



## INSTITUTE OF HISTORIC BUILDING CONSERVATION

Barker Review of Land Use Planning  
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Dear Sir

### **Response to the Barker II Interim Report**

I refer to the above report.

The Institute of Historic Building Conservation (IHBC) is the professional body for 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.

## **Introduction**

The IHBC welcomes the Barker Review of Land Use Planning interim report's recognition of the importance and multiple benefits of the planning system. There is a considerable body of evidence to show that strong planning enhances competitiveness and productivity, whilst also balancing a range of economic, social, community and environmental interests.

Having studied the report, the Institute would like to make some comments:

### **BVPIs**

It would be useful for the final report to recognise that speed performance indicators have reduced scope for adding value to development through negotiation, in some instances making the difference between a scheme being refused or approved. The focus on speed over the substance of decisions sometimes leaves local planning authorities with a choice between accepting sub-standard development or increasing the number of refusals (leading to delay and additional appeals). It is important to understand the concept of added value. There are numerous examples where inadequate consideration at the application stage has led to poor development taking place.

The rising refusal rate is partly a factor of performance targets, which remove the scope for negotiation, and partly a factor of local authorities learning that liberal planning is simply bad economics.

### **Infrastructure**

There are numerous examples where public sector provision of infrastructure has triggered higher value and better quality regeneration. Some prominent examples include Brindley Place in Birmingham, Liverpool's Ropewalks, and Castlefield in Manchester. The report should recognise the role of public infrastructure and environmental improvement works on an areas competitiveness.

### **Planning Gain Supplement**

The planning gain supplement (betterment tax) adds to the cost and complexity of the system, and by reducing the potential for necessary, directly development-related infrastructure works, will lead to more refusals of planning permission and less

development. This is an anti-regeneration tax. The report should include an analysis of its impact.

## **Planning and Economic Development**

The report recognises the need to balance economic development with community and environmental concerns (sustainability). However, it is weak on planning's positive contribution to economic development and productivity. Strong planning is essential to create the confidence and certainty necessary to attract higher value investment and entrepreneurial activity. Areas like Stoke-on-Trent that are seeking to attract better quality investment and higher paid jobs have consequently raised the priority of issues such as urban design, environmental quality and heritage protection.

The quoted purpose of the planning system is to facilitate well-designed, sustainable development that contributes to local economy and improves quality of life for local communities. For such development, the planning system should allow smooth and rapid passage. Unfortunately, far too much development is poorly designed, unsustainable and in some instances, whilst it may provide employment, it also has a negative impact on the local economy and can help lock an area into cycle of poor performance.

Paragraph 4.16 points to the cost of refusals of planning permission and discouragement of applications due to expected refusal, but fails to assess the economic costs and harm that allowing poor quality investment would cause. This is clearly not a balanced position.

The recognition in the report of the contribution of Grainger Town to the regeneration of Newcastle is welcome. But the report generally fails to recognise the impact made by heritage protection to diversifying economies, delivering sustainable development, etc.

Box 4.5 recognises the more liberal stance of northern towns to planning. However, it fails to analyse the negative impact that 'development at any cost' approaches have had on failing areas, or that many Midlands and northern local planning authorities are now changing their approach. Acceptance of poor design and low value investment has locked some areas into a cycle of poor economic performance. This is why cities, supported by central and local government, are seeking to raise standards on matters such as design.

The questioning of policies to concentrate retail development in town centre is most worrying. Damaging viability of town centres will harm and undermine competitiveness.

There is no analysis of the impact of the range and quality of cultural facilities on an area's ability to attract investment and associated relocation of skilled work-forces.

### **Compulsory Purchase**

Local planning authorities should be more willing to use compulsory purchase orders where land owners sit on their assets, blocking regeneration.

### **Community Engagement**

The report contains no analysis of the positive benefits of community engagement. For example, community engagement can provide a form of market testing for strategy, policy and master-planning. This helps to make them more realistic and deliverable.

Some developers see value in community engagement. However, this tends to be the more entrepreneurial developers, with a quality orientated product. Developers that use inadequate professional teams are unable to respond to community wants and needs and are consequently more likely to fear community engagement.

### **Complexity of Planning**

One of the most confusing, needlessly complex and inconsistent areas of planning control can be found in conservation areas. Article 4 Directions are required in addition to conservation area designations to afford such areas protection. This should be replaced with a simple and consistent procedure so that the designation of a conservation area introduces a simple, robust and consistent level of protection. This would do much to reduce confusion and remove inconsistency. It would also assist in proactive measures such as heritage-led regeneration schemes.

