

Annex 2

CONSULTATION FORM

Draft revisions to Planning Policy Wales Chapter 6: The Historic Environment

We want to know your views on the proposed changes to the Welsh Government's planning policy on the historic environment.

Please submit your comments by 13 June 2016

If you have any queries on this consultation, please email: planconsultations-j@wales.gsi.gov.uk or telephone: 029 2082 3524

Data Protection

Any response you send us will be seen in full by Welsh Government staff dealing with the issues which this consultation is about. It may also be seen by other Welsh Government staff to help them plan future consultations.

The Welsh Government intends to publish a summary of the responses to this document. We may also publish responses in full. Normally, the name and address (or part of the address) of the person or organisation who sent the response are published with the response. This helps to show that the consultation was carried out properly. If you do not want your name or address published, please tick the box below. We will then blank them out.

Names or addresses we blank out might still get published later, though we do not think this would happen very often. The Freedom of Information Act 2000 and the Environmental Information Regulations 2004 allow the public to ask to see information held by many public bodies, including the Welsh Government. This includes information which has not been published. However, the law also allows us to withhold information in some circumstances. If anyone asks to see information we have withheld, we will have to decide whether to release it or not. If someone has asked for their name and address not to be published, that is an important fact we would take into account. However, there might sometimes be important reasons why we would have to reveal someone's name and address, even though they have asked for them not to be published. We would get in touch with the person and ask their views before we finally decided to reveal the information.

Confidentiality

Responses to consultations may be made public on the internet or in a report.

If you do not want your name and address to be shown on any documents we produce please indicate here

If you do not want your response to be shown in any document we produce please indicate here

CONSULTATION FORM

Draft Revisions to Planning Policy Wales Chapter 6: The Historic Environment (Consultation)		
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Telephone		
Type <i>(please select one from the following)</i>	Businesses	<input type="checkbox"/>
	Local Planning Authority	<input type="checkbox"/>
	Government Agency/Other Public Sector	<input type="checkbox"/>
	Professional Bodies/Interest Groups	<input checked="" type="checkbox"/>
	Voluntary sector (community groups, volunteers, self help groups, co-operatives, enterprises, religious, not for profit organisations)	<input type="checkbox"/>
	Other (other groups not listed above)	<input type="checkbox"/>

The Institute of Historic Building Conservation (IHBC) is the professional body for building conservation practitioners and historic environment experts working in England, Northern Ireland, Scotland and Wales, with connections to the Republic of Ireland. The Institute exists to establish, develop and maintain 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.

Q1	Do you agree with our objectives for the historic environment? If not, what objectives would you like to see or how would you change the existing objectives?	X
	Section 6.2 of draft PPW Chapter 6 refers to our revised objectives for the historic environment.	

Agree	X
Neither Agree nor Disagree	
Disagree	

Further comments

We largely support the objectives but feel that there are two aspects that aren't adequately addressed.

The first is the positive contribution that the historic environment (HE) can make in generating economic, social and environmental change. The issue is mentioned in the second bullet of 6.2.1 but only as a status quo contributor. Whereas it is referred to more fully in 6.4.1. From this and other WG policy we think that the benefits of HE-driven regeneration are recognized and would like to see this mentioned here. Perhaps the second bullet could have a further phrase "...generations and as a building block for sustainable development".

Secondly we are very unhappy with the way in which paragraph 6.2.3 has been framed as we think it flies in the face of the rest of the Chapter which is clearly based on the precautionary principle and proportionality and, particularly, contradicts the balanced approach taken in paragraphs 6.2.1 and 6.2.2.

The general thrust of the 3 sentences in 6.2.3 is:

1. LPAs should promote the adaptation of historic assets to meet the demands of sustainability and climate change.
2. This can create conflict between conservation objectives and those of sustainability but these may be mitigated by careful design.
3. That the merits of these should be weighed against one another.

We think this approach is too inviting of inappropriate alterations to historic assets and unnecessarily so. We think the policy should promote the ways in which the historic environment contributes to sustainability and how improvements to building performance should be approached; as follows:

1. The conservation of heritage is a major contributor to sustainability. It contributes embodied energy, thermal capacities and resistances that are often far better than assessed through modern assessment techniques. It hugely benefits the development of sustainable communities with the consequent suppression of travel demand and sporadic development pressures.
2. Historic buildings do have potential for their improvement in terms of thermal capacity and use, but it is crucial that any interventions are carefully tailored to the building to avoid failure through inducement of condensation, lack of breathability and other problems which may require further intervention involving unplanned and unnecessary carbon emissions.
3. We suggest a rewording on the lines of:

"6.2.3 With sensitive design historic assets can be used to promote sustainable economic and social development through new uses and adaptation, and is thus a major contributor to sustainability. But all adaptation of a historic building needs to be undertaken with careful

assessment of performance for the whole building for the whole of its life, as existing and proposed, to allow a proper evaluation of the benefits of an intervention against detriment to special architectural or historic interest. Where conflict between the conservation of historic assets and climate change objectives is unavoidable, it should be mitigated by careful design, for example through the siting of renewable energy equipment and infrastructure.”

