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## **Proposed Reforms to the National Planning Policy Framework and Other Changes to the Planning System**

### **Historic England Response**

#### **OVERVIEW**

- **Welcome Changes:** Historic England welcomes many of the changes in the draft National Planning Policy Framework (NPPF), including the increased clarity regarding the range of effects that proposals can have on heritage (Q188), and the role of applicants in assessing significance and the effect of proposals upon it (Q188); the greater prominence for non-designated heritage assets (NDHAs) and local lists (Q3 and Q187); the confirmation that securing the long-term reuse of a vacant or underused listed building is a public benefit (Q189 and Q191); and the encouragement of appropriate energy efficiency and low carbon heating measures (Q43 and Q189).
- **Sustainable, Plan-Led Development:** whilst the focus on meeting development needs is understood, Historic England does have some concerns regarding the new articulation of sustainable development, particularly in relation to the resulting change in the status and application of policy elsewhere in the NPPF, and the realignment of the current NPPF's balanced approach to economic, social and environmental objectives towards the economic (Q34, Q36, Q37, Q38, Q39 and Q40). Related concerns include the new policies which require the universal approval of a wide range of development proposals: it is not clear how these policies are to be weighed against those elsewhere, including in the heritage chapter, and they would seem to undermine the plan-led system (Q37, Q118, Q119 and Q120). Furthermore, use of the word 'approved' in certain policies gives an oversimplified steer for decision-making, which should balance multiple factors to reach the right outcome (Q37, Q38, Q189, Q190 and Q191).
- **Policy Weighting:** the consultation draft removes the different classifications of policy weight used in the current NPPF ('great', 'significant', and 'substantial') and uses only 'substantial'. This is a change for heritage policy, for which the term 'great weight' is currently applied (and regarded as having the greatest weight), and raises concerns for Historic England regarding a reduction in heritage protection, and the creation of tensions with both the high threshold set out in the statutory duty to have 'special regard' (which the policy has to date been assumed to satisfy) and the requirement under the World Heritage Convention to conserve World Heritage Outstanding Universal Value (OUV). It will be for government to satisfy itself that the use of 'substantial weight' in place of 'great weight' in heritage policy would be consistent with these existing obligations (Q5, Q182 and Q189).

- **Archaeology:** Historic England recommends further attention to the new archaeological policies, including some amendments if the requirements are to be clear and appropriate, and serve to de-risk large development sites. Particular areas for review include using clear and consistent terminology (Q3, Q189 and Q190), integrating Policy HE10 with other relevant policies (Q188 and Q190), acknowledging the public benefit arising from archaeology (Q189 and Q191), clarifying the policy regarding non-designated heritage assets of archaeological interest which are demonstrably of equivalent significance to scheduled monuments (Q189), and ensuring the NPPF adequately reflects the contribution of heritage (including archaeological remains) to effective place-shaping (Q9, Q16, Q82 and Q148).
- **The Role of Heritage in the Development Plan:** the division between plan-making and decision-making policies in the heritage chapter has resulted in some omissions, notably in relation to the benefits of capitalising on the historic environment (Q9 and Q187). Historic England's view is that heritage needs to be recognised as a strategic issue in relation to Spatial Development Strategies (SDSs; Q19), and the importance of evidence-led policy formulation needs to be recognised within the tests of soundness for SDSs and local plans (Q19, Q82, Q114, Q179 and Q187).
- **Viability and Reuse:** Historic England notes that reference to optimum viable use has been removed from heritage policy. This can only be supported if it is replaced with the term 'uses consistent with their conservation', to avoid weakening heritage protection. Reference in selected policies to 'use consistent with the conservation of the asset' will provide clarity for developers, and better support the delivery of one of the twelve key policy changes outlined in the consultation documentation, i.e., 'taking a more positive approach to the use of heritage assets' (Q187, Q189 and Q191).
- **Development in Residential Curtilages:** the proposal in Policy L2 to create additional homes 'by using the airspace above existing residential and commercial premises, or through sensitive redevelopment or additional development within existing plots' is of some concern, as it poses risks for areas with sensitive character, including within conservation areas and World Heritage Sites, and in the setting of other heritage assets. Historic England proposes that a policy encouraging a positive consideration of the scope for such development, with reference to the significance of affected heritage assets and the character of the area, would both give certainty that this is a matter to be dealt with, and also enable the local authority to tailor the development according to the area and its needs (Q118, Q119 and Q120).
- **The Public Benefit of the Conservation of the Historic Environment:** Historic England has suggested a number of changes to the draft NPPF to underscore that the historic environment is itself a lever for public benefit (Q187, Q189 and Q191).
- **Related Policy and Guidance:** changes to the NPPF will inevitably require parallel changes to National Policy Statements (NPSs) and other articulations of national planning policy, in the interests of clarity and consistency. The changes in national planning policy will also require significant changes to the Planning Practice Guidance (PPG), not least in relation to the understanding and successful implementation of heritage policy and the appropriate consideration of heritage in plan-making: Historic England offers its assistance with the update of the relevant text.

## HISTORIC ENGLAND

*Historic England is the government's statutory adviser on all matters relating to the historic environment in England, including the marine planning area. We are a non-departmental public body established under the National Heritage Act 1983 and sponsored by the Department for Culture, Media and Sport (DCMS). We champion and protect England's historic places, providing expert advice to local planning authorities, developers, owners and communities to help ensure our historic environment is properly understood, enjoyed and cared for.*

*Historic England welcomes the opportunity to respond to the consultation on proposed reforms to the National Planning Policy Framework and other changes to the planning system.*

## CHANGES TO STRUCTURE AND CONTENT

### **2) DO YOU AGREE WITH THE NEW FORMAT AND STRUCTURE OF THE DRAFT FRAMEWORK WHICH COMPRISES SEPARATE PLAN-MAKING POLICIES AND NATIONAL DECISION-MAKING POLICIES?**

- *Partly agree.*
- *Summary of Historic England's response: whilst there are aspects of the new format and structure that are very much to be welcomed, further changes are needed in the interests of clarity, and to support the successful delivery of heritage policy.*
- With regard to plan-making and decision-making policies:
  - For the most part, the new structure introduces improved clarity and supports the successful implementation of policy.
  - There are some issues, but these can be readily addressed (discussed further in response to Q187 and Q191):
    - Some existing policies have relevance to both plan-making and decision-making, and their allocation to just one category can lead to an absence of the necessary coverage in the other: there will be some points in the NPPF where – in support of the 'genuinely plan-led system' referred to in paragraph 2 – restating of policy will be necessary.
    - Some policies do not fit neatly within either the plan-making or decision-making categories. This suggests there may be a need for an overarching policy category within the NPPF; alternatively, policies will need to be repeated, and included in both categories, as above.
  - The numbering of policies is very much welcomed.
- Paragraph 10 states that the objectives at the start of each chapter are 'for context only and should not be applied as either plan-making or decision-making policy'. They will still be cited regularly, but, with no formal status, will largely just prove confusing. They are redolent of the core planning principles in the original 2012 NPPF (which were soon dropped): the heritage objective in the draft NPPF has the same text, in fact, with some additions. It is suggested that the objectives be removed, and pertinent text reinstated within policy as appropriate.

- Paragraph 13 clarifies the status of the PPG. Whilst this clarification is welcome, it will be important to ensure that the text necessary to support the successful delivery of heritage policy is retained (and of course updated as necessary). This is particularly the case in relation to World Heritage Sites, where the current PPG text has been critical in supporting understanding. Historic England offers its assistance with the review and updating of the relevant text.
- The loss of reference to planning policies and decisions needing to ‘reflect relevant international obligations and statutory requirements’ is of some concern (currently set out in paragraph 2 of the 2024 NPPF): this is critical in demonstrating how the obligations under the World Heritage Convention are implemented within the national policy framework, and should be reinstated.

### **3) DO YOU AGREE WITH THE PROPOSED SET OF ANNEXES TO BE INCORPORATED INTO THE DRAFT FRAMEWORK?**

- *Neither agree nor disagree.*
- *Summary of Historic England’s response: the clarification of the status of the NPPF annexes as policy is welcomed, but a number of detailed changes to Annexes B and C are needed to support the successful delivery of heritage policy.*
- Paragraph 9: the clarification of the status of the NPPF annexes as policy is welcomed.
- Comments on individual annexes are set out below.

#### **ANNEX B: GLOSSARY**

- *Ancient woodland*: Historic England welcomes the inclusion of (infilled) ancient wood pasture and parkland.
- *Heritage interests*: whilst the retention of the definition of archaeological interest is welcomed, the continued omission of the other constituent interests within the Glossary’s definition of significance (architectural, artistic and historic) remains an obstacle to the clear understanding and application of policy. These are defined within the PPG, but not signposted within the NPPF. The addition of a number of natural environment terms to the Glossary suggests that the overall intention is to make the NPPF as useable as possible, and this change would ensure a consistent approach.
- *Buffer zone*: with the welcome introduction of reference to World Heritage Site buffer zones to policy, it would be helpful to add the definition currently contained in the PPG to the Glossary, in the interests of clarity:

*A buffer zone is defined as an area surrounding the World Heritage Site which has complementary legal restrictions placed on its use and development to give an added layer of protection to the World Heritage Site. The buffer zone forms part of the setting of the World Heritage Site. [033 Reference ID: 18a-033-20190723]*

- *Designated heritage asset*: detailed amendments are proposed in response to Q189.
- *Green infrastructure*: the clarification regarding the inclusion of parks and gardens, etc., is welcomed, but it would be beneficial to note that the features listed are examples and that the list is not exhaustive.

- *Heritage asset:*
  - Given the importance of heritage assets to the application of policy for conserving and enhancing the historic environment, the definition of the term is important, particularly given the increased prominence given in the revised NPPF to local lists. The existing definition is known to have caused significant confusion in practice, and the addition of the phrase ‘but is not limited to’ compounds this lack of clarity. If the intention here is to refer to the other routes to the identification of non-designated heritage assets (including by bodies producing neighbourhood plans), that could usefully be clarified; if the intention is instead for other sites and structures to be regarded as heritage assets and subject to NPPF policy, that could also usefully be spelled out here and addressed fully in policy. Either way, it would be best to refer to non-designated heritage assets here, rather than local lists. The PPG is much clearer on this point, including in relation to the way in which non-designated heritage assets are identified and defined. Suggested amendments are therefore as follows:

*Heritage asset: A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. ~~It includes but is not limited to designated heritage assets and assets identified by the local planning authority (including local listing).~~ **Heritage assets are either designated heritage assets or non-designated heritage assets (the latter being identified by plan-making bodies).***

- A related change is to clarify footnote 5, in Chapter 2. This refers to ‘plan-making authorities’ and ‘plan-makers’; it would be helpful to confirm that the latter equate to the ‘plan-making bodies’ identified in the PPG as able to identify non-designated heritage assets.
- *Historic Environment Record:* consistent capitalisation of the term is needed throughout the document. Historic England’s preference is ‘Historic Environment Record’.
- *Minerals of local and national importance:* the retention of reference to ‘local minerals of importance to heritage assets and local distinctiveness’ is welcomed.
- *Natural capital:* the inclusion of a definition for natural capital is welcomed. It would also be helpful to provide a definition of and link to ecosystem services, which are derived from the natural capital stocks and benefit people. A corresponding definition of culture and heritage capital is also needed, for which text is suggested below:

***Culture and heritage capital: stock of cultural and heritage assets (such as built heritage, historic environments, art collections, cultural institutions, traditions, practices and creative expressions) which provide benefits to people in the form of tangible things which may be marketed (such as visitor attractions, cultural venues and heritage-related goods and services) and less tangible services (such as sense of place, identity, education, wellbeing and enjoyment).***

- *Original building:* the definition of ‘original building’ contained in the 2024 NPPF has been omitted from the Glossary (although it does now appear in footnote 49). The definition provided clarity and consistency, particularly given the importance of this date in the

planning system (e.g. in relation to permitted development rights). There is discrepancy in its application, however, as it seems to be limited to Policy GB7. The new term ‘existing building’ is introduced elsewhere (e.g. in footnote 24 to S5, and footnotes 43 and 46 to L2 and L4, respectively): this states ‘the existing building is to be assessed as the property as existing on the date of the publication of this Framework’. As policies can change and uncertainties arise as to dating of buildings, reference back to ‘original building’ is much clearer and better understood.

- *Protected landscapes*: the inclusion of a definition is welcomed.
- *Substantial harm*: as noted in response to Q188, the incorporation of the PPG’s clarification of substantial harm in Policy HE5 2) c) is welcome, but would be better located within the Glossary:

***Substantial harm would occur where the development proposal would seriously affect a key element of the asset’s significance.***

- *Sustainable growth*: as discussed further in response to Q36, a definition of the term ‘sustainable growth’ is recommended, to include the relationship of sustainable growth to sustainable development.
- *Urban Greening*: the inclusion of a definition for Urban Greening – currently referred to in Green Belt policy – would be helpful.
- *World Heritage Sites and Outstanding Universal Value*:
  - As noted in relation to Policy HE8 (Q190), in light of the extension of the coverage of World Heritage Sites in policy, including greater reference to Outstanding Universal Value, a cross-reference between the Glossary entries for Significance and Outstanding Universal Value would be helpful.
  - With the welcome introduction of reference to World Heritage Site attributes to policy, it would be helpful to add a definition to the Glossary, in the interests of clarity (the text below is adapted from that contained in the PPG [031 Reference ID: 18a-031-20190723] and UNESCO’s own [Glossary entry](#), with additional reference to the wording of heritage policy in Chapter 20):

***Attributes: attributes are the tangible and intangible aspects of each individual World Heritage Site that are associated with its Outstanding Universal Value. They are derived from the adopted Statement of Outstanding Universal Value and represent key elements of the World Heritage Site’s significance.***

- Reference to World Heritage Site integrity and authenticity within policy (as we propose in response to Q190) would be very much welcomed, and, again, it would be helpful to add definitions to the Glossary, in the interests of clarity, drawing on UNESCO’s own Glossary entries for [authenticity](#) and [integrity](#):

***Authenticity: a World Heritage Site may be understood to meet the conditions of authenticity if its cultural values are truthfully and credibly expressed through a variety of attributes.***

***Integrity: integrity is a measure of the completeness or intactness of the attributes that are associated with the Outstanding Universal Value of a World Heritage Site.***

- The Glossary entries need putting fully into alphabetical order.

## **ANNEX C: INFORMATION REQUIREMENTS**

- Historic England welcomes the introduction of clear national guidance on information requirements, though some changes are needed to Annex C.
- As also raised in response to Q22, Policy DM2 1) suggests that Annex C of the NPPF summarises the information specified in the relevant national decision-making policies, for inclusion in local validation lists. DM2 2) only permits local validation lists to include additional information requirements 'if there is a policy in the development plan requiring a specific further assessment'. Whilst the requirement for additional information to be proportionate to the scale of development and its potential impact is supported in principle, Annex C does need extending in scope, or the provisions in DM2 made more flexible, if clarity is to be provided for applicants, and swift submission and determination of applications to be supported: Annex C does not currently reflect all the information required by national policy.
- Heritage-related omissions which need addressing are as follows:
  - The clear and convincing justification specified in HE4 2): this is a key part of the information needed in support of timely decision-making in line with policy.
  - The potential requirement for a desk-based assessment and field evaluation specified in HE5 5) where a development proposal involves, or has the potential to involve, heritage assets with archaeological interest: this requirement serves to increase certainty for applicants and reduce the risk of later (expensive) delays to project delivery. It is an essential component of validation lists. Note that the text proposed below for inclusion in Annex C reflects Historic England's recommended wording for Policy HE5 (including the insertion of the relevant provisions from Policy HE10).
  - The assessment of impact required in relation to World Heritage Sites, under Policy HE8 (note that the text proposed below for inclusion in Annex C reflects Historic England's recommended wording for Policy HE8).
- The suggested amendments to Annex C are therefore as follows:

POLICY THEME	NATIONAL DECISION-MAKING POLICY	INFORMATION REQUIREMENT
Heritage	<b>HE4: Securing the conservation and enhancement of heritage assets</b>	<b>A clear and convincing justification for harm to the significance of heritage assets.</b>
	<b>HE5: Assessing effects on heritage assets</b>	<b>Heritage impact assessment. Assessment of the significance of the</b>

		<b>asset(s) affected (including any contribution made by their setting) and of the potential effect(s) of the proposal(s) on their significance.</b>
		<b>Desk-based assessment and – where necessary – a field evaluation, where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest.</b>
	<b>HE8: World Heritage Sites</b>	<b>Assessment of impact (including cumulative impact) on the significance, attributes of Outstanding Universal Value, authenticity and integrity of the World Heritage Site (informed by appropriate information such as visual impact assessments and natural environment, archaeological or historical data).</b>

**CHAPTER 1: INTRODUCTION**

**5) DO YOU AGREE WITH THE PROPOSED APPROACH TO SIMPLIFYING THE TERMINOLOGY IN THE FRAMEWORK WHERE WEIGHT IS INTENDED TO BE APPLIED?**

- *Neither agree nor disagree.*
- *Summary of Historic England’s response: Historic England is concerned that the amended wording results in a change in the weighting to be applied: it will be for government to satisfy itself that policy across the NPPF will be properly understood and applied in relation to heritage assets, with the relevant legal duties complied with and obligations under the World Heritage Convention and other international treaties able to be discharged by the proposed wording.*

- The consultation document states on page 18 that ‘the current Framework uses a number of terms where the government expects weight to be given to particular matters (great, significant, substantial). In general, these are not intended to imply any sort of ‘weighting’ hierarchy, so we are proposing that ‘substantial’ is used throughout the document where positive weighting of this sort is intended’. On page 104 it states that the change from ‘great weight’ to ‘substantial weight’ in Policy HE6 ‘is intended to improve consistency in how weighting is applied across the draft Framework, rather than to signal any change in weighting to be given to the conservation of designated heritage assets’. Footnote 74 has been added ‘to clarify this’, but does not in fact do so, and, further, does not address how the reduced – or ‘consistent’ weighting – enables heritage policy to satisfy the relevant statutory duties (discussed further in response to Q189), and implement the obligations under the World Heritage Convention.
- With regard to the latter, the weight given to the conservation of World Heritage Outstanding Universal Value (OUV) in decision-making is of considerable importance to government’s engagement with UNESCO as a State Party to the World Heritage Convention, as a demonstration that the UK is implementing the obligations under the World Heritage Convention appropriately. To maintain its current position, the State Party would need to be able to demonstrate that, in the balancing of protection of OUV and the other benefits of development projects in order to achieve sustainable development, decision-making is appropriately weighted towards the requirement to conserve OUV for this and future generations. Retaining the current use of only ‘substantial weight’ may undermine the State Party’s arguments to UNESCO on this important issue. Substantial weight is now proposed to be the only weight in use, but it is not defined. The only other references to weight confirm that varying degrees can be applied (including ‘greater’, ‘due’ and ‘less’). The use of only substantial weight levels the playing field: the proposed consistency is itself a problem here. Notably, it reduces the great weight applied to conservation of designated heritage assets. The change also makes it unclear as to how to balance competing claims, when so much policy is to be given substantial weight. Further detail is sought on how balanced decisions should be taken (including that no policy area outweighs another in principle), and how weight should in fact be determined and applied: this could perhaps be addressed in the PPG.
- Historic England is concerned that the amended wording does result in a change in the weighting to be applied, as ‘great weight’ has long been understood to be the greatest weight. It will be for government to satisfy itself that policy across the NPPF will be properly understood and applied in relation to heritage assets, with the relevant legal duties complied with and obligations under the World Heritage Convention and other international treaties able to be discharged by the proposed wording.

## CHAPTER 2: PLAN-MAKING POLICIES

### 6) DO YOU AGREE WITH THE ROLE, PURPOSE AND CONTENT OF SPATIAL DEVELOPMENT STRATEGIES SET OUT IN POLICY PM1?

- *Partly disagree.*
- *Summary of Historic England’s response: the policy needs amending to recognise that heritage is a strategic as well as a detailed matter, not least in relation to supporting sustainable growth.*

- As drafted, Policy PM1 does not reflect that heritage considerations can be strategic in nature. This does not reflect the approach in the 2024 NPPF, where paragraph 20 d) explicitly recognises that heritage is a strategic issue to be addressed through strategic policies.
- This is further recognised in legislation:
  - Section 95 of the Levelling-up and Regeneration Act 2023 (not yet in force) sets out the content of the Spatial Development Strategy for London. This ‘must include a statement of the Mayor’s policies (however expressed), in relation to the development and use of land in Greater London, which are... (a) of strategic importance to Greater London, and (b) designed to achieve objectives that relate to the particular characteristics or circumstances of Greater London’: particular characteristics of Greater London include four World Heritage Sites, and a great number of other designated heritage assets.
  - Similar provision is made in relation to joint spatial strategies between authorities in Schedule 7 to the Levelling-up and Regeneration Act 2023 (not yet in force), and section 12D of the Planning and Compulsory Purchase Act 2004, which also requires Spatial Development Strategies to include a statement of the strategic planning authority’s policies in relation to the development and use of land in the strategy area which are of strategic importance to that area.
- Omitting the historic environment could result in missed opportunities for conservation and enhancement, and increase the chances of unnecessary repetition or, potentially, conflict on strategic heritage matters.
- The most important designated heritage assets in the country often have a far-reaching influence, which needs to be considered at a strategic scale. This is demonstrated by a recent study on the significance of [Windsor Castle](#) (a scheduled monument and Grade I listed building, plus numerous associated assets), which reveals the extent of its setting.
- We note that Policy HE2 sets an expectation for local plans to include a World Heritage Site policy; however, there may be circumstances when this would be best delivered by doing this in the upper tier of spatial planning.
- Without early recognition of heritage as a strategic issue, delivery of crucial infrastructure could be impacted at a later stage, resulting in delays and potentially additional cost.
- To address this issue, we propose the following additional criterion:

***Addressing strategic heritage issues and identifying opportunities for enhancement to support sustainable growth.***

## **9) DO YOU AGREE WITH THE ROLE, PURPOSE AND CONTENT OF LOCAL PLANS SET OUT IN POLICY PM2?**

- *Partly agree.*
- *Summary of Historic England’s response: to maintain appropriate protections, reference to the conservation of the historic environment is also needed within the policy, and more flexibility needed regarding the number of measurable outcomes, so that positive planning is not unduly constrained.*
- The reference to ‘improving the environment’ is welcomed.

