.uk/images-books/publications/gpa1-historic-environment-local-plans/gpa1/>

- 4.10. The Historic Environment and Site Allocations in Local Plans, Historic England Advice Note 3 (2015) states in paragraph 1.1:

The site allocation process is best informed by an up-to-date and robust historic environment evidence base. It is important that the gathering of this evidence begins prior to the commencement of work on the Plan, to provide baseline information at all stages in its preparation. The relevant Historic Environment Record (HER) and other evidence held by the local planning authority will help establish the baseline information. This in turn will help identify heritage assets affected (e.g. desktop analysis), whilst also identifying gaps in the evidence base where there may be a need to produce further information which will be needed in order to fully understand the potential impacts of potential site allocations on the historic environment. Discussions with community groups/organisations may, in some cases, also offer further evidence. The evidence gathered should relate to both designated and non-designated heritage assets, in accordance with the NPPF. It should be used at all stages of plan making if soundness is to be demonstrated, and inform the Sustainability Appraisal and Strategic Environmental Assessment.

[The Historic Environment and Site Allocations in Local Plans \(historicengland.org.uk\)](http://historicengland.org.uk)

- 4.11. Historic England issued Tall Buildings Advice Note 4 in March 2022. This is the second edition of this guidance document. The first was issued in 2015. It provides advice on

planning for tall buildings within the historic environment. The new edition updates historic England's advice in light of changes to national planning policy and guidance, and recent experience of planning for tall buildings in the historic environment.

- 4.12. Historic England has also updated guidance on [Installing Solar Panels](#). This includes considerations when planning an installation including impact on heritage significance. This guidance has no policy implications.

Local Policy

- 4.13. In addition to minor changes in national planning policy, the review of the adopted Local Plan will consider the achievability and effectiveness of historic environment policies in decision making in the adopted Local Plan (2020), new corporate priorities and reports of the Council and other relevant guidance. This includes:
- The Council's latest published [Authority Monitoring Report Plan \(AMR\)](#). Relevant policies include S3 – Conserving and Enhancing the Historic Environment, DM13 Designated Heritage Assets and DM14 Non-Designated Heritage Assets. The latest AMR does not identify any policy performance issues
 - The adopted [Making Places Supplementary Planning Document \(SPD\)](#) (January 2021). This seeks to promote and secure high-quality sustainable new development and includes a chapter dedicated to the Built Environment with a section on the Historic Environment
 - The [Essex Design Guide](#). This is aimed to be used as a reference guide to help create high quality places with an identity specific to Essex. Its Historic Context section aims to encourage new development that respects and fits in with the character of traditional Essex towns and villages. There is a section on Designated and Non-Designated Heritage Assets in relation to solar farm proposals. Finally, there is a section on Climate Change and the Historic Environment focusing on how improvements can be made to historic buildings to reduce their carbon impact whilst retaining the integrity of historic structures.

Duty to Co-operate

- 4.14. The Council is committed to co-operating with other bodies on strategic planning matters. The Duty to Co-operate Strategy was reviewed and adopted in January 2022.
- 4.15. The Council will make every effort to seek co-operation on cross-boundary and strategic planning matters in a focused, positive and structured way. The Council will continue to discuss the Review of the Adopted Local Plan with neighbouring planning authorities and the prescribed bodies at stages which align with and inform the stages of the Review of the Adopted Local Plan. These discussions will help to determine the quantum and distribution of Chelmsford's future growth, which will be supported by updated evidence.
- 4.16. At the same time, we continue to work constructively with nearby planning authorities on their own local plan preparation. Early engagement and demonstrating co-operation both with neighbours and the prescribed bodies through Statements of Common Ground are key to meeting the legal duty to co-operate.

4.17. In some cases, discussion on strategic matters continue through existing joint working arrangements. We will also arrange further joint Officer and Member meetings, technical stakeholder meetings, focused workshops, and prepare Statements of Common Ground.

4.18. The strategic matters for the Review of the Adopted Local Plan are identified as follows:

- Delivering homes for all including Gypsy and Traveller accommodation
- Jobs and economy including green employment and regeneration
- Retail, leisure, and cultural development
- Sustainable transport, highways and active travel
- Climate change action and mitigation including flood risk and zero carbon
- Natural and historic environment including increased biodiversity and green/blue/wild spaces and connectivity of ecological networks
- Community infrastructure including education, health and community facilities
- Utility infrastructure including communications, waste, water and energy
- London Stansted Airport future airspace redesign.

4.19. As part of on-going Duty to Co-operate relevant to this topic, the Council has attended relevant meetings and provides updates on our plan review such as through the Essex Planning Officers Association (EPOA). Details of ongoing activity are contained in the Duty to Co-operate Statement, published as an interim report to accompany the Preferred Options consultation and available here: www.chelmsford.gov.uk/lp-review.

4.20. To date, no strategic cross-boundary historic environment issues/concerns have been identified by the Council or Duty to Co-operate bodies.

4.21. As part of the Preferred Options consultation the Council will be having meetings with neighbouring Local Planning Authorities as well as other relevant Duty to Co-operate bodies. Any strategic cross boundary issues relating to the Historic Environment raised through these meetings and the consultation will be further considered and any further engagement undertaken if required.

Integrated Impact Assessment

4.22. The Council is carrying out an ongoing Integrated Impact Assessment (IIA) as the Review of the Local Plan develops.

4.23. The IIA is assessing the following aspects of sustainable development:

- Sustainability Appraisal (SA)
- Strategic Environmental Assessment (SEA)
- Habitats Regulations Assessment (HRA)
- Health Impact Assessment (HIA)
- Equality Impact Assessment (EqIA).

