

Medway Local Plan Issues and Options Consultation Document 2012-2035

Historic England welcomes the opportunity to comment on the emerging local plan at this early stage, especially in the context of the very high significance of the historic environment and the wealth of heritage assets in Medway. We set out below a range of issues and matters that we would expect the plan to address in order to be found sound at examination. Local policies need to be appropriate in relation to national policies and based upon robust evidence. The plan should seek to ensure the significance of the historic environment and its potential contribution to achieving the whole range of objectives of the plan are woven throughout all appropriate sections of the plan and not necessarily limited to a heritage chapter or section.

We would recommend that you review the issues and options in the light of the points set out below as we believe it will help to strengthen the local plan by underpinning an approach that will lead to the formulation of sound policies.

Requirements of the NPPF

In broad terms, the Council should be cognisant of the requirements of the National Planning Policy Framework in preparing its local plan. The NPPF sets out in various different places a number of requirements for Local Plans in respect of the historic environment. Local Plans need to:

- be based on adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the area – which would include the historic environment. In particular this up-to-date evidence should be used to assess the significance of heritage assets and the contribution they make to the environment (NPPF Paragraphs 158 and 169)
- set out a positive and clear strategy for the conservation, enjoyment and enhancement of the historic environment (NPPF, Paragraphs 126 and 157)
- contain strategic policies to deliver the conservation and enhancement of the historic environment (NPPF, Paragraph 156), and
- identify land where development would be inappropriate because of its (environmental or) historic significance (NPPF, Paragraph 157).

Evidence Base

As with all policies in the plan, those relating to the historic environment should be based on a robust evidence base. When gathering evidence, it is important to bear in mind that this is not simply an exercise in setting out known sites but, rather, in understanding the value to society (ie the significance) of sites both known (such as those on the National Heritage List for England, see www.HistoricEngland.org.uk/listing/the-list) and potential, without which an understanding of the sometimes subtle qualities of the local distinctiveness and character of the local area may be easily lost. In particular:

- In some cases, it might be necessary to identify heritage assets outside a local authority area, eg where there are likely to be setting impacts caused by potential development proposals within that area
- 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
- Evidence gathering can help identify parts of a locality that may be worthy of designation as a Conservation Area, or may merit local listing
- Assessing the likelihood of currently unidentified heritage assets being discovered, particularly sites of historic and/or archaeological interest, will help to future proof the plan.

It may be helpful to collate this information within a Heritage Topic Paper to draw together the evidence prepared and the subsequent implications and actions required.

There are numerous sources of evidence to assist in gathering information include:

- the National Heritage List for England: www.HistoricEngland.org.uk/listing/the-list
- the Heritage Gateway: www.heritagegateway.org.uk/gateway/
- Historic Environment Record (HER): local planning authorities should either maintain or have access to a Historic Environment Record (NPPF, Paragraph 169)
- Conservation Area Appraisals and Management Plans
- Local Lists
- National and local 'Heritage at Risk' registers: www.HistoricEngland.org.uk/advice/heritage-at-risk
- Historic characterisation assessments
- World Heritage Site Management Plans
- In-house and local knowledge and other expertise (i.e. civic societies, local history groups, neighbourhood consultations, the Civic Voice: www.civicvoice.org.uk/)

Where the evidence base for the historic environment is weak, local planning authorities may need to commission proportionate research, for example:

- detailed historic characterisation work assessing the impact of a proposal for a major urban extension or rural development
- visual impact assessments, considering the potential impact of allocations upon the setting of important heritage assets
- seeking the views of the local community about what they value about the historic environment of their local area (NPPF, Paragraph 155)

- an appropriate archaeological assessment to consider whether heritage assets with archaeological potential are likely to be present in areas where the HER indicates that there has been little or no previous investigation.

Work in putting together Local Plans will often generate new evidence of the state and significance of the historic environment. Documents, such as historic landscape characterisations, strategic environmental assessments, conservation area appraisals, economic development studies and those supporting supplementary planning documents and local listing assessments, will often contain new evidence. Local planning authorities will find it useful to collect this information and make it publicly available, including through the Historic Environment Record. The information can be invaluable in improving plan-making and decision-making in the future and is of significant public benefit in furthering the understanding of our surroundings and our past.

