



INSTITUTE OF HISTORIC BUILDING CONSERVATION

Conservation Principles
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Dear Sir

Conservation Principles for the Sustainable Management of the Historic Environment

I refer to the above consultation document.

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.

The Institute welcomes the opportunity to respond to the consultation on Conservation Principles for the Sustainable Management of the Historic Environment, and would make the following comments.

The parameters of the consultation are clearly stated in the introduction including the overall aim of the Conservation Principles (and the Policies and Guidance that are being developed), which is to support the quality of decision making by creating a management regime for all aspects of the historic environment. The Institute acknowledges that this is the first stage in the consultation process and that consultation on the Policies and Guidance will follow.

The aim of the consultation and the recognition that existing guidance needs updating is timely in order to reflect the need to understand the present values and significance attached to the historic environment. Even though the Principles are intended primarily for use by English Heritage, it would be useful to have a clearer indication of the extent to which it is anticipated that the Principles will be used outside English Heritage. The Institute suggests that the development of these Principles (and the Policies and Guidance to follow) should, from the outset, recognise and be relevant to the wider context within which conservation decisions are taken. Anything else would be to miss the full scope of the opportunity offered by this valuable work by English Heritage, in its roles both as Sector Lead Body

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for England, and in giving the lead to its colleagues in the other Home Countries.

In this context, the Institute is concerned that there is no reference to British Standard BS 7913:1998 'A Guide to the Principles of the Conservation of Historic Buildings'. The BS is particularly significant because (a) as a British Standard, it has status in advancing the interests of conservation against prescriptive requirements of other British Standards and government guidance; (b) it specifically addresses the challenges of balancing different and competing significances, including the wider context of environmental conservation and sustainability, and (c) it applies across the UK as a whole. The Institute is aware that BS 7913 has suffered from lack of wide availability (largely due to its exorbitant price), and that it needs updating in the context of evolving approaches to the Historic Environment and Cultural Heritage management. However it does provide a vital benchmark and starting point in terms of its status, content and relevance.

A second consideration is the forthcoming need for guidance to support the Government's proposed Planning Policy Statement 15, due to replace both PPG 15 for the Historic Environment, and PPG 16 for Archaeology. The Institute has been concerned, ever since the PPS format was announced, that the brevity of such Policy Statements would not accommodate the detailed guidance needed for decisions affecting the historic environment. The Institute considers that both the Principles, and the scope and content of the Policies and Guidance to follow, should be drafted with specific reference to their potential use in as supporting guidance for the new Planning Policy Statement.

To meet both the above needs, the Institute suggests that English Heritage should give serious consideration as part of developing its Principles and Guidance, to updating BS 7913:1988 and making it widely available, at an economic price.

The consultation notes that the use of terminology used in current legislation and public policies that relate to heritage designation, has been deliberately avoided. The Institute appreciates that this has been done purposively due to the reform of the heritage protection system initiated by the Government. However, there is perhaps potential for confusion when discussing the significance and value of historic buildings and places, if such terminology is not used.

The Institute has the following comments to make in response to the questions asked in the consultation.

Q.1a Are we right to define the historic environment in these broad terms – as being everywhere and not just confined to specifically-designated places?

The Institute would agree that in broad terms the historic environment is everywhere. People care about the historic environment, and generally view it as a whole, not as a series of separate buildings and areas. Considering the historic environment in these broad terms is a positive and encouraging principle.

Q.1b Do you agree that the historic environment is valuable for a range of reasons – and that it is a resource in which everyone has an interest?

The historic environment is valuable for a range of reasons. Historic buildings and places play an increasingly central role in the delivery of a range of public policy objectives including education, economic development, sustainable growth, urban and rural regeneration, social inclusion, and supporting local communities. The historic environment also provides a basis for understanding architectural design. It provides superior urban design including permeable and pedestrian friendly places, legible townscapes and a mix of uses. The Institute agrees that it is most definitely a resource in which everyone has an interest.

Q.2a Is it right that society should expect change to sustain – and preferably enhance – the cultural and natural heritage values of places affected by that change?

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The Institute recognises that changes in the historic environment are inevitable, and that it is important to understand, and then to seek to sustain or enhance historic buildings and places. There is a duty of care to protect and enhance the historic environment for current and future generations. The wider benefits of sustaining, and where possible enhancing, the historic environment include maximising economic development potential, projecting a positive image, fostering local pride, social inclusion, and the sustainable use of resources. It is critical that these benefits are given balanced consideration when change is proposed.