4.24. The SA, SEA and HRA are a requirement of national policy. The HIA and EqIA are voluntary, but the Council believes they will help to provide a complete picture of the sustainability of the Review of the Adopted Local Plan.

4.25. The IIA identifies the key sustainability issues for the Review of the Local Plan, which feed into a framework against which proposals are assessed. It covers the potential environmental, social, economic and health performance of the Local Plan and any

reasonable alternatives. It will be used at each stage of the Review, and be subject to separate consultation, as follows:

Scoping Report

- Issues and Options
- Preferred Options – Current Stage
- Submission
- Adoption.

4.26. The key sustainability issues and Appraisal Framework Objectives relating to this Topic Paper are:

Key sustainability issue	Appraisal Framework Objective
Cultural heritage	13. Cultural Heritage: To conserve and enhance the historic environment, cultural heritage, character and setting.
Landscape and townscape	14. Landscape and Townscape: To conserve and enhance landscape character and townscapes.

4.27. The Preferred Options IIA report assesses policies which seek to protect and enhance the City Area’s assets and their settings. It states that cumulatively, significant positive effects have been identified in respect of cultural heritage (IIA Objective 13). Historic assets contribute towards the character of the City Area and their protection has been assessed as having a significant positive effect on landscape and townscape (IIA Objective 14).

4.28. The Preferred Options IIA considers that Chelmsford City Area’s cultural heritage is a key feature of the local authority area. Policy S3 - Conserving and Enhancing the Historic Environment is the overarching policy to conserve and enhance the historic environment. The policy will ensure a presumption in favour of the preservation and enhancement of heritage assets and their setting and a presumption in favour of protecting the significance of non-designated heritage assets are applied. Policy S1 - Spatial Principles is similar in that it would also have a significant positive effect by requiring development to respect, preserve and enhance the historic environment.

4.29. Policies DM13 - Designated Heritage Assets, DM14 - Non-Designated Heritage Assets and DM15 - Archaeology form the central core of policies for realising IIA Objective 13 in respect of cultural heritage. The IIA considers that these policies provide mechanisms for conserving and enhancing both designated assets (Policy DM13) and non-designated historic assets (Policy DM14) whilst also preserving archaeological assets (Policy DM15). Cumulatively, these policies are considered to have a significant positive effect on this objective.

4.30. The Preferred Options IIA considers that the implementation of Policies DM13 (Designated Heritage Assets) and DM14 (Non-Designated Heritage Assets) would help to protect Chelmsford City Area’s townscapes and wider landscapes through the protection of listed buildings, conservation areas, registered parks and gardens (DM13), non-designated historic assets (DM14) and their settings. Overall, the policies in this section are considered to have a significant positive effect on achievement of this objective.

4.31. Section 5 of the Preferred Options IIA includes recommendations which will be considered as part of further refinement of the Plan before Submission. These do not relate specifically to the Spatial Strategy or Strategic Sites.

Evidence base

4.32. In accordance with the requirements of the NPPF, policies and their requirements should be based on up-to-date evidence.

4.33. In addition to the IIA, the following documents are of particular relevance to the historic environment and are supporting the Review of the Adopted Local Plan. Evidence base documents are available via: www.chelmsford.gov.uk/lp-review

Document	Summary	Status
Heritage Assessment Technical Notes – Chelmsford City Council, March-April 2024: <ul style="list-style-type: none"> • Urban Sites (PL005) • Rural Sites (PL006) • Hammonds Farm (PL007) • Employment Sites (PL008). 	<p>The assessments consider the impacts on designated and non-designated assets of the preferred allocation sites:</p> <p>Urban Sites:</p> <ul style="list-style-type: none"> • Coval Lane Car Park (1aa) • Glebe Road Car Park (1bb) • Granary Car Park, Victoria Road (1z) • Kay Metzler, New Street (1x) • Marriages Mill, Brook Street (1y) • The Meadows and Island Car Park Site (1w). <p>Rural Sites:</p> <ul style="list-style-type: none"> • Land at Kingsgate, Bicknacre (11b) • Land west of Barbrook Way, Bicknacre (11c) • Land west of Back Lane, Ford End (14a) • Land South of Ford End Primary School (14b) • Land north of Abbey Fields, East Hanningfield (17a) • Land east of Highfields Mead, East Hanningfield (17b) • Hammonds Farm (16a). <p>Employment Sites:</p> <ul style="list-style-type: none"> • Little Boyton Hall Farm, Roxwell (15) • Waltham Road, Boreham (9) • Land adjacent to A12 Junction 18, Sandon (16b). 	Published
Register of Buildings of Local Value – Chelmsford City Council, 2023	<p>The register sets out the Council’s objectives and criteria for the conservation of the area’s unlisted historic buildings. These buildings add to the richness of the local built environment and thereby enhance the special identity of the City Council area.</p>	Published

Document	Summary	Status
Buildings at Risk Register - Chelmsford City Council, 2024	This register contains details of historic buildings or structures known to be at risk of survival through neglect or decay, and those vulnerable to further deterioration.	Published
Authority Monitoring Report (April 2022 – March 2023)	A report monitoring the production of the Council's Local Plan Documents against the Local Development Scheme and the performance and effectiveness of the Council's planning policies in delivering the key objectives of the Local Plan.	Published
Archaeology Impact Assessment	This assessment will identify and define any heritage extent and significance for designated and non-designated heritage assets of the proposed new preferred options site allocations.	Underway. To be published alongside Pre-Submission Local Plan.
OSP003: Preferred Options Local Plan Form and Contents Checklist 2024	Compares the PO Local Plan against key requirements of the NPPF	Published

