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**Dear Sir**

**Consultation on Assessing Opportunity and Sensitivity**

**using Historic Landscape Characterisation**

The Institute of Historic Building Conservation 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.

We are very pleased to have the chance to comment on the consultation document. The Institute’s comments are as follows:

The document uses the English Heritage/ Historic England Conservation Principles 2008 as the basis for defining significance. This is a matter of particular concern to IHBC as we believe the use of the Conservation Principles as a basis for defining significance is incompatible with planning legislation. IHBC has previously expressed concern that some of Historic England’s guidance does not comply with planning legislation.

Some parts of the guidance do suggest it is intended for use in the planning process. Since the ‘Conservation Principles’ are not compliant with planning legislation the consequence is that the new guidance, which uses Conservation Principles as part of its foundations, would not be suitable for use when considering proposals which are part of the planning process either.

As it stands, the guidance could mislead developers and their agents and could lead local planning authorities into maladministration.

We would suggest that the document be fully revised, using planning and heritage protection legislation, case law, policy and guidance as the basis. Alternatively, it could be made clear that it is not intended for use in the planning process.

We believe that there is a flaw in a landscape characterisation methodology which relies on identifying areas of similar landscape character, a process similar to an archaeological approach to the characterisation of the historic built environment. Harm is identified if something were to vary from the prevailing character. However, highly cherished landscape (or built heritage) areas are sometimes areas of mixed character. Methodical appraisals can be a useful starting point but there needs to be scope for involving qualitative professional judgement on the potential impact of development.

If the guidance were specific that it does not apply in a planning context then practioners may find some use for the three-stage method of opportunity and sensitivity assessment and the area of assessment of vulnerabilities. The placement of Historic Landscape Characterisation in juxtaposition with other historic environment information can ensure practitioners have capacity to contextualise their work.

Yours sincerely

Fiona Newton

Operations Director