Q.2b Do you agree that communities have a legitimate interest in what happens to places they value – regardless of who actually owns them?

The Institute agrees that communities have a legitimate interest in what happens to places they value, regardless of who owns them. Places connect people through family ties or events because they bring meaning and benefits to peoples lives. That said, the rights provided by ownership are not to be under-estimated, as might be suggested here, not least as these rights bring with them significant responsibilities. It should be noted that private owners constitute the single biggest sector of society responsible for our historic places. There is a fundamental duty on government to give every reasonable encouragement, including tax incentive and reasonable and appropriate grants, to those owners securing our common heritage, to help them treat, manage and conserve their properties and places for the public good in accordance with standards considered appropriate by bodies such as English Heritage and IHBC.

Q.3a Do you agree that everyone should be able to contribute to decisions about the management of the historic environment – and are there limits to their right to do so?

People care about historic buildings and places. Everyone should be able to contribute to decision-making processes about the management of the historic environment. People should be able to have their say and get involved in the decision-making processes that affect places that matter to them, and there should be no limits to their rights to do so. However there are natural and legal barriers to how people can shape the actual decisions (as opposed to the processes) about the management of historic places. For example, historic places not subject to designation do not necessarily have processes for making decisions about change that ‘everyone’ can contribute to.

Q.3b Our assertion that practitioners should communicate their knowledge sounds like common sense – but does it raise significant practical or ethical issues?

The Institute strongly believes that practitioners should communicate their knowledge. Openness is essential if communities are to be encouraged to participate in what happens to the places they value. It is essential to consider how people are best reached. Imparting knowledge in a meaningful way that successfully engages with local communities is a skilled area of expertise and this should not be overlooked. However, like a number of other issues raised by these principles, there must be some qualification at the heart of this principle that recognises that communication can only be commensurate with the resources made available for it. If Government or English Heritage want to ensure adequate communication, they must take a responsible role in providing strategic resourced for communication and education, and not simply rely on the good-will of professionals as suggested in 3.2. Similarly, simply relying on the strategic contributions of the HLF, for example, is an unacceptable abjuration of responsibility. Government and English Heritage must take responsibility for the supporting communication to the scale and standard it expects within these principles if it is to expect practitioners to take responsibility for delivering knowledge or if it expects a wider adoption of the principles themselves.

Furthermore the principles need to be clearer about what, precisely, constitutes knowledge. This must be made clear or appropriately qualified at this point in the principles and not left for elaboration at a later stage, If knowledge is simply the sum total of information in a system, then communicating the

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knowledge within a system as complex as a historic place is beyond the capacity of even the most dogged archaeological investigation. However if knowledge is the understanding of a system based upon a professionally informed interpretation of that system, then communicating it is one of the key roles that conservation professionals already undertake as part of their day-to-day activities. The IHBC, for its part, would support information theory, and argue that information that exists without meaning and understanding is simply noise.

If terms and standards of knowledge are qualified here, later guidance can clarify and give substance the distinction intended. They should also expand on English Heritage's precise role in and responsibility for achieving an appropriate balance of communication of information and understanding.

Q.4a Do you agree that the significance of a place is the sum of the cultural and natural heritage values that people associate with it?

The significance of a place does reflect the cultural and natural heritage values that people associate with it. However, it is possible that there are significant places not recognised as being of value by the local community. The consultation places emphasis on understanding why places are as they are, and describing the values that people place on them. This focus is important if historic environment professionals are to engage local communities in the sharing of knowledge when assessing and articulating the significance of a place. However, there are perhaps places that are not valued by local communities, but nevertheless have a significance not yet recognised.

Similarly, this theory would also presume that any resource is simply the sum of its constituent values, cultural or otherwise. This has disturbing echoes of Tessa Jowell's suggestion that the record of a historic place is an adequate substitute for its survival, a position that the IHBC would not support and which the Minister herself has, in a public forum supported by English Heritage, rejected.

In simple terms of sustainability, the significance of an old building is not only the cultural and natural values associated with it, but the inherent physicality of its existence. We know this as its destruction would give rise to environmental damage - such as landfill and carbon emissions - that are not simply based on values that are applied by us. They are real and significant material contributions to the degradation of the physical environment. While today we would recognise this as a value to be considered within our cultural mores, whether we recognise it or not, it is a fact that the loss of that building has a significance that reaches beyond our own sense of value and into the reality of the damage to the world around us. This is a principle that is recognised at the heart of planning, and which should have a central place in English Heritage's principles.

