



ENGLISH HERITAGE

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2006

Dear Sir/Madam

Barker Review of Land Use Planning Interim Report: Draft English Heritage response

English Heritage welcomes the opportunity to comment on this Interim Report on the Barker Review of Land Use Planning.

We found it very useful for Simon Thurley, our Chief Executive, and Steven Bee, our Director of Planning & Development, to meet Kate Barker and her team to explain how English Heritage has modernised in the past four years, and how with *Constructive Conservation* we are more effectively engaging with the planning system to speed-up the decision-making process and help local planning authorities and DCLG make better decisions more quickly.

Recently we have supported a DCLG consultation proposal to streamline listed building casework and remove the need for all applications for listed building consent for higher grade buildings to be referred to the Secretary of State. We are also encouraging far more pre-application engagement from owners and their agents, and as part of DCLG Quality Review of Quarterly Returns for PS1 and PS2 for local authorities development control, we will in future be providing figures on our pre-application engagement, as well as the existing figures on turnaround times of responses to consultations and notifications.

We see the Heritage Protection Review as an essential way of making controls over the statutorily protected historic environment operate more openly, fairly and efficiently. In most cases, change and investment is necessary to sustain heritage assets and to keep them in use – if not for their original use, then for another purpose appropriate to their historic significance. Often the key question is how to manage an historic building's conversion so that it meets modern needs, yet retains valued features. By identifying what is significant about a listed building or scheduled monument we can ensure that the changes to the building enhance that significance

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while giving latitude in other parts of the building that are not so significant. Implementation of the Heritage Protection Review will help by making sure that comprehensive information on the significance of a particular place is contained within its entry on the designation Register.

We are told by developers that what they seek is certainty. The new spatial planning system and the encouragement to hold pre-application discussion should help with this. English Heritage has been working closely with DCMS and DCLG on the Heritage Protection Reforms which are feeding directly into an enhanced and more efficient planning system.

It is essential that, in parallel with the Heritage Protection Review, the relevant government planning policy guidance is updated. At present there is no timetable for the revision and amalgamation of PPG 15 *Planning and the Historic Environment* and PPG 16 *Archaeology and Planning* to the proposed PPS 15. This will cover planning policy for the whole historic environment including archaeology. English Heritage wishes to see the revised guidance re-state the strengths of both documents, provide an integrated, robust and comprehensive statement of the importance and benefits of conserving the historic environment and reflect the philosophy of constructive conservation as exemplified in our *Conservation Principles* which will be published for consultation shortly.

As the Government's statutory advisor on all aspects of the historic environment, we were interested to see that the historic environment was categorised amongst the social objectives in the delivery of sustainable development that needed to be balanced with the other economic and environmental objectives. We would see the historic environment as being part of the environmental objectives as well as contributing to the economic objectives by giving settlements unique selling points of character and history. We support the view that sustainable development should be the core principle underpinning planning. There is a need to give greater emphasis to the principles of achieving social, environmental and economic objectives together rather than suggesting it is a trade-off between them. It is also important to recognise the contribution an appreciation of the historic and natural environments can make to other social, cultural and economic objectives, such as social inclusion, citizenship, education, community health and sustainable regeneration.

We were interested to see that there was some indication that for certain sectors such as hotels and retailing, planning could have an impact on competition and enterprise, for example by raising barriers to entry. We have found that there are sometimes important and difficult issues to resolve in historic towns when new development for retail or other commercial development including hotels is proposed. This is why we commissioned research from Urban Practitioners and CB Richard Ellis in 2004 and published in December 2005 *Retail Development in Historic Areas*, to help local authorities and developers understand how to successfully approach this type of development.

We noted that the interim report saw less evidence that the planning system had an adverse impact on skills and labour flexibility, for example through its impact on transport infrastructure provision. Planning was only one factor among many in determining the success or otherwise of innovative clustering. English Heritage has

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been closely involved with the three named authorities and has good working relationships with Oxford, Cambridge and Newcastle. In all three places the new business premises including technology parks have been developed imaginatively in converted listed buildings, on brownfield sites within the historic settlements or on greenfield sites with archaeological remains.

