



ENGLISH HERITAGE

The National Planning Policy Framework, National Heritage Protection Plan & PPS5



HTF NPPF & Planning Event – 20 June 2012

Outline of presentation

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1. Context

- ❑ From 1000+ pages of Govt policy down to 50.
- ❑ The NPPF is policy aimed at local planning policy-making decision-taking, plus the duty to co-operate around more-than-local issues.
- ❑ The NPPF does not have specific policies for nationally significant infrastructure where the National Policy Statements apply.
- ❑ However, NPPF may be one of the „other matters that are considered both important and relevant’ (p3).
- ❑ NPSs form part of overall policy framework and are a material consideration.
- ❑ PINS new NID unit replaced IPC in April under reform by Localism Act.



2. Sustainable Development - what is it?

Ministerial foreword: “Sustainable Development [SD] is about change for the better, Our historic environment - buildings, landscapes, towns and villages- can be better cherished if their spirit of place thrives rather than withers.”

The „Brundtland’ definition of SD and the UK SD Strategy *Sustaining the future* are referenced above p6

p6 “The policies in p18-219 taken as a whole, constitute the Government’s view of what SD in England means in practice for the planning system”

- a proposal that fails to adhere to the historic environment policies p126-141 is therefore not SD.



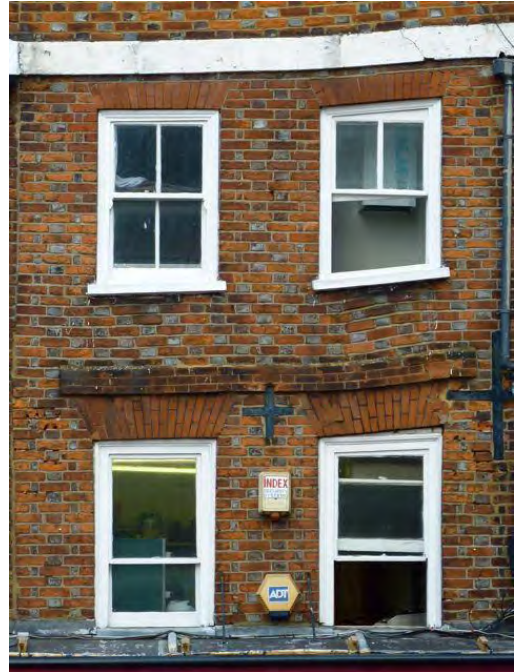
2. Sustainable Development - what is it?

- ❑ In p7 one of the 3 key dimensions of sustainability is protecting and enhancing our historic environment.
- ❑ p8 says that economic, social and environmental improvement should be sought jointly & simultaneously
- ❑ Pursuing SD involves seeking improvements to the quality of the historic environment etc in p9



2. Sustainable Development - what is it?

- ❑ Presumption in favour of SD; development needs should be met by the way local plans are made and decisions taken, unless policies, such as protecting designated heritage assets, indicate development should be restricted [p14]
- ❑ p17 sets out 12 core planning principles including to:
 - ❑ Seek “high quality design”
 - ❑ Recognise “intrinsic character and beauty of countryside”
 - ❑ “Conserve heritage assets in a manner appropriate to their significance so that they can be enjoyed for their contribution to the quality of life of this and future generations”



The presumption in favour of SD is termed „a golden thread running through both plan-making and decision-taking’

2. Sustainable Development - what is it?

Account should always be taken of:

- ❑ the desirability of sustaining and enhancing the significance of heritage assets and putting them to a viable use consistent with their conservation,
- ❑ historic environment potential to contribute to sustainable communities, including economic vitality, and;
- ❑ the desirability of new development making a positive contribution to the historic environment's local distinctiveness [p126 & 131 in HE part]
- ❑ Policies that relate to decision-taking apply to consideration of neighbourhood development orders (inc community right to build orders), where relevant. [p202]



3. Key definitions

- ❑ No significant changes from PPS5
- ❑ Retained ones are: „conservation’, „significance’, „heritage asset’, „designated heritage asset’, „setting’, „archaeological interest’, „historic environment record’.
- ❑ This allows the same unified approach that PPS5 took to the conservation of significance whether for listed building consent, planning permission or conservation area consent.
- ❑ „Architectural’, ‘artistic’, „historic interest’ were defined in PPS5 but did not change natural meanings. See EH Conservation Principles doc.



4. Weight to be given to conservation of heritage assets

- ❑ No express presumption in favour of conservation of designated heritage assets as in PPS5
- ❑ However, presumption in favour of SD is a presumption in favour of development that meets the objectives and policies of the NPPF as a whole. 1 of the 12 principles is that planning should deliver heritage asset conservation. [p17]
- ❑ More particularly, conserving designated heritage assets in p132 is given **great weight**. This phrase is also used in connection with conservation of NPs and AONBs [p115] and elsewhere, e.g. outstanding design [p63], schools [p72] and the benefits of mineral extraction [p144]



