**Historic England comments on the Regulation 19 Sandwell Local Plan consultation, November 2024**

**Table 1: Historic England comments on the Regulation 19 Sandwell Local Plan consultation, November 2024**

|  |  |
| --- | --- |
| **Area of Plan** | **Historic England comments** |
| Spatial Portrait | We welcome the many references to the history of Sandwell as a Borough and the local historic environment of the area. |
| Ambitions | We would have welcomed a reference to the historic environment within the ‘ambitions’ of the Plan. |
| Vision | We welcome the many references to the historic environment within the vision. |
| Strategic Objectives | We welcome the inclusion of Objective 4. It should reference the need to protect the significance of heritage assets to ensure that all typologies are accurately referenced and considered within the policy. Again, we welcome Objective 5 and this would benefit from referencing ‘heritage assets’ rather than ‘historic assets’. |
| Policy SDS1 clause j | We support the inclusion of a reference to heritage within this policy. We welcome the amendments from the previous version. The policy should relate to ‘heritage assets’ and would benefit from the removal of the term ‘designated’. |
| Policy SDS2 clause i  Clause j) | Remove ‘unacceptable level of’ from the policy text. We are supportive of energy efficiency measures for heritage assets; however, they must be appropriate and suitable to the context of the building they are being applied to and not cause harm to the significance of heritage assets. Further, the policy would benefit from some justification text setting out the specific considerations for energy efficiency measures and the historic environment to provide more certainty and reference the need for other measures such as listed building consent.  Re-word this clause. Harm to heritage should be wholly/ exceptional. The policy should reference the need to protect the significance of heritage assets, including their setting rather than only refer to setting. Harm should be avoided or minimised. |
| Policy SDS3 | We reiterate our previous comments that the policy would benefit from a reference to the historic environment and specifically the Wednesbury High Street Action Zone, as well as text about relevant heritage led regeneration programmes within Sandwell. We note a brief reference in paragraph 3.54. |
| Policy SDS4 clause 1, ai | See previous comments about the need to remove the reference to ‘call for sites’ as these sites ay be suggested but be inappropriate for development. |
| Green and Blue Infrastructure, including Policy SDS8 | We reiterate our comments as raised previously about the need to include the historic environment and heritage landscapes as a component of blue and green infrastructure, more far reaching than a reference to Registered Parks and Gardens. |
| Policy SNE4 | We continue to support the inclusion of this policy in the Plan. Our previous comment relating to the need include protection of the significance of the asset and its integrity, are still relevant here. |
| Policy SNE5 | We welcome the amendments to this policy for heritage. |
| Policy SNE6 | We continue to support the inclusion of this policy and the references to the historic environment. |
| Section Historic Environment  Paragraph 4.108  Paragraph 4.113  Policy SHE1  Policy SHE2  SHE3  SHE4 | We welcome a specific section on the historic environment being incorporated into the Plan, and policies for the historic environment.  We are supportive of the introductory paragraphs which do a very good job of setting the scene for the historic environment of the area and are an interesting read.  Should also refer to non designated heritage assets which also have protection, albeit to a lesser extent than designated heritage assets.  Should be referred to as ‘heritage assets’ and elsewhere throughout the Plan.  We welcome the amendments the Council has made to the policy since our previous comments, and this has been gratefully received. We would recommend that clause 4 is amended slightly to read ‘…seek to conserve and enhance the significance of listed buildings by exercising appropriate control in their setting, over the design of …’ to ensure that the policy relates to the significance (which is what is protected).  We welcome the policy. We consider that it needs a clause akin to Policy SHE1 clause 2, that then relates to all other heritage assets aside from listed buildings and conservation areas. Insert the clause into this policy also to be compliant with the National Planning Policy Framework (NPPF) Section 16.  Clause 3, consider a minor edit on this section to ensure that ‘all’ heritage assets are protected.  We welcome clause 5 and specific detail about the local character of Sandwell.  We welcome the amendments to this policy.  We welcome the amendments to this policy. Clause 3 amend ‘significant adverse effect’ with ‘harm’. |
| Policies SCC1-SCC6 | See previous comments at Regulation 18 stage, December 2023. |
| Policy SH02 clause 2, c. | We support this clause. |
| Policy SH09 | The policy would benefit from a clause relating to the need to protect the significance of heritage assets and their setting and any harm will be resisted. |
| Employment section | We consider within this section there could be a reference to the benefit of the historic environment; heritage led regeneration, heritage tourism, public realm, the economic benefit that heritage assets bring to an area including Conservation Areas, Wednesbury High Street Action Zone and the benefit of heritage assets in revitalising the town centre economy and relevant issues on shopfronts and design within heritage centres. See Regulation 18 comments. |
| Policy SCE1 | See previous comments to Regulation 18 consultation. |
| Paragraph 9.171 | Can the policy/ Plan do anything to overcome the vacancy rate and heritage at risk of these assets? |
| Page 306 | We welcome the reference to the Wednesbury High Street Action Zone and its success. Are there any lessons learned from this exercise that can be utilised in other retail areas across Sandwell, which could also benefit from heritage led regeneration? And can the Plan reference any hooks in the relevant sections to assist with future opportunities and delivery. |