### **Productivity**

Productivity and competitiveness are affected by:

- The imposition of VAT on building refurbishments, especially considering the role played by older areas in providing affordable accommodation for small business start-ups, innovation and hi-tech and creative industries.
- The reduction of successful grant programmes for regenerating older areas, especially in underperforming regions and localities including traditional industrial areas. Such schemes include English Heritage's Partnership Schemes for

Conservation Areas and the Heritage Lottery Fund's Townscape Heritage Initiative programmes.

### **Urban Quality**

The report fails to analyse or even recognise the impact of the quality of urban environment on an area's ability to attract investment, and on the value of that investment and the employment opportunities it brings. There is a direct correlation between the quality of the urban environment, old and new, and economic performance. There is no mention of the negative impacts on economic growth and productivity of poor design.

### **Short-Termism**

Paragraph 3.49 states that: "one of the consequences of globalisation is that the window of opportunity for commercial success is rapidly shrinking. Firms therefore require a value of for money service that is timely and transparent". Surely this means a longer term view must be taken to development.

### **Causes of Delay**

A common cause of delay at the planning stage is in the developers' choice of professional teams, these often lacking the necessary skills to produce properly-designed schemes, proper supporting information, etc. In some instances, professional teams are incapable of responding to the government's policy agenda on matters such as design and therefore submit sub-standard schemes. They are then unable to properly negotiate on improving schemes due to limited skills. Use of more skilled professional teams can greatly reduce delay.

### **Innovation and New Businesses**

The chapter on innovation makes no mention of the role of historic buildings and areas to supporting small business start-ups, innovation, hi-tech and creative industries. Historic areas can provide a focus for industrial sectors:

- Longton in Stoke-on-Trent is developing a regeneration theme based on ceramic design technology, through the various phases of the Hot House.
- The Ropewalks area in Liverpool provides a focus for creative industries, though the success of the area's regeneration is now inflating property costs

- The Jewelry Quarter in Birmingham has policies aimed at maintaining its manufacturing and commercial focus.
- Burslem in Stoke-on-Trent is developing a creative industries theme.

## **Regional Policy**

The report demonstrates an all-to-common south-east bias. Higher land values are considered purely in negative terms, based on inflationary trends in over-heating regions. In parts of the north and midlands, higher land values are necessary to make certain kinds of development and investment viable. For example, north Staffordshire has experienced dramatic increases in land values over the past few years, partly as a result of the housing pathfinder. Previously, the area has been slow to develop new housing markets, such as new apartments. The increase in land values has made the area attractive to Manchester and Merseyside developers, looking to develop new markets. This is crucial to the regeneration of the area.

The report should recognise the need for robust regional policy to encourage investment in under-performing and ameliorate the negative economic impacts of congestion and inflationary pressure in over-heating areas. In particular, the south-east emphasis of much government policy is having a damaging impact on many towns and cities. The Government's recent suggestion that the planning delivery grant should be based on housing delivery has little relevance to areas of housing over-supply and has clearly been formulated for the south only. IHBC would like to see the replacement for the PDG to be based on more qualitative matters such as training for elected members, specialist skills in planning departments, etc.

## **Construction Skills**

The report makes no mention of the impact of heritage protection on maintaining skilled labour in the building and construction industry.

## **Incentives to promote growth**

The final report is to identify incentives to promote growth. These should include:

- Reduction of VAT on building refurbishments
- Greater emphasis on high quality design
- A focus on design-led and heritage-led regeneration, especially through grant schemes
- Strengthening existing town and city centres

- Challenging weak planning in under-performing areas
- Recognising the costs (social, economic, environmental) of allowing poor development
- Promoting community engagement
- Abandoning the planning gain supplement
- Refocusing performance indicators on quality of outcomes
- Encouraging LPAs to widen the use of compulsory purchase
- Promoting the use of more skilled professional teams by developers.
- Promoting better depth and breadth of skills across the built environment professions.

## **Conclusions**

IHBC supports the general thrust of the report. Strong planning is crucial for entrepreneurs, who need certainty over what is to occur in the surrounding area. However, in some respects it is over simplistic and one-dimensional. A major flaw is the lack of analysis of the relationship between the urban quality of an area and its ability to attract high value investment and employment. This omission risks undermining the credibility of the report.

I trust these comments are helpful.

Yours faithfully

Dave Chetwyn  
Vice Chair