

East Devon Local Plan – Topic Paper

Chapter 15. Our Outstanding Historic Environment

October 2024 – Version 01



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1 Introduction

- 1.1 This topic paper sits behind and help explain the content of and evolution of the Publication draft of the East Devon Local Plan.
- 1.2 There may be new versions of this topic paper as plan making progresses to Publication and thereafter into and through plan Examination.
- 1.3 This topic specifically addresses Chapter 15 of the plan – our outstanding historic environment.

2 The Publication draft of the Local Plan

- 2.1 At the date that we published this draft topic paper we are moving towards production of the Publication draft of the local plan. There are specific Government regulations¹ that apply to local plan making and these set out actions that need to be undertaken at different regulatory stages (this report specifically relates to Regulations 18, 19 and 20).
- 2.2 The proposed Publication draft text of the local plan will be an edited and amended draft of the consultation draft plan published in November 2022². The draft plan was consulted on under plan making Regulation 18 and it should be noted that further limited additional consultation under this regulation took place in the late Spring of 2024.
- 2.3 The Publication plan, under Regulations 19 and 20, will be made available for any interested party to make representations on. The period for making such representations is currently planned to be from December 2024 to January 2025. The Publication plan, representations received and other relevant paperwork will be submitted for Examination, to a target date of May 2025. One or more Planning Inspectors will undertake the plan examination.
- 2.4 The first drafts of what is proposed to become the Publication plan will be considered by the Strategic Planning Committee of East Devon District Council through 2024. The expectation is that text will then be refined as the year progresses with a view to the Committee being asked to approve the final Publication plan in November 2024.

¹ [The Town and Country Planning \(Local Planning\) \(England\) Regulations 2012 \(legislation.gov.uk\)](https://www.legislation.gov.uk)

² [commonplace-reg-18-final-071122.pdf \(eastdevon.gov.uk\)](https://www.eastdevon.gov.uk/commonplace-reg-18-final-071122.pdf)

3 Summary of proposed redrafting- Chapter 15 of the consultation plan

- 3.1 This Chapter has not been substantially amended. Some minor wording amendments have been incorporated into policies but they remain substantively as they were in the Draft Plan. There is a need to complete the review and updating of the Heritage Strategy as this will support and provide evidence for this Chapter and implementation of the policies in it.

4 Issues and options consultation

- 4.1 Prior to production and consultation on the draft local plan the Council consulted on a local plan Issues and Options³ report. This included a series of questions that responses and comments were invited on. A feedback report was published⁴.
- 4.2 The consultation asked how important protecting our heritage was considered to be. 78.6% of respondents said that it is either essential or very important to conserve heritage assets. There was a lot of support for conserving heritage assets for their historical, architectural, community and tourist value. However, and often within this support, there were many comments about allowing historic buildings to change with the times, for example by allowing alterations to make them more environmentally sustainable.
- 4.3 Of particular note were the comments of Historic England, as the Government’s advisor for the historic environment. Historic England found much to welcome in the Issues and Options report but raised the following issues:
- The holistic nature of the historic environment and links with other issues, including talking climate change;
 - The importance of all heritage assets, which affects the wording of objective 7 and the approach to historic environment strategy;
 - The need for up-to-date and relevant historic environment evidence to inform allocations and designations (with reference to the NPPF paragraphs 31,35,184 and 185);
 - The need for a heritage topic paper and positive strategy for the historic environment to consider:
 - The current state of East Devon’s historic environment;
 - Key issues in terms of understanding, conserving, enhancing and enjoying East Devon’s historic environment as well as the wider benefits this brings including for local character and distinctiveness;
 - How effective the adopted local plan has performed in relation to these issues,
 - The delivery of a positive strategy for the historic environment (as in NPPF paragraph 185) and against its own objectives for delivering sustainable development in respect of the historic environment; and

³ [issuesandoptionsreport-jan2021.pdf \(eastdevon.gov.uk\)](#)

⁴ [2a. Consultation feedback report Ver 03.pdf \(eastdevon.gov.uk\)](#)

- How the new local plan intends to positively respond to these matters.