- PM2 1) a) i) refers only to the vision articulating ‘how the area should change over the plan period’. As noted in response to Q36, below, protection is a facet of sustainable development and should also feature in local plans: plans should promote development while protecting the most sensitive environments and assets. Accordingly, Historic England proposes the inclusion of the following additional criterion:

***v) indicate how the area’s natural and historic environment will be conserved.***

- Helping to demonstrate the impact of local plans on the natural and historic environment, and alignment with proposed criterion v), we have a concern that limiting the number of measurable outcomes to ten risks arbitrarily hampering positive planning and the creation and delivery of a vision which is meaningfully specific to the area. We suggest that the following wording might be clearer:

*Setting out a vision for the plan area, supported by **sufficient** ~~no more than ten~~ measurable outcomes **to demonstrate delivery of that vision**, which....*

- PM2 1) b) does not acknowledge the wider requirements of Policy HE1 with regard to identifying an area’s heritage and setting out a positive strategy for its conservation, enhancement and enjoyment: that strategy will involve locally-specific policies, which may otherwise be precluded by PM2 1) d), as they may not relate to ‘support[ing] the delivery of specific allocated sites’. In this respect there is an inconsistency between Policies PM2 and PM5: Neighbourhood plans, as Policy PM5 explicitly refers to ‘conservation of local heritage assets’. There is a further tension between Policy PM2 and PM6: General principles for plan-making, as Policy PM6 is slightly broader in scope (see also the response to Q11, below).
- PM2 1) c) could usefully be amended to ensure the recognition of conservation and enhancement of the historic environment as a critical driver in place-shaping, growth and improving local areas for communities: there needs to be a greater acknowledgement that cultural provision (including heritage) is part of the essential infrastructure of places, and, in this regard, the term ‘infrastructure’ may be unhelpful. Areas in which contributions may be spent include heritage at risk, public access to and appreciation of heritage assets and their settings, and repair, maintenance and enhancement.

## **11) DO YOU AGREE WITH THE PRINCIPLES SET OUT IN POLICY PM6(1C), INCLUDING ITS PROVISIONS FOR PREVENTING DUPLICATION OF NATIONAL DECISION-MAKING POLICIES?**

- *Partly disagree.*
- *Summary of Historic England’s response: changes are sought to ensure that plans are able to make a full contribution to the delivery of sustainable development, including the maintenance of heritage protections; procedurally, further reference is needed to the importance of evidence in plan preparation, and to the role of statutory consultees.*
- Paragraph 16 of the 2024 NPPF begins by stating that plans should be prepared with the objective of contributing to the achievement of sustainable development, accompanied by a relevant footnote. These are important references, and align with paragraph 17 of the draft

NPPF. This text could be integrated relatively easily by adding a line to the opening of the policy (plus relevant footnote) as follows:

***Plans should be prepared with the objective of contributing to the achievement of sustainable development. All plan-makers should, in preparing plans....***

- *PM6 1) b):* the restrictions on local plan policies which extend beyond site-specific requirements risk weakening heritage protection and undermining local distinctiveness. The significance of heritage assets derives not only from their physical presence, but also from their setting. Local plans are essential for ensuring that significance is taken into account for the subsequent consideration and determination of applications. A ‘one-size-fits-all’ approach which does not take this into account risks creating generic frameworks that fail to address unique development pressures, and locally specific vulnerabilities/opportunities. Without locally tailored policies, planning authorities lose the flexibility to respond proactively, relying instead on broad national guidance that cannot capture the nuances of place. This would erode the ability of local plans to reflect local circumstances and protect what makes each area unique. PM6 1) b) would result in a gap in policy coverage between national and local levels, leaving little opportunity for locally specific, tailored local policies to be included other than those associated with a particular site, and reducing both the coherence of the local development plan strategy and the opportunity for mutually reinforcing socio-economic and environmental outcomes. We suggest the following amendment to enable Policy PM6 1) b) to assist in achieving sustainable development:

*b. Only include policies which extend beyond site or location-specific requirements where these are ~~necessary~~ **important to assist in achieving sustainable development in the plan area** and where plan makers consider there is a clear and justified reason for inclusion;*

This change would facilitate local approaches on heritage matters such as archaeological potential, local heritage lists and heritage at risk, and respond appropriately to local context; for example, informing development within the setting of highly designated assets (especially those with designed views) or tackling particular issues relevant to a specific conservation area. Also, fundamentally, it would help to sustain the importance of plan-led development, while avoiding duplication of national decision-making criteria. Should such a change not be considered practicable, we would welcome the opportunity to discuss guidance on the implementation of Policy PM6 1) b), explaining what ‘necessary’ could mean in heritage terms.

- *PM6 1) c):* retaining the longstanding requirement to avoid unnecessary duplication of national policy is itself supported, but the restriction imposed on duplication, restating, or modification by the inclusion of ‘unless directed by other policies in this Framework’ removes some of the reasonable flexibility necessary for local plans to respond appropriately to their local circumstances and needs (see also Policy PM16 b), and Policy PM17 2)).
- *PM6 1) d):* the 2024 NPPF refers to statutory consultees in paragraph 16 c). We recommend their inclusion in PM6 1) d) to avoid any confusion about the role of statutory consultees in the plan-making process. Similar wording could also be added to policy PM7 1) d).

- *PM6 1) f): we support the need for plans to be accessible and comply with data standards. We are aware that the government's digital planning ambitions go beyond the format in which plans are published, to include how they are developed: this should continue to be explored through associated guidance.*
- *A cross reference in PM6 to Policy PM8: Evidence for plan-making would underscore the importance of evidence from the outset of the plan preparation process.*
- *Please also see the response to Q9 in relation to tensions between Policies PM2 and PM6 (above).*

## **12) DO YOU AGREE WITH THE APPROACH TO INITIATING PLAN-MAKING IN PM7?**

- *Partly disagree.*
- *Summary of Historic England's response: further reference is needed to the importance of evidence in plan preparation, and to the role of statutory consultees.*
- *As touched on in response to Q11, above, reference is also needed here to the importance of evidence in plan preparation. Early determination of the evidence available and needed can ensure that the necessary information is in place to support timely plan preparation. As a minimum, the policy should include a cross-reference to Policy PM8.*
- *Having recommended the expansion of PM6 to refer explicitly to statutory consultees (an important point on which to be clear), there is an opportunity also to revise PM7 1) d) to align with phrasing in PM6 1) d).*

## **13) DO YOU AGREE WITH THE APPROACH TO THE PREPARATION OF PLAN EVIDENCE SET OUT IN POLICY PM8?**

- *Partly agree.*
- *Summary of Historic England's response: changes are sought in support of evidence-gathering in plan preparation, to ensure that heritage is properly addressed in a timely and proportionate manner.*
- *Historic England welcomes national policy on the evidence for plan-making and would be happy to work with government on the types of evidence needed in relation to the historic environment, and how it may most effectively and economically be gathered and applied. The current PPG provides some helpful references in this regard, with specific reference to the historic environment (e.g. 'planning policies need to be based on up-to-date evidence about the [historic environment](#) in their area.... Authorities may draw on a wide range of evidence sources, including the relevant Historic Environment Record, the National Heritage List for England, conservation area management plans and appraisals, and local consultations that have identified assets of local historic importance').*
- *We note that the tools and templates referenced in criterion 2) d) are limited to those published by the Secretary of State and do not appear to empower plan-making bodies to benefit from the advice published by arms-length bodies such as Historic England. We highlight serious concerns about the extent to which existing plan-making guidance accessible via the new hub connects with the historic environment and would welcome the opportunity to engage further with government in adding relevant key details.*

- Given the importance of new development to the NPPF, it would be helpful to include a new criterion in PM8 2) that focuses on site allocations.
- Changes proposed in response to the above include the following:
  2. *To achieve this, plan-makers should:*
    - a. *Draw upon existing evidence, and update this where appropriate, before preparing or commissioning wholly new evidence (which should be done only where necessary);*
    - b. *Consider using relevant evidence produced by other plan-makers, where doing so could avoid duplication and support alignment between plans;*
    - c. *Where appropriate, work jointly with neighbouring or other relevant plan-makers to prepare evidence, particularly relating to cross-boundary matters and where a joint approach could support improved cooperation;*
    - d. ***Draw upon relevant evidence sources referred to in topics set out in this Framework;***
    - e. *[was d)] Make use of any relevant standardised tools, methods and templates published by the Secretary of State, as appropriate to the type of plan being prepared; and*
    - f. *[was e)] Not prepare new or additional evidence after a plan has been submitted for examination, unless requested to do so by an appointed Inspector or examiner; and*
    - g. ***Assess the implications of proposed new site allocations in a manner proportionate to the scale of development and its potential impacts.***

#### **14) DO YOU AGREE WITH THE APPROACH TO IDENTIFYING LAND FOR DEVELOPMENT IN PM9?**

- *Partly agree*
- *Summary of Historic England's response: in the interests of clarity and the maintenance of appropriate heritage protections, changes are sought to ensure that heritage is properly addressed.*
- The new national guidance on plan-making has a key role here and currently its references to the historic environment do not adequately cover what is needed. The historic environment is referenced in content on the [vision](#) for plans, which is a good start, but is regrettably missing from key aspects of [site assessment](#) and [evidence gathering](#). Policy PM9 will only operate as intended if the supporting guidance adequately considers key issues. Historic England would be happy to work with government on related guidance.
- It could usefully be clarified that Policy PM9 should apply not only to local plans but also to minerals plans. Paragraph 223 of the 2024 NPPF requires planning policies to set out criteria or requirements to ensure that permitted and proposed operations do not have unacceptable adverse impacts on the natural and historic environment or human health, taking into account the cumulative effects of multiple impacts from individual sites and/or a number of sites in a locality. We underscore the importance of this provision, which could be integrated here if not in Policy M1.

#### **15) DO YOU AGREE WITH THE POLICIES ON MAINTAINING AND DEMONSTRATING CROSS-BOUNDARY COOPERATION SET OUT IN POLICY PM10 AND POLICY PM11?**

- *Partly disagree.*
- *Summary of Historic England's response: to maintain the appropriate protections, reference to heritage is sought in relation to cross-boundary cooperation.*
- Neither policy makes any reference to addressing cross-boundary opportunities to conserve or enhance any aspect of the environment, including the historic.
- This is of particular relevance in relation to World Heritage Sites, where cooperation between local planning authorities to ensure consistent and equivalent protection for cross-boundary World Heritage Sites is necessary to support consistent implementation of the World Heritage Convention.
- This policy has the scope to be far more supportive of cross-boundary partnership working (linked to the requirements of 'soundness' under Policy PM14) that would facilitate working towards wider government environmental targets and outcomes, including nature recovery, which should be considered in parallel with positive heritage outcomes.

**16) DO YOU AGREE THAT POLICY PM12 INCREASES CERTAINTY AT PLAN-MAKING STAGE REGARDING THE CONTRIBUTIONS EXPECTED FROM DEVELOPMENT PROPOSALS?**

- *Partly agree.*
- *Summary of Historic England's response: changes are proposed to ensure the appropriate recognition of the historic environment, particularly in relation to enabling development.*
- Policy PM12 2) a)-c) sets out an appropriate list of policy types for which contributions may be appropriate.
- As also addressed in the response to Policy PM2 (Q9, above), reference could usefully be made to the conservation and enhancement of the historic environment as an area for which contributions are relevant. The historic environment is a critical driver in place-shaping, growth and improving local areas for communities, and is part of the essential 'infrastructure' of places.
- In particular:
  - Reference is needed to enabling development proposals, to cover scenarios where enabling development is proposed to secure the future of heritage assets. The requirements of HE4 4), and the wider requirements of Chapter 20 and the remainder of the NPPF would need to be considered as part of the assessment of the proposal, and it may be helpful to include further guidance and clarification regarding this within the PPG, so that it is clear that this is only applicable in limited scenarios and that the achievement of sustainable development is still the goal.
  - The policy could usefully be expanded to include defined cost recovery for monitoring obligations (e.g. section 106 obligations and conservation covenants).
- The following amendments are therefore proposed:
  1. *Development plans should, at the most appropriate level, set out the contributions expected from development to support the delivery of the plan.*
  2. *These policy requirements may apply to different areas covered by the plan. This includes:*

- a. *Plan-wide policies;*
  - b. *Policies for strategic sites which are critical to the delivery of the plan; and*
  - c. *Policies for different types or location of site or types of development.*
3. *Policy requirements should:*
- a. *Include the levels and types of affordable housing provision required (with reference to policy HO5), along with other infrastructure required;*
  - b. *Be set at a level that allows for the planned types of development and sites to be deliverable, maximising certainty and reducing the need for viability assessment at the decision-making stage;*
  - c. *Be clear so that they can be accurately accounted for in the price paid for land. To provide this certainty, affordable housing requirements should be expressed as a single figure rather than a range;*
  - d. ***Be clear as to whether there will be any cost recovery for monitoring of developer contributions.***
4. *Plans should set out the circumstances in which review mechanisms will be used for development proposals where contributions are proposed to be reduced below the requirements set out in plan policies. **This may also extend to enabling development proposals.** Plans should clearly set out the processes and terms of engagement regarding how and when viability will be reassessed over the lifetime of the development to maximise policy compliance.*

**19) DO YOU AGREE THAT THE TESTS OF SOUNDNESS SET OUT IN POLICIES PM14 AND PM15 WILL ALLOW FOR A PROPORTIONATE ASSESSMENT OF SPATIAL DEVELOPMENT STRATEGIES, LOCAL PLANS AND MINERALS AND WASTE PLANS AT EXAMINATION?**

- *Strongly disagree.*
- *Summary of Historic England's response: to support good planning, and the maintenance of heritage protections, changes are sought to ensure the use of appropriate, proportionate evidence.*
- **PM14:**
  - *PM14 2) b): The removal of the 'justified' test which is found in paragraph 36b) of the 2024 NPPF means that there is no reference to evidence in Policy PM14 (despite Policy PM8, which deals with evidence for plan-making). This neglects the essential role that evidence plays in effective plan-making, and risks poor heritage and environmental outcomes from spatial development strategies. In the absence of proportionate evidence, there is also a significant risk of missed opportunities to use heritage as a*

driver for regeneration and to deliver well-designed, sustainable places that respond to local character and long-term needs.

- The need for evidence-based planning will be particularly important when it comes to new SDSs: these plans will need to address complex, cross-boundary issues with long-term implications for housing, infrastructure, and the environment. Without robust evidence, allocations risk being misaligned with actual needs, leading to inappropriate development in sensitive historic landscapes or under-provision where growth is required. Strategic heritage considerations, such as cumulative impacts, cannot be properly assessed without an understanding of the issues, place, context, setting and significance, increasing the likelihood of irreversible harm. Sub-regional plans/SDSs must integrate – amongst other things – transport, utilities, and green infrastructure; removing the justification test risks this coordination, which itself risks fragmented growth. The absence of evidence also weakens cross-boundary consistency, potentially creating conflicting policies and eroding regional and local identity. Without the soundness test, strategic plans may prioritise short-term goals over long-term sustainable placemaking, missing out on heritage-led regeneration opportunities and encouraging more generic, low-quality environments across entire regions.
- A suggested amendment is set out below:

*b) Appropriate – the strategy sets out an appropriate strategy to enable the delivery of sustainable development, – taking into account reasonable alternatives, the 10 Year Infrastructure Plan, the National Industrial Strategy, any relevant Local Growth Plan and other relevant strategies – **and is based on proportionate evidence;***

- **PM15:**

- *PM15 1) b):* The removal of the ‘justified’ test from paragraph 36b) of the 2024 NPPF means that there is no reference to evidence in Policies PM14 and PM15. This neglects the essential role that evidence plays in effective plan-making, and risks poor heritage and environmental outcomes from local plans and minerals and waste plans.
- Heritage assets and historic environments can be complex, requiring decisions to be informed by robust evidence that properly assesses their significance, setting, and cumulative impact. In the absence of this evidence-based approach, plans may become arbitrary and lack transparency or accountability. This might lead to unsuitable development in sensitive places, erode local character, and result in missed opportunities for heritage-led regeneration. Evidence-based planning ensures sustainable growth by balancing housing, infrastructure, and environmental constraints, whilst removing this safeguard increases the likelihood of over-allocation, congestion, and fragmented development. The absence of ‘justification’ risks legal challenges, creating uncertainty and delays. Weakening the tests of soundness risks shifting planning away from a principled, evidence-driven system toward one vulnerable to expediency, which in turn may have the unintended consequence of harming heritage and producing low-quality, incoherent places.
- A suggested amendment is set out below:

*b) Appropriate – the plan sets out an appropriate strategy to enable the delivery of sustainable development, taking into account reasonable alternatives, **and is based on proportionate evidence;***

**20) DO YOU HAVE ANY SPECIFIC COMMENTS ON THE CONTENT OF THE PLAN-MAKING CHAPTER WHICH ARE NOT ALREADY CAPTURED BY THE OTHER QUESTIONS IN THIS SECTION?**

- *Summary of Historic England's response: in the interests of clarity, changes are sought to ensure the consistent use of terminology, and to confirm the status of text within the NPPF.*
- Policy PM5 refers to local heritage assets, which are not defined. There is no need to include the word 'local'; reference to 'heritage assets' is enough, noting neighbourhood plans also support the conservation of designated heritage assets.
- Chapter 2 is unique in chapters 2-20 in having introductory text outside the 'Objective' box, the status of which is uncertain and not covered by the introduction. We recommend this text either be a footnote to the box at the start, or merged into the introduction, so its status is clearer; in the interests of consistency and clarity, the paragraphs should also be numbered.

<b>CHAPTER 3: DECISION-MAKING POLICIES</b>
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**21) DO YOU AGREE WITH THE PRINCIPLES SET OUT IN POLICY DM1?**

- *Partly agree.*
- *Summary of Historic England's response: amendments are sought in the interests of clarity and the submission of the information needed to support good decision-making.*
- We welcome reference to statutory consultees and other relevant bodies in DM1 1) a).
- *DM1 1 b):*
  - The required planning statement in support of proposals for major development is supported in principle, as is the requirement for it to be 'concise', but it would be helpful to provide further clarity on the form these statements should take, to ensure they are of sufficient quality to comply with policy and aid the decision-maker in considering the proposal.
  - An amendment to policy to enable decision-makers not to validate applications supported by inadequate statements would be helpful, or wording similar to that at Policy HE5 4), for example, 'decision makers should be satisfied that this statement fully addresses the requirements of DM1) b) i)-iii)'. A short statement of insufficient quality is very much a false economy.
- *DM1 2):*
  - The reference to heritage assets is welcomed.
  - The reference to proposals for other types of development being 'supported by the minimum necessary information requirements to enable a decision' is welcomed in principle, but, as above, it would be helpful to provide further guidance on the form this information should take, to ensure it is of sufficient quality to comply with policy and aid the decision-maker in considering the proposal.
  - An amendment to policy to enable decision-makers not to validate applications supported by inadequate information would be helpful, or wording similar to that at Policy HE5 4). Historic England's suggested text is 'decision makers should be satisfied

that proposals are supported by sufficient information'. Inadequate information results in delays at best, and poor outcomes on the ground at worst.

## **22) DO YOU AGREE WITH THE POLICY DM2 ON INFORMATION REQUIREMENTS FOR PLANNING APPLICATIONS?**

- *Partly disagree.*
- *Summary of Historic England's response: amendments are sought to ensure that the requisite heritage information is required by local planning authorities.*
- DM2 1) suggests that Annex C of the NPPF summarises the information specified in the relevant national decision-making policies, for inclusion in local validation lists. DM2 2) only permits local validation lists to include additional information requirements 'if there is a policy in the development plan requiring a specific further assessment'. Whilst the provision for additional information requirements to be proportionate to the scale of development and its potential impact is supported in principle, Annex C does need extending in scope, and/or the provisions in DM2 made more flexible, if clarity is to be provided for applicants, and swift submission and determination of applications to be supported: Annex C does not currently reflect all the information required by national policy. Examples of omissions include the following:
  - The clear and convincing justification specified in HE4 2).
  - The potential requirement for a desk-based assessment and field evaluation specified in HE5 5).
  - The assessment of impact required in relation to World Heritage Sites, under Policy HE8.
- In Annex C, if Policy HE10 is retained, reference should also be made to Policy HE10 in the 'national decision-making policy' column, as this too requires the information currently listed as being required in relation to Policy HE5 (note that Historic England recommends the insertion of the relevant text from HE10 into HE5).
- Please also see the response to Q21, above, in relation to decision-makers being able not to validate applications supported by inadequate material, or requiring them to satisfy themselves that the material is adequate. In relation to heritage, it should be noted that the information requirements are not relative to the scale of development, but to the impact on significance.

## **24) DO YOU AGREE WITH THE PRINCIPLES SET OUT IN DM3?**

- *Partly disagree.*
- *Summary of Historic England's response: an amendment is sought to ensure that statutory consultees are engaged as required, in support of appropriate heritage protection.*
- The statement at Policy DM3 1) d) that local planning authorities should 'consult statutory or internal consultees only where it is necessary to do so' is of some concern, as it appears to run counter to the requirement to consult statutory consultees in accordance with legislative provision.
- Suggested alternative text is 'consult statutory consultees in accordance with legislative requirements and policy provisions'.

