



## ENGLISH HERITAGE

SOUTH WEST

Liz Pickering  
Planning Services  
Forward Planning and Conservation  
Phoenix House  
Phoenix Lane Tiverton  
Devon  
EX16 6PP

Our ref: HDP 5182

Your ref:

Telephone

19 August 2013

Dear Ms Pickering



### **Local Plan Review - Duty to Co-operate and scoping consultation.**

Thank you for the opportunity to comment upon the above documents. As discussed on the telephone I would like to raise a few key issues which can then be followed up in further conversation.

We note that you have identified that there are 22 heritage assets at risk and 3 conservation areas (Bow, Cullompton and Tiverton). A question the scoping report should be asking is what will Mid Devon's strategy be for addressing these? They could for example could be addressed under retail or Land Allocations

### **Environment (page 30 to 31)**

Option 1 is not NPPF compliant. Option 2 suggests a "broader environmental strategy", however we take from that to mean more comprehensive and on this basis we would agree that the detailed policies on issues such as landscape and heritage assets would be more in line with the NPPF. Local Plans should include a strategic policy to conserve and enhance the historic environment of the area<sup>1</sup> and to guide how the presumption in favour of sustainable development (from a historic environment perspective) should be applied locally<sup>2</sup>. It is vital to include a strategic policy for the historic environment in the local plan as the plan will be the starting

<sup>1</sup> NPPF Paragraph 156

<sup>2</sup> NPPF Paragraph 15

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point for decisions on planning applications and neighbourhood plans, which are required to be in general conformity with the strategic policies of the Local Plan.<sup>3</sup>

## **Cullompton and Tiverton**

Cullompton and Tiverton, for example, should be looked at holistically, as places. Cullompton is a small poorly performing as a market town and conservation areas at risk its viability has to be doubt. Based on our previous discussion with your Local Authority we recognise and understand that a major issue for the town is identify a role and identity for the 21 century.

Tiverton has received CLG funding under the Portas Review and has a proposed urban extension of significant increase in the size of Tiverton as a settlement and one which will not meet the housing numbers required. From a place-shaping point of view thought must be given to the character, at all levels, of the place to be created, its relationship with the existing town to optimise on mutual and complementary benefits, and how the whole will come together as a coherent entity which builds upon, reinforces and enhances existing identity and local character.

## **Villages**

Option 2 appears a laissez faire approach and has the potential to harm the historic environment. While villages may have the capacity grow and ensure long term viability the impact on the place and it's locally distinctive qualities must be properly considered through the plan process.

## **Managing Development**

As a key component of sustainable development, protecting and enhancing the historic environment should not be undertaken as an isolated activity. To achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system<sup>4</sup>.

As such Mid Devon's Local Plan should consider ways to providing policy and guidance, particularly in the Development Management policies, as to what role the historic environment might play in delivering and supporting, not only the Environment section but also:

- Sustainable development principles
- Residential development
- Retail business and tourism community facilities
- Enforcement

Under these key headings above, the historic environment has a significant role to play in delivering growth or has the potential to be harmed by:

High quality design;

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<sup>3</sup> NPPF Paragraph 12

<sup>4</sup> NPPF Paragraph 7-9

Sustainable design;  
Transport and air quality ;  
Parking;  
Conversion of rural buildings;  
Replacement dwellings;  
Extensions and ancillary development;  
Town Centre Development;  
Development outside town centres fronts of shops and business premises  
Rural shopping  
A tourism and leisure development;  
ensuring the vitality of town centres;  
delivering a wide choice of high quality homes;  
requiring good design;  
meeting the challenge of climate change, flooding and coastal change;  
conserving and enhancing the natural environment.

While we encourage the use of a single development management policies on the historic environment in the Local Plan; the document will need to provide a strategy for the historic environment across all these policy sectors that is intertwined with all the other policy sectors. Option 2 appears the most appropriate following changes to the national policy framework and to comply with the NPPF the Council should be asking how can the historic environment help you achieve your housing, employment and infrastructure objectives?

### **Mid Devon's evidence base**

I would like also to provide some general advice on the evidence base. Sound Local Plans are based on adequate up-to-date evidence about the historic environment which is used it to assess the significance of heritage assets and the contribution they make to the local area<sup>5</sup>. In line with the policies in the NPPF, this assessment should also take into account the contribution which non-designated assets make to the character of the plan area.

Significantly, the NPPF is clear that the conservation and enhancement of heritage assets is part of sustainable development rather than a constraint to it. Consequently the evidence base needs to go further than simply setting out a list of designated assets, and also consider local assets, the likelihood for unknown assets, particularly archaeology, to be discovered in the future, and the historic character of landscapes and townscape. In some cases, it might be necessary to identify heritage assets outside of a local authority area, e.g. where there are likely to be wider setting issues caused by potential development proposals in that area (see the Section on Planning

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<sup>5</sup> NPPF Paragraph 158,169

across boundaries, below). The evidence base should also take account of how the area's character has developed, its capacity for change and identify key issues, such as the condition of the plan area's historic places, spaces and buildings, including streets and the public realm, as well as opportunities offered by the historic environment.

A strong evidence base will provide the clear context for identifying and assessing the particular significance of any heritage asset that may be affected by a proposal<sup>6</sup>. An understanding of what is distinctive about the historic environment will also help in developing a locally distinctive policy.

The evidence base will also be of relevance to the Sustainability Appraisal which accompanies the Local Plan, helping to populate the baseline data and informing the appraisal process itself. Meanwhile, other studies that form part of the evidence base, such as land availability, sensitivity and sustainable urban extension studies will also benefit from the inclusion of thorough evidence about the historic environment.

The evidence base may need to be developed as work on developing the Local Plan proceeds. For example, as part of the assessment of a proposal for a major urban extension, it may be necessary to undertake a specific piece of work understanding its potential impacts upon heritage assets in its vicinity or more detailed characterisation work<sup>7</sup>.

Finally, the data will be very useful when developing appropriate indicators for monitoring the delivery of the plan.

**- Sources of evidence include:**

- The Historic Environment Record
- Conservation Area Appraisals
- Local Lists
- National and local 'Heritage at Risk' registers
- Historic characterisation assessments
- In-house and local (e.g. civic societies, local history groups, neighbourhood consultations) knowledge and expertise in built conservation, archaeology and urban design)

Where the evidence base is weak, local planning authorities may find it useful to commission research from appropriately qualified and competent experts to supplement existing information.

**- Public participation in evidence gathering**

The NPPF highlights the role of participation in gaining the views of the local community and others who have a stake in the future of the area<sup>8</sup>. Opportunities to

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<sup>6</sup> NPPF Paragraph 129  
as below

<sup>8</sup> NPPF Paragraph 155

seek views on what local people value about the historic environment of their local community can be taken during neighbourhood consultations or, from public surveys on how people feel about their areas. Characterisation studies and the process of identifying a list of local heritage assets can also involve local people<sup>9</sup>. Such evidence gathering can be beneficial, particularly as part of enabling neighbourhood planning and strengthening the likely compatibility of neighbourhood and local plans.

I hope that you find the headline issues I have raised useful. English Heritage would appreciate an on-going discussion as the local plan emerges.

Yours sincerely

Ross Simmonds  
Principal Planning Adviser

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<sup>9</sup> English Heritage guidance: Understanding Place – Character and Context in local planning (2011) provides a series of case studies to suggest ways of engaging local people in understanding the historic environment.

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