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Date 21 April 2020

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Sent by email to programmeofficer@nnpa.org.uk

Dear Sir or Madam,

RE: Proposed Modifications to the Northumberland National Park Local Plan

Thank you for consulting Historic England on the Northumberland National Park Local Main Modifications. As the Government's statutory adviser on all matters relating to the historic environment in England, we are pleased to offer our comments. We champion and protect England's historic places, providing expert advice to local planning authorities, developers, owners and communities to help ensure our historic environment is properly understood, conserved and enjoyed.

Unfortunately due to a lack of available capacity within the organisation, Historic England were unable to attend the hearings of the Examination in Public. However, capacity has now been increased to respond to local plans within the north east with the recent appointment of a Historic Environment Planning Adviser.

We have the following comments to make on the suggested Main Modifications to the Plan.

General Comments

As set out above a lack of capacity within the north east region in 2019 meant that we were unable to fully participate in local plans at the point of consultation on the Regulation 19 version of the Northumberland National Park Local Plan, nor were we able to be involved in the Examination in Public (EiP) at the start of 2020.

We responded to the Regulation 19 consultation, via letter dated 11th July 2019, this set out our position at this time and we provided a replication of response to the earlier Preferred Options consultation.

Having taken the opportunity to review our representations to the Preferred Options consultation, together with the Publication version of the Local Plan submitted for EiP,





and the Main Modifications consultation currently underway it is clear that many of the points raised at the time have been addressed.

Nevertheless, there do remain certain points that were not fully addressed as can be seen in Appendix A. Should these be able to be addressed through additional (minor) modifications to the plan we would very much welcome this opportunity in arriving at a finalised document which provides a sound basis for assessing proposals coming forward within the National Park over the coming years. Nevertheless, we fully appreciate that material alterations are now unlikely to be feasible given the late stage in plan making.

Main Modifications

Our detailed comments on the proposed Major Modifications to the Northumberland National; Park Local Plan are set out in Appendix B.

We set out our response to the Sustainability Appraisal Report of the Tracked Modifications in a separate letter.

If you have any queries about any of the matters raised or consider that a meeting would be helpful, please do not hesitate to contact me.

Yours faithfully,



Henry Cumbers

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Historic England

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Appendix A Comments made at Publication Consultation Stage (letter dated 11.07.2019)			
Section	Publication Stage Comment	Main Modification Stage Proposed Change	MM Commentary
Page 13 -14, Vision, Strategic Priorities and Strategic Spatial Objectives	We are unclear on the terminology being used within the Plan when referencing the historic environment. We have previously commented upon the Spatial Objectives, and use of the term 'cultural qualities' to encompass the historic environment. The Vision and Management Plan refers to 'rich cultural heritage' and 'cultural qualities', and the Strategic Priority 1 and Spatial Objective 3 refers to 'cultural qualities', with no mention of the historic environment. The definition within the Glossary for Cultural Heritage suggests that it encompasses all physical assets of the historic environment. However, the term 'historic environment' is then used elsewhere within the Plan (eg: Policy 1), and the title of Policy 27 then includes both ('Historic Environment and Cultural Heritage'), potentially suggesting that one does not encompass the other? It would be helpful to ensure consistency or clarification, to avoid any potential for confusion.	No – Spatial Objective 3 still refers to cultural qualities rather than cultural heritage and does not refer to the historic environment.	<i>Spatial Objective 3 should be reworded to include direct reference to the historic environment.</i>
		Note policies 27 and 28 of the PO document were effectively merged through policy DM14 and titled DM14 "Historic Landscape and Built Heritage"	<i>No changes suggested.</i>