## 26) DO YOU HAVE ANY FURTHER COMMENTS ON THE LIKELY IMPACT OF POLICY DM5: DEVELOPMENT VIABILITY?

- Yes.
- *Summary of Historic England's response: amendments are proposed in the interests of clarity and to ensure suitable provision is made in respect of the historic environment, particularly in relation to enabling development.*
- To ensure the effective application of Policy DM5 (particularly in relation to enabling development), it would be helpful to have the following references from paragraph 59 of the 2024 NPPF reinstated:
  - The weight to be given to a viability assessment is a matter for the decision maker
  - All viability assessments should be made publicly available.
- Policy DM5 2):
  - The intended application of Policy DM5 2) b) is not entirely clear. It refers to site characteristics differing substantially from the assumptions originally used to assess viability, but it is hard to envisage a scenario under this criterion that is not already covered by DM5 2) c), relating to unforeseen costs (for example, contamination/pollution of land) or DM5 d), relating to site or economic circumstances having changed significantly (for example, a building having been badly burnt).
  - It would be helpful to add a provision to Policy DM5 2) in relation to proposals for enabling development to secure the future of heritage assets.
  - These proposals are reflected in the following amendments:
    2. *There may be limited circumstances in which it would not be possible for development to proceed on a policy compliant basis, and a viability assessment to inform decision-making is justified to ensure that a proposed development makes the maximum possible contribution to affordable housing and other infrastructure. Such circumstances may include situations where:*
      - a. *The development is significantly different from any typology assumed in the development plan viability assessment;*
      - ~~b. *Site characteristics differ substantially from the assumptions used to assess viability when the relevant development plan policies were prepared;*~~
      - c. *The development is demonstrably burdened by costs which were unforeseeable when the development plan was prepared; and/or*
      - d. *Site or economic circumstances have changed significantly since the development plan was prepared-; and/or*
      - e. *The development proposed is enabling development to secure the future of a heritage asset.*

- Updates to the PPG will be needed regarding the handling of the scenarios outlined in Policy DM5 2): Historic England would be happy to assist in relation to this guidance and how best to address viability in relation to the historic environment.

## **29) DO YOU AGREE WITH THE APPROACH FOR PLANNING CONDITIONS AND OBLIGATIONS SET OUT IN POLICY DM6, ESPECIALLY THE USE OF MODEL CONDITIONS AND OBLIGATIONS?**

- *Partly agree.*
- *Summary of Historic England's response: amendments are sought in the interests of clarity and consistency.*
- Policy DM6 3):
  - The reference to model conditions has relevance in relation to the historic environment, for example archaeology. Model conditions undoubtedly have value, as they can ensure that archaeological issues are addressed appropriately. They should not be obligatory, however: larger, more complicated projects often require bespoke conditions to cater for matters such as phasing and public benefit. There also needs to be recognition that in some instances there should be pre-commencement conditions. Pre-commencement conditions may also be required for listed building consent, such as agreeing appropriate mortar mixes and matching materials, in order to avoid harm to the significance of listed buildings.
  - Historic England would be pleased to work with government to produce appropriate model conditions, and to share some existing Historic England Greater London Archaeology Advisory Service model conditions which have a strong track record in supporting delivery.
- Policy DM6 4): the reference to planning obligations is not as clearly worded as paragraph 58 of the 2024 NPPF. Again, Historic England would be happy to offer its assistance to the development of national model planning obligations.

## **31) DO YOU AGREE WITH THE NEW INTENTIONAL UNAUTHORISED DEVELOPMENT POLICY IN POLICY DM8?**

- *Partly disagree.*
- *Summary of Historic England's response: reinstatement of existing policy is sought in the interests of heritage protection.*
- Paragraph 60 in the 2024 NPPF requires an enforcement plan to set out how enforcement would be managed proactively and appropriately to an area, and to monitor implementation, investigate allegations and take action where appropriate. We recommend this is reinstated.
- It should be noted that a breach relating to listed buildings and scheduled monuments is a criminal offence.

## **32) ARE THERE ANY SPECIFIC TYPES OF HARM ARISING FROM INTENTIONAL UNAUTHORISED DEVELOPMENT, AND ANY SPECIFIC IMPACTS FROM THE PROPOSED POLICY, WHICH WE SHOULD CONSIDER?**

## A) IF SO, ARE THERE ANY PARTICULAR ADDITIONS OR MITIGATIONS WHICH WE SHOULD CONSIDER?

- *Summary of Historic England's response: a procedural change is proposed in the interests of efficiency.*
- At present, a separate listed building consent application is required for works otherwise covered by a Local Development Order (LDO). Historic England recommends that LDOs be applied to listed buildings where there is a corresponding Local Listed Building Consent Order (LLBCO), in order to streamline the planning process; this would require legislative change.

## CHAPTER 4: ACHIEVING SUSTAINABLE DEVELOPMENT

### 34) DO YOU AGREE WITH THE PROPOSED APPROACH TO SETTING A SPATIAL STRATEGY IN DEVELOPMENT PLANS?

- *Partly disagree (see also the response to Q36, below).*
- *Summary of Historic England's response: changes are sought to ensure that the policy promotes sustainable growth, and does not weaken heritage protection.*
- Policy S1:
  - S1 defines positive plan-making as planning 'positively for future growth and change', and the retention of existing policy in S1 a) i) and ii) is welcomed.
  - S1 b) further emphasises 'growth' and not merely necessary or otherwise justified development. It dilutes the reference from paragraph 11a of the 2024 NPPF to improving the environment: not all development is growth.
  - A suggested amendment to this policy is as follows: 'The development plan should provide positively for ~~future~~ **sustainable** growth, ~~and~~ change **and protection** by...'
- The reference to designated heritage assets in the retained footnote 7 from the 2024 NPPF is welcomed, although the omission of reference to non-designated heritage assets of archaeological interest, which are demonstrably of equivalent significance to scheduled monuments, should be reinstated.
- Policy S2:
  - The references in Policy S2 1) to protection and enhancement alongside development are welcomed.
  - Policy S2 1) c) refers to the identification within a spatial strategy of 'land that is protected or proposed to be enhanced for specific purposes... and which places limits on whether development proposals may be acceptable or where specific policies apply': not all heritage assets and their setting (and curtilage, for listed buildings) can be easily listed or mapped in a strategic context. It would be helpful if the policy could ensure that heritage assets and protections are also appropriately considered within spatial strategies.
- Policy S3:
  - The policy should refer to footnote 23 as an exception, potentially in S3 c), similar to S1 (which applies only to plan-making) to ensure adequate protections are afforded to the country's most important assets.

### **36) DO YOU AGREE WITH THE REVISED APPROACH TO THE PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT?**

- *Strongly disagree.*
- *Summary of Historic England's response: changes are sought to maintain heritage protections. Whilst meeting development needs is supported, this needs to be promoted alongside a recognition of all facets of sustainable development, as the term is more commonly understood (and acknowledged in footnote 3). Historic England sets out below its commentary in relation to sustainable development, in relation to both Policy S3 and the draft NPPF's wider consideration of sustainable development.*

#### **Chapter 1: Introduction**

- The retention in paragraph 14 of the reference to sustainable development as the purpose of the planning system is welcomed, but a definition of 'long-term public interest' is needed for the implications of this additional wording to be fully understood.
- Paragraph 16c rightly brings climate change to the fore, and the retention of the references to the historic environment here is also welcomed.
- The remainder of paragraph 16 significantly amends the overarching objectives for the planning system in achieving sustainable development. The three overarching objectives are still to be pursued in mutually supportive ways, but, whilst the 2024 NPPF states that 'achieving sustainable development means that the planning system has three overarching objectives', paragraph 16 qualifies this by stating that 'achieving sustainable development means that the planning system has three overarching objectives *in providing for the homes, commercial development, facilities and infrastructure which society needs*' (emphasis added). This ties the planning system and the definition of sustainable development to development. Whilst the needs of the country are recognised, and the delivery of the requisite development strongly supported, sustainable development necessarily includes the principles of promotion and protection. When the Labour government introduced the current planning system in 1947, the then Minister described the objectives of town and country planning as being to:

*... secure a proper balance between the competing demands for land, so that all the land of the country is used in the best interests of the whole people.... Some must result in more land being brought into development.... On the other hand, town and country planning must preserve land from development.*

The current wording proposes an inherent weighting towards the economic objective, which will necessarily affect the application of policies elsewhere in the NPPF, including those relating to the historic environment: reverting to the wording of the 2024 NPPF is recommended.

#### **Chapter 4: Achieving Sustainable Development**

- The term 'growth' is used in place of 'sustainable development' in many places, and the term 'sustainable growth' is also used on occasion: consistency is needed, and the use of

‘sustainable growth’ is recommended, provided that the term is defined, as well as its relationship with sustainable development. This would create a clearer, more positive framework that emphasises planned, balanced expansion rather than piecemeal delivery. This approach supports heritage-led regeneration, protects historic character from inappropriate development, and promotes high-quality place-making as part of long-term growth strategies. Inappropriate development can undermine long-term economic resilience by eroding the qualities that make places attractive and sustainable. Excessive or poorly designed schemes often damage historic character and local distinctiveness, reducing tourism appeal and investment confidence. They strain infrastructure, degrade quality of life, and diminish property values, prompting people to relocate, and discouraging business growth.

- Objective:
  - The objective which sets the context for Chapter 4: Achieving Sustainable Development has a tight focus on the development part of the sustainable development equation, but overlooks other important aspects. In the 2024 NPPF, paragraph 11 also addressed improving the environment and mitigating and adapting to climate change, and these are crucial considerations if sustainable development is to be achieved.
  - There is more to sustainable development than ‘sustainable patterns of development’ (whilst the term was used in the 2024 NPPF, it did not have this prominence), and the term is not explicitly defined, despite its increased profile in policy.
- As stated above, Policy S3 should refer to footnote 23 as an exception, potentially in S3 c), similar to S1 (which applies only to plan-making): this would ensure adequate protections are afforded to the country’s most important heritage assets.

### **37) DO YOU AGREE TO THE PROPOSED APPROACH TO DEVELOPMENT WITHIN SETTLEMENTS?**

- *Strongly disagree.*
- *Summary of Historic England’s response: changes are sought to maintain heritage protections. Whilst the promotion of development is supported, it should not be at the expense of other, appropriate considerations. Particular concern is expressed about the impact of the policy on the plan-led system.*
- As was also noted in relation to Policy S3, the relationship between the universal requirement in Policy S4 and other policies within the NPPF (notably in Chapter 20) is not entirely clear:
  - By stating in Policy S4 1) that proposals should be approved unless benefits are ‘substantially outweighed by adverse effects, when assessed against the national decision-making policies’, the test would tilt decision-making towards development in a way which would compromise both the achievement of sustainable development and the plan-led system.
  - By requiring the approval of proposals for development unless their benefits were ‘substantially outweighed’ by adverse effects, the policy would reduce the likelihood of development achieving economic, social and environment benefits and would lead to adverse effects in respect of a wide range of policies being accepted, even when these could be avoided and a better outcome achieved all round.
  - In doing so, it would compromise the Government’s intention that the planning system be properly plan-led.

- The result of this approach could be to permit unsustainable development and to undermine public trust in the planning system.
- The policy lists certain exceptions ('circumstances in which the benefits of approving development are likely to be substantially outweighed by adverse effects'). S4 2) a) ii) refers to 'unacceptable impact' in relation to various safeguarding policies, including those relating to open space and wildlife habitats, but omits any reference to heritage assets. Given their acknowledged importance in footnote 23, Chapter 20, and in legislation, this is an unhelpful omission, which leaves heritage assets vulnerable to incremental loss or inappropriate development. Whilst the scenarios outlined in Policy S4 2) are not definitive, heritage should be explicitly referred to here.
- A further provision, at S4 2) c), relates to failure to comply with national decision-making policies directing refusal. This approach is unwieldy, as it requires cross-referencing in the search for other policies that explicitly refer to circumstances where the proposal should be refused, and thereby reduces clarity and consistency. Preferably, S4 c) would either be amended to identify the policies which direct refusal or be supported by a footnote which does this.
- Overall, Policy S4 (and the related aspects of Policies S5 and S6) prioritises speed and growth over quality and context, risking the undermining of plan-led development and good planning principles such as place-making, local distinctiveness, and sustainable design. Whilst the promotion of development is supported, it should not be at the expense of other, appropriate considerations.
- Alternative amendments to better support improved socio-economic and environmental outcomes include the following:
  - Remove the word 'substantially' from 'substantially outweighed by adverse effects' in S4 1): 'Development proposals within settlements should be approved unless the benefits of doing so would be ~~substantially~~ outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework'.
  - Replace 'substantially' with 'clearly', as can be seen in Policy N6 1) b): 'Development proposals within settlements should be approved unless the benefits of doing so would be ~~substantially~~ **clearly** outweighed by any adverse effects...'
  - Amend Policy S4 1) as follows, to distinguish appropriate development from any and all development:
    1. ~~Development proposals within settlements should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework.~~ **Appropriate development proposals within settlements should be approved.**

### **38) DO YOU AGREE TO THE PROPOSED APPROACH TO DEVELOPMENT OUTSIDE SETTLEMENTS?**

- *Strongly disagree.*
- *Summary of Historic England's response: amendments are sought in the interests of clarity and the maintenance of historic environment protections, with particular concern expressed about the impact of the policy on the plan-led system.*

- Policy S5 is a relatively dense policy which is difficult to navigate, especially due to the number of cross-references made, and the lengthy list of exceptions and caveats, and inconsistency in terminology regarding stations (Policies S5, L3 and GB7 refer to ‘a high level of connectivity’, whilst Policy L3 also refers to ‘well connected’, and GB7 further refers to ‘well-related’): this will be difficult for applicants and decision-makers to interpret, and therefore for it to be applied consistently and effectively.
- As in Policy S4, Policy S5 states that proposals should be approved unless benefits are ‘substantially outweighed by adverse effects, when assessed against the national decision-making policies’. Again, this test has great potential to, at best, confuse users, be unhelpful, and introduce uncertainty, and, at worst, undermine the more nuanced policy elsewhere in the NPPF. As drafted, the proposition that development outside settlements should be restricted would be subverted by the length and nature of the exceptions identified, and by the requirements that development falling into these categories should be approved unless substantially outweighed by any adverse effects. As previously, this risks undermining plan-led development and good planning principles such as place-making, local distinctiveness, and sustainable design. Whilst the promotion of development is supported, it should not be at the expense of other, appropriate considerations. If this complex policy approach is retained, the policy should make clear that development should be restricted and that any development in the stated categories may be approved if it would provide public benefits that would substantially outweigh any adverse effects. Alternative options to consider include the following:
  - Remove the word ‘substantially’ from ‘substantially outweighed by adverse effects’; or
  - Replace this wording with ‘only appropriate development proposals should be approved’.
- Risks are posed to plan-led development by the extent of the exceptions articulated in criteria a) to j) of Policy S5 1). Criterion j) is of particular concern, considering the high proportion of local planning authorities that would be impacted. The overall effect of this, when considered in the context of policy S5 1 a) to j), is likely to challenge key aspects of plan-led development.
- Policy S5 4) introduces some restrictions on development. Whilst the reference to the character of the countryside is welcomed, the historic environment should also be referred to here, in line with footnote 23.
- Footnote 24 refers to ‘existing building’: our concerns regarding this term are articulated in response to Q3, in relation to the Glossary.
- Footnote 26 refers to the ‘top 60 Travel to Work Areas’: clarity is needed regarding the location of these areas, either in the Glossary or another Annex.
- Overall, this policy would benefit from further refinement, restructuring and clarification to enhance its usability and intent.

**39) DO YOU HAVE ANY VIEWS ON THE SPECIFIC CATEGORIES OF DEVELOPMENT WHICH THE POLICY WOULD ALLOW TO TAKE PLACE OUTSIDE SETTLEMENTS, AND THE ASSOCIATED CRITERIA?**

- *Partly disagree.*
- *Summary of Historic England’s response: concern is expressed regarding the impact on heritage of changes which undermine the positive management and control of development, and plan-led development.*

- The ‘certain forms of development’ to be approved outside settlements are very broadly defined. The impact of this scope, combined with the wording referred to above, risks significantly undermining the positive management and control of development, and indeed plan-led development: categories such as previously developed land, housing near railway stations, and unmet housing need are so widely defined that they could enable large-scale development in sensitive areas without due consideration in line with the relevant policies elsewhere in the NPPF.
- The promotion of reuse of buildings in Policy S5 1) c) is supported in principle, but does raise some concerns:
  - The additional reference to ‘extension, alteration or replacement’ is of some concern, particularly in light of the test in S5 1) regarding the approval of proposals unless benefits are substantially outweighed by adverse effects (as discussed in response to Q38, above), and the lack of clarity as to how this policy relates to that set out in Chapter 20, in relation to heritage assets.
  - Footnote 24 introduces a significant change to planning practice, as observed in relation to the Glossary (addressed in response to Q3, above), and an inconsistent approach to the definition of the term ‘original building’ within the NPPF. There is also no reference to the legal status of a building’s size on the date the NPPF is published.

#### **40) DO YOU AGREE WITH THE PROPOSED APPROACH TO DEVELOPMENT AROUND STATIONS, INCLUDING THAT IT APPLIES ONLY TO HOUSING AND MIXED-USE DEVELOPMENT CAPABLE OF MEETING THE DENSITY REQUIREMENTS IN CHAPTER 12?**

- *Partly disagree.*
- *Summary of Historic England’s response: concern is expressed regarding the impact on heritage of changes which undermine the positive management and control of development, and plan-led development.*
- As addressed in response to Q39, the ‘certain forms of development’ to be approved outside settlements are very broadly defined. The impact of this scope, combined with the wording referred to above, risks significantly undermining the positive management and control of development: categories such as previously developed land, housing near railway stations, and unmet housing need are so widely defined that they could enable large-scale development in sensitive areas without due consideration in line with the relevant policies elsewhere in the NPPF.
- In addition, Policy S5 1) h) contains multiple, vague criteria (e.g. ‘reasonable walking distance’, ‘high level of connectivity’, and ‘physically well-related’). The phrase ‘of a scale which can be accommodated’ is of particular concern, as it is not clear whether it refers to housing numbers, physical footprint, infrastructure capacity, or other considerations. All these terms leave room for inconsistent interpretation, and need definition.
- Whilst reference in Policy S5 3) cross refers to Policy HO11: Isolated homes in the countryside, it would be helpful Policy S5 3) could also include reference to the relevant historic environment policies as well.
- The conditions referred to in footnote 26 are volatile, and are addressed outside the planning system: this will further complicate the effective and consistent application of the policy.

**CHAPTER 5: MEETING THE CHALLENGE OF CLIMATE CHANGE****42) DO YOU AGREE WITH THE APPROACH TO PLANNING FOR CLIMATE CHANGE IN POLICY CC1?**

- *Partly agree.*
- *Summary of Historic England's response: strong support is expressed for the overall approach to climate change, with some changes proposed to ensure recognition of the contribution which the historic environment can make to addressing climate change and delivering housing.*
- Historic England strongly supports the plan-led approach set out in Policy CC1, which aligns with the statutory framework established by the Climate Change Act 2008, the UK's carbon budgets, and national adaptation planning. We particularly welcome the emphasis on integrating climate change mitigation and adaptation into development plan policy, consistent with the NPPF's overarching objective of sustainable development.
- Policy CC1 would however be materially strengthened by explicit recognition of the extensive role and contribution the historic environment has in addressing both government's housing ambition and climate change, particularly through development plan policy. In relation to the latter, the following amendment is suggested:

*Development plans should take a proactive approach to mitigating climate change and supporting the transition to net zero. They should also take a proactive approach to adapting to climate change, taking into account the implications of extreme weather and long-term climate trends including overheating, wildfires, drought, flood risk, and coastal change, and impacts on heritage, water supply, biodiversity and landscapes.*

**43) DO YOU AGREE WITH THE APPROACH TO MITIGATING CLIMATE CHANGE THROUGH PLANNING DECISIONS IN POLICY CC2?****A) IF NOT, WHAT ADDITIONAL MEASURES COULD BE TAKEN TO ENSURE CLIMATE CHANGE MITIGATION IS GIVEN APPROPRIATE CONSIDERATION?**

- *Partly agree.*
- *Summary of Historic England's response: changes are sought in the interests of clarity, and to ensure that heritage is properly considered.*
- The relationship between Policy CC2 and Policies S3, S4 and S5 is not entirely clear: Policy CC2 is one of the nuanced policies which Policies S3, S4 and S5 appears to override. As noted above, whilst the promotion of development is supported, it should not be at the expense of other, appropriate considerations, including climate change. The reference in Policy CC2 1) d) to the re-use of existing structures is welcomed.
- In relation to Policy CC2 1) f), Historic England firmly believes that using the historic environment to inform nature recovery measures will result in more effective responses to the climate and nature emergencies while helping to conserve our cultural heritage. The [Historic England website](#) provides detailed information on the relationship between the historic environment and different types of habitat, focusing on the importance of integrated management. This is highlighted in our [joint statement](#) with Natural England and the

National Lottery Heritage Fund. This could be reflected in the policy through the addition of an acknowledgement of the historic environment, and/or a cross-reference to heritage policy.

- Policy CC2 2) refers to substantial weight being given to ‘the benefits of improving the energy efficiency of existing buildings and/or drawing energy from district heat networks, renewable and low carbon sources’. Whilst the 2024 NPPF was also to be read in its entirety, it did nonetheless include reference at paragraph 167 to the application of heritage policy where the proposals would affect conservation areas, listed buildings or other relevant designated heritage assets: the relationship between these two policy areas could usefully be clarified in a similar way in the revised policy.