The evidence base for the historic environment may also assist with the preparation of the following:

- assessments developed to meet the goal of achieving economic, social and environmental gains jointly and simultaneously, ie through land availability, etc (NPPF, Paragraph 8)
- the Sustainability Appraisal which accompanies the Local Plan, and
- appropriate indicators for monitoring the delivery of the plan

A positive strategy for conservation and enjoyment of the historic environment

A positive strategy in the terms of NPPF paragraphs 9 and 126 is not a passive exercise but requires a plan for the maintenance and use of heritage assets and for the delivery of development including within their setting that will afford appropriate protection for the asset(s) and make a positive contribution to local character and distinctiveness.

This strategic approach can inform all aspects of the planning system by recognising and reinforcing the historic significance of places. 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.

Consequently, the Local Plan might need to consider the inter-relationship of the objectives for the historic environment with the following:

- Building a strong, competitive economy – How might the plan conserve and enhance the quality of the historic environment in order to encourage tourism, help create successful places for businesses to locate and attract inward investment? What opportunities are there for heritage-led regeneration?
- Ensuring the vitality of town centres – What role can the historic environment play in increasing the vitality and attractiveness of town and village centres?

- Supporting a prosperous rural economy – What opportunities does the reuse or adaptation of traditional buildings provide for supporting the rural economy or providing homes for local people? What potential is there for new heritage-led tourism initiatives?
- Promoting sustainable transport – How might new roads and other transport infrastructure be delivered in a manner which also conserves the historic environment of the area? Could the introduction of sustainable transport initiatives offer related opportunities for heritage through improving street/ traffic management or public realm enhancement at the same time?
- Delivering a wide choice of high quality homes – How might the plan encourage adaptive reuse of historic buildings? How might new residential developments best be integrated into historic areas?
- Requiring good design – How might the defining characteristics of each part of the plan area be reinforced in the approach to design?
- Protecting Green Belt land – How might the policies for the Green Belt and the definition of its boundaries be tailored to protect the special character and setting of a historic town?
- Meeting the challenge of climate change, flooding and coastal change – How might flood prevention measures be provided which also safeguard the heritage assets in the area? How might the strategy for renewable energy developments and associated infrastructure reduce the potential harm to the historic environment?
- Conserving and enhancing the natural environment – How might the plan best identify, protect and enhance important historic landscapes? What contribution might the strategy for improving the Green Infrastructure network also make to the enhancement of the area's heritage assets?
- Facilitating the sustainable use of minerals (see box) – How might any impacts of mineral development on an area's heritage assets be controlled to acceptable levels? How might the plan safeguard potential sources of building and roofing stone, or improve archaeological knowledge through approved mineral operations?

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

- How the historic environment can assist the delivery of the positive strategy and the economic, social and environmental objectives for the plan area (NPPF, Paragraphs 126 and 132 and Sections 66 and 72 of the Planning (Listed Buildings & Conservation Areas) Act 1990)
- How the plan will address 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

- The interrelationship between conservation of heritage assets and green infrastructure, landscape, regeneration, economic development, transport works, infrastructure planning, tourism, social and cultural assets, town centres and climate change mitigation/adaptation (NPPF, Paragraph 126)
- The means by which new development in and around World Heritage Sites and other designated heritage assets might enhance or better reveal their Outstanding Universal Value and significance (NPPF, Paragraph 137)
- The means by which new development in Conservation Areas and within the setting of heritage assets might enhance or better reveal their significance (NPPF, Paragraph 137)
- How Article 4 Directions may be employed to provide an additional conservation mechanism
- How HERs and local lists might assist in identifying and managing the conservation of non-designated heritage assets
- How the archaeology of the plan area might be managed
- The possible role for CIL and/or s106 in delivery of required infrastructure
- Whether master plans or design briefs need to be prepared for significant sites where major change is proposed
- What implementation partners need to be identified in order to deliver the positive strategy
- What indicators should be used to monitor the heritage strategy's effectiveness
- In order to deliver an effective strategy for the conservation of the historic environment, is there a need for the plan to include Development Management Policies and where appropriate specific policies for specific assets or specific areas within the plan area?