<p>Page 17, Policy 1 (ST1)</p>	<p>Sections (d) and (i) refer to the need to ‘conserve or enhance’. The NPPF (paragraph 185) refers to the need to sustain and enhance.</p> <p>Footnote 16 (now 24), referring to the landscape character of the National Park, should also reference the Historic Landscape Characterisation (HLC), available at http://archaeologydataservice.ac.uk/archives/view/northumberland_hlc_2015/.</p>	<p>No – point (l) continues to require development to conserve or enhance the historic environment, whereas paragraph 185 of the NPPF refers to sustaining and enhancing heritage assets.</p>	<p><i>We accept the terminology conserve instead of sustain which accords with the title of Chapter 16 of the NPPF 2019. However, we request the use of <u>and</u> instead of or enhance i.e. conserve <u>and</u> enhance the historic environment.</i></p>
		<p>Footnote 24 does not refer to the Historic Landscape Characterisation (HLC) 2015</p>	<p><i>Footnote 24 should be amended as a additional (minor) modification</i></p>
<p>Page 20, Policy 2 (ST2)</p>	<p>As above, the NPPF (paragraph 185) refers to the need to sustain and enhance. Sections (a) and (b) should therefore be amended.</p> <p>Section (b) should also refer to the significance of a site and its setting. This concept is referenced further below.</p>	<p>No – point (a) continues to refer to conserve or enhance rather than that consistent with the NPPF of sustaining and enhancing. Point (b).</p>	<p><i>We accept the terminology conserve instead of sustain which accords with the title of Chapter 16 of the NPPF 2019. However, we request the</i></p>

			<i>use of <u>and</u> instead of or enhance i.e. conserve <u>and</u> enhance the historic environment.</i>
Page 26, Policy 5 Conversion of Buildings: (DM6)	Paragraph 4.294 and Policy 28 recognise that historic buildings may be underused or at risk. Policy 5 should therefore either cross-reference, or mention the opportunities provided by historic buildings, along with the need to conserve and enhance their significance.	Partial – whilst we note the policy now provides support for conversion of buildings in the open countryside which make a positive contribution to the landscape and special qualities of the National Park. However, we consider this could have been made more direct through specific reference to opportunities provided by historic buildings, along with the need to conserve and enhance their significance.	<i>We consider that the changes suggested here would not affect the materiality of the policy and therefore reference to the historic environment could be added as an additional (minor) modification.</i>
Page 28, paragraph 4.57:	It is worth noting that transport infrastructure and community facilities can encompass heritage assets. The CIL can establish a mechanism for not only supporting new infrastructure, but also maintaining historic assets.	No specific change required.	<i>None suggested</i>
Page 31, Policies 7 Local Green Space; Policy 8 New and improved Infrastructure; Policy 9 Provision of Green	We welcome the references to the historic environment within these policies.	No specific change required	<i>None suggested</i>

Infrastructure:			
Page 40, Policy 11 Residential Extensions (DM2)	Heritage assets should also be included in part (c) (3) of this policy, and be incorporated into the supporting text (in particular paragraphs 4.111 and 4.114).	We understand this policy has been removed.	<i>None suggested</i>
Page 77, Historic Environment:	<p>We welcome the recognition within this section that heritage is irreplaceable, and its protection and enhancement within the National Park is a high priority. In particular, much of the supporting text provides very useful and informative background to the policies.</p> <p>However, we feel that the approach as set out within the policies would benefit from a few amendments. With only two policies for the historic environment, there is a real need to make sure that they are as robust and comprehensive as possible. These will be the principal policies against which proposals affecting the historic environment will be assessed – and as such, they need to provide the clarity so that ‘it is evident how a decision maker should react to development proposals’ (NPPF paragraph 16 (d)).</p> <p>In particular, we have noted the following :</p> <p>i) Consistency with language: As we have pointed out above, there appears to be a range of terms used to refer to cultural qualities and the historic environment. It would be helpful to ensure consistency or clarification, to avoid any potential for confusion.</p>	<p>Partial – see below</p> <p>i) This partly remains the case with Objective 3 continuing to refer to cultural qualities.</p>	<i>Ensure consistency of wording through document.</i>

