

NORTH LINCOLNSHIRE COUNCIL

PLANNING COMMITTEE

PLANNING POLICY STATEMENT 5 – PLANNING FOR THE HISTORIC ENVIRONMENT

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 To report on the implications for heritage asset management in North Lincolnshire of the introduction of Planning Policy Statement 5.

2. BACKGROUND INFORMATION

- 2.1 Heritage protection is a material planning consideration to be responded to in development plan and supplementary policymaking and, more widely, in development management and regeneration decision-making.
- 2.2 The Department for Communities and Local Government released Planning Policy Statement 5: Planning for the Historic Environment, in March 2010 [PPS5]. This document replaces two previous Planning Policy Guidance documents [*PPG 15: Planning and The Historic Environment* *PPG 16: Planning and Archaeology*]
- 2.3 The new policy statement treats all historic assets as part of the same system. Thus distinctions evident in the previous guidance between built heritage and archaeological remains have been removed. By establishing a clear national policy base to inform the management and control of heritage assets it requires that decision makers identify the historic, archaeological, architectural or artistic interest attributable to a given asset.
- 2.4 Heritage assets differ from other features of the environment because they have meaning for people over and above their practical use – heritage significance. It is this significance that justifies additional protection in planning decisions. The PPS policy seeks to conserve the intrinsic significance of assets; emphasises the need for proper funding, and; the development of a greater understanding of an area's heritage assets.

2.5 The PPS contains twelve policies to be read alongside a Practice Guide that supports the policies but adds no new policies. As to the Policies; -

- HE1 requires local planning authorities when devising policy and making decisions to consider heritage assets within the context of any potential they may have to mitigate or be adaptive to the effects of climate change. Where appropriate modification of the asset in order to secure reductions in carbon emissions should also be considered.
- HE2 requires an evidential approach to the historic environment and promotes the development of publicly available information on the historic environment as a public asset. Local Authorities should assess the nature, extent and condition of all heritage assets. This specialist information should be brought together in a Historic Environment Record.
- HE3 deals with regional and local planning requiring a “positive, proactive strategy for conservation and the enjoyment of the historic environment...” Plans should identify and address local distinctiveness and how this can contribute toward the spatial vision of the core strategy and through investment in and enhancement of places. Plans should also consider how best to conserve heritage assets most at risk.
- HE4 requires local authorities to consider whether the historic environment is at risk from works of permitted development and use Article 4 directions where this is found to be the case.
- HE5 asks local authorities to find ways of monitoring the impact of planning policies on the historic environment.
- HE6 deals with the level and form of information needed for the local authority to make a proper assessment of the impact of proposals for the development of heritage assets. Applicants are required to provide this information, and the planning authority should not validate an application without sufficient supporting information.
- HE7, HE8 and HE9 provide an extensive suite of policy against which applications for consent for works to heritage assets should be judged. HE7 establishes a detailed pro forma for assessment in seven subsections and HE9 set out additional policy amounting to six long and detailed sub sections.
- HE10 deals with the setting of heritage assets, when development not directly related to the asset may be of concern and how this should be considered.
- HE11 sets out policy dealing with “enabling development”, that is works that may be proposed to subsidise the cost of saving a heritage asset; when this should be considered and how such proposals should be assessed.

- HE12 requires the recording of heritage assets were loss is justified to advance understanding of the significance of the heritage asset before it is lost. The evidence should be published and reports deposited with a Historic Environment Record. The policy and clearly establishes that such a record should not be regarded as a substitute for retaining an asset.

3. OPTIONS FOR CONSIDERATION

- 3.1 Whilst the PPS introduces new policy concerning the management of heritage assets the remit of heritage asset management and control remains the same i.e. the PPS has primacy in plan making and individual planning decisions. Both it and the Practice Guide carry governmental weight and are material consideration in planning terms.
- 3.2 There is now a clear policy statement that proposals for works to all heritage assets will be considered against the same criteria as set out in the PPS. A balanced assessment of the significance of heritage assets within a wider planning balance is called for.
- 3.3 Policy and guidance on the historic environment are now clearly separated, making the both easier to use and understand.
- 3.4 There are therefore, no options for consideration within the context of this council supporting a given course of action in planning policy terms. See 4 - Analysis of Options below however.

4. ANALYSIS OF OPTIONS

- 4.1 The PPG policy base and the guidance contained within the Practice Guide has implications in terms of plan making, the manner in which applications for consent are dealt with and organisationally.
- 4.2 In plan making the local development framework should identify and address local distinctiveness. This is an important contributory factor in the development of the spatial vision of the core strategy. That strategy should address issues around the investment in and enhancement of places and consider how best to conserve heritage assets most at risk.
- 4.3 A number of new concepts aimed at encouraging a better understanding and management of the historic environment are introduced. The overarching objective of the PPS being to develop planning policy for the historic environment that is clear, up-to-date and takes an integrated approach to all types of heritage asset.

