



**Examination of St Albans City and District Local Plan**  
**Matter 6 – The Broad Locations for Development (Policy S6) –**  
**General Matters (Policy S6) and Strategic Infrastructure (Policies**  
**L17 and L18)**  
**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 policies for the development and delivery of the Broad Locations for Development are justified, effective and consistent with national policy.
- 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, 2, and 7.

## **Matters and Issues for St Albans City and District Local Plan**

### **Matter 6 – The Broad Locations for Development (Policy S6) – General Matters (Policy S6) and Strategic Infrastructure (Policies L17 and L18)**

#### **Issues**

#### **2. Have landscape, agricultural land, flood-risk, natural heritage and heritage assessments been carried out to inform the locations of the proposed locations?**

2.1. It is Historic England's view that the heritage impacts of the proposed Broad Locations for Development have not been adequately assessed by the Council, and we cannot therefore be confident that the Plan, as submitted, safeguards the historic environment in line with the requirements of the NPPF.

2.2. Paragraph 31 of the NPPF highlights the need for relevant and up-to-date evidence that is proportionate and focused tightly on justifying the policies concerned. Paragraph 32 of the NPPF goes on to consider the importance of the sustainability appraisal and the need for significant adverse impacts to be avoided in the first instance and only where significant adverse impacts are unavoidable should suitable mitigation measures be proposed.

2.3. Given the sensitivity, in terms of the historic environment of many of the Broad Locations to development, together with the scale of development proposed, we would expect Heritage Impact Assessments to have been undertaken to inform both suitability of sites for allocation and the detailed policy criteria needed to ensure the protection of the historic environment. Historic England has repeatedly highlighted the need for Heritage Impact Assessments for the Broad Locations including most recently in our response to the Publication Draft in October 2018. Our responses to these formal stages indicated that Heritage Impact Assessments (HIAs) were required to inform and justify the identification of Broad Locations and to help initiate these, a meeting was also offered (see Historic England response to Regulation 19 Publication Draft 2018, 17<sup>th</sup> October 2018).

2.4. We are therefore surprised that no further work has been undertaken in this respect, and it is disappointing that the Council did not seek to engage constructively with us on these matters.

2.5. The lack of Heritage Impact Assessments leads us to the conclusion that the potential impacts of these allocations on the historic environment have not been properly considered. Without sufficient evidence to demonstrate that appropriate consideration has been given to the conservation and enhancement of the historic

environment, together with a lack of policy criteria for the protection and enhancement of the historic environment in relation to these large sites, we must find the Council's spatial strategy, the allocation of the Broad Locations, and corresponding site specific policies unsound.

2.6 In summary in identifying these Broad Locations for Development Historic England considers that the Council has failed to:

- prepare a proportionate evidence base for the historic environment based on adequate, up-to-date and relevant evidence about environmental characteristics and of the area including the potential impact of proposals upon heritage assets (NPPF paragraph 31);
- attach great weight to the conservation of heritage assets (NPPF paragraph 193); and
- have due regard to the desirability of preserving the setting of affected listed buildings and conserving and enhancing conservation areas in accordance with the Planning (Listed Buildings and Conservation Areas) Act, 1990.

2.7 Historic England therefore considers that in NPPF terms, the Plan is not sound because the Broad Location are:

- **unjustified** in terms of impacts upon the historic environment. There is insufficient evidence for the historic environment upon which to base key decisions regarding strategy and to test the overall suitability of proposed areas of search
- **ineffective** in terms of avoiding harm and delivering enhancements to the historic environment, and
- **inconsistent** with national policy in terms of conservation and enhancement of the historic environment.

2.8 Notwithstanding this, and setting aside Historic England's fundamental concerns regarding the lack of evidence supporting the Broad Locations, we recognise that a decision will need to be made which weighs the harm to the significance of designated heritage assets against the public benefits. Should the Inspector decide that development of these locations is acceptable (when weighing harm to the significance of designated heritage assets against the public benefits), then we will work with the Council to agree revised policy wording to provide greater protection for the heritage assets and their settings through the preparation of a Statement of Common Ground.