Julia Bennett Smith, from Chris Blandford Associates, considers whether the NPPF revisions with respect to the historic environment are minor clarifications or signal a different approach.

The Government’s National Planning Policy Framework (NPPF) for England recently underwent its first revision since it was originally published in 2012. Changes to the NPPF published in July 2018 included re-ordering of chapters, additional text and clarifications but what does it mean for the historic environment?

According to the Consultation Draft published in March 2018, the NPPF was revised to address the urgent need to provide new homes to address national housing shortages and respond to the Government’s ambition to reform housing and planning policy to better enable local authorities, land owners and developers to meet this need. In this context, EIA practitioners will be pleased to note that ‘the presumption in favour of sustainable development remains at the heart of the Framework’.

The changes to Chapter 16 of the revised NPPF are mainly relatively minor clarifications or amendments that reinforce the established policy approaches to conserving and enhancing the historic environment. These are:

- Introductory paragraph - inclusion of new text stating that ‘World Heritage Sites are of the highest significance and internationally-recognised to be of Outstanding Universal Value’: this is an important and unambiguous reminder of Government policy.
- Paragraph 193 - states that ‘great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be)’: the inclusion of the new text in brackets acts as a reinforcement of the point, providing greater clarity for decision-making.
- Paragraph 193 - also states that ‘This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.’: while this amended text attempts to make it clearer that there are different types and levels of harm on a sliding scale, the sentence’s order is not the most succinct way of bringing clarity to an already much debated point around scale of harm. Perhaps “total loss, substantial harm or less than substantial harm” would have been a more appropriate form of words?
• Paragraph 194 - states ‘Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification’: the inclusion of the new text in brackets acts as a reinforcement of the types of harm, providing greater clarity for decision-making.

• Paragraph 196 – states that ‘harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use’: the original wording was much contested over the years, and the amended text potentially creates difficulties as it raises new questions around the circumstances in which securing optimum viable uses would be appropriate?

Generally, the approach to conserving assets first and foremost and then weighing harm against the significance of a designated heritage asset is still a strong principle for EIA practitioners and decision-makers. Overall, the protection afforded to the historic environment is maintained and not weakened by the minor clarifications or amendments to the NPPF.

The Institute of Historic Building Conservation (IHBC)\(^3\) points out that clear guidance is needed in finding the distinction between substantial harm and less than substantial harm remains. IHBC considers that a few simple wording changes would have made the “total loss” vs “substantial harm” vs “less than substantial harm” test less open to interpretation.

It is anticipated that this may be clarified in the forthcoming revised Planning Practice Guidance for the historic environment.

The release of new Government guidance on Development Viability\(^4\) and the Housing Delivery Test\(^5\), alongside subtle wording amendments and changes in emphasis, make it clear that there is a shift in Government policy to help facilitate the meeting of housing supply needs in England. The Mayor of London’s recent called in decisions to allow two housing schemes rejected by Greenwich Council illustrates the emphasis put on delivering housing in areas failing to meet their supply\(^6\).

Broadly, the policy approach to conserving and enhancing the historic environment in the original 2012 NPPF has been reinforced and maintained in the revised 2018 NPPF. However, given the long-term challenges of solving the national housing crisis, it is unlikely that it will be another six years before we can expect a further overhaul of national planning policy.

\(Julia\ Bennett\ Smith\ is\ a\ Senior\ Associate\ Heritage\ Consultant\ at\ Chris\ Blandford\ Associates,\ August\ 2018.\)

\(1\) National_Planning_Policy_Framework, Revised July 2018
\(2\) National_Planning_Policy_Framework, Consultation Draft March 2018
\(3\) https://ihbconline.co.uk/newsarchive/?p=19715
\(4\) https://www.gov.uk/guidance/viability

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