

## LAVENHAM PARISH COUNCIL

### FORMAL EXAMINATION OF BABERGH AND MID SUFFOLK DISTRICT COUNCILS JOINT LOCAL PLAN

#### Matter 5 Local Housing Policies

Also touches on Matters 6 and 8

#### HERITAGE ASSETS

##### Further submission on Examiners questions

5.5 b *Is the wording in relation to heritage assets sufficiently clear*

Chapter 16 of the NNPG February 2019 goes much further than the definition of the JLP found in 15.30 and extends protection to:

- Significance
- Importance
- Distinctiveness of character
- Setting
- Enjoyment of (thus protecting uninterrupted views of) heritage
- Impact on local economy, sustainability and tourism (see our submission on tourism)
- Impact on character *of place*

Chapter 16 also states that the greater the importance the more weight should be given to preserving and conserving heritage ie an asset of grade I listed in a special landscape area or important vista, and forming part of a highly sensitive view in a conservation area more than “merits consideration”. Impact on grade II should be exceptional while on grade II\* and I arguments must be wholly exceptional and the use of minimal harm or impact will not be seen from the street does not apply. Substantial benefits must outweigh any loss of significance.

Local planning authorities should look for new development within Conservation Areas and World Heritage Sites, *and* within the setting of heritage assets, to enhance or better reveal their significance.

15.30 fails to provide this protection, while we have evidence of developments within the Conservation Area and within the historical and protected views within our local landscape character assessment that ignore the need for heritage or landscape assessment because permitted developments have been allowed to obscure and harm heritage views and setting.

The Heritage England Guidance on Settings then provides a much more detailed description on the nature of how the setting of heritage, village and conserved area should be protected and it is recommended that this guidance be adopted as part of the JLP.

LP21 and note 4 of the JLP fails to protect intangible heritage assets such as views, settings, street and roof scape.

The history of recent developments in our village is that:

- Modern and unsympathetic design is being used to set the prevailing character of heritage assets and their settings
- Where views are temporarily lost due to natural growth of trees and hedgerows then those views are wrongly described as never existing
- Limiting the setting and curtilage of listed buildings, their gardens, parkland and setting to a conservation area where no such limitation exists
- Limiting the conserved significance and importance to the short summary in listing, despite the existence of other sources (such as Historical Surveys forming part of listed applications) highlighting greater significance
- Describing views as only being protected *within* a conserved area and not applying to views into or out from the same (again with no justification)
- Claiming that the small economic benefit from new housing outweighs the significant economic benefit from tourism
- Applying less than substantial harm argument inappropriately to grade II\* and grade I heritage
- Allowing views, conserved vistas, highly sensitive landscape character and AONB or Special Landscape Areas to be eroded by permitted developments (even when not permitted within the surroundings of grade listed assets)

All of this arises from the lack of clear and consistent application of Chapter 16 by the planning authority and by permitting developments under permissions that Ministers never intended to harm conserved heritage.

The attractiveness of new housing development in the setting of heritage assets is that such a setting adds a premium to the value of housing when sold. Developers are prepared for their house or houses to benefit from the views of heritage assets (adding value to them) but at the expense of the wider public or community access to the same enjoyment.

To protect heritage assets from losing their significance (as they are surrounded by unsympathetic design), the clarity of section 15.30 and the protection it offers needs to be *greater* not less than Chapter 16 of the NPPG, especially as the number of heritage assets in Babergh is an exceptional circumstance that should also affect its housing need assessment and site identification.

Failure to offer protection through clarity adds to the growing fear and uncertainty for those living in heritage assets that leads to us constantly having to fight off encroachment by developers whom will use any chink or loophole in a definition of what is to be protected to build new housing with no regard to the legacy we leave of diminished heritage when they do so

We recommend the addition of heritage views, important vista, streetscape and roof-scape to 15.30

We recommend the addition of importance, setting, distinctiveness, cultural and architectural heritage, public and community enjoyment of, impact on economic viability, sustainability, on tourism and on character of place should be added to 15.30

We recommend that any development that impacts or changes the character, setting, distinctiveness etc of heritage assets or views should provide a cumulative assessment of all developments on the character of place, heritage assets, heritage views and setting.

We recommend that the following other definitions from the NPPG Glossary should be added:

Conservation: The process of maintaining and managing change to a heritage asset **in a way that sustains and, where appropriate, enhances its significance.**

Historic environment: **all aspects of the environment resulting from the interaction between people and places through time**, including all surviving physical remains of past human activity, **whether visible** [or not], buried or submerged, and landscaped and planted or managed flora.

Setting of a heritage asset: **The surroundings in which a heritage asset is [and has been] experienced.**

Significance: The value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. **Significance derives not only from a heritage asset's physical presence, but also from its setting.**

We recommend that the Heritage England Guidance on Setting is formally adopted by the planning authorities.