Heritage Assessment Technical Notes 2024

- 4.34. For new heritage assessment technical notes have been prepared to consider the historic environment impacts of the proposed new housing and employment sites in the Preferred Options Local Plan. They provide a brief assessment of the setting of designated and non-designated heritage assets within or in the vicinity of the proposed new development sites.
- 4.35. The assessments follow Good Practice Advice GPA3 Setting (2017) published by Historic England. This involves a five step approach which includes:
1. Identification of heritage assets which are likely to be affected by proposals
 2. Assessment of whether and what contribution the setting makes to the significance of a heritage asset
 3. Assessing the effects of proposed development on the setting of a heritage asset
 4. Maximising enhancement and reduction of harm on the setting of heritage assets
 5. The final decision about the acceptability of proposals.
- 4.36. The assessments find that some of the small rural residential sites, e.g. Land north of Abbey Fields and Land East of Highfield Meads in East Hanningfield, have no heritage implications. Proposals such as the Granary Car Park in Chelmsford City Centre will have a considerable visual presence and will need careful consideration of the scale and design. For most sites, one or more principles have been set out to maximise enhancement and reduce harm to the setting of heritage assets. This includes tree planting/landscaping, lighting design, analysis of key views, design and layout considerations. These principles have been used to inform requirements in respective site allocation policies as described in the Local Plan Approach section.
- 4.37. The East Chelmsford Garden Community (Hammonds Farm) assessment considers that the site has a diverse character and a range of designated and non-designated assets of local and national importance. The rural character of the area has been eroded by modern

agriculture but the landscape framework and rural character remains. The plateau between Hammonds Road and Sandon Brook provides an opportunity for development where the impact on designated and non-designated heritage assets could be minimal or capable of being mitigated against. The setting of the Chelmer and Blackwater Navigation to the west of Hammonds Road is significant and should be protected, as should Graces Walk, Hurrells Lane and the setting to other listed buildings. The assessment recommendations have been addressed in the individual site allocation policy as described in the Local Plan Approach section.

Issues and options Consultation Feedback

4.38. The Review of the Local Plan Issues and Options document was published for consultation between August and October 2022. A total of 1,178 responses were received from 711 respondents. The 'You Said We Did' (YSWD) Feedback Report, available via [Local Plan Review \(chelmsford.gov.uk\)](https://www.chelmsford.gov.uk), sets out the main issues raised in the representations received, a summary of how the Preferred Options Local Plan has been informed by the comments and the plan evidence base. Main issues raised in the consultation responses include:

- Representations stating that the proposed approach to the historic environment is consistent with the latest national policy and guidance
- Support for the proposed approach of enhancement of the historic environment
- Representations calling for the need to preserve the character of villages, areas with heritage assets and the uniqueness of South Woodham Ferrers
- Representation calling for Protected Lanes to have their own policy
- Representations calling for new developments to positively contribute to enhancement of heritage assets.

Local Plan Approach

4.39. No changes have been made to any of the key adopted historic environment policies in the Preferred Options Local Plan as overall adopted Local Plan policies remain up to date with national planning policy and plan-making guidance published by Historic England. The AMR also shows that they are working effectively and support for the proposed approach of enhancement of the historic environment was expressed in the Issues and Options comments.

4.40. The numbers of different types of heritage assets in Strategic Policy 3 - Conserving and Enhancing the Historic Environment has been updated to reflect the most recent information.

4.41. The following text has been added to the reasoned justification of DM14 Non-Designated Heritage Assets: 'The Council may also have regard to consideration of an asset based upon the NPPF guidance, in determining whether something is a non-designated heritage asset for the purposes of a planning application'. This will allow the Council flexibility when assessing planning applications.

4.42. A minor change is proposed to DM28 Tall Buildings. The word 'features' in bullet point vi is proposed to be changed to 'assets', so that the bullet point reads 'the building does not detract from the context of existing historic City Centre assets or wider historic environment'. This is in line with Historic England's Tall Buildings Advice Note 4 2022. Text has also been added to the reasoned justification to add detail on design of tall buildings to reflect the Advice Note.

4.43. New evidence base, particularly the new Heritage Assessments, and comments from the Issues and Options stage have informed requirements in the new site allocation policies

related to the historic environment. Examples include references to designated and non-designated assets and how developments should be sensitive to their setting, local character and distinctiveness. This includes requirement for compensation measures such as landscaped edges, trees and hedge planting. Viewing corridors to historic landmarks have also been specified e.g. at East Chelmsford Garden Community (Hammonds Farm) (Site 16a) and Land adjacent to A12 Junction 18 (Site 16b). Retention of historic lanes and field boundaries is also a requirement in the site policy for East Chelmsford Garden Community (Hammonds Farm).

NPPF 2023 Checklist

4.44. The Council has reviewed the Preferred Options Local Plan against the requirements of the latest 2023 NPPF. The table below shows that the plan meets all requirements in respect to the Historic Environment. The full Preferred Options Local Plan Form and Contents Checklist (March 2024) is available at www.chelmsford.gov.uk/lp-review.

Commentary Key:

Preferred Options Local Plan meets NPPF requirement
Preferred Options Local Plan partially meets NPPF requirement
Preferred Options Local Plan does not meet NPPF requirement

No.	NPPF Requirement	Para.	Approach in the Preferred Options Local Plan
85	Set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats.	196	Set out in the plan through site allocations and various policies including Strategic Policy S3, DM13-DM15 and the updated Heritage Assessments evidence base.

