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BUILDING · CONSERVATION

Making Heritage Work

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Dear Mr Bigault		
DEVELOPMENT AND COASTAL CHANGE		

The Institute of Historic Building Conservation (IHBC) is the professional body of the United Kingdom representing conservation specialists and historic environment practitioners in the public and private sectors. The Institute exists to establish the highest standards of conservation practice, to support the effective protection and enhancement of the historic environment, and to promote heritage-led regeneration and access to the historic environment for all.

Thank you for inviting us to participate in this consultation.

The Institute supports the broad structure of the propose Policy. In particular we support:

- the proposal to issue it as a supplement to PPS25, thus integrating the two policy sets (paragraph 2 of the draft Policy);
- the continuing promotion of the principles of sustainable development and risk assessment for coastal areas (paragraph 5);
- the requirement for wide consultation (DCC1.3, DCC2.2, DCC 3.1 and footnote 7);
- the designation of Coastal Change Management Areas and the clarity that they will give to the areas for major change and special policy application (DCC3.1);
- the requirement to take into account wider social, economic and environmental policy objectives (DCC3.1).

We have two general concerns:

- Although the management of existing assets such as communities, their infrastructure, and environmental and cultural assets are mentioned in the Consultation paper there is no reference to this in the Policy.

- The Consultation notes that many areas at risk of coastal change have heritage qualities, there is no special mention in the Policy of the need to continue to protect these wherever possible.

Our response to the questions set out in the Consultation are as follows:

Question 1. The new policy and supporting practice guide promotes a strategic risk-based approach to managing future physical changes to the coastline to meet the Government objectives set out in the proposed policy so that long-term adaptation of communities can be planned. It allows necessary development that is appropriate and safe whilst avoiding inappropriate development in areas at risk from coastal change. Do you agree with this approach? If not, what alterations in approach do you suggest?

Answer 1. Yes. The Institute supports this in principle.

Question 2. Policy DCC1 sets out the requirements for evidence on the current and predicted impacts of physical changes to the coast to support plan-making and planning decisions. Do you agree that SMPs, complemented by other plans and information set out in the policy, provide an adequate supporting evidence base? If not, what other sources of information should RPBs and LPAs take into account?

Answer 2. No. The range of policy referred to in the Policy is too narrow. There should not be an implication that subsets of coastal change policy have complete precedence over the general planning policy considerations. Elsewhere in the Policy balance is required and this principle should be paramount here too.

Question 3. It is proposed that coastal change should be taken into account at all stages of the planning process (i.e. regional, local and site specific level) to determine the level of impact and the regional and local spatial responses that might be required. Does the policy in DCC2 and DCC3 on the regional and local planning approach to plan making, and the policy in DCC4 to DCC6 on development management facilitate this? If not, how might it be improved?

Answer 3. This is the standard approach. Subject to our reservations we have no objection to its being adopted.

Question 4. Policy DCC3.2 requires that, where development and infrastructure need to be relocated outside CCMA, LPAs allocate sufficient land for this beyond CCMA. Planning constraints (e.g. landscape designations) or wider constraints (e.g. coastal communities' acceptance of the need to change) might make this difficult. Do you have any examples of the impact of constraints on the relocation of development affected by coastal change and how constraints can be overcome? Do you have any experience of using planning tools or other mechanisms to facilitate the relocation of development inland over time?

Answer 4. We have no comment to offer on this question.

Question 5. The practice guide framework sets out the proposed structure of the practice guide. Do you agree that the structure of the practice guide is right, and that it will cover all the relevant topics? If not, what is missing, and why?

Answer 5. We have no comment to offer on this question.

Question 6. DCC3 requires LPAs to define a coastal change management area (CCMA). The draft practice guide sets out how the CCMA should be defined, and the role of stakeholders. Do you agree with this? If not, what alternative ways of defining a CCMA do you suggest?

Answer 6. We largely agree with this. However, criteria indicating CCMA designation are likely to cross LPA boundaries. We would like to see specific mention of cross-boundary working.

Question 7. It is proposed to allow certain types of development in CCMA's when appropriate. Are the criteria set out in the practice guide the correct ones by which to judge what is appropriate? If not, what should these be?

