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**Dear Sir**

**Consultation on Historic England advice note of Statements of Heritage Significance**

1. 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.
2. The IHBC welcomes the opportunity to comment on this draft Historic England publication providing advice to satisfy the National Planning Policy Framework (NPPF) requirement for applicants to provide information on heritage significance through a Statement of Heritage Significance.
3. The advice provided could be a valuable resource and make a real difference for practitioners but it is the opinion of the IHBC that this advice requires substantial redrafting to do that. The draft Advice Note is not sufficiently effective, holistic and helpful to be able to assist in meeting the NPPF requirements. By stretching the expected content of a Statement of Significance and including unnecessary additional requirements the process has been clouded.

4. IHBC is concerned that the draft document provides advice on a 'one-size-fits-all' basis. The IHBC believes it is necessary to set out different approaches to the assessment of significance for different types of heritage asset (listed building, conservation area, registered park and garden, buried archaeology, etc.). Furthermore, the draft note fails to provide detailed advice on how to actually carry out an assessment of heritage significance or how to present the findings.
5. A fundamental rethink is required about the type of advice and the audience. Historic England needs to consider whether this document is to support Applicants, Local Planning Authority decision-makers or both? In our view the advice should address the needs of both applicants and Local Planning Authorities (LPA's) and to work for the full range of applications, including those involving simpler and low-impact works where applicants are less likely to engage a specialist heritage advisor (although good advice could greatly encourage this).
6. The boundaries of responsibilities for applicants and LPA's need to be better articulated in the advice note. Paragraph 189 of the NPPF requires applicants to describe the significance of any heritage assets affected, including any contribution made by their setting.
7. It is not to assess the impact of the proposal. Much of the advice<sup>1</sup> suggests that Statements of Heritage Significance should include consideration of impacts/mitigating impact. However this is not necessary to satisfy paragraph 189, therefore the advice is inconsistent with the NPPF and is adding an unnecessary complication.
8. The draft advice suggests that "*the applicant can assist the LPA's decision-making by setting out a clear and succinct explanation of the impact of the proposal on significance .....*" yet it also makes the proviso that a Heritage Statement should not be an advocacy document.
9. The aim of encouraging an applicant to 'think' about 'significance' and 'impact' should lead to proposals which better respect significance, and better articulated applications.
10. The draft advice promotes three actions; assessing significance, considering the impact on the asset and the scope of the design

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<sup>1</sup> e.g. the third paragraph of the summary, paragraphs 4, 8, 11, 12, 14, 15, 19 and 20

<sup>2</sup> For example an application in a conservation area which merely lists the archaeological finds in the area

proposal. The second and third of these may not be appropriate for inclusion in a Statement of Significance.

11. Paragraph 190 of the NPPF makes it clear that it is for the LPA to consider the impact of a proposal on a heritage asset but they can take account of evidence that can be provided by the applicant. (NPPF Paragraph 190 "*Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise*").
12. To assist them in their actual needs including the necessary information, to properly consider the impact of a proposal on a heritage asset and its setting. Only when this information is available can well-informed decisions be made about proposals.
13. While the responsibility to decide how a proposal may impact on a heritage asset rests with the Local Planning Authority, under-resourcing has limited the capacity to do this properly and there is a place for the applicant to explain the impact on significance.
14. Current practice leaves it open to applicants to explain in a Design and Access Statement (DAAS) how the design of a proposal has been conceived to avoid/mitigate harm. In practice some applicants also include a 'Heritage Impact Assessment' (HIA) with the DAAS to permit a fuller understanding about impact of proposals on the heritage asset but the question remains as to whether, as this guidance implies, the applicant should assess the impact on the heritage asset in a Statement of Significance, or in their the DAAS or not at all (as the NPPF infers).
15. IHBC is concerned that very few applications have the required level of heritage analysis appropriate to the significance, rather than merely descriptions or histories of the building or of the proposals. The advice note does not adequately emphasise the need incorporate analysis into a Statement of Significance.
16. The advice should state that is essential that any assessment contains the details of who has made it and what their expertise and qualifications are. The document currently does not contain the word 'qualifications' at all, 'experience' only once (used as a verb) and 'expertise' only once, quoting the NPPF. The need for obtaining the correct skills, knowledge and experience in assessing significance and what specifically those are should be a fundamental piece of advice.

