

Planning policy at national and local levels

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Planning policy at national and local levels - outline

- Planning policy and how it works
- Where to find planning policies on World Heritage
- Who makes policies?
- What policies exist?
 - National
 - Local
- Can policies be totally prescriptive?
- How can we influence them?

Planning policy – how it works and why it matters

- Planning policy is basis for decisions on planning applications
- **The development plan**
 - Decisions on applications must be made in accordance with the development plan unless material considerations indicate otherwise
- **National policy**
 - Local policies/development plans must accord with it
 - Material consideration in decisions
- So planning policy sets out how World Heritage, along with other matters, will be taken into account in decisions on planning applications

Where to find planning policies on World Heritage

- National policy
 - National Planning Policy Framework 2012
- The development plan for each area, comprising
 - Local plans / Core Strategies
 - Other ‘development plan documents’
 - Neighbourhood development plans

Who makes policies?

- Prepared by civil servants (national policy) or local government officers (local policy)
- But approved / decided by government ministers (national policy) or elected local authority members (local policy)
- Consultation is a vital part of the process
- Local plans are subject to independent examination including public hearing – can only be adopted if inspector finds them sound
- Neighbourhood plans go through examination and referendum

What policies exist?

- The National Planning Policy Framework (NPPF)
 - Published 2012, replaced series of PPSs
 - Purpose of planning system – to contribute to the achievement of sustainable development
 - Three dimensions: economic, social, environmental
 - About positive improvements – homes, jobs, enhanced environment
 - Presumption in favour of sustainable development

National planning policy on World Heritage - context

- **Core principles include:**
 - *‘contribute to conserving and enhancing the natural environment’* and
 - *‘conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations’*
- **Local plans should**
 - include a positive strategy for the conservation and enjoyment of the historic environment,
 - recognising that heritage assets are irreplaceable

National planning policy on World Heritage

- When considering impact of development on significance of a heritage asset:
 - Great weight should be given to the asset's conservation
 - The more important the asset, the greater the weight
 - Significance can be harmed/lost through alteration or destruction of the asset or development in its setting

National planning policy on World Heritage (continued)

- As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification
- Substantial harm to or loss of a grade II listed building, park or garden should be exceptional.
- Substantial harm to or loss of **designated heritage assets of the highest significance**, notably scheduled monuments, protected wreck sites, battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and **World Heritage Sites**, should be **wholly exceptional**

National planning policy on World Heritage (continued)

- Development resulting in substantial harm or total loss of a designated asset should be refused unless:
 - It is necessary to achieve substantial public benefits that outweigh the harm or loss; or
 - The nature of the asset prevents all reasonable uses; no viable use of the asset can be found; conservation by grant funding or charitable ownership is not possible; and the harm or loss is outweighed by the benefit of bringing it back into use
- Not all elements of a WHS or Conservation Area contribute to its significance – judgements need to be made

What policies exist?

- Local policies
 - Each local planning authority must prepare a **local plan** for its area
 - Must be prepared with objective of contributing to achievement of sustainable development
 - Should be consistent with principles and policies of NPPF, including presumption in favour of sustainable development
 - Should include strategic policies to deliver homes and jobs needed in area, and conservation and enhancement of natural and historic environment
 - Should identify land where development inappropriate, for example because of environmental or historic significance

Local Plan policies on World Heritage

- Local plans include policies setting out how WHS will be taken into account in decisions
 - May be broad policy echoing that of national policy
 - Or more specific to the characteristics of the WHS involved
- May also be relevant policies in other sections of the plan, depending on the issues that potentially affect the significance of the WHS
- WHS (and national policy for it) is a key consideration in decisions on development site allocations
- Local plans are about development proposals as well as policy framework

Examples of local policies



Bath

- **2014 Core Strategy - Policy B4: The World Heritage Site and its Setting**
 - *There is a strong presumption against development that would result in harm to the Outstanding Universal Value of the World Heritage Site, its authenticity or integrity. This presumption applies equally to development within the setting of the World Heritage Site. Where development has a demonstrable public benefit, including mitigating and adapting to climate change, this benefit will be weighed against the level of harm to the Outstanding Universal Value of the World Heritage Site.*



Frontiers of the Roman Empire

- Northumberland Core Strategy (draft)
 - *In plan-making and assessing development proposals, the character and significance of Northumberland's distinctive and valued natural, historic, built and water environments, landscape, heritage assets, townscapes and where appropriate their settings, will be conserved, protected and enhanced by:*
 - *Giving appropriate weight to the statutory purposes and special qualities of the hierarchy of international, national and local designated and non-designated nature and historic conservation sites and their settings*