Strategic policies for the conservation of the historic environment

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 Plan (NPPF, Paragraph 184). Consequently, sustainably managing the historic environment is best achieved by identifying clear strategic policies for heritage, in order to assist those preparing neighbourhood plans.

Identifying inappropriate development

The local plan needs to assess whether or not it should identify any areas where certain types of development might need to be limited or would be inappropriate due to the impact that they might have upon the historic environment (NPPF, Paragraph 157). This might include, for example, tall buildings within identified view corridors.

Development Management Policies for the historic environment

16 Specific Development Management Policies may be needed in order for decision-takers to determine how they should react to an application affecting a heritage asset. Such circumstances could include the following:

Those areas where Development Management Policies are necessary to amplify a general, overarching, Strategic Policy for the historic environment within a Core Strategy of the Local Plan – for instance, to deal with particularly distinctive or important historic environment features or significance

Those areas where further clarity would be useful – for instance, how local planning authorities determine applications affecting archaeological remains of less than national importance

Those areas where Development Management Policies may be necessary to address the local circumstances of the Plan area - for example, to clarify the approach to development within an Area of Archaeological Importance (see box), or to protect or enhance important views and vistas

Those circumstances where Development Management Policies are needed to address particular cross-boundary issues – such as World Heritage Sites, National Parks and Areas of Outstanding Natural Beauty whose management is carried out by joint working between several local planning authorities or the management of those extensive historic landscapes which run across a number of authority areas.

Site allocations

A conservation strategy can help with site allocations in terms of considering environmental and policy constraints against the evidence in the relevant Strategic Housing Market Assessment (Planning Minister's letter to Chief Planners 19 December 2014 www.gov.uk/government/publications/strategic-housing-marketassessments).

It can identify opportunities to conserve the historic environment, such as site allocations positively addressing heritage assets at risk, and can help to ensure that site allocations avoid harming the significance of heritage assets (including effects on their setting). The strategy can also be used to inform the nature of allocations so development responds to and reflects local character. Site allocations should be informed by an evidence base and an analysis of potential effects on heritage assets. Further advice will be available in the forthcoming Historic England Advice Note on heritage considerations for site allocations in local plans.

Planning across boundaries

Conservation of the historic environment may involve cross-boundary issues, where development proposals near the boundary of one local authority area potentially affect the setting of heritage assets in another. In such cases in exercising the Duty to Cooperate both authorities need to take into account the impact on the conservation and enhancement of the historic environment as one of the strategic priorities (NPPF, Paragraphs 156 and 178).

Cumulative impact

The cumulative impact of incremental small-scale changes may have as great an effect on the significance of a heritage asset as a larger scale development. Consequently LPAs may consider covering this issue in a specific Local Plan historic environment policy. In appropriate circumstances this policy could be delivered via an Article 4 Direction in a conservation area.

Nationally Significant Infrastructure Projects

There is a separate planning regime for Nationally Significant Infrastructure Projects (NSIPs) under the Planning Act 2008. See <http://infrastructure.planningportal.gov.uk/> for further details.

Conclusion

Historic England welcomes the preparation of a new local plan for Medway, an area with a great deal of heritage significance. While the present draft Issues and Options document represents a good starting point for addressing the many and various needs of the historic environment of the district we feel there is still work to be done to build of firm evidence base for policies, and for a refinement of the approach taken to presenting them to better reflect the requirements of the NPPF. A sound understanding and recognition of the importance to the future direction of development of Medway of its heritage assets, and the opportunities they present for high quality and distinctive development should be integrated into the approach to growth advocated in the local plan. We believe this is achievable on the basis of the draft policies in the current consultation document and would like to work with the Council to achieve the best possible outcome for the historic environment of Medway and the local plan as a whole.