

Heritage in local plans: how to create a sound plan under the NPPF

Local plans have to enable the delivery of sustainable development in accordance with the policies in the National Planning Policy Framework ('NPPF')¹. One of the core dimensions of sustainable development is the protection and enhancement of the historic environment².

This is a guide to local authorities from English Heritage on how to achieve the objectives of the NPPF for the historic environment and thereby pass the test for a sound local plan.

In summary, a draft local plan may be considered unsound if:

1. there has been no proper assessment of the significance of heritage assets in the area, including their settings, and of the potential for finding new sites of archaeological or historic interest³, or, there has been no proper assessment to identify land where development would be inappropriate because of its historic significance⁴; and,

Without these assessments the local authority cannot properly assert that the objectives for sustainable development have been understood and therefore cannot say whether the objectively assessed development needs of the area will be met or not in accordance with the presumption in favour of sustainable development⁵.

2. the plan does not contain a positive strategy for the conservation, enhancement and enjoyment of the historic environment and policies that are clearly identified as strategic⁶;

One of the twelve principal objectives of planning under the NPPF is the conservation of heritage assets for the quality of life they bring to this and future generations⁷. Conservation means maintaining what is important about a place and improving it where this is desirable. It is not a passive exercise. It requires a plan for the maintenance and use of the heritage assets and for the delivery of development within their setting that will make a positive contribution to local character and distinctiveness.

As such a strategy to conserve heritage assets potentially engages all aspects of planning. As part of a sound conservation strategy, policies for local housing,

¹ NPPF paragraphs 151 and 182

² NPPF paragraph 7

³ NPPF paragraph 169

⁴ NPPF paragraph 157, seventh bullet-point

⁵ NPPF paragraph 14

⁶ NPPF paragraphs 126 and 156

⁷ NPPF paragraph 17

retail and transport, for example, may need to be tailored to achieve the positive improvements in the historic environment that the NPPF expects⁸. Conservation is certainly not a standalone exercise satisfied by standalone policies that repeat the NPPF objectives.

The policies need to be clearly identified as strategic⁹. Without this they will not conform with the policies within the NPPF and they risk being overridden by neighbourhood plan policies¹⁰. If the policies delivering conservation may be overridden then the local plan obviously cannot be confidently predicted to deliver development needs throughout the plan period.

To achieve these objectives it will be necessary for authorities to consider the historic environment from the outset. Consideration should flow through from compiling the evidence base to policy, implementation and monitoring. Rather than taking a process-driven approach, the emphasis should be on the delivery of places of quality, drawing on the opportunities and potential of the historic environment of the local area¹¹.

Gathering evidence

Sound local plans will be based on adequate up-to-date evidence about the historic environment. This is used to assess the significance of heritage assets (designated and non-designated) and the contribution they make to the local area¹². This may entail an assessment of historic landscape character.

This is not just an exercise in listing known sites, but of understanding their value to society (their significance), how they and the area have developed through history, their physical conservation status and needs, the contribution of their settings, scope for enhancement and their potential to contribute to the delivery of other sustainable development objectives. Without an understanding of what are sometimes subtle qualities of an area, its local distinctiveness and character may be easily lost.

There also needs to be an assessment of the likelihood that currently unidentified heritage assets, particularly sites of historic and archaeological interest, will be discovered in the future¹³.

In some cases, it might be necessary to identify heritage assets outside of a local authority area, e.g. where there are likely to be setting impacts caused by potential development proposals in that area.

⁸ NPPF paragraph 8

⁹ NPPF paragraph 156

¹⁰ NPPF paragraph 185

¹¹ NPPF Paragraph 126

¹² NPPF Paragraph 158,169

¹³ NPPF paragraph 169

It is important to bear in mind that 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. There will be undiscovered archaeological sites in every area, many of which could be of national importance.

A strong evidence base will assist not just in plan-making but also in meeting the NPPF policy requirements for sound decision-making¹⁴.

Evidence gathering can help identify parts of a locality that may be worthy of designation as a conservation area.

The evidence base will also be of relevance to the Sustainability Appraisal which accompanies the Local Plan, helping to populate the baseline data and informing the appraisal process itself.

In order to meet the goal of achieving economic, social and environmental gains jointly and simultaneously¹⁵ other assessments, such as land availability, green infrastructure, sensitivity and sustainable urban extension studies should also take account of local heritage assets. On occasions some additional heritage-specific assessments may be helpful, for example, more detailed historic characterisation work to assess the impact of a proposal for a major urban extension¹⁶.

Finally, the data will be very useful when developing appropriate indicators for monitoring the delivery of the plan, including any significant effects identified by the sustainability appraisal.