Additional alternative approaches considered

4.45. Throughout the Preferred Options Local Plan, each policy includes any ‘Alternatives considered’. National Planning Practice Guidance (NPPG) makes it clear that a Local Plan reflects sustainability objectives and has considered reasonable alternatives. The alternatives considered have been tested by the Preferred Options Integrated Impact Assessment (IIA), alongside the proposed policies, to help ensure that the Preferred Options plan is justified and is an appropriate strategy, when considered against the alternatives and other available and proportionate evidence. Key alternatives considered in relation to the Heritage Environment include:

- DM13 Designated Heritage Assets and DM14 Non-Designated Heritage Assets

Key alternative considered - Merge all historic environment policies into one

This would dilute the importance and distinction between designated and non-designated heritage assets. Having multiple policies provides greater clarity on the different considerations required for such assets.

- DM28 Tall Buildings

Key alternative considered – Consider alternative definition of ‘tall buildings’

The definition is based on Chelmsford’s predominant building scale of two to four storeys, typically forming street frontages. Buildings above five storeys represent a shift in scale with greater impacts which require careful consideration.

5. Next Steps

- 5.1. This Topic Paper will be updated and expanded on following feedback to the Preferred Options consultation and progress of any further relevant evidence-based documents. This includes an Archaeology Impact Assessment of the preferred site allocations. An updated Topic Paper will be published at the next stage of Local Plan Consultation (Pre-Submission) setting out the progress made and the reasoning behind the proposals in the Pre-Submission Consultation Document.

A stylized graphic of a branch with several leaves, rendered in shades of gray. The leaves are simple, rounded shapes with a central vein, and the branch is a thick, dark gray line. The background behind the leaves is a light gray grid pattern.

Chelmsford Local Plan

Review of the adopted Local
Plan

Issues and Options

Topic Paper:

Historic Environment

August 2022

1. Purpose

- 1.1. This Topic Paper is one of a number produced by Chelmsford City Council to set out how the review of the adopted Local Plan has been developed. Topic papers will be refreshed and updated at each stage of the Local Plan review process to ensure the latest information/position is available. This will avoid confusion and duplication and the latest topic paper will supersede any previous versions.
- 1.2. The intention of the topic papers is to provide background information; they do not contain any policies, proposals or site allocations. Topic papers will form part of the Local Plan evidence base which will be submitted alongside the Local Plan for independent examination.
- 1.3. This topic paper covers the Historic Environment, taking in all aspects including archaeology, built heritage, local character and distinctiveness.
- 1.4. The Topic Paper provides background information and provides context of how the Local Plan has been formulated. This Topic Paper should be read alongside the other Topic Papers produced, in particular:
 - Infrastructure - covers infrastructure needs to support the Local Plan and how requirements and delivery of various pieces of infrastructure will be provided for in the Review of the Adopted Local Plan
 - Transport – covers how transport matters and transport impacts have been considered when preparing the Review of the Adopted Local Plan.
- 1.5. The main issues covered by this Topic Paper are:
 - Definition of heritage assets
 - National planning policies covering heritage issues
 - Evidence on the historic environment
 - How the Local Plan will ensure that the historic environment is protected and enhanced (Spatial Principles S1 and S3, A Safer Greener Place and Health Active and Enjoyable Lives Strategic Priorities).

2. Background

- 2.1. The historic environment is all around the area, within the city, the villages and the countryside. It gives a connection to our past and shapes communities and local identity. It can be a constraint, but also presents opportunities.
- 2.2. This topic paper sets out the background to the historic environment so that the review of the adopted Local Plan is fully informed and any additional evidence base information is prepared.

- 2.3. Chelmsford has a rich and diverse heritage. It has many heritage assets which are worthy of protection for their significance and for their contribution to the special character of Chelmsford. Within Chelmsford's administrative area there are 1,012 listed buildings (April 2022). There are also 25 Conservation Areas, 19 Scheduled Monuments, and 6 Registered Parks and Gardens all of which are shown on the Policies Map. With the exception of Conservation Areas, these designated heritage assets are identified within the National Heritage List for England, administered by Historic England.
- 2.4. Buildings are listed on the basis of their special architectural or historic interest. These buildings are subject to special planning controls over their demolition, partial demolition, alteration or extension in any manner which affects their special character. Within Chelmsford there are a high number of timber frame buildings from the 14th-17th centuries reflecting the prosperity of the area in this period and displaying vernacular building techniques, notably within the rural areas and village centres, such as Stock, Writtle, Boreham and Great Waltham. The survival of vernacular buildings across the administrative area contributes to its distinctiveness. There are 64 Grade I and II* listed buildings, including medieval parish churches, structures at Pleshey Castle, Henry VIII's palace at New Hall, country houses (such as Langleys, Leez Priory and Boreham House) and exceptionally complete timber framed buildings and rectories.
- 2.5. Conservation Areas are designated under the Planning (Listed Building and Conservation Areas) Act 1990. Conservation Areas are defined and designated by the Council. They are areas of special architectural or historic interest where the Council has a statutory duty to preserve or enhance their character or appearance. The Council will produce character appraisals and management plans for its Conservation Areas. 5 Conservation Areas cover the City Centre, 17 historic village centres, St John's Hospital and John Keene Memorial Homes and are designated for their special character.
- 2.6. The Chelmer and Blackwater Navigation is also designated as a Conservation Area. This historic waterway, which extends through Braintree and Maldon districts, resulted in Chelmsford's expansion and development as an industrial centre from the late eighteenth century. It is significant for its structures (including 13 locks), landscape character, leisure and recreational value.
- 2.7. There are 6 Registered Parks and Gardens, including an 800m long Avenue at New Hall, the rare 'canal' water feature at Boreham House and the Humphry Repton landscape at Hylands Park. The public parks at Hylands and Danbury have an important role in the distinctness of Chelmsford and social wellbeing. They also contribute to the local economy through organised events and formal and informal recreation. The Council recognises that Registered Parks and Gardens should be protected.
- 2.8. Archaeological and/or historical features represent a finite and non-renewable resource that are vulnerable to damage and destruction. Any works to Scheduled Monuments require the consent of the Secretary of State. There are 19 Scheduled Monuments, including a number of moated sites, Roman villas, the Iron Age Hillfort at Danbury, the late twelfth century earthwork castle at Pleshey and medieval salt works at South Woodham Ferrers. The Essex Site and Monument Record records for over 3,000 archaeological sites in Chelmsford.