Answer 7. The Institute is concerned about the proposal to make residential development generally unacceptable in CCMA's. It seems to us that coastal communities will continue to have housing needs to remain sustainable. It would be appropriate to avoid strategic housing allocations in CCMA's. But coastal communities may have very specific local housing needs, and housing associated with mixed-use and heritage-related developments that may need to be satisfied. We consider that the appropriateness of this should be assessed locally in relation to flood defence planning for the community in general.

Question 8. DCC6.2 is that LPAs should set a time-limit for developments permitted in a CCMA, and the practice guide advises on operating time-limited developments. Would the proposal to use time-limited permissions be sufficient to manage and control development within a CCMA to ensure buildings and infrastructure remain safe during their planned lifetime? If not, what alternative approach do you propose? Are the arrangements for operating time-limited developments in the practice guide appropriate and sufficient? If not, what arrangements would you suggest? Do you have any examples of time-limited planning permissions and/or relevant planning conditions and obligations?

Answer 8. The Institute has serious reservations about this proposal. Most development is funded on the basis of its long-term value and we can see this proposal resulting in stagnation for coastal communities rather than sustainability. We can also see intractable enforcement issues arising when permissions expire, with inconsistencies of approach arising from the inevitability that outcomes will have differed from predictions over periods of 50+ years. We would prefer to keep the management of this in the hands of the landowners who will be able to make an assessment of long-term viability from emerging evidence.

Question 9. Policy DCC5.1 requires that an assessment of the vulnerability of the proposed development to coastal change and its impact on coastal change accompany planning applications in the CCMA. The practice guide advises on the scope of vulnerability assessments. Is the scope of vulnerability assessments and the criteria set out in the practice guide appropriate? If not, what should these be?

Answer 9. The Institute supports vulnerability assessments in principle. However, applicants for planning permission already have to produce too much evidence in support of their applications and yet another assessment is not appealing. We would prefer an approach in which the assessment is made as part of the Design and Access Statement process along with Flood Risk Assessment generally. This would allow the requirement to be more widely promulgated in Guidance.

We also have concerns about the scope and content of vulnerability assessments but are not able to advise on this. It is likely that considerable resources would be required to train developers and LPAs in their preparation and assessment.

Question 10. We are seeking views on whether there is need to extend the Environment Agency's statutory consultee role in relation to planning applications in areas that are vulnerable to coastal change (i.e CCMA's). Do you agree with the approach set out in section 4 of Part 1 of this consultation document? If not, why?

Answer 10. We agree with this approach. However, it would require proper resources in the Environment Agency to be efficiently operated. We would hope to see the EA allow local assessment of schemes by LPAs in most cases as is the case with flood risk assessments.

Question 11. Do you agree that the current arrangements for referring planning applications in CCMA for consideration by the Secretary of State set out in section 5 of Part 1 of the consultation document are adequate? If not, why?

Answer 11. This arrangement is analogous with those for Grade I and II* listed buildings and we support the approach. The threshold of "major development" is an easy one to adopt, but we wonder whether this is set too high?

Question 12. We are seeking views on the appropriateness of advising planning authorities to consider removing some permitted development rights for developments in areas in the CCMA that are identified as at risk from coastal change within a short-term period (i.e. the next 20 years). Do you agree with the approach to this set out in section 6 of Part 1 of the consultation document? If not, why?

Answer 12. Article 4 directions are time-consuming to implement and may not be a priority for an LPA in resource terms. We think it would be better to amend the GPDO to restrict undesirable developments in CCMA in a similar manner to the additional restrictions on Article 1(5) land.

Question 13. The consultation stage impact assessment sets out the likely benefits and costs of the draft new policy. Do you agree with the assumptions made? If not, or if you think it is incomplete, please tell us why and provide any quantifiable evidence available to you on benefits and costs.

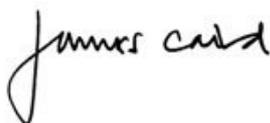
Answer 13. We have no information or view on this.

Question 14. The impact assessment in Part 4 asks the following question with regards to the cost of carrying out vulnerability assessments (see DCC5.1). What would you consider to be the range of costs of such an assessment, how would this vary with the time taken to do such an assessment and how many assessments do you think might be needed each year?

Answer 14. We have no evidence, but in our experience the impact on the resources of LPAs is usually underestimated in Government consultations.

The Institute hopes these comments are of use.

Yours sincerely



James Caird
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