Statement of Common Ground: English Heritage and New Forest District Council - Heritage Policy

Background

1. As advised by the Examination Inspector, the Council undertook an additional period of public consultation on a number of matters, as set out below, from 8th August to 19th September 2012.

   i. The ‘soundness’ of the Plan in the context of the final version of the National Planning Policy Framework (NPPF) (published in March 2012)
   ii. The NFDC Proposed Changes Schedule – changes proposed by NFDC to the Proposed Submission Document in response to representations received in the period 20th January to 2nd March 2012.
   iii. The Errata List.

2. English Heritage responded to the consultation raising a number of concerns about the ‘soundness’ of the Plan in the context of the National Planning Policy Framework (NPPF). The NPPF was published on 27th March 2012, after the period for representations on the Sites and Development Management Proposed Submission document (Local Plan Part 2).

3. The Local Plan Part 2 was prepared in the context of the National Planning Policy that was in place prior to the publication of the NPPF. Following publication of the NPPF the Council checked the compatibility of the Sites and Development Management document with the NPPF using the Local Planning Authority Self Assessment Compatibility Checklist published by the Planning Advisory Service. (Document S6). The use of this ‘checklist’ helped identify possible areas of incompatibility between the NPPF and emerging local policies, but proved not to be an adequate tool for identifying potential policy ‘gaps’ resulting from the changes to national planning policy advice.

4. Under previous National Planning Policy local planning authorities were advised that it was not necessary to have local planning policies which repeated national planning policy. This particularly affected the need to include local policies relating to the conservation and enhancement of the historic environment and the natural environment in the Local Plan.

5. English Heritage has submitted representations on the ‘soundness’ of the Local Plan Part 2 in the context of the final version of the NPPF (Representation 3812b). The Council accepts that as a result of the introduction of the National Planning Policy Framework in March 2012 and the removal of some of the detailed national planning policy guidance on heritage and conservation matters, there is a need for additional planning policies at a local level in appropriate development plan documents. In the case of New Forest District, there is a need to include additional planning policy...
relating to heritage and conservation in the Local Plan Part 2: Sites and Development Management document.

**Common Ground**

6. Following receipt of English Heritage’s representations, the Council and English Heritage have worked together to address English Heritage’s concerns and agree appropriate revisions to the Local Plan Part 2. The Hampshire County Archaeologist was also involved in discussions on the content of an appropriate new policy.

7. English Heritage and the Council have reached agreement on changes to the Heritage section of the Plan (Document S1, page 13-14) to be recommend to the Inspector. These changes involve the deletion of policy DM1 and paragraphs 2.7 and 2.8 of the Submission Document, and their replacement by proposed changes Ch2.19 and Ch2.20 as set out in Appendix A to this paper. (The proposed changes are to be recommended to Cabinet on 7th November.)

8. English Heritage and the Council are of the view that the proposed changes satisfactorily address English Heritage’s concerns about the ‘soundness’ of the Plan.

9. Both English Heritage and the Council would wish to see proposed changes Ch2.19 and Ch2.20, as set out in Appendix A, included in the final adopted Plan.
Appendix A

(Proposed Change Ch2.19)

Heritage

Policy DM1: Heritage and Conservation

a.) Development proposals and other initiatives should conserve and seek to enhance the historic environment and heritage assets, with particular regard to local character, setting, management and the historic significance and context of heritage assets.

In particular:

- All heritage assets will be protected in proportion to their significance. The more significant the heritage asset, the greater the presumption in favour of its conservation.

- Development proposals should conserve or enhance the significance, character and appearance of heritage assets.

- Any development that may affect archaeological remains should demonstrate the likely impact upon the remains and where appropriate, include mitigation measures to reduce that impact. Any information gained as a result of the investigation should be publicly available.

