



A survey of voluntary sector experience of Local Authority consultation on Land-Use Planning

Heritage groups want to be involved. They believe they can make a positive difference to the quality of local and regional planning outcomes. But ...

- > Confidence in the consultation process is variable
- > Effective participation in the planning process is limited by:
 - Capacity to deal with increasing numbers and types of consultation
 - Poor communication between local planning authority staff and heritage groups
 - Poor quality consultation documents and off-putting language
 - Unrealistic turn around times for responses
- > Regional Spatial Strategy and Highways proposal consultations are perceived as the least satisfactory
- > Consultations on Conservation Area matters are a particular concern

... the voluntary sector requires more resources and the consultation system needs to be improved in order to optimise heritage groups' involvement in planning decisions.



- > **Influencing policy**
- > **Underpinning Advocacy**
- > **Building Capacity**



< Making Consultation Matter – Introduction >

What the government expects from planning consultations.

The Secretaries of State attach particular importance to the activities of the voluntary sector in heritage matters, and hope that local authorities will work in close co-operation with national and local amenity bodies and draw on their expertise to the full.

Planning Policy Guidance Note 15: Planning and the Historic Environment, Annex A, 1994

Each authority must produce a Statement of Community Involvement (SCI) setting out how communities will be engaged in the preparation and revision of local development documents and for consulting on planning applications. The statement must ensure the active, meaningful and continued involvement of local communities and stakeholders throughout both processes.

Statements of Community Involvement and Planning Applications, Section 6.1.1., ODPM, 2004

The Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on local authorities to draw up and publish proposals for the preservation and enhancement of Conservation Areas in their districts, and to consult the local community about these proposals. Public support for Conservation Areas as places that give identity to people and communities is well established.

Best Value Performance Indicators 2005-2006, BV219c, ODPM

This Heritage Link survey draws on the views and experience of over 180 heritage groups. Heritage groups are voluntary sector organisations concerned with the protection and promotion of the historic and natural environment. They include Civic Societies, archaeological and local history groups, CPRE groups and specialist amenity groups. All can act as expert watchdogs over their historic environment.

By being proactive and participating in the consultation process, they bring professional skills, experience, local knowledge and community involvement to planning and heritage policy. Whether they are a local history group or a national amenity society, all heritage groups have a role to play in working in cooperation with local authorities in planning. Their hard work can make a real impact on the historic environment.

‘With regard to planning applications, our objections and comments are regularly included in grounds for refusal and/or required conditions’

The voluntary sector’s experience of consultation is mixed. While this survey provides examples where heritage groups have made a difference, it also highlights a lack of confidence in the consultation process. There is frustration that their voices are not always being heard. Too many heritage groups feel that local authorities are not listening to their comments and not engaging with their arguments. This breeds cynicism that the whole consultation process is a ‘tick box exercise’ or serves as ‘a rubber stamp’ for decisions previously made.

‘On the whole we feel we are wasting our time – the planning department only listens when our views coincide with theirs’

< The value of networks

By co-operating and communicating, voluntary organisations can not only keep each other informed about important planning consultations, but can also begin to work together to assert a stronger voice in the consultation process. One example is a Joint Liaison Group that was set up between three neighbouring Civic Societies and on which representatives from the development services department of the District Council were invited to join. The group provides a forum for

useful discussions about the revision of the District Local Plan. Some heritage groups are represented on Conservation Area Advisory Panels, Local Strategic Partnerships and Planning User Groups. This survey revealed that although these panels can be useful tools for involving the voluntary sector in decision making by drawing on their experience and knowledge, advisory panels are not consistently consulted and not always listened to.

“Some applications for Listed Buildings and Conservation Areas are deemed by Local Authorities to be too minor to refer to the Conservation Area Advisory Panel. This is not always the view of the Panel”

◀ Making Consultation Matter – Results ▶

How do heritage groups find out about planning consultations?

Heritage groups are proactive in finding out about planning consultations; they cannot simply rely on being directly contacted by their local planning authority. 20% of all respondents are not directly contacted by their local planning authority and have to find out about consultations from other sources. 32% of all respondents are contacted directly but also use other means to keep informed.

The internet is increasingly being used by local authorities as a way to distribute information about planning applications and planning consultations. A number of groups consult planning lists on their local authority's website. Some used to be sent the planning lists by mail, but now these can only be accessed online.

