



Historic England

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South Worcestershire Development Plan
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Direct Dial: 0121 625 6851

Our ref: PL00017873

16 May 2016

Dear ██████████

Re: South Worcestershire DP CIL - Draft Charging Schedule (2016) SPD

Thank you for the consultation on the above document. Historic England welcomes the opportunity to be involved in the CIL SPD process. In respect of the IDP and Draft CIL charging schedule, we also refer to our comments of 7 November 2013 (English Heritage at that time). We note the reference to an earlier consultation in 2015 but do not appear to have been consulted at that stage.

Draft Charging Schedule

Historic England can confirm it has no comment to make on the charge rates concluded in the draft charging schedule.

Draft Regulation 123 list

It is noted that the Regulation 123 list does not include the 'Historic Environment' as an item for CIL contributions and that the SPD sets out that infrastructure works in relation to the historic environment and heritage assets would be dealt with under S106 planning obligation contributions, in addition to public realm works and some open space and green/blue infrastructure works.

It is not clear from the IDP or the draft CIL SPD as to how this conclusion has been reached and we would refer to our 2013 advice in respect of funding infrastructure as follows:

“English Heritage advise that CIL charging authorities identify the ways in which CIL, planning obligations and other funding streams can be used to implement the strategy and policies within your emerging Local Plan aimed at and achieving the conservation and enhancement of the historic environment, heritage assets and their setting, in accordance with paragraphs 6, 126 and 157 of the NPPF.

I note your reference to the CIL's wide definition of infrastructure in terms of what can



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be funded and is needed for supporting the development of an area. You may also wish to supplement what you currently include with reference to:

- *Open space: as well as parks and green spaces, this might also include wider public realm improvements for historic streets and squares, possibly linked to a Heritage Lottery Fund scheme, conservation area appraisal and management plan, and green infrastructure;*
- *'In kind' payments, including land transfers: this could include the transfer of an 'at risk' building;*
- *Repairs and improvements to and the maintenance of heritage assets where they are an infrastructure item as defined by the Planning Act 2008, such as cultural or recreational facilities.*

The Localism Act also allows CIL to be used for maintenance and on-going costs, which may be relevant for a range of heritage assets, for example, transport infrastructure such as historic bridges or green and social infrastructure such as parks and gardens.

Development specific planning obligations continue to offer further opportunities for funding improvements to and the mitigation of adverse impacts on the historic environment, such as archaeological investigations, access and interpretation, and the repair and reuse of buildings or other heritage assets. You may wish to clarify this matter in your schedule.

You should consider whether any specific heritage related projects as part of a positive heritage strategy (see below) should be included in the Infrastructure Delivery Programme."

Discretionary Relief for Exceptional Circumstances

Historic England would also recommend that clarity is provided in respect of discretionary relief. The regulations emphasise the need to strike an appropriate balance between the opportunities of funding infrastructure from the levy and the potential effects that may arise through increased pressure on the economic viability of development. For example, there could be circumstances where the viability of a scheme designed to secure the reuse and long term viability of a heritage asset is compromised by the requirement for CIL payments. Vacant or underused heritage assets not only fail to make a full contribution to the Districts economy but they can also give rise to negative perceptions about an area which, in turn, can detract from its attractiveness to inward investment. Consequently, in setting thresholds there needs





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to be a clear understanding of the potential impact which CIL could have on investment in, and regeneration of, historic areas - particularly those which have been identified as being 'at risk'.

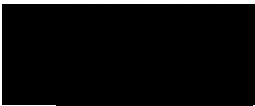
Paragraph 126 of the NPPF requires that local authorities set out in their Local Plan, a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. In relation to CIL, this means ensuring that the conservation of its heritage assets is taken into account when considering the level of the CIL to be imposed so as to safeguard and encourage appropriate and viable uses for the historic environment.

We refer to the CIL Relief Information Document, which recommends that the conditions and procedures for CIL relief are set out in a separate statement, defining exceptional circumstances and setting a clear rationale for their use and justification in terms of the public benefit. In this case an example could be where CIL relief would enable the restoration of heritage assets as identified on Historic England's 'Heritage at Risk Register'.

Historic England would, therefore encourage, the SWDP Councils to assert their right to apply discretionary relief for exceptional circumstances; where development which affects heritage assets and their settings and/or their significance, may become unviable if it was subject to CIL.

I hope that this information is of use to you at this time. If there any issues you wish to clarify or discuss please do not hesitate to contact me.

Yours sincerely,



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