Q2	Do you agree that the roles and responsibilities of those involved in the planning process relating to the historic environment are clear and well defined? If not, how would you clarify them?	X
	Section 6.3 of draft PPW Chapter 6 provides information on the roles and responsibilities of those involved in the planning process relating to the historic environment.	
	Agree	X
	Neither Agree nor Disagree	
	Disagree	
Further comments		
Again broadly we support this section. In 6.3.6 there is a limited run-down of LPA responsibilities, notably, we feel, enforcement. We agree that a full statement of them here would be inappropriate, but would like to be assured that all aspects are covered in the document as a whole.		

Q3	Do you agree that the approach to be taken in the preparation of development plans fully considers the historic environment? If not, how would you suggest that this is overcome?	X
	Section 6.4 of draft PPW Chapter 6 refers to consideration of the historic environment in the Local Development Plan process.	
	Agree	X
	Neither Agree nor Disagree	
	Disagree	
Further comments		

The setting of listed buildings is an all-too-often neglected aspect of HE practice. We support the emphasis on this at 6.4.7.

Q4	Do you agree that the approach to be taken during the Development Management process when determining applications relating to historic environment designations fully considers the historic environment? If not, how could this be improved?	X
	Section 6.5 of draft PPW Chapter 6 refers to the approach to be taken during the Development Management process when determining applications relating to historic environment designations.	
	Agree	X
	Neither Agree nor Disagree	
	Disagree	
Further comments		
We broadly support this section but have some comments:		
<p>We commend the terminology used in 6.5.10 because this accurately reflects the legal requirements. In relation to the last sentence, we think that flexibility in the consideration of new uses should extend beyond the mere survival of the building. We think that HE does and should continue to make a positive contribution to the economy and social fabric of Wales. We suggest “...in order to secure a building’s survival or provide it with a sound economic future.”</p> <p>Paragraph 6.5.12 refers to the justification for proposals to listed buildings being set out in a Design and Access Statement. We think that it would be better to be more specific and use the expression “heritage statement” in order to avoid confusion with a DAS dealing with planning matters. We suggest the wording “This should be in the form of a Heritage Statement which can form part of a Design and Access Statement if this is also being submitted...”.</p> <p>We agree with broad concept in 6.5.13 that the demolition of LB’s is sometimes justified, but don’t feel that some of the phraseology is robust enough. By concentrating first on cost and then on viability the impression might be drawn that the matter in one of broad profitability and value-for-money as would pertain in a non-HE development proposal. This is exacerbated by the difficulty of defining the rarity of “...exceptional and require the strongest justification...”. We think that the Policy should make it clear that the value of the property in financial terms is not a matter of consideration. The chain of reasoning should be (a) is any viable economic use possible? (b) if no, is any other viable use possible, with change of</p>		

ownership often being the key? (c) is there harm in leaving the property vacant until a viable new use emerges? (d) are there benefits to the community arising from demolition that outweigh the disbenefits of retaining the building (e) can these be secured in the implementation of the demolition? (f) only then should consent be granted.

In addition, paragraph 6.5.13 of the draft PPW implies that the statutory amenity societies only need to be consulted regarding the total demolition of a listed building. In fact they should be consulted on all applications involving the demolition of any part of a listed building.

6.5.15 refers to the role of RCAHMMW in recording demolished buildings. We think that recording of listed buildings before alteration or demolition is good practice which should be promoted. We think the archaeological advice at 6.5.6 should be referred to here as good practice which should be required in cases of important buildings undergoing substantial alteration.

6.5.16 refers to BPNs. There is no mention of section 47-48 or 54 (TCP(LBCA)Act 1990) processes for dealing with cases of extreme neglect.

Q5	Do you agree that it is appropriate to include text on Enabling Development as national planning policy? If not, is this a matter more appropriate to set out within Cadw's guidance on the historic environment?	X
	Paragraphs 6.5.27 and 6.5.28 of draft PPW Chapter 6 provide text on the consideration of enabling development during the determination of planning applications.	
	Agree	
	Neither Agree nor Disagree	X
	Disagree	
Further comments		
The draft takes the customary approach of regarding enabling development merely as a development that would be otherwise undesirable and possibly actually damaging to the historic asset or its setting. We think it should be pointed out that the need for enabling development should also be considered in the light of the potential for the use of the asset itself as a vehicle for regeneration with a similar approach to reasoning as we have set out for the demolition of listed buildings. We think that such an approach in the Policy, as suggested, would be justified.		

Q6	We have asked a number of specific questions. If you have any related issues which we have not addressed, please let us know.	X
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Further comments
We have no further comments.

How to respond

Please submit your comments by 13 June 2016, in any of the following ways:

E-mail	Post
Please complete the consultation form and send it to : planconsultations-j@wales.gsi.gov.uk [Please include Planning Policy Wales Chapter 6: The Historic Environment consultation in the subject line]	Please complete the consultation form and send it to: Planning Policy Wales Chapter 6 Consultation Planning Policy Branch Planning Directorate Welsh Government Cathays Park Cardiff CF10 3NQ

Additional information
If you have any queries about this consultation, please Email: planconsultations-j@wales.gsi.gov.uk Telephone: 029 2082 3524