4. Weight to be given to conservation of heritage assets

- ❑ All harm, whether through demolition, alteration or development within a setting of a designated heritage asset requires „clear and convincing justification’
- ❑ Loss of GII should be „exceptional’.
- ❑ Loss of GI, II* and other highly valued designated heritage assets should be „wholly exceptional’ [p132]
- ❑ This is the same formulation as PPS5
- ❑ Non-designated archaeological sites of demonstrable equivalence to scheduled monuments should be treated as designated heritage assets [p139]



5. Justification of substantial harm to designated heritage assets

- ❑ Total loss of a designated heritage asset or substantial harm to it (direct physical harm, or harm through development within its setting) can be justified on the grounds that:
 - ❑ The harm is necessary to deliver public benefits that outweigh that harm, or
 - ❑ Because the asset is demonstrably non-viable and it is better to free up the site than keep the asset [p133]



5. Justification of less than substantial harm to designated heritage assets

- ❑ This is the lesser of the two tests.
- ❑ The harm should be weighed against public benefits
- ❑ Public benefit may be putting the asset into its optimum viable use.
- ❑ This p134 is the same approach as PPS5



5. Non-designated heritage assets

Similar to PPS5:

The effect of an application on their significance „should be taken into account’. A „balanced judgement will be required having regard to scale of any harm and the significance of the heritage asset’
[p135]



LPA should not permit loss without taking all reasonable steps to ensure the development will proceed after the loss has occurred.[p136]

6. Conservation Areas and World Heritage Sites

- ❑ CAs and WHSs are designated heritage assets
- ❑ „Great weight’ should therefore be given to their conservation and any harm needs „clear and convincing justification’ [p132]
- ❑ Loss of a building or other element that makes a positive contribution (such as a designed square) requires clear and convincing justification and may amount to substantial or less than substantial harm depending on the degree of contribution to the significance of the conservation area overall [p132, 133, 134 and 138]
- ❑ Positive obligation to look for opportunities to enhance or better reveal significance [p137 and see also p7, p9, p58, p60 and p61]



7. The setting of heritage assets

- ❑ Harm to a heritage asset through development within its setting is assessed against the same policies as for physical harm to the significance of designated heritage assets generally [p132 and definition of „significance’]
- ❑ Harm should be judged against the public benefits delivered by the proposal [p133 or p134]
- ❑ Decision-makers should look for opportunities to enhance or better reveal the significance of the asset through development within its setting [p137 and see also p7, p9, and p58, p60, p61 in the Design part]



8. Recording heritage assets that will be harmed or destroyed

- ❑ Similar to PPS5 in p141
- ❑ Developers are required to record and advance understanding of the significance of any heritage to be lost, wholly or in part, as part of any permitted development.
- ❑ The obligation should be proportionate to the importance of the asset and the impact.
- ❑ Evidence should be made publicly available.
- ❑ Ability to record should not influence decision.



LPA should make info gathered through plan-making and development management publicly accessible.

HERs, archives, local museums, local depositories are all mentioned.

9. Plan-making

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- ❑ Local plans should be consistent with the NPPF principles [p150]
 - ❑ Local plans should include strategic policies to deliver conservation of the historic environment , including landscape [p156]
 - ❑ Identify where development would be inappropriate, for instance because of its environmental or historic significance [p157]
 - ❑ Have a clear strategy for enhancing the natural, built and historic environment [p157]
 - ❑ They should set out a positive strategy for the conservation and enjoyment of the historic environment, recognising their irreplaceable nature [p126]
 - ❑ The positive strategy is not a separate document, but should start with a strategic policy and link down through other policy to other planning documents

9. Plan-making

- ❑ Local Plans should take into account:
 - ❑ The desirability of putting heritage assets to a viable use consistent with their conservation
 - ❑ The contribution conservation makes to wider sustainability aims
 - ❑ The desirability of new development contributing to local character [p126]
- ❑ Plans should be based on adequate, up-to-date and relevant evidence about the historic environment [p158 general para and 169 which specifically requires LPA to think carefully about the potential for future discoveries]
- ❑ Landscape character assessments should be prepared, integrated with assessment of historic landscape character...for areas of expansion [p170]
- ❑ LPA should either maintain or have access to a historic environment record [p169]

10. Other relevant policies

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- ❑ Design policies appear to be positive and balanced. Paragraphs 58-64 are particularly helpful for the historic environment (eg on responding to local character, design review arrangements and integration of new with old and refusal of poor design)
 - ❑ Countryside and rural planning policies give reasonable protection to cultural issues in National Parks and AONB (p115), reusing existing buildings (p28), preventing widespread development of the countryside but allowing exceptionally innovative designs (p55)
 - ❑ LPAs can have policies to control „garden-grabbing’ (p53)
 - ❑ Local Green Spaces are a new designation (p77)
 - ❑ Green belt policy recognises historic character (p80)
 - ❑ Minerals policies, both in plan-making (p143) and decision-making (p144) recognise that historic environment factors need to be taken account of, both in protecting designated heritage from harm and in taking account of specialist stone needs from small quarries.

11. Guidance



- ❑ The Historic Environment Planning Practice Guide, produced in March 2010 to support PPS5 is still a relevant consideration. It was produced by EH with endorsement from DCLG and DCMS.
- ❑ It has not been cancelled and is still of use in helping to understand concepts and acceptable approaches.
- ❑ Government will shortly be clarifying the situation regarding guidance, including that for the historic environment, shortly.