17. There should be a reminder that existing levels of designation do not necessarily reflect levels of significance. An analysis that says that because something is not listed it cannot be of national importance is very misleading to the non-specialist decision makers who might read it. The advice should also reference the national designation regimes, and in particular the 2018 revised Principles of Selection for Listed Buildings, and the Listing Selection Guides for different building types, which would be relevant when assessing significance of buildings.
18. The draft advice says what a Statement of Significance should do, and why it is produced but falls short on advice about content and there should also be a requirement for the research information to be 'relevant'<sup>2</sup> and proportionate.
19. IHBC believes that the principle of proportionality advocated in the NPPF should be emphasized more strongly. (NPPF paragraph 189 "*The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance*".)
20. This is frequently an issue where it is understood that some LPAs request an equivalent levels of detail whether the building is locally listed or Grade II\*.
21. Issues surrounding 'significance' and 'heritage impact assessments' must allow the system established in the NPPF to be appropriately implemented. Crucially the analysis of significance should take place before beginning any design or taking any decisions. The draft says this, but it needs stronger emphasis.<sup>3</sup> Adopting a 'staged approach' is vital and a recognised component of international conservation good practice.
22. The balance of emphasis in this draft needs to be re-considered. Whilst there is a dedicated section headed "*archaeological evaluation*" there is no equivalent section on '*building analysis*' or '*assessment of a conservation area*'. This is a serious omission.

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<sup>2</sup> For example an application in a conservation area which merely lists the archaeological finds in the area does not comply with a requirement to be information of relevance. It would be useful if the guidance could indicate that for a large number of applications an inspection of the HERS will be all that is necessary to decide if there is an archaeological interest or not but that should be made clear in the recommended Staged Approach.

<sup>3</sup> It would be more useful if heritage significance was set out fully at designation, however that kind of organisational change is beyond the remit of this guidance.

23. An assessment of the potential significance of buried archaeology cannot be carried out in the same way as assessment of the special interest of a listed building or the character and appearance of a conservation area. Assessment of the significance of a historic building generally involves analysis of its architectural style and appearance, plan-form, construction techniques, details, and materials. Information in the Historic Environment Record (HER) rarely provides information of this type.
24. Assessment of the significance of extensive designations such as conservation areas and registered parks and gardens is particularly problematic and is one area where some practical guidance would be very useful. There is no reference at all in the draft document to townscape as a component of significance, which of course is at the heart of the significance of conservation areas.
25. A parallel worth considering is the "Historic England Conservation Area Appraisal, Designation and Management HE Advice Note 1" (second edition) Issued in February 2019 and its accompanying guidance *Understanding Place Historic Area Assessments*. This proposed advice could be entitled "HE Historic Building Appraisal HE Advice Note 1" and accompanying guidance "*Understanding Historic Buildings A guide to good assessment practice*" (which would be related to *Understanding Historic Buildings A guide to good recording practice*)

### **Specific observations on the text:**

The **summary** usefully defines what a Heritage Statement is, but it would be helpful to be clearer how it differs from a Conservation Plan or Conservation Management Plan - perhaps include in appendix or glossary? It does not distinguish a Heritage Statement from a Heritage Impact Assessment.

**Introduction** - it mentions the NPPF phrase 'using appropriate expertise where necessary' without elaborating on the range of expertise required. Specialists in other historic environment fields may thus be engaged to analyse building or area significance with insufficient knowledge. BS7913 mentions using 'Competent qualified experts in the field of conservation when assessing significance' and this would be a suitable statement to use, making the appropriate cross-references where necessary.

**Para 1** The document doesn't provide information on how to assess heritage significance.

**Para 4** *"In practice this will usually mean the staged approach which we give in paragraph 21 and following"* Para 21 rather than doing as suggested refers to *"Managing decision making etc .*

**Para 5** suggests that statements of significance should quote Local Plan policies, yet planning policies have no bearing on the heritage significance of a heritage asset and will not more greatly inform the local authority who's policies they are. Significance is inherent to the asset.