	<p>ii) Distinction between policies 27 and 28: We appreciate and welcome the intention to set out criteria against which proposals will be assessed. However, at present the title and content of the two policies is confusing. While Policy 28 (and paragraphs 4.289 – 4.297) refer to ‘Heritage Assets’ these are also cited within Policy 27. Greater distinction between the focus of the two policies would be helpful to provide the necessary clarity for decision makers. Further comments on the detail of these policies are set out below.</p>	<p>(ii) We note policy 27 and 28 were combined into a single policy DM14: Historic Landscape Assets and Built Heritage.</p>	
	<p>iii) Non-designated Archaeological Assets: The NPPF is clear (footnote 63) that non-designated heritage assets of archaeological interest, which are demonstrably of equivalent significance to scheduled monuments, should be considered subject to the policies for designated heritage assets. At present, neither policy, or the supporting text, appear to pick up on these assets.</p>	<p>ii) Yes- the changes made to the publication version of the local plan which provided provision for protection of other (i.e. non-designated archaeological assets) according to their significance, through policy DM15.</p>	<p><i>None requested</i></p>
	<p>iv) Consistency in referring to ‘Significance’ and ‘Setting’: We welcome the detailed explanation of, and references to, the concept of ‘significance’ within the supporting text (in particular paragraphs 4.289 – 4.293). However, this does not seem to have been carried through all the text, or into the policy wording. We have picked this up under the specific comments below.</p>	<p>See below</p>	<p><i>None requested</i></p>

	<p>v) Improved reference to the WHS: We have previously commented upon the obligations regarding World Heritage Sites. At present, we would suggest that the policy wording is not adequately addressing the requirements of the NPPF and international obligations, and we have highlighted these below.</p>	<p>Partially – there is considerably more weight given in the Publication version policy DM14 to the Frontiers of the Roman Empire: Hadrian's Wall World Heritage Site (WHS). However, there remain concerns with the policy.</p> <p>We are concerned with the first sentence which states “Development proposals that unacceptably harm the setting of the Frontiers of the Roman Empire: Hadrian's Wall World Heritage Site (WHS) will not be permitted .” The term unacceptably is ambiguous and for someone reading the policy for the first time it presents a sense of confusion.</p>	<p>Amend first section of policy to read <i>“The Authority applies a strong presumption in favour of conserving the Outstanding Universal Value, integrity and authenticity of archaeological sites that comprise the ‘Frontiers of the Roman Empire World Heritage Site,’ including its setting.</i></p> <p><i>Proposed development will be assessed, where appropriate, for its impact on the Outstanding Universal Value of the World Heritage Site or assets within it, including its</i></p>
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			<p><i>setting.</i></p> <p><i>Development that would result in substantial harm to Outstanding Universal Value of the site will be refused. Where proposed development will result in less than substantial harm, this will need to be assessed against the public benefit by way of reference to the above objectives."</i></p>
Page 77, para 4.285	<p>We welcome the recognition of the richness and diversity of the Park's cultural heritage. While appreciating that it is difficult to list all aspects of this heritage, it would be helpful to also include landscapes and Registered Parks and Gardens (Hesleyside RPG is within the National Park). However, the distinction of the contribution of the historic environment to landscape needs clarifying: the historic environment is a contributory factor to overall landscape character and local distinctiveness. The definition of landscape within the European Landscape Convention is helpful, ie: 'landscape is an area, as perceived by people, whose character is the result of the action and interaction of natural and/or human factors.'</p>	<p>No – whilst paragraph 6.14.3 refers to archaeology and historic buildings and structures, it does not refer to landscapes including Registered Parks and Gardens.</p> <p>We note paragraph 6.14.3 now refers to the historic environment as a</p>	<p><i>Additional (minor) modification requested that either paragraph 6.14.2 or 6.14.3 directly refers to landscape as being a component of the historic environment</i></p>

