



Historic England

Neighbourhood Plan Development Group
Ilminster Town Council
Council Offices
North Street
Ilminster
Somerset TA19 0DG

Our ref: PL00751643

Telephone 0117 975 0680

Sent via email

18 August 2021

Dear Neighbourhood Plan Development Group

re: Ilminster Neighbourhood Plan

Thank you for your email advising us of the Regulation 14 consultation on the Pre-Submission version of the Ilminster Neighbourhood Plan (the Plan).

Our apologies for not responding before now, but we hope that our advice can still be accommodated in the Plan-making process.

Our apologies too for not submitting our advice using the online form; the format of this did not comfortably accommodate the scope and nature of our comments.

Our general overarching observation is one of praise. This is one of the best Plans of the hundreds we have seen in the south west in its definition and weaving of the area's local distinctiveness into a comprehensive regime of policies for the creation of a sustainable economy. We are particularly impressed by policies ILM 1, 6, 8, 10 & 11 where heritage and historic landscape setting are identified as key parts of an holistic approach in the promotion of town centre regeneration and tourism attractiveness.

In terms of specific interest, our attention is always focussed on Plans which propose to allocate sites for development. If not properly underpinned by an understanding of relevant heritage evidence these can inadvertently commit the Plan to development with a potential or likelihood to generate impact or harm to designated heritage assets. While detailed site assessment at a later post-Plan stage may confirm that risk, such allocations within the Plan are supposed to be deliverable as drafted.



Historic England, Fermentation North (1st Floor), Hawkins Lane, Bristol, BS1 6JQ
Telephone 0117 975 1308 HistoricEngland.org.uk

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It follows therefore that the more specific and detailed the Plan is in its identification of proposed sites and the nature and level of development intended for them the more evidence to substantiate them there is likely to be a need for. There is also the need to pay special attention to the desirability of avoiding harm to heritage assets and giving great weight to their conservation, as set out in the National Planning Policy Framework (NPPF) and usefully reiterated by the SEA Environmental Report in section A5 on the Historic Environment (p90).

Given the importance of appropriately identifying and understanding heritage assets which might be relevant to the site assessment process Historic England has produced guidance to assist local planning authorities and Neighbourhood Plan communities. We were pleased to note in the SEA Scoping exercise we were consulted on by AECOM in December last year the identification of this, which has also been highlighted in the Environmental Report. Of particular application is that guidance on Setting and Site Allocations, and the Report makes a point of setting out the key steps to the determination of the setting of a heritage asset (p91). Indeed, in consideration of our advice at that time it is reassuring to note that the Report states that this guidance “has been considered through the Neighbourhood Plan process” (p7).

Policy ILM 12 – Amount and Location of New Homes

In the case of the Ilminster Neighbourhood Plan policy ILM 12 identifies a range of sites which the Plan supports for development, with housing numbers against each site creating a total of 839 dwellings.

Of these, 450 dwellings on sites 10 (Canal Way) and 25 (Station Road) are proposed via the Local Plan process, while 119 are already completed/committed. This leaves a balance of 270 to be found on “new” sites.

Evidence to inform the proposed site allocations can be found in two main documents: the ECA Site Allocations Report, revised March 2020 (which updates the previous ECA Site Selection Report, 2019); and the SEA Environmental Report, 2020. The HELAA prepared by South Somerset District Council (SSDC) in September 2018 has also been used, but mainly as a starting point to feed into the ECA and AECOM reports above.

The Plan confirms that site assessment criteria were prepared by ECA and ratified by SSDC planning officers (para. 11.4.4., p98). Development densities were taken from the Local Plan, with an average net density of 28 dwellings per hectare (para. 11.4.5., p98/99). The Plan acknowledges that numbers are approximate and will need to take account of other considerations such as complementary policies and the Town Design Guide.

Para. 11.4.6.a.2. (p99 of the Plan) states that heritage was also taken into consideration, a point confirmed by the ECA 2020 Report in para.0.16 (p4).





