

# Breckland Local Plan Examination

## **Matter 15:**

## **Historic Environment**

**(Policies ENV 07 and ENV 08)**

## **Breckland District Council Hearing Statement**

March 2018



**Issue 15.1: Is the wording of Policy ENV07 and its supporting text, consistent with relevant legislation and national policy, namely Section 12 of the National Planning Policy Framework?**

1. Policy ENV07 seeks to recognise the role of heritage assets as irreplaceable resources which should be conserved and wherever possible enhanced in a manner appropriate to their significance. Development proposals affecting heritage assets and their settings should be sympathetic to the assets' significance, demonstrate an appreciation of the surrounding area. Sufficient information is required to enable any impacts to be assessed. New development is expected to make a positive contribution to the historic environment and should therefore avoid harm and seek to identify opportunities for enhancement by fully integrating heritage considerations at the outset of the design process.
  
2. The Council considers Policy ENV07 to be consistent with legislation and national policy, but recognises that it would benefit from minor wording modifications being made taking account of recommendations from Historic England and Norfolk County Council's Heritage Advisors. It is not considered that the revised wording below materially changes the aims, objectives or intent of the policy:

The significance of designated heritage assets and their settings, including national protected listed buildings ~~and their settings~~, scheduled monuments, ~~archaeological sites~~, registered parks and gardens, conservation areas ~~and their settings~~, will be conserved and enhanced and given the highest level of protection. Proposals that would affect the significance of a designated heritage asset will be required to provide sufficient information to enable any impact to be assessed.

Development that will affect any designated heritage assets will be subject to comprehensive assessment and be expected to conserve ~~and or~~, wherever possible, enhance the character, appearance and setting of Conservation Areas, Scheduled Monuments, Historic Parks and Gardens and other designated areas of historic interest. Where a proposed development will affect the character or setting of a Listed Building particular regard will be given to the protection, conservation and potential enhancement of any features of historic or architectural interest; ~~this includes internal features, floor plans and spaces, or any object or structure, including~~ within the curtilage of a listed building that predates 1<sup>st</sup> July 1948.

The conversion of buildings of particular architectural or historic interest for economic or residential purposes in locations that would otherwise be unacceptable will be considered where this would ensure the retention and ongoing conservation of the building. Proposals will be considered having regard to national policy and relevant guidance.

Development proposals should identify assets of archaeological significance. An archaeological field evaluation will be required for development sites that are known or thought to have the potential to include heritage assets with archaeological interest.. Where appropriate, archaeological remains ~~can~~ should be left in situ following further design/engineering work. If the benefits of a particular development are considered to outweigh the importance of retaining archaeological remains *in situ* satisfactory excavation and recording or remains will be required before development is begun.

**Issue 15.2: To be effective, should Policy ENV07 include a commitment to undertake a programme of work to develop conservation area appraisals as suggested by Historic England?**

3. It is the Council's opinion that Policy ENV07 is effective and accords with the tests of soundness set out in paragraph 182 of the NPPF. The policy is considered to be deliverable over the lifetime of the plan without the need for inclusion of a specific commitment to undertake a programme of work to develop conservation area appraisals. It is acknowledged that Section 69 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 includes a duty on Local Planning Authorities to review the designation

of conservation areas. Furthermore Section 71 (1) states *'It shall be the duty of a local planning authority from time to time to formulate and publish proposals for the preservation and enhancement of any parts of their area which are conservation areas.'* As this is a requirement of the Act, it is the Council's opinion that it is not necessary to repeat this as a commitment within Policy ENV07.

4. Policy ENV07 requires development which would affect the significance of a designated heritage asset to provide sufficient information to enable any impact to be assessed; this includes potential impacts on the character, appearance and setting of a conservation area and its setting. The policy also needs to be read in conjunction with the other policies in the plan particularly Policy COM01 which seeks to promote high quality design in all new development.
5. Following representations made by Historic England at Regulation 18: Preferred Sites and Settlement Boundaries, the Council has sought to work proactively with Historic England to address matters raised in these representations in relation to the evidence base in support of the proposed allocations. The Historic Characterisation Study (LP/E/4) has been produced following an agreed methodology with Historic England, accords with Historic England's Advice Note 3: The Historic Environment and Site Allocations in Local Plans. The Historic Characterisation Study sits alongside the Landscape Character Assessment (LP/E/1), Landscape Character Assessment Settlement Fringe Study (LP/E/2) and the Norfolk & Suffolk Brecks Landscape Character Assessment (LP/E/3) to form the evidence base for the Historic Environment.
6. The production of Conservation Area Appraisals is neither a statutory requirement nor required in the NPPF. As stated in paragraph 44 of Historic England's Advice Note 1, Conservation Area Designation, Appraisal and Management, decisions regarding the production and adoption of Conservation Area Appraisals and Management Plans as part of the Local Plan is a matter for each individual planning authority to decide. Whilst recognising that some authorities have adopted these documents as Supplementary Planning Documents, the Council considers that, taken together the documents outlined in paragraph 5 above, provide sufficient information to ensure good decision-taking as stipulated in paragraph 192 of the NPPF.

**Issue 15.3: Is Policy ENV08 consistent with national policy, most notably Paragraph 128 of the National Planning Policy Framework, in terms of archaeological interest?**

7. Paragraph 128 of the NPPF requires development to submit an appropriate desk based assessment and, where necessary, a field evaluation, where the development includes or has the potential to include heritage assets with archaeological interest. Whilst not necessary for the Local Plan to repeat national guidance, it is considered that for greater clarity Policy ENV08 should be amended to include reference to the consideration that should be given to sites with known or anticipated archaeological interest. Revised wording for the policy is included below:

Development will be expected to conserve and wherever possible enhance the character, appearance and setting of non-designated historic assets. Proposals that could affect previously unrecognised heritage assets will be expected, through agreement with the Council, to undergo an appropriate assessment in line with the significance of the asset. The assessment must provide sufficient information for any aspect to be assessed.

The conversion of non-designated buildings of particular architectural or historic merit for economic or residential purposes in locations that would otherwise be unacceptable will be considered where this would ensure the retention of the building. Proposals will be considered having regard to relevant national policy and relevant guidance.

In case of traditional dwellings which positively contribute to the character of Breckland, applications for replacement will be expected to be accompanied by a Design and Access Statement which includes a structural survey that demonstrates that the demolition is necessary and that there is no alternative and viable solution of renovation to provide an acceptable standard of accommodation.

Development proposals should identify assets of archaeological significance. An archaeological field evaluation will be required for development sites that are known or thought to have the potential to include non designated heritage assets with archaeological interest. Where appropriate, archaeological remains should be left in situ following further design/engineering work. If the benefits of a particular development are considered to outweigh the importance of retaining archaeological remains *in situ* satisfactory excavation and recording or remains will be required before development is begun.