#### **47) DO YOU HAVE ANY OTHER COMMENTS ON ACTIONS THAT COULD BE TAKEN THROUGH NATIONAL PLANNING POLICY TO ADDRESS CLIMATE CHANGE?**

- Yes.
- *Summary of Historic England’s response: further proposals are put forward to address climate change, relating to whole-life carbon assessments, heritage-led regeneration, and the integrated consideration of the historic and natural environments.*
- Historic England recommends the following additional actions:
  - Embed whole-life carbon assessments in both planning policy and the consideration of planning applications. National planning policy should explicitly require consideration of whole-life carbon, consistent with advice from Historic England, the [UK Green Building Council](#) and the Climate Change Committee’s [Seventh Carbon Budget](#). This would support reuse over demolition, reduce embodied emissions, and align housing delivery with net zero. Historic England supports local plans and associated guidance that prioritise the retention and retrofit of existing buildings over demolition and rebuild, often by requiring developers to assess options for refurbishment and demonstrate whole-life carbon impacts before demolition is considered (e.g. [London Assembly, Retrofit vs Rebuild?, 2024](#)).
  - Recognise heritage-led regeneration as a means of delivering low-carbon housing, town centre renewal and regeneration, and reduced infrastructure and resource demand, as part of climate-aligned housing delivery and nature recovery. This is supported by Historic England’s [Heritage Works for Housing](#) and [Heritage Counts](#) evidence. National policy should support adaptive, sensitive interventions that sustain significance of heritage while improving resilience (Historic England, [Adapting Historic Buildings for Climate Change, 2023](#)), consistent with the third [National Adaptation Programme](#) (NAP3) that identifies the need to adapt buildings and infrastructure to future climate risks.
  - In terms of nature and recovery, the most effective, efficient, and sustainable approach is to ensure that programmes and projects consider climate action, biodiversity and nature recovery, and heritage together. Historic England therefore endorses the principles of the emerging Land Use Framework (as stated in our recent [consultation response on the topic](#)) which proposes that an appropriate balance and an integrated, multi-functional approach should be taken for the provision of desired land uses, including for infrastructure and for the wider environment. The integrated nature of the historic, cultural, and natural environments is demonstrated through the [Joint Statement](#) between Natural England, Historic England, and the National Lottery Heritage Fund,

which recognises the complex interplay of habitats, species, geology, landscape, historic features, and cultural connections, as well as the crucial role that heritage management practices can play in nature recovery. Furthermore, Historic England recommends drawing on the Natural England publication [Nature recovery and the historic environment](#), which details four principles for integration of the historic environment into plans for nature recovery: consider the historic environment from the outset; maximise environmental benefits (including the historic environment); follow legal requirements, policy, and guidance; and avoid harm, minimise impacts and mitigate (Natural England, 2023). Initiatives involving private investment in nature recovery should be encouraged to integrate the ideas and principles outlined above – carefully thought-out projects can benefit both nature and heritage.

## CHAPTER 6: DELIVERING A SUFFICIENT SUPPLY OF HOMES

### **55) DO YOU AGREE THE PLAN-MAKING REQUIREMENTS, FOR BOTH LOCAL PLANS AND SPATIAL DEVELOPMENT STRATEGIES, IN RELATION TO LARGE SCALE RESIDENTIAL AND MIXED-USE DEVELOPMENT ARE SUFFICIENTLY CLEAR?**

- *Partly disagree.*
- *Summary of Historic England's response: changes are sought to ensure that the historic environment is properly considered.*
- Whilst the reference at Policy HO4 1) c) to addressing strategic environmental opportunities and safeguards is welcomed, the lack of a reference to historic environment opportunities could usefully be addressed.
- The scope for the historic environment to support the delivery of quality places could be drawn out in Policy HO4 2) a).
- It is important to recognise the pressure faced by some local planning authorities to allocate sites in locations that are heavily constrained in order to address high housing demand: there will be exceptional circumstances where it can be demonstrated that meeting identified targets through allocations in those locations would lead to substantial harm to highly designated assets such as World Heritage Sites; this should be avoided.

### **81) DO YOU AGREE THE REQUIREMENTS TO TAKE A FLEXIBLE APPROACH TO THE CONSENTING FRAMEWORK FOR LARGE SCALE RESIDENTIAL AND MIXED-USE DEVELOPMENT IS SUFFICIENT TO ENSURE THE OPPORTUNITIES OF LARGE SCALE DEVELOPMENT ARE SUPPORTED?**

- *Partly disagree.*
- *Summary of Historic England's response: changes are proposed in the interests of clarity and appropriately defined parameters for changes in development proposals.*
- The emphasis in Policy HO13 1) on developing land with permission 'without unnecessary delay' is welcomed, particularly given the requirements for buffers in housing numbers elsewhere in policy.
- There is undoubtedly some need for flexibility in light of changing circumstances, but the current references in Policy HO13 3) b), including to design, need parameters setting so

that there is sufficient but not excessive flexibility. As noted in the consultation document, a 'clear approach to design' is needed.

## **82) ARE ANY MORE SPECIFIC APPROACHES OR DEFINITIONS NEEDED TO SUPPORT THE DELIVERY OF VERY LARGE (SUPER STRATEGIC) SITES, INCLUDING NEW TOWNS?**

- Yes.
- *Summary of Historic England's response: changes are sought in the interests of clarity and the proper consideration of the historic environment.*
- The delivery of very large sites, including new towns, would be facilitated by clear national advice and guidance on principles and expectations, including how these can be maintained in the long-term, and underpinned by suitable governance structures.
- Guidance should address the conservation and enhancement of the historic environment, and identify key considerations to inform high-level master-planning, exploring how the development could best respond to local context, the sustainable reuse of assets, and the importance of taking an 'infrastructure first' approach. Early engagement with statutory consultees is needed to identify potential problems, solutions and opportunities.
- Ensuring these sites are delivered through an evidence-based, plan-led approach is paramount, informed by engagement with relevant stakeholders including the local communities affected.
- Successful delivery (and successful place-shaping) is helped by understanding the historic environment at an early stage, because this helps to reinforce or re-envision a sense of place, inform a suitable response to context, provide opportunities for blue and green infrastructure and nature recovery, and create places that integrate well with their surroundings. Relevant advice and guidance would help to explain how the historic environment can be used to support effective place-shaping on a large scale.
- Understanding potential archaeological and landscape impacts needs to be an iterative process where existing sources (such as relevant Historic Environment Records and [research frameworks](#)) are consulted. This will demonstrate the work needed to prepare the baseline evidence and fill in gaps (e.g. through survey work and targeted intrusive works), helping to model risk, understand potential impacts, and identify measures to avoid and minimise harm.
- It will be important to make use of relevant tools and methodologies, such as archaeological sensitivity mapping, large-scale characterisation studies and, where appropriate, historic landscape characterisation.
- Historic England would be happy to work with government on related guidance and advice, not least linked with the new towns programme.

## **CHAPTER 7: BUILDING A STRONG, EFFECTIVE ECONOMY**

### **87) DO YOU AGREE WITH THE APPROACH TO RURAL BUSINESS DEVELOPMENT IN POLICY E4?**

- *Partly disagree.*
- *Summary of Historic England's response: reinstatement of existing policy is sought.*

- The reference at E4 1) a) to converting existing buildings is welcomed, as is the reference at E4 2) b) to development having regard to the character of its surroundings.
- The impact of the loss of the reference at paragraph 88 d) in the 2024 NPPF (i.e., ‘the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship’) is not offset by new Policies E4, N1, N2 and Chapter 16. This text could usefully be reinstated.

## CHAPTER 8: ENSURING THE VITALITY OF TOWN CENTRES

### 88) DO YOU AGREE WITH THE PROPOSED CHANGES TO POLICY FOR PLANNING FOR TOWN CENTRES?

- *Partly agree.*
- *Summary of Historic England’s response: amendments are proposed in the interests of clarity and the appropriate consideration of the historic environment.*
- The retention of the sequential test is to be welcomed, due to the focus on town centres it brings, and the related benefits for sustainable development, the re-use of historic buildings, and the retention of character (though, with regard to the latter, the 2024 NPPF’s reference to markets should be reinstated: a prompt is needed in planning policy if ‘opportunities to create or strengthen markets’ are indeed to be a consideration in strategies for town centres, as outlined in the consultation document).
- The omission of reference to the (amended) ‘main town centre uses’ for which provision should be made should be addressed if clarity is to be provided to plan-makers and communities, and the appropriate evidence gathered in support of plan-making.
- The references in TC1 2) to character and design are welcomed, but the relevance of the historic environment to these qualities should also be explicitly addressed here.

### 91) DO YOU BELIEVE THE SEQUENTIAL TEST IN POLICY TC3 SHOULD BE RETAINED?

- *Partly agree.*
- *Summary of Historic England’s response: changes are sought in the interests of clarity, consistency, and the proper consideration of the historic environment.*
- The sequential test should be retained, for the reasons articulated in response to Q88.
- Policy TC3 3):
  - It is unclear what is meant exactly by ‘applicants and local planning authorities should exercise flexibility when considering issues such as format and scale’: the ambiguity of phrases such as ‘exercise flexibility’ and ‘fully explored’ leaves scope for misinterpretation, and uncertainty for applicants and decision-makers regarding how far scale and format should be adapted. Uncertainty and inconsistency could lead to inconsistent interpretations across authorities, overdevelopment, and missed opportunities.

- The policy is also contradictory in that it says it is not necessary to demonstrate that a site can accommodate the proposed scale and form, yet encourages exploring opportunities, therefore creating tension between ambition and practicality.
- Allowing flexibility on scale and format without requiring applicants to demonstrate that a site can accommodate the proposed development risks encouraging schemes that are out of character with historic town centres or edge-of-centre areas. Such an approach could result in pressure to fit large developments into constrained historic settings, undermining local distinctiveness and design quality.

## CHAPTER 10: SECURING CLEAN ENERGY AND WATER

### 96) DO YOU AGREE WITH THE APPROACH TO PLANNING FOR ENERGY AND WATER INFRASTRUCTURE IN POLICY W1?

- *Partly agree.*
- *Summary of Historic England's response: changes are sought in the interests of clarity.*
- We welcome the clear direction for early engagement between the plan-making authority, utility providers, regulators and network operators. It is our view that early engagement is key to speeding up the delivery of energy and water infrastructure through the identification (or rejection) of sites early in the plan-making process. As a statutory consultee in the plan-making process Historic England responds to plan consultations.
- We support the transition and ambition for clean power by 2030 and the development and operation of energy and water infrastructure to enable delivery. Historic England is keen to work with government on developing heritage appropriate policies and guidance.
- Historic England is already constructively engaged with the Regulators' Alliance for Progressing Infrastructure Development, the National Energy System Operator, and the Water and Energy Industries at both the strategic and project levels.
- The interpretation and application of the policy would be enhanced by reference to Water Resource Management Plans, Drainage and Wastewater Management Plans, and the forthcoming Strategic Spatial Energy Plan, Centralised Strategic Network Plan and Regional Energy Strategic Plans also have implications for the historic environment. These should be taken into consideration and relevant requirements embedded within the policies for clean energy and water to reflect the requirements of these higher-tier plans to enable conservation and enhancement of the historic environment.
- Policy W1 2) b) determines that the development plan should set out 'any measures to avoid constraints on the operation or future expansion' of clean energy and water infrastructure. As currently written this is a broad statement which could benefit from greater clarity.

### 97) DO YOU AGREE WITH THE AMENDMENTS TO CURRENT FRAMEWORK POLICY ON PLANNING FOR RENEWABLE AND LOW-CARBON ENERGY DEVELOPMENT AND ELECTRICITY NETWORK INFRASTRUCTURE IN POLICY W2?

- *Partly agree.*
- *Summary of Historic England's response: changes are recommended to ensure that the historic environment is properly considered.*

- Historic England supports the planned transition to renewable and low-carbon energy development in principle. We welcome the inclusion of electricity network infrastructure in this section, acknowledging the importance of taking a ‘whole system’ approach.
- Reference at the end of W2 1) a) to ‘where this would help secure their development’ gives somewhat muted support for the use of an allocation process to support and guide the delivery for large-scale renewable energy development. The significance of area-based heritage assets is particularly susceptible to harm, including cumulative impacts over time, and their conservation is best supported by taking a strategic, spatial approach. In support of plan-led development, we welcome work to identify areas that are *potentially* suitable for renewable and low carbon energy and electricity network infrastructure as outlined in Policy W2. However, clarity is needed regarding how such proposals should be assessed, because inevitably the assessment that informed those areas will not be sufficiently detailed to represent a site allocation. Our response to Q98 refers.
- Historic England supports the re-powering of existing renewable energy sites; however, it may be impracticable for plan makers to identify areas suitable for current and future re-powering/extension, noting the pace at which technology is changing. The policy approach needs to acknowledge the potential need for additional assessment to ensure the decision maker has sufficient information to make an informed decision. For example, larger wind turbines may result in fewer turbines but a greater impact on heritage significance, especially within a historic landscape.

**98) DO YOU AGREE WITH THE PROPOSED APPROACH TO SUPPORTING DEVELOPMENT FOR RENEWABLE AND LOW CARBON DEVELOPMENT AND ELECTRICITY NETWORK INFRASTRUCTURE IN POLICY W3?**

- *Partly agree.*
- *Summary of Historic England’s response: changes are proposed in the interests of clarity, and the maintenance of heritage protections.*
- Historic England considers that Policy W3 should encourage renewable energy where well-sited and well-designed, require robust assessment of heritage impacts, and reinforce the importance of coordinated strategic planning rather than piecemeal delivery. This aligns with Climate Change Committee advice on maintaining public support for renewable deployment and ensuring the historic environment and heritage assets are safeguarded.
- Greater clarity is needed on how proposals *within* areas identified as suitable for renewable and low carbon energy development and electricity network infrastructure will be assessed. It would be a significant risk to heritage to infer that the sort of high-level assessment that generates broad areas of potential suitability means that the heritage impacts of a particular site’s development have been adequately considered.

**99) DO YOU AGREE WITH THE PROPOSED APPROACH TO SUPPORTING DEVELOPMENT FOR WATER INFRASTRUCTURE IN POLICY W4?**

- *Partly agree.*
- *Summary of Historic England’s response: changes are proposed to ensure better alignment with wider national planning policies.*

- Considering the scale and impact of water infrastructure e.g. reservoirs and water treatment plants, this policy would benefit from being developed to align with wider national planning policies, particularly around understanding constraints and opportunities (including those relating to the historic environment).
- Further, there are wider benefits from the introduction of new and enhancement of existing water infrastructure to support access to nature and nature recovery objectives, for example existing reservoirs provide vital recreational opportunities.

## CHAPTER 11: FACILITATING THE SUSTAINABLE USE OF MINERALS

### 102) DO YOU AGREE WITH THE PROPOSED ADDITION OF CRITICAL AND GROWTH MINERALS TO THE GLOSSARY DEFINITION OF 'MINERALS OF NATIONAL AND LOCAL IMPORTANCE'?

- *Partly agree.*
- *Summary of Historic England's response: support is expressed for the reference to heritage, and further information provided.*
- In particular we welcome the reference to minerals of importance to heritage assets and local distinctiveness.
- Further information on important building stones, where they came from and potential alternative sources for repairs and new construction may be found in the [Building Stones Database for England](#).

## CHAPTER 12: MAKING EFFECTIVE USE OF LAND

### 114) DO YOU AGREE POLICY L1 PROVIDES CLEAR GUIDANCE ON HOW LOCAL PLANS SHOULD BE PREPARED TO PROMOTE THE EFFICIENT USE OF LAND?

- *Partly disagree.*
- *Summary of Historic England's response: changes are proposed to ensure appropriate consideration of the historic environment.*
- Whilst the overall thrust of the (largely retained) policy is welcomed, and the reference at Policy L1 1) a) iv) to maintaining the prevailing character of an area, explicit reference is needed to the historic environment, in addition to the implicit coverage suggested by references to design. The historic environment is a powerful prompt for high quality design, as well as it being necessary to take it into account in pursuing higher densities, to ensure its appropriate conservation.
- Considering this in more detail, the examples given in Policy L1 1) ii) of ways to promote the effective use of land must, first and foremost, be driven by evidence on the character of the area. This is a fundamental point, relating to more than the setting of minimum density standards. For example, opportunities to fill-in the prevailing roof line will not be appropriate in places such as Oxford, where the skyline's detailed articulation and variety are of paramount importance. Uniformity of roofline is not universally to be welcomed. We recommend the following wording for consideration:

- ii. *using design guides and design codes **informed by evidence on the character of the area** to establish common design principles that illustrate opportunities in the area for making more effective use of land, including on small sites; **subject to detailed site assessment, proposals could include filling** ~~such as proposals to fill~~ gaps in the prevailing roof line, the redevelopment of low-density residential plots, introducing higher buildings at street corners and infill development within residential curtilages;*

- The historic environment should also be referred to in L1 1) b) ii) in relation to the benefits to be secured.
- We recommend clarifying (for example, through the PPG) what is meant by optimising the use of allocated sites. This does not equate to the maximum that can be squeezed into a plot, but – as stated in L1 1) b) i) – an appropriate scale and density.

#### **115) IF NOT, WHAT FURTHER GUIDANCE IS NEEDED?**

- *Summary of Historic England's response: information and support is offered.*
- Historic England would be happy to work with government on related guidance and advice.
- Historic England's 2018 research ([Increasing Residential Density in Historic Environments](#)) demonstrates how much can be achieved within the historic environment when it is properly taken into account. Historic England is also commissioning London-specific work on making effective use of land through appropriate re-use, intensification and transformation.
- The word 'optimise' appears throughout Chapter 12, and would benefit from clarification (making clear that it does not equate to 'maximise').

#### **116) DO YOU AGREE POLICY L2 PROVIDES CLEAR GUIDANCE ON HOW DEVELOPMENT PROPOSALS SHOULD BE ASSESSED TO ENSURE EFFICIENT USE OF LAND?**

- *Partly agree.*
- *Summary of Historic England's response: the reference to better use of buildings is welcomed.*
- The retention at L2 1) b) of encouragement for the 'better use' of under-utilised buildings, and space above shops, is welcomed.

#### **118) DO YOU AGREE THE HIGH-LEVEL DESIGN PRINCIPLES PROVIDED IN POLICY L2(D) APPROPRIATE FOR NATIONAL POLICY?**

- *Partly disagree.*
- *Summary of Historic England's response: concern is expressed at the impact of the policy on the historic environment, and changes proposed.*

- We have concerns regarding the substantial weight afforded to the following in Policy L2 1) d):
  - Infilling gaps in the existing roof line (not universally to be welcomed, as outlined in our response to Q114);
  - Universal encouragement of development in airspace above existing residential and commercial buildings, and the introduction of tall buildings at street corners (see our response to Q119); and
  - A significant increase in development within residential curtilages (see our response to Q120).
- As a result, we believe there is an evident need for an additional line to be added to Policy L2. We suggest the following addition to Policy L2 1) d):

***iv. respond appropriately to the heritage significance of affected heritage assets and the character of the area.***

**119) DO YOU AGREE POLICY L2 (D)(I) ACHIEVES ITS INTENT TO ENABLE APPROPRIATE DEVELOPMENT THAT MAY DIFFER FROM THE EXISTING STREET SCENE, PARTICULARLY IN CASES SUCH AS CORNER PLOT REDEVELOPMENT AND UPWARDS EXTENSIONS.**

- *Strongly disagree.*
- *Summary of Historic England's response: concern is expressed at the impact of the policy on the historic environment, and changes proposed.*
- Higher buildings at street corners:
  - Policy L2 1) d) creates a presumption that developing taller buildings at street corners is always acceptable. This has not been demonstrated by evidence, and overlooks wider policy and practice with regard to the understanding of context.
  - It raises particular concerns in relation to the historic environment, where it poses risks for areas with sensitive and distinctive character, including within designated heritage assets such as conservation areas, or immediately adjacent to such assets, through potentially intrusive and dominating development in townscapes.
  - This approach may, however, have some relevance to new, larger developments.
- Filling gaps in the prevailing roofline:
  - We recognise the valuable contribution to be made by upwards extensions; however, the proposed support for using the airspace above existing residential and commercial premises inadequately acknowledges the potential impacts of such development on the heritage significance of the building or place, or, indeed, the character of the area.
  - We encourage considering the benefits of a more nuanced approach, which helps to maintain the architectural character of the existing building.
- Considering these concerns and those expressed in our response to Q120, we recommend changes to Policy L2 1) d) as suggested in our response to Q118, the deletion of the phrase in parenthesis in L2 1) d) and editing L2 1) d) as follows:

*d. Creating additional homes within settlements by using the airspace above existing residential and commercial premises, or through sensitive redevelopment or additional development within existing plots (including, but not*

~~limited to, the addition of mansard roofs, proposals to fill gaps in the existing roof line, the introduction of higher buildings at street corners and additional units within residential curtilages). Such proposals should:~~

*i. be consistent with the overall street scene **and appropriate to the architectural character of existing development**, other than where a **proposal is in accordance with** ~~it is appropriate to have larger buildings such as at street corners, or where specific changes are provided for through a design code which forms part of a development plan;~~*

- Footnote 43 refers to ‘existing building’: our concerns regarding this term are articulated in response to Q3, in relation to the Glossary.

