



Historic England

Plymouth and West Devon Joint Local Plan

EXAMINATION IN PUBLIC

**MATTER 8: Policy Area Strategies:
Thriving Towns and Villages
(8.2, 8.3 and 8.5 POLICY TTV29)**

8th January 2018

Issue - Does the JLP provide a robust framework for the management and delivery of development across the Thriving Towns and Villages Policy Area (TTVPA) that is justified, effective and consistent with national policy?

1. Introduction

- 1.1 Paragraph 2 of the National Planning Policy Framework states that the Framework “*must be taken into account in the preparation of local plans*”. Paragraph 151 requires Local Plans to be “*consistent with the principles and policies set out in this Framework*”. One of the four “tests” of soundness is that the plan should be consistent with national policy and another is that it should be justified or based on a robust and credible evidence base (paragraph 182).
- 1.2 Historic England considers that the Local Plan as submitted fails to be consistent with national policy as set out in the National Planning Policy Framework in respect of the historic environment and neither is it based on a robust and credible evidence base.

2. Historic England’s Case

- 2.1 The National Planning Policy Framework (NPPF) contains a number of requirements as regards local plans and the historic environment: a general requirement and five specific requirements.
- 2.2 Paragraph 151 of the Framework explains that Local Plans must be prepared with the objective of contributing to the achievement of sustainable development and paragraph 9 explains that: “*Pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment...*”.
- 2.3 Paragraph 126 states “*Local planning authorities should set out in their Local Plan a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats;*
- 2.4 Paragraph 156 states “*Local planning authorities should set out the strategic priorities for the area in the Local Plan. This should include strategic policies to deliver the conservation and enhancement of the historic environment*”.
- 2.5 Paragraph 157 states “*Crucially, Local Plans should “contain a clear strategy for enhancing the natural, built and historic environment” and “identify land where development would be inappropriate, for instance because of its environmental or historic significance*”.
- 2.6 Paragraph 169 requires local planning authorities to have “*up-to-date evidence about the historic environment in their area and use it to assess the significance of heritage assets and the contribution they make to their environment*”.

- 2.7 Subject to the proposed amendments being agreed to Policies Dev 21 and 22, in the Statement of Common Ground between the Joint Authorities and Historic England, we are satisfied that paragraph 156 of the NPPF's requirement for a strategic policy for the conservation and enhancement of the historic environment is met.
- 2.8 The Dartington Estate consists of a high number of listed buildings 42 which are highly graded nationally important historic assets. Covering a range of periods from the mediaeval remains which are '*amongst the most extensive surviving establishment of a great secular magnate*', through to the 1930s buildings, which are some of the first examples in the country of the international modern style. To name a few, they include the Grade I listed Hall, High Cross House, the grade II* listed former headmaster's house, the scheduled church tower of St Mary. The Estate is set within the Dartington Hall park which is a grade II* Registered Park and Garden.
- 2.9 Many of these historic assets are either unused, in a poor state of repair, are vulnerable or in need of maintenance and so are at risk. The site allocations propose 150 homes, along with a range of mixed uses on brownfield sites (e.g. car parks) and undeveloped land in the Registered Park and Garden.
- 2.10 Along with the physical impact of the developments upon the historic assets and their settings, there is no certainty that the assets at risk would benefit from the development in terms of repair, maintenance and reuse. Moreover, the loss of car parking for development and a lack of a parking strategy across the landscape is likely to exasperate that harm. Another issue of wider concern is that the risk of fragmentation of the core of the estate through parcels of land within it being developed and sold off. The developments proposed and associated development is therefore likely to substantially harm the historic assets.
- 2.11 As explained in our representation on Policies TTV29 (parts 4 and 5) at the Publication Stage of the Local Plan, Historic England is not satisfied that the sites are underpinned by an adequate, up-to-date and relevant historic environment evidence base to justify the level of housing and therefore does not satisfy paragraph 169 of the NPPF.
- 2.12 Historic England's Good Practice Advice in Planning Note 1, *The Historic Environment in Local Plans*, published in October 2015, <https://historicengland.org.uk/images-books/publications/historic-environment-and-site-allocations-in-local-plans/> explains that "*The level of detail required in a site allocation policy will depend on aspects such as the nature of the development proposed and the size and complexity of the site (NPPF, paragraph 154 and 157). However, it ought to be detailed enough to provide information on what is expected, where it will happen on the site and when development will come forward including phasing. Mitigation and enhancement*

measures identified as part of the site selection process and evidence gathering are best set out within the policy to ensure that these are implemented.”

