



**Broads Authority response to Greater Norwich Local Plan examination
Matters, Issues and Questions part 1.
January 2022**

Issue 2 Is Policy 3 justified, effective and consistent with national policy?

1 Does Policy 3 provide an appropriate policy framework for the conservation and enhancement of the areas built and natural environment? Is it consistent with national policy in this regard?

The policy can be improved to make it more consistent with National Policy as follows:

- First bullet point states developers should be 'undertaking a heritage impact assessment if significant impacts might arise'. Government policy (NPPF para 194), however, states that this is required for any application that affects any heritage asset or their setting, including locally identified heritage assets. We wonder if this wording is required as it does not seem to add to Government guidance. Or, if it is required, we recommend it is made more consistent with Government Guidance. Perhaps wording like this is more consistent with national policy 'where development proposals affect a designated or non-designated heritage asset or its setting, a Heritage Statement should be submitted to the LPA with any planning applications. The level of detail in the assessment should be proportionate to the significance of the heritage asset and the level of intervention proposed'.
- Second bullet point uses the term 'benefits', but in order to be more consistent with the NPPF (section 16), it seems better to say 'public benefits'.
- Last sentence states 'importance of the heritage asset'. However, to be more consistent with the NPPF (section 16), 'significance of the heritage asset' would be better.
- This policy also states 'ancient trees and woodland' should be protected. Whilst generally supported, there are other types of woodland and trees that are important to an area so the policy should also refer to other trees which contribute greatly to our settlements and green spaces and this would be in line with paragraph 131 of the NPPF.

The following are comments on the supporting text to this policy that again would make the Plan for consistent with National Policy:

- Para 205 - states that development should avoid intruding into important views of historic assets. Historic England guidance on the Setting of Heritage assets ([The Setting of Heritage Assets \(historicengland.org.uk\)](https://www.historicengland.org.uk)) and numerous appeal decisions make clear that the setting of a heritage asset is much greater than views and it is the setting of heritage assets that need to be considered not specific views.
- Para 205 - Also 'historic assets' is used – should the term be heritage assets to ensure it correlates with the terminology defined in the NPPF?
- Para 207 – This paragraph recognises that in certain circumstances a balance will need to be struck between development and protection and this recognition is useful. It might

be helpful if this section was weighted more towards protection of the historic environment, taking a precautionary approach. The NPPF states that substantial harm to grade II listed HAs should be exceptional and to SAMs or grade II* / grade I HAS should be exceptional (para 200 a). Equally para 201 of the NPPF states applications should be refused where a proposal will lead to substantial harm unless there are substantial public benefits that outweigh that loss or all of 4 tests can be met.