

YOUR PLACE YOUR PLAN.

Winchester District Local Plan

Winchester City Council Local Plan Examination

Hearing Statement Matter 15:

Historic environment

April 2025



Winchester
City Council

Matter 15: Historic environment

Issue: Whether the plan would ensure the conservation of the District's heritage and whether the Plan's policies would be clear, justified and consistent with national policy, and will they be effective?

General Comment.....	3
Strategic Policy HE1 Historic environment.....	3
Policy HE2 All heritage assets (designated and non designated)	4
Policy HE3 Designated heritage assets	5
Policy HE4 Non designated heritage assets	6
Policy HE5 Protecting the significance of heritage assets (designated and non designated) and mitigating unavoidable harm.....	6
Policy HE6 Scheduled Ancient Monuments and nationally important non designated assets.....	7
Policy HE7 Non designated archaeological assets	8
Policy HE8 Applications affecting listed buildings.....	9
Policy HE9 Changes of use to listed buildings	10
Policy HE10 Development in conservation areas.....	10
Policy HE11 Demolition in conservation areas	11
Policy HE12 Registered parks and gardens.....	12
Policy HE13 Non designated historic rural and industrial heritage assets.....	12
Policy HE14 Improvements and Alterations to Improve Energy Efficiency of Historic Assets	13

General Comment

- 1. Would the historic environment policies, when taken as a whole (preamble and policies), be clear and consistent with national policy? Does each serve a clear purpose, avoiding unnecessary duplication, including policies that apply to a particular area including the heritage policies in the NPPF? Given these matters, as a whole would they be effective?**

WCC response:

- 1.1 The city council believe that these policies provide a positive and effective strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. Each policy has a specific focus, clearly set out in their titles. Policies are distinct and do not repeat each other; some policies (particularly HE1, HE2, HE3, HE4, HE6 and HE7) are general in approach, intended for broad application, whilst others are more targeted and specific (particularly HE5, HE8, HE9, HE10, HE11, HE12, HE13 and HE14). These policies reinforce and add to the wording in the NPPF, providing clarity on the implementation of its requirements and achievement of its objective to conserve the historic environment appropriate to its significance. The policies address both national issues and those of local importance to the Winchester District. In view of this, when read as whole, these policies would be an effective, comprehensive and coherent mechanism to conserve the distinct heritage value of our district.

Strategic Policy HE1 Historic environment

- 1. Would strategic policy HE1 accurately reflect NPPF paragraph 210, which indicates the matters that, in determining applications, local planning authorities should take account of, including the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation?**

WCC response:

- 1.2 The city council believes that the Inspector is referring to paragraph 203 of the NPPF (December 2023) and has therefore provided its response in relation to this paragraph rather than paragraph 210 of the 2023 NPPF.
- 1.3 Policy HE1 aligns with paragraph 203 of the 2023 NPPF by ensuring that development proposals take full account of the significance of heritage assets and their contribution to sustainable communities.

- 1.4 The policy emphasises the importance of sustaining and enhancing heritage assets while enabling viable uses that support their long-term conservation. It also recognises the economic and social value of heritage assets in creating sustainable communities and seeks to ensure that new development positively contributes to local character and distinctiveness. The emphasis of this policy is in conservation rather than preservation; it embodies the Council's positive approach to the management of change within our historic environment.
- 1.5 By requiring a proportionate assessment of heritage significance and encouraging development that integrates heritage considerations from the outset, Policy HE1 ensures that conservation objectives are balanced with opportunities for regeneration, placemaking, and sustainability, in line with paragraph 203 of the NPPF.

2. Would the terminology used in paragraph 8.4 in relation to historic parks and gardens be clear, unambiguous and consistent with national policy?

WCC response:

- 1.6 Following discussions with Historic England PM50 in the Schedule of Proposed Modifications ([SD14a](#)) has clarified that there are '11 **Registered** historic parks and gardens, 37 Conservation Areas and a historic battlefield at Cheriton, which fall within the Winchester district.'

Policy HE2 All heritage assets (designated and non designated)

1. In requiring applicants to describe the significance of affected heritage assets and /or their settings would the policy be consistent with NPPF paragraph 210 which requires an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. (NPPG Paragraph: 006 Reference ID: 18a-006-20190723)

WCC response:

- 1.7 The city council believes that the Inspector is referring to paragraph 200 of the NPPF (December 2023), and has therefore provided its response in relation to this paragraph rather than paragraph 210 in the 2023 NPPF.
- 1.8 Policy HE2 forms a key component of the council's strategy to conserve and enhance heritage assets in a manner appropriate to their significance, in accordance with paragraph 200 of the NPPF.
- 1.9 The policy requires applicants to provide a proportionate assessment of the significance of any affected heritage assets, including the contribution made by

their setting. This ensures that development proposals are informed by a clear understanding of heritage value, aligning with the NPPF's expectation that local planning authorities should require applicants to describe the significance of heritage assets using appropriate expertise and assessment. The aim of this policy is to ensure that decision makers have sufficient information to enable effective decision making. Describing the setting of a heritage asset is essential to enable the contribution made by different elements of the setting to the significance of that asset to be understood.