- Development proposals should respect historic road, street and footpath patterns that contribute to the character and quality of an area.

b.) In assessing the impact of a proposal on any heritage asset, account will be taken of:

- the impact of the proposal on the heritage asset and its significance, with regard to the nature of the significance of the heritage asset and the value that it holds for this and future generations
- the impact of the proposal on the setting of the heritage asset
- the impact of the proposal on public access to, and enjoyment and appreciation of, the heritage asset.

If there would be harm to the heritage asset account will be taken of:

- how any conflict between climate change objectives and the conservation of the heritage asset is addressed and mitigated
- whether the public benefits of a proposal outweigh any harm caused to the heritage asset. Exceptions to the principle of safeguarding heritage assets from inappropriate development will only be considered where substantial harm is avoided and where the public benefits of a proposed development can be clearly demonstrated to outweigh the level of harm to the significance of the heritage asset.

c.) Where appropriate and necessary to secure the long term future of a heritage asset, in particular where it is in a poor condition or at risk, an exception may be made to other local plan policies, providing:

- the nature of the heritage asset means it is not suitable for all reasonable uses of the site which accord with local plan policies.
- the proposal will not materially harm the significance of the heritage asset and its setting, and is sympathetic to its conservation
- any variance in, or departure from, other policies, is minimised to that necessary to secure the heritage asset, and the benefits of securing the long term conservation of the heritage asset outweigh the disbenefits.

d.) The local planning authority will work with others, and in particular with local communities, to identify, record and give appropriate recognition to heritage assets not subject to a national designation, but which are of local significance.

(Proposed Change Ch2.20)

2.7a Heritage assets include listed buildings, scheduled ancient monuments, conservation areas, historic parks and gardens, locally listed buildings, locally listed historic parks and gardens, archaeological sites, historic landscapes, and locally important historic road, street and, footpath patterns, and the setting of these assets. Identified heritage assets in the Plan Area are set out in Figure 3. The Archaeology and Historic Buildings Record (AHBR) is the Historic Environment Record for Hampshire County Council. The Historic Environment Record (HER) provides the evidence base.

2.7b Many heritage assets are not formally designated, for example, sites with archaeological interest may not currently be designated as ancient monuments, and locally distinct buildings valued by a local community, may not be listed buildings. Local heritage assets may be identified through Local Distinctiveness SPD, Conservation Area Appraisals, and neighbourhood/community plans, and should be supported by an evidence base that records information on the significance of the heritage asset.

2.7c Historic road, street and footpath patterns can help provide local identity, links between features of historic importance and clues as to the pattern of growth and development of settlements. The Local Distinctiveness Supplementary Planning Documents and Conservation Area Appraisals will help identify historic streets and footpath patterns which are particularly important.

2.8 The Policies/Proposals Maps identify Conservation Areas, Sites of historic interest (not on the register), and Burgage plots. Listed buildings and Ancient Monuments are not shown on the Proposals Maps.

