



# ENGLISH HERITAGE

SOUTH WEST

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Dear David,

## **Sustainability Appraisal Scoping Report: North Somerset Sites & Policies Plan**

Thank you for providing an opportunity to comment on the SA Scoping report. My apologies for the delay in this reply. I sincerely hope the following can be considered. My comments have been made having regard to the SEA Directive and recent guidance prepared by English Heritage on the preparation of SA having regard to the historic environment.

[http://www.english-heritage.org.uk/publications/strategic-environ-assessment-sustainability-appraisal-historic-environment/SA\\_SEA\\_final.pdf](http://www.english-heritage.org.uk/publications/strategic-environ-assessment-sustainability-appraisal-historic-environment/SA_SEA_final.pdf)

### **Relevant Plans, programmes and Policies**

English Heritage recommends the SA include reference to the Planning (Listed Buildings and Conservation Areas) Act 1990, particularly Section 66 and 72 to ensure the application of its statutory obligations.

It's importance has been highlighted by recent decisions particularly the decision of the Court of Appeal in January 2014 to uphold the High Court decision to overturn the PINS decision to approve a wind farm.

The case involved 4 Wind Turbines affecting the setting and significance of Lyveden New Bield, Northamptonshire, a Grade I listed Elizabethan manor house, lodge and garden. It was found that the Inspector had failed to give considerable weight to the desirability of preserving the setting of the listed building. "Preservation" of setting should have been treated as a desired or sought-after objective, to which "special weight" should have been given rather than equal weight to other factors.

The importance of such weighting should be reflected in your assessment framework.

Similarly the **Ancient Monuments and Archaeological Areas Act 1979** might also be referred to.

### **Objectives**

I am concerned by the relegation of the consideration of the historic environment to a sub objective. English Heritage considers that for an SEA/SA to meet the requirements of the SEA Directive to assess impacts on cultural heritage, it needs to include a specific objective:

**"conserve and enhance the historic environment, heritage assets and their settings".**

We stress the importance of a specific objective for the historic environment so that the appraisal does not mask adverse impacts by blending several topics together in one objective.

### **SA Framework - decision making criteria**

Currently the criteria to assess the relative impact on the significance of any heritage asset are unclear. Could I suggest the following decision making criteria.

- *Will the proposal protect, and where appropriate, enhance heritage assets and their setting?*
- *Will the proposal provide the opportunity to enhance the historic environment, perhaps broadening access, understanding, and enjoyment?*

### **Indicators and monitoring**

The purpose of the indicators is to clearly demonstrate the impact(s) of the plan on the historic environment. I'm not sure the indicators you have chosen will necessarily do this. Some SEA/SA choose a scoring framework and includes criteria such as that set out below. Might this be considered?

### **Significance criteria**

- ++** *The proposal is likely to have a substantial positive affect on the significance of the heritage asset/historic environment.*
- +** *The proposal is likely to have a minor positive affect on the significance of the heritage asset/historic environment.*
- 0** *The proposal is unlikely to have any effect on the significance of the heritage asset/historic environment.*  
(This may be because there are no heritage assets within the vicinity of the proposal).
- ?** *The likely impact on the significance of any heritage asset or its setting is uncertain.*
- *The proposal is likely to have a minor negative affect on the significance of the heritage asset/historic environment.*
- *The proposal is likely to have a substantial negative affect on the significance of the heritage asset/historic environment.*

I note there is no reference to either the repository of local heritage baseline information contained within your **Historic Environment Record** or consideration of townscape/public realm matters.

I hope my comments will help refine the SA and look forward to considering future iterations.

Yours sincerely,



Rohan Torkildsen  
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