- 2.9. In addition to designated heritage assets, Chelmsford has many non-designated assets which are worthy of protection and conservation for their architectural, townscape, landscape or historic interest. The Council will continue to update a list of heritage assets which have local value. This is titled Register of Buildings of Local Value and includes buildings, structures or features of local architectural or historic interest which make a positive contribution to their locality. 509 buildings are included on the current Register of Buildings of Local Value, and 12 sites are identified on the Inventory of Design Landscapes of Local Interest prepared by the Essex Gardens Trust. Both the designated and non-designated heritage assets reflect the expansion of Chelmsford as a manufacturing and technology centre in the early twentieth century, when Hoffmann, Marconi, and Crompton were located in the town.
- 2.10. A Heritage at Risk programme has been implemented by Historic England. It protects and manages the historic environment so the number of 'at risk' historic places and sites across England is reduced. The Heritage at Risk Register identifies those sites that are most at risk of being lost as a result of neglect, decay or inappropriate development.
- 2.11. The Council also maintains a buildings at risk register (including designated and non-designated heritage assets) and proactively works to seek their protection and conservation. Sustaining appropriate uses is part of a strategy to ensure their conservation and their economic contribution. The 2022 Buildings at Risk Register includes 11 entries. In determining planning applications, the Council will take account of the desirability of sustaining and promoting opportunities to enhance the significance of both designated and non-designated assets and their settings.
- 2.12. There are a number of country lanes and byways which are of historic and landscape value, and which make an important contribution to the rural character of certain areas, as set out in the Essex County Council Protected Lanes Studies. The Council intends to protect these lanes and byways by preserving, as far as possible, the trees and hedgerows, banks, ditches and verges which contribute to their character, and by resisting development proposals which have a detrimental effect upon them.
- 2.13. The role of historic assets can also contribute towards the area's wider green infrastructure network, to local character and distinctiveness, and the economy. The Council also seeks opportunities to promote the local distinctiveness of Chelmsford through heritage interpretation, blue plaques and public art.

3. Types of heritage asset and historic environment

- 3.1. The following definitions set out various aspects of the historic environment:
- 3.2. Historic environment – all aspects of the environment resulting from the interaction between people and places through time, including all surviving physical remains of past human activity, whether visible, buried or submerged, and landscaped and planted or managed flora.

- 3.3. Heritage asset – a building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. These include designated heritage assets and assets identified by the local planning authority (including local listing).
- 3.4. Designated heritage asset - A World Heritage Site, Scheduled Monument, Listed Building, Protected Wreck Site, Registered Park and Garden, Registered Battlefield or Conservation Area designated under the relevant legislation.
- 3.5. Non-designated heritage asset – includes buildings and landmarks which although not listed, are deemed to be of local historical significance and/or heritage value.
- 3.6. Setting – the surroundings in which a designated or non-designated heritage asset is experienced, including its own land or the wider street scene.
- 3.7. Conservation area – a defined area of special architectural and historic interest covering buildings, trees, public realm and historical association.
- 3.8. Conservation – The process of maintaining and managing change to a heritage asset in a way that sustains and, where appropriate, enhances its significance.
- 3.9. Landscape character – specifically including historic land use, settlement, field systems, valued historic features, and sensitivity to change.
- 3.10. Archaeological interest – an asset which holds, or potentially may hold, evidence of past human activity worthy of expert investigation at some point. Heritage assets with archaeological interest are the primary source of evidence about the substance and evolution of places, and of the people and cultures that made them.

4. Issues and Options

Policy Context

National Policy

- 4.1. Section 1 of the NPPF (2021) sets out the overarching objective for achieving sustainable development:

Achieving sustainable development means that the planning system has 3 overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

- ***an economic objective*** – *to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure*

- **a social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- **an environmental objective** – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy. (Paragraph 8)

4.2. Section 16 of the NPPF (2021) sets out the objectives for the historic environment:

Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as [World Heritage Sites](#) which are internationally recognised to be of Outstanding Universal Value⁶⁶. These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations⁶⁷. (Paragraph 189)

Plans should set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. This strategy should take into account:

(a) the desirability of sustaining and enhancing the significance of heritage assets, and putting them to viable uses consistent with their conservation;

(b) the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;

(c) the desirability of new development making a positive contribution to local character and distinctiveness; and

(d) opportunities to draw on the contribution made by the historic environment to the character of a place. (Paragraph 190)

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. (Paragraph 191)

Local planning authorities should maintain or have access to a historic environment record. This should contain up-to-date evidence about the historic environment in their area and be used to:

(a) assess the significance of heritage assets and the contribution they make to their environment; and

(b) predict the likelihood that currently unidentified heritage assets, particularly sites of historic and archaeological interest, will be discovered in the future. (Paragraph 192)

Local planning authorities should make information about the historic environment, gathered as part of policy-making or development management, publicly accessible. (Paragraph 193)

- 4.3. Table 1 below sets out the key issues to be considered at this Regulation 18 Issues and Options Stage. The table below assesses the adopted Local Plan against the key NPPF requirements in respect of the historic environment and identifies Chelmsford City Council's assessment of the adopted Local Plan's compliance with the 2021 NPPF. The proposed approach to the review of the adopted Local Plan is then set out using the following colour codes:

