

DCLG/Defra Rural Planning Review Response

The Heritage Alliance

15 April 2016

The Heritage Alliance is the key coalition of heritage interests in England, bringing together over 100 mainly national organisations which are in turn supported by over 7 million members, Friends, volunteers, trustees and staff. Together they own, manage and care for, the vast majority of England's historic environment. The Alliance takes a strong interest in rural planning policies affecting the historic environment through its Rural Heritage Advocacy Group which draws on the knowledge and expertise in its membership.

The Heritage Alliance welcomes this opportunity to respond to the DCLG/Defra Rural Planning Review.

Question 1 Name, role, organisation name, address / contact details

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Question 2 Is your response on behalf of an organisation or is it a personal response?

Organisational

Question 3 What type of organisation / person are you?

Voluntary / charity sector

Question 4 What type of development are you involved in in rural areas?

Heritage Alliance membership bodies are involved in all aspects of rural development. They include organisations which seek to influence the planning and development processes, and organisations representing commercial, private, third sector bodies and individuals who themselves carry out rural development. The Heritage Alliance has a Rural Heritage Advocacy Group and a Spatial Planning Advocacy Group which focus on rural and planning issues and have been consulted on this response. We welcome this consultation as a means of bringing the knowledge and practical experience of our membership to inform this important Review.

Question 5 What types of permitted development take place under Part 615 (agricultural and forestry) that you are aware of?

N/A

Question 6 Have you been involved in the development of a farm shop, polytunnel or on-farm reservoir?

Yes/No

Question 7 What were your experiences of the planning system in developing a farm shop, polytunnel and / or on-farm reservoir?

N/A

Question 8 Is there other development which would benefit from permitted development rights?

Yes/No

Question 9 Please detail what other development would benefit from permitted development rights.

N/A

Question 10 In your view, what planning issues need to be considered for development in rural areas?

The planning system needs to balance the three aspects – economic, environmental, social – of sustainable development, in line with the National Planning Policy Framework (NPPF). It should recognise that rural heritage, landscapes and communities cannot flourish without economic activity, but that environmental and social factors need to be carefully balanced alongside economic ones in plan-making and in planning decisions. The Heritage Alliance seeks assurance from government that the need for this careful balance remains at the core of the NPPF, as or when it is amended.

The Heritage Alliance supports alignment of the planning system with the government's ambition to grow tourism outside of London [[Backing the Tourism Sector: A Five Point Plan](#) (July 2015)]. Tourism directly contributed nearly £60bn to the UK economy in 2014, almost 4% of the entire economy. The government's 'Britain is Great' Campaign recognises the powerful appeal of heritage in attracting tourists, investment, businesses and students to the UK and in particular the regions. The planning system needs to recognise the specific importance of heritage as a source of jobs and enterprise in fragile economies where other opportunities are limited. For example the Historic Houses Association estimates that £1 billion is spent as a result of visits to its members' houses, and that two-thirds of that spend is off-site, in the wider local, often fragile, rural economies.

The economics of heritage is, however, much more than tourism. In particular, maintenance and other work to heritage is a significant source of rural economic activity; heritage is a significant factor in determining where people choose to live; and the conversion of redundant traditional farm buildings to commercial uses allows rural employment without the need for new-build development.

The Heritage Alliance is concerned that new planning mechanisms such as the Permission in Principle clauses proposed in the Housing & Planning Bill 2015-16 could lead to development being approved without regard to heritage assets and their settings, to local character, or to the need for appropriate infrastructure.

Proposed changes to the National Planning Policy Framework to encourage the development of small sites could also have an impact on historic towns and villages. The proposals as they stand could create an effective presumption in favour of small sites at the edge of towns and villages, and outside settlement boundaries in existing local plans. The Alliance is concerned that this policy change could leave local authorities unable to control the pattern of development in areas of high landscape value and heritage significance. It should be altered to ensure the emphasis is placed firmly on plan-led development.

The Heritage Alliance is also concerned that the extension of permitted development rights can negatively affect heritage assets of archaeological interest, and suggests that Government should consider practical solutions to this, potentially on the lines of those suggested by the Chartered Institute for Archaeologists in its response to this question.

Question 11 In your view, are these issues given appropriate consideration in the planning process?

No

Question 12 If not, how can these issues be given appropriate consideration in the planning process?

It is important that the NPPF and Planning Policy Guidance continue to stress the importance, and interdependence, of the three social, economic, and environmental pillars of sustainable development. Policy should point out the need to weigh up all material considerations in decision-taking.

Question 13 Please detail any local planning authority best practice which you would like to highlight.

None.

Question 14 Are the current thresholds and conditions allowing change of use from agricultural to residential appropriate?

No

Question 15 What improvements could be made to the existing permitted development right allowing change of use from agricultural to residential?