		<p>contributory factor to overall landscape character and local distinctiveness.</p>	<p><i>alongside archaeology and historic buildings and structures, which can be of national importance through its designation i.e. a Registered Park and Garden for example Hesleyside RPG.</i></p>
<p>Page 78, Policy 27:</p>	<p>As we have noted above, the title of this policy may be misleading given the definitions and use of the term ‘cultural heritage’ elsewhere within the Plan.</p> <p>Section (2) of this policy appears to need rewording? At present, it is confusing and appears to be suggesting that development proposals will be considered in a manner appropriate to their significance. We would suggest revising this section, and setting out clearly the criteria against which proposals should be assessed.</p> <p>Section (3) refers to the need for proposals to make a positive contribution to the ‘local distinctiveness of the historic environment...’. Local distinctiveness is just one aspect of the historic environment, and it would therefore be more accurate to state that the proposals should make a ‘contribution to local distinctiveness through the conservation and enhancement of the historic environment’. Similarly, this section refers to ‘character, special interest, integrity and significance...’. The term ‘significance’ is a collective term for the sum of all heritage values attached to a place; it may therefore be more appropriate to just refer to significance, or alternatively to list the full range of</p>	<p>Now changed</p> <p>We note the much more detailed criteria under Section 3 in the publication version of the plan.</p> <p>Now addressed through more detailed criteria under Section 3.</p>	<p><i>None requested</i></p>

	<p>values attached to heritage assets. A greater explanation of the term is provided within the NPPG and on our website at https://historicengland.org.uk/advice/constructive-conservation/conservation-principles/.</p> <p>Section (3) also refers to the need to conserve or enhance. As noted above, the NPPF (paragraph 185) refers to the need to sustain and enhance.</p> <p>While we appreciate the intention behind Sections (5) and (6), these sections may be challenged on the basis that they are not providing the caveats afforded by paragraphs 194 - 197 of the NPPF.</p>	<p>We not section 3 now refers to conserve and enhance, this is an improvement However, for consistency with the NPPF paragraph 185 3a should be reworded to read “Sustain, and enhance, and where appropriate better reveal....” ,</p> <p>We note the removal of these sections. Given local policy does not need to replicate the NPPF, we consider the positively worded policy criteria under Section 3 together with Sections 4 and 5 in general provide a robust approach.</p>	
Page 79, paragraph 4.290:	The wording relating to the Historic Environment Record may cause confusion, in implying that the only historic gardens within the Park are of local, rather than national significance. The Park contains one Grade II Registered Park and Garden, Hesleyside.	We note this was removed from the publication version of the plan. However, alongside archaeology and buildings and structures,	As per earlier points make direct reference to Parks and Gardens such as Hesleyside being

		historic parks and gardens can be designated and this should be referenced within the supporting text.	a component of the historic environment of national significance warranting designation.
Page 80, paragraphs 4.291 and 4.295 - 4.297 and Policy 28: (DM14)	<p>We have previously commented upon the level of protection afforded to the Hadrian’s Wall World Heritage Site (WHS) through the Local Plan policies. The NPPF recognises that these designations are of the highest significance, and that any substantial harm or loss should be wholly exceptional. At present, we are concerned that the wording of Policy 28 does not provide the sufficient level of protection necessary for this internationally important asset.</p> <p>The National Planning Practice Guidance contains more information on formulating policies for WHS, including the principles to be considered. This suggests that policy frameworks should conserve the Outstanding Universal Value, integrity and authenticity of the WHS and its setting, including any buffer zone or equivalent. Further guidance can be found at https://www.gov.uk/guidance/conserving-and-enhancing-the-historic-environment</p> <p>In particular, it would be helpful to reference the ICOMOS guidance on heritage impact assessments for World Heritage Sites. While paragraph 4.291 of the draft Local Plan refers to the need for applicants to provide adequate information, it is worth noting that the WH Committee in 2015 adopted the following decision on heritage impact assessments (HIAs) for WHS. ‘Taking note of the benefits to States Parties of systematically utilizing Heritage Impact Assessments (HIAs) and Environmental Impact Assessments (EIAs) in the review of development projects, encourages States Parties to integrate the EIA/HIA processes into legislation, planning mechanisms and management plans, and reiterates its recommendation to States Parties to use these tools in</p>	We note the increased provisions of policy DM14 with respect of the Frontiers of the Roman Empire: Hadrian's Wall World Heritage Site (WHS). To provide consistency with the NPPF however, we consider amendments should be made prior to adoption. This includes,	<p><i>It would be helpful to include reference to the ICOMOS guidance on heritage impact assessments for World Heritage Sites. The importance of this is crucial</i></p>