**Para 7** *"more information may be revealed as the work progresses...* which implied insufficient knowledge on which to grant consent. This may only be relevant for complex or potentially concealed work. Note will only be taken if a condition of listed building consent obliges the recipient to do so. Furthermore, resource constraints make it difficult for LPA's to. ensure compliance, quality assurance and where necessary, enforcement.

**Para 8** page 5 the text concerning archaeological investigation refers to the fact that *'the CiFA standard for archaeological desk-based assessments sets out what information should be included in the report.'* If this means any standing buildings/structures there is no mention of HE Understanding Historic Buildings Guide to Good Recording Practice 2016 Recording Levels 1-4. IHBC recognizes the value of the CiFA standard but it should not be applied to all standing buildings and structures and the work should be carried out by suitable building professionals not those skilled in other areas of historic environment management.

**Para 9** states that *'The NPPF requires only that significance is suitably assessed, and does not prescribe a format for statements of heritage significance (\*also referred to as Heritage Statements, Heritage Impact Statements, and Heritage Assessments).'*

\*This sentence will cause further confusion for the LPA, developers and their agents. Heritage Impact Assessments (HIA) are not synonymous with statements of significance. The HIA should generally be carried out after the assessment of significance not at the same time, although in practice the components are often combined and applicants for uncomplicated works will not expect or need a two-stage process.

**Paras 9/11** – this needs to say more about the potential use of checklists by sine LPAs. A generic example might usefully be included as an appendix?

It would be useful at Para 9 to define Conservation Statements, Conservation Plans and Conservation Management Plans, cross-referring to more detailed explanations in other documents where necessary.

**Para 10** states that *'While an assessment of significance need not be an onerous exercise, appropriate expertise needs to be used'*. IHBC wonders why there is no mention of BS7913 and the employment of 'Competent qualified experts in the field of conservation when assessing significance'.

**Para 10** also refers to the need to agree the nature and extent of works with the planning authority. It does not specifically mention the specialist historic buildings adviser (usually conservation officer). The final sentence concerning consent for invasive assessment techniques' which goes on to state that 'local planning authorities can advise' should perhaps read 'the local planning authority conservation officers can advise' or similar wording relating to specialist conservation advisors in the LPA.

It is good that the note does imply that expert involvement is almost always going to be needed, and also that it is good practice for a brief to be agreed between the LPA and applicants

**Para 10** Who is a suitably qualified specialist? It would be helpful if this includes a statement on the expertise of the assessor.

**Para 11** *"suggests assessment of the levels of significance\*, and of impact, which may best be handled through a simple check-list approach \*\*and can usefully take the form of a short narrative statement for each assessment stage"*.

\*Only if expertise is sought. Assessing levels of significance e.g. high, medium, low, negative for a heritage asset is a highly skilled task.

\*\*Depends if the LPA really understand what assessment of levels of significance really means in order to devise a checklist.

**Para 13** – there is too great a bias towards archaeology here. More specific advice is needed on history, chronology, condition, design, Conservation Area character and appearance etc.

**Para 13** bullet point 2 omit "if necessary" field evaluation

**Para 13** bullet point 3 omit "may be helpful"

**Para 13** *"The building is the primary document, and analysis of what is actually there must always be emphasised. Where the documentary history of a heritage asset is well established, there may be less need for primary documentary*

*research but such research, and related architectural and fabric analysis and interpretation, may be helpful where less is known"*

This should include using a building recording survey to least at Level 2 Understanding Historic Buildings Guide to Good Recording Practice 2016

**Para 13** *"In the absence of documentary evidence, or where it is fragmentary, archaeological evaluation and fabric analysis may be useful. This may suggest that the best approach would be archaeological, by way of desk-based assessment and, if necessary, field evaluation (see below and Managing Significance in Decision-Taking in the Historic Environment: Historic Environment Good Practice Advice in Planning 2, paragraph 12)"* . Reference may also be made to Conservation Principles 2008 (notwithstanding that this document is currently under revision); HE Understanding Historic Buildings Guide to Good Recording Practice 2016; and any field evaluation survey of historic fabric by an expert to understand the significance.

