



Historic England

Examination of St Albans City and District Local Plan

Matter 2 – The Duty to Co-operate

Historic England, Hearing Statement

December 2019

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 whether the Council has complied with the duty to cooperate in the preparation of the Local Plan.
- 1.2 This hearing statement should be read alongside Historic England's comments submitted at previous consultation stages of the Local Plan, and our Hearing Statements for Matters 1, 6, and 7.

Matters and Issues for St Albans City and District Local Plan

Matter 2 – The Duty to Co-operate

22. Who has the Council engaged with? When did this engagement begin, has it been active and on-going and what form has it taken?

22.1 The NPPF paragraph 24 makes it clear that there should be co-operation with other bodies, including prescribed bodies/statutory consultees where there is a duty to co-operate. This is a two way process.

22.2 St Albans City and District Council has consulted Historic England during the formal stages of Local Plan preparation, and Historic England have submitted responses at all of these stages. For ease of reference the dates of these responses are set out below:

- Regulation 18 Issues and Options and Call for Sites – 21st February 2018;
- Local Plan Sustainability Appraisal Scoping – 22nd May 2018; and
- Regulation 19 Publication Draft 2018 – 17th October 2018

22.3 However, beyond this, there has been no active engagement or co-operation. In particular we have repeatedly advised that Heritage Impact Assessments would be required to inform and justify the identification of Broad Locations, and to help initiate these a meeting was also offered (see Historic England's response to the Regulation 19 Publication Draft 2018, dated 17th October 2018). It is disappointing that the Council did not seek to engage constructively with Historic England on these matters as the next steps following this would have been the co-production of a Statement of Common Ground (SoCG). This SoCG would have formalised the discussions which had occurred and would have provided clarity and tangible written evidence on our mutual positions to put before the Examination. In the absence of this however, it has been necessary for Historic England to submit this statement.

23. In overall terms has the Council engaged constructively? What has been the outcome of co-operation and has this addressed the issue?

23.1 For the reasons set out in our response to question 22 (above) Historic England considers that the Council has not engaged constructively.