

## Response ID ANON-2CN7-MFQB-Z

Submitted to **National Planning Policy Framework and National Model Design Code: Consultation proposals**

Submitted on **2021-03-25 21:57:04**

### Privacy notice

**Please confirm that you have read and agree to the privacy notice**

**Please tick to confirm:**

Yes

### A bit about you

**What is your name?**

**Name:**

Lis Dyson

**What is your email address?**

**Email:**

lis.dyson@kent.gov.uk

**What is your organisation?**

**Organisation:**

Association of Local Government Archaeological Officers

**What type of organisation are you representing?**

Professional body

**If you answered "other" please provide further details:**

### Proposed changes to Chapter 2: Achieving sustainable development

**1 Do you agree with the changes proposed in Chapter 2?**

Yes

**Please provide comments:**

We welcome the strengthening of the wording in paragraph 8c as it is important to recognise the role of planning in protecting the environment, including the historic environment.

We welcome the requirement for plans to promote a sustainable pattern of environment and the inclusion of 'improve the environment'. However we suggest that the wording should be stronger than 'seeks to'?

### Proposed changes to Chapter 3: Plan-making

**2 Do you agree with the changes proposed in Chapter 3?**

Not Answered

**Please provide comments:**

### Proposed changes to Chapter 4: Decision making

**3 Do you agree with the changes proposed in Chapter 4?**

Yes

**Which option relating to change of use to residential do you prefer and why?:**

We prefer option 1 for the following reasons.

Article 4 directions are used for appropriate conservation management in designated areas including World Heritage Sites.

Undesignated historic assets do not benefit from the protection afforded by designation. Locally listed buildings (and other undesignated heritage assets) can currently be demolished without planning permission under permitted development rights.

This policy should be extended in order to protect locally listed buildings and other historic assets. In many cases, the presence of these historic buildings and

other heritage assets:

- is of significance within their communities.
- makes a positive contribution to local amenity, and
- enhances the well-being of the area .

The government has recently announced £1.5 million of funding to support projects across the country dedicated to the development or improvement of local heritage lists. It would be logical to extend protection to all locally listed buildings and locally listed heritage assets through changes to the NPPF in order to avoid their destruction under permitted development rights.

## **Proposed changes to Chapter 5: Delivering a wide choice of high quality homes**

### **4 Do you agree with the changes proposed in Chapter 5?**

Yes

**Please provide comments:**

We welcome encouragement of use of masterplans and design codes provided that they take appropriate consideration of historic environment matters.

## **Proposed changes to Chapter 8: Promoting healthy and safe communities**

### **5 Do you agree with the changes proposed in Chapter 8?**

Not Answered

**Please provide comments:**

We would suggest that Chapter 8 is further amended. Open space does not only provide benefits for nature. It is also a means of conserving and promoting enjoyment of the historic environment. There are links to health and wellbeing; see also our comments on Green Infrastructure (Annex 2).

## **Proposed changes to Chapter 11: Making effective use of land**

### **7 Do you agree with the changes proposed in Chapter 11?**

Yes

**Please provide comments:**

We welcome the additional sentence in para 124.

## **Proposed changes to Chapter 12: Achieving well-designed places**

### **8 Do you agree with the changes proposed in Chapter 12?**

Yes

**Please provide comments:**

Paras 126-128 - We generally welcome proposed changes and support the greater emphasis on good design but codes and guidance should consider the historic environment appropriately.

Regarding para 127 'Local heritage' should be included here as one of the key reference tools to be used in the design of the built environment at a local level. In most instances, local character appraisal information is available for reference by developers on LPA websites.

Also note that some important heritage assets may not be considered beautiful but should still be valued and conserved.

Regarding para 130, tree planting can have an adverse impact on buried heritage assets – it is important that areas proposed for tree planting are thoroughly assessed to ensure that the proposals are sustainable and that heritage assets are not damaged by the tree planting and root growth.

There can also be negative impacts on the setting of heritage assets and designed views. We welcome the 'Right tree in the right place' approach, assessment for which needs to include the historic environment and designed landscapes.

There are also positive opportunities for appropriate enhancement of heritage assets in Parks and gardens, historic landscapes, etc.

Tree planting required through biodiversity offsetting should be considered and assessed for its impact on the historic environment as part of the relevant development as with SUDS (158-168).