What is the preferred method of participation in planning consultations?

The standard notification letter is consistently the most preferred method of participation for all types of planning matter. Heritage groups prefer to start with a standard letter and then move on to other methods of consultation.

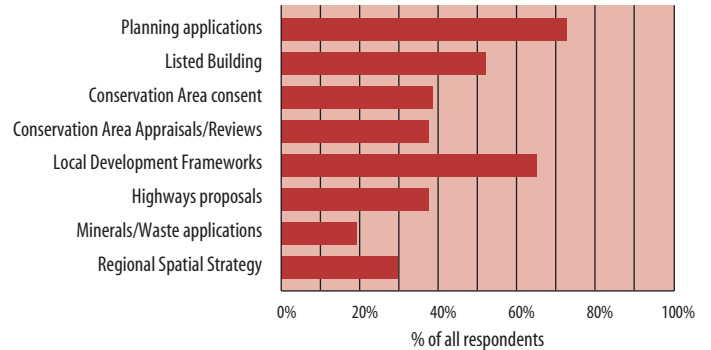
Preferences for workshops, public meetings and exhibitions differ for each planning matter:

- For Highway Proposals and Mineral/Waste applications, exhibitions are preferred.
- For Local Development Frameworks and Regional Spatial Strategy, public meetings and workshops are preferred.
- For Listed Building and Conservation Area consent, public meetings are preferred.

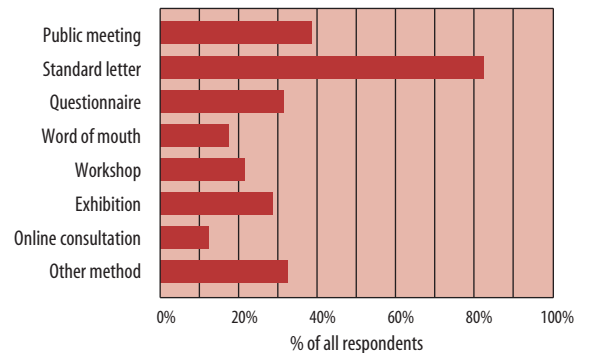
Heritage groups' experience of questionnaires as a planning consultation method varied. Their greatest concern is that the design of questionnaires is loaded towards those solutions favoured by the local authority. Some respondents feel that the results are read as a legitimisation of whatever the local authority has already decided that it wants to do.

The two least popular methods of consultation are word of mouth and online. National organisations, dealing with planning authorities throughout the country, favour online consultation as more convenient and providing easier access to documents and plans. Those heritage groups that lack the facilities or skills to navigate local planning authority websites express dislike at this method of consultation.

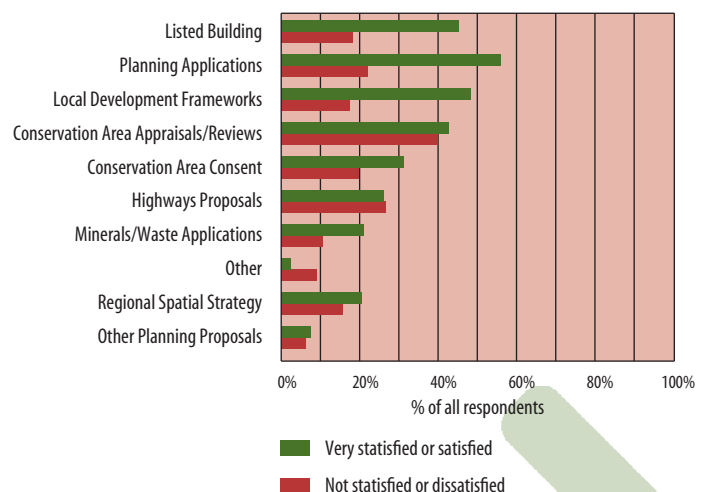
What planning matters are heritage groups consulted on?



How are heritage groups consulted on planning issues?



Level of satisfaction with the way organisations are consulted



◀ Making Consultation Matter – Top Concerns ▶

What are the top concerns about the consultation process?

Voluntary Sector Capacity

The voluntary sector is enthusiastic and willing to dedicate time and effort, but their capacity for action can be limited in terms of funds and human resources.

