



Examination of Greater Norwich Local Plan

Matter 4, Issue 2

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

Historic England, Hearing Statement

January 2022

Historic England is the principal Government adviser on the historic environment, advising it on planning and listed building consent applications, appeals and other matters generally affecting the historic environment. Historic England is consulted on Local Development Plans under the provisions of the duty to co-operate and provides advice to ensure that legislation and national policy in the National Planning Policy Framework are thereby reflected in local planning policy and practice.

The tests of soundness require that Local Development Plans should be positively prepared, justified, effective and consistent with national policy. Historic England's representations on the Publication Draft Local Plan are made in the context of the requirements of the National Planning Policy Framework ("the Framework") in relation to the historic environment as a component of sustainable development.

Historic England Hearing Statement

Introduction

- 1.1 This statement addresses the Inspector's questions with regards Matter 4 of the Local Plan.
- 1.2 This hearing statement should be read alongside Historic England's comments submitted at previous consultation stages of the Local Plan.

Matters and Issues for Greater Norwich Local Plan

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?

- 2.1 Given Historic England's remit, our response to this question will focus on the built and historic environment section of Policy 3.
- 2.2 In our representations on the Regulation 19 Draft Plan Historic England raised some concerns about policy 3 and its effectiveness and consistency with national policy. In summary our concerns were:
- i. Policy is quite generic and could be a policy for anywhere in the country. We suggested that the policy was made more **locally specific**.
 - ii. **Bullet point 1:** Whilst we broadly welcome the requirement for heritage impact assessment to accompany proposals for development, more fundamentally, HIA is also needed to inform the Plan making process. HIA to inform planning application is not a substitute for HIA at plan making stage. We are pleased to see that some heritage statements have now been completed.
 - iii. **Bullet point 2:** The second bullet point requires amendment. Harm should be avoided in the first instance. Only where harm cannot be avoided should we move on to consider the tests and weighing exercise as set out in the NPPF. And the tests are more subtle than is implied here which just talks about outweighing. Of course, we know that:
 - a) **Substantial harm** requires **substantial public benefits** that **outweigh the harm**
 - b) Whereas for **less than substantial harm**, **public benefits** are **weighed against**.
 - c) And for **non-designated heritage assets** a **balanced judgement** is required.To that end we considered that the policy as worded was not consistent with national policy.
We suggested adding the phrase, 'in accordance with the requirements of the NPPF' to help clarify the position.
 - iv. **Bullet point 3:** We suggested expanding bullet point to reference to the need to address Heritage at Risk.

- v. We also suggested that **Historic Landscape Characterisation** should be referenced in the Plan.
 - vi. Finally, we advised on the need for an **Historic Environment Topic Paper**. We are pleased to see a [Topic Paper](#) has now been prepared in relation to Policy 3.
- 2.3 We recognise that the GNLP Draft Strategy needs to be read in conjunction with the detailed Development Management Policies Plans for each authority. Read together the policies provide a more comprehensive policy framework for the historic environment.
- 2.4 Historic England and GNLP have worked together to try to resolve as many issues as possible through a Statement of Common Ground. [Statement of Common Ground GNLP/HE](#) Our respective positions on this matter are covered in detail in the SOCG on pages 24-31. However, the key points are summarised in the paragraphs below.
- 2.5 In essence, GNLP have indicated that they would have no objection to the following proposed modifications to the Plan.
- 2.6 In relation to Bullet point 2, although GNLP do not consider any change necessary, they have stated that if the Inspector is minded to make a change, inserting “*in accordance with the requirements of the NPPF*” as a Proposed Modification, then the GN authorities have no objection to this.
- 2.7 With respect to the issue of Historic Landscape Characterisation, although GNLP do not consider any change necessary, they have stated that they have no objection in principle to a change e.g. to insert “*such as Historic Landscape Character and Landscape Character Assessments*” after “*local design and other guidance*” as a proposed modification if the Inspector considers further clarification would be helpful.
- 2.8 If such suggested changes were made, Policy 3 would read:

The development strategy of the plan and the sites proposed for development reflect the area’s settlement structure of the city, towns and villages, retaining the separate identities of individual settlements.

Development proposals will be required to conserve and enhance the built and historic environment through:

- *being designed to create a distinct sense of place and enhance local character taking account of local design and other guidance such as Historic Landscape Character and Landscape Character Assessments, undertaking a heritage impact*

assessment if significant impacts might arise, and providing measures such as heritage interpretation to further the understanding of local heritage issues;

- avoiding harm to designated and non-designated heritage assets and historic character, unless there are overriding benefits from the development that outweigh that harm or loss and the harm has been minimised in accordance with the requirements of the NPPF;*
- providing a continued or new use for heritage assets whilst retaining their historic significance.*

In applying the above, regard will be given to the level of importance of the heritage asset.

- 2.9 Historic England would welcome these proposed modifications to Policy 3. They would go some considerable way to addressing our concerns in relation to the policy and ensure greater consistency with national policy.