

Local Plan Independent Examination

OPDC Response to Matter and Issue 2d

Matter 2d: Whether the Plan has been positively prepared in terms of a positive strategy for the conservation and enjoyment of heritage assets (derived from the seventeenth Key Issue of table 5 of Key document 5 identified at Regulation 19(1) stage and from Inspector's Q3 re policy D8);

Pending examination of all the submitted evidence, this Matter may benefit from a Hearing session

OPDC response:

- 1.1. OPDC considers that Policy D8 (Heritage) of the Local Plan is sound and has been positively prepared in terms of a positive and effective strategy for the conservation and enjoyment of heritage assets. The policy has been informed by extensive engagement with Historic England throughout its development and during the stages of consultation.
- 1.2. In relation to the seventeenth Key Issue from first Regulation 19(1) consultation, that policy D8 should provide policy for how designated heritage assets will be considered rather than defer to the NPPF and national guidance, this was raised by Historic England. Local Plan Policy D8 was subsequently amended for the Regulation 19(2) consultation to provide policy guidance for designated heritage assets within Policy D8(b). In developing this amendment, OPDC worked closely with Historic England.
- 1.3. Historic England supports the inclusion of Policy D8(b) and, in its response to the second Regulation 19 consultation, requested a further amendment to require clear and convincing justification for harm to designated heritage assets (comment summary reference 2/D8/4 within the Statement of Consultation). OPDC officers consider this amendment to be appropriate. This agreement is set out in the Statement of Common Ground with Historic England and will be included in the Post Submission Proposed Modifications.
- 1.4. In relation to the Inspector's Q3 regarding policy D8, document [OPDC-001E](#) sets out the Inspector's and OPDC's written correspondence relating to Q3 regarding policy D8. The results of this correspondence are amendments proposed by the Inspector to policy D8(c)(d) and (e) which OPDC agrees with. These amendments have been discussed with Historic England. Historic England also agrees with the Inspector's proposed amendments. This agreement is set out in the Statement of Common Ground with Historic England and will be included in the Post Submission Proposed Modifications.
- 1.5. For reference, the agreed amendments proposed by the Inspector to Policy D8(c)(d) and (e) will result in the following policy:

(c) Proposals should:

- (i) reflect in their design a positive response to non-designated heritage assets; and*
- (ii) avoid an unjustified adverse effect on the significance of non-designated heritage assets;*

(d) proposals to demolish a building in a Conservation Area will only be permitted after approval of and commitment to the construction of a replacement building;

(e) Proposals that affect or have the potential to affect archaeological heritage assets will be supported, where they demonstrate the appropriate level of investigation and recording.