



**Examination of North Norfolk Local Plan**  
**Matter 11**  
**Environment Policies**  
**Historic England, Hearing Statement**  
December 2023

Historic England is the principal Government adviser on the historic environment, advising it on planning and listed building consent applications, appeals and other matters generally affecting the historic environment. Historic England is consulted on Local Development Plans under the provisions of the duty to co-operate and provides advice to ensure that legislation and national policy in the National Planning Policy Framework are thereby reflected in local planning policy and practice.

The tests of soundness require that Local Development Plans should be positively prepared, justified, effective and consistent with national policy. Historic England's representations on the Publication Draft Local Plan are made in the context of the requirements of the National Planning Policy Framework ("the Framework") in relation to the historic environment as a component of sustainable development.

## Historic England Hearing Statement

### Introduction

- 1.1 This statement addresses the Inspector's questions with regards Matter 11 – Environment policies.
- 1.2 This hearing statement should be read alongside Historic England's comments submitted at previous consultation stages of the Local Plan, and the SoCG between Historic England and North Norfolk Council (EX023).

## **Matter 11: Environment (ENV policies)**

**Issue: Whether the policies for the environment are positively prepared, justified, effective and consistent with national policy.**

**11.1 Are the ENV policies positively prepared, justified, effective and consistent with national policy? Are any main modifications necessary, and if so what should these be?**

### **Policy ENV 7**

#### **Local List**

- 2.1 Historic England had suggested the addition of the Local List Criteria and Local List as an appendix to the Plan in our Regulation 19 consultation response.
- 2.2 We therefore welcome the Council's proposed minor modification PMIN/6.7/02 to amend text in Paragraph 6.7.3 and add associated footnote to read:

*6.7.3 The number of non-designated heritage assets on the list is likely to increase over time as new buildings and other assets are identified. The Council uses Local Listing criteria as a guide to select buildings or structures for local listing in North Norfolk.<sup>(87)</sup> The requirements of the policy equally apply to any local heritage assets identified and listed in adopted Neighbourhood Plans.*

**87. <https://www.north-norfolk.gov.uk/tasks/conservation/locally-listed-buildings/>**

#### **Non-designated heritage assets**

- 2.3 At Regulation 19 Historic England also highlighted the need for the policy to reference a balanced judgement in relation of non-designated heritage assets.
- 2.4 As highlighted in our SOCG, Criterion 7 of ENV7 currently simply requires sufficient information to demonstrate that any harm has been assessed. As currently worded, it fails to indicate how the decision maker should respond.
- 2.5 The NPPF para 16d makes it clear that policies should be '*clearly written and unambiguous, so it is evident how a decision maker should react to development proposals*'.

- 2.6 In the absence of a reference to balanced judgement, the policy fails to indicate how a decision maker should react in the case of proposals affecting non-designated heritage assets.
- 2.7 This is also inconsistent with the approach being taken in this policy for designated heritage assets at the end of criterion 5. The plan is therefore internally inconsistent.
- 2.8 While it is important that policies don't repeat the NPPF verbatim, they should both be consistent with and reflect the NPPF.
- 2.9 As currently drafted the policy would **not be consistent with national policy** and would **not be effective** in securing the conservation and enhancement of the historic environment.
- 2.10 Therefore, in order to make the Plan sound we recommend that criterion 7 is amended to make reference to the need for a balanced judgement as follows:
7. Development proposals, including alterations and extensions, that result in substantial harm to or total loss of significance of a non-designated heritage asset including any contribution to that significance by its setting will be required to provide sufficient information to demonstrate that any harm has been fully assessed. A balanced judgement will be required.
- 2.11 The inclusion of this change would help to ensure that the policy wording is **consistent with national policy** and **effective** in conserving and enhancing the historic environment.