



**Wycombe District Local Plan (Regulation 19) Publication version**

**Topic Paper 9: The Historic Environment**

**October 2017**

## 1.0 Introduction

1.1 This topic paper is one in a series, the subject of this topic paper is how we have developed the approach to the historic environment within the Wycombe District Local Plan (Regulation 19) Publication version (October 2017). Each topic paper will look at the relevant national and local guidance that informs the Publication version. Topic papers explain how the strategy has developed and the information, evidence and feedback that has informed the choices made in formulating the policies and also sets out what we foresee as the key issues and how these have been resolved.

1.2 This paper covers two main areas:

- The development of our overarching, strategic approach to the historic environment; and
- The development of an associated policy for the management of development affecting heritage assets and the historic environment.

1.3 The Historic Environment is a significant contributor to the character and identity of the Wycombe District; in particular it can be experienced in our historic market towns, villages, and countryside. It is further evidenced by the District's 61 designated Conservation Areas, over 1,200 Listed Buildings, 54 scheduled monuments and 11 registered historic parks and gardens. It is therefore important that we ensure we have adopted the correct approach to the historic environment.

## 2.0 Policy Context

2.1 At the heart of the National Planning Policy Framework (NPPF) (2012) is a presumption in favour of sustainable development which for plan-making means that local planning authorities should positively seek opportunities to meet the development needs of their area unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole; or specific policies in the NPPF indicate development should be restricted.

### **National planning policy framework**

2.2 At the heart of the NPPF's approach to the historic environment is a requirement that local planning authorities set out a "positive strategy for the conservation and enjoyment of the historic environment". This includes a recognition of the irreplaceable nature of heritage assets.

2.3 Paragraphs 6-10 place the protection and enhancement of the historic environment as a key part of this drive to achieve sustainable development. In particular, paragraph 9 of the NPPF (2012) further defines the pursuit of sustainable development as seeking positive improvements in the quality of the built, natural, and historic environment. The foreword of the NPPF states that the historic environment can be better cherished if their spirit of place thrives.

2.4 The ministerial foreword furthermore defines the historic environment as consisting of buildings, landscapes, towns and villages.

2.5 Chapter 12 of the NPPF contains the national policy for conserving and enhancing the historic environment. Key points set out in this chapter include:

- The desirability of sustaining and enhancing the significance of heritage assets, and using them in a way that promotes their conservation.
- That great weight should be ascribed to the conservation of a heritage asset.
- The desirability for new development to make a positive contribution to local character.

- The desirability to increase the public knowledge, understanding, and appreciation of the historic environment.
- The desirability to prevent heritage assets from falling into disrepair, and where they are considered to be at risk, to take swift action to remediate the situation.
- That non-designated heritage assets with an interest equivalent to a designated heritage asset, should be treated with the same weight as a designated heritage asset.

### **National planning practice guidance**

- 2.6 The national planning practice guidance contains an extensive section on conserving and enhancing the historic environment. Paragraph 003 (reference 18a-003-20140306) sets out in more detail what is meant by the conservation and enhancement of the historic environment. Specifically it is defined as maintenance and managing change, of taking a flexible and considered approach, and of avoiding assets falling into disrepair by ensuring they can be kept in active use.
- 2.7 Other key sections of the planning practice guidance includes a substantial section on the process to be used when taking decisions, including when considering local plan allocations which may affect heritage assets. There is also a section which sets out guidance in how to approach those sites which are not formally designated but none the less have heritage interest (non-designated heritage assets).

### **Other relevant national legislation**

- 2.8 The historic environment is governed by three additional pieces of legislative framework in addition to the normal planning framework set out in the Town and Country Planning Act 1990. These are:
- Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, which provides specific protection for buildings and areas of special architectural and historic interest.

- The Ancient Monuments and Archaeological Areas Act 1979, which provides specific protection to scheduled monuments.
- The Protection of Wrecks Act 1973, which provides specific protection for designated wreck sites.

