



· INSTITUTE · OF · HISTORIC ·
BUILDING · CONSERVATION

Making Heritage Work

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Dear Madam

GREATER FLEXIBILITY FOR PLANNING PERMISSIONS

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.

Question 1 – Do you agree that extensions of the time limits for implementing existing planning permissions for major schemes should be permitted for a temporary period?

Yes. The Institute agrees with the proposal under the current circumstances. We agree with the proposal to allow a single extension of the original period. However, we do not think this should be extended to permissions which were originally granted for periods in excess of the standard 3-year period. We think that for these the extension should end on the expiry of twice the standard period from the time of the original permission.

Question 2 – Do you think it would be desirable to introduce a similar procedure which could be used to extend the time limits for implementation of a listed building consent or conservation area consent?

Yes, on the basis that the application is to extend the implementation period only. We do not think it appropriate to apply this provision to all applications (see our response to Question 5). The provision must be applied to applications for listed building consent and conservation area consent associated with planning permissions for major developments but should be limited to these only.

Question 3 – Do you agree with the proposed approach to information requirements associated with an application to extend, and that applications for

extension should be exempted from the requirement to provide design and access statements?

Yes. If the sole matter for consideration is time, supporting documents would be the same as for the original application and reprinting them a waste of resources.

Question 4 – Do you agree that the fee associated with an application to extend should be in line with the fee chargeable for a s.73 application, i.e. a flat fee of £170?

Clearly a fee is appropriate. The workload associated with applications will not be large and the proposed £170 seems about right.

Question 5 – Do you agree that extensions should only be possible for major development schemes?

Yes. It should not apply to all applications and the major/minor watershed seems an appropriate one.

Question 6 – Do you agree that, except where the application for extension is an EIA application, local planning authorities should have discretion to decide which statutory consultees should be consulted?

Yes, but statutory consultees who responded to the original consultation should be notified. We suggest this might be done by applicants at the time they make the application with a list of notifications attached to the application.

Question 7 – What are your views on the White Young Green Options 1-3? Do you have any other suggestions for feasible options?

The Institute favours Option 2 as this is the one which can be replicated for listed building applications with greatest ease.

Question 8 – Do you agree that, except where the application under s.73 is an EIA application, local planning authorities should have discretion to decide which statutory consultees should be consulted?

The Institute does not think that the discretion should be entirely unfettered. It seems to us that consultation, both statutory and non-statutory, should reflect the nature of the representations made on the original application. A very minor amendment could be crucial in design terms or to the interests of a neighbouring property. In the interests of natural justice, the required principles are that:

- the criteria for the use of the expedited procedure should be clear and predictable, even if predictability requires a scoping request to the LPA in advance.
- the criteria for consultation should require the LPA to take account of representations on the original application and at least notify those expressing a view of the proposed amendment if the amendment in any way impinges on the interest expressed in the original representation.

Question 9 – Do you agree with the proposed approach on notification and representations for non-material amendments?

The Institute does not think that the discretion should be entirely unfettered. It seems to us that consultation, both statutory and non-statutory, should reflect the nature of the representations made on the original application. A very minor amendment could

be crucial in design terms or to the interests of a neighbouring property. In the interests of natural justice, the required principles are that:

- the criteria for the use of the expedited procedure should be clear and predictable, even if predictability requires a scoping request to the LPA in advance.
- the criteria for consultation should require the LPA to take account of representations on the original application and at least notify those expressing a view of the proposed amendment if the amendment in any way impinges on the interest expressed in the original representation.

Question 10 – Do you agree with the proposed approach on information requirements for an application for a non-material amendment?

We agree that the information requirements should be minimised. However, we feel that if the amendment is a matter on which the Design and Access statement accompanying the original application impinged, an explanation of the proposed change should be explained at the time of the amended application. This could be by covering letter. If no such submission is made, the LPA should be entitled to require it.

Question 11 – Do you agree that, for non-material amendments, a decision should be made within 28 days of receipt of the application?

Yes. This seems reasonable, although it would have to be recognised that it would not give adequate time for representations in many cases.

Question 12 – Do you agree that the fee associated with an application for a non-material amendment should a flat fee of £170, with the exception of non-material amendments to householder applications, where it should be a flat fee of £25?

Yes. This seems reasonable.

Question 13 – Do you have any comments on the guidance which has been included in this consultation paper? Is there anything else that you would like to see covered by guidance?

It is of great importance that the Guidance be clear about what is required. There is little point in an expedited process unless the procedures are straightforward for both applicants and planning authorities alike.

Yours faithfully



James Caird
Consultant Consultations Co-ordinator