1.10 PM176 in the Schedule of Proposed Modifications ([SD14a](#)) addresses this point by inserting additional text into the policy. 'Applicants must describe the significance of any affected heritage assets **(including any contribution made by their settings)**.'

1.11 PM51 in the Schedule of Proposed Modifications (SD14a) includes a change to the policy text proposed by Historic England: Any proposal **directly affecting buildings and other structures**, ~~for heritage assets~~ included in the council's 'Buildings at Risk'

2. Would the policy requirements in relation to proposals affecting buildings at risk be clear and unambiguous and consistent with national policy?

WCC response:

1.12 Yes, Policy HE2 requires that applications affecting buildings listed on either the Council's 'Buildings at Risk Register' or Historic England's 'Heritage at Risk Register' include necessary repair works to facilitate their removal from these registers. This ensures that development proposals actively support the conservation of vulnerable heritage assets. Paragraph 196 of the NPPF sets out that 'plans should set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats'. Policy HE2 aligns with this objective, providing a proactive approach to safeguarding these important buildings.

Policy HE3 Designated heritage assets

1. Would policy HE3 serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area, including the heritage policies in NPPF, in particular, paragraph 207?

WCC response:

1.13 The city council considers Policy HE3 serves a clear purpose as the terminology sets out the scales of harm, balancing public benefits, and heritage conservation. Policy HE3 provides additional clarity on how the council will

apply Section 16 of the NPPF in a local context. While it aligns with the NPPF, it also provides clarity for decision-making at the district level, ensuring consistency in terms of how heritage considerations are weighed in planning applications/planning balance. It also reinforces the importance of heritage conservation within the specific context of the Local Plan area. The policy also ties into local heritage priorities and the council's strategies for managing designated assets, including those identified in the Buildings at Risk Register.

Policy HE4 Non designated heritage assets

1. Would policy HE4 serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area, including the heritage policies in NPPF, in particular paragraph 209?

WCC response:

1.14 While the NPPF (paragraph 209) sets out how harm to non-designated heritage assets should be considered, Policy HE4 ensures a consistent local approach by embedding this principle within the Local Plan. The policy provides additional clarity on how the council will assess the significance of such assets and balance harm against public benefits, ensuring transparency in decision-making. Policy HE4 strengthens the NPPF by reinforcing the importance of non-designated heritage assets within the local context. It signals the council's commitment to conserving these assets, ensuring they are considered in planning decisions. While the principles align with the NPPF, including this policy in the Local Plan ensures developers and decision-makers are fully aware of the council's expectations. Policies HE3 and HE4 are complementary; each addressing a subject beyond the scope of the other.

Policy HE5 Protecting the significance of heritage assets (designated and non designated) and mitigating unavoidable harm

1. How would policy HE5 interact with policies HE3 and HE4 in relation to designated and non designated heritage assets? Together would they provide a clear indication of how a decision maker would react to a proposal in relation to both designated and designated heritage assets? Would that distinction be clear and unambiguous?

WCC response:

- 1.15 While the NPPF provides broad guidance on heritage protection, Policy HE5 ensures a locally specific approach to heritage asset loss, setting out clear expectations for mitigation, recording, and ensuring that development proceeds following any loss. This policy also strengthens the NPPF by providing clarity on implementation within the Winchester district, rather than simply replicating national policy.
- 1.16 This policy aims to ensure that the benefits of new development are realised, where those developments necessitate heritage harm. It ensures that harm to any heritage asset (whether designated or non-designated) is justified by the benefits of subsequent development. This is consistent with the balancing exercise required in both Policies HE3 and HE4. Without this policy, heritage assets could be harmed (such as through the excavation of an archaeological site) and the subsequent development which justifies that harm is never built; this would invalidate a balanced planning judgement made for that site. This policy supports the implementation of paragraph 210 of the NPPF. The policies as a whole do not preclude harm to heritage, but where this is inevitable, they seek to ensure it is justified by a benefit with greater weight.

