



## Response from the Society of Antiquaries to the request for evidence on “DEVELOPING A STRATEGY FOR THE FUTURE OF THE NATIONAL HERITAGE LIST for ENGLAND: THE SECTOR’S PERSPECTIVE”

The document to which we are here responding combines high-level strategic questions with detailed matters of process, documentation and user experience. It would have been helpful to see the original HE specification for this piece of work in addition to Matthew’s series of more detailed questions, in order perhaps to gain a better understanding of what HE is hoping to see as a result of this exercise.

### 1. The current state of the Lists and what to do with the “legacy entries”.

In principle legacy entries should be revisited; ideally systematically, but given the resource and capacity implications a selective approach based on an understanding of conservation pressures would be more sensible. The resources necessary for a full resurvey would be at least as great as those needed for the ‘Heseltine resurvey’ of the 1980s which concentrated on areas outside the major conurbations, where systematic resurvey had hitherto been concentrated because of development pressure. That was organised through a network of consultants including many County Council teams - a resource in many places now no longer available - and the quality of selection and description varied greatly – seriously analytical in Devon, for example, but poor in Norfolk.

To scope the degree of deficiency a national desk-based assessment of the quality and consistency of the existing lists would be necessary, preferably conducted according to the local authority areas as they existed when the lists were made or comprehensively revised, since the standard – whether excellent or wanting - to which the original work was done, and the resulting quality is usually consistent in each area surveyed. This seems a realistic initial objective. Overlaying this with development pressure/ ongoing economic decline (both equally problematic, not just the former) would give a priority for action/ making the case for resources; but it is unlikely that these will be forthcoming from core government funding. We do suggest, however, in our responses to Q2e and Q4 below that the main driver for improving the National Heritage List for England should be an integrated designation regime; understanding the extent to which existing lists require improvement would lead to the identification of priority areas for action.

### 2. The present criteria for inclusion on the lists

Present criteria are robust and it is difficult to see what significant changes might be proposed unless HE has in mind a root-and-branch re-think of England’s conservation philosophy.

- a) **Do you agree with the “1850” cut-off date?** Originally the cut-off for listing was 1837, the start of Victoria’s reign, rounded up to 1840; anything that survived in something like its form at that date was listed. The recent advance to 1850 is presumably just a bureaucratic rounding. But the date is not entirely arbitrary. It is, for example, roughly the time when vernacular building increasingly gave way to industrialised forms and materials, the latter often moved long distances by rail; and the amount of building began to grow exponentially.

- b) **Is adequate weight given to all periods after 1850?** Selective listing of Victorian buildings has now addressed the strong bias in the post-war years against all things Victorian. Gradually yet later buildings have been added, on an increasingly selective basis. Again, the balance seems to be right, through special-interest groups will always say their period or building type is under-represented. If there is a problem with post-war buildings, it is that ministers, despite their duty to list if the criteria are met, are more likely than for other periods to disregard HE advice on the basis that they don't personally like the buildings, or think them incapable of beneficial use, thus either exercising their powers rather than fulfilling their duty, and prejudging a separate 'beneficial use' question which could ultimately be for a different S of S to determine. The South Bank Centre illustrates the point. We must also be wary of giving too much weight to buildings of the mid and late 20th century where application of the criteria becomes increasingly problematic and enmeshed with the signature status of the building's architect.
- c) **Refusal of listing.** The Society has little experience in this area.
- d) **Thematic surveys.** With limited resources, thematic designation, properly targeted at priorities, is the most effective way of ensuring statutory protection (and the evidence base of understanding for effective conservation management) for the most vulnerable elements of the historic environment. Priorities should be driven by an informed judgement as to what is insufficiently understood and vulnerable, coupled with a process of ensuring that surveys are made and kept as full and accurate as they can feasibly be. Without this, the whole exercise and its application are to a serious degree based on false pretences. Many of HE's thematic listing programmes are underpinned by high-quality internal research and some by externally commissioned work. These underpinning research resources need to be sustained and strengthened if thematic listing work is to have the necessary authority and impact.