**Figure 3: New Forest District (outside the National Park) Identified Heritage Assets**

<table>
<thead>
<tr>
<th>Conservation areas</th>
<th>Ashleit Creek, Fawley (part) 2000 (original designation 1993)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Bickton 1999 (original designation 1981)</td>
</tr>
<tr>
<td></td>
<td>Breamore (part) 2000 (original designation 1981)</td>
</tr>
<tr>
<td></td>
<td>Buckland, Lymington (part) 1999 (original designation 1988)</td>
</tr>
<tr>
<td></td>
<td>Damerham 2000 (original designation 1976)</td>
</tr>
<tr>
<td></td>
<td>Eling (Totton) 2000 (original designation 1979)</td>
</tr>
<tr>
<td></td>
<td>Fordingbridge 1999 (original designation 1975)</td>
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<tr>
<td></td>
<td>Hanger Farm, Totton 2000 (original designation 1986)</td>
</tr>
<tr>
<td></td>
<td>Harbridge 1999 (original designation 1993)</td>
</tr>
<tr>
<td></td>
<td>Hazel Farm, Totton 1999 (original designation 1996)</td>
</tr>
<tr>
<td></td>
<td>Hythe 2000 (original designation 1978)</td>
</tr>
<tr>
<td></td>
<td>Ibsley 1999 (original designation 1981)</td>
</tr>
<tr>
<td></td>
<td>Lymington 1999 (original designation 1977)</td>
</tr>
<tr>
<td>Location</td>
<td>Year</td>
</tr>
<tr>
<td>--------------------------------------------</td>
<td>------------</td>
</tr>
<tr>
<td>Lymington (Kings Saltern)</td>
<td>2001</td>
</tr>
<tr>
<td>Martin</td>
<td>2000</td>
</tr>
<tr>
<td>Milford-on-Sea</td>
<td>1999</td>
</tr>
<tr>
<td>Old Milton Green, New Milton</td>
<td>1999</td>
</tr>
<tr>
<td>Ringwood</td>
<td>1999</td>
</tr>
<tr>
<td>Rockbourne</td>
<td>2000</td>
</tr>
<tr>
<td>Royal Naval Armaments Depot, Marchwood</td>
<td>1999</td>
</tr>
<tr>
<td>Sopley</td>
<td>1999</td>
</tr>
<tr>
<td>Whitsbury</td>
<td>2000</td>
</tr>
</tbody>
</table>

**Listed Buildings***

1665 buildings

**English Heritage Register of Parks and Gardens**

- Breamore Park SU155192

**Hampshire Register of Historic Parks and Gardens (not on the National Register)**


Including the following identified on the Proposals/Policies Maps:

**Everton:**
- Efford House SZ 299943

**Fordingbridge:**
- Burgate Manor (Game Conservancy), Fordingbridge SU 153146
- Fryern Court SU 143161

**Milford-on-Sea:**
- Newlands Manor, Milford-on-Sea 286933

**Ringwood:**
- Somerley Park, Ringwood Forest 132082

**Sandleheath:**
- Sandle Manor SU 136148

**Totton:**
- Testwood House, Testwood Lane, Totton 360144

**Burgage plots**

- Nos. 2 to 24 High Street Lymington
- Nos. 45 to 51 High Street Lymington
- Nos. 55 to 58 High Street Lymington
- Nos. 63 to 75 High Street Lymington
- Nos. 124 to 131 High Street Lymington
- Nos. 43 to 48 St Thomas’ Street Lymington

**Scheduled Ancient Monuments * **

On the National Heritage List [http://list.english-heritage.org.uk/default.aspx](http://list.english-heritage.org.uk/default.aspx)

**NOTES:**

* Designated Heritage Asset not specifically identified on the Proposals/Policies Map

**For further information - The Archaeology and Historic Buildings Record**

Ms Louise Evans  
Principal Policy Planner, Policy and Plans Team  
New Forest District Council  
Appletree Court  
Beaulieu Road  
Lyndhurst  
Hampshire, SO43 7PA  

Dear Ms Evans,

Statement of Common Ground

Thank you for preparing this Statement of Common Ground between the Council and English Heritage following our discussion on overcoming the concern I raised in respect of your Council’s Local Plan Part 2: Sites and Development Management.

As you are aware, my concern was that the Local Plan, through Policy CS3 and Policy DM1, does not contain an adequate positive strategy for the conservation, enhancement and enjoyment of the historic environment of the District as required by the National Planning Policy Framework. I therefore suggested that Part 2 of the Local Plan should contain a specific policy for the conservation, enhancement and enjoyment of the District’s historic environment and the heritage assets therein, and expressed my desire to discuss this with the Council.

I was therefore delighted with the Council’s positive reaction to my concern and suggestion by drafting such a policy and inviting English Heritage to comment on the draft, and with your willingness to take on board many of the detailed comments I made on that draft.

I am therefore very pleased to confirm English Heritage’s agreement with the contents of the Statement of Common Ground, and to confirm that the proposed new policy and text therein would satisfactorily address English Heritage’s concerns about the ‘soundness’ of the Plan if included in the final adopted Plan.

Thank you.

Yours sincerely,

Martin Small, Planning Adviser