### **Historic England**

2.9 Historic England are a national body who oversee the Heritage List for England, and are a statutory consultee for the development of Local Plans, as well as developments affecting heritage assets and the historic environment. While their publications are considered as guidance rather than national policy, the advice set out in these documents has been considered when formulating our approach.

## **3.0 How did the approach evolve?**

- 3.1 The overall approach to the Historic Environment has sought to meet the objectives set out in the National Planning Policy Framework, and the nature of this approach has been adjusted to reflect input from stakeholders, particularly key stakeholders under the duty to cooperate.
- 3.2 The historic environment has broadly fit into the wider banner of “sense of place” within the strategic section of the plan, recognising the contribution of the historic environment to the district’s sense of place.
- 3.3 The strategic objectives are applied on a local basis in the area principles sections at the start of each of the area specific sections of the plan. This allows for the consideration of the historic environment in the local context of each settlement or area’s site allocations as a whole.
- 3.4 Where there are significant heritage concerns affecting a specific site allocation, the individual site allocation policy includes specific measures aimed at conserving the historic environment conducive to the delivery of the overarching strategic policy.
- 3.5 As the strategy within the local plan has evolved, the sense of place policy has been split up into a group of related policies, which includes a specific policy

setting out our strategic approach to the historic environment. The conservation and enhancement of heritage overall remains a key part of our strategic objective to strength the Wycombe District’s sense of place.

## 4.0 Evidence

4.1 Our approach to the historic environment has been informed by a number of pieces of evidence. This evidence includes:

- The Wycombe District Local List of historic and architectural significance (the “Local List”)<sup>1</sup>.
- Conservation area character appraisals for many of Wycombe’s 61 conservation areas<sup>2</sup>.
- The Buckinghamshire Historic Environment Record (held and maintained by Bucks County Council)<sup>3</sup>
- The Buckinghamshire Historic Towns Project, undertaken between 2008 and 2012 by Bucks County Council with the sponsorship of English Heritage and the support of and Wycombe District Council
- Buckinghamshire Historic Landscape Characterisation<sup>4</sup>, undertaken in 2006 by Buckinghamshire County Council

4.2 This evidence also serves to more generally inform decision-making where heritage assets may be affected.

4.3 The approach has further been informed by a pair of guidance notes produced by Historic England, which give advice on how the historic environment should be approached in the Local Plan process. These guidance notes are:

- Good Practice Advice Note: The Historic Environment in Local Plans<sup>5</sup>

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<sup>1</sup> The Local List of Architectural and Historic Significance for Wycombe District (WDC)

<sup>2</sup> See WDC website: Conservation Areas

<sup>3</sup> See BCC website: Unlocking Buckinghamshire's Past

<sup>4</sup> Buckinghamshire and Milton Keynes Historic Landscape Characterisation (BCC 2006)

<sup>5</sup> The Historic Environment in Local Plans (HE 2015)

- The Historic Environment and Site Allocations in Local Plans<sup>6</sup>

- 4.4 The historic environment is one of the main criteria used within the process of Sustainability Appraisal of the Local Plan<sup>7</sup>. Section 8.5<sup>8</sup> gives particular consideration to the role of the historic environment in the whole plan, with specific reference to the two policies focusing on the historic environment.
- 4.5 The sustainability appraisal concludes that it is difficult to assess the impact of proposals within the Local Plan on the historic environment, noting the potential for residual positive effects as well as negative ones in some localised areas. The sustainability appraisal concludes that the residual effects of the Local Plan as drafted are uncertain at the time of assessment and will depend on the implementation of the proposed development and policies.