In itself, the sustained existence of ongoing systematic surveys and reassessments will steadily add to knowledge, understanding and relevant skills. SAL is not in a position to make specific recommendations about which themes to pursue, and would see this as one of the *raison d'être* of a national heritage agency with specialist staff who are able to take a strategic overview. In recent years, however, it appears that the subjects of thematic surveys have been skewed by non-core funding or the desire to appear relevant to public sentiment and to be politically 'on message'. The trend can be traced back to the listing of the pedestrian crossing in Abbey Road, and more recently epitomised by the mass listing of WW1 memorials and the search for listable sites relating to LGBTQ culture and women's suffrage. This trend is unlikely to be the best long-term investment of increasingly scarce resources, but as political enterprises HE has little choice but to espouse them. However, the partnerships with the RC Church and the Quakers by contrast have been rigorous and filled real gaps, with listings likely to stand the test of time.

- e) **Systematic geographical resurveys.** We do not think that listed building resurvey alone is the best or most inclusive way of assessing what is significant and valuable in an area. The fractured nature of English identification and conservation of heritage assets, between national and local, archaeology and building, object and area, continues to militate against the integrated conservation of the value of places. Area resurvey should take into account the interplay of heritage assets whether or not they fit the criteria for designation at national level, their setting, and the role of conservation area designation, which is in a European context exceptional in England in being a purely local responsibility. Conservation Area Appraisals and Management Plans, the area-based concept of Heritage Action Zones extending beyond conservation areas, and indeed Historic Environment Policy as set out in the NPPF all represent progress towards an integrated approach to understanding and managing the historic environment. These considerations therefore raise the issue of why HE is again reviewing Listing on its own rather than addressing the issue of integrated designation (for which see Q4 below).

- f) **User-friendliness of applying for listing.** Routine spot listing, list enhancement and area review in advance of development proposals are now seen by HE primarily as a source of income under 'paid-for services'. Is this user-friendly?
- g) **The relevance of GII\*.** Logically, there is no substantive difference between Grade I and II\*. Together they account for only 8-9% of the list, they are treated in the same way in terms of HE involvement and notification, and by HE as the threshold of eligibility ('outstanding') on grounds of quality for heritage at risk grants, to the limited extent that HE now has the resources to award these. Both are referred to in policy as being of 'exceptional' significance (compared to 'considerable' for grade II), and sometimes as of 'national' compared to 'regional' significance. The distinction between I and II\* no longer has any useful purpose. But practically, dealing with this minor anachronism is not a priority, and if implementation involved any more effort than a mechanical 'find and replace' on the list as it appears on line, scarce resources could be better deployed on any serious research and analysis that would make a practical difference to the quality of the lists.

### **3 Listing that is prompted more by historic rather than architectural interest**

There has never been a problem with listing for illustrative historic value – eg structures that illustrate aspects of history, including innovative techniques or novel processes or activities that were later influential. On occasion, these may lack any aesthetic or architectural merit whatsoever. More problems arise with associative historic value, the association of a place with a notable family, person or event. For that to justify protection of an otherwise ordinary house where a notable person lived, for example, either the place must have shaped the person or vice-versa, and the house must have survived in that form, such that it generates insights or stimulates the imagination (see *Conservation Principles*, paras 40-44 for guidance on this). That a famous person lived there is simply not enough (eg the debate over Conan Doyle's house).

### **4 The relationship with other and overlapping means of protection/identification:**

HE needs to move urgently to implement an integrated designation regime, with new designation strategically targeting assets or areas that are vulnerable to development pressures and poorly understood or recorded - which it should be in a uniquely advantageous position to identify. Applied to area review, it needs to do so in close co-operation with the local authority concerned, thereby considering the appropriateness of area designation and management as an integral part of the overall assessment. This is particularly important in areas where only a few buildings dating post 1850 will individually meet the criteria for listing, but where they form the social and architectural focus of the place. Upgrading and reviewing legacy entries should similarly be targeted. The big problem is how to implement this against a background of scarce and diminishing HE resources, and what appears to be a wish to shift priorities and image to being seen not as a regulatory body but as an advocacy body for the instrumental values of heritage.

Moreover, the title of this review '...the future of the National Heritage List for England' suggests that it refers to national level designation as a whole, since the HE website itself claims that 'The National Heritage List for England is the only official, up to date, register of all nationally protected historic buildings and sites in England - listed buildings, scheduled monuments, protected wrecks, registered parks and gardens, and battlefields'. This review, however, refers only to listed buildings, so has already subdivided the NHLE list which was on its way towards integration. This implicit form of subdivision feels like a backward step.