5 Draft plan consultation

- 5.1 In the draft plan consultation, heritage matters were addressed in Chapter 15. The feedback report, summarising the comments can be read here (starting on page 463) [accessible-reg-18-consultation-feedback-report-spring-2023.pdf \(eastdevon.gov.uk\)](#).
- 5.2 One general comment raised in feedback, of particular note, of relevance to the historic environment chapter and our approach to policy making, was received from Historic England. This was summarised as:
- 5.3 Historic England welcome this chapter but state that, to accord with the national planning framework (Policy 20 (d)), policies should be presented as Strategic Policy
- Historic England state that the Local Plan should illustrate a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. As well as allocating sites, the Plan should also set out how it will consider and positively respond to the heritage challenges and opportunities faced by East Devon’s historic towns and villages, landscapes and townscapes, and their relative condition (NPPF para 190). We support the production of a Heritage Topic Paper as evidence to accompany and inform the Local Plan’s preparation.
- 5.4 It is advised that the Council are updating the Heritage Strategy and this, along with other detailed site assessment work (with heritage being a specific focus), will inform the Councils understanding of the historic environment. This work is being undertaken with support and advice from Historic England, the County Archaeologist and the Council’s Conservation Officers. The evidence to date and to be produced will be considered to be robust.

6 Further Regulation 18 consultation Spring 2024

- 6.1 At the time of drafting this report further Regulation 18 consultation on selected topic matters was taking place. Heritage and the historic environment policies were not explicitly amongst matters being consulted on. However, should pertinent matters be noted in feedback they will be reported on in any redrafting.

7 Sustainability Appraisal feedback

- 7.1 The draft local plan was supported by a Sustainability Appraisal⁵ (SA). This SA will be updated and refined as plan making progresses and it will be one of the documents that is submitted as

⁵ [sa-of-pos-consultation-draft-lp_2022.pdf \(eastdevon.gov.uk\)](#)

part of the submission for Examination. The SA report of the draft plan was largely supportive of the policy approach being taken forward for the historic environment.

- 7.2 The Policy approach is preferred due to major positive effects on conserving and enhancing heritage assets (objective 3), along with positive effects on the landscape (objective 2). The alternative approach, to not include policies on the conservation and enhancement of the historic environment, would still confer strong protection for designated heritage assets through legislation and national policy but would result in less positive effects on the historic and built environment, with some uncertainty, particularly for non-designated heritage assets.

8 Habitat Regulation Assessment

- 8.1 The local plan will need to be assessed under the Habitat Regulations. An preliminary assessment of policies in the draft plan has been produced – [east-devon-local-plan-hra-110723-2013-doc-from-footprint.pdf](#) ([eastdevon.gov.uk](#))

9 Assessment of policies in chapter 15

- 9.1 Chapter 15 of the draft plan set out a series of policies that are reviewed below.

General issues raised on Chapter 15	
This Chapter seeks to protect and enhance the historic environment of East Devon. Policies will apply to designated and non-designated heritage assets and set out the approach that will be taken to ensuring development is appropriate.	
No need for additional policies was identified.	
Key technical evidence sources	
<ul style="list-style-type: none"> In addition to the Town and Country Planning Act 1990, the Planning (Listed Buildings and Conservation Areas) Act 1990 provides specific protection for buildings and areas of special architectural or historic interest, and the Ancient Monuments and Archaeological Areas Act 1979 provides specific protection for scheduled monuments. Key evidence sources are the National Heritage List for England (Search the List - Find listed buildings, monuments, battlefields and more Historic England), Historic England’s guidance (https://historicengland.org.uk/advice/), the Historic Environment Maps and Records held by Devon County Council, the Conservation Area Appraisals, listed building lists, local heritage assets and Conservation Strategy held by EDDC (East Devon Heritage and Local Heritage Assets - East Devon) and Neighbourhood Plans 	
Issues and options consultation	
<ul style="list-style-type: none"> 78.6% of respondents said that it is either essential or very important to conserve heritage assets. There was a lot of support for conserving heritage assets for their historical, architectural, community and tourist value. However, and often within this support, there were many comments about allowing historic buildings to change with the times, for example by allowing alterations to make them more environmentally sustainable. Of particular note are the comments of Historic England, as the Government’s advisor for the historic environment. 	These comments informed the drafting of the Policies in the Draft Plan

