



Historic England

East Devon Villages Plan

EXAMINATION IN PUBLIC

**MATTER: Overall Approach
(Issue 1: BUABs)**

13th October 2017

Issue 1

1. Introduction

- 1.1 Paragraph 2 of the National Planning Policy Framework states that the Framework “*must be taken into account in the preparation of local plans*”. Paragraph 151 requires Local Plans to be “*consistent with the principles and policies set out in this Framework*”. One of the four “tests” of soundness is that the plan should be consistent with national policy (paragraph 182).
- 1.2 Historic England considers that the East Devon Village Local Plan as submitted fails to be consistent with national policy as set out in the National Planning Policy Framework in respect of the historic environment.

2. Historic England’s Case

- 2.1 The National Planning Policy Framework (NPPF) contains a number of requirements as regards local plans and the historic environment: a general requirement and five specific requirements.
- 2.2 Paragraph 151 of the Framework explains that Local Plans must be prepared with the objective of contributing to the achievement of sustainable development and paragraph 9 explains that: “*Pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment...*”.
- 2.3 Paragraph 126 states “*Local planning authorities should 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;*”
- 2.4 Paragraph 156 states “*Local planning authorities should set out the strategic priorities for the area in the Local Plan. This should include strategic policies to deliver the conservation and enhancement of the historic environment*”.
- 2.5 Paragraph 157 states “*Crucially, Local Plans should “contain a clear strategy for enhancing the natural, built and historic environment” and “identify land where development would be inappropriate, for instance because of its environmental or historic significance*”.
- 2.6 Paragraph 169 requires local planning authorities to have “*up-to-date evidence about the historic environment in their area and use it to assess the significance of heritage assets and the contribution they make to their environment*”.

- 2.7 We suggested that the Council consider whether it would be appropriate to identify land where development would be inappropriate for its historic significance (in accordance with paragraph 157 of the NPPF) when preparing the Villages Plan.
- 2.8 Our concerns with the Villages Plan therefore relate to the requirements of paragraphs 126 and 157 of the Framework for a positive strategy for the conservation and enjoyment of the historic environment and a clear strategy for enhancing the natural, built and historic environment.
- 2.9 Historic England believes that it is clear from these requirements (and others) that the Government is expecting local planning authorities, through their Local Plans, to actively deliver the conservation and enhancement of the historic environment. The Government's use of the words and phrases "*seeking positive improvements*", "*positive strategy*", "*deliver the conservation and enhancement*" and "*a clear strategy for enhancing*" all demonstrate that it is not sufficient for local planning authorities to be passive or merely reactive in the conservation and enhancement of their historic environment.
- 2.10 However, as submitted, Historic England does not consider that the Draft Villages Plan fully contains or demonstrates a "positive" or "clear" strategy for the conservation, enjoyment and enhancement of the District's rich historic environment.
- 2.11 It is Historic England's view that a positive and clear strategy for the conservation, enjoyment and enhancement of the historic environment does not simply comprise a strategic policy or policies, but should consist of a recognition of the importance of the historic environment to the character, economy and quality of life of the District through the vision and objectives and references throughout the Plan including sites within the BUAB where there is the potential for harm.
- 2.13 Historic England's Good Practice Advice in Planning Note 1 *The Historic Environment in Local Plans*, published in March 2015 (<https://content.historicengland.org.uk/images-books/publications/gpa1-historic-environment-local-plans/gpa1.pdf>) , explains that "*As part of a sound conservation strategy, policies for local housing, retail and transport, for example, may need to be tailored to achieve the positive improvements in the historic environment that the NPPF expects (NPPF, Paragraph 8). Conservation is certainly not a stand-alone exercise satisfied by stand-alone policies that repeat the NPPF objectives.*" The Note then explains that the local plan might need to consider the inter-relationship of the objectives for the historic environment with a number of potential other topics/areas in plans.

2.14 We welcome that most of the boundary proposals no longer appears to be drawn in such a ways as to harm the historic environment. There are a number of concerns, however, that the approach over some of the boundary lines and the evidence to support them which suggest that the plan is not sound and will not achieve sustainable development. We have identified a number of other paragraphs and policies in which we would consider that a reference to the historic environment would contribute to a positive and clear strategy for the conservation, enhancement and enjoyment of the historic environment.

3. Historic England's Suggested Modifications

3.1 In our representations we suggested additional references to the historic environment which, if added to the Villages Plan, would, in our view, result in the Plan containing the positive and clear strategy required by the NPPF. We would then consider the Plan to be sound in this respect.

4. Conclusion

4.1 With reference to the five specific requirements of the NPPF for Local Plans (as set out above) Historic England considers that the Submission Local Plan does not quite adequately set out a positive and clear strategy for the conservation, enhancement and enjoyment of the historic environment.

4.3 However, we believe that it would be reasonably easy to amend the Plan as we have suggested and accord with these requirements of the National Planning Policy Framework.