Sources of evidence include:

- National Heritage List for England
- Historic Environment Record
- Conservation Area Appraisals and Management Plans
- Local Lists
- National and local 'Heritage at Risk' registers
- Historic characterisation assessments
- World Heritage Site Management Plans
- In-house and local (e.g. civic societies, local history groups, neighbourhood consultations) knowledge and expertise in built conservation, archaeology and urban design)
- The heritage assets, historic areas and landscapes themselves

¹⁴ NPPF Paragraph 129

¹⁵ NPPF paragraph 8

¹⁶ English Heritage guidance *Understanding Place: Character and Context in local planning* (2011) provides a series of case studies to suggest ways of engaging local people in understanding the historic environment.

Where the evidence base is weak, local planning authorities may find it useful to commission research from appropriately qualified and competent experts to supplement existing information.

The NPPF highlights the role of participation in gaining the views of the local community and others who have a stake in the future of the area¹⁷. Opportunities to seek views on what local people value about their local place, including its historic environment, can be taken during neighbourhood consultations or from public surveys on how people feel about their areas via initiatives like *Placecheck* (www.placecheck.info/). Characterisation studies and the process of identifying a list of local heritage assets can also involve local people¹⁸. Such evidence gathering can be beneficial, particularly as part of enabling neighbourhood planning and strengthening the likely compatibility of neighbourhood and local plans.

A positive strategy for the conservation and the enjoyment of the Historic Environment

Local Plans should include a clear and positive strategy for the conservation and enjoyment of the historic environment in the area, including heritage assets most at risk through neglect, decay or other threats¹⁹. It may be derived from an understanding of the issues set out in the evidence base and response to those matters. The strategy should also seek positive improvements in the quality of the historic environment in the pursuit of sustainable development²⁰.

The NPPF expects heritage assets to be conserved and enhanced for generations to come. A positive strategy will address all the necessary means of achieving that end. The consequences of that strategy may stretch into many other areas of land use planning, such as design, infrastructure and natural environment policies.

In formulating the strategy it is advisable and often necessary to consider the following factors:

- How the historic environment can deliver the vision and objective(s) of the local plan.
- Particular issues identified during the development of the evidence base, including heritage at risk, and the reuse of buildings.
- The location, design and use of future development and how it can contribute to local identity and distinctiveness.
- Whether masterplans or design briefs need to be prepared for significant sites where major change is proposed.
- How the historic environment can help to deliver wider economic, social and environmental objectives for the plan area²¹.

¹⁷ NPPF Paragraph 155

¹⁸ English Heritage guidance *Understanding Place: Character and Context in local planning* (2011) provides a series of case studies to suggest ways of engaging local people in understanding the historic environment.

¹⁹ NPPF paragraph 126

²⁰ NPPF Paragraph 9

²¹ NPPF Paragraph 126

- The interrelationship between conservation of heritage assets and green infrastructure, landscape, regeneration, economic development, transport works, infrastructure planning, tourism, town centres and climate change mitigation or adaptation.
- How conservation areas may be sustainably managed, including through the use of Management Plans²² and Article 4 Directions where appropriate.
- The usefulness of local lists in identifying non-designated heritage assets.
- Opportunities to improve historic streets, townscapes, landscapes and settings.
- The expectation in relation to desk-based assessment and field evaluation in relation to sites of possible archaeological interest²³.
- Areas where archaeological potential has already been identified.
- Whether there are any key views or skylines that are important to the sense of place and the significance of the heritage assets within them.
- The means by which new development in Conservation Areas and World Heritage Sites and within the setting of heritage assets is expected to enhance or better reveals their significance²⁴ and conserve views and skylines.
- How CIL and/or S106 agreements could contribute towards the enhancement of individual assets or specific historic places.

The strategy should also inform the identification of areas where development might need to be limited in order to conserve heritage assets or would be inappropriate due to its impact upon the historic environment²⁵.

To enable an assessment of the heritage strategy's effectiveness the identification of indicators to enable future monitoring might be considered.

Strategic policies for the conservation of the historic environment

Local Plans should include strategic policies to conserve and enhance the historic environment of the area²⁶ and to guide how the presumption in favour of sustainable development should be applied locally²⁷. It is vital to include strategic policies for the historic environment in the local plan as the plan will be the starting point for decisions on planning applications and Neighbourhood plans are only required to be in general conformity with the strategic policies of the Local Plan²⁸.

The strategic policies for the historic environment will obviously derive from the overall strategy to deliver conservation and enjoyment of the area's heritage assets for the generations to come. These may be policies that concern themselves specifically with the development of types of heritage asset. But delivery of the NPPF objective may also

²² English Heritage guidance *Understanding Place: Conservation Area Designation, Appraisal and Management* March 2011 being updated at present to include reference to NPPF and its policies.

