



## DEVON ARCHAEOLOGICAL SOCIETY

### **Examination of the Exeter Local Plan: Matters, Issues and Questions Hearing Statement by Devon Archaeological Society, April 2026**

These responses should be read alongside Devon Archaeological Society's previous written consultation responses, particularly those dated 9<sup>th</sup> January 2024 and the 5<sup>th</sup> February 2025.

#### **Matter 12 – Historic Environment, Culture and Tourism, Issue 1 – History and Heritage – Policies HH1, HH2, HH3, HH4 and HH5**

##### *Questions*

*1. Are the Plan's heritage policies consistent with the approach to conserving heritage assets in the Framework [NPPF], having particular regard to the tests in paragraphs 206-209*

In his Foreword to the draft Local Plan Council Leader Cllr Phil Bialyk admits that the competing needs of the city, e.g. between housing needs and protection of the natural and historic environment is 'a challenging balance to strike'. Many of our previous comments (made both formulaically and by letter dated 5<sup>th</sup> February 2025), as well as those to be presented here, centre on this challenge. The stated policies on heritage matters are, in themselves largely irreproachable (although we will suggest one or two additions); in the view of Devon Archaeological Society it is in the implementation of the policies in relation to other policies, especially those on housing development and brownfield site allocations that serious conflicts arise.

It is the general position of the Society that without access to an operational Historic Environment Record (HER) and without clear policies requiring proper assessment and/or evaluation of potentially significant sites, the approach to conserving heritage represented in the plan cannot be considered as sound.

*2. Are policies HH1, HH2, HH3, HH4 and HH5 positively prepared, justified, effective and consistent with national planning policy?*

Para 11.2 claims that the Heritage Impact Assessment (HIA) 'informs' and provides an 'evidence base' for Policy HH1. As previously pointed out (5<sup>th</sup> February 2025) it does nothing of the sort and in fact contains no actual evidence for the vast majority of the sites discussed, despite the fact that in many cases this is readily available in the published record or accessible archives. The individual 'Assessments' of proposed development sites are essentially a crude repetition of a few standard phrases, with no site-specific information provided other than general references to statutory designations and the area of archaeological importance, and with no evidence of any knowledge or understanding of the City's archaeology, either



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within the historic core or in the 'greenfield' sites around it. Thus forty years or more of archaeological endeavour in Exeter is ignored. As a result the 360 pages of the HIA are largely useless as an information base and really will need to be re-written from a more informed standpoint. (We were unable to offer detailed criticism of the HIA submitted, as it would have necessitated carrying out from scratch the actual work that was necessary for the preparation of an adequate or useful document.)

As observed previously (in our letter of 5<sup>th</sup> February 2025) this may not be entirely unconnected with the fact that the Exeter Historic Environment Record has not been utilised in compiling the Heritage Impact Assessments, indeed has not been accessible in the time the plan has been under development, contrary to the requirement of paragraph 205 of the NPPF. The HE/ECC Statement of Common Ground asserts that 'In order to strengthen the ongoing evidence-base and policy for the historic environment, the City Council will publish a new Historic Buildings, Sites and Monuments Record System (HBSMR) in 2025 [...]' (pp. 45-46 'new paragraph 11.5'). We now understand - as at April 2026 - that a new version of the Exeter HER may shortly be made available, but it is abundantly clear that the HIA process was not informed either by the previous HER or any new one, although this should have been an essential tool for its preparation. For the areas outside the historic core of Exeter, the Devon County Historic Environment Record provides readily accessible and up to date information on known sites and discoveries and recent work (including excavations carried out in past years in fulfilment of ECC's own planning conditions) but the County HER has similarly been ignored in the compilation of the HIA.

SMM72 regarding Policy HH3: as elsewhere (see our comment below on Policy HH5, under question 3) the phrase 'will not be permitted' is proposed for replacement by 'should be avoided' on the grounds that the 'Policy wording is currently inflexible regarding development impact on archaeological assets.' (SMM 72). In such a case inflexibility may actually be beneficial and on occasion may promote the protection of such assets. We would suggest that the original phrase is retained.

SMM73 regarding Policy HH3: Devon Archaeological Society endorses the suggested amendment by Historic England requiring a desk-based assessment and, where necessary, a field evaluation for all development proposals that include, or have the potential to include, archaeological significance.

