

## Comments from the Society of Antiquaries of London on the redrafted Conservation Principles, February 2018

### Overview

The new draft of the Conservation Principles is a rather different document from the 2008 version.

The 6 principles themselves have survived pretty much unscathed, other than some minor alterations to the headings ostensibly to bring the language into line with the prevailing terminology in the NPPF. We wonder however why quite so much alteration in the 2008 wording has been necessary. In a document such as this, which is seeking to establish and reinforce concepts and statements which carry weight in the planning process, there is great merit in stability. Wording which is familiar, and which can be seen to have worked well to bring about conservation-driven outcomes in the last 10 years or so is an asset worth keeping. There are some additions which may need to be made, but why not keep the original wording unless it is severely out of date or limiting?

That said, there is a welcome addition in para 11 to Principle 2, where the validity of alternative perspectives about heritage is recognised. But, as examples of the sorts of changes which have devalued some of the emphasis given by the 2008 document, Principle 3 seems almost to have lost the concept of significance imparted by the context and setting of a heritage asset (as listed in para 3.3 of 2008); perhaps more seriously in Principle 6 the concept of 'Polluter pays', which was stated at Principle 6.4 in 2008, is so sparingly mentioned at the foot of (new) para 23 as almost to be invisible. In the light of current debates about the EU Withdrawal Bill, and question marks over where these guiding environmental policies will eventually be established in the UK's newly emerging independent frameworks, this seems an unfortunately premature downgrading.

Chapter 2 of the new guidance (sections 24-49) valiantly reworks paras 30-60 of the original guidance. Most of the elegance of the 4 values defined in 2008 has been lost, though some of the language the original document used has re-emerged. The pragmatism of the new version perhaps fits with the spirit of the times, but the claim made in the Introduction para 4 that "The interests and values referred to...cover the same ground" is not entirely accurate. The redefinition of the original values (evidential, historical, aesthetic and communal) into historic, archaeological, architectural and artistic interest makes the 2008 values feel uncomfortably squeezed into a meaner measure. Communal value, though mentioned in paras 32 and 33, seems to be given particularly short shrift, and spiritual value has all but disappeared. On reading the two versions together, the 2018 draft feels as if a dimension well expressed in the 2008 version has been lost.

Chapter 3 (sections 50-71) reworks what was contained primarily in paras 61-83 of the original, with some limited additions from later portions of the 2008 guidance. Gone completely are paras 108 – 159 of the 2008 version, which gave a series of rules of thumb which English Heritage would be expected to apply to various types of change to historic assets; some of this was useful in that it would give some certainty to developers and others about the types of change which are broadly acceptable, though we understand that this may appear elsewhere in HE advice. With this omission, therefore, and the considerable shortening of the section on Applying the Principles, the new document has taken a step back from providing too much practical help for applicants. It appears to leave out some considerations which were outlined in 2008, such as work which would enhance the sustainability of the heritage asset, or the issue of reversibility of changes to a structure, both of which have been seen as tenets of conservation practice in the more recent past. And there is quite an irony in the statement at para 61 that 'this section covers the full range of changes that an owner may wish to carry out...(etc)'. The fact is that while the 2008 document did cover the full range of

changes with some detailed advice, the new one does not do this at all. The word “covers” should therefore perhaps be “applies to”?

## Summary

Where the previous document was nuanced and careful to weigh up the arguments for conservation in its 159 sections, the new document, at less than half that number of sections (71) is much terser, and provides far less in the way of discussion around the principles, and how they might, or perhaps should, be put into practice. Perhaps this is a reflection on the way in which the NPPF has boiled down a substantial amount of planning law into a single document, and the new draft is an attempt to make the conservation principles equally snappy. However, when the NPPF was being drafted, the heritage sector was keen not to allow any of its new language to downgrade or devalue their concerns. Comparing the 2008 version of this guidance note with the 2017/18 one, this same level of care does not seem to have been taken. The new draft feels much meaner and less helpful to the cause of conservation than it needs to be. In conclusion, the new document needs considerably more thought – about its standing, potential use, as well as where it fits within the hierarchy of planning advice – coupled with further changes to the drafting before it is launched on the world.

## Points of detail

Para 2: ‘It does not directly address intangible heritage’. What is ‘it’ – NB ‘they’ is the subject of the next sentence – and why is intangible heritage, not defined in the glossary, given this summary treatment? Given that intangible heritage is rarely a planning issue, we wonder why it appears at all.

Para 4: ‘this document updates and revises’. HE needs to say quite clearly whether this new Guidance replaces the 2008 version, and whether the 2008 Principles still have validity.

Para 4 last sentence: ‘covers the same ground’. See comments above

Para 5: Are the thresholds defined in legislation to any meaningful degree? And in this para, the words these Principles should have a capital letter (as per in para 2) to show that HE is referring to the current document.

Para 5 sentence starting These [P]rinciples apply...: this is very poorly drafted, and the activities are listed in a very incoherent fashion.

Para 7: ‘skills’ and ‘investment’ seem to be attributes missing from the reflections from the past

Para 8, 2<sup>nd</sup> sentence: quite a complex point, and the meaning of ‘cannot easily be reconciled....land for development’ is not clear. This could be more simply stated.

Para 10, line 4: instead of ‘as far as practical’ you seem to mean ‘so far as practicable’.

Para 11: is discerning the right word – surely ‘identifying’, despite its 2008 origin?

Para 15, bullet 2: valuation seems an odd word here, with its auction house connotations – ‘how the value they attach to it relates...’?

Para 15 bullet 5: should the word ‘important’ be defined in the glossary?

Para 17, bullet point 3 and 4: delete ‘requires’. Can the point be made more simply? In fact the 2008 Principles at 4.3 made these points far more elegantly and simply. The new wording is cumbersome and difficult to understand.