



· INSTITUTE · OF · HISTORIC ·  
BUILDING · CONSERVATION

*Making Heritage Work*

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Dear Sir

### **STREAMLINING LOCAL DEVELOPMENT FRAMEWORKS**

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.

The Institute welcomes the opportunity to comment on the consultation.

#### **General comments**

The Institute supports the broad thrust of the Consultation. There is no doubt that the LDF process is more complex than needed in many respects, and reducing complexities to the minimum necessary, whilst retaining the integrity of the process we regard as important and urgent.

The Institute is concerned, however, that there are changes to the planning system being proposed in the Planning Bill currently before Parliament. It is not entirely clear from the Consultation how some of these proposals (for example, those on climate change and Statements of Community Involvement) will be dealt with in PPS12. The Institute urges the Government to ensure that all relevant issues are adequately dealt with before the new provisions and documents come into force.

Most important, however, the Institute is dismayed that a major document on planning policy (PPS12) can be proposed with no reference to key components of planning and regeneration: heritage and its value as a component of regeneration, design and the place-making agenda. It seems to us that these are crucial aspects of the planning system that need specific recognition in Government advice that should be referred to in paragraph 5.1 and covered in detail in any subsequent Best Practice guidance.

The Institute welcomes the reference to the importance of historic and cultural assets as constraints in paragraph 4.45B of draft PPS12.

## **Section B: Draft Local Development (Amendment) Regulations**

### **B1: Improved Consultation Arrangements**

The Institute thinks that the requirements should be as flexible as possible leaving it to the LPA, subject to minimum requirements, how much consultation is required for a particular DPD. However, the Institute would not wish to see a return to the “decide and defend” method of plan preparation, and has concerns that the removal of the requirement to consult at preferred options stage might promote this.

**Question.** Do you support the proposal to remove the requirement to have a stage of consultation in the middle of the process (i.e. regulation 26 Preferred Options)?

**Answer.** The Institute cautiously supports this proposal and with the proviso that the remaining requirement to undertake and consult on options under the SEA Directive must remain. Indeed we support this as a major tool for considering the contribution of, and impacts to, heritage assets under the LDF regime. We think that a well reasoned and tailored local approach to consultation will produce optimum results, subject to the proposed new tests of soundness.

### **B2. Bringing forward the time for making formal representations on the plan before the point of submission to the Secretary of State.**

The Institute believes that clarity in the LDF processes is of prime concern. Early and incomplete submission to the Secretary of State makes no sense.

**Question.** Do you agree that the period for formal representations on the plan should be brought forward before submission?

**Answer.** Yes

**Question.** Do you think that the process for handling “site allocations representations” is unnecessarily burdensome?

**Answer.** Site allocation can often be the most contentious part of an LDF. It is also an aspect that brings environmental considerations, including heritage ones, into conflict with social and economic ones. It is important, therefore, that the process be robust enough to allow proper testing of the soundness of proposals. The Institute would be concerned if this part of the process were to be curtailed so as to stifle proper debate.

### **B3. Opportunity for change after formal representation**

The Institute does not support process for process’s sake. There should be enough flexibility in the system to allow a common-sense approach to dealing with emerging issues. The important factors are that material concerns should be addressed and that everyone with an interest should be consulted before final decisions are made. Freezing the process at certain stages cannot be conducive to this.

**Question.** Do you think we should require (by regulation) local authorities to be under a separate and specific duty to consider the representations at this stage or should this be left to their discretion?

**Answer.** The Institute supports the LPA being able to use its discretion subject to the normal tests of reasonableness. The suggestion that a few weeks would normally be sufficient for this process might help LPAs to gauge whether their proposed use of this facility was reasonable.

#### **B4. Allowing Supplementary Planning Documents to be issued in accordance with policy in documents other than DPDs**

The Institute supports the practice of basing planning decisions on local distinctiveness, but not to the extent that actually requires LPAs to replicate perfectly sound work that has been undertaken nationally or elsewhere.

**Question.** Do you agree that LPAs should be able to produce SPD based directly on national or regional policy rather than on local policy, provided it does not contravene their DPDs?