## **Proposed changes to Chapter 14: Meeting the challenge of climate change, flooding and coastal change**

### **10 Do you agree with the changes proposed in Chapter 14?**

Not Answered

**Please provide comments:**

Regarding paras 158-168, the archaeological implications of flood alleviation schemes should be considered. There should be cross references between this chapter and Chapter 16, explaining the need to assess the archaeological implications of flood risk measures.

## Proposed changes to Chapter 15: Conserving and enhancing the natural environment

### 11 Do you agree with the changes proposed in Chapter 15?

Yes

#### Please provide comments:

We welcome the addition to para 175 as it should help protect designated landscapes and the heritage assets within them. We are pleased that the existing reference to the cultural heritage of such landscapes has been retained and would recommend that a similar recognition is included within the definition of green infrastructure as noted elsewhere in our response.

## Proposed changes to Chapter 16: Conserving and enhancing the historic environment

### 12 Do you agree with the changes proposed in Chapter 16?

Yes

#### Please provide comments:

Updated sections in the Planning Policy Guidance and Good Practice Guide would be helpful in relation to this change.

## Proposed changes to Annex 2: Glossary

### 14 Do you have any comments on the changes to the glossary?

Yes

#### Please provide comments:

The historic environment should be included within the proposed new definition of green infrastructure. There is very little 'green' or 'blue' space in England which is not humanly created and managed – this should be reflected in the green infrastructure definition. Note the definition of historic environment in the same annex. Many green infrastructure sites are also heritage sites and such spaces provide an ideal means of preserving heritage assets within areas of public open space. Green Infrastructure is very important for delivering many conservation, enjoyment, access, health and wellbeing aspects of the historic environment; without this mechanism there is a serious risk of undermining a key means to deliver on NPPF 189 (old 185): a 'positive strategy for the conservation and enjoyment of the historic environment'.

## National Model Design Code

### 15 We would be grateful for your views on the National Model Design Code, in terms of a) the content of the guidance b) the application and use of the guidance c) the approach to community engagement

#### Please provide comments:

##### National Model Design Code

The historic environment is rather hidden away under the generic 'Context' heading. It should be specifically discussed in terms of the need to understand a site's time-depth including its archaeological potential and how archaeological remains at a site can contribute to and influence design. Even archaeological discoveries which emerge late in the day can create unique place-making opportunities – Amesbury Archer and Curtain Theatre for example.

##### Guidance

The content of the guidance notes is useful and accurate at a basic level. Only 1-2 pages cover heritage issues in a broad-brush way. This appears insufficient when considering the key role that heritage issues play in influencing how and where development can take place.

The NPPF is referred to but this would benefit by including references to particular paragraphs. Character and distinctiveness are referred to but not sufficiently well explained.

Only one Historic England document, Understanding Place, is referred to, yet there is a whole raft of directly relevant guidance available on the Historic England website. Character Appraisals are referred to but Conservation Area Appraisals are not and should be included.

As a minimum the following links to key pieces of guidance should be added to the references section at the end of the Code document:

- [Historicengland.org.uk/advice/planning/planning-system/](https://historicengland.org.uk/advice/planning/planning-system/)
- [Historicengland.org.uk/advice/planning/plan-making](https://historicengland.org.uk/advice/planning/plan-making)
- [Historicengland.org.uk/advice/planning/place-making-and-regeneration/](https://historicengland.org.uk/advice/planning/place-making-and-regeneration/)
- [Historicengland.org.uk/advice/planning/conservation-areas/](https://historicengland.org.uk/advice/planning/conservation-areas/)

Should also mention HERs and consulting LG Archaeologists under section C2 in:

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/957207/Guidance\\_notes\\_for\\_Design\\_Codes.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/957207/Guidance_notes_for_Design_Codes.pdf)

Nature – (N.1.i) This section should also explain how incorporation within public open space is an important means of preserving heritage assets, including those of archaeological interest.

Identity – checklist p49. This is directly relevant to heritage issues which should be cross-referenced in this section. Heritage has an important role in creating a sense of place and sense of identity which should be discussed in the text.

R2 – p85 – Sustainable Construction – Again, directly relevant to heritage which should be cross-referenced here. Creative re-use of traditional buildings which

have low embodied energy has a multitude of design benefits: it can help meet design and environmental targets, reduce costs and address the conservation requirements of existing buildings on the site, as opposed to demolition and redevelopment, but the guidance does not make this important link.

The importance of community engagement is adequately explained but logically this section should be at the front rather than at the back to highlight its importance to the overall design approach.

## **Public Sector Equality Duty**

**16 We would be grateful for your comments on any potential impacts under the Public Sector Equality Duty.**

**Please provide comments:**