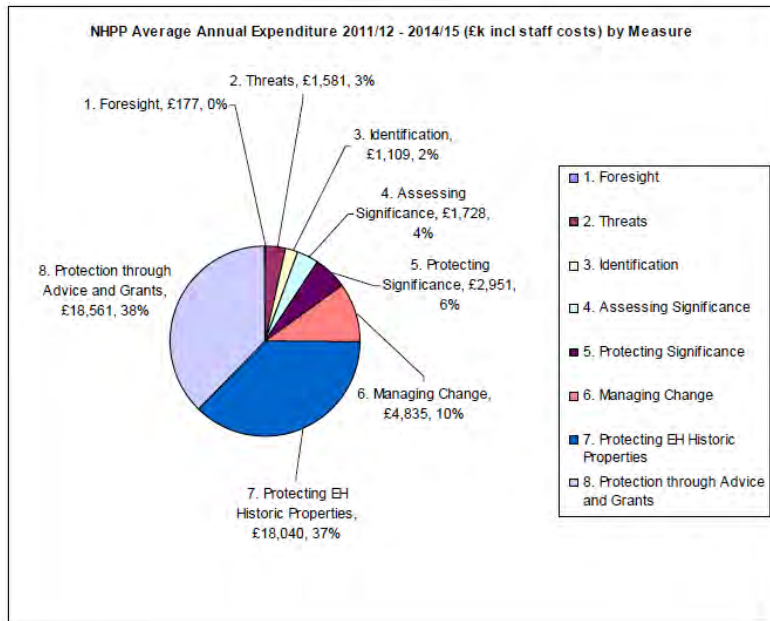
What is the NHPP?

Aims to be sector-wide strategy for protecting heritage

Composed of eight interdependent measures

- 1. Foresight**
- 2. Threat assessment and Response**
- 3. Survey and Identification**
- 4. Assessing Character and Significance**
- 5. Developing Protection Responses**
- 6. Managing Change (of the HE)**
- 7. Responding to Change (historic estate)**
- 8. Helping Owners (advice, grant-aid)**

NHPP EH Resources: c £50M per annum



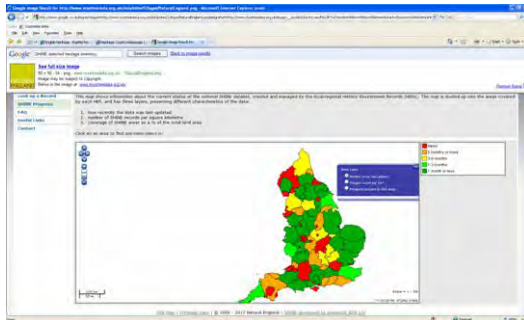
Measure 2: Threat/Opportunity Assessment and Response

1. Development Impacts
2. Social Impacts
3. Natural and Environmental Threats
4. Exploitation Impacts
5. Professional/Sectoral Challenges



Measure 5: Protection Responses

1. Designation and Registration
2. Management Tools
3. Local designation



Measure 6: Managing Change

1. Heritage and strategic planning
2. Casework advice
3. Condition monitoring: HAR



HISTORIC ENVIRONMENT LOCAL MANAGEMENT

Information and training from English Heritage and partners for decision makers in local authorities

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Measure 8: Advice and Grants

1. Advice
2. Grants for Repair
3. Emergency Acquisition



NHPP as sectoral plan

1. Aim to be 'owned' by sector
2. Shared priorities
3. Collaboration at strategic level
4. Participation at local level
5. Sharing/maximising resources

The
Heritage
Alliance



CLA Country Land &
Business Association



www.britarch.ac.uk



HISTORIC HOUSES ASSOCIATION

NHPP Oversight and Review

1. External cross-sector Advisory Board
2. Internal cross-EH Implementation Board
3. Biannual progress reports
4. Annual public consultation on priorities
5. Formal review 2014/15



Next Steps

1. Increase exposure of Plan through influential partners
2. A real Plan for the sector
3. Promote community participation
4. Credibility and utility: protection results

See <http://www.english-heritage.org.uk/professional/protection/national-heritage-protection-plan/>

NHPP Example

Development Pressure

Research aiming to understand which areas of England are:

- 1. undergoing the most change from development**
 - 2. most sensitive to change in historic environment terms**
- and consider the findings on these themes against those areas of the country least resourced to manage change to protect heritage**

For the first stage project looking at housing allocation in local plans

NHPP Example Historic Environment: Local Authority Capacity (HELAC)



ENGLISH HERITAGE



NHPP HELAC case studies

Exploring effective ways of delivering HE services

- Cheltenham District Council
- Chichester (West Sussex Councils)
- Cotswold AONB (Gloucestershire and Oxford Councils)
- Essex County Council
- Northumberland County Council

Plus other examples from Cornwall, South Hams and Northamptonshire

More information available from:

www.english-heritage.org.uk/professional
www.helm.org.uk

To keep up-to-date with developments and cases under the NPPF:



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