## **120) DO YOU AGREE WITH THE PROPOSED SAFEGUARDS IN POLICY L2 THAT ALLOW DEVELOPMENT IN RESIDENTIAL CURTILAGES?**

- *Strongly disagree.*
- *Summary of Historic England’s response: concern is expressed at the impact of the policy on the historic environment, and changes proposed.*
- Policy L2 1) d) overlooks wider policy and practice with regard to the understanding of context, and raises particular concerns in relation to the historic environment, where it will cause harm to character and significance: the safeguards are not sufficient. Specific reference to the importance of heritage is needed, with reference to the setting of designated heritage assets. We refer to our response to Q118 regarding a new clause in Policy L2. To provide more detail on our thinking:
  - While we are broadly supportive of achieving an uplift in residential density through character-led intensification, particularly of low-density areas, Policy L2 d) iii) is a potentially significant shift in policy, which risks unforeseen consequences. Giving substantial weight to proposals that could double the size of the building threatens to take a major step away from the commitment to conservation and enhancement of the historic environment outlined in Chapter 20.
  - There is the potential to harm the significance of heritage assets such as listed buildings through insensitive development within their settings, harming the ability to appreciate their special interest, and cumulatively leading to a significant shift in the character of historic areas such as conservation areas.
  - Some residential curtilages, especially those linked with historic estates, include designed landscapes in their own right or elements of ancient woodland or planting. These features may not all be designated, but risk being harmed or lost if there is universal support for such expansion within curtilages.
  - There is no single design solution that fits all, and so broad support in this way requires suitable caveats, and underscores the importance of local plans, design codes and design guidance, and conservation area appraisals and management plans.

## **121) DO YOU AGREE POLICY L3 PROVIDES CLEAR GUIDANCE ON ACHIEVING APPROPRIATE DENSITIES FOR RESIDENTIAL AND MIXED-USE SCHEMES?**

- *Partly agree.*

- *Summary of Historic England's response: changes are proposed in the interests of clarity.*
- If – as suggested in Historic England's response to Q115 – the word 'optimise' is to be clarified, it would be helpful to use the term instead of 'make the most of' in Policy L3 2):

*The existing character of an area should be taken into account, in accordance with policy DP3, but should not preclude development which ~~makes the most of~~ **optimises** an area's potential.*

## **122) DO YOU AGREE WITH THE MINIMUM DENSITY REQUIREMENTS SET OUT WITHIN POLICY L3?**

- *Partly disagree.*
- *Summary of Historic England's response: changes are sought in order to maintain appropriate heritage protections.*
- The minimum density requirements are supported, alongside the requirement for the existing character of an area to be taken into account.
- Policy L3 1) does not currently refer to the character of the area i.e. the context. This is a crucial consideration when seeking (as the policy does) to deliver 'well designed, attractive and healthy places'. We suggest adding 'the character of the area' to the list of considerations in Policy L3 1).
- Also, we highlight a degree of concern that Policy L3 4) directs proposals to be refused if they do not meet the stated minimum density requirements, even in cases where they would deliver on housing of the desired type, scale and mix, with good quality design and in character with the area/historic area: its deletion is proposed.
- The proposed changes to Policy L3 are shown below:
  1. *Development proposals should make efficient use of land, taking into account the identified need for different types of housing and other development, local market conditions, the availability of infrastructure (including sustainable transport options) and its scope for improvement, **the character of the area**, a site's connectivity and the importance of securing well-designed, attractive and healthy places.*
  2. *Within this context development proposals for residential and mixed-use development within settlements should contribute to an increase in the density of the area in which they are situated. The existing character of an area should be taken into account, in accordance with policy DP3, but should not preclude development which makes the most of an area's potential.*
  3. *Minimum densities for residential development proposals are appropriate in locations which provide high levels of connectivity to jobs and services. Where development proposals for housing or mixed-use schemes are within reasonable walking distance of a railway station [44], a density of at least 40 dwellings per hectare should be achieved within the net developable area of the site, or 50 dwellings per hectare where the station or stop is defined as 'well-connected'.*

~~4. Development proposals that do not make efficient use of land in accordance with this policy should be refused.~~

- Historic England's 2018 research ([Increasing Residential Density in Historic Environments](#)) demonstrates how much can be achieved within the historic environment when it is properly taken into account.

**125) ARE THERE OTHER TYPES OF LOCATION (SUCH AS URBAN CORE, OR OTHER TYPES OF PUBLIC TRANSPORT NODE) WHERE MINIMUM DENSITY STANDARDS SHOULD BE SET NATIONALLY?**

- *No.*
- *Summary of Historic England's response: support is expressed for a plan-led approach to increasing density, and the appropriate consideration – and utilisation – of heritage.*
- This type of zoning can only be acceptable where there are clear exemptions to enable heritage assets to be conserved in a manner that protects their value for this and future generations.
- Increased densities in urban cores require a plan-led approach that enables the provision of amenities and a conducive environment for urban living without unintended constraint on remaining businesses. Historic England supports the principle of increasing town centre living through a managed transition (which also gives investors confidence), and particularly the achievement of high densities through the reuse of historic buildings in town centres.

**128) DO YOU AGREE POLICY L4 PROVIDES CLEAR HIGH-LEVEL GUIDANCE ON GOOD DESIGN FOR RESIDENTIAL EXTENSIONS?**

**129) PLEASE PROVIDE YOUR REASONS, PARTICULARLY IF YOU DISAGREE.**

- *Partly agree.*
- *Summary of Historic England's response: amendments are proposed in support of good design and clarity.*
- It would be worth making reference to materials in Policy L4 1) a), as one of the factors enabling new development to blend effectively with existing buildings.
- Footnote 46 refers to 'existing building': our concerns regarding this term are articulated in response to Q3, in relation to the Glossary.

**CHAPTER 13: PROTECTING GREEN BELT LAND**

**132) DO YOU AGREE POLICY GB2 GIVES SUFFICIENT DETAIL ON THE EXPECTED ROLES SPATIAL DEVELOPMENT STRATEGIES AND LOCAL PLANS PLAY IN ASSESSING GREEN BELT LAND?**

- *Partly agree.*

- *Summary of Historic England's response: support is expressed and information provided regarding the contribution of the historic environment.*
- The retention of the purpose to 'preserve the setting and special character of historic towns' is welcomed.
- Various heritage assets fall within Green Belts and contribute to their openness and permanence, for example there are 360 registered parks and gardens which lie within or intersect Green Belt land.

#### **134) DO YOU AGREE THE EXPECTATIONS SET OUT IN POLICY GB5 ARE APPROPRIATE AND DELIVERABLE IN LOCAL PLANS?**

- *Partly agree.*
- *Summary of Historic England's response: the retention of existing policy is proposed, to recognise a wider range of beneficial uses and support heritage protection.*
- The expectations set out in Policy GB5 around accessibility, nature recovery, environmental quality, food growing and supporting wider plans and strategies are appropriate and deliverable within the Green Belt.
- Whilst GB5 includes supporting the objectives of Protected Landscapes, it would be helpful to reinstate the references in paragraph 151 of the 2024 NPPF to retaining and enhancing landscapes and visual amenity and improving damaged/derelict land: these too are beneficial uses.

#### **135) PLEASE PROVIDE YOUR REASONS, PARTICULARLY IF YOU DISAGREE.**

- *Summary of Historic England's response: the retention of existing policy is proposed, to recognise a wider range of beneficial uses and support heritage protection.*
- We welcome the new provisions to increase the contribution of Green Belt land to people and nature, requiring consideration of contributions to Local Nature Recovery Strategies and support for objectives relating to the National Forest, community forests, and Protected Landscapes.
- There is however an opportunity to increase the positive contribution to be made by development plans by reinstating the references at paragraph 151 of the 2024 NPPF, as noted above. This would particularly support the conservation of and benefits from registered parks and gardens, conservation areas and the contribution made by setting to the significance of heritage assets.

### **CHAPTER 14: ACHIEVING WELL-DESIGNED PLACES**

#### **146) DO YOU AGREE THAT POLICY DP1 PROVIDES SUFFICIENT CLARITY ON HOW DEVELOPMENT PLANS SHOULD DELIVER HIGH QUALITY DESIGN AND PLACEMAKING OUTCOMES?**

- *Partly agree.*

- *Summary of Historic England's response: amendments are proposed to ensure appropriate recognition of the historic environment.*
- Policy DP1 1) b) could be made more specific by the following amendment:

*Identifying where design guides, design codes and masterplans are necessary to deliver design and placemaking outcomes, such as for significant site allocations and areas of change **or townscape sensitivity** (e.g. town centres, regeneration areas and suburban areas where there is scope for intensification, **or conservation areas**);*

#### **147) DO YOU AGREE WITH THE APPROACH TO DESIGN TOOLS SET OUT IN POLICY DP2?**

- *Partly agree.*
- *Summary of Historic England's response: an amendment is proposed to maintain character.*
- The focus on specific areas, rather than area-wide design codes, is welcomed.
- In Policy DP2 1) a), the following amendment is proposed to ensure that positive character is strengthened, and poor character does not unduly influence design:

*Ensuring the vision for the plan reflects the desired design and placemaking outcomes. This should be informed by an evaluation of the area's ~~existing~~ **positive** characteristics and potential;*

#### **148) DO YOU AGREE POLICY DP3 CLEARLY SET OUT PRINCIPLES FOR DEVELOPMENT PROPOSALS TO RESPOND TO THEIR CONTEXT AND CREATE WELL-DESIGNED PLACES?**

- *Partly agree.*
- *Summary of Historic England's response: changes are proposed to ensure the contribution to be made by heritage to place-making is recognised.*
- The references to history, character, setting and the reuse and integration of heritage assets in Policy DP3 1) a) are welcome, though we encourage the replacement of 'restoration' with 'conservation' in line with our other comments on this matter.
- Further acknowledgement could usefully be made in DP3 1) a), g) or h) to the wider potential for heritage assets to inspire design and contribute positively to placemaking (including the contribution to be made by heritage assets of archaeological interest to the public realm, community spaces and landscaping).
- It should also be noted that the quality and character of places can suffer from proliferation of multiple/competing elements of street furniture/infrastructure/ advertisements. Having clarity in handling these matters would assist in decision making.

**CHAPTER 15: PROMOTING SUSTAINABLE TRANSPORT****153) DO YOU AGREE THAT PROPOSED POLICY TR4 PROVIDES A SUFFICIENT BASIS FOR THE EFFECTIVE INTEGRATION OF TRANSPORT CONSIDERATIONS IN CREATING WELL-DESIGNED PLACES?**

- *Partly agree.*
- *Summary of Historic England's response: reference to further relevant guidance is proposed to ensure that heritage is properly taken into account.*
- The guidance referred to in the footnote to Policy TR 2) is currently limited to the Manual for Streets. Historic England would also recommend referring here to [Streets for All](#), for scenarios where proposed works are to take place within the historic environment, not least as this will enable existing character to be taken into account in designing arrangements of streets.

**156) DO YOU AGREE THE PROPOSED TEXT IN POLICY TR7 PROVIDE AN EFFECTIVE BASIS FOR ASSESSING PROPOSALS FOR MARINE PORTS, AIRPORTS AND GENERAL AVIATION FACILITIES?**

- *Partly disagree.*
- *Summary of Historic England's response: reference to the historic environment is proposed to support the delivery of appropriate development.*
- Reference could usefully also be made to the historic environment in Policy TR7 d), alongside the reference to landscape, etc.: marine ports are often situated in or adjacent to towns and cities, where heritage assets and historic character make a major contribution to local economy and society, and particularly in waterfront areas. Reference to the historic environment would encourage port development that supports the historic character of port towns and cities.

**CHAPTER 16: PROMOTING HEALTHY COMMUNITIES****159) DO YOU AGREE THAT LOCAL GREEN SPACE SHOULD BE 'CLOSE' TO THE COMMUNITY IT SERVES?**

- *Partly agree.*
- *Summary of Historic England's response: broad agreement is articulated.*
- Local green space should be located at distances that meet local needs, based on existing and future predicted population and according with the standard accessibility guidelines set out within the Green Infrastructure Framework, the Fields in Trust Standards and Sport England Standards: this will increase accessibility to high quality green space, sport and play facilities and reduce inequality.
- It is welcomed that this policy references the importance of historic significance within the provision of green space.

**160) DO YOU AGREE THAT THE PROPOSED POLICIES AT HC3 AND HC4 WILL SUPPORT THE PROVISION OF COMMUNITY FACILITIES AND PUBLIC SERVICE INFRASTRUCTURE SERVING NEW DEVELOPMENT?**

- *Partly agree.*
- *Summary of Historic England's response: changes are sought in the interests of clarity, and in support of place-making.*
- Policy HC3 2): deferring to national standards for green space, sport and play where there are no local quality, quantity and accessibility standards is a suitable alternative and proposals should be based on existing provision, deficiency and proposed level of occupancy and population.
- Policies HC3 2) and HC4: locally accessible green space, sport and play facilities provide multifunctional benefits including community health and wellbeing, sense of place, and enhancing the historic environment and nature recovery, serving new developments. Allowing for developer contributions instead of provision within the development may be acceptable if there is surplus provision of community facilities, but, in locations where there are existing deficits, this would weaken placemaking and reduce access to and provision of community facilities. Further clarification should be added in relation to when contributions are acceptable and should be seen as a secondary mechanism in which to deliver community facilities and support robust and justifiable decision making.

**162) DO YOU AGREE WITH THE PROPOSED APPROACH TO RETAINING KEY COMMUNITY FACILITIES AND PUBLIC SERVICE INFRASTRUCTURE IN POLICY HC6?**

- *Partly agree.*
- *Summary of Historic England's response: the potential relevance of this provision to the historic environment is highlighted.*
- While we are pleased to note that cultural venues fall within the definition of community facilities as defined in the Glossary, to avoid ambiguity and recognise the importance of cultural venues, we encourage the reinstatement of cultural venues within the examples of community facilities in HC6 2).
- It should be noted that the loss of a use of a community facility may also mean the loss of a heritage asset.

**164) DO YOU AGREE WITH THE CLARIFICATION THAT LOCAL GREEN SPACE SHOULD NOT FALL INTO AREAS REGARDED AS GREY BELT OR WHERE GREEN BELT POLICY ON PREVIOUSLY DEVELOPED LAND APPLY?**

- *Strongly agree.*
- *Summary of Historic England's response: support is expressed.*
- Local green space should be afforded protection due to providing a vital community service, and should therefore not fall within grey belt policy.

**CHAPTER 17: POLLUTION, PUBLIC PROTECTION AND SECURITY****167) DO YOU AGREE WITH THE CRITERIA SET OUT IN PROPOSED POLICY P3 AS A BASIS FOR SECURING ACCEPTABLE LIVING CONDITIONS AND MANAGING POLLUTION?**

- *Partly disagree.*
- *Summary of Historic England's response: changes are sought to maintain historic environment protections.*
- Consideration of the environmental impact of development proposals (in terms of living conditions and pollution) needs to take into account potential impacts on the historic environment as well as the natural environment. This ranges in scope from potential impacts of chemicals on water-logged archaeological remains to impacts from noise within heritage assets or within their setting that derive significance from their tranquillity. We recommend the following amendment to Policy P3 1) a):

*Be appropriate for their location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural **and historic** environment, as well as the potential sensitivity of the site or the wider area to impacts which could arise from the development;*

**CHAPTER 18: MANAGING FLOOD RISK AND COASTAL CHANGE****171) DO YOU AGREE WITH THE PROPOSED CHANGES SET OUT IN POLICY F3 TO IMPROVE HOW COASTAL CHANGE MANAGEMENT AREAS ARE IDENTIFIED AND TAKEN INTO ACCOUNT IN DEVELOPMENT PLANS?**

- *Partly disagree.*
- *Summary of Historic England's response: amendments are sought in the interests of clarity and the maintenance of heritage protections.*
- The new policy omits the key sentence in paragraph 183 of the 2024 NPPF that 'in coastal areas, *planning policies and decisions* should take account of the UK Marine Policy Statement and marine plans' (emphasis added). It refers solely to development plans needing to take the UK Marine Policy Statement (MPS) and relevant marine plans into account, but no reference is made to the application of the UK MPS and marine plans to decisions. Additionally, the application to development plans is constrained to 'risks arising from coastal change', and does not address wider considerations.
- Whilst the sentence 'Integrated Coastal Zone Management should be pursued across local authority and land/sea boundaries, to ensure effective alignment of the terrestrial and marine planning regimes' (paragraph 183, 2024 NPPF) has been retained, this is weaker without its preceding sentence. The UK MPS and regional marine plans include important policies on coastal and marine heritage, but their application across the breadth of national planning policy in coastal/marine contexts is omitted by the new framing and wording. Integrating policies on the historic environment across coastal and marine planning systems is the best way to deliver the social, economic and environmental benefits that

conservation of the historic environment can bring, for the historic environment to contribute to the character and quality of coastal development, and to support much needed growth in coastal communities.

#### **172) DO YOU AGREE WITH THE PROPOSED CLARIFICATIONS TO THE SEQUENTIAL TEST SET OUT IN POLICY F5?**

- *Partly disagree.*
- *Summary of Historic England's response: changes are proposed in the interests of protection of the historic environment.*
- Historic England would welcome clearer emphasis that the whole of Policy F5 applies to new development only. This will ensure that it does not unreasonably restrict development proposals to safeguard, adapt or increase the resilience of existing properties – notably heritage assets – in areas known to be at risk from flooding.
- Given the extent of flood zones and the numbers of heritage assets that lie within them, it is essential that proposals which would support adaptation and resilience of heritage assets are not precluded or impeded by the sequential test, to avoid hastening the deterioration of heritage assets. Development to safeguard, adapt or increase the resilience of heritage assets in flood risk areas could be added to Policy F5 2) c).

#### **173) DO YOU AGREE WITH THE PROPOSED APPROACH TO THE EXCEPTION TEST SET OUT IN POLICY F6?**

- *Partly disagree.*
- *Summary of Historic England's response: amendments are sought in the interests of clarity and the protection of the historic environment.*
- Historic England would welcome clarification of the application of Policy F6 to development proposals relating to heritage assets in flood zones 2, 3a or 3b. As noted with respect to Q172, it is essential that proposals that would support adaptation and resilience of heritage assets are not precluded or impeded by the exception test, as this could hasten their deterioration. Many heritage assets in flood risk areas have – with suitable management and repairs – experienced many episodes of flooding over their lifetimes and could, accordingly, be regarded as 'water-compatible'.
- As noted below, adding heritage assets to the list of Water-Compatible Development in Annex F Table 2 would enable development that supports the adaptation and resilience of heritage assets, so that they can continue to be assets for their communities for decades and centuries to come.

#### **174) DO YOU AGREE WITH THE PROPOSED REQUIREMENT IN POLICY F8 FOR SUSTAINABLE DRAINAGE SYSTEMS TO BE DESIGNED IN ACCORDANCE WITH THE NATIONAL STANDARDS?**

- *Partly disagree.*
- *Summary of Historic England's response: amendments are sought which recognise the need to understand the historic context to ensure appropriate protection.*

- Historic England notes that the national standards for sustainable drainage systems take influence from historical information on flooding and groundwater, and to landscape and townscape character and historical associations. Nonetheless, approaches to drainage do not always take into account the historical manipulation of watercourses in both rural and urban contexts. Problems with flooding and drainage can often be a consequence of previous water management systems falling into disrepair, disuse, or obscurity. Understanding historic management and manipulation of watercourses is therefore important to sustainable drainage.
- Policy F8 could encourage drainage systems which harm the significance of heritage assets (such as historic water mills, bridges, leats, etc.) and which are not fully effective if insufficient consideration has been given to historic watercourses.

**175) DO YOU AGREE WITH THE PROPOSED NEW POLICY TO AVOID THE ENCLOSURE OF WATERCOURSES, AND ENCOURAGE THE DE-CULVERTING AND RE-NATURALISATION OF RIVER CHANNELS?**

- *Partly disagree.*
- *Summary of Historic England's response: amendments are sought which recognise the need to understand the historic context to ensure appropriate protection.*
- Supporting de-culverting and re-naturalising existing water courses in Policy F8 is welcomed.
- It is recommended that reference is made to understanding historic landscape character and associated historic river morphology and current landscape character, as well as other relevant environmental aspects such as ecology and arboriculture, to achieve high quality environments with multifunctional outcomes.
- In some cases, culverting occurred in earlier centuries and the culverts themselves and adjacent buildings/features may be heritage assets, including designated heritage assets. Equally, many river channels have been highly modified: river channel location and form may be deeply embedded in the historic landscape and built environment. In such circumstances de-culverting or re-naturalisation of river channels could result in harm – including substantial harm – to the significance of heritage assets. The reference to 'where possible' in Policy F8 3) should be amended to 'where possible and consistent with national policy'.

**176) DO YOU AGREE WITH THE PROPOSED CHANGES TO POLICY FOR MANAGING DEVELOPMENT IN AREAS AFFECTED BY COASTAL CHANGE?**

- *Partly disagree.*
- *Summary of Historic England's response: amendments are sought in the interests of clarity and the conservation of the historic environment.*
- Historic England would welcome clarification of the application of Policy F9 to development proposals relating to heritage assets in Coastal Change Management Areas (CCMA). It is essential that proposals that would support adaptation and resilience of heritage assets are not precluded or impeded by Policy F9, as this could hasten their deterioration or abandonment. In turn, this may increase pressure on public authorities and funding to address additional risks to health and safety, anti-social behaviour and so on. Policy F9

should enable development to support the adaptation and resilience of heritage assets in CCMA, so that they can continue to provide economic and social benefits for their communities for as long as practicable.