The ECA 2020 Report

Table 1 on p8 sets out the proposed sites and summarises the issues associated with each of them. A significant number are greenfield in nature, with little or no additional information although archaeology is occasionally identified as a consideration. Site 25 is linked to site 16 though the latter is not proposed as a standalone allocation within the Plan.

INP Fig 5 (p19) and the Local Plan Inset Map for Ilminster (p20) identify Archaeological Sites of National Importance but Listed Buildings and Scheduled Monuments are not identified.

Site Assessment worksheets exist from p22 onwards. These use a traffic light system to grade impacts. These mostly conclude that heritage assets will experience an enhanced or neutral impact but there is no evidence to explain how these conclusions have been arrived at. Negative impact has been identified against some sites (eg 15), with significant impact arising from sites 23 & 24 but again no details are evident.

Unfortunately, a traffic light system which gives equal weight to all considerations, and uses overall scores to determine site suitability, is incompatible with the need to attach great weight to the conservation of heritage assets. It is therefore not clear from this report how, despite the above assurances, our guidance has been used to inform the site selection process.

Reference is made to a Site Selection Workshop in September 2019 but there is no indication that heritage was considered or how it was used to inform outcomes. Stage 6 – Assessment of smaller/partial sites – now concludes that there will be no heritage impact arising from site 15(A) but there is no explanation for this change in status.

The SEA Environmental Report

This Report complements the ECA Report by undertaking further assessment of the sites proposed for development. Its findings can be summarised as follows:

Table NTS2 identifies that there will be a likely adverse effect (without mitigation) to sites 12, 15, 23 & 25; uncertain effects will occur to sites 22, 24, & 26. Site 19 does not appear to have been assessed.

This is elaborated upon in individual commentary tables and in the Historic Environment section (p69-):

Site 12 (table 4.2, p23; para 5.30 p69): impacts on the Conservation Area (CA) are identified in that the loss of openness to the site would generate impacts on views into and out of the Area. Vegetative screening is identified as limiting that impact but as our guidance highlights screening in itself does not automatically prevent impact on setting so the wider Area might still be affected. No Listed Buildings or Scheduled





Monuments are on the site, and while it is asserted that neither asset type will have their settings impacted upon or be otherwise affected it is not clear how this conclusion has been arrived at. The Plan advocates 15 dwellings for this site but it is not clear how the suitability of this has been informed by heritage evidence.

Site 15 (table 4.5, p29): potential for significant negative effects on the setting of the area's rich historic environment resource are confirmed. This includes the Conservation Area which lies adjacent and the Grade II Listed 17 Love Lane, Cottage to the rear of No 14, and 22 Townsend.

It is asserted that no other designated heritage assets will be affected but it is not clear how this conclusion has been arrived at, or that the above are the only relevant Listed Buildings. The Plan advocates 20 dwellings but it is not clear how the suitability of this has been informed by heritage evidence.

Site 16 (table 4.6, p31): the site is stated as being not within the setting of the Conservation Area but that it is within the setting of the Grade II Listed Old Toll House, and intervisible with the Grade II Listed Former Great Western Railway Station. No other designated heritage assets are deemed to be affected but the site has significant archaeological potential. Evidence to substantiate these conclusions is unclear.

Site 17 (table 4.7, p33): the site is stated as having no designated heritage assets and not within the setting of any. It is not clear how this conclusion has been arrived at.

Site 21 (table 4.10, p39): as for site 17 above.

Site 22 (table 4.11, p41): the site is identified as lying adjacent to the Conservation Area. No other designated heritage assets are identified as relevant but it is not clear how this conclusion has been arrived at.

Site 23 (table 4.12, p43; para 5.30, p69): the site is identified as lying within the Conservation Area and adjacent to three Grade II Listed Buildings – 2 East Street, 8 East Street, & 1 Ditton Street. Given the open nature of the site development is considered to have the potential to generate significant effects, though it is not clear whether this will be harmful and if so to what degree and in what manner. The Plan advocates 2 dwellings for this site but it is not clear how this has been informed by heritage evidence.