Historic England found much to welcome in the Issues and Options report but raised the following issues:

- The holistic nature of the historic environment and links with other issues, including talking climate change;
- The importance of all heritage assets, which affects the wording of objective 7 and the approach to historic environment strategy;
- The need for up-to-date and relevant historic environment evidence to inform allocations and designations (with reference to the NPPF paragraphs 31,35,184 and 185);
- The need for a heritage topic paper and positive strategy for the historic environment to consider:
 - The current state of East Devon’s historic environment;
 - Key issues in terms of understanding, conserving, enhancing and enjoying East Devon’s historic environment as well as the wider benefits this brings including for local character and distinctiveness;
 - How effective the adopted local plan has performed in relation to these issues,
 - The delivery of a positive strategy for the historic environment (as in NPPF paragraph 185) and against its own objectives for delivering sustainable development in respect of the historic environment; and
 - How the new local plan intends to positively respond to these matters.

Draft Plan consultation	
<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> • All the Policies in this section were strongly supported. There were some requests for clarification and for stronger wording/protection of heritage assets. • Historic England welcome this chapter but state that, to accord with the national planning framework (Policy 20 (d)), policies should be presented as Strategic Policy • Historic England state that the Local Plan should illustrate a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. As well as allocating sites, the Plan should also set out how it will consider and positively respond to the heritage challenges and opportunities faced by East Devon’s historic towns and villages, landscapes and townscapes, and their relative condition (NPPF para 190). We support the production of a Heritage Topic Paper as evidence to accompany and inform the Local Plan’s preparation. • Devon County Council (DCC) welcomes the inclusion of heritage as a core theme, in particular its inclusion in several Strategic Policies such as Green Infrastructure, Wind Energy and Tourism. • DCC note that some non-designated heritage assets may be of equal significance as a designated heritage asset and should be considered against such policies (para 15.4). • Reinforcement is needed to assist the existing Conservation Officers work and coverage and much improved monitoring of 	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> • Policies are now strategic policies. • In addition to the policies of the LP, the Heritage Strategy will address and identify the challenges and opportunities faced by the historic environment in more detail • The Guide to listing of Local Heritage Assets and adopted East Devon Local List are now referenced • The policies may be amended in future drafts to reflect anticipated updated guidance from Historic England re alterations to improve the energy performance of historic buildings • Operational matters and staff resourcing are beyond the scope of the Local Plan

<p>work to historic buildings is needed.</p> <ul style="list-style-type: none"> • It is important that new development proposals in the vicinity of heritage assets are guided to respect their context and show sympathy in design or layout. • Planning departments should apply the policy rigorously, and should be properly resourced to do so, both at the planning stage and in monitoring thereafter. • The Otter Valley Association welcome the policies but would like to see the Guide to listing of Local Heritage Assets and adopted East Devon Local List referenced. • Lyme Regis Town Council support protection of the historic environment but would like a presumption in favour of alterations to improve the energy performance of historic buildings except where there is unacceptable material harm. 	
Supplementary Regulation 18 consultation Spring 2024	
<p>Heritage policies were not specifically consulted on at this time.</p>	
Sustainability Appraisal	
<p>See Sustainability Appraisal table below</p>	
Habitat Regulations Assessment	
<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> • No concerns identified. 	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> • No comments.
Commentary on policy redrafting for the Publication Plan	

General issues have not warranted additional policy coverage.