| Policy SWB1 | The policy would benefit from a clause on the historic environment. |
| Policy STR1 | See comments to Regulation 18 Local Plan. How has the historic environment been considered when safeguarding land for future transport development? For example, do you have any information relating to clause 1? |
| Policy STR2 | See comments to Regulation 18 Local Plan. How has the historic environment been considered when safeguarding land for future transport development? For example, do you have any information relating to clause 2? |
| Policy STR5 | There may be opportunities to ‘better reveal the significance’ of heritage assets through proposed walking and cycling routes. It would be beneficial if the policy sought to utilise any of these opportunities if they arise. |
| Policy STR6 clause a | Is the policy identifying any strategic park and ride sites at this stage? If so, are there any considerations for the historic environment? |
| Policy SWA3 | What assessment has been undertaken to assess the preferred locations for waste sites and whether there are any implications for the historic environment? We note that no sites have been allocated at this stage but are keen to ensure all relevant heritage considerations and assessments are undertaken at the appropriate stage and that preferred locations for new development does not give any weight in the planning process to an allocation/ planning permission, without the appropriate assessment being undertaken. |
| Policy SWA4 clause d | The policy needs a clause relating to the historic environment within this section and the need to protect the significance of heritage assets, including their setting. Setting does not only relate to a visual relationship but can also relate to how you can experience a heritage asset and if this is affected through noise, smells and traffic for example. |
| Policy SMI1 | We cannot find any information relating to proposed mineral allocations at this time. |
| Policy SMI2 | We welcome a reference to heritage within clause 5, b) however, we consider that it should state should protect the significance of heritage assets, including their setting. The policy should also make provision for appropriate restoration principles, that consider the sensitivity of the historic environment and wider historic landscape, within which mineral sites may be located. |
| Paragraph 13.108 | We support the reference to cumulative impacts because often in minerals working, it is the cumulative impact of a number of minerals workings in one location that cause harm to the significance of heritage assets and the wider historic landscape.  It would be beneficial if the justification text referenced the need for appropriate restoration principles for minerals working sites. |
| Policy SDM1 | We welcome a reference to heritage within this policy. |
| Policy SDM3 | Clause 1 should reference the available historic environment townscape evidence base that Sandwell Council has and has been referenced elsewhere in the document. Any proposed tall building should take account of its context and other existing landmark sites, such as heritage assets, in gauging what height is appropriate. Referencing the existing evidence base can help inform development proposals. Where a heritage asset is currently a key landmark on the skyline such as a church spire, then this should remain as the principle landmark site on the skyline and other new development should respect its height and position on the skyline.  Clause 5 c) Re-word the policy clause so that ‘the proposal will not cause harm to the significance of heritage assets, including their setting’.  Clause 5 g) Consider re-wording this clause to ensure prominence of existing key landmarks remain and to avoid a homogenous skyline within the Borough.  Clause 6 a) how will this be achieved?  Add in a clause to ensure that any applications for tall buildings are accompanied by a Heritage Assessment, where relevant.  We are not aware of any locations that have been identified for tall buildings within this Plan. If the Council are considering locations, then we would welcome a meeting to discuss and ascertain what heritage assessment has been undertaken to date. |
| Policy SDM4 | The policy should include a clause of how to consider advertisements in relation to heritage assets including individual listed buildings and within Conservation Areas, to ensure that only appropriate advertisements are included and there is no harm to the significance of heritage assets. We usually see this in Local Plan Advertisements policies. Additional information in the justification text would be beneficial. |
| Policy SDM5 | The policy should include a clause on how to assess Shop Fronts where they are also heritage assets. Some of the clauses within the current policy wording would not be appropriate in the context of historic shop fronts. They are also likely to require listed building consent, and this would be worthwhile to include within the policy text. We usually see this contained within Local Plan Shopfront policies. Additional information in the justification text would be beneficial. |
| Appendices from Page 11 - Site Allocations | SH14 – How will the site consider the Grade II heritage asset, within its boundary? What harm may occur and can this be overcome. Cannot locate the specific heritage assessment for this site when searching under the site reference or address.  SH34 – The site includes Ridge and Furrow within the site. The site assessment states that mitigation is possible but there are no details about what the possible mitigation measures are and how this can be considered within the site. We would require the retention of ridge and furrow and appropriate design to consider this heritage asset. At present there is no reference of how to overcome the harm to this site. However, we note that this site is subject to planning approval and as such consider that these issues will have been addressed at planning application stage.  SH51 – The site would need to demonstrate that harm to Highfields, Grade II can be overcome and that suitable mitigation measures are available to avoid/ minimise the harm. There is no proposed mitigation measures within the further information relating to this site in the further information in the Plan, and so we remain concerned with regards to this development.  