



ENGLISH HERITAGE

## English Heritage Commentary on the National Planning Policy Framework

27th March 2012

This gives a high-level overview of the policies within the NPPF as they apply to the historic environment. Prepared on the day of publication of the NPPF, it will be followed by more detailed analysis and nationwide training events. For more details see the English Heritage website.

References in square brackets are to the relevant NPPF paragraph numbers.

### Conservation of heritage and sustainable development

All the policies in the NPPF constitute Government's view of what sustainable development in England means in practice. [p6] So development that fails to adhere to the historic environment policies, because it fails to give due weight to conservation for example, is not sustainable development.

One of the key dimensions of sustainability is protecting and enhancing our historic environment. [p7] Economic, social and environmental improvement should be sought jointly and simultaneously. [p8] Pursuing sustainable development involves seeking improvements to the quality of the historic environment, amongst other things. [p9]

There is a presumption in favour of sustainable development, which means that development needs should be met by the way local plans are made and planning decisions taken, unless policies within the NPPF, such as those protecting designated heritage assets, indicate development should be restricted. [p14]

One of the twelve core principles that should underpin both plan-making and decision-taking is that planning should 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. [p17]

Account should always be taken of: the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; their potential to contribute to sustainable communities; and the desirability of new development making a positive contribution to the historic environment's local distinctiveness. [p126+131]

Historic environment policies in the NPPF that relate to decision-taking should be read as applying to the consideration of neighbourhood development orders (including community right to build orders) where relevant. [p202]

## **Key definitions**

Those retained ('conservation'; 'significance'; 'heritage asset'; 'designated heritage asset'; 'setting'; 'archaeological interest'; and, 'historic environment record') have not changed in substance. This enables the same unified approach that PPS5 took to conservation of significance regardless of the type of asset being considered and regardless of the consent being sought (planning permission, listed building consent or conservation area consent). [Annex 2: Glossary]

'Architectural', 'artistic' and 'historic interest' were defined in PPS5, but not so as to create particular terms of art. Their natural meanings accord with the intention behind the policies. Other documents, such as the Principles of Selection for Listed Buildings published by the Department for Culture Media and Sport and English Heritage's Conservation Principles, give more depth to these concepts.

## **Weight to be given to conservation of heritage assets**

The NPPF does not contain an express presumption in favour of the conservation of designated heritage assets as PPS5 did, but the presumption in favour of sustainable development is a presumption in favour of development that meets the objectives and policies of the NPPF, which has one of its twelve core principles the conservation of heritage assets. [p17]

'Great weight' should be given to the objective of conserving designated heritage assets. [p132]  
This is the same phrase as is used in connection with the conservation of National Parks and AONBs. [p115]

Given the conservation objective, all harm, from demolition to harm through development within the setting of a designated heritage asset, requires 'clear and convincing justification'. Loss of a grade II building should be exceptional and grade I and II\* buildings, and loss of other highly valued designated heritage assets should be wholly exceptional. [p132]

Non-designated archaeological sites of demonstrable equivalence to scheduled monuments should be treated as designated heritage assets. [p139]

### **Justification for harm to designated heritage assets**

This is the same as it was under PPS5. Total loss of a designated heritage asset or substantial harm to it (physical harm or harm through development within the setting), can be justified either 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]

Less than substantial harm (again, physical harm or harm through development within the setting) should be weighed against public benefits. [p134]

### **Dealing with conservation areas**

Conservation areas are designated heritage assets, so great weight should be given to their conservation also. [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 significance of the conservation area overall. [p132+138]

There is a positive obligation to look for opportunities to enhance or better reveal the significance of a conservation area. [p137]

### **Harm to and enhancement of 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] So harm should be judged against the public benefits delivered by the proposal. [p133 or 134]

Decision-makers should look for opportunities to enhance or better reveal the significance of the asset through development within the setting. [p137]

### **Recording heritage assets that will be harmed or destroyed**

This is materially the same as for PPS5. Developers are required to record and advance understanding of the significance of any heritage assets 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. The evidence should be made publicly available. [p141]

## **Making local plans**

Local plans should be consistent with the principles and policies set out in the NPPF, including those relating to the historic environment. [p150] Local plans should include strategic policies to deliver conservation and enhancement of the historic environment, including landscape. [p156+157]

Plans should set out a positive strategy for the conservation and enjoyment of the historic environment recognising their irreplaceable nature. They 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; and, the desirability of new development contributing to local character. [p126]

Local plans should be based on up-to-date evidence about the historic environment. Local planning authorities should either maintain or have access to a historic environment record. [p169]