*"Where the changes will be to the structure of the heritage asset, its features or its decorative fabric and ornament, impacting on the interpretation of its chronological and/or architectural characteristics, architectural and fabric analysis and interpretation may be helpful, as may detailed analysis of decorative schemes or particular materials"* Expertise in historic buildings and architectural styles is needed with this analysis

*"The setting of the heritage asset may contribute to its significance and a landscaped or designed setting may need to be interpreted and understood"* Expertise is needed with this interpretation for setting. Cross-referencing may be useful to the relevant HE guidance on the subject.

**Paras. 15/16/17** -The guidance should emphasise the need to decide early if there is any '*relevant*' archaeological interest.

**Para 15** Define "*archaeological*" and "*archaeological interest*". It may be useful to define archaeological as hidden or below ground and architectural interest as principally above ground, in order for applicants to engage the appropriate expertise.

The statement at **paragraph 17** that it is good practice to agree a written scheme of investigation (WSI) for a statement of significance is a wholly unnecessary application of this archaeological concept that would needlessly complicate the process of preparing a statement, considerably increasing cost and causing delay. For simple works, in practice, this would be likely to be ignored by applicants and LPAs would be very unlikely to insist on it to validate applications.



**Para 17** *"In order to ensure that the scope of the assessment or evaluation meets the requirements of the local planning authority and avoids damage to heritage assets, it is good practice to discuss the scope of the work with the LPA \* to agree a Written Scheme of Investigation (WSI),\*\* if necessary, before commencement, thus precluding abortive work (see paragraphs 34-40 of Managing Significance in Decision-Taking in the Historic Environment: Historic Environment Good Practice Advice in Planning 2)".*

\* Should state LPA Conservation Officer or specialist conservation advisor.

\*\* As this could get very complicated as WSIs are usually written for Standing Building Recording or below ground Archaeology as a planning condition to be approved by the LPA and County Archeologist when a planning scheme has been already approved. Using Written Schemes of Investigations in this manner could get very complicated and could be misunderstood and mismanaged by a LPA. WSIs are usually managed by the County Archeologist. Discussion with LPA should be adequate preferably with the LPA qualified Conservation Officer.

The concept of a 'staged approach to decision-making' (**Paragraphs 18-21**) is already set out in extant guidance and advice. It does not need to be addressed in a statement of significance. This section of the advice would provide confusion rather than clarity.

**Para 18** *Pre-application discussion* After the initial investigation and draft heritage statement (i.e. assessment of significance only) it may be useful where appropriate to consult "key conservation stakeholders" (such as the, the local planning authority, the statutory consultees - Historic England and the national amenity societies - local parish and town councils and non statutory consultees such as local civic societies), on the factual accuracy of the statement.

**Para 20** Consider including advice on how we deal with cultural significance here. Also there is a danger of being too positive about offsetting harm through recording. This should be a last resort only.

**Para 20** *"Carry out, where necessary, documentary research, architectural history and archaeological evaluation, including a desk-based assessment and, if necessary, a field evaluation\*. In more complex cases this may result in a phased account of the development of the site, with a gazetteer."* In most cases a field evaluation [Survey of fabric] will be necessary to analyse the surviving fabric, this should not be desk based.

**Para 20 (A)** omit "if necessary" a field evaluation. This only applies to archaeological assets, always necessary for buildings to evaluate on site.

**Para 20 (B)** bullet point 5 helpful to reference the British Standard BS 7913 methodology for level of significance.

**Para 20 (B)** Bullet point 10 "Offsetting impacts through recording, etc - detail any compensation proposed, by recording and so forth" omit "and so forth" and add "other off setting mitigation"

**Para 20(B)** What is the level of that significance?

What is the level of significance of the feature(s) affected?

*"The applicant can assist the LPA's decision-making by setting out a clear and succinct explanation of the impact of the proposal on significance and possible options for mitigation, if any mitigation is needed, following the staged approach below". Via a Heritage Impact Assessment having first assessed the building/structure for significance using appropriate expertise*

**Para 21** *"Further information on the staged process is given in Managing Significance in Decision-Taking in the Historic Environment: Historic England Good Practice in Planning note 2".*

and with Reference to BS7913.