- Heritage assets make a major contribution to the character of the coast: Policy F9 1) c) should be amended as follows:

*Not have a detrimental impact on the character of the coast, including **heritage assets and land designated for its landscape or habitat importance**;*

**177) THE NATIONAL COASTAL EROSION RISK MAP SETS OUT WHERE AREAS MAY BE VULNERABLE TO COASTAL CHANGE BASED ON DIFFERENT SCENARIOS. DO YOU HAVE VIEWS ON HOW THESE SCENARIOS SHOULD BE APPLIED TO ENSURE A PROPORTIONATE APPROACH IN APPLYING THIS POLICY?**

- *Neither agree nor disagree.*
- *Summary of Historic England's response: commentary is provided.*
- Historic England has worked closely with the Environment Agency on the roll-out of new national coastal erosion risk map data, and we are content with how the scenarios are applied.

**178) DO YOU AGREE WITH THE PROPOSED NEW ADDITIONS TO TABLE 2: FLOOD RISK VULNERABILITY CLASSIFICATIONS?**

**A) SHOULD ANY OTHER FORMS OF DEVELOPMENT SHOULD BE ADDED? PLEASE GIVE YOUR REASONING AND CLEARLY IDENTIFY WHICH PROPOSED OR ADDITIONAL USES YOU ARE REFERRING TO.**

- *Partly disagree.*
- *Summary of Historic England's response: amendments are proposed in the interests of heritage protection.*
- As noted in our response to Q173, heritage assets should be added to 'amenity open space, nature conservation and biodiversity ...' etc. in the list of Water-Compatible Development in Annex F – Table 2. Their inclusion here would enable development to support the adaptation and resilience of heritage assets in flood risk areas so that they can continue to be assets for their communities for decades and centuries to come.

**CHAPTER 19: CONSERVING AND ENHANCING THE NATURAL ENVIRONMENT**

**179) DO YOU AGREE THAT THE PROPOSED APPROACH TO PLANNING FOR THE NATURAL ENVIRONMENT IN POLICY N1, INCLUDING THE PROPOSED APPROACH TO BIODIVERSITY NET GAIN, STRIKES THE RIGHT BALANCE BETWEEN CONSISTENCY, VIABILITY, DELIVERABILITY, AND SUPPORTING NATURE RECOVERY?**

- *Partly disagree.*

- *Summary of Historic England's response: changes are sought to ensure appropriate recognition of and protection for the historic environment, and integrated management of the historic and natural environments.*
- Reference to the use of wider, landscape scale plans and strategies is welcomed.
- Policy N1 1) implies that the natural capital stocks and flows, and the resultant ecosystem services, are derived only from protected and designated sites, which could potentially weaken the plan making process to not identify all environmental opportunities, benefits and safeguards (including in relation to the historic environment), whether designated or not.
- Footnote 68 should clarify that this refers only to determining Green Infrastructure standards, and not to standards for recreational land, which have a wider range of standards to refer to under Policy HC1.
- There is no requirement within Policy N1 for specific evidence-based policies or measurable outcomes linked to the Environmental Improvement Plan, specifically to 'Commitment 90: Improve the condition, diversity and character of our landscapes and the condition of the historic environment and heritage features, including designated geological sites and scheduled monuments', which is of particular concern given the changes to policy in Chapter 2 regarding the evidence required in support of plan-making.
- Policy N1 – and the overall approach to the environment within the NPPF – could usefully be strengthened with the addition of reference to the historic environment, which should also be part of any consideration of ecosystem services. Both the natural and historic environments are inextricably linked and wherever possible plan-makers should consider both holistically (as per the Joint Statement between Natural England, Historic England and the National Lottery Heritage Fund: [Integrating Management of the Natural and Historic Environment](#)). The following additional criterion is suggested:

***e. Encourage the integrated management of the historic and natural environment where possible.***

**180) IN WHAT CIRCUMSTANCES WOULD IT BE REASONABLE TO SEEK MORE THAN 10% BIODIVERSITY NET GAIN ON SITES BEING ALLOCATED IN THE DEVELOPMENT PLAN, ESPECIALLY WHERE THIS COULD SUPPORT MEETING BIODIVERSITY NET GAIN OBLIGATIONS ON OTHER NEIGHBOURING SITES IN A PARTICULAR AREA?**

- *Summary of Historic England's response: changes are proposed to improve application of BNG policy, including in relation to the historic environment.*
- Policy N1 2): whilst it is supported that there should be a consistent approach to the application of mandatory 10% biodiversity net gain (BNG), an analysis undertaken of the first year of BNG ([Lessons Learned from the First Year of the Biodiversity Net Gain Market in England](#)) demonstrated that 86% of planning applications falling within the 'small site' criterion claimed they were exempt from BNG, whilst 56% claimed 'de minimis' exemption; further, around 30% of those within the 'large site' (over 1ha) category claimed 'de minimis' exemption. From this analysis it is clear that greater oversight is required at validation and decision-making stages to ensure that even the minimum mandatory obligations are being met.

- Acceptable circumstances for plan-makers to reasonably seek to increase beyond the mandatory 10% BNG on allocated sites could include the following:
  - Areas identified without enough green space across typologies (deprivation) and/or those with a lack of access green space (considering all typologies), or in areas where green space is of poor quality (where they do not meet Green Flag Standards).
  - To achieve high quality placemaking: in [recent research](#) almost two thirds of respondents (63%) said that being in or around historic buildings positively affects their wellbeing, comparable to the positive effect of local parks and green spaces (80%).
  - In areas identified as being deficient in access to nature and/or where biodiversity is poor.
  - Where it is identified in wider plans and strategies (e.g., Local Nature Recovery Strategies) as being beneficial for both people and nature.
  - In areas where increases would also enhance the overall environmental quality, including the historic environment.

**181) DO YOU AGREE POLICY N2 SETS SUFFICIENTLY CLEAR EXPECTATIONS FOR HOW DEVELOPMENT PROPOSALS SHOULD CONSIDER AND ENHANCE THE EXISTING NATURAL CHARACTERISTICS OF SITES PROPOSED FOR DEVELOPMENT?**

- *Neither agree nor disagree.*
- *Summary of Historic England's response: changes are proposed to ensure the appropriate recognition and protection of the historic environment.*
- Policy N2 1):
  - The reference at N2 1) d) to conserving and enhancing 'existing natural features of visual, historic or nature conservation value (such as established trees and hedgerows)' is welcomed, as the natural and historic environment are often intrinsically interlinked, and the inclusion of historic features that are part of our environment is positive. The references at N2 1) e) and g) to green infrastructure (which can include registered landscapes) are also welcomed. It is important to recognise the overlap between the natural and historic environments, including that features such as historic hedgerows or ancient woodlands are both natural and heritage features.
  - N2 1) d): the reference to the use of 'appropriate landscaping' weakens the principle that well designed places are a result of understanding and using the landscape within which development is located, as an integrated and holistic approach to place making, risking the implication that 'landscaping' can be applied as an afterthought.
  - N2 1) g): this section of the policy should be strengthened to emphasise that design, management and maintenance are integral to creating locally distinctive and prosperous places that support both people and nature.

**182) DO YOU AGREE THE POLICY IN POLICY N4 PROVIDES A SUFFICIENTLY CLEAR BASIS FOR CONSIDERING DEVELOPMENT PROPOSALS AFFECTING PROTECTED LANDSCAPES AND REFLECTING THE STATUTORY DUTIES WHICH APPLY TO THEM?**

- *Partly disagree.*
- *Summary: the retention of existing policy is sought, to maintain heritage protections.*
- Policy N4 1):

- Paragraph 189 of the 2024 NPPF stated that ‘the conservation and enhancement of wildlife and cultural heritage are also important considerations’ in Protected Landscapes, and ‘should be given great weight in National Parks and the Broads’.
- In the draft policy, only the reference to (now substantial) weight being given to conserving and enhancing wildlife and cultural heritage in National Parks and the Broads has been brought forward: the recognition that the conservation and enhancement of wildlife and cultural heritage are also important considerations in National Landscapes has been omitted, and should be reinstated.

## CHAPTER 20: CONSERVING AND ENHANCING THE HISTORIC ENVIRONMENT

### **185) DO YOU AGREE THE GOVERNMENT SHOULD IMPLEMENT THE ADDITIONAL REGARD DUTIES UNDER SECTION 102 OF THE LEVELLING-UP AND REGENERATION ACT?**

- *Strongly agree.*
- *Summary of Historic England’s response: strong support is expressed for the commencement of section 102 of the Levelling-up and Regeneration Act 2023, as well as for the commencement of sections 104 and 230.*
- Section 102 is a valuable complement to the existing parity for all types of designated heritage asset in national planning policy, and provides welcome consistency with the existing duties outlined in respect of listed buildings (sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, which would also be amended by section 102 to wholly reflect the new duty), and the closely-related duty in respect of conservation areas (section 72 of the 1990 Act): this consistency will provide a clearer context for both applicants and decision-makers, augment protection and enhancement, and support the successful implementation of the government’s wider objectives for the conservation of the historic environment.
- Additionally, the future potential to implement these provisions in relation to World Heritage Sites has formed an important component of State Party’s dialogue with UNESCO about how its planning reforms will additionally strengthen the legislative and planning framework within which World Heritage Sites are protected and managed.
- Compliance with the section 102 duty will require decision-makers to have access to the necessary information and expertise, an issue addressed in other recent government proposals.
- Historic England would also welcome the commencement of sections 104 and 230 of the Levelling-up and Regeneration Act, which deal with urgent works to listed buildings etc and statutory Historic Environment Records, respectively.

### **187) DO YOU AGREE WITH THE APPROACH TO PLAN-MAKING FOR THE HISTORIC ENVIRONMENT, INCLUDING THE SPECIFIC REQUIREMENTS FOR WORLD HERITAGE SITES AND CONSERVATION AREAS, SET OUT IN POLICIES HE1 – HE3?**

- *Partly disagree, for the reasons set out below.*
- *Summary of Historic England’s response: changes are proposed to Policies HE1, HE2 and HE3, in the interests of clarity and the maintenance of heritage protections.*

## HE1: Planning for the historic environment

- The reference in HE1 1) to development plans enhancing the historic environment is supported.
- HE1 develops the plan-specific policy set out in paragraph 203 of the 2024 NPPF, but does not reflect the wider policy in respect of the historic environment. As a result, HE1 does not fully recognise the potential and purpose of plan-making, with a particular omission being a failure to utilise heritage as a strategic, spatial tool for place-making and driving growth.
- Heritage is a strategic as well as local/detailed matter (see also our response to Q6 in relation to Policy PM1). As such, and in the interests of consistency (e.g. in relation to Policy HE2), ‘at the most appropriate level’ should be deleted, so that the policy refers to ‘development plans’ in the round: as a key element in the delivery of sustainable development, heritage should be addressed at every level of the development plan (strategic, local, and neighbourhood).
- Policy HE1 exposes a tension between splitting plan-making policies and decision-making policies (which we broadly support) and the reality that ‘planning for the historic environment’ is a holistic endeavour. Heritage considerations must influence development strategies, allocations and policies, and provide the context for development management decisions. This enables heritage objectives to be consistently applied, increases accountability, and strengthens the ability to achieve tangible heritage and planning benefits (by way of an example, HE1 should explain how heritage considerations will influence development strategies, allocations and policies, and provide the context for development management decisions). Without this, heritage risks being sidelined during plan-making and implementation, and the plan-led system weakened, with impacts on certainty and confidence for developers.
- There is no requirement within HE1 for specific evidence-based policies or measurable outcomes, which is of particular concern given the changes to policy in Chapter 2 regarding the evidence required in support of plan-making. The current PPG provides some helpful references with regard to the importance and nature of evidence required to support historic environment policy (e.g. ‘planning policies need to be based on up-to-date evidence about the historic environment in their area... Authorities may draw on a wide range of evidence sources, including the relevant Historic Environment Record, the National Heritage List for England, conservation area management plans and appraisals, and local consultations that have identified assets of local historic importance’).
- Elements of Policy HE4 are critical for plan-making as well and should also be reflected in Policy HE1. For instance (and as noted in response to Q191), development plans should also recognise that the historic environment is an irreplaceable resource, so that positive strategies can be put in place to conserve it (including when allocating sites).
- A cross-reference to Policy HE3 would be helpful in underscoring the value of Historic Environment Records to plan preparation, and particularly to the production of heritage assessments.
- The retention of ‘enjoyment’, and its extended application to all parts of HE1, is welcomed.
- *HE1 1) a)*: The expectation that a positive strategy for the historic environment is prepared is indeed retained, as suggested in the consultation document, and even extended, as it now also refers to enhancement, but it is also weakened, partly through a lack of clarity in the articulation of the expectation, and partly through a reduction in its scope:
  - The term ‘main heritage features’ is unclear, and needs definition if it is intended to be interpreted more broadly than ‘heritage asset’, not least in what constitutes a ‘main’ feature. The relationship between main features and heritage assets most at risk is also

unclear. If the policy's current approach is to be retained, Historic England recommends deletion of the word 'main'.

- It would be more appropriate to refer to the historic environment, though. The proposed strategy now relates solely to the 'main heritage features within the plan area', rather than to the historic environment as a whole, which will omit a significant proportion of an area's heritage, reducing both its protection and the social, economic and environmental opportunities heritage brings. The focus on identifying features and listing issues rather than embedding heritage into a spatial strategy that directs where and how development happens is likely to result in a development plan that catalogues assets rather than manages the process of change.
- Whilst HE1 specifies that sections 1) a) to 1) d) should all be applied 'at the most appropriate level' within the development plan (something which would benefit from clarification), the disaggregation of the various points made in paragraph 203 of the 2024 NPPF which are retained in HE1 reduces the likelihood that they will all be considered in the formulation of the positive strategy, which could lead to a disjointed approach rather than supporting the development of a coherent vision for the conservation, enhancement, enjoyment and utilisation of heritage. Therefore, we suggest that the phrase 'most appropriate level' is deleted.
- The policy should explicitly link the positive strategy to decision-making on planning applications (particularly in relation to the avoidance or minimisation of harm to heritage assets). Without this, the heritage strategy set out in the local plan risks being a high-level statement with little practical effect.
- Policy HE1 omits the former reference to plans (via their positive strategies) putting heritage assets to viable uses. Whilst use ('consistent with their conservation') is retained in development management policy (Policy HE4), it is not actively promoted in development plan policy, and viable use is not referred to in either.
- *HE1 1) b):*
  - The specific requirement for a proportionate heritage assessment (strictly a Heritage Impact Assessment, or HIA) is warmly welcomed, and Historic England would be happy to work with government on guidance in support of this.
  - The subsequent reference to considering the 'wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring' should be a separate point – as currently drafted, it is implied that these benefits are only to be considered in relation to preparing the heritage assessment, when in fact they are directly relevant to the plan's strategy and policies, and to other evidence being prepared in support of the plan. Consideration should also be given to the contribution that other policy areas can make to the conservation and enhancement of the historic environment.
- *HE1 1) c):*
  - In stating 'take opportunities... to draw on the contribution which the historic environment can make to the character and quality of development', HE1 1) c) conflates two elements of the text in paragraph 203, namely 'the desirability of new development making a positive contribution to local character and distinctiveness', and 'opportunities to draw on the contribution made by the historic environment to the character of a place'. Whilst the recognition of the contribution the historic environment can make to the character and quality of development is welcomed, this should sit alongside the references to development itself making a positive contribution (currently only recognised in development management policy, in HE4), and the recognition that the historic environment contributes to places beyond its influence on new development.

- The connection made between historic environment policy and design codes and masterplans is welcomed.
- *HE1 1) d):*
  - The reference to the production of local lists (supporting rather than necessarily within local plans) is welcomed, and complements the reference to conservation area designation, appraisal and management in HE2 2).
  - An explanation is, however, needed within either this policy or the Glossary to clarify that local lists are only one of the ways in which non-designated heritage assets can be identified (an explanation currently only exists in the PPG).
- The following changes to Policy HE1 are proposed in light of the above:
  1. **To deliver a positive strategy for support the conservation, enhancement and enjoyment of the historic environment, development plans should, at the most appropriate level:**
    - a. **Identify the heritage assets and issues within the plan area, (including those heritage assets at most risk through neglect, decay or other threats), ~~set out the key issues facing them and create a positive strategy for their conservation and enhancement, including~~ facilitate heritage conservation (including the use of assets consistent with their conservation), and promote opportunities where these heritage assets can be used to support sustainable growth (including heritage-led regeneration);**
    - b. **Be informed by clear evidence, including proportionate Heritage Impact Assessment where allocations could affect the significance of designated heritage assets, recognising that such assets are an irreplaceable resource; ~~and should~~**
    - c. **Consider the wider social, cultural, economic and environmental benefits that conservation and understanding of the historic environment can bring;**
    - d. **Take opportunities, for example through design guides, codes and masterplans, to draw on the contribution which the historic environment can make to the character and quality of development;**
    - e. **Be supported by a local list to identify non-designated heritage assets that are important to the local community;**

## **HE2: Conservation Areas and World Heritage Sites**

- Overall, the extended policy better supports the management of conservation areas and World Heritage Sites (and the designation of the former), not least through more consistent references to conserving and enhancing, but further changes are needed.
- As with Policy HE1, the integration of plan-making and development management policy could be enhanced in relation to Policy HE2.
- The reference from paragraph 219 of the 2024 NPPF to elements making a positive contribution to World Heritage Sites and conservation areas needs incorporating within HE2 rather than just HE8 and HE9.

- HE2 1) b):
  - Whilst the references to significance and OUV, setting and buffer zones are welcomed, some clarification is needed to ensure that it is clear that the buffer zone is a part of the setting.
  - The reference to management plans is also welcomed, but the language used does differ in related Policy HE8 1) b): consistency is needed across these policies.
  - Suggested revisions in light of the above are as follows:
    1. *To conserve and enhance the significance of conservation areas and World Heritage Sites, development plans should:*
      - a. *Identify opportunities for new development affecting these assets to enhance or better reveal their significance, alongside any measures needed to safeguard the importance of the assets and their long-term future; and reflect these in policies for site allocations and/or accompanying design guides, design codes or masterplans; and*
      - b. *Include any locally-specific policies needed to preserve and enhance the significance and Outstanding Universal Value of World Heritage Sites ~~and their settings~~ (including any contribution made by their setting ~~and including~~ any buffer zone). Those policies should encourage sustainable use and ~~take into account~~ **have regard to relevant policies and objectives** in World Heritage Site management plans, **particularly their policies and objectives**.*
  - This policy is limited to World Heritage Sites, and should be extended to refer to conservation areas, too, where there is scope for locally tailored provisions that sustain their character and address issues identified in conservation area appraisals and management plans.
- The reference to the need to review conservation areas, and to accompany new (or amended) designations with an appraisal and management plan is very much welcomed. We would welcome clarification about their status, potentially through the PPG, especially in light of the envisaged shift away from Supplementary Planning Documents.
- Please also see Historic England’s response to Q2, above: the loss of reference to planning policies needing to ‘reflect relevant international obligations and statutory requirements’ is of concern (currently set out in paragraph 2 of the 2024 NPPF): this is critical in demonstrating how the obligations under the World Heritage Convention and other international treaties are implemented within the national policy framework, and should be reinstated.

### **HE3: Historic Environment Records**

- The retention of Historic Environment Record policy from the 2024 NPPF is welcomed. Historic England would also welcome the commencement of section 230 of the Levelling-up and Regeneration Act, which introduces statutory Historic Environment Records (HERs).
- Cross referencing to Policies HE5, HE10 and HE11 would clarify the value of HERs to both plan-making and decision-making.
- The inclusion of reference to the value of Historic Environment Records in supporting the creation of local lists is also welcomed, but HE3 1) a) could usefully be split into two separate points to make it clear that inclusion of heritage within a Historic Environment

Record does not define it as a non-designated heritage asset. The following wording is suggested:

*a) Assess the significance of heritage assets and the contribution they make to their environment ~~and inform the preparation of local lists; and~~  
[revised] **b) Inform the preparation of local lists; and***

- Historic England strongly supports the implementation of statutory status for Historic Environment Records, under Section 230 (not yet in force) of the Levelling-up and Regeneration Act 2023. The reference in the consultation to ‘if’ rather than ‘when’ this will happen creates unhelpful uncertainty regarding the status of these records. Having access to the data held by HERs will help to secure better and more streamlined decision-making and support sustainable growth: bringing this provision into force as soon as possible is encouraged.