- 2.13 Without this evidence or its application we suggested that the Council consider whether it would be appropriate to identify land where development would be inappropriate for its historic significance (in accordance with paragraph 157 of the NPPF) when preparing the Local Plan. Sites TTV29, 4 and 5 (Dartington Hall and Foxhole) relating to Dartington should be deleted from the policy as the allocations does not respond to the evidence base that has been undertaken and the allocations are likely to cause substantial harm to the historic assets on the Dartington Estate.
- 2.14 Furthermore, in their current form, our concerns with the Local Plan relate to the requirements of paragraphs 126 and 157 of the Framework, for a positive strategy for the conservation and enjoyment of the historic environment and a clear strategy for enhancing the natural, built and historic environment.
- 2.15 Historic England believes that it is clear from these requirements (and others) that the Government is expecting local planning authorities, through their Local Plans, to actively deliver the conservation and enhancement of the historic environment. The Government’s use of the words and phrases “*seeking positive improvements*”, “*positive strategy*”, “*deliver the conservation and enhancement*” and “*a clear strategy for enhancing*” all demonstrate that it is not sufficient for local planning authorities to be passive or merely reactive in the conservation and enhancement of their historic environment.
- 2.16 However, as submitted, Historic England does not consider that the Draft Plan fully contains or demonstrates a “positive” or “clear” strategy for the conservation, enjoyment and enhancement of the Dartington Estates rich historic environment.
- 2.17 In recent discussions with the Authorities’ and the Dartington Estate it is envisaged that appropriate development could realise funds for operational and capital investment and the generation of a sustainable income stream for re-investment, including in its historic buildings and landscape. Historic England agrees that appropriate development is needed to secure the long term financial sustainability of the Trust and the future of the Estate, including the safeguarding and enhancement of its heritage assets. In its current form the policy does not pay special attention to, and be informed by, the Estate’s heritage assets and neither is consideration given to opportunities for the enhancement of their setting.
- 2.18 It is believed that the Estate can be financially sustainable and that it should be capable of generating operating surpluses and positive cash flows for re-investment, including in the maintenance and conservation of its heritage/landscape assets in accordance with their significance. To reach this position, the Trust recognises it must implement a strategy for transformation.

To this end there is a recognition that the preparation of an *Estate Framework* may be able to demonstrate particular material considerations that justify development outside settlement boundaries. This might include the need for development to generate sufficient funds for operational/capital investment and a sustainable income stream for re-investment, including on heritage assets to provide for their long term use, and for repairs and maintenance that will sustain them in the long term and allow them to come back in to use.

- 2.19 In Dartington's case this has a clear spatial implication in housing, employment and transport and requires appropriate policy framework to accommodate this.
- 2.20 It is hoped that an appropriate high level policy and commitment from parties would allow the Estate Framework to combine both spatial and business elements. The aim would be to provide a comprehensive plan for how the Trust will organise its current and future buildings and outline the infrastructure and services that will be provided. It will also outline how income generated from development will be used to secure the long term future of heritage assets including plans for their long term use and provisions for repairs that will sustain them in the long term and allow them to come back in to use.
- 2.21 It is Historic England's view that a positive and clear strategy for the conservation, enjoyment and enhancement of the historic environment does not simply comprise of a strategic policy or policies. It should consist of a recognition of the importance of the historic environment to the character, economy and quality of life of the Plan area through the vision and objectives and references throughout the Plan and in this particular case the Dartington Estate policy.
- 2.13 Historic England's Good Practice Advice in Planning Note 1 *The Historic Environment in Local Plans*, published in March 2015 (<https://content.historicengland.org.uk/images-books/publications/gpa1-historic-environment-local-plans/gpa1.pdf>) , explains that "As part of a sound conservation strategy, policies for local housing, retail and transport, for example, may need to be tailored to achieve the positive improvements in the historic environment that the NPPF expects (NPPF, Paragraph 8). Conservation is certainly not a stand-alone exercise satisfied by stand-alone policies that repeat the NPPF objectives." The Note then explains that the local plan might need to consider the inter-relationship of the objectives for the historic environment with a number of potential other topics in local plans.
- 2.14 We accept that there are a number of references to the historic environment elsewhere in the Plan, which we welcome and support, but in regard to Dartington the Plan is now silent and does not fully comprise a positive or clear strategy. We have therefore identified a number of other paragraphs and policies in which we would consider that a reference to the historic environment would contribute to a positive and clear strategy for the conservation, enhancement and enjoyment of the historic environment.

3. Historic England's Suggested Modifications

- 3.1 Dartington – The current approach being considered is to delete the TTV29.4 and TTV29.5 and create an overarching strategic policy and approach for the Dartington Estate. It is intended that this could be in the form of a Statement of Common Ground between Historic England, the LPA and the Estate, and if added to the Plan, would result in a sound plan providing a clear strategy for the historic environment and providing for the sustainable development of the Dartington Estate.
- 3.2 In our original representations we suggested additional references to the historic environment (particularly in respect a number of sites and the core Policies Dev 21 and 22). These have since been further amended and included in the Statement of Common Ground signed by the LPAs and Historic England. If added to the Plan, this would, in our view, result in the Plan containing the positive and clear strategy required by the NPPF. We would then consider the Plan to be sound in this respect, with the exception of the policies relating to Dartington.

4. Conclusion

- 4.1 With reference to the five specific requirements of the NPPF for Local Plans (as set out above) Historic England considers that the Pre-Submission Local Plan does not quite adequately set out a positive and clear strategy for the conservation, enhancement and enjoyment of the historic environment at Dartington.
- 4.2 The current approach being considered for the Dartington Estate Policies is to delete TTV29.4 and TTV29.5 and incorporate them into an overarching strategic policy for the Dartington Estate which we hope to present as a 3 way Statement of Common Ground (SoCG) between the Historic England, the LPAs and the Dartington Estate.
- 4.3 With regards to the rest of the Plan, we believe that it would be reasonably easy to amend the Plan to accord with the requirements of the National Planning Policy Framework, as we have suggested in the signed SoCG with the Council.

ⁱ Pevsner, 1991 reprint.