Cornwall & West Devon Mining Landscapes

- Cornwall Local Plan– Policy 24, Historic Environment
 - *Development within the Cornwall and West Devon Mining Landscape World Heritage Site (WHS) and its setting should accord with the WHS Management Plan. Proposals that would result in harm to the authenticity and integrity of the Outstanding Natural Value should be wholly exceptional. If the impact of the proposal is neutral, either on the significance or setting, then opportunities to enhance or better reveal their significance should be taken.*



Dorset & East Devon Coast

- West Dorset, Weymouth & Portland Local Plan 2015
 - ENV1, Landscape, Seascape and Sites of Geological Interest
 - *The plan area's exceptional landscapes, seascapes and geological interest will be protected, taking into account the objectives of the Dorset AONB Management Plan and World Heritage Site Management Plan*
 - ENV4, Heritage Assets
 - *The impact of development on a designated or non-designated heritage asset and its setting must be thoroughly assessed against the significance of the asset. Development should conserve and where possible enhance the significance.....Any harm to the significance... must be justified.*

Dorset & East Devon Coast

- West Dorset, Weymouth & Portland Local Plan 2015
 - ENV16, Coastal Erosion and Land Instability
 - *New development will be directed away from areas vulnerable to coastal erosion and land instability to avoid putting people at risk unless it can be demonstrated that the site is stable or could be made stable, and that the development is unlikely to trigger landsliding, subsidence, or exacerbate erosion within or beyond the boundaries of the site*
 - *The councils will identify Coastal Change Management Areas through a policy document, based on the Shoreline Management Plan and supporting evidence. Within these areas no new development will be permitted for residential or similarly occupied uses. The replacement of properties affected by coastal change may be permitted within a defined area agreed through a community relocation strategy as an exception to normal policy*



Stonehenge

- Wiltshire Core Strategy - Core Policy 29
 - The Outstanding Universal Value (OUV) of the World Heritage Site will be sustained by:
 - Giving precedence to the protection of the World Heritage Site and its setting
 - Development not adversely affecting the World Heritage Site and its attributes of OUV. This includes the physical fabric, character, appearance, setting or views into or out of the World Heritage Site.
 - Seeking opportunities to support and maintain the positive management of the World Heritage Site through development that delivers improved conservation, presentation and interpretation and reduces the negative impacts of roads, traffic and visitor pressure
 - Requiring developments to demonstrate that full account has been taken of their impact upon the World Heritage Site and its setting. Proposals will need to demonstrate that the development will have no individual, cumulative or consequential adverse effect upon the site and its OUV. Consideration of opportunities for enhancing the World Heritage Site and sustaining its OUV should also be demonstrated. This will include proposals for climate change mitigation and renewable energy schemes.

Stonehenge

- Wiltshire Core Strategy - Core Policy 6
 - *The WHS and its setting will be protected so as to sustain its Outstanding Universal Value in accordance with Core Policy 59.*
 - *New visitor facilities will be supported where they:*
 - *Return Stonehenge to a more respectful setting befitting its World Heritage Site status*
 - *Include measures to mitigate the negative impacts of the roads*
 - *Introduce a greatly enhanced visitor experience in a high quality visitor centre*
 - *Implement an environmentally sensitive method of managing visitors to and from Stonehenge*
 - *Include a tourist information element, which highlights other attractions and facilities on offer in the surrounding area and raises the profile of Wiltshire.*

Can policies be totally prescriptive?

- Decisions need to be in accordance with the development plan *'unless material considerations indicate otherwise'* – so always a potential for a balancing act to take place
- Cannot predict all situations, and sometimes equally important objectives do collide – cases need to be considered on their merits
- Need to be clear what the harm is to the significance of the WHS
- This can involve difficult judgements, for example determining the extent of harm to the setting, and each decision must be evidenced
- So the answer is no – but all decisions are based on the principles that WHS status carries very great weight in the decision making process, and that harmful development should be wholly exceptional

How to influence decision makers

- Joined up approaches
 - Make sure planning authorities represented on WHS steering groups and involved in management plan preparation
 - Management plans can identify issues that may be addressed in planning policies
- Early involvement
 - Find out when consultation is taking place – check work programmes published on websites, sign up to mailing lists
 - Take part in consultation events
- Help members and officers to understand the issues facing particular WHSs
 - What are the threats to the WHS? What specific references in local policy would help to ensure the right issues are taken into account in decisions?

Conclusions

- National planning policy provides strong protection for World Heritage Sites
- Local planning policies support this with protection for local Sites
- Local policies can address specific issues and potential risks to particular Sites
- WHS advisors / teams can influence content of planning policies



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