It was suggested that a single policy could apply to all heritage matters and this would avoid duplication and simplify consideration of planning applications. Historic England were supportive of this approach in principle and Officers explored this further. On balance, however, it was decided that separate policies for different types of asset would ensure that applicants are clear as to what is expected of them and the considerations that will apply to their type of asset.

Strategic Policy 102 – Historic Environment

Historic England describes how “some parts of the historic environment are important to society as a whole or to a group within it and merit some level of protection or consideration.” The NPPF recognises that these assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations. The historic environment policy sets out the Councils overarching approach to appropriate development of these heritage assets which warrant particular protection. In particular it explains how non-designated heritage assets will be identified and how applications for their development will be assessed.

Key technical evidence sources

- In addition to the Town and Country Planning Act 1990, the Planning (Listed Buildings and Conservation Areas) Act 1990 provides specific protection for buildings and areas of special architectural or historic interest, and the Ancient Monuments and Archaeological Areas Act 1979 provides specific protection for scheduled monuments.
- Key evidence sources are the National Heritage List for England ([Search the List - Find listed buildings, monuments, battlefields and more | Historic England](#)), Historic England’s guidance (<https://historicengland.org.uk/advice/>), the Historic Environment Maps and Records held by Devon County Council, the Conservation Area Appraisals, listed building lists, local heritage assets and Conservation Strategy held by EDDC ([East Devon Heritage and Local Heritage Assets - East Devon](#)) and Neighbourhood Plans

Issues and options consultation

See General issues above.

Draft Plan consultation

Key issues raised in consultation:

- The Policy was generally considered to be comprehensive and the historic environment is considered to be very important.

More specific points included:

- Protection of historic buildings and their environment must have the highest priority in the local plan.
- It is often the small details which contribute to the richness of a locality, and these deserve to be respected.
- Well intentioned policy but unlikely to be effective/Local Plan policies for new development undermine it (Littleham village, area around new town and Whimble specifically mentioned)
- Active uses are the best way to ensure heritage assets are protected and don't fall into disrepair
- Major developments can have a significant impact on heritage assets and their settings.
- Developers and property owners must be held accountable for any destruction of our heritage assets.
- Need for design guide to pick up on use of local materials
- Clear definition is required of a "heritage asset" and that the term could be used, eg, in reference to Exmouth promenade and its heritage as a victorian seaside promenade as well as distinct architectural features.
- Historic information and further surveys are required at an early stage. This needs to have the appropriate enforcement powers and staffing.
- Conservation areas need more protection.
- Should include reference to EDDC adopted Guidance and

Officer commentary in response:

- The policy is considered to be appropriate. It is intended to cover all assets, throughout the District, and so does not refer to specific locations or assets
- In response to internal comments the policy was amended so that it has a stronger emphasis on non-designated heritage assets to ensure these are recognised and protected and to avoid overlap with other policies

<p>the 'local list' which has started to identify local heritage assets - surely an omission.</p> <ul style="list-style-type: none"> • Not all historic buildings should be upgraded as there should be an authentic historic record through the areas buildings. SPAB guidance should be followed, the use of inappropriate materials (eg foam insulation) can destroy fabric of building • Improvements should always consider the potential for disruption to nature and wildlife which could be using these buildings. The natural heritage of East Devon should be considered to be part of the cultural heritage of the area. (eg the NHLF Greater Horseshoe Bat project). • Heritage assets are what give our communities a sense of identity and history. • Policy should protect Heritage Assets identified in Neighbourhood Plans. • Protection should be extended to cover natural assets which are part of local heritage eg apple/cider orchards at Whimple • There is an inconsistency between this policy stating new development “must not cause harm” and policy 103 criterion 2 and 3 describing the various degrees of harm where development will be allowed. • Policy needs to be applied flexibly in recognition of the shortfall in employment land across EDDC and the sub-region 	
Supplementary Regulation 18 consultation Spring 2024	
<p>Key issues raised in consultation: None raised</p>	<p>Officer commentary in response: None raised</p>