- 4.4 The PPS policy places emphasis on local authorities developing a greater understanding of the significance of heritage assets through research and the use of this information to inform both planning policy and decision making. PPG policy encourages the development of a greater understanding of heritage assets; promotes pre-application consultation and stresses the role and importance of expert advice in decision process concerning heritage assets.
- 4.5 In part the research agenda of PPS 5 falls on would-be-developers, policy now requires properly researched proposals. Assessment of risks to individual heritage assets and the historic environment is also needed however, and this requires specialist staffs employed by local authorities.
- 4.6 The historic environment is treated as an asset in need of funding and support to conserve and enhance it. This funding imperative is also a basis for policy development.
- 4.7 Some research has been undertaken in North Lincolnshire aimed at developing a broader and deeper understanding of the significance of the area's historic assets. The council also employs specialist staff to deal with and advise upon proposals affecting heritage assets. Some work has been undertaken to assess current risks. In this respect the council is relatively well placed to meet the challenges of the new PPG 5 policy regime.
- 4.8 In addition the core strategy addresses issues around developing a greater understanding of the asset (See 7 below – Outcome of Consultations). At present however, there is no reference in the core strategy to funding provisions for the asset,
- 4.9 Policy HE3 of the PPS concerns "...investment in and enhancement of places..." The council however, no longer maintains grant assistance through historic building grants and there is no comparable fund relating to other heritage assets. Currently therefore, the council has no established means of supporting or enhancing the maintainance of the area's historic assets through funding and does not deal with its heritage in a strategic manner.
- 4.10 The PPS therefore, requires a shift from purely regulatory forms of control to ones that seek to actively develop heritage assets. A strategic approach to management (enshrined in the Local Development Framework) involving research and public engagement in the conservation and enhancement of historic assets is called for. The proper management of heritage assets as an important factor in place making and as catalysts for inward investment is emphasised as a key management objective.

5. RESOURCE IMPLICATIONS (FINANCIAL, STAFFING, PROPERTY, IT)

5.1 Financial

5.1.1 None known at present however, it is known that various parts of the heritage of North Lincolnshire are under threat and that the quality of its historic places is being eroded. This erosion of local distinctiveness is difficult to quantify in financial terms however, the loss of distinctive character associated with a decline in the quality of heritage assets may ultimately rob local communities of assets that could be developed for the benefit of future generations, both in terms of local distinctiveness and as generators of economic activity.

5.1.2 Heritage asset management lacks a strategic approach and funding; something that the PPS seeks to address. Without such an approach there are potentially serious implications for local distinctiveness in North Lincolnshire.

5.2 Staffing

5.2.1 None at present however, in order to meet with the provisions of the PPS a public facing Historic Environment Record, combining Site and Monument Records with information concerning listed buildings, conservation areas and other historic assets will be needed. This will require some organisational changes that will be needed to achieve enhanced heritage asset management combining active engagement with local communities around heritage issues.

5.2.2 In addition, given the emphasis placed upon an evidential basis for policy and decision-making and the use of professional staff in informing the heritage asset decision process, it is likely that there may be additional costs arising from training needs.

5.3 Property

5.3.1 The Council has several heritage asset properties to which the provisions of the PPS will apply should decisions concerning development of those properties be made.

5.4 IT

5.4.1 None

6. OTHER IMPLICATIONS (STATUTORY, ENVIRONMENTAL, DIVERSITY, SECTION 17 – CRIME AND DISORDER, RISK AND OTHER)

6.1 Statutory

6.1.1 Local Authorities are a key influence in shaping the environment and have a crucial leading role in the conservation, protection and enhancement of the historic environment. This commitment acknowledges the statutory duties imposed by the Planning (Listed Buildings and Conservation Areas) Act 1990. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a duty on Local Authorities to have special regard for the preservation or enhancement of Conservation Areas. Section 66 and 73 require Local Authorities to have special regard to the Listed Buildings and Conservation Areas when making planning decisions.

6.1.2 The Ancient Monuments and Archeological Areas Act 1979 deals with the designation of ancient monuments and areas of archeological importance and the potential for archeological finds is a material planning consideration.

6.1.3 Currently the Heritage Protection Bill is still before Parliament and continues to enjoy cross party support. If enacted this would place a duty upon local authorities to maintain or have access to an Historic Environment Record

6.2 Environmental

6.2.1 PPS5 recognises the vital social, economic and environmental benefits of all heritage assets and maintains the robust framework of heritage protection.

6.3 Diversity

6.3.1 The PPS serves diversity objectives by bringing heritage planning guidance into line with wider changes to planning legislation and English Heritage's (the national heritage advisor), own best - practice and allows for simpler, more transparent decisions which reflect the significance of the asset and its setting.

6.4 Section 17 – Crime and Disorder

6.4.1 None.

6.5 Risk

6.5.1 None.

6.6 Other

6.6.1 None.

7. OUTCOMES OF CONSULTATION

7.1 **Strategic Plans** - The two policies in the recently published Core Strategy Submission Draft - CS5 (Design) and CS6 (Historic Environment) are followed by implementation text as follows: -

7.2 "These policies will be implemented in the following ways:

- Using the planning application process to positively bring about development, which supports the design policy.
- Through the application of design and heritage guidance in a Design Supplementary Planning Document.
- Through the production of Conservation Area appraisals and management plans.
- Through the up to date record of historic assets and a list of locally listed buildings."

7.3 Whilst CS6 promotes effective management in its first line it should be noted that there is no mention of a Council financial contribution in the future to achieve the policy objectives.

7.4 **Planning Development Control** – no comments.

7.5 **Legal** – no comments.

7.6 **Sites and Monument Record** – made detailed comments particularly concerning policies HE 6 and HE12 – comments incorporated into this report.

7.7 **Finance** – no comment.

7.8 **Property** – no comment.

8. RECOMMENDATIONS

8.1 That the council supports the new clarity brought to heritage asset management by the policy provision of PPS 5 and the explications of that provision contained in the accompanying Practice Guide.

8.2 That the council notes the various implications arising from that policy provision for plan making, the manner in which applications for consent are dealt with; and the management of heritage assets.

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Background Papers used in the preparation of this report

Planning Policy Statement 5 – Planning for the Historic Environment

PPS5 Planning for the Historic Environment: Historic Environment Planning Practice
Guide

Government Statement on the Historic Environment for England 2010