	<p>assessing projects, including assessment of cumulative impacts, as early as possible and before any final decision is taken...'</p> <p>The full text can be found at item 11 of page 10 at http://whc.unesco.org/archive/2015/whc15-39com-19-en.pdf .</p>		<p><i>when assessing proposals including an assessment of cumulative impacts, which may come forward post adoption of the plan.</i></p>
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	Referencing the full name of the WHS (Frontiers of the Roman Empire (Hadrian's Wall) within the Plan would also be helpful.	No – the Local Plan does not have reference to the ICOMOS guidance on Heritage Impact Assessments.	<i>No change requested.</i>
		We note this is now included.	<i>None requested</i>

<p>Page 81, Policy 28:</p>	<p>In addition to the WHS issues noted above, we would recommend the following amendments to Policy 28.</p>	<p>We note policies 27 and 28 were largely merged through the publication version of the plan to form policy DM14, additionally with a specific policy on archaeology at DM15. This is generally supported.</p>	<p><i>None requested</i></p>
	<p>As noted above, there appears to be some repetition and confusion between the role and purpose of Policies 27 and 28.</p>	<p>Change undertaken criteria point 3.</p>	
	<p>The section on Conservation Areas refers to preserving or enhancing, whereas the legislation and NPPF refers to preserving (or sustaining in the case of the NPPF) and enhancing.</p>	<p>We note the policies have now merged.</p>	
	<p>The section on heritage assets would benefit from rewording, to make it clear how it links to, and builds upon Policy 27. A greater reference and linking to the significance of assets would also be helpful.</p> <p>We would suggest replacing the term ‘redundant’ in the final part of this policy. This term suggests that the assets that are no longer needed or dispensable. In reality, many heritage assets are underused, vacant or poorly managed, and a positive strategy for the historic environment will help to encourage their long term conservation.</p>	<p>We note the term ‘redundant’ has now been removed.</p>	

Appendix B: Table of Historic England’s comments on the Proposed Modifications to the Policies of the Northumberland National Park Local Plan

Mod. No.	Section	Comments	Suggested Change
MM1	ST1	<p>Removal of criteria 2. Is supported, as point 1 provides sufficient clarity as to what a decision maker may consider to be sustainable development and therefore development that is contrary this should be by virtue deemed to be unsustainable.</p> <p>However, in reference to sub-criterion (l), we remained concerned that the policy states that sustainable development means conserving or enhance the historic environment, and instead should read conserve <u>and</u> enhance the historic environment. Wherever possible sustainable development should result in both conservation and enhancement not either or.</p>	<p><i>l) conserves or and enhances the historic environment and helps secure a sustainable future for the assets at risk;</i> <i>and,</i></p>
MM3	ST3	<p>The policy as worded is based upon a hierarchy of minimising and then mitigating any adverse effects on the historic environment. However, the policy should seek to avoid any adverse effects as a first priority before considering how to minimise and then mitigate adverse effects.</p>	<p><i>e) Whether all possible measures have been taken to avoid adverse effects on; the special qualities of the National Park, the landscape and recreational opportunities the ability for the public to understand and enjoy the special qualities; the setting of historic assets, natural resources and the transport network. Where it is not possible to avoid adverse effects, appropriate steps must be taken to minimise and mitigate any harm on these special qualities.</i></p>
MM5	ST4	<p>The change to a single tier hierarchy is not considered to present impacts on the historic environment.</p>	No change
MM11	DM6	<p>We support the continued commitment to high quality</p>	No change

Mod. No.	Section	Comments	Suggested Change
		design in the conversion of buildings. Whilst not as strong as the term exceptional, it is considered the policy will still place a strong emphasis on design quality when considering proposals.	