The following quick reference colour codes in **column A** helpfully identify new or revised NPPF requirements since the adoption of your plan (which was examined under 2012 NPPF):

Key:

New plan-making requirement of the NPPF 2019 and/or NPPF 2021 not contained within the previous 2012 version
Revised plan-making requirement of the NPPF, containing some changes from the 2012 version
Requirement of the NPPF which has not changed from the 2012 version in relation to plan-making

Column C then assesses the adopted Local Plan against the NPPF requirements and identifies CCC's assessment of the adopted Local Plan's compliance with the 2021 NPPF using the following colour codes:

Key:

Adopted Local Plan meets NPPF requirement
Adopted Local Plan partially meets NPPF requirement
Adopted Local Plan does not meet NPPF requirement

Table 1 - NPPF Compliance Checklist – Historic Environment

	A. NPPF Requirement	B. NPPF Paragraph Reference	C. Record your assessment results
106.	<i>Historic Environment</i>		
107.	Set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats.	NPPF Para 190	Set out in adopted Local Plan through site allocations and a suite of policies (Strategic Policies S3 and DM1 and DM15) and supporting Heritage Assessment evidence. Need to ensure any amendments through the review remain compliant with the NPPF.

National Policy Guidance

- 4.4. The NPPF is supported by a series of PPGs on a range of subjects. Paragraph 45 of the Plan-making PPG states:

Planning policies need to be based on up-to-date evidence about the [historic environment](#) in their area. Strategic policy-making authorities can use this evidence to assess the significance of heritage assets and the contribution they make to their environment and to predict the likelihood of currently unidentified heritage assets being discovered in the future. Authorities may draw on a wide range of evidence sources, including the relevant historic environment record, the National Heritage List for England, conservation area management plans and appraisals, and local consultations that have identified assets of local historic importance.

Historic England Local Plan Guidance

- 4.5. The Historic Environment in Local Plans, Historic Environment Good Practice Advice in Planning: 1 (2015) states in paragraphs 4 and 5:

When gathering evidence, it is important to bear in mind that this is not simply an exercise in setting out known sites but, rather, in understanding the value to society (i.e. the significance) of sites both known (such as those on the National Heritage List for England, see www.HistoricEngland.org.uk/listing/the-list) and potential, without which an understanding of the sometimes subtle qualities of the local distinctiveness and character of the local area may be easily lost. In particular:

- *In some cases, it might be necessary to identify heritage assets outside a local authority area, e.g. where there are likely to be setting impacts caused by potential development proposals within that area*
- *Some asset types are not currently well-recorded. The Register of Parks and Gardens of Historic Interest in England, for example, is thought to represent only around two-thirds of sites potentially deserving inclusion*
- *Evidence gathering can help identify parts of a locality that may be worthy of designation as a Conservation Area, or may merit local listing*
- *Assessing the likelihood of currently unidentified heritage assets being discovered, particularly sites of historic and/or archaeological interest, will help to future proof the plan.*

It may be helpful to collate this information within a Heritage Topic Paper to draw together the evidence prepared and the subsequent implications and actions required.

<https://historicengland.org.uk/images-books/publications/gpa1-historic-environment-local-plans/gpa1/>

- 4.6. The Historic Environment and Site Allocations in Local Plans, Historic England Advice Note 3 (2015) states in paragraph 1.1:

The site allocation process is best informed by an up-to-date and robust historic environment evidence base. It is important that the gathering of this evidence begins prior to the commencement of work on the Plan, to provide baseline information at all stages in its preparation. The relevant Historic Environment Record (HER) and other evidence held by the local planning authority will help establish the baseline information. This in turn will help identify heritage assets affected (e.g. desktop analysis), whilst also identifying gaps in the evidence base where there may be a need to produce further information which will be needed in order to fully understand the potential impacts of potential site allocations on the historic environment. Discussions with community groups/organisations may, in some cases, also offer further evidence. The evidence gathered should relate to both designated and non-designated heritage assets, in accordance with the NPPF. It should be used at all stages of plan making if soundness is to be demonstrated, and inform the Sustainability Appraisal and Strategic Environmental Assessment.

[The Historic Environment and Site Allocations in Local Plans \(historicengland.org.uk\)](https://historicengland.org.uk)

Local Policy

Current policy

4.7. Relevant policies in the Adopted Local Plan are:

4.8. **STRATEGIC POLICY S1 – SPATIAL PRINCIPLES**

The Council will require all new development to accord with the following Spatial Principles where relevant:

- Optimise the use of suitable previously developed land for development
- Continue the renewal of Chelmsford City Centre and its Urban Area Locate development at well connected and sustainable locations
- Locate development to avoid or manage flood risk
- Protect the Green Belt Respect the character and appearance of landscapes and the built environment, and preserve or enhance the historic environment and biodiversity
- Focus development at the higher order settlements outside the Green Belt and respect the existing development pattern and hierarchy of other settlements
- Ensure development is deliverable
- Ensure development is served by necessary infrastructure Utilise existing and planned infrastructure effectively.

4.9. **STRATEGIC POLICY S3 – CONSERVING AND ENHANCING THE HISTORIC ENVIRONMENT**

The Council will conserve and where appropriate enhance the historic environment recognising the positive contribution it makes to the character and distinctiveness of Chelmsford through the diversity and quality of heritage assets. This includes wider social, cultural, economic and environmental benefits.

The Council will designate and keep under review Conservation Areas in order to preserve or enhance their special architectural or historic interest with an emphasis on retaining and where appropriate improving the buildings and/or features that make a positive contribution to their character or appearance.