Sustainability Appraisal	
See Sustainability Appraisal table below.	
Habitat Regulations Assessment	
Key issues raised in consultation: <ul style="list-style-type: none"> No concerns identified. 	Officer commentary in response: <ul style="list-style-type: none"> No comments.
Commentary on policy redrafting for the Publication Plan	
Redrafted policy title: <ul style="list-style-type: none"> Strategic Policy HE 01 – Historic Environment 	

Strategic Policy 103 – Listed Buildings
Listed Buildings are considered to be the best examples of buildings of heritage importance and therefore warrant special protection. Policy ensures that applicants are clear as to what considerations will apply to any changes they wish to make.
Key technical evidence sources
<ul style="list-style-type: none"> In addition to the Town and Country Planning Act 1990, the Planning (Listed Buildings and Conservation Areas) Act 1990 provides specific protection for buildings and areas of special architectural or historic interest, and the Ancient Monuments and Archaeological Areas Act 1979 provides specific protection for scheduled monuments. Key evidence sources are the National Heritage List for England (Search the List - Find listed buildings, monuments, battlefields and more Historic England), Historic England’s guidance (https://historicengland.org.uk/advice/), the Historic Environment Maps and Records held by Devon County Council, listed building lists and Conservation Strategy held by EDDC (East Devon Heritage and Local Heritage Assets - East Devon) and Neighbourhood Plans

Issues and options consultation	
See General issues above.	
Draft Plan consultation	
<p>Key issues raised in consultation:</p> <p>The policy was well supported but some respondents felt it should go further whilst others were concerned that it is difficult to achieve energy efficiency whilst conserving historic features.</p> <p>More specific points included:</p> <ul style="list-style-type: none"> • There is lots of sector advice on how to help make historic buildings environmentally friendly. Impact on sustainability and climate change warrants consideration here e.g. https://historicengland.org.uk/advice/technical-advice/retrofit-and-energy-efficiency-in-historic-buildings/ • Listed buildings are vital to the sense of place inter locality and should be safeguarded in the ways the policy suggests. • Policy should acknowledge that listing covers the whole building • There needs to be much greater protection for listed buildings within the EDDC area. • Climate emergency makes energy efficiency essential and this should be acknowledged in policy. Reduce red tape. Allow double-glazing on listed buildings • Difficult to achieve net zero for listed buildings. • Developers will try and exploit the opportunities given in items I - iv and contract so-called experts to justify harming of a listed building to get their planning approval and profit 	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> • The reasoned justification has been amended to refer to the documents in the National Trust submission. • The need for a separate policy relating to energy efficiency/reducing reliance on carbon/climate change and the impact on listed buildings was considered. On balance it was felt not to be necessary or timely as Historic England are in the process of producing updated guidance which applicants can use to inform their proposals. Local Plan policy should not pre-empt or conflict with this (as yet unknown) advice and proposals will still need to comply with the overarching Local Plan policy.

<ul style="list-style-type: none"> • Various individual buildings were suggested for listing and objections raised to proposed sites on the basis of proximity to listed buildings or areas of historic significance. • Newton Poppleford and Harpford Parish Council is concerned that the drafting of this policy allows developers an opportunity to justify causing harm to listed buildings. • The National Trust advise - the supporting text to this policy states that Heritage Statements, Statements of Significance, and Impact Assessments should be produced in line with current best practice and relevant national guidance. It is recommended that the guidance states that such assessments should follow a systematic approach in line with Historic England guidance: The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning Note 3, 2nd Edition (2017), and Statements of Heritage Significance: Historic England Advice Note 12 (2019), or as per any updates to these documents. 	
Supplementary Regulation 18 consultation Spring 2024	
Key issues raised in consultation: None	Officer commentary in response: None
Sustainability Appraisal	
See Sustainability Appraisal table below.	
Habitat Regulations Assessment	
Key issues raised in consultation: <ul style="list-style-type: none"> • No concerns identified. 	Officer commentary in response: <ul style="list-style-type: none"> • No comments.