Devon Archaeological Society contends that policy HH5 is unsound because: (a) it nowhere acknowledges ECC's ownership of and responsibility to maintain the majority of the walled circuit. (b) Although acknowledging the status of the city wall as a Scheduled Monument, with the protection that this ought to offer, it fails to acknowledge that significant sections of the wall have been omitted from recent pronouncements on the scheduled status, with severe consequences. (c) The implication that the 'repair, maintenance, enhancement and interpretation' of the wall is somehow optional rather than integral to the city's responsibilities must be resisted and the City's responsibility for the upkeep and protection of the Walls clearly stated.



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ECC's current (and presumably, therefore, future) planning practice does not have sufficient regard for the importance of the city wall: in practice developments have been permitted that harm of the monument and its setting and have implications for the associated buried deposits as well as public access to the monument (e.g. North Gate Court, Harlequins development). Routine maintenance has been shockingly neglected to the extent that significant sections of the wall are hidden by dense vegetation growth, several sections are fenced off or shored as 'unsafe' and two sections have actually collapsed.

As pointed out by Historic England, reference to the 'Exeter City Wall Act' (*sic*) in Policy HH5 should be replaced by reference to the *Ancient Monuments and Archaeological Areas Act*, 1979. Probably a reference to the *Exeter City Council Act*, 1987 was intended here, which does contain sections clarifying ownership and about provision for the repair and maintenance of sections of the city wall not in the ownership of ECC. This could be mentioned as well as, but not instead of, the 1979 Act.

*3. In terms of this issue, are any of the suggested modifications in the Schedule of Suggested Modifications necessary for soundness?*

Devon Archaeological Society supports the suggested rewording of Policy HH1 given in Appendix A of the Schedule of Suggested Modifications, particularly with regard to acknowledging the Exeter Skyline Study and the rewording to ensure that proposals affecting heritage assets (both designated and non-designated) are always provided with a heritage statement and/or impact assessment. The implication is that this re-wording will be necessary for soundness.

The inclusion of a clause supporting the repair and maintenance of assets on the Heritage at Risk Register is welcomed so long as it is clearly stated that the phrase 'Planning obligations will be used in these circumstances' will not diminish the council's commitment to core funding for the repair and maintenance of assets in council ownership.

Devon Archaeological Society agrees that SMMs 72, 73, 74, 75 and 76 all form useful modifications to Policies HH1-HH5 and are necessary for soundness (with the re-wording to SMM 72 suggested above under Question 2).

SMM76 'Unscheduled parts of the City Walls should be afforded the same importance as the Scheduled elements'. This Society would contend that there are no parts of the city wall that are 'unscheduled'. The original 1934 scheduling was of 'The Roman Walls of Exeter' and most subsequent allusions have had a similarly comprehensive approach. It is only in recent years, probably since the advent of digital mapping, that any doubt has been entertained in this matter. Whilst it is understood that measures are in progress



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to rectify errors of mapping, and improve the description and understanding of the monument, this Society believes this statement to be wrong and should not be perpetuated. We also believe that the initial sentence of the original policy should be retained, in addition to the addition, as it strengthens the policy.

One correction is necessary to the suggested modification/re-wording of SMM76, paragraph 1, which should read '[...] covered by the Ancient ~~Scheduled~~ Monuments and Archaeological Areas Act [...]']'.

With regard to paragraph 2 of Policy HH5 ('Development proposals that cause harm or restrict public access, to the Exeter City Walls will not be permitted.') we think that this explicit statement that the proposals '[...] will not be permitted' should remain as a stronger wording than the proposal alternative of 'proposals should avoid harm to [...]']'.

The proposed re-wording of SAMM 87 from 'heritage assets' to 'historic buildings' seems to this Society to weaken the provisions, inasmuch as it would exclude the small number of Scheduled Monuments from the application of Policy HH4. This should apply to all heritage assets, not just to one class. Whilst it may be unlikely that in practice proposals affecting ancient monuments in this way will arise, the more general term 'heritage assets' may still be preferred in this context.

The proposed wording for the HH1 indicator (SAMM126) only makes reference to official Historic England objections. But, as HE acknowledges, these are rare. Concerns might be more common. Devon Archaeological Society suggests that it should be reworded to be "Indicator: Number of applications permitted contrary to Historic England objections and contrary to concerns raised by Historic England". Therefore we would welcome further amendment to include applications permitted contrary to *concerns* raised by Historic England and the implementation of the two further indicators proposed by HE: 1) "Number of assets in Exeter on Historic England's Heritage at Risk Register along with any local register" and 2) "Number of schemes approved that would result in a significant impact on an important view identified in the Exeter Skyline Study".