The Council will conserve or enhance the significance (including any contribution made by its setting) of Listed Buildings, Scheduled Monuments and Registered Parks and Gardens with an emphasis on preserving and where appropriate enriching the social, cultural, economic and environmental benefits that these heritage assets provide. The Council will seek the protection, conservation, and where appropriate and important to their significance, re-use and/or enhancement of historic places and sites on the Heritage at Risk Register and the local buildings at risk register.

When assessing applications for development, the Council will place great weight on the preservation or enhancement of designated heritage assets and their setting.

The Council will encourage applicants to put heritage assets to viable and appropriate use, to secure their future preservation and where appropriate enhancement, as appropriate to their significance. Policy DM13 sets out how the Council will consider proposals affecting the different types of designated heritage assets and their significance.

The Council will seek to conserve and where appropriate enhance the significance of non-designated heritage assets and their settings, which includes buildings, structures, features, gardens of local interest and protected lanes. Policy DM14 sets out the Council's approach to the protection and retention of these assets. Chelmsford contains a number of sites of archaeological importance. As set out in Policy DM15, the Council will seek the preservation and where appropriate enhancement of sites and their setting of archaeological interest.

4.10. POLICY DM13 – DESIGNATED HERITAGE ASSETS

- A) The impact of any development proposal on the significance of a designated heritage asset or its setting, and the level of any harm, will be considered against any public benefits arising from the proposed development. Where there is substantial harm or total loss of significance of the designated heritage asset, consent will be refused 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:
- i. the nature of the heritage asset prevents all reasonable uses of the site; and
 - ii. use of the asset is not viable in itself in the medium term, or not demonstrably possible in terms of grant funding; and
 - iii. the harm or loss is outweighed by bringing the site back into use. Where there is less than substantial harm to the heritage asset this will be weighed against the public benefits of the development proposal, including securing the optimum viable use of the heritage asset. The Council will take account of the desirability of sustaining and enhancing the significance of heritage assets and the positive contribution that

conservation of heritage assets can make to sustainable communities, local character and distinctiveness.

B) Listed Buildings In addition to Part A) the Council will preserve Listed Buildings and will permit proposals where:

- i. any extension/alteration would not adversely affect its significance as a building of special architectural or historic interest, both internally and externally; and
- ii. development within the setting of a listed building would not adversely affect the significance of the listed building, including views to and from the building, landscape or townscape character, land use and historic associations; and
- iii. any change of use would preserve its significance as a building of special architectural or historic interest and ensure its continued use.

C) Conservation Areas In addition to Part A) development will be permitted in Conservation Areas where:

- i. the siting, design and scale would preserve or enhance the character or appearance of the area; and
- ii. building materials and finishes are appropriate to the local context; and
- iii. features which contribute to the character of the area are retained; and
- iv. important views are preserved.

Development involving demolition or substantial demolition will only be granted if it can be demonstrated that:

- v. the structure to be demolished makes no contribution to the special character or appearance of the area; or
- vi. vi. it can be demonstrated that the structure is beyond repair or incapable of beneficial use; or
- vii. the substantial public benefit would outweigh the harm; or
- viii. viii. it can be demonstrated that the removal of the structure would lead to the enhancement of the Conservation Area.

D) Registered Parks and Gardens Development proposals should protect Registered Parks and Gardens and their settings. Harm should be assessed in accordance with the tests within Part A) of this policy.

E) Scheduled Monuments Development proposals should protect Scheduled Monuments and their settings. Harm should be assessed in accordance with the tests within Part A) of this policy

4.11. **POLICY DM14 – NON-DESIGNATED HERITAGE ASSETS**

Proposals will be permitted where they retain the significance of a non-designated heritage asset, including its setting. Where proposals would lead to harm to the significance of a non-designated heritage asset or its loss, proposals should demonstrate that:

- i. the level of harm or loss is justified following a balanced judgement of harm and the
- ii. significance of the asset; and
- iii. harm is minimised through retention of features of significance and/or good design and/or mitigation measures.

4.12. **POLICY DM15 – ARCHAEOLOGY**

Planning permission will be granted for development affecting archaeological sites providing it protects, enhances or preserves sites of archaeological interest and their settings. Applications shall have assessed the site in consultation with the Historic Environment Record and taken account of the archaeological importance of those remains, the need for the development, the likely extent of any harm, and the likelihood of the proposal successfully preserving the archaeological interest of the site by record.

4.13. **Other relevant policies include:**

DM17 - TREES/LANDSCAPE

DM23 – HIGH QUALITY AND INCLUSIVE DESIGN

DM28 - TALL BUILDINGS

Duty to Co-operate

4.14. Key Duty to Co-operate stakeholders for the historic environment are Historic England and Essex County Council.

4.15. Other bodies such as The Chelmsford Civic Society also have a particular interest in heritage. Land owners of key heritage sites are also important stakeholders, including the National Trust.

Integrated Impact Assessment

4.16. The Council is carrying out an ongoing Integrated Impact Assessment (IIA) as the review of the adopted Local Plan develops. The IIA will assess the following aspects of sustainable development:

- Sustainability Appraisal (SA)
- Strategic Environmental Assessment (SEA)
- Habitats Regulations Assessment (HRA)
- Health Impact Assessment (HIA)
- Equality Impact Assessment (EqIA).

4.17. The SA, SEA and HRA are a requirement of national policy. The HIA and EqIA are voluntary, but the Council believes they will help to provide a complete picture of the sustainability of the review of the adopted Local Plan.

4.18. The IIA identifies the key sustainability issues for the review of the adopted Local Plan, which feed into a framework against which proposals will be assessed. It will cover the potential environmental, social, economic and health performance of the proposed changes to the adopted Local Plan and any reasonable alternatives. It will be used at each stage of reviewing the Plan, and be subject to separate consultation, as follows:

- Scoping Report
- Issues and Options – Current Stage
- Preferred Options
- Submission
- Adoption.