## **188) DO YOU AGREE WITH THE APPROACH TO ASSESSING THE EFFECTS OF DEVELOPMENT ON HERITAGE ASSETS SET OUT IN POLICY HE5?**

- *Partly agree.*
- *Summary of Historic England’s response: changes are sought in the interests of clarity and the maintenance of heritage protections.*
- *HE5 1):* the emphasis on applicants assessing significance rather than merely describing it is very much to be welcomed, as is the introduction of a requirement for them to also assess the potential effect of proposals on significance: this should result in more considered proposals, and benefits to applicants, communities and the historic environment, particularly if the policy is further amended to require the assessment to be used to inform the development proposal.
- *HE5 2):*
  - The recognition of the full range of effects that proposals can have on heritage, including the positive, is particularly welcomed, as is the adoption of ‘harm’ and ‘substantial harm’.
  - *HE5 2) c):*
    - While we welcome the incorporation of the PPG’s clarification of substantial harm, this definition would be better located within the Glossary.
    - The use of the same framework for assessing harm to all heritage assets, whether designated or not, is welcomed.
    - We recommend focusing solely on harm in c), and, as suggested above and below, moving reference to substantial harm to the Glossary and HE5 2) d).
  - *HE5 2) d):* total loss could usefully be clarified as being a form of harm (as is the case within the 2024 NPPF). As currently drafted, Policy HE4 refers only to harm, and could be interpreted as not applying to total loss. The suggested revised approach would be both clearer in itself, and would mean that d) includes both types of impact that are subject to the test at HE6 4), which, again, makes the text clearer.
  - Greater emphasis on significance would be helpful within Policy HE5 (see also Policy HE6).
  - The following amendments are proposed to Policy HE5 2) in light of the above:

2. Assessments **should be undertaken** of the potential effects of development proposals on **the significance of all of the potentially affected heritage assets and (including the contribution to significance made by their setting)**. These should identify whether proposals would be likely to:
  - a. Have a positive effect, which is where a heritage asset **is retained and its significance would be enhanced, or its significance better revealed**; or
  - b. Have no effect on the significance of the asset; or
  - c. Result in harm to the significance of the heritage asset, either from work affecting the asset itself or from development within its setting. ~~The degree of harm should be identified: substantial harm would occur where the development proposal would seriously affect a key element of the asset's significance~~; or
  - d. **Result in substantial harm to, or Cause the total loss of, the significance of the heritage asset.**

- HE5 3): the incorporation of the PPG's reference to assessments focusing on the effect on significance rather than the scale of the proposal is welcomed.
- HE5 5):
  - The retention of reference to the handling of heritage assets with archaeological interest is supported, but its separation from HE5 1) (and loss of the related text from paragraph 207 in the 2024 NPPF) makes it less clear that this responsibility is the applicant's, and is not clear regarding the timing of the desk-based assessment and the need for proposals to be informed by a desk-based assessment, as is suggested in Policy HE10 1): this should be made clear.
  - There appears to be duplication with HE10 1). To avoid the risk of confusion, and to ensure greater consistency in the handling of heritage assets, a single revised – and relocated – HE5 5) is proposed, along the following lines:

*Where a development proposal involves, or has the potential to involve site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, an appropriate desk-based assessment should be ~~employed~~ undertaken, and, where necessary, a field evaluation, helping to understand the asset's significance and the potential effect on this, which should inform the design, mitigation and implementation of the development.*

- We recommend the above revised wording for HE5 5) is placed at the end of HE5 1), making clear that this is an integral part of work to demonstrate alignment with HE5 1) in a certain set of circumstances.
- The overall approach outlined in relation to Policy HE5 should increase understanding of the policy and thereby support its successful and consistent implementation.

**189) DO YOU AGREE WITH THE APPROACH TO CONSIDERING IMPACTS ON DESIGNATED HERITAGE ASSETS IN POLICY HE6, INCLUDING THE CHANGE FROM “GREAT WEIGHT” TO “SUBSTANTIAL WEIGHT”, AND IN PARTICULAR THE INTERACTIONS BETWEEN THIS AND THE STATUTORY DUTIES?**

- *Neither agree nor disagree.*
- *Summary of Historic England’s response: changes are proposed in the interests of clarity and the maintenance of heritage protections.*
  
- The broad retention of the policy approach set out in paragraph 212 of the 2024 NPPF is welcomed.
- **HE6 1):**
  - In the interests of clarity and consistency, HE6 1) could usefully have the reference to significance reinserted, as follows: ‘when considering the potential effect of a development proposal on **the significance of** a designated heritage asset...’: this would more clearly align with HE5.
  - We note the proposed use of ‘substantial’ rather than ‘great’ weight. As stated earlier in our response, there are concerns that this change represents a reduction in heritage protection, and that it creates a tension with the high threshold set out in the statutory duty to have ‘special regard’, which the policy has to date been assumed to satisfy. A related tension derives from the weight to be given to the conservation of World Heritage Outstanding Universal Value (OUV) in decision-making, in relation to our obligations under the World Heritage Convention. It will be for government to satisfy itself that the use of ‘substantial weight’ in place of ‘great weight’ in heritage policy would be consistent with the statutory duties and with obligations under the World Heritage Convention, so that the application of the NPPF policies continues to satisfy these. Planning practice guidance will be invaluable to guide decision-makers on how balanced decisions should be taken (including that no policy area outweighs another in principle), and how weight should in fact be determined and applied.
  - With regard to the latter, the confirmation of the relationship between policy and legislation in footnote 74 is welcome, but this does not confirm that no ‘change in weighting to be given to the conservation of designated heritage assets’ is intended, as the consultation document suggests.
  - As suggested in relation to HE5 (Q188), it should be clarified that total loss is a form of harm.
- **HE6 2):**
  - Whilst the principle of treating development proposals with a positive effect on designated heritage assets favourably is welcomed, further clarification is needed regarding the understanding of ‘positive effect’, particularly in relation to the assessment of more complex proposals, e.g. where a proposal benefits one or more heritage assets, and harms others. This would be addressed in part by amending HE6 2) as follows: ‘Development proposals which would have a positive effect on **a** designated heritage assets...’.
  - The phrases ‘should be approved’ and ‘should be supported’ are both used in the draft NPPF, but the latter is more appropriate in this policy, as it allows a more nuanced but no less positive approach to be taken, which takes account of the wider legal and policy context, and the particular circumstances of a case. Historic England would recommend that there is a further amendment so that it reads as follows:

*Development proposals which would have a positive effect on a designated heritage assets **consistent with its conservation** should be approved.*

- **HE6 3):**

- We recommend the following revision. As worded, HE6 3) is notably weaker than paragraph 215 of the 2024 NPPF, implying it is simply a matter of balancing with public benefits (which would not necessarily be heritage matters). The loss of the reference to ‘optimum viable use’ from the 2024 NPPF can only be supported if it is replaced with reference to uses consistent with the asset’s conservation:

*Where a development proposal would harm the significance of a designated heritage asset ~~the effect on the asset and its significance should be weighed against any public benefits resulting from the proposal.~~ **the harm should be weighed against the public benefits of the proposal, including where appropriate, securing a use for the asset that is consistent with its conservation.** Important public benefits can include securing the long-term re-use of a vacant or underused listed building, and enabling energy efficiency and low carbon heating measures to be employed.*

- The reference to ‘important public benefits’ appears to be intended to inform the weighing exercise required under the policy, but this could usefully be clarified, and contextualised through wider reference to the form public benefits can take (as is currently articulated in the PPG).
- The identification of the long-term reuse of a vacant or underused listed building as a public benefit is welcomed, as is the support for energy efficiency and low carbon heating measures. It should be noted that conserving heritage assets is in itself a public benefit.

- **HE6 4):**

- The alteration of this policy from the version in the 2024 NPPF introduces a less nuanced and more harmful approach. The existing policy ensures that the *harm* is necessary to achieve the corresponding public benefits that outweigh that harm or loss, whilst the policy in the consultation draft requires that the *development* is necessary. This is a rather more blunt tool, as development could almost always be delivered in a less harmful way, achieving both delivery of much-needed growth and the conservation of the historic environment.

- Policy HE6 applies to all designated heritage assets, and it could usefully be clarified that this is the case, and that Policies HE8 (World Heritage Sites) and HE9 (conservation areas) are additional rather than alternative policies, which should also be applied as appropriate (when heritage policy was last formally split between plan-making and decision-making, in PPS5 (2010), World Heritage Sites and conservation areas were included within the policy relating to designated heritage assets, which reduced the potential for confusion). The cross-references to Policies HE5 and HE6 which are already in place in Policies HE8 and HE9 are to be welcomed.
- We welcome efforts to ensure clarity around the implementation of decision-making regarding non-designated heritage assets of archaeological interest that are of national importance; however, the proposed wording of Footnote 75 is of concern:

- The equivalent text in the 2024 NPPF takes a much clearer approach, and should be reinstated. By referring to ‘non-designated heritage assets of archaeological interest’, it makes it clear that:
  - The heritage eligible to be considered as a designated heritage asset must already be a non-designated heritage asset (i.e. identified as such by a plan-making body).
  - Such assets need not be limited to ‘monuments’ (a term which is undefined in the NPPF), but must instead have archaeological interest.
- In setting out how some monuments may be subject to the policies for designated heritage assets, the new footnote repeats much of the amended definition of ‘designated heritage asset’ contained within the Glossary, but introduces some changes. There are therefore conflicting statements within the draft NPPF, with the overall position being left very unclear:
  - The Glossary refers to the monuments in question being ‘recognised’ as being of national importance, whilst the footnote refers to them being ‘identified’ as being of national importance.
  - The Glossary refers to such monuments not yet being designated as scheduled monuments (‘or as a different type of designated heritage asset’), whilst the footnote refers to the Secretary of State having decided not to designate them as scheduled monuments (‘or as a different type of designated heritage asset’).
  - The footnote adds a further provision relating to monuments that have not yet been assessed by the Secretary of State, ‘but which a decision maker considers to potentially be of national importance’.

The net effect is to render it unclear as to whether local or national decisions can determine the heritage assets with archaeological interest to which designated heritage policies apply (or indeed both), and whether an expectation of scheduling (or other designation) is necessary (or an assessment having been undertaken with a view to scheduling).
- The equivalent text in the 2024 NPPF does not refer to local or national decision-makers, instead referring to sites ‘which are demonstrably of equivalent significance to scheduled monuments’. In terms of further detailed comments:
  - Historic England supports the retention of the existing footnote. We would welcome further discussions in supporting the implementation of footnote 75.
  - Adding responsibility for determining the national importance of non-designated archaeological sites to the Secretary of State could increase the evidential burden and cause delays in planning decisions, as the process for such decisions is unclear and would be separate from current scheduling applications (whilst necessarily operating with the backdrop of the active consideration of planning applications). Both DCMS and Historic England may face additional advisory and procedural burdens, including the need for a new decision-making framework and potential for appeals or judicial reviews.
- This issue is addressed more clearly in DCMS’s 2013 policy (Scheduled Monuments and Nationally Important But Non-scheduled Monuments), with which the consultation text further conflicts.
- Taking all of the above into account, we recommend:
  - Reinstating footnote 75 from the 2024 NPPF.
  - Amending the definition in the Glossary:

***Designated heritage asset:** A World Heritage Site, ~~S~~scheduled ~~M~~monument, ~~L~~isted ~~B~~building, ~~P~~rotected ~~W~~wreck ~~S~~site, ~~R~~egistered ~~P~~park and ~~G~~arden, ~~R~~egistered ~~B~~attlefield or ~~C~~onservation ~~A~~area designated under the relevant legislation or **UNESCO Convention**. ~~Monuments that the decision-maker has recognised as being of national importance but have not yet been designated as a Scheduled Monument (or as a different type of designated heritage asset) should be considered subject to the policies for designated heritage assets.~~*

- The changes proposed above also reflect the need to capitalise the various types of designated heritage asset consistently throughout the NPPF (and PPG), and for the reference to World Heritage Sites being designated under legislation amended. With regard to capitalisation, Historic England practice is as follows:
  - World Heritage Site
  - scheduled monument
  - listed building
  - protected wreck site
  - registered park and garden
  - registered battlefield
  - conservation area.

## **190) DO YOU AGREE WITH THE NEW POLICIES IN RELATION TO WORLD HERITAGE, CONSERVATION AREAS AND ARCHAEOLOGICAL ASSETS IN POLICIES HE8 – HE10?**

- *Partly agree: please see the comments on individual policies, below.*
- *Summary of Historic England's response: changes are proposed to Policies HE8, HE9 and HE10, in the interests of clarity and the maintenance of heritage protections.*

### **HE8: World Heritage Sites**

- The commitment to securing the long-term future of World Heritage Sites is welcomed, as are the requirements to pay particular regard to Outstanding Universal Value, consider management plans, and assess impact.
- There is an inconsistency in approach between HE8 on World Heritage Sites and HE9 on conservation areas: HE8 states that 'development proposals that *affect* a World Heritage Site should...', whilst HE9 states that 'development proposals *within or affecting the significance of* conservation areas should...'. The approach adopted should be the same in this regard for both types of designated heritage asset.
- The use of 'preservation' introduces a degree of perceived inconsistency in heritage policy (see also HE8 3)). 'Conserve' is best used in the NPPF, alongside an explanation of how the terms are reconciled in the Glossary.
- *Policy HE8 1) a):*
  - The references to the significance and attributes of OUV are welcomed, but the assessment of impact at HE8 1) c) should also refer to attributes since this is where they are critically important in the HIA process.
  - The provision in Policy HE9 1) a) relating to retaining buildings and other features which make a positive contribution to conservation areas would also be an appropriate

inclusion within Policy HE8 (noting that the reference in HE9 1) to ‘and restore’ should be amended to ‘and conserve’).

- Clarification is needed to ensure that it is clear that the buffer zone is a part of the setting.
- *Policy HE8 1) b)*: the reference to management plans is welcomed, but the language used does differ in related Policy HE2 1) b): consistency is needed across these policies.
- *HE8 1) c)*: it would be helpful to clarify that assessments of impact should inform visual impact assessments and natural environment, archaeological or historical data.
- *HE8 2)*: the changes in wording and emphasis in HE8 2) compared with paragraph 220 of the 2024 NPPF alter the application of this policy. We recommend removal of ‘relative’ to ensure that all contributions to significance and OUV are given the appropriate weight (HE6 1)) in decision making for a designated heritage asset of the highest significance (draft Chapter 20 Objective, HE6 5)).
- *HE8 3)*:
  - The use of ‘preserve’ introduces a degree of perceived inconsistency in heritage policy.
  - The phrases ‘should be approved’ and ‘should be supported’ are both used in the draft NPPF, but the latter is more appropriate in this policy, as it allows a more nuanced but no less positive approach to be taken, which takes account of the wider legal and policy context, and the particular circumstances of a case.
- Suggested revisions to reflect the above are suggested below:

*HE8: World Heritage Sites*

1. *To secure the long-term future of World Heritage Sites and support the ~~preservation~~ **conservation** and enhancement of their significance and Outstanding Universal Value, development proposals that affect a World Heritage Site should:*
  - a) *Be designed in a way which pays particular regard to the significance and ~~attributes of the~~ Outstanding Universal Value of the World Heritage Site (including any contribution made by its setting ~~and~~ **including** any buffer zone);*
  - b) ***Have regard to** ~~Take into consideration any relevant implications of the World Heritage Site management plan, particularly its policies and objectives;~~ **and***
  - c) *Be supported by an assessment of the impact, including any potential cumulative impact, on the significance, **attributes of and** Outstanding Universal Value, **authenticity and integrity** of the World Heritage Site. This should ~~include~~ **be informed by** appropriate information such as visual impact assessments and natural environment, archaeological or historical data-; **and***
  - d) ***Retain and conserve buildings and other features which make a positive contribution to the World Heritage Site wherever possible.***
2. *Not all elements of a World Heritage Site will necessarily contribute to its significance or Outstanding Universal Value. Where a development proposal would result in the loss of a building or other element which contributes to the*

*significance or Outstanding Universal Value of a World Heritage Site, the assessment of impact should take into account the ~~relative~~ significance and Outstanding Universal Value of the element affected and its contribution to the significance of the World Heritage Site as a whole, and the effects of this considered in accordance with policies HE5 and HE6.*

- 3. Proposals that ~~preserve~~ **conserve** those elements of ~~the setting~~ of a World Heritage Site **or its setting, including any buffer zone**, that make a positive contribution to ~~it~~ (or which better reveal) its significance) should be ~~approved~~ **supported**.*

- In light of the extension of the coverage of World Heritage Sites in policy, including greater reference to Outstanding Universal Value, a cross-reference between the Glossary entries for Significance and Outstanding Universal Value would be helpful.
- The reference in paragraph 219 of the 2024 NPPF to local planning authorities looking for ‘opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance’ should not only be included within Policy HE2, but should also be addressed in Policy HE8.
- The review of the NPPF provides a helpful opportunity to clarify the reference to World Heritage Sites at footnote 76, which brings forward the reference from footnote 73 of the 2024 NPPF to some World Heritage Sites being ‘inscribed by UNESCO to be of natural significance rather than cultural significance; and in some cases they are inscribed for both their natural and cultural significance’. England has only one natural WHS, which is not currently clearly addressed in the policies for either the natural or the historic environment. Historic England has offered a number of suggested edits to the draft policies for World Heritage Sites including and beyond HE8, as well as for associated definitions in the Glossary. These are broadly presented from a cultural heritage perspective. We are aware that Natural England may have additional recommendations to make about these suggested edits and other policies. We hope that this will help achieve a holistic approach to World Heritage, both natural and cultural (as explained in draft footnote 76), across the whole of the new NPPF, and would welcome the opportunity to engage further with government on such details.
- Please also see Historic England’s response to Q2, above: the loss of reference to planning decisions needing to ‘reflect relevant international obligations and statutory requirements’ is of some concern (currently set out in paragraph 2 of the 2024 NPPF): this is critical in demonstrating how the obligations under the World Heritage Convention are implemented within the national policy framework, and should be reinstated.

## **HE9: Conservation areas**

- *HE9 1)*:
  - The commitment in HE9 1) a) to retaining buildings and other features is welcomed, but the reference to ‘restore’ should be amended to ‘conserve’.
  - Policy HE9 1) b) should refer to ‘character or appearance’ as well as their ‘special architectural or historic interest’. The legislative context to conservation area designation (section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990) confirms that it is ‘areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance’ which should be designated:

the design of development should support the preservation or enhancement of character or appearance, as confirmed by section 72 of the Act (in the exercise of planning functions, 'special attention shall be paid to the desirability of preserving or enhancing the character or appearance of [the] area'). This is articulated clearly in the Judgement of Lindblom J. in *R (Forge Field Society) v Sevenoaks District Council* [2014] EWHC 1895 (Admin) at [48]-[49]:

*As the Court of Appeal has made absolutely clear in its recent decision in Barnwell, the duties in sections 66 and 72 of the Listed Buildings Act do not allow a local planning authority to treat the desirability of preserving the settings of listed buildings and the character and appearance of conservation areas as mere material considerations to which it can simply attach such weight as it sees fit. If there was any doubt about this before the decision in Barnwell it has now been firmly dispelled. When an authority finds that a proposed development would harm the setting of a listed building or the character or appearance of a conservation area, it must give that harm considerable importance and weight.* [emphasis added]

- *HE9 2)*:
  - Whilst the reference to 'character or appearance' here is welcomed, the policy should mirror HE8 2) and also refer to significance.
- *HE9 3)*:
  - There is an inconsistency between the way World Heritage Sites are addressed in HE8 3) and the way in which conservation areas are addressed in HE9 3): HE8 3) refers to the elements of the *setting* of a World Heritage Site that make a positive contribution, whilst HE9 3) refers to 'those *elements* of a conservation area that make a positive contribution': as area-based designated heritage assets, the same formulation should be applied to both.
  - The use of 'preserve' introduces a degree of perceived inconsistency in heritage policy.
  - The phrases 'should be approved' and 'should be supported' are both used in the draft NPPF, but the latter is more appropriate in this policy, as it allows a more nuanced but no less positive approach to be taken, which takes account of the wider legal and policy context, and the particular circumstances of a case.
- While the policy addresses the need for preservation it does not address the opportunity for enhancement that is also an important aspect of the statutory responsibility of local planning authorities in respect of conservation areas. Without policy direction to pursue enhancement, the policy strikes an overly restrictive direction for development in conservation areas that is stuck between the narrow scope of preserve (conserve) or harm. The following amendment would address this and provide a decision-making counterpart to Policy HE2 2) to show how conservation area appraisals and management plans should be used:

***Proposals that ~~preserve~~ conserve those elements of a conservation area that make a positive contribution to it (or which better reveal its significance), or that address opportunities for enhancement identified in a character appraisal or management plan, should be approved.***

- The reference in paragraph 219 of the 2024 NPPF to local planning authorities looking for 'opportunities for new development within Conservation Areas and World Heritage Sites,

and within the setting of heritage assets, to enhance or better reveal their significance' should not only be included within Policy HE2, but should also be addressed in Policy HE9.

### **HE10: Archaeological assets**

- Need for the policy: we note the considerable overlap between this draft policy and other policies in the consultation draft:
  - The relationship between HE5 5) and HE10 1) could usefully be clarified: as both relate to work by the applicant ahead of submission of a planning application, these provisions should be merged, and Policy HE10 deleted (please also see the Historic England response to Q188 in relation to Policy HE5).
  - It would also be helpful to clarify the responsibilities of both local planning authority and applicant in relation to anticipated or actual archaeological remains, though this concern is somewhat mitigated if the line is combined with HE5 1) which makes clear what development proposals must contain.
  - Policy HE10 2) partially overlaps with Policy HE11 1) b), and their relationship could usefully be clarified. To ensure that retention in situ maintains significance, it needs to be meaningful rather than fragmentary. We suggest they are merged and outline proposed wording below in relation to HE11.
- Terminology:
  - The title for this policy is 'archaeological assets', but two terms are used within the policy: 'archaeological asset' and 'archaeological heritage asset'. If the policy is retained, the same term should be used throughout, and a definition provided in the Glossary. The term we recommend is 'Heritage assets with archaeological interest'.
  - The reference to archaeological heritage assets in HE10 1) encompasses 'discovered or undiscovered' heritage: heritage assets are either designated or non-designated, and non-designated heritage assets must still be identified by a plan-making body. Undiscovered heritage cannot be identified as a heritage asset, so it would be best to refer to 'potential' archaeological heritage assets here, too.

### **191) DO YOU HAVE ANY OTHER COMMENTS ON THE REVISIONS TO THE HERITAGE CHAPTER?**

- *Yes: please see below.*
- *Summary of Historic England's response: changes are proposed in relation to the Objective, the split between plan- and decision-making policies, and to Policies HE4, HE7 and HE11, in the interests of clarity, consistency, and the retention of heritage protections.*

### **Objective**

- Paragraph 10 confirms that the objectives in the draft NPPF are 'for context only and should not be applied as either plan-making or decision-making policy'. The objective for Chapter 20 is drawn entirely from the policy set out in former paragraph 202, and not all of it is reinstated as policy elsewhere in the chapter. This has varying degrees of impact:
  - *The objective of the policies in this chapter is to conserve and enhance the historic environment:* this statement repeats the chapter title and is not of concern.