**Answer.** SPD is a useful tool for setting and implementing heritage policy. If basing SPD on national or regional policy is considered sound locally then it should be allowable. The Institute would urge guidance on this aspect, however, to urge LPAs to consider issues of local distinctiveness in preparing SPD and not to use the option proposed indiscriminately.

In this connection, advice should be given in PPS12, with reference to more detailed advice by CABE and others, on the components of local distinctiveness: materials, built form and scale, layout, response to topography and environment, evidence of historic influences including style, building technologies etc.

**Question.** Do you agree that we should draw attention to the possibility that certain key bodies could produce non-statutory guidance?

**Answer.** Because of the lower status of non-statutory guidance, the Institute would prefer the Government to consider how work undertaken by other bodies might be more easily brought within the scope of the LDF through, say, LPA sponsored consultation and adoption.

#### **B5. Changes to Regulations to reduce administrative burdens**

DPDs are often weighty documents, while consultees and the public are often only interested in sectional aspects of them. A notice of publication with on-line availability should suffice.

**Question.** Do you agree that only specific consultation bodies must be sent copies of the DPD?

**Answer.** Yes.

### **Section C: Changes to PPS12**

#### **C1. Emphasis on the need for the timely delivery of DPDs**

The Institute supports this emphasis.

#### **C2. LDFs as part of joined up local authority strategy making**

The Institute supports the role of the LDF as the implementation tool for development arising from the LSP and LAA. As such it supports the role set out in the draft PPS.

The consultation refers to the Area Action Plans as a potential for the focus of delivery of area-based regeneration initiatives (para. 5.4). The Institute is concerned that draft PPS does not adequately deal with the status of masterplans and other documents produced by regeneration partnerships such as HMR Pathfinders and Urban Regeneration Companies.

### **C3. Greater flexibility for local authorities to determine which Development Plan Documents they will produce**

The Institute is against a one-size-fits-all approach. The requirement for DPDs will arise differently in different areas. It supports the proposal.

**Question.** Do you agree that the criteria listed in PPS12 are useful and cover all aspects needed? What else should be included or changed?

**Answer.** The Institute believes the list of criteria to be incomplete. The need for the DPD should be extended to encompass the need for regenerative action including those where there are existing economic or cultural assets such as market towns and heritage sites and areas.

### **C4. Greater flexibility for local authorities to allocate strategic sites in the Core Strategy**

The Institute finds it difficult to imagine the circumstances where this would be appropriate as all allocations must be subject to Sustainability Appraisal which should include the assessment of options. However, we are in favour of flexibility of process and have no objections to the proposal

### **C5. Reduction in complexity and number of DPDs**

The Institute supports draft PPS12 in trying to eliminate policy which is merely reiteration of national policy.

### **C6. Re-presenting the tests of soundness in a way which avoids duplication with legal processes and makes it clear why testing for soundness matters**

It is of high importance that DPD be sound. But the test of soundness should be in their deliverability and not in the plan's format or approach.

**Question.** Do you agree that the proposal to focus on justification and effectiveness will make the tests clearer and the process of examining plans more transparent?

**Answer.** The Institute welcomes this change of emphasis and thinks that it will help to improve the effectiveness of DPDs as well as public understanding of them.

### **C7. Making it clear that infrastructure delivery planning to support the core strategy needs to be undertaken satisfactorily**

This aspect needs to be carefully considered. The Institute supports the need for Core Strategies to be as explicit as they can be about infrastructure requirements. But some requirements will emerge after the adoption of the Core Strategy and the system must be flexible enough to accommodate this, especially if the time-horizon for the Core Strategy is to be lengthened to 15 years

### **C8. Extending the lifespan of the Core Strategy to 15 years**

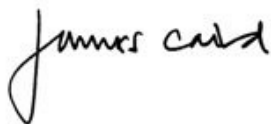
The Institute is concerned that prescription is not introduced.

**Question.** Do you agree with the proposal to extend the lifespan of the Core Strategy to 15 years?

**Answer.** In principle, yes. In the Institute's view there are 2 issues. Core Strategies need to have sufficiently long time-horizons to allow communities to develop effectively and with certainty. However, they should not, we feel, be unable to undertake shorter-

term reviews should the need arise. We support the lengthening of lifespans on this basis.

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