

Inspector's Q109

In relation to the Council's response to Q20, I agree that listing within VALP heritage assets most at risk would not be appropriate and I agree that NPPF paragraph 126 only requires a strategy. My concern with VALP paragraphs 8.38 and 8.39 and policy BE1 is that it is reactive rather than proactive. It sets out how the Council will react to proposals which come forward. What I was hoping to see, in the evidence base, was an analysis of which of the District's heritage assets are at risk through neglect, decay or other threats, followed through, in the plan itself, by positive proposals to deal with those risks. For example, the Council's response to my Q19 quite rightly points me to paragraphs 4.134 and 4.135 in relation to site allocation DHAL003, RAF Halton. Those paragraphs note the existence of listed buildings. There is an implied risk to them. But I look in vain in the policy proposal DHAL003 for any element of a positive strategy for the conservation and enjoyment of those heritage assets. In relation to that site, this is a matter raised by representations to the plan and can be discussed further in the Hearing Session for matter 15r on 17 July. Outside the discussion on that matter but in relation to the plan area in general I would appreciate the Council's observations on whether the Council has identified, in its evidence base, any other heritage assets at risk and whether VALP contains positive proposals to deal with those risks.

AVDC Response

The analysis of heritage at risk has not been prepared other than the published list of heritage at risk referred to in the previous response so it cannot be incorporated into the plan. However, there is nothing in the NPPF that prescribes the need for such an analysis or its incorporation into the plan. The NPPF contains the statement that "Local planning authorities should set out in their plan a positive strategy for the conservation and enjoyment of the historic environment", but this must be considered in the context of what the planning system can achieve. The preservation of heritage can only take place through the planning system where there are proposals for development. It is therefore by its nature reactive. In many cases heritage assets are already protected by designation either nationally or locally but their improvement only takes place through the planning system where there is a development proposal affecting them. It is therefore contended that any strategy can only be reactive but it can still be positive.

The council contends that pages 211 through 217 of the VALP are such a strategy and it has an overall positive approach to the protection of heritage assets. At the outset in paragraph 8.2 it is stated that "The council's aim is to protect and enhance the district's heritage assets through the identification of those of local significance and through ensuring that development is managed in a way that maintains or enhances their significance and setting". This is a positive aim which encapsulates a positive approach to heritage assets by the council.

In the subsequent paragraphs relating to designated heritage assets there are positive approaches set out in relation to such heritage assets. For example, in paragraph 8.16 it is stated that “The purpose of registering historic parks and gardens is to celebrate designed landscapes of note and to define the elements that make it important or distinctive, and to ensure appropriate protection”. Similarly, positive statements are made in relation non designated assets and archaeological remains. Indeed, the council has its own Buildings of local note. Further the production of Conservation Area Character Appraisals (and buildings of local note though this) by the council and other guidance including the council’s Conservation Management Plan (which can be seen at <https://www.aylesburyvaledc.gov.uk/conservation-area-management-plan>) also contribute to the council’s positive strategy on heritage and could be referenced in the VALP.

Modifications suggested in response to Inspector’s question 21 will result in the specific recognition of heritage assets affected by development as requested by Historic England, including for RAF Halton. This will increase the positive approach of VALP to heritage assets even further.

In relation to the bullet points which follow paragraph 126 of the NPPF that should be taken into account in developing a strategy, these are specifically referred to in the VALP. For example, 8.1 specifically refers to the cultural, social, economic and environmental value of heritage assets.

In summary, it is contended that the VALP does contain a positive strategy for heritage assets in accord with the provisions of the NPPF and a modification is not required.