These constraints are compounded by the unrealistically short turn around times of consultations. For a group that meets only once or twice a month, the 21 day statutory consultation period for planning applications is unlikely to be sufficient for them to assemble their members and prepare a meaningful response.

This gap between the expectations of local authorities and the capacity of heritage groups to respond is even more pronounced in consultations on Local Development Frameworks and Regional Spatial Strategies that demand a considerable investment of time and effort.

Consultation Material

Many respondents complain about badly written documentation that is repetitive, full of jargon and uses incomprehensible language. Local Development Frameworks and Regional Spatial Strategies are singled out as particularly poor in this regard: the complexity and sheer volume of material to process is unmanageable for some.

Heritage groups sometimes experience difficulties in accessing consultation documents and plans. Without details of specific planning proposals, they cannot make an informed response.

Access to relevant material is a particular problem for national amenity societies, who deal with a number of consultations at a time, and have to obtain documentation and plans from local authorities throughout the country.

Poor Communication

Lack of communication between local planning authority staff and organisations is a major obstacle to an effective consultation process. When letters are not acknowledged, phone calls not returned and emails not replied to, heritage groups can feel they are being a nuisance to their local authority and that their contribution is unwelcome.

Inconsistency between different local planning authorities and lack of standardisation for responding to voluntary organisations within a single local authority can leave heritage groups feeling disorientated or in the dark, not knowing whether their representations are being listened to.

As well as difficulties of engaging with what can seem like remote and bureaucratic structures, heritage groups sometimes experience problems with individual members of staff. An open, responsive and well experienced planning officer can facilitate the consultation process; a hostile, non-communicative or aloof officer can hinder it.

Loss of Democratic Accountability

Heritage groups express concern about the delegation of planning decisions away from elected planning committees to un-elected planning officers. Planning committees serve as an official forum for organisations and other third parties to make representations and so to have a direct impact on decision making. There is a real concern that government policy is reducing the number of planning applications being referred to this democratic forum.

‘We had a case recently concerning a Grade II Listed Building, which covered its refurbishment and included development on surrounding land with flats & cottages. We felt it was a reasonable and attractive application. The application was never considered by the planning committee and was refused solely on the say-so of the officers’

Our survey also reveals a lack of confidence in Regional Assemblies who are perceived as being high-handed and remote. The transfer of wider land-use planning responsibilities from directly elected county or unitary councils to Regional Assemblies was associated with a loss of democratic accountability and, in consequence, reduced confidence in the consultation process for Regional Spatial Strategies.

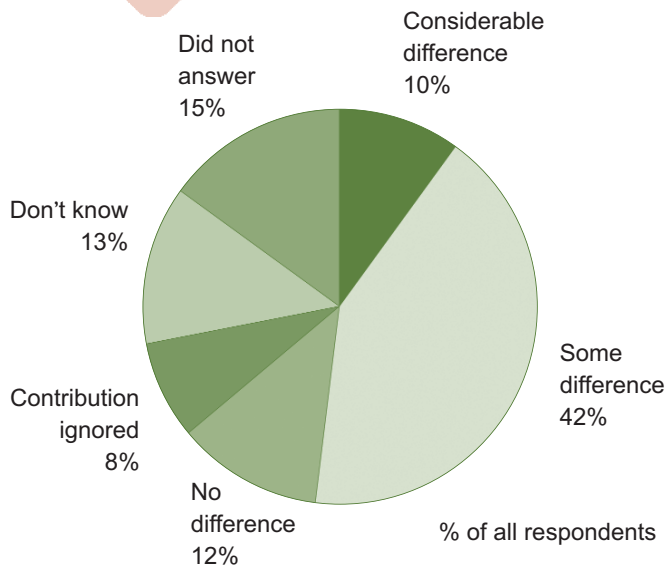
Local Authority Capacity

A number of respondents raised concerns about the disparity between central government planning policies and the local authority’s ability to consult effectively with their local communities. Respondents felt that:

- Government’s enthusiasm for more and more consultation needs to be backed up by adequate resources.
- Local planning authorities should not be solely focused on meeting Government targets for planning application turn around times.
- Local planning authorities need to allocate sufficient time and resources in order to both consult effectively and provide feedback to those who have contributed.

< Making Consultation Matter – The End Result >

Do heritage groups believe that their contributions make a difference?