Commentary on policy redrafting for the Publication Plan	
Redrafted policy title:	
<ul style="list-style-type: none"> • Strategic Policy HE 02 – Listed Buildings 	
Policy has been redrafted slightly so that changes of use are included within the scope of development rather than requiring a separate criteria. Policy reflects the legislation and is felt to be comprehensive. The reasoned justification of the Historic Assets policy has been amended to refer to Historic England guidance (as this was felt to apply to all historic assets, not just listed buildings).	

Strategic Policy 104 – Conservation Areas	
Conservation Areas are one of the fundamental heritage assets, which are areas defined on account of the value and worth of the features they contain. Designation helps to improve our understanding of an area’s heritage and define what it is about the character or appearance that makes it special, and what should be preserved or enhanced. Policy ensures that applicants are clear as to what considerations will apply to any changes they wish to make.	
Key technical evidence sources	
<ul style="list-style-type: none"> • In addition to the Town and Country Planning Act 1990, the Planning (Listed Buildings and Conservation Areas) Act 1990 provides specific protection for buildings and areas of special architectural or historic interest, and the Ancient Monuments and Archaeological Areas Act 1979 provides specific protection for scheduled monuments. • Key evidence sources are the Historic England’s guidance (https://historicengland.org.uk/advice/), the Historic Environment Maps and Records held by Devon County Council, the Conservation Area Appraisals and Conservation Strategy held by EDDC (East Devon Heritage and Local Heritage Assets - East Devon) and Neighbourhood Plans 	
Issues and options consultation	
See General issues above.	
Draft Plan consultation	
Key issues raised in consultation:	Officer commentary in response:

<p>The Policy generated strong support for CA designation and protection.</p> <p>More specific points included:</p> <ul style="list-style-type: none"> • Additional CA’s should be considered. Some Neighbourhood Plans propose new CA’s (eg Uplyme) and these should be prioritised. • Inward and outward views should also be protected. • Trees within CA’s should be retained in new development and replaced if lost. • Development should be of the highest standard of design, and respect the local and vernacular traditions evident in the conservation area. • Item 2 - The word ‘substantial’ is too woolly and certainly not measurable. • Particular care should be taken to ensure CA are taken into account where affected by proposed allocation sites eg Whimble. Some areas containing allocations eg Littleham, Exmouth, should be considered for designation as CA’s • Permitted development rights have enabled local authorities to undertake inappropriate development in CA’s. • Newton Poppleford and Harpford Parish Council argue that the word ‘substantial’ is not measurable and will allow developers with large financial resources to overwhelm public opposition. 	<ul style="list-style-type: none"> • Most of the matters raised are covered by this policy or other policies of the plan and relate to concerns about the implementation of the policy rather than policy itself. • Views are already protected in the policy. • A number of new or extended Conservation Areas have been suggested and these will be considered by the Conservation Team and taken forward if they are appropriate and resources are available. They do not need to feature in this policy • “Substantial” is the terminology used in the NPPF and by Historic England. There is case law and guidance which will be used to inform planning decisions on this matter
Supplementary Regulation 18 consultation Spring 2024	
Key issues raised in consultation:	Officer commentary in response:

None	None
Sustainability Appraisal	
See Sustainability Appraisal table below.	
Habitat Regulations Assessment	
Key issues raised in consultation: <ul style="list-style-type: none"> No concerns identified. 	Officer commentary in response: <ul style="list-style-type: none"> No comments.
Commentary on policy redrafting for the Publication Plan	
Redrafted policy title: <ul style="list-style-type: none"> Strategic Policy HE 03 – Conservation Areas 	
Policy has not required amendment	

Strategic Policy 105 – Archaeology and Scheduled Monuments

Archaeology and Scheduled Monuments are of great social, economic, cultural and educational value but are often overlooked or not visible at ground level. Policy ensures that applicants are clear as to what considerations will apply to any changes they wish to make.