Site 24 (table 4.13, p45): the site is located within the Conservation Area and contains a Grade II Listed Building – 3 & 5 East Street – which is opposite the Grade II Listed Market House and adjacent to the Grade II Listed 1 East Street. Development in principle is identified as having the potential to rejuvenate this “feature of historic environment interest, if sensitively undertaken”. The Plan advocates 14 dwellings for this site and it is not clear how this figure has been arrived at from a heritage perspective or how it represents a sensitive and informed outcome.





Site 25 (table 4.14, p47): the site is stated as not being within the setting of the Conservation Area. The Grade II Listed Old Toll House lies on the site's south eastern boundary, and the site has significant archaeological potential. No other heritage assets are stated as being in the vicinity of the site or have the potential to be affected, though it is not clear how this conclusion has been arrived at.

Site 26 (table 4.15, p49; para 5.30, p70): the site lies 100m from the Conservation Area and views identified in the CA Appraisal may be affected. Screening is referred to as a possible limiter but as with site 12 this may not prevent impact on the broader setting of the Area. No other designated heritage assets will be affected though it is not clear how this conclusion has been arrived at.

Site 31 (table 4.19, p58): the site is stated as not affecting any designated heritage assets but the basis for this assertion is unclear.

Elsewhere in the Report, para 5.31 states that a number of the sites have been reduced in size to reflect local sensitivities citing sites 15a and 22a relative to parent sites 15 and 22 as examples. However, it is not clear how an understanding of relevant heritage significance has informed those site reductions and that the reduced site areas are now acceptable from a potential heritage impact perspective.

Para 5.32 confirms that while sites 12, 23, 24 & 26 are in locations with sensitivity for the historic environment the Plan policies otherwise (my underlining) provide a robust basis for the conservation and enhancement of the historic environment in Ilminster. This tends to suggest that those policies are perhaps not able to do so for the sites in question.

There is therefore a risk that without appropriate heritage evidence the sites as proposed in policy ILM12 could be approved for development on a hostage to fortune basis and in their delivery result in unavoidable harm to the historic environment. This would also risk generating an inconsistency in the application of policies within the Plan between those sites allocated for development and their use in other scenarios.

Summary

Taking account of all the above we can therefore summarise our advice as follows:

1. Unfortunately, based on available information we do not believe that there is adequate clear evidence to demonstrate that the sites proposed for development, in their in-principle selection and determination of development quanta, have been appropriately informed by a sufficient understanding of relevant heritage considerations. This risks the Plan being unable to demonstrate conformity with overarching national and local policy for the protection and enhancement of the historic environment as set out in the National Planning Policy Framework (NPPF) and Local Plan.





2. We do not believe that a traffic light system for site assessments allows for great weight to be given to the accommodation of heritage considerations in accordance with that policy.
3. We are concerned that as a consequence of points 1 & 2 above the Plan might inadvertently allocate sites for development which leads to unavoidable harm being caused to heritage assets.
4. We would encourage your community to review its heritage evidence base and site assessment methodology, ideally with a clearer explanation of how our guidance has been used to demonstrate how outcomes have been arrived at. To best ensure success we would encourage the use of appropriate heritage expertise.
5. This does not automatically suggest that the sites and levels of development proposed will cause unacceptable harm to heritage assets – only that the current evidence does not allow that conclusion to be drawn.
6. We would encourage your community to liaise with the South Somerset planning and conservation teams in the review of the Plan's heritage evidence. We are conscious that the Plan is at an advanced stage in its preparation so a simple expedient may be to secure written confirmation from the Council's conservation officer as to the suitability of the site development proposals. This can then form part of the Plan's evidence base.
7. We would be happy to review our advice on receipt of updated evidence. We would also be happy to elaborate on any aspect of our advice if it would be helpful.

Otherwise, our congratulations to your community on its progress to date. We wish it well in the making of its Plan.

Yours faithfully

