

## National Planning Policy Framework

The Practitioners Advisory Group's draft document (May 2011)

Initial comments on the heritage aspects

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### Introduction

Planning Policy Statement 5 *Planning for the Historic Environment* came into effect in March 2010. Since then it has become well established as a policy document accepted by both the heritage and development sectors. It is a carefully constructed document, espousing a balance of significance and justification for intervention.

PPS5 is capable of being shortened, but not at the cost of removing essential aspects of historic environment protection and guidance. Important omissions are a definition of historic assets, the presumption in favour of conservation when determining consents, and adequate protection for non-designated assets.

Some major sections of PPS5 such as climate change and enabling development have been removed. Climate change is dealt with elsewhere and removing it avoids duplication in the framework document. Enabling development can return to its previous status as English Heritage guidance, where it worked well.

As a small but important point, the document needs paragraph numbers for reference. This will become essential when referred to in other guidance documents, appeals, litigation etc. The heritage pages would benefit from additional sub-headings to provide separate headed sections for plan-making and development control.

### Comments

1. The definition of heritage assets is maintained (footnote 3 p7), but the main text (second bullet point p7) makes an unwelcome modification. It states that in the context of core planning principles, "planning strategies and decisions should seek to protect and enhance environmental and heritage assets of real importance". All heritage assets merit protection proportionate to their significance, so the words "of real importance" should be removed.
2. The objectives (p53 first section) say nothing about delivering sustainable development and ensuring viable uses for historic buildings. They are inward looking. More is needed on how the historic environment can contribute to the wider environment, community wellbeing and economic prosperity (compare with paragraph 7 of PPS5).

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3. Protection for non-designated heritage assets is weaker than in PPS5. There appears to be no equivalent of Policies HE7.1, HE8.1 of PPS5. There appears to be an underlying assumption that non-designated heritage assets are less significant than designated ones. This may have implications for undiscovered archaeology or as-yet unrecognised importance in other heritage assets. It assumes that everything is known about the historic environment, when this is not the case. Locally-valued assets are also important, for example attractive 1920s/30s suburbs that represent their era and which are valued by the community, but not protected through conservation area status or listing.
4. The word 'presumption' is missing from the criterion for deterring applications. This one of the most critical parts of the document, of favouring the conservation of heritage assets (paragraph 4 page 54). There should be a *presumption* in favour of conservation, and it should be related to determining all consents – not just planning permission (PPS5 HE9.1).
5. Proportionality of significance and justification has been lost (PPS5 HE9.1), and this needs to be reinstated. Indeed, aspects of proportionality are missing in other areas too. There is a more rigid application of list and monument grade levels to significance in the new document. One of the criticisms of PPS5 in practice has been the often high level of justification required by local authorities for small works. Encouragement to apply appropriate requirements for justification will meet the reasonable expectations of owners and practitioners, and encourage compliance.
6. There is no process for determining the non-viability of a heritage asset (PPS5 HE9.3). The economic issues of heritage and conservation are tested when consent is sought, because they are not considered when a site is designated. Further guidance will be needed on, for example, marketing a heritage asset to demonstrate its lack of viability.
7. The provision that local authorities should not validate applications until all information is provided should be retained (PPS5 HE6.3).
8. Local authorities should be encouraged to consider the use of Article 4 direction (see PPS5 HE4.1).
9. The recording requirement in the final paragraph of p55 should be made proportionate to the significance of the heritage asset. The current position whereby the developer is responsible for recording needs to be retained. Local authorities will not have the funding and resources to do so.

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