- *Heritage assets are an irreplaceable resource...*: this statement is retained in decision-making policy (Policy HE4). Whilst it is largely descriptive, its omission from plan-making policy is to be regretted (our response to Q187 proposes its reinstatement in Policy HE1), not least as its importance is recognised in the text of the consultation document.
- *... and range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value*: reference to the international significance of World Heritage Sites reflects the language of the World Heritage Convention and its obligations, and is a useful reminder that the importance of World Heritage Sites is at a global scale. In the absence of the Convention being enshrined in national legislation, such references help to clarify in both planning responses and to UNESCO how the Convention is implemented through the State Party's legislative and policy framework as a whole. This reference should therefore be reinstated within policy.
- *These assets should be conserved in a manner appropriate to their significance...*: this statement is reinstated in Policy HE4 (a decision-making policy) – where the addition of 'and enhanced' is welcomed – but is not reinstated in relation to plan-making policy, where it is a significant omission.
- *... so that they can be enjoyed for their contribution to the quality of life of existing and future generations*: this statement is not reinstated anywhere in Chapter 20, and is another omission in need of correcting, not least due to its importance in underscoring the historic environment's contribution to sustainable development.
- Footnote 73:
  - The footnote retains the helpful confirmation from footnote 74 of the 2024 NPPF that Chapter 20 applies ('as applicable') to 'the heritage-related consent regimes for which LPAs are responsible under the Planning (Listed Buildings and Conservation Areas) Act 1990': this is to be welcomed.
  - The footnote omits the confirmation that the Chapter 20 policies apply to 'plan-making and decision-making', however. Whilst paragraphs 6 and 7 state that all plan-making policies in the NPPF should be read as a whole, and all decision-making policies also read as a whole, the omitted phrase remains valuable and should be reinstated, as shown below. Its deletion will be seen as signalling an intentional change in approach, which will cause unnecessary ambiguity in the application of policy, and, as noted below and elsewhere in this response, there are a number of areas within Chapter 20 where the division of policy between plan-making and decision-making is unclear, and the scope of heritage policy is reduced in consequence.

*[73] The policies set out in this chapter also relate, as applicable, to the heritage-related consent regimes for which local planning authorities are responsible under the Planning (Listed Buildings and Conservation Areas) Act 1990, as well as to plan-making and decision-making.*

## **Split Between Plan-Making and Decision-Making Policies**

- Whilst the split will generally be helpful to users, there are now some omissions in either plan-making or decision-making policy which need rectifying, and there are also some references in plan-making policy to decision-making (e.g. in Policy HE3) which could lead to these provisions being overlooked. Instances are flagged in the responses to the various policies, above and below.

- All of this could be addressed through repetition as needed, signposting, or the insertion of a section which applies to both plan-making and decision-making.

#### **HE4: Securing the conservation and enhancement of heritage assets**

- Policy HE4 1):
  - The retention of reference to heritage assets being an irreplaceable resource from paragraph 202 of the 2024 NPPF is welcomed. To fully reflect the contribution heritage can make, with particular reference to the importance of the public benefit from retaining historic assets for community identity, pride and community cohesion, the following amendments are proposed:
    1. *Heritage assets, as an irreplaceable resource **with evidenced public benefit**, should be conserved and enhanced in a manner appropriate to their significance. To achieve this, development proposals which would affect the significance of heritage assets, including any contribution made by their setting should:*
      - a. *Maintain or secure a use consistent with their conservation, taking into account the importance of maintaining the assets, the positive contribution they can make to sustainable communities including local economies, **community wellbeing and belonging and potential for public good** and ~~the positive contribution they can make to local character and distinctiveness~~*
  - The extension of the reference to heritage assets’ ‘conservation in a manner appropriate to their significance’ to include their enhancement is also welcomed, as is the retention of the reference from paragraph 207 to setting contributing to significance.
  - HE4 1) a):
    - The absence of reference to viable uses (paragraph 210 in the 2024 NPPF) overlooks the importance to both heritage assets and their owners of economically tenable (and sustainable) reuse, but the retention of reference to use ‘consistent with their conservation’ is supported, as is the related addition of reference to maintenance: these are fundamental principles in the conservation of the historic environment.
    - The reference to local economies instead of ‘economic vitality’ has the potential to underplay the contribution that heritage can make at broader geographic scales, for instance in relation to tourism.
    - Historic England would welcome discussions with government regarding the retention of much of the useful guidance on viability in the PPG.
  - HE4 1) b):
    - The provision for harm to the significance of heritage assets to be avoided is supported, but the use of ‘preserve’ – whilst reflecting the terminology in the legislation relating to some designated heritage assets – introduces a degree of perceived inconsistency in heritage policy. ‘Conserve’ is best used in the NPPF, alongside an explanation of how the terms are reconciled in the Glossary.
    - We encourage the addition of text (as proposed below) to helpfully make explicit how heritage assets – and particularly those with archaeological interest – can deliver social value.
    - Given the subsequent reference in HE4 2) to minimising or avoiding harm, HE4 1) b) could usefully provide clearer context, e.g.:

*b) Avoid harm to the significance of heritage assets and instead ~~preserve~~ conserve and enhance this significance. **The significance of heritage assets, particularly those with archaeological interest, can be enhanced by increasing our understanding and knowledge of them as well as through activities that contribute social value outcomes, including place shaping strategies.***

- Policy HE4 2):
  - The extension of ‘minimised or avoided’ from ‘conflict between the heritage asset’s conservation and any aspect of the proposal’ to harm to the significance of all heritage assets is noted, but the context in which the phrase is now used is of some concern. As drafted, the policy removes the need for a clear and convincing justification for any harm to significance, and limits the requirement to circumstances where harm cannot be minimised or avoided: the scope for interpretation of ‘minimised’ is not defined, and is potentially very broad. This could result in, firstly, a lack of clarity regarding the interpretation and application of the policy, and, secondly, large numbers of proposals which adversely affect the significance of heritage assets not being subject to the need for a clear and convincing justification. The current need for a clear and convincing justification is not onerous, and ensures that heritage considerations are properly assessed and taken into account. Its removal therefore weakens heritage protection.
  - The illustration of the types of harm to which the policy applies (including the reference to development in the setting of a heritage asset) has been omitted from paragraph 213 of the 2024 NPPF, but could usefully be reinstated in the Glossary (e.g. under ‘Significance’).
  - The intended meaning of the new phrase ‘in accordance with the policies in this chapter’ is unclear: if it is a prompt to apply the policies in Chapter 20, that is already addressed by paragraph 7. If, however, it is intended to limit the ‘clear and convincing justification’ required to heritage grounds, that is limiting the scope of the policy in a potentially unhelpful way with regard to the support for growth.
  - Please see the response to Q22 regarding Policy DM2 on information requirements: the requirement in HE4 2) for a clear and convincing justification is not addressed in the list of information requirements set out in Annex C.
- The retention of the policy regarding deliberate neglect or damage from paragraph 209 of the 2024 NPPF in Policy HE4 3) is welcomed.
- Policy HE4 4) retains the broad thrust of the enabling development policy from paragraph 221, which is to be welcomed, but makes two significant changes:
  - It limits the policy conflict to the Framework. The previous policy referred instead to ‘planning policies’, thereby bringing relevant development plan policy into scope. Given the specificity of enabling development proposals to their context, local policy is particularly important to their consideration, and this reference should be reinstated.
  - It limits the weighing of benefits to conservation benefits, which narrows the benefits able to be considered, and could result in valuable enabling development proposals which would still secure the future conservation of a heritage asset not being able to proceed.

## **HE7: Decisions on non-designated heritage assets**

- *HE7 1)*: As noted in relation to HE6:
  - Whilst the principle of treating development proposals with a positive effect on non-designated heritage assets favourably is welcomed, further clarification is needed as to how more complex proposals should be assessed, e.g. where a proposal benefits one or more heritage assets, and harms others.
  - The phrases ‘should be approved’ and ‘should be supported’ are both used in the draft NPPF (and indeed in this policy – see below), but the latter is more appropriate here, as it allows a more nuanced but no less positive approach to be taken, which takes account of the wider legal and policy context, and the particular circumstances of a case.
- *HE7 2)*:
  - The approach to assessing proposals causing harm to non-designated heritage assets has the potential to be clearer than that set out in the 2024 NPPF, but would benefit from some further clarification:
    - The policy refers here to ‘supported’ rather than approved’. One term should be used consistently (‘supported’ is preferred).
    - The reference to ‘benefits’ (not specified as ‘public’ benefits, as elsewhere in the chapter) could also usefully be clarified. In relation to archaeology, excavation could better reveal significance but also lead to destruction.
    - The retention of the wording from paragraph 216 of the 2024 NPPF (‘having regard to having regard to the scale of the harm or loss and the significance of the non-designated heritage asset’), in conjunction with the new wording (itself similar to that used in HE6), suggests a slightly different approach to assessment to that used for designated heritage assets in relation to the consideration of scale and significance, which may prove unhelpful.
    - This policy refers to ‘harm or loss’, suggesting again that loss is not a form of harm.

## **HE11: Loss or removal of heritage assets**

- The retention of the policy requirement to record assets being lost in whole or in part is itself welcomed, as well as the confirmation that the policy applies to all heritage assets.
- *HE11 1) a)*:
  - The reference to planning conditions and obligations is welcomed.
- *HE11 1) b)*:
  - We also recommend reference to conditions or legal/planning obligations in HE11 b), to guide the decision-maker on what to do where harm or loss is unavoidable. This extends beyond what is required through HE11 a) to secure the development against the loss of the asset.
  - The inclusion of footnote 76 within the policy is welcomed.
  - The successful implementation of Policy HE11 would be significantly aided by the addition of the text shown in bold in HE11 1) b) ii), below: this would underpin Historic England’s efforts to resolve Transfer of Title between the landowner (who is not necessarily the developer) and the receiving museum or public depository.
- *HE11 2)*:
  - The policy formerly set out in paragraph 211 of the NPPF has been strengthened in the proposed HE11 2): statues, etc. should now be retained in situ ‘wherever possible’,

rather than local planning authorities being required to 'have regard to the importance of their retention'. The rationale for this change is not clear, and results in a policy that is not wholly aligned with the wider policy for heritage assets.

- The proposed changes to Policy HE11 are set out below:
  1. *Where a development proposal would result in the loss of the whole or part of a heritage asset (whether designated or not):*
    - a. *The development should not be approved without all reasonable steps being taken to make sure that the new development will proceed after the loss has occurred, including through the use of planning conditions and planning obligations to secure the development against the loss of the asset;*
    - b. ***Applicants should be required to demonstrate understanding of the significance of the asset to be lost and create associated public benefit through activities secured by planning conditions or planning obligations. The applicant should ensure that the work required, as set out below, is undertaken by suitably qualified individuals or organisations and should:***
      - i) *record and advance understanding of the significance of the asset to be lost in a manner proportionate to its importance and the potential impact upon it; and*
      - ii) *should make this evidence (and any archive generated) publicly accessible, **with any reports generated** by being deposited in the relevant Historic Environment Record, and any archives **deposited** with a local museum or other public depository **which will require legal title to be transferred.***
  2. [new 2] *The ability to record evidence of our past should not be a decisive factor in deciding whether such loss should be approved.*
  3. [new 3] *Development proposals to remove or alter a historic statue, plaque, memorial or monument (whether listed or not), should retain the feature in situ wherever possible (and, where appropriate, be supported by an explanation of their historic and social context).*

## FURTHER QUESTIONS

### 193) DO YOU HAVE ANY FURTHER THOUGHTS ON THE POLICIES OUTLINED IN THIS CONSULTATION?

- Yes.
- *Summary of Historic England's response: suggestions are put forward in respect of Policies HO11, M1, M3, HC1 and N5 to ensure the appropriate recognition and protection of the historic environment.*

#### **HO11: Isolated homes in the countryside**

- Historic England welcomes the retention of references from paragraph 84 of the 2024 NPPF to 'appropriate enabling development to secure the future of heritage assets' and development re-using 'redundant or disused buildings' (though for the former, note the reference should be to HE4 rather than HE5).
- The proposed change in relation to developments re-using 'redundant or disused buildings and enhance its immediate setting, including specifically securing the long-term reuse of a vacant or underused listed building, weighing this against any harm as in policy HE6 is also welcomed as a pragmatic and proportionate approach.

#### **M1: Planning for a sufficient supply of minerals**

- Historic England welcomes the amendment of policy in M1 to refer to maintaining landbanks of non-energy minerals through sites which lie outside designated heritage assets and Protected Landscapes.
- Paragraph 223 f) of the 2024 NPPF requires planning policies to set out criteria or requirements to ensure that permitted and proposed operations do not have unacceptable adverse impacts on the natural and historic environment or human health, taking into account the cumulative effects of multiple impacts from individual sites and/or a number of sites in a locality. We are unclear about how this important consideration has been integrated within the existing framework, and suggest that it might be integrated either within Policy M1 (our preference to ensure clarity for minerals plans) or perhaps Policy PM9 (as mentioned in our response to Q14).

#### **M3: Assessing the benefits of mineral development**

- Historic England welcomes the more proactive reference to the supply of building and roofing stone for the repair (and now extension) of historic buildings and structures in Policy M3 1) e), and the additional reference to the need for traditional materials in conserving or enhancing the character of an area.

## **HC1: Planning for healthy communities**

- Historic England welcomes the reference to proactive identification of Local Green Space, alongside the requirement to allocate land for community facilities and service infrastructure: this can be part of protecting, enhancing and integrating heritage assets and historic environment to underpin local pride and celebrate local distinctiveness.

## **N5: Maintaining the character of the coast**

- In line with our comments on Policy F9 (Q176) Historic England would welcome reference to heritage within Policy N5, as shown below:
  1. *Development proposals should maintain the character of undeveloped areas of coast, **including heritage assets**, while improving public access to it where appropriate.*

## **194) DO YOU AGREE WITH THE LIST OF WRITTEN MINISTERIAL STATEMENTS SET OUT IN ANNEX A TO THE DRAFT FRAMEWORK WHOSE PLANNING CONTENT WOULD BE SUPERSEDED BY THE POLICIES PROPOSED IN THIS CONSULTATION?**

- *Partly agree.*
- *Summary of Historic England's response: amendments are proposed in the interests of clarity and accuracy.*
- It would be helpful to have published confirmation of the various Written Ministerial Statements and other documents which will still be in force alongside the new NPPF, so that these are appropriately taken into account. Of particular interest with regard to the historic environment are the following:
  - [Planning Update, 14 July 2020](#)
  - [Planning and Heritage Update, 18 January 2021](#)
  - [The Next Stage in Our Long Term Plan for Housing Update, 19 December 2023](#).
- The list of Written Ministerial Statements to be superseded includes the Affordable Homes Update of 24 May 2021, but this is still referred to in the Glossary (footnote 79).

**Annex A: Data Centres and onsite energy generation****199) WHAT BENEFITS OR RISKS DO YOU FORESEE FROM MAKING THIS CHANGE? PLEASED PROVIDE YOUR REASONS.**

- *Summary of Historic England's response: comments made in support of timely consultation with statutory consultees.*
- Historic England has no specific comments regarding the quantitative thresholds and flexibility in regime, although considering data centres and co-located infrastructure together seems logical. Historic England is keen, however, to use this opportunity to reiterate the importance of timely consultation with statutory consultees, with sufficient information, to support de-risking, preventing delays in delivery and providing development certainty, and help government achieve its ambitions.

**Annex B Viability – Standardised inputs into viability assessment****202) DO YOU AGREE GREATER SPECIFICITY, INCLUDING SINGLE FIGURES, WHICH LOCAL PLANNING AUTHORITIES COULD CHOOSE TO DIVERGE FROM WHERE THERE IS EVIDENCE FOR DOING SO, WOULD IMPROVE SPEED AND CERTAINTY? A) PLEASE EXPLAIN YOUR ANSWER. IF YOU AGREE, THE GOVERNMENT WELCOMES VIEWS ON THE APPROPRIATE FIGURE – FOR EXAMPLE, WHETHER 17.5% WOULD BE AN APPROPRIATE REFLECTION OF THE INDUSTRY STANDARD FOR MOST MARKET FOR SALE HOUSING.**

- *Partly disagree.*
- *Summary of Historic England's response: comments noting the need for recognition of the specifics of viability considerations in relation to the historic environment.*
- The outlook on viability in relation to the historic environment varies considerably depending on the needs of the asset(s) involved. Supporting the use of heritage assets in a manner consistent with their conservation requires flexibility in approach based on local circumstances, e.g. a vacant and deteriorated listed building in an area of weak market demand over a stronger market area. An overly prescriptive figure may lead to unintended consequences, to the detriment of good design, or dissuade developers from schemes that are traditionally seen as 'riskier'. Set in that context, a move toward greater specificity would need to be accompanied by explicit acknowledgement of the circumstances where exceptions to the specified approach are appropriate, which should include designated heritage assets.

**208) DO YOU AGREE THAT GUIDANCE SHOULD BE UPDATED TO REFLECT THE FACT THAT A PREMIUM MAY NOT BE REQUIRED IN ALL CIRCUMSTANCES? IN WHAT CIRCUMSTANCES MIGHT A PREMIUM, OR THE USUAL PREMIUM, NOT BE REQUIRED?**

- *Partly agree.*
- *Summary of Historic England's response: comments noting the need for recognition of the specifics of viability considerations in relation to the historic environment.*

- As stated in Historic England's response to Q202, supporting the use of heritage assets in a manner consistent with their conservation requires flexibility in approach based on local circumstances. Requiring a premium, or the usual premium, may not be appropriate when dealing with designated heritage assets.

**212) DO YOU AGREE THAT THE RESIDUAL LAND VALUE OF THE DEVELOPMENT PROPOSAL SHOULD BE CROSS-CHECKED WITH THE RESIDUAL LAND VALUES OF COMPARABLE SCHEMES; TO HELP SET THE VIABILITY ASSESSMENT IN CONTEXT.**

- *Partly agree.*
- *Summary of Historic England's response: comments on methodology.*
- Cross-checking is a logical step in the viability process. However, care should be taken to ensure that the sites and local context are broadly similar in character, supported by appropriate, comparable evidence. Supporting the use of heritage assets in a manner consistent with their conservation requires flexibility in approach based on local circumstances and that of the property. Some considerations when exploring comparable sites could include age, condition, use and planning status.

**Annex C: Reforming Site Thresholds**

**213) DO YOU AGREE THAT A 2.5 HECTARE THRESHOLD IS APPROPRIATE?**

- *Neither agree nor disagree.*
- *Summary of Historic England's response: comments relating to the importance of evidence and the need to assess the impact of a development proposal upon significance.*
- Whilst Historic England has no strong view on the quantifiable thresholds, it is critical to note that decisions on the historic environment are based on the impact on significance rather than the quantifiable scale of development. A comparatively small development may have a greater impact than a larger one if the site is within an historic area or could impact on the significance of heritage assets that are particularly sensitive to change. That being so, it is important that this new medium category is underpinned by adequate evidence to make clear the different typologies that have been considered. Related processes such as consultation with Historic England also incorporate non-quantifiable thresholds, such as grade of heritage asset and type of work (e.g. demolition). These factors must be considered when formalising easements to regulatory, consultation, or submission standards associated with the proposed medium tier of development.

**222) DO YOU AGREE WITH THE PROPOSAL TO EXTEND THE PERMISSION IN PRINCIPLE APPLICATION ROUTE TO MEDIUM DEVELOPMENT?**

- *Strongly disagree.*
- *Summary of Historic England's response: concern expressed regarding the impact on heritage.*

- Whilst supportive of the broader policy goal of providing increased certainty to developers, Historic England is concerned by the prospect of the Permission in Principle application route being extended to medium development. The statutory information requirements for Permission in Principle by application, a location plan and application form, are insufficient for a local authority to understand and consider the impact of a scheme on the significance of heritage assets. Delivery of medium sized development, such as sites delivering up to 49 homes under the new definitions, should be de-risked through the provision of adequate information about impacts upfront, preventing unnecessary delays and uncertainty. Similarly, there are concerns over the shorter timeframe for statutory consultees to respond.
- The technical details consent stage allows consideration of issues prior to development commencing, but there is a clear risk of accepting the principle of development in the absence of information. For example, deferring information to the technical details consent stage could mean inadequate consideration of the archaeological potential of the site. In such cases, impacts on undesignated assets, including remains considered to be of national significance, may not be apparent until late in the process, risking harm to the assets and potentially impacting on the viability and delivery of a scheme.
- Conversely, appropriate information early in the process, including suitable liaison with a planning authority's heritage advisers, enables the historic environment to contribute significantly to high-quality housing-led development that secures more sustainable outcomes, e.g. better revealing an asset's significance, tackling heritage at risk, contributing to effective place-shaping and more generally securing the reuse of buildings and resources.

**223) DO YOU HAVE ANY VIEWS ABOUT WHETHER THERE SHOULD BE CHANGES TO THE REGULATORY PROCEDURES FOR THESE APPLICATIONS, INCLUDING WHETHER THERE SHOULD BE A REQUIREMENT FOR A SHORT PLANNING STATEMENT?**

- Yes.
- *Summary of Historic England's response: comments relating to the importance of the necessary information being available to inform decision-making.*
- Historic England welcomes the acknowledgement that a medium tier of development may require additional information. However, a short planning statement (potentially not benefitting from heritage expertise) may be insufficient if it does not enable appropriate understanding of impacts on the significance of heritage assets. It is recommended that information requirements align with the proposed NPPF Annex C (suitably expanded as outlined elsewhere in this response). However, if a different approach is implemented, there should be robust guidance as to what would constitute sufficient information. This should, for example, set standards including the need for specialist input (e.g. heritage, archaeology, etc.) and the collation of relevant evidence (e.g. with reference to the Historic Environment Record), and provide guidance to local planning authorities on making balanced decisions.