The main concern of The Heritage Alliance here is with traditional farm buildings. These are important both in themselves and as vital parts of rural landscapes. Almost all of the hundreds of thousands of these buildings are economically redundant (and only a small proportion are likely to be maintained by Rural Development funding), and they are probably the largest single category of heritage buildings at risk. The solution for heritage at risk is generally, where possible, sympathetic conversion to a new use which will be economically viable and give the building a new role in the community by accommodating new enterprises and jobs, and/or housing. We therefore welcome sympathetic conversions of traditional farm buildings, i.e. those carefully designed to respect the building's heritage significance and landscape value, taking maximum cognisance of the story of farming and rural communities which the building portrays. What this means is defined in long-established advice from Historic England and elsewhere, and the Institute of Historic Building Conservation and other organisations have campaigned for carefully-formulated conversions of farm buildings since the 1980s. Conversely, unsympathetic conversions damage the building's heritage significance and harm surrounding landscapes. Well-designed proposals therefore should (unless there are site-specific problems like flood risk or noise) get consent, but badly-designed proposals should not.

The Heritage Alliance is concerned that that is not the basis of current policy, which is not focused on sympathetic design. Instead it appears to have erected other hurdles (like the 'capable of functioning as a dwelling' and 'otherwise impracticable and undesirable' 'tests') [Planning Practice Guidance, What are permitted development rights?, paragraphs 101-109]. These are leading applicants to focus on hiring planning consultants to overcome these

‘tests’, rather than using the best designer to create the most sympathetic design. We therefore urge that the rules are modified, so that (unless there a genuine site-specific issue like flood risk) it is clear that sympathetic design is the main determinant of whether prior approval will be obtained or not, and that well-designed proposals should get consent and badly-designed proposals should not. That will require some changes to the PPG (and perhaps the GPDO).

However, the rules should definitely not be changed to allow gardens or patios/decking or other external development. That could gravely harm the setting of the building, other heritage buildings or structures, any underlying archaeology, and the surrounding landscape. Any such development should continue to require planning permission.

The Alliance urges government to maintain the existing exemptions from change of use permitted development rights for protected areas, which is land within National Parks, AONBs, conservation areas and World Heritage sites. National policy and legislation should continue to recognise that these are sensitive landscapes, whose natural beauty, unspoilt character and heritage significance attracts visitors and supports local and fragile rural economies. Therefore it is right that proposals of this kind should require a full planning application to be made, so that impacts can be properly considered. However, we are concerned that many planning authorities appear to see the exemptions as a reason to ban most or all conversion, threatening the survival of traditional farm buildings in their areas. We therefore urge Government to modify its advice to planning authorities in these areas and to incorporate this into the PPG, so that it is clear to local authorities that planning permission should be granted for well-designed conversion as defined above (unless there are genuine site-specific reasons for refusal), and not granted for poorly-designed conversion.

Former agricultural buildings should continue to be excluded from the NPPF definition of ‘previously developed land’, and from Brownfield Registers and ‘permission in principle’.

Question 16 Please let us know if you have any other comments on planning in rural areas.

The purpose of the planning system is to encourage appropriate development in appropriate places, and to discourage inappropriate development. *Fixing the Foundations: The Government’s Productivity Plan* implies that planning is a barrier to development. The Heritage Alliance does not believe that the planning system acts as a brake on development but instead guides appropriate development in appropriate areas. The NPPF confirms the government’s commitment to sustainable development recognising that consideration of the historic environment is necessary to achieve development that is genuinely sustainable.

The Alliance welcomes the report of the House of Lords Select Committee on National Policy for the Built Environment. The committee’s report, *Building Better Places* [National Policy for the Built Environment Committee, [Building Better Places](#) (February 2016)], states that ‘the focus on quantity of housing must not work to the long-term detriment of planning for the whole of the built environment and the delivery of high quality development’. The report emphasises ‘the need for quality, as well as quantity, and the need to think about long-term implications for ‘place’, as well as the important and more immediate need for more housing’. Further, the report recommends ‘that planning and development policy and

practice should reflect more explicitly the fact that our historic environment is a cultural and economic asset rather than an obstacle to successful future developments—whether in urban or rural areas—and can contribute, uniquely, to the highest standards of design and the quality of community life’.

We have a concern that the government’s commitment, as detailed in the *Five Point Plan*, to remove ‘unnecessary’ regulation to promote growth of tourist businesses could, inadvertently, adversely affect the historic environment. We do not oppose relaxation in planning controls in principle, but it is essential that there are proportionate and appropriate safeguards for designated and undesignated heritage assets.

It is a source of disappointment to the Alliance that the government intends to allow mobile phone masts of up to 20 metres to be erected without planning permission in National Parks, AONBs, World Heritage sites and conservation areas. Planning and communications regimes should continue to contain special procedures for land with particular natural, historical or social significance. Guardians of protected areas are under an obligation to safeguard these special landscapes and they must be given sufficient opportunity to influence activities that may have an impact on them.

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