Q.4b Does Principle 4.3 provide a comprehensive framework for the assessment of significance?

Principle 4.3 provides guidance 'to articulate the significance of a place'. As noted above, IHBC considers the significance of a place to exist beyond the sum total of cultural values. It would perhaps, be more appropriate to describe the five questions as guidance when assessing cultural significance – itself only a part of the value of a place. As noted in the consultation, significance will alter, and grow more complex over time. The extent to which this articulation of significance is to be used also should be clarified.

Q.5a Do you agree that conservation is about managing change in ways that best sustain and, whenever possible, enhance the value of a place?

In general the Institute would agree with the definition of conservation as stated in the consultation. Change is inevitable, and measures to sustain and enhance the historic environment are important if it is to be lived in and enjoyed. It is only through the property protection of the historic environment and investment in its maintenance, repair and adaptation that the values and benefits of historic buildings and places can continue to be realised.

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As mentioned previously, the Institute is concerned that the consultation does not reflect or make reference BS 7913. For example, conservation is defined in BS 7913 as 'Action to secure the survival or preservation of buildings, cultural artefacts, natural resources, energy, or any other thing of acknowledged value for the future.' The Institute would suggest that even if the definition given in the consultation does not change the definition of conservation in BS 7913 should be acknowledged. This will be particularly essential in the context of difficult balances have to be struck between conservation and climate change, as the requirements of the Energy White Paper impact increasingly on the historic environment.

Q.5b Are we correct in our argument that irreversible intervention may be justified if it helps to reveal the values of a significant place, or sustain them for the future?

Irreversible intervention to provide new information about the past could only be considered on a case by case basis, when all other approaches have been explored. Certainly the two different justifications cited here - information (to reveal values) - and survival, are quite different justifications and should not be conflated in this fashion. As noted above, and in Principle 2, priority must be given to survival (that is, conservation). Where irreversible intervention secures survival of the resource that must be considered an acceptable strategy, with recording part of the mitigation and no more. The precise balance between intervention and survival may well prove controversial, but that is why professionals observing professional standards identified by the IHBC are most suited to making such judgements,

If there is to be irreversible intervention to secure change, then a balanced judgement must be made on the need to extract values and understanding - not simply 'information' for its own sake - as part of the process of mitigation. Archaeological investigation is ideally suited to extracting information, but the resources required for such forensic analysis must be balanced by the perceived contribution of that analysis to our understanding of value. It should be noted here - as it is under question 7 and elsewhere - that as English Heritage now recognises that conservation is a process of managing change in historic places, it must also recognise that extracting information can have significant resource implications that will impact on such management. Any decisions to extract that information must be considered under and qualified by the wider priority of managing change effectively.

In general, there is potential risk that this principle could be taken out of context and used to justify irreversible works. It will be interesting to note how the Policies and Guidance provide practical advice on this principle.

Q.6a Have we correctly stated the factors that need to be balanced when making decisions about change that could harm the significance of a place?

The factors stated in Principle 6.3 are broad, but do appear to provide sufficient basis to explore the impact of change on the significance of a place. We would suggest that framing the assessment around issues of conflict is inappropriate. The situation merely refers to a simple difference of priorities that will arise in comparing public policies in any different, but related, areas. Instead we would suggest that consideration is first given to identifying principles, objectives or issues that are shared by the different strategies. They will all be, after all, based on some principle of public benefit, such as 'conservation for future benefit' and 'development, for ensuring viable survival'. This would suggest the following sequence, of exploring...

- 1 - the extent to which the strategies reflect common public objectives (eg making better places; creating sustainable communities etc)
- 2 - the benefits those public objectives bring when working together
- 3 - areas of divergence, and strategies for reconciling, balancing or mitigating impact of different priorities

In addition, though not specifically a question, we would particularly support the principle articulated in 6.1 and 6.2, and would identify the key role English Heritage must play in securing resources and strategies to ensure embedding wider recognition of the principle.

Q.6b Are we right in saying that the weight given to heritage values should be proportionate to their significance to society?