Policy HE6 Scheduled Ancient Monuments and nationally important non designated assets

- 1. When read as a whole, including its title, would it be clear that this policy relates to non designated heritage assets and non designated archaeological assets?**

WCC response:

- 1.17 The council has added PM52 in the Schedule of Proposed Modifications ([SD14a](#)) which includes a change to the title of Policy HE6: Scheduled Monuments and Nationally Important Non-designated **Archaeological** Assets to ensure the title is clear.

- 2. When read as a whole, together with its title, would policy HE6 be clear and unambiguous in setting out how a decision maker should respond to its requirements?**

WCC response:

- 1.18 PM52 in the Schedule of Proposed Modifications ([SD14a](#)) has added additional wording to the supporting text to Policy HE6.

- 1.19 Change to Policy HE6 text

Proposals should take a positive approach to archaeology, by avoiding locating development on sensitive areas and designing development that responds positively to the significance of archaeological features, including their settings.

- 3. Would policy HE6 be clear in its aim, in accordance with national policy, to avoid harm to archaeological remains (which tends to involve preservation in situ) as the preferred option, then minimising harm is unavoidable?**

WCC response:

1.20 PM52 in the Schedule of Proposed Modifications ([SD14a](#)) includes additional text to Policy HE6 in order to clarify the approach that proposals should take and how. The council has also added the following text regarding harm to the policy under PM52: 'Where harm is unavoidable, proposals should explain the reasons why and outline steps to minimise harm' in order to be clear in its aim.

- 4. Would further guidance on a non designated archaeological asset that is potentially of national importance be required?**

WCC response:

1.21 Footnote 72 in the NPPF states: "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." This assessment of significance is facilitated through consultation with the Council's archaeologist, as required by this policy. This exercise is inherently site-specific, and in this respect, the city council believes that producing further guidance on this issue would not be required.

Policy HE7 Non designated archaeological assets

- 1. Would policy HE7 serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area, including the NPPF heritage policies, in paragraph 209?**

WCC response:

1.22 This policy sets assessment criteria and requires the use of processes which are specific to archaeological heritage assets. Field evaluations, written schemes of investigation and excavations are not common to assessments of significance for built heritage assets. Policy HE7 provides clarity on the council's expectations for development proposals which could affect non-designated archaeological assets 'up front' rather than relegating these issues to post-

determination. The policy also supports the function of the (statutory) Winchester Historic Environment Record, which records information about our historic environment, thereby facilitating effective decision making. PM54 in the Schedule of Proposed Modifications (SD14a) addresses this by deleting the repeating paragraph in the policy.

1.23 Proposed further change:

PM53 In the Schedule of Proposed Modifications (SD14a) addresses this by deleting opening paragraph of policy :~~'In addition to the policies that apply to all heritage assets and non-designated heritage assets, the following also applies.'~~

Policy HE8 Applications affecting listed buildings

1. How would policy HE8 interact with policy HE3?

WCC response:

1.24 This policy provides more specific guidance on the Council's expectations for proposals affecting listed buildings, providing greater detail than Policy HE3. In particular, it sets out that understanding of significance should inform proposals (i.e. at the outset, not to justify a pre-conceived scheme). It clarifies a presumption of retaining original features which is not set out in the NPPF or within Policy HE3. This policy also establishes that listed buildings necessitate a higher standard of design than might be acceptable elsewhere. This policy codifies established best practices in working with listed buildings, adding clarity to the decision-making process and in this respect, both Policy HE8 and Policy HE3 would complement each other (each dealing with slightly different matters).

2. Would it strike the right balance between the preservation of heritage buildings with the need for modernisation, energy efficiency and financial viability?

WCC response:

1.25 The city council believes that Policy HE8 seeks to balance conservation with adaptability by allowing changes where they are justified and proportionate to the building's significance. Historic England good practice advice supports sensitive and viable reuse of historic buildings. The policy wording does not impose unnecessary constraints and allows for viable solutions that maintain the integrity of listed buildings while supporting their continued use. Policy HE8 aligns with Historic England's guidance [Historic England Advice Note \(HEAN\) 18](#), which advocates for a proportionate and sensitive approach to retrofitting historic buildings as well as the council's own guidance: [A guide to making your historic building more energy efficient](#). The policy ensures that applicants

consider the impact of modifications while supporting viable and sustainable use. In view of this, it is considered that the policy supports proportionality in decision making.

Policy HE9 Changes of use to listed buildings

1. Would policy HE9 strike the right balance between the preservation of listed buildings and their modernisation, energy efficiency and financial viability?