4.19. The Issues and Options IIA appraises key sustainability issues (Table 3.19) and Appraisal Framework Objectives (Table 4.1) relating to this Topic Paper. Please see the Issues and Options IIA for more information.

Evidence Base

4.20. In accordance with the requirements of the NPPF, policies and their requirements should be based on up to date evidence. The following documents are of particular relevance to heritage/historic environment requirements of the Plan:

- Conservation Area Plans and Character Appraisals – Chelmsford City Council, various dates 2003 to 2022
- Braintree, Brentwood, Chelmsford, Maldon and Uttlesford Landscape Character Assessment - Chris Blandford Associates, September 2006
- Register of Buildings of Local Value – Chelmsford City Council, January 2009
- Living Landscape, A Vision for the Future of Essex – Essex Wildlife Trust, February 2009
- New Hall and Boreham House, Assessment of Setting of Listed Buildings - Beacon Planning, September 2009
- Historic Environment Characterisation – Essex County Council Historic Environment Branch, 2006
- Landscape Design and Management Plan, New Hall Registered Park and Garden – Chelmsford City Council, August 2012
- Issues and Options Sustainability Appraisal - Amec Foster Wheeler, November 2015
- Archaeological Impact Assessment – Place Services, February 2017

- Landscape Capacity and Sensitivity Assessment – Amec Foster Wheeler, March 2017
- Heritage Assessments Technical Note – Chelmsford City Council, March 2017
- Preferred Options Sustainability Appraisal - Amec Foster Wheeler, March 2017
- West End Vision – Chelmsford City Council, July 2017
- Chelmsford Green Infrastructure Strategic Plan 2018-2036 – Amec Foster 4 Wheeler, January 2018
- Pre-Submission Sustainability Appraisal - Amec Foster Wheeler, January 2018
- Heritage Assessments Technical Note Addendum – Chelmsford City Council, May 2018
- Regulation 22 Consultation Statement – Chelmsford City Council, May 2018
- The National Heritage List for England – Historic England (<https://historicengland.org.uk/listing/>)
- Essex Historic Environment Record – Essex County Council (http://unlockingessex.essexcc.gov.uk/uep/custom_pages/home_page.asp?)
- Buildings at Risk Register - Chelmsford City Council, 2022
- Heritage at Risk Register – Historic England, 2022.

Local Plan Approach

4.21. Current Local Plan policy remains consistent with the NPPF and national guidance. It has also been tested through the development management process and at appeals and found to be working effectively. The main change to the historic environment section of the NPPF the 2021 revision was the introduction of paragraph 189:

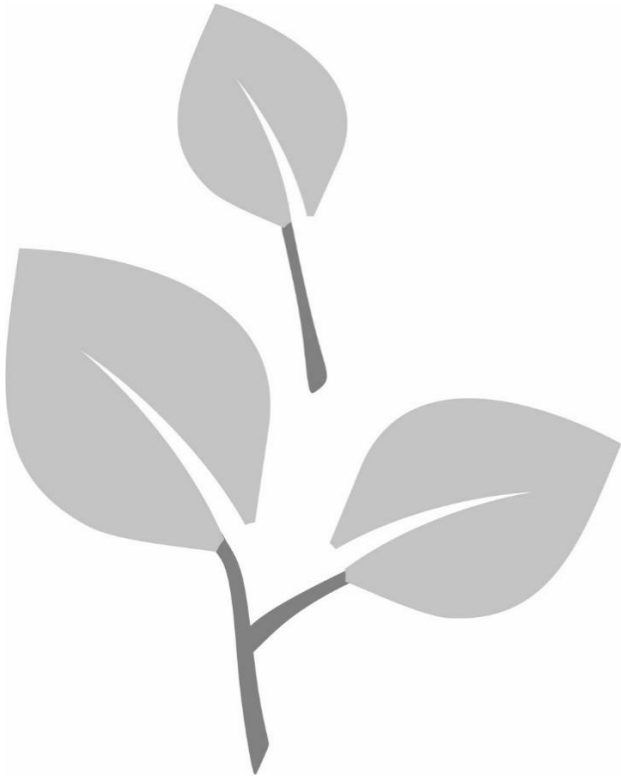
In considering any applications to remove or alter a historic statue, plaque, memorial or monument (whether listed or not), local planning authorities should have regard to the importance of their retention in situ and, where appropriate, of explaining their historic and social context rather than removal.

4.22. However, where relevant proposals are under consideration the tests set out within DM13 and DM14 are considered adequate to address this issue.

4.23. Historic England have recently issued revised guidance on tall buildings affecting the historic environment [Tall Buildings: Historic England Advice Note 4](#), the policy should be reviewed in light of current guidance, including an assessment of the current city centre and designated allocations where tall buildings are appropriate.

4.24. National guidance is based on ensuring an up to date evidence base informs the Local Plan. Where a site allocation is being considered, the existing Historic Technical Notes' concentrate on sites being considered for allocation in the review plan preparation. When there is a list of sites being considered for allocation following the call for sites, a new technical note will be required to assess potential impacts on the historic environment and inform the site allocation process.

4.25. Stakeholder views will be important in shaping the review – key stakeholders will be consulted throughout the review process through formal consultations. A key goal is to enhance and celebrate the historic environment, rather than concentrating on preservation or avoiding harm. This objective is reflected in the proposed updated vision (see Part 3 of the Review of the Local Plan Issues and Options Consultation Document). The Council will also consider developing a new strategy to reinforce local distinctiveness and promotion of heritage to inform the Review of the Local Plan – Preferred Options.



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