



· INSTITUTE · OF · HISTORIC ·
BUILDING · CONSERVATION

Making Heritage Work

Streamlining the planning
application process Consultation
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Dear Sirs

STREAMLINING THE PLANNING APPLICATION PROCESS CONSULTATION

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.

Simplifying Design and Access Statements requirements

The Institute profoundly regrets that the DAS requirements have not led to better design outcomes. When the requirements were introduced we had high hopes that they would do so. There are several reasons why they have not done so, not least:

- Developers failed to grasp the point that DAS was intended to improve the quality of development and thus its value.
- LPAs did not feel that they had the power to require DASs to any quality beyond basic requirements.

All this is despite the fact that a well-produced DAS is generally a passport to a planning permission because LPAs have little choice but accept their reasoning – except at the cost of producing counter-evidence of their own. It is hoped that this point could be made in new Guidance following any changes to the system that may be made and that DAS will remain an exercisable option for all applications.

The upshot has been that DAS has become, as pointed out in the consultation, little more than a burdensome chore in very many cases.

As a result, the Institute reluctantly agrees that a reduction in the scope of the system is warranted. Specifically:

- We agree with the general proposal to require DAS for major applications as defined.
- We agree with the proposal to retain the requirement for works affecting the character or appearance of listed buildings. The need for this is reinforced by the duty of the LPA under s66 of the Listed Buildings Act 1990, to have "special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest".
- The s66 requirement quoted above includes the words "or its setting". We therefore feel that the new provisions should reflect this by allowing the LPA to request a DAS when they feel that a proposal may detrimentally affect the setting of a listed building. Perhaps the need for this could be flagged up in the LPAs list of local requirements for applications if they consider such a general requirement justifiable and subject to the proposed new provisions for validation.
- We are not, however, happy with the proposed size limits for proposals in World Heritage Sites and conservation areas. We think 100m³ for new buildings and over 100m² floor area for extensions are too great. Buildings of this scale could have very serious visual impacts, particularly in the confined spaces of many conservation areas. Bearing in mind the LPA's duty under s72 of the Listed Buildings Act 1990 to have pay "special attention ... to the desirability of preserving or enhancing the character or appearance of [the conservation] area" when considering proposals for planning permission, we think thresholds of half these amounts would be more appropriate.
- We have misgivings about removal of the requirements for removing the requirement to explain the specific design principles and concepts that have been applied to "amount", "layout", "scale", "landscaping" and "appearance". We think that these are helpful terms in determining the sorts of things that need to be dealt with in DASs. Perhaps the requirement could be replaced with a more general statement on the lines of "DASs should explain the reasons for the size, scale, layout, appearance and landscaping of the proposal."

A new approach to validation

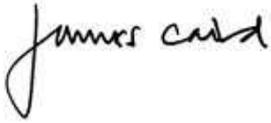
The Institute generally supports the proposals.

While we can see the logic of reintroducing the right of appeal for non-validation and do not object to it, this is a clumsy tool. We wonder whether some sort of arbitration might also be possible. Perhaps this is something that could be run by an independent body such as the Planning Advisory Service?

Changes to decision notices.

We support the proposals although we note that the consultation seems to accept that there may be authorities which do not make officer reports available on-line and which, as a result of the proposals, would no longer be justifying decisions openly.

Yours faithfully

A handwritten signature in black ink that reads "James Caird". The signature is written in a cursive style with a large initial 'J'.

James Caird
Consultant Consultations Co-ordinator