WCC response:

1.26 Yes, the policy aligns with the NPPF, which emphasises that heritage assets should be put to their optimum viable use to sustain their conservation. Policy HE9 ensures that change of use proposals are considered comprehensively, assessing viability while minimising harm. The policy is not intended to be restrictive but to provide a framework for sensitive adaptation that allows buildings to remain in productive use. The policy includes specific criteria that will need to be addressed in the assessment of proposed changes of use (criteria i.-iv). The reference to policy HE3 (criterion iv) demonstrates that HE9 does not preclude harm but that any harm is justified. In respect of energy efficiency, the council refer to Policy HE14 for a more detailed consideration of this issue (please see our response to this policy).

Policy HE10 Development in conservation areas

1. Would this policy strike the right balance between historical preservation and environmental sustainability?

WCC response:

1.27 Yes. Please see criterion viii – which aims to ensure that energy efficiency measures are incorporated into the design of an extension or alteration, rather than ‘bolted-on’ later. The policy is not intended to prevent or impair energy efficiency improvements, but to encourage that these measures in a carefully considered and thoughtful manner to preserve the character, appearance and significance of the conservation area.

2. What is the justification for separate criteria in relation to new buildings and extensions?

WCC response:

1.28 The difference in criteria is intended to allow greater architectural freedom in the design of new buildings than for extensions and alterations of existing buildings. Criteria i.-iii. are deliberately less prescriptive than criteria v.-viii. This is to enable high quality contemporary architecture in a manner which is appropriate to the conservation area, but which may be more difficult to accommodate as an addition to or alteration of an existing building.

3. What is the justification for applying criteria vii, in relation to energy efficiency or generation measures, to extensions and alterations only?

WCC response:

1.29 The council believes this question refers to criterion viii rather than vii (which relates to the erosion of character). Criterion viii aims to ensure that energy efficiency measures are incorporated into the design of an extension or alteration to an existing building, rather than 'bolted-on' later. New buildings would be expected to meet the requirements of the current Building Regulations Part L, so energy efficiency measures would be inherent within the design of new buildings. The council believes there is greater risk resulting from poorly conceived energy efficiency improvements to existing buildings, which this criterion is intended to address which is the reason why it has been included as a separate criterion.

Policy HE11 Demolition in conservation areas

1. Would the policy HE11 and its supporting text, in stating that demolition of buildings that make a positive contribution to the architectural or historic interest of the area will be granted only in exceptional circumstances where it has been satisfactorily demonstrated that a building is beyond repair and incapable of beneficial use accord with NPPF paragraph 213?

WCC response:

1.30 The supporting text to Policy HE11 explains the rationale for this policy; that the council wishes to see positive buildings retained, unless it is demonstrated that this is practically impossible, due to the poor condition of the building. HE11 does not place this burden of proof on proposals to demolish negative or neutral buildings. It is considered that this policy is compliant with the NPPF paragraph 213 in so far as it requires harmful demolition (i.e. the demolition of positive building) to be justified as is set out in paragraphs 206 and 207 of the NPPF.

1.31 The council draws the inspector's attention to supporting paragraph 8.35 as part of the rationale behind this policy, and wish to highlight the requirements of

NPPF paragraph 202. In view of this the council consider that this policy is in alignment with the NPPF.

Policy HE12 Registered parks and gardens

1. Would policy HE12 provide appropriate protection to registered and other identified historic parks and gardens?

WCC response:

1.32 Yes, this policy requires a balanced judgement to be made, in accordance with policy HE3 (and HE4). This policy has a broader application beyond development management, with an encouragement to produce Management Plans which will sustain the significance of these assets in a wider context.

2. For effectiveness, would the policy need to refer to historic parks and gardens rather than registered parks and gardens?

WCC response:

1.33 Yes, PM56 in the Schedule of Proposed Modifications ([SD14a](#)) has addressed the above point.

Policy HE13 Non designated historic rural and industrial heritage assets

1. Given the Plan is read as a whole, would policy HE13 serve a clear purpose, avoiding repetition of other policies in the Plan? Would this go to the heart of soundness?

WCC response:

1.34 The city council believes that Policy HE13 serves a distinct purpose within the Plan, as it addresses heritage assets specific to the Winchester district, particularly agricultural buildings and structures such as water mills that are not explicitly covered by national policy. This policy ensures locally appropriate guidance for their preservation and reuse, complementing other heritage policies in the Plan without unnecessary repetition. Therefore, it contributes to the Plan's effectiveness and does not raise concerns regarding soundness.

Policy HE14 Improvements and Alterations to Improve Energy Efficiency of Historic Assets

1.To ensure consistency in implementation, should the policy refer to heritage assets as opposed to historic assets?

WCC response:

1.35 To ensure consistency, PM57 in the Schedule of Proposed Modifications ([SD14a](#)) has addressed the above point.