²³ NPPF paragraph 128

²⁴ NPPF paragraph 137

²⁵ NPPF paragraph 157, seventh bullet-point

²⁶ NPPF Paragraph 156

²⁷ NPPF Paragraph 15

²⁸ NPPF Paragraph 12

require strategic policies on use, design of new development, transport layout and so on. Indeed every aspect of planning conceivably can make a contribution to conservation. Plan policies in all topics should be assessed for their impact on the strategic conservation objective.

The local plan should also consider the role which the historic environment might play in delivering other planning objectives, such as:

Building a strong, competitive economy

How can the quality of the historic environment be improved to encourage investment?
What is the role for the historic environment, heritage led tourism and culture in the economic vision and strategy?
Have sites/locations for heritage regeneration and environmental enhancement been identified?

Ensuring the vitality of town centres

Do the policies recognise and support historic town centres?
Are historic markets and market places retained and enhanced?
How can declining town centres capitalise on their historic environment?

Supporting a prosperous rural economy

How is the conversion of traditional/historic rural buildings and farmsteads handled?
How is heritage-led rural tourism supported?
What policies are included for the retention and development of locally important services and facilities, which may occupy buildings of historic interest?

Promoting sustainable transport

How will the future transport proposals be expected to respond positively to the historic environment?
How are traffic/street management, environmental improvements, paving, and street furniture going to be designed and managed in a historic streetscene?

Supporting high quality communications infrastructure

How will the communications masts and streetboxes and other physical presence, be integrated into the historic environment with minimal effect?

Delivering a wide choice of high quality homes

What policies are included to identify and bring back into residential use empty housing and buildings?
What policies are included to encourage the sensitive adaptive reuse of buildings?
How does larger scale development, new settlements or extensions to villages and towns impact on the historic environment and reflect the character and appearance of the local area?

Requiring good design

How has an understanding and evaluation of the defining characteristics of an area been reflected in design standards?

How has local distinctiveness been promoted / reinforced?

What policies are included to successfully integrate new development into the historic environment?

Protecting Green Belt land

One of the purposes of Green Belt land is to preserve the setting and special character of historic towns, how has this purpose been considered in any review of the green belt?

Meeting the challenge of climate change, flooding and coastal change

Do flood prevention measures demonstrate an awareness of heritage assets in their location and design?

Has the renewable energy strategy positively cross-referenced the historic environment in terms of installation location and type?

Are appropriate retrofitting standards that conserve and enhance heritage assets reinforced?

Conserving and enhancing the natural environment

How have valued landscapes been identified, protected and enhanced?

Has the historic dimension to green infrastructure been included?

How have aspects of the historic landscape covering noise, tranquillity, light pollution and dark landscapes been covered?

Facilitating the sustainable use of minerals

Do the environmental criteria included in policies for the extraction of minerals avoid unacceptable adverse impact on the historic environment, including cumulative impacts?

Does the restoration policy include the historic environment?

How has the small-scale extraction of building and roofing stone and brick clay for the repair of heritage assets been covered?

Planning across boundaries

Local planning authorities are required to work collaboratively with other bodies to ensure that strategic priorities across local boundaries are properly co-ordinated and clearly reflected in Local Plans, particularly those that relate to strategic priorities²⁹. In some plans the need to conserve the historic environment of an area, and therefore deliver the strategic priorities of the NPPF, may require such cross-boundary co-operation. For example, the need to ensure that the outstanding universal value of a World Heritage Site is appropriately conserved or an extensive archaeological landscape is appropriately managed may warrant a joint approach by a number of local planning authorities in their Local Plans. Likewise planning for major infrastructure including wind farms will require joint working and careful consideration of the impact on a historic landscape.

²⁹ NPPF Paragraph 178

Supplementary Planning Documents

Supplementary Planning Documents (SPDs) can be useful in providing more detail on how the local authority expects the strategic policies will apply in practice to common proposals, such as for extensions or solar panels on domestic properties. This will help owners to formulate proposals more successfully, increasing efficiency.

SPDs should not contain planning policies themselves as these should be integral to the overall sustainable development strategy in the local plan.

Site specific SPDs can enable more detailed treatment of how particular heritage assets can be treated in developing an area.

Neighbourhood Plans

Including heritage in a neighbourhood plan will help make sure that potential new development is properly integrated with what is already there and does not result in the loss of local distinctiveness. Addressing how best to integrate new development into an existing place can encourage people to be innovative. Taking into account what is special about a place often demonstrates that off-the-shelf design and construction might not be appropriate. It encourages sensitive development of historic buildings and places that can invigorate an area, stimulating investment, entrepreneurship, tourism and employment.

Plans need to include enough information about local heritage to guide decisions, in particular, what it is about a local area that people value, and therefore, requires protection. That information will need to be based on sound evidence.

The information could include a description of the historic character of the area, as well as recording any heritage assets.

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