The NPPF and enhancing the historic environment

Emma Robinson from Terence O’Rourke discusses how the National Planning Policy Framework (NPPF) is helping to conserve and enhance historical environments.

Created in a bid to create a simpler planning system, by reducing the amount of policy and guidance documents, the NPPF replaces the majority of planning policy statements (PPS) including PPS 5 “Planning for the historic environment”.

Following consultation, the government retained the fundamental principles of PPS 5 as a basis for the NPPF, distilling the text to just 16 paragraphs, as well as the PPS 5 practice guide which remains valid until revised guidance is produced.

The NPPF takes a single approach to the conservation of heritage assets and the assessment of their significance, regardless of the type of asset being considered and the planning consent being sought. Heritage assets are regarded as an irreplaceable resource to be conserved in a manner appropriate to their significance.

Presumption in favour of sustainable development

Previous guidance for the treatment of archaeology, namely PPG16 and PPS5, strongly advocated a presumption in favour of the conservation of designated heritage assets, and the more significant the asset, the greater the presumption in favour of its conservation. We experienced the application of this principle in practice when Bronze Age burial monuments were discovered at a mixed use development south of Bicester, Oxfordshire.

The burial monuments were revealed through non-intrusive archaeological investigations (ie aerial photograph analysis and geophysical survey) undertaken as part of an environmental impact assessment (EIA), with confirmation of their significance provided through trench evaluation.

Subsequent advice from the county archaeologist recommended the preservation of these sites and adjustments were made to the masterplan to take account of their long term survival. These changes led to the relocation of playing fields to ensure the monuments were not in an area proposed for built development. The amendments were then discussed and assessed in the environmental statement; an approach that ensured no objection in principle from the county archaeologist.

In the NPPF, the conservation of heritage assets forms a core principle of the definition of sustainable development; heritage is seen as part of the solution for long-term sustainable growth, and not purely as a block on development.

However, development that fails to adhere to the historic environment policies and principles, because it fails to give due weight to conservation, for example, is not considered sustainable and will not benefit from the presumption in favour. This overarching principle is being applied to a second phase of development at the Bicester development.

Best practice still advocates the application of investigative techniques in determining a site’s archaeological resource and likely significance. While PPG16 advocated a presumption that nationally significant archaeological sites should be preserved in situ, the NPPF does not demand such an onerous approach to their treatment.

The NPPF states that “great weight” should be given to the conservation of designated heritage assets, or non-designated assets demonstrably of equivalent significance to scheduled monuments.

The onus is on providing information on the significance of the asset, to allow any potential harm or loss to be weighed against the presumption in favour of sustainable development.
The NPPF invites more professional debate to take place that will inform the planning merits of a proposal. It should ensure a robust and comprehensive assessment approach for heritage professionals involved in EIA.

**Proportionality**
Where a proposed development site includes or has the potential to include heritage assets, local planning authorities will require applicants to describe the significance of any assets affected, including any contribution made by their setting.

The level of detail required to determine the application needs to be: “Proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance.”

Expertise is therefore required to identify heritage assets, their significance and the likely impacts of proposed development and to avoid and minimise conflict between the asset’s conservation and any aspect of the proposal. Heritage assessments and EIAs need to ensure sufficient, but not excessive, investigation is undertaken to provide an informed and balanced judgement on the impacts of any development, and the significance of a heritage asset.

**Timely and accurate advice**
The NPPF places pressure on local authorities to ensure that their local development plans are up to date, and also that there are strategic policies in place for heritage. In the context of ongoing public sector budget cuts, the provision of the necessary support and planning expertise for authorities to achieve these requirements may not be easily forthcoming.

At a time of limited resources, the quality of information supporting planning applications plays an important role in giving decision makers the confidence to determine applications and avoiding delays.

In this context, early engagement with local authorities to determine the focus of heritage assessments and the necessary information for an application is crucial. In the context of an EIA this is often achieved through the scoping process. Early consideration of the historic environment during the development process and the use of any heritage assets where practicable, can positively enhance both the asset and the development proposals. This holistic approach to the development process and early focus on engagement will lead to a smoother journey through the planning application process.

Emma Robinson is associate director at Terence O'Rourke.