We were concerned that the report proposed that price signals from the land market should be more influential in planning decisions with a presumption in favour of development where the gap between values of land with or without development permission is large. We feel that this could put such pressure for large housing development on some of the most attractive parts of England so much so that what makes them attractive now could be destroyed. The attractiveness of location and lifestyle much of the north of England to both businesses and people needs to be made, to encourage the distribution of new dwelling to be more even across the country, not only to revive and reinforce existing communities, but also to spread increased demand on transport infrastructure. We were reassured that improving the performance of the planning regime does not and should not imply prioritising the needs of business over other interests.

It was reassuring that the interim report stressed that the complexity of the trade-offs to be made in planning meant that it was unlikely there was a simple "magic bullet" solution and given that the new plan-making process is still bedding down following the 2004 Planning and Compulsory Purchase Act, and that the final report will not focus on this aspect of the system.

At present while England is in transition from the old to the new system, it is very difficult to be able to judge yet how effective the new system is. We are only months into the Regional Spatial Strategies Examinations in Public, and the first draft Local Development Frameworks are only just appearing.

English Heritage has welcomed the recent changes aimed at modernising the planning system which we believe have not had any detrimental impact on the historic environment. We support the need to carry out Strategic Environmental Assessments (SEAs), Sustainability Appraisals (SAs) and Environmental Impact Assessments (EIAs). If we have one area of concern, it is that the new plans framework, in seeking to move away from a land use planning system towards a spatial planning system, has added a large number of new documents. Our experience to date suggests that this increase in plan numbers, combined with additional consultation procedures, has slowed up that part of the planning system. Whilst we accept that there will be an initial, inevitable increase as all planning authorities start their new plan development, we have some concerns that the added burden may last longer than this. We have one Regional Planner in each of our nine regional offices, and they are at the forefront of our involvement with the RSSs and LDFs, and they have found the greatest pressure coming from the ever growing volume of SEAs that they are being asked to comment on, with regard to potential effects on the historic environment.

English Heritage over the past four years has carried out a process of modernisation, very much in line with the ODPM's *Culture Change in the Planning System*. Working with the ODPM and DCMS, and local authorities, we have refined the criteria for

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planning and listed building applications that we need to become involved in, at the same time helping local authorities become more skilled in managing the historic environment.

We have produced *Planning & Development: A Charter for English Heritage Advisory Services* to explain which applications we will have a role in the determination of. It also sets out what we will require to be included in an application notified to us by the local authority. We have improved our casework system so that we can meet the new 21-day turn around and the other requirements of ODPM Circular 09/05 *Guide to Changes in the Development Control System*.

We are now fully engaged with e-planning and the Planning Portal as well as the PARSOL exchange project, and will be making sure that we are able to receive e-applications from all authorities ready to deliver them, and these authorities will know from ODPM Circular 09/05 and our own *Planning & development: A Charter* what they will need to provide us with in terms of supporting information, which is being amended to take account of the requirements of design and access statements.

From April 2004 we have been working with ODPM and DCMS on HELM, Historic Environment Local Management, and we have created a website www.helm.org.uk. HELM is designed to improve knowledge of and skills in the historic environment within local authorities. It is designed for officers and members. The website not only has pdfs of all the policy statements we have produced in the recent years, but also contains case studies and links to other websites where specialist information is available. In 2005/6 the website had over 120,000 hits.

We are actively promoting the important role the historic environment can play in the creation of sustainable communities. With our work on Historic Landscape Characterisation, we have show how analysis of the pattern of land development in an area can be used to define the character of that area, and this then be used to help create new development that works with the grain of what is there and incorporates local distinctiveness. We have surveyed the whole Thames Gateway area, and have suggested this approach in our publication *Growing Places*. We believe that the soundest part of the new system is the requirement for a strong evidence base, and with characterisation we believe we have developed a robust technique for helping those responsible for developing these new spatial plans.

We have also recently worked with the RICS and British Property Federation on *Heritage Works: How to use the Historic Environment in Regeneration*. This publication is the result of a research project which the three bodies employed property consultants Drivers Jonas to look at development projects that involved the historic environment, and look at the lessons that could be learned from them.

We were pleased to see that Kate Barker and her team were able to visit both Liverpool and Newcastle's Grainger Town, and see what is being achieved by partnerships of the local authorities, ourselves, the RDAs and English Partnerships.

Yours sincerely


G.P. Wagner, Head of Planning and Regeneration Policy

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