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**Dear Sir**

**IHBC Response on Consultation Paper :  
Historic environment Good Practice advice in Planning  
Note 3 Settings and Views of heritage Assets**

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:

**General observations:**

This document is essentially much the same as the existing advice document, although "Views" enters the title for the first time. This draft is the third iteration within the space of six years and whilst the need for it is not entirely obvious the justification is suggested to take account of recent cases and the provision of better advice on views. We are not sure this aim comes through very clearly in the revised text.

**Specific observation on the changes:**

The text has been set out in a different order, which may represent a slight improvement which we welcome.

The new emphasis on views comes to the fore in paragraph 4 where it is indicated that consideration of the contribution of setting to the

significance of heritage assets, will almost always include the consideration of views. We are concerned that this may have the potential to overlook archaeological assets, or relationships that are not yet revealed or fully understood.

However, in the box on page 3 the advice is diluted by "Although views of or from an asset will play an important part, the way in which we experience an asset in its setting is also influenced by other environmental factors ....." and again on page 6 with a useful reference to buried assets and setting. We suggest it would be preferable to replace the wording "almost always" in paragraph 4 with "usually".

Page 5 - Setting and Urban Design - is not really about urban design - it refers to trees and verges, but nothing on enclosure, definition of streets and spaces, spatial qualities, etc. The document mentions urban design in several places, but there needs to be substance on urban design and townscape (for example, pages 5, 11, etc.).

Page 5 - Setting and economic viability - new development and infrastructure are viewed in terms of possible harm –however it might be useful to recognise positive impacts too.

Implicit in the new emphasis on views is the distance between heritage assessments and the more mechanistic approach of the LVIA. The draft starts to raise this point in the last bullet of paragraph 6 but it should be much more explicit. Although the LVIA guidelines do include an historical element, this is not a substitute for the specific assessment of setting.

Page 7 - emphasis is on 'visual' - but 'spatial' would be a better term, especially in urban areas where setting is often about townscape characteristics. It is not just a visual thing, it is about how the public realm is shaped and defined. The setting of a listed building should not be interpreted too narrowly. A building could be affected by proposals in the same street. This is a spatial concept which doesn't have a set distance or rely on intervisibility.

Paragraph 7 states that setting can be mapped. Views are elevations, not plans and they go on for as far as one can see. We do not agree that setting can be mapped.

The addition of the box on page 12 represents new advice. However we would want to see a worked example before being convinced that relationships and associations can be mapped other than through visual connection.

One thing which has been found particularly useful in the guidance is the point that setting is not just a matter of intervisibility and we are keen that that message should not be lost. Paragraph 7 in the draft, on the extent of setting, could make this clearer.

Page 6 - We do not agree that buried assets 'retain a presence in the landscape'. We suggest that buried archaeology has a context in which it is understood but not a setting. Suggesting it has a setting causes major problems in heritage impact assessment (HIA) and EIA.

Pages 7 & 8

Paragraph 10. We disagree with the list of views that contribute to setting. Architecture is appreciated by views - it is the different types of view that matter and the relationship of the proposed intrusion to the heritage feature. Lunar events are irrelevant in the vast majority of cases. There is no acknowledgement of townscape views or any non-planned views that might be of value.

Paragraph 11 We suggest these are archaeological considerations, not architectural ones. Views between heritage assets are rarely an important issue

Page 8 Paragraph 13 The content of the box constitutes de-regulation on a massive scale. You could put a tower block behind most medieval churches on the basis of the last sentence.

The paragraph 13-15 section seems to relegate most of the views that concern us to 'amenity or landscape' views that are not heritage considerations.

The paragraph 13 on Landscape Assessment and Amenity is also an addition. The intention is worthy and the reference to existing tall structures is helpful but it is not clear why there needs to be a reference to the distance between heritage assets in: "Careful analysis is therefore required to assess whether one heritage asset at a considerable distance from another, though intervisible with it – a church spire, for instance – is a major component of the setting, rather than just an incidental element within the wider landscape." More often, to continue with the given example, the issue will relate to the harm caused by a proposed development to the significance of a church steeple that stands alone.

Paragraph 25. It would be more relevant to identify 'tranquility' as a potential contributor to setting than 'noise' in the bullet points

At paragraph 38 the list should include "reducing its height" as an important option for reducing harm with reference to new development.

In terms of any improvements that could be helpfully incorporated into the advice, it may be worth pausing to consider the issue concerning the statutory status of setting. The advice tends to labour the point ".....there is no equivalent duty for the other varieties of designated heritage assets, including scheduled ancient monuments, conservation areas and registered parks and gardens....." at para 3, and again in a box on page 5.

It may be that the status of setting in relation to conservation areas is where the recent cases have clarified the situation, but this is not made explicit. It is undeniable that S72 of the Act does not contain a specific reference to setting but neither is it excluded from consideration when planning authorities are required to give special attention to the preserving or enhancing the character of the area. We would have thought the advice would better suit the conservation objectives if the advice did not repeat itself.

One practical issue faced by practitioners in Step 3 is the evaluation of resultant harm to the setting of an asset to its significance. Take, for example, a large development close to the overlapping settings of many listed buildings located in a historic area. In the absence of meaningful list descriptions, or a realistic chance to undertake a detailed study of each building, it is almost impossible to accurately assess impact on their full significance. Unless one has detailed knowledge of the fabric of each listed building, including how well the interiors are surviving, commentary about the relative importance of setting to overall significance can be close to speculation. There is, of course, no simple answer but the advice could be improved if it helped resolve the often superficial and conflicting views of developers and preservationists.

Finally, Stage 5 of the staged approach concerns "Make and document the decision and monitor outcomes". This seems to reflect general good practice, not specifically related to the issue of Setting and Views. We would therefore suggest it would be better located with general principles and omitted from here. Four stages is enough. While documentation is good practice, decision-making is clearly separate from stages 1-4, being carried out at a later point and generally by different people. It is confusing therefore to present stages 1-5 as a discreet process.

General point - the wording of the NPPF refers to setting as affecting significance, whilst the special statutory duty refers

to 'development which affects a listed building or its setting'. We suggest that these sit uncomfortably together and the guidance does not really address this. One of the problems here is that significance is defined differently by different people - and not always in terms that are compatible with the statutory definition (special architectural or historic interest).

The following quotation may assist:

*'Significance' can be considered as broadly equating, in terms of the Planning (Listed Buildings and Conservation Areas) Act 1990, with 'interest', as in 'special architectural or historic interest', but in an integrated approach to managing values, its scope tends to be wider, inclusive rather than specific. Works of alteration or extension for which listed building consent is required are those 'which would affect its character as a building of special architectural or historic interest'. In this context, 'character' (meaning 'distinctive nature, distinguishing quality or qualities') might be considered as the attributes that carry or express that special interest or significance.*

(Drury Paul, Conservation an evolving concept, <http://www.buildingconservation.com/articles/conservation/conservation.htm>)

Though this document there is a good opportunity to clarify terminology: demonstrating how HE's guidance on significance relates to the statutory special architectural and historic interest. Whilst this language is difficult enough for professionals, it is really hard for community groups and members of the public trying to engage meaningfully in the process of managing the historic environment. Any clarification of terms must be of assistance to them.

Yours sincerely

A handwritten signature in black ink, appearing to be 'FN', written in a cursive style.

Fiona Newton  
IHBC Operations Director