**Para 22** the relationship to DASs could be made clearer.

**Para 23** *"Their role as an analytical tool rather than simply a description of what is there is emphasized in its use as "a framework for applicants to explain how the proposed development is a suitable response to the site and its setting"\* , intended to aid decision-making by "enabling local planning authorities and third parties to better understand the analysis that has underpinned the design of a development proposal". (Paragraph: 029 Reference ID: 14-029-20140306)"* This can only be carried after the building /site has been assessed for its significance by an expert in historic buildings and it should be best practice that the Design & Access statement is then usually carried out by the applicant and/or agent.

**Para 23** *"how an understanding of the significance of a listed building has been derived and how it is addressed in the proposals (Paragraph: 031 Reference ID: 14-031-20140306)"*

This can only be carried after the building or site has been assessed for its significance which should be unbiased and impartial from the Heritage Consultant/ independent expert.

**Para 23** *Design and Access Statements accompanying applications for listed building consent must also provide information on any consultation undertaken, and how the outcome of this consultation has informed the proposed works. (Paragraph: 032 Reference ID: 14-032- 20140306)* This can be applied having consulted and taken account of the findings in the Heritage Assessment

**Para 24** *"As an analytical tool, Design and Access Statements can be very useful in showing how a scheme has been designed so that adverse impacts are avoided, minimised or mitigated, for instance in the way the special and valued characteristics of a heritage asset or place have influenced the way it is treated or by design which enhances the significance of the heritage asset, thereby mitigating harm otherwise caused to the asset".* From the analysis of the Heritage Assessment/Statement carried out by the expert Heritage Consultant a Heritage Impact Assessment can also be carried out by looking at the proposal and suggesting minimizing harm and any necessary and appropriate mitigation.

**Para 25** *"Where a Design and Access Statement is required, the statement of heritage significance may form part of the Design and Access Statement\* , but note that, while the statement of heritage significance may form part of the Design and Access Statement, the Design and Access Statement is not a substitute for it. Indeed, the statement of heritage significance may be rather more detailed in its analysis of significance".* But this should preferably be separate as it needs to be written by experts in historic buildings and conservation and not the Developer or Architect unless they are a specialist in conservation.

**Para 26** - A Statement of significance is not the right device for Local plan preparation as much wider issues are involved. This guidance should only be for applications.

**Para 27** *"While it is important that applicants should take full advantage of opportunities to explain their applications, and for local planning authorities to ensure that they have sufficient information to make an appropriate assessment, in the terms of the NPPF, it is also important that the information given in a statement of heritage significance is proportionate to the significance of the heritage asset and to the impact of the proposal or development on that asset. As paragraph 189 of the NPPF goes on to say "the level of detail (of the description of significance and impact) should be proportionate to the assets importance and no more than is sufficient to understand the potential impact of the proposal on their significance".* LPAs can refuse to validate an application if it does not contain sufficient information on significance. The level of detail should be proportionate but may still need expert input for smaller alterations. E.g. A replacement historic door might have great significance although could be seen perhaps as a small alteration. Without expert knowledge these historic fixtures could be lost.

**Para 28** Omit *"the statement of significance could simply form part of a covering letter"* This might be appropriate for minor works of clearly limited significance and should be documented (i.e. e.g. by photographs but even if limited to more than one or two pages it would be essential to title such a submission "Assessment of Heritage Significance". Other considerations aside, anything less is highly unlikely to pass the local authority's initial [tick box] validation test.

**Para 28** *"A proportionate approach will be particularly important where impact is restricted to a small part of an asset. A detailed investigation of a large listed building, for instance, is unlikely to be necessary where works are proposed for a minor change to a section of the building of secondary or tertiary date and significance. Statements of heritage significance should not therefore become disproportionate to the task they are intended to fulfil. For simple or straightforward cases, for instance, or those where the impact on significance is minimal, the statement of heritage significance could simply form a part of a covering letter, included with the application for consent."\** The level of detail should be proportionate but may still need expert input for smaller alterations. An overall understanding of the heritage asset is necessary where this has not been carried out previously especially as many older list descriptions do not detail interiors, subsidiary elevations, or interiors and are do not ascribed to them levels of significance. Older List descriptions were for the purposes of accurate identification and are not a comprehensive or exclusive record of the special interest or significance of the building and the comprehensiveness and level of detail in the description varies considerably and where this is the case it is unhelpful to all parties in the process: the owner/occupier/, the applicant/agent; the local planning authority, the statutory consultees and the general public.

Yours sincerely

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