

Planning for the Future

Responses to specific questions from the Society of Antiquaries of London

Pillar One – Planning for development

Q1 – Q4 No response made

Q5 Do you agree that Local Plans should be simplified in line with our proposals?

Yes.

The definition of protected areas needs to be extended to the full breadth of heritage interests, which are well beyond the short para 2.8 in the document. This must include sites of archaeological potential, unlisted buildings which add to local identity and character as well as those formally designated.

Q6 Do you agree with our proposals for streamlining the development management content of Local Plans...?

Not sure.

Communities are going to be expected to play a much greater and more direct role in planning decisions – and thus the future of the historic environment and matters of good design within its context will lie much more in their hands than it does at present. This means that good, clear, and approachable information about the historic environment and its significance will be at a premium.

Q7(a) Do you agree with our proposals for...a consolidated test of “sustainable development”

Not sure

We would welcome a stronger re-statement about the integration between identity and place, heritage (not just buildings and conservation areas) and the future, community and purpose as set out in PPS 5 in 2010, to ensure that the focus on important economic drivers and the search for a consolidated test for sustainability in any resulting planning reforms do not override the protection and understanding of our nation’s past.

Whilst heritage protection and development are not mutually exclusive, there is a tension between the two. In the past, planning guidance for the historic environment presumed in favour of the preservation of historic assets, and where this was not achievable, advised the implementation of appropriate off-setting measures such as recording. Previous advice thus placed the onus on the developer to preserve or record designated and undesignated assets affected by development. Any presumption in favour of development places the onus on the heritage sector to demonstrate that preservation or recording should outweigh the economic and social benefits of the scheme.

Q7(b), Q8(a) and (b) No response made

Q9(a) Do you agree there should be automatic outline permission for areas for substantial development with faster routes for detailed consent?

No

We support outline pp being granted by designation but only provided that the designation process includes archaeological evaluation, leading to a research strategy for the whole area, implemented incrementally through particular developments as they are brought forward. Such an approach would have potential benefits over (what currently happens) the frequent lack of serious evaluation at local plan allocation stage and the ‘one field at a time’ approach to fieldwork. We are concerned that the two key NPPF principles that underpin the protection of 95% of our national archaeological and built heritage may not be applied to Growth areas: that archaeological assessment should take place before planning permission is granted if archaeological potential is identified (NPPF 189), and

that there is a robust system of mitigation by recording and dissemination of the archaeological heritage (NPPF 199).

The costs of this preliminary work could be found in part by recouping costs from the value added to local authority and other public sector land by the granting of outline planning permission. The proper archaeological assessment process should also be front loaded through investment in the digital capability of local authority Historical Environment Records to produce archaeological risk and sensitivity mapping. This would in time be cost-efficient and reduce the risks of any potential delays from archaeological constraints.

It is also vital that robust mechanisms are put in place for investigating and mitigating impact upon archaeological heritage at the reserved matters stage. The use of archaeological planning conditions that allow for archaeological recording and the public dissemination of information should be retained for Growth areas.

Q9(b) Do you agree with our proposals for the consent arrangements for Renewal and Protected areas?

No

We do not object in principle to the faster consent arrangements for Renewal and Protected areas, but as above for Growth areas, before agreeing to the proposals, we would need to be sure that there are appropriate safeguards for the archaeological heritage that allow for adequate archaeological assessment prior to consent and provision for archaeological recording and dissemination through the use of planning conditions. Also, as with Q9 (a) above, investment in the digital capability of local authority Historic Environment Records should be considered as a means of reducing the costs and time taken to obtain permission and develop land where there is significant archaeological interest.

Q9(c) No response made

Q10 Do you agree with our proposals to make decision-making faster and more certain?

Yes

Provided that the data sets which underpin these decisions are, as promised, standardised and made open and digitally accessible. This must apply to Historic Environment Records.

Q11 Do you agree with our proposals for accessible, web-based Local Plans

Yes

Q12 – Q14 No response made

Pillar Two - Planning for beautiful and sustainable places

Q15 – Q16 No response made

Q17 Do you agree with our proposals for improving the production and use of design guides and codes?

Yes

Provided that the interpretation of “Design” continues to focus not just on beauty, but also about appropriateness to its (historical) context, or its placement within the landscape.

Q18 – Q19 No response made

Q20 Do you agree with our proposals for implementing a fast track for beauty?

Not sure

If appropriately implemented the NPPF could maintain existing levels of protection for the historic environment, but with any expansion of permitted development rights, there are always concerns for the impact of this on the historic environment. The promise of updating the NPPF in as yet unspecified ways is worrying. Assets such as Scheduled Monuments and Listed Buildings are to be protected but a significant proportion of the countryside has no national or local designation relating to its character or aesthetic merit. It is these undesignated rural and urban landscapes which contribute so much to the character of this country and which represent a remarkable record of past human achievement. In any redefinition of a presumption in favour of development it is very unlikely that undesignated assets will carry much, if any, weight at all in fast-track decision making.

Pillar Three - Planning for infrastructure and connected places

Q21 No response made

Q22(a) Should the Government replace the Community Infrastructure Levy and Section 106 with a consolidated infrastructure levy?

Yes

Q22(b) Should this be set nationally at a single rate, at an area specific rate, or locally?

Locally

The designation of Growth and Renewal areas, with the presumption of planning in principle, within Local Authority areas will add considerably to the value of these parcels of land, and that value will differ depending on the location. It is right that the Levy should be enhanced by a proportion of this value, wherever in the country the land lies.

Q22(c) Should the Levy be set to capture the same amount of value overall or more value?

More value

The delivery of robust backup data sets, including Historic Environment Records, to support the accurate designation of areas within Local Plans should be funded through the Levy, to make the system self-supporting

Q22(d) Should we allow Local Authorities to borrow against the IL to support infrastructure delivery in their area

Yes

See our response to Question 9(a) above. If prior assessments are required for land designated for growth or renewal, these need to be carried out before the land is so designated, and should be funded through the IL. This could be done by permitting borrowing against future income.

Q23 Should the scope of the reformed Infrastructure Levy capture changes of use through PDRs?

Yes.

Anything which adds value should be reflected in contributions to the IL.

Q24 (a) – (d) No response made

Q25 Should Local Authorities have fewer restrictions over how they spend the Infrastructure Levy?

Yes

See our responses to Q22(a) to Q22(d) for suggestions about how the IL could be used more creatively to underpin the Building Better, Building Beautiful agenda.