< Good Practice – Design Workshop

One Civic Society gave an example of a design workshop chaired by The Prince's Foundation for the Built Environment with the participation of all stakeholders: the Civic Society, members of the community, the Town Council, the developer and the local authority. The workshop resulted in a statement from the community stakeholders which, 'sets out eight aspirations and a commitment by all stakeholders to have regular meetings during the design stage – so that plans, when eventually submitted, would contain no surprises'. There have already been seven review meetings and the reports of these meetings are made publicly available in the Town Council offices, Tourist Office and the Library.

Examples of consultation being ignored	Examples of consultation making a difference
'Revised planning brief for rail interchange site took on local views about heights of buildings – but then the council decided not to adopt the brief!'	'Farmhouse saved from demolition and listed Grade II'
'An application to build an "industrial style" terrace in a Conservation Area that went against the spirit of the local plan. Our objections were ignored, and yet an outcry in the local community has focussed its anger on the Trust'	'County Council, having been given its mineral extraction targets by the Government, invited us to participate in negotiations on its suggested quarrying proposals. These resulted in proposed new quarries in the AONB being removed from the list and targets being reduced.'
'Listed Building. Serious objections to damaging and neighbour-intrusive alterations disregarded. Unsatisfactory permissions given'	'The draft boundary for a proposed Conservation Area agreed after site visit with society. Council now wants the society to take the lead on public consultation (17 years after first seeking the CA).'

Community involvement in planning should not be a reactive tick-box process. It should enable the local community to say what sort of place they want to live in at a stage when this can make a difference.

Planning Policy Statement 1: Delivering Sustainable Development, Section 43, ODPM, 2005

We aim for a new way of doing things, involving the whole community, and winning the support of those who own – and those who use, enjoy or simply walk past – our important buildings and sites, whether ancient or modern.

Better Places to Live: Government, Identity and the Value of the Historic and Built Environment, DCMS, 2005



< Making Consultation Matter – Conclusions >

Conclusions

- 1 Generally, heritage groups are confident in their ability to play a positive role in the planning process. They need to make their voices heard because they know that their participation can make a real difference.
- 2 Where the consultation process works, and the contributions of heritage groups are taken on board, it brings benefits in line with wider government policies: strengthened communities, civic involvement in local government, and an improved quality of the built and natural environment.
- 3 However, the potential benefits of consultation are reduced because the capacity and resources of heritage groups often lag behind their aspirations. Investment in these areas is critical to sustaining community involvement.
- 4 If central government wants to change the planning culture so as to deliver sustainable communities, it also needs to develop the skills and capacity of local planning authorities to deal effectively with planning consultations.

< Making Consultation Matter

- > The project is managed by a special Task Group of members (Civic Trust, Council for British Archaeology, Campaign to Protect Rural England (CPRE), National Trust, and SAVE Britain's Heritage) under the supervision of the Heritage Link Land-Use Planning Working Group.
- > The Task Group provided direction to Paul Gardner, the project researcher.
- > This summary document is based on 185 replies from Heritage and Civic Societies to the Why Bother Questionnaire July – September 2005.
- > Professional analysis of data was undertaken by Rachel Edwards of Arboretum Archaeological Consultancy based on 182 useable replies.
- > Next Steps: in 2006 the Land-Use Planning Working Group will use these findings to draw up a strategy to improve the engagement process for all parties

Acknowledgements

- > Heritage Link acknowledges the support, financial and in kind, generously donated by the Civic Trust, the Council for British Archaeology, CPRE and the National Trust.
- > Heritage Link is very grateful to Paul Gardner, The Queen's College, Oxford, for his significant and voluntary contribution in analysing and bringing together the findings of the project.



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Heritage Link was set up in 2002 to enable voluntary bodies concerned with the heritage to speak with a more collective and concerted voice. With over 80 members, comprising national and regional organisations including the National Trust, Civic Trust, Council for British Archaeology, The Campaign to Protect Rural England (CPRE), The Society for the Protection of Ancient Buildings (SPAB) as well as many more specialised heritage groups, it aims to influence policy, underpin advocacy and increase capacity.

Heritage Link provides a forum for members to formulate and promote policy on core issues as well as a support and information network. Apart from its membership work, a significant means of communicating information throughout the heritage sector is Heritage Link Update, the fortnightly e-bulletin now reaching an estimated 4000 mailboxes mainly in England, including local, regional, and central government and their agencies as well as voluntary organisations.