Key technical evidence sources

- In addition to the Town and Country Planning Act 1990, the Planning (Listed Buildings and Conservation Areas) Act 1990 provides specific protection for buildings and areas of special architectural or historic interest, and the Ancient Monuments and Archaeological Areas Act 1979 provides specific protection for scheduled monuments.
- Key evidence sources are the National Heritage List for England ([Search the List - Find listed buildings, monuments, battlefields and more | Historic England](#)), Historic England’s guidance (<https://historicengland.org.uk/advice/>), the Historic Environment Maps and Records held by Devon County Council, local heritage assets and Conservation Strategy held by EDDC ([East Devon Heritage and Local Heritage Assets - East Devon](#)) and Neighbourhood Plans

Issues and options consultation	
See General issues above.	
Draft Plan consultation	
<p>Key issues raised in consultation:</p> <p>Policy is supported. Devon County Council (DCC) suggest detailed amendments to several parts of the policy.</p> <p>More specific points included:</p> <ul style="list-style-type: none"> • There should also be included a requirement for communication with the public (not just publication and local authority archiving) as part of any mitigation procedures. • Policy allows for exceptional cases but doesn't specify what these will be. This needs to be covered in more detail. • Generally acceptable but note that some monuments are cleaned in the mistaken belief that they look better. In whose opinion? • Does the Local Planning Authority have a suitable qualified officer? • Item 5 - The word 'substantial' is too woolly and not measurable. • Newton Poppleford and Harpford Parish Council argue that the word 'substantial' is not measurable and will allow developers with large financial resources to overwhelm public opposition. 	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> • Policy has been amended to reflect the points made by DCC. • "Substantial" is the terminology used in the NPPF and by Historic England. There is case law and guidance which will be used to inform planning decisions on this matter

Supplementary Regulation 18 consultation Spring 2024	
Key issues raised in consultation: None	Officer commentary in response: None
Sustainability Appraisal	
See Sustainability Appraisal table below.	
Habitat Regulations Assessment	
Key issues raised in consultation: • No concerns identified.	Officer commentary in response: • No comments.
Commentary on policy redrafting for the Publication Plan	
Redrafted policy title: • Strategic Policy HE 04 – Archaeology and Scheduled Monuments	
Policy has been slightly redrafted to reflect the comments of the Devon County Council Archaeologist. These points were minor but aid the clarity of the policy.	

Strategic Policy 106 – Historic landscapes, Parks and gardens

Historic landscapes, parks and gardens are an important part of East Devon’s heritage and environment. They comprise a variety of features including the open space itself, views in and out, archaeological remains and, in the case of parks or gardens, a conscious design incorporating planting and water features, and frequently buildings. Historic landscapes are also important for their green infrastructure and biodiversity value. Policy seeks to protect such sites and their settings and to encourage sympathetic management wherever possible.

Key technical evidence sources	
<ul style="list-style-type: none"> • In addition to the Town and Country Planning Act 1990, the Planning (Listed Buildings and Conservation Areas) Act 1990 provides specific protection for buildings and areas of special architectural or historic interest, and the Ancient Monuments and Archaeological Areas Act 1979 provides specific protection for scheduled monuments. • Key evidence sources are the National Heritage List for England (Search the List - Find listed buildings, monuments, battlefields and more Historic England), Historic England’s guidance (https://historicengland.org.uk/advice/), the Historic Environment Maps and Records held by Devon County Council, local heritage assets and Conservation Strategy held by EDDC (East Devon Heritage and Local Heritage Assets - East Devon) and Neighbourhood Plans 	
Issues and options consultation	
See General issues above.	
Draft Plan consultation	
<p>Key issues raised in consultation:</p> <p>The policy was well supported by respondents although some felt it should go further.</p> <p>More specific points included:</p> <ul style="list-style-type: none"> • Important contributors to local and regional sense of place and deserve policy protection. • Business sponsors for these areas can help keep them maintained. • Open countryside and amenity of landscape should be protected at all costs • Sub section 3 is very subjective, woolly and not very measurable. How do you quantify substantial harm? How do you measure the balance between substantial harm and 	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> • Most of the matters raised are covered by other policies of the plan or relate to concerns about the implementation of the policy rather than policy itself. • “Substantial” is the terminology used in the NPPF and by Historic England. There is case law and guidance which will be used to inform planning decisions on this matter