SM5 – we remain concerned about this site and how the development can come forward given the heritage assets on site and the lack of information surrounding the proposed development at this time. There is no information within the appendices relating to the site allocations for this site and whether there are any mitigation measures that are suitable to avoid/ minimise the harm to heritage assets.  Smethwick police station site – no site reference within the assessment - we remain concerned about this site and how the development can come forward given the heritage assets in close proximity to the site and the lack of information surrounding the proposed development at this time. The mitigation measures in the assessment are not suitable to assess whether any harm to heritage could be avoided. There is no information within the appendices relating to the site allocations for this site and whether there are any mitigation measures that are suitable to avoid/ minimise the harm to heritage assets.  SH66 – Wednesbury Police Station - no site reference within the assessment - we remain concerned about this site and how the development can come forward given the heritage assets in close proximity to the site and the lack of information surrounding the proposed development at this time. The mitigation measures in the assessment are not suitable to assess whether any harm to heritage could be avoided. There is no information within the appendices relating to the site allocations for this site and whether there are any mitigation measures that are suitable to avoid/ minimise the harm to heritage assets.  Former Corus Premises – unclear from information in the Plan – is no development proposed on this site? The heritage assessment states there are heritage assets to consider but no further development and no reference within the Plan to the potential for harm or appropriate mitigation measures.  British Gas – Land off Dudley Road – it is possible for harm to occur to the Canal Conservation Area and a mitigation measure could be included to ensure appropriate design and siting to ensure harm avoided to the canal and the potential for it to have an enhancement opportunity if appropriate development considerations were taken forward.  Roway Lane, Oldbury – what heritage asset is the heritage assessment referring to and how will development not harm any heritage asset on the site? Unclear on the evidence base relating to this site.  SH44 Wyndmill Farm – the assessment relates to Bustleholm Farm as a heritage asset. What type of heritage asset is this? We cannot find it located on the National List. The assessment states no further development on this site, is this correct?  SM2 – concerns relating to this site. There are a number of heritage assets listed in the site assessment as being in proximity to the site, including the presence of archaeology on the site. The assessment concludes no harm but we consider a more detailed heritage assessment is required for this site to understand what heritage may be impacted and whether there are any appropriate mitigation/ avoidance measures. There is nothing within the Local Plan appendices relating to heritage yet there is a need for a masterplan where issues could be considered.  SM3 – concerns relating to this site. There are a number of heritage assets that could be affected by proposed development and the heritage assessment concludes development should have regard to heritage assets. Further assessment is required. Additionally, there is no reference to heritage assets or potential mitigation measures within the Local Plan appendices.  SM4 - concerns relating to this site. There are a number of heritage assets that could be affected by proposed development and the heritage assessment concludes development should have regard to heritage assets. Further assessment is required. Additionally, there is no reference to heritage assets or potential mitigation measures within the Local Plan appendices.  SM6 - concerns relating to this site. There are a number of heritage assets that could be affected by proposed development and the heritage assessment concludes development should have regard to heritage assets. Further assessment is required. Additionally, there is no reference to heritage assets or potential mitigation measures within the Local Plan appendices.  SM1 Chances Glassworks – there is no heritage assessment for this site. There are a number of heritage assets within the site and within proximity to the site so a detailed heritage assessment for this site is essential to assess whether development can come forward and if appropriate avoidance/ mitigation measures exist to overcome the harm to heritage. We recognise that this could be a location for heritage led regeneration and a heritage assessment will provide a useful process to assess the harm and the potential to ensure that an appropriate policy can be included within the Local Plan, if relevant.  General point – any development being proposed which could have an impact on a Canal Conservation Area, should be fully considered at this stage and a mitigation measure included within the ‘further information’ section in the Local Plan appendices to ensure it is fully considered at planning application stage.  General point – we would welcome a meeting with the Council to discuss their Regulation 19 site allocations and to ensure that any site which could have the potential to harm heritage assets has been considered through the heritage assessment (where planning permission/ commencement has not occurred). It is, in cases a little unclear, as to whether all the relevant sites have been assessed. Where we have raised comments above, we would be grateful to discuss these specific sites in more detail and to assess whether there are appropriate mitigation measures that can be included within the Plan.  General point – white land – what is this policy criteria relating to? There is no policy within the Local Plan which relates to white land and how it should be considered? Are there any implications for the historic environment? |