No, not alone or as an absolute; it would be like using endemol's Big Brother strategy to assess the importance of a person. The weight attached to heritage values by their significance to society is likely to vary depending on the historic place or building. In some instances considering heritage values as a proportion to their significance to society would not be feasible. Even in the recent past, places that are now considered as having significance were then not valued by society. It is of course correct to recognise the central role this perspective can play in the decision-making process.

Q.7a Do you agree that the loss of all or part of a significant place should be preceded by investigation and recording?

The Institute strongly agrees that the loss of all or part of a significant place should be preceded by investigation and recording; it is the responsibility of historic environment professionals to future generations.

However again there are two separate processes that being conflated, and context here must be given through specific reference to principle 2. Ordinarily, when speaking of managing change, investigation is the process by which we inform our judgements about how best to manage change, and recording is the process of documenting places that will or may be subject to change. Investigation, which leads to understanding, is essential if we are to manage change effectively, in accordance with principle 2. In the context of managing historic places, investigation highlights the importance of understanding the architectural history of the place, the people that played a part in its creation, and the wider context of cultural change against which any judgements of value must be made. Such investigation must come before any competent decision about how best to manage change, and government and English Heritage should ensure that it must be commensurate with the importance of the asset. Such investigation has a rather more limited value in conservation terms after the decision has been taken to destroy a significant place.

Furthermore, in the context of the principle as written, the IHBC would argue equally strongly that the degree of recording must be commensurate with resources, and reasonable under the circumstances. Such qualifications must be identified at this level of the conservation principles, and not left to lower levels. As managing change is the key to the process, clearly it is neither commensurate nor reasonable to record all parts of all changes, as 7.3 recognises. In the context of designated buildings in private ownership, for example, costs of recording change might reach a stage where the fear of recording costs outweigh the owner's need to make the change to sustain the future of a building (IHBC members have already cited examples of such cases). In such cases a reasonable judgement must be made about duties to and extent of records. That judgement should be shaped by conservation professionals who are familiar with the planning system. The IHBC would argue that where at any point the requirement to record genuinely undermines capacity to secure the future life of an historic place, then the need to change must take priority over the need to record.

Of course it is clear that consideration must also be given here about what must happen to the record.

Q.7b Do you accept that this work should be the responsibility of those who are initiating the change – a principle established in archaeology by PPG 16 (DoE1990)?

Recording and documenting the loss of a significant place should be the responsibility of those who are initiating change. However a qualification that must be identified in the principles at this point, as the definition of 'significant place' may be subject to extremely wide interpretations. Without introducing such qualifications into the principles at this level of principles any attempts by English Heritage to open out the conservation process to wider investigation and understanding will be undermined.

The fiscal principle identified here is one more of recording than of conservation proper, and might well be re-framed. It is an application of the 'polluter pays' principle, one aspect of which originates in Margaret Thatcher's strategy of devolving responsibility for environmental degradation outside

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government and into the commercial sector responsible for such degradation. In the context of archaeological investigation for business-related development in historic places, such a strategy can be applied. However, in the planning system, where IHBC members are (and English Heritage intends to support) managing change, and where much of the burden of managing that change falls to a private owner who will not necessarily be making a commercial gain from the change, a blanket application of the principle is not appropriate. Indeed, applying additional burdens to the control of listed buildings in the fashion that could be interpreted from this principle (even if it is not intended in fact) without clear justification and commensurate support, will only alienate people further from their sense of ownership of historic places. This would be an wholly unacceptable outcome of the application of these principles. Every effort must be made at this high-level definition of principles to ensure that there is a full public awareness of their fit with and applicability to the real world.

Q.8 Do the *Principles* reflect an appropriate balance between the public interest in the historic environment and private property rights?

The strength of this consultation must lie in the emphasis it places on peoples and public interest. The Institute believes that the Principles can successfully reflect an appropriate balance between the public interest in the historic environment and private property rights provided the terms of reference are made much more clear. In particular we would require that qualifications be made to the balance between reasonable change to sustain places, and the desire to record where the output is more likely to be crude information rather than meaningful understanding.

Q.9 Are the *Principles* comprehensive – have we left anything out?

The Principles make no significant reference to resources except in the context of devolving resource implications outside its own area of responsibility, while retaining the capacity to define operating standards for conservation. Even if they are intended primarily for use by English Heritage, the Principles imply that there could be resource implications for a huge part of the private sector were they to be applied directly.

I trust these comments are helpful.

Yours faithfully

Karen Holyoake
Consultations Secretary