<p>substantial public benefits? Who decides?</p> <ul style="list-style-type: none"> • It's important to link the landscape, park and gardens to the biodiversity actions given the importance some of these can play in providing valuable green space. • EDDC seeks to commercialise parks and gardens in ways which undermine their historic value, and restrict opportunities to visit 	
<p>Supplementary Regulation 18 consultation Spring 2024</p>	
<p>Key issues raised in consultation: None</p>	<p>Officer commentary in response: None</p>
<p>Sustainability Appraisal</p>	
<p>See Sustainability Appraisal table below.</p>	
<p>Habitat Regulations Assessment</p>	
<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> • No concerns identified. 	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> • No comments.
<p>Commentary on policy redrafting for the Publication Plan</p>	
<p>Redrafted policy title:</p> <ul style="list-style-type: none"> • Strategic Policy HE 05 – Historic Landscapes, parks and gardens 	
<p>Policy has not been amended in light of the responses as it is not considered to be necessary.</p>	

Policy omissions from Chapter 15	
No policy omissions have been identified.	
Key technical evidence sources	
None	
Issues and options consultation	
See General issues above.	
Draft Plan consultation	
Key issues raised in consultation: <ul style="list-style-type: none"> • No need for additional policies was identified. 	Officer commentary in response:
Supplementary Regulation 18 consultation Spring 2024	
Key issues raised in consultation: <ul style="list-style-type: none"> • None 	Officer commentary in response:
Sustainability Appraisal	
See Sustainability Appraisal table below.	
Habitat Regulations Assessment	
Key issues raised in consultation: <ul style="list-style-type: none"> • None 	Officer commentary in response: <ul style="list-style-type: none"> • No comments.
Commentary on policy redrafting for the Publication Plan	
None	

Sustainability Appraisal	
<p>Policy number/title:</p> <ul style="list-style-type: none">• 102. Policy – Historic environment• 103. Policy – Listed buildings• 104. Policy – Conservation Areas• 105. Policy – Archaeology and Scheduled Monuments• 106. Policy – Historic Landscapes, parks and gardens	
<p>Outcome of sustainability appraisal:</p> <p>Preferred alternative: Policies 102-106</p> <p>Reasons for alternatives being preferred or rejected:</p> <ul style="list-style-type: none">• Policies 102-106 are preferred due to major positive effects on conserving and enhancing heritage assets (objective 3), along with positive effects on the landscape (objective 2).• 102A. Do not include policies on the conservation and enhancement of the historic environment – although legislation and national policy would still provide strong protection for designated heritage assets, this alternative would result in less positive effects on the historic and built environment, with some uncertainty, particularly for non-designated heritage assets.	<p>Officer commentary in response:</p> <ul style="list-style-type: none">• The preferred approach is supported.

10 Conclusions

10.1 This paper provides an assessment of policy matters that have informed redrafting of chapter 15 of the local plan in respect of policies relating to heritage considerations. At this stage of plan making, recommendations on a first redraft of plan policy for Strategic Planning Committee for October 2024 meetings, no significant or substantive policy changes are recommended.

10.2 The redrafted policies have, however, been generally tightened-up to provide greater clarity in respect of appropriate locations for new developments.

10.3 Chapter 15 of the plan (as maybe renumbered if other plan changes occur) will be subject to refinement through the committee process, and any possible subsequent redrafting, and will be considered again at Committee later this year.