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BUILDING · CONSERVATION

Making Heritage Work

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Dear Sirs

CONSULTATION ON DRAFT ENVIRONMENTAL PERMITTING (ENGLAND AND WALES) (AMENDMENT) REGULATIONS 2013

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 is generally in agreement with the proposals but we do have some concerns about one of them. This is the issue of the "planning bar" and we would like to offer comments in response to **Question 2**.

The "how" question frequently revolves around operational matters which can be only one of many aspects dealt with as the "if" question. Where permits are granted they are usually hedged with operational and mitigatory requirements which may be only marginally sufficient to gain a permit, but not sufficient to deal with issues raised in the broader based scrutiny of the proposal under the Planning Acts.

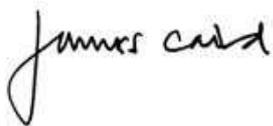
The Institute thinks that it would be regrettable if the proposed changes were to lead to settlement of the "how" question being conclusive evidence of operational acceptability of the proposal in the consideration of the "if" question.

For example, air quality issues might be acceptable in a general context but not in close proximity to a heritage asset.

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Thus, while we have no real objection to the proposal in procedural terms, we would like the Regulations to ensure that all relevant matters, including those connected with the "how" question, remain material considerations in the determination of waste applications under the Planning Acts.

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