## 5.0 Consultation

- 5.1 The key duty to cooperate body for heritage and the historic environment is Historic England (formerly known as English Heritage). Other key stakeholders for the historic environment included local interest and community groups, who often raised heritage issues based on local knowledge. Historic England and these groups were consulted at each stage of the development of the Wycombe District Local Plan.
- 5.2 A key theme running through consultations such as the Winter 2012 consultation, the Local Plan Options Consultation 2014, and the draft Local Plan 2016 was the correct balance between having a local historic environment policy and not duplicating national policy set out in the National Planning Policy Framework. In particular in the Options Consultation (2014) there was a strong feeling put forward suggesting there was no need for a specific heritage policy, leading to the draft Local Plan (2016) not containing a dedicated heritage policy

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<sup>6</sup> The Historic Environment and Site Allocations in Local Plans Historic England Advice Note 3 (HE 2015)

<sup>7</sup> Sustainability Appraisal/Strategic Environmental Assessment: The Wycombe District Local Plan Scoping Report October 2013

<sup>8</sup> Sustainability Appraisal (SA) of the Publication (Regulation 19) Draft of the Wycombe District Local Plan SA Report September 2017

but instead putting forward that heritage issues would be determined solely in line with national policy.

- 5.3 This approach provoked a response from Historic England, who strongly advocated the inclusion of specific historic environment policies. As a result, following the draft Local Plan consultation (2016) we have worked with Historic England to develop specific policies relating to the historic environment; a strategic policy with the positive approach set out in the NPPF, and a development management policy which is intended to set out how the strategy for the historic environment should be applied practically to the determination of planning applications.
- 5.4 Other issues raised around the historic environment throughout our consultation exercises focused on the impacts on individual heritage assets. These comments have been considered on a case-by-case basis and in some instances have helped to inform and refine the approach to individual site allocations policies.

## 6.0 Key issues / challenges

- 6.1 The key issue that we have needed to address in our approach to the historic environment has been finding the correct balance between having a locally appropriate policy for the historic environment, and not simply repeating national planning policy set out within chapter 12 of the NPPF.
- 6.2 A related issue which emerged through our later discussions with Historic England was to what degree our approach should be directed at aiding and informing local decision making in the development management process, versus incorporating a strategic policy to inform local area policies.
- 6.3 A balance has been struck in individual site allocations, and the degree to which specific issues need to be included within their policies relating to the approach to the historic environment.

## 7.0 How the issues have been resolved

- 7.1 Throughout the development of the new Wycombe District Local Plan, different options have been considering in respect to the approach to the historic environment.
- 7.2 The initial solution to this issue, based on the strong response received to the Local Plan Options Consultation (2014) in favour of not duplicating national policy, was to incorporate a policy (DM20, matters to be determined in accordance with national policy) into the draft Local Plan (2016) which referred to national policy when considering schemes with an impact on the historic environment. Specific reference to conserving and enhancing the historic environment at a strategic level were incorporated with policy CP8 sense of place, and within the area principles sections at the start of each site-specific chapter.
- 7.3 Using examples of best practice and with the input of our conservation officer, we developed two new policies off the back of Historic England’s suggestions. The first was a strategic level policy, setting out in planning policy terms our approach for enhancing the understanding, conservation, and enjoyment of the historic environment. This policy took the place of the historic environment portion of the draft Local Plan’s sense of place policy. A second policy was added into the development management section of the plan. This policy sets out the practical side of our approach to the historic environment, and gives direction to our development management colleagues when they consider applications affecting the historic environment.
- 7.4 Further adjustments to our individual site allocations policies have been made throughout the plan making process to refine how individual sites should give consideration to specific heritage assets or other issues related to the historic environment.

## 8.0 Conclusions

8.1 As a result of the ongoing dialogue during the production of the plan and consideration of national policy and guidance the Council has included in the publication version of the new Local Plan:

- **Policy CP11 Historic Environment which sets out the strategic approach to the historic environment.**
- **Policy DM31 Development Affecting the Historic Environment which sets out the framework for determining applications for development affecting the historic environment.**

8.2 Including these two policies ensures that the overall approach follows national policy, including translating into our Local policy the national framework on requiring developments affecting the historic environment to demonstrate an understanding of the character and other features of interest, securing the preservation of buildings at risk, and only permitting loss in exceptional circumstances and where the new development permitted will proceed.