



Planning for the Future Consultation  
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Dear Sir

## **Planning for the Future White Paper IHBC consultation response**

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 White Paper and the Institute's comments are appended.

Yours sincerely

Fiona Newton  
IHBC Operations Director

## Planning for the Future White Paper IHBC consultation response

### 1. The successes of the Planning System in England

- The planning system needs only reform and simplification not complete redesign.
- The very major successes the planning system has secured should be acknowledged and used as the foundation for change. It has achieved significant protection for much of our countryside and for the best of our historic buildings, villages, towns and cities. The planning system has been successful for the adaptation and re-use of listed and historic buildings, the enhancement of conservation areas and the promotion of conservation-led regeneration.
- Local Plans have taken too long to be completed in the past. IHBC recommends that consideration is given to introduction of a dynamic system where approved local plans are subsequently reviewed at frequent and regular intervals. The major plan-making exercise would only need to be carried out once and plans would always be relatively up to date.

- 1.1 We agree that the current planning system is too complex, too difficult to understand and could benefit from reform. There is a need to improve the development process and take into account the many needs of today to provide a properly sustainable future for all. The large number of background documents produced for planning applications, such as Environmental Impact Assessment and sustainability appraisals, often add little value to the process. There is scope to utilise more digital technology in planning.
- 1.2 The planning process has not focused enough on design and we welcome the move towards a more design-led approach. Planning has failed to deliver genuinely sustainable high-quality development.
- 1.3 Local Plans frequently take too long in production. IHBC recommends that consideration is given to introduction of a system, managed online, whereby following approval, local plans are subsequently reviewed at frequent intervals and are simply updated to meet ongoing requirements. Such dynamic plans would always be relatively up to date and the major plan-making exercise would only need to be carried out once.
- 1.4 The planning system has, however, secured many major successes and these should be acknowledged and used as the foundation for change. It has achieved significant protection for much of our countryside and for the best of our historic buildings, villages, towns and cities. The planning system has

been successful in promoting the adaptation and re-use of listed and historic buildings, the enhancement of conservation areas and encouraging conservation-led regeneration.

- 1.5 We do not believe that the planning system requires a complete redesign; a package of reforms and simplifications could be better and safer. Perceived problems of the planning system are often the result of lack of resources, both funding and skills, in planning local authorities.
- 1.6 Planning, including the protection of the historic environment, is a complex and creative activity requiring a sophisticated regulatory system that allows different areas to interact effectively, building synergies and adding value. We are concerned that introduction of a top-down, rule-based system would restrict the opportunity for such pro-active work at local level, to the severe disadvantage of the historic environment.

## 2. Heritage

- IHBC strongly supports and welcomes government recognition of the importance of our unmatched architectural heritage and its protection
- We are especially pleased to hear that “‘The existing statutory protections of listed building consent and conservation area status have worked well’.
- Changes to controls and decision-making processes should be led by a principle to not lead to any reduction of protection for historic buildings and areas. The statutory duties relating to listed buildings and conservation areas must be retained.
- There should be no loosening of control in Conservation Areas, an extremely popular area-based community-led protection regime, introduced over 50 years ago by Duncan Sandys MP.
- Changes to the Planning system present a major opportunity to work towards successful measures in tackling climate change. But it needs to begin with an accurate and sensible assessment of our existing building stock as a sustainable resource and encouragement to reuse buildings through planning policies, tax regimes and financial benefits.
- The White Paper consultation does not include a single question on heritage protection which prevents the opportunity for engagement on heritage issues by consultees, with no opportunity for them to ensure that the future of our heritage is integrated with any changes to the planning system.
- Conservation of historic buildings and areas is a bottom-up activity that relies on informed decision-making on a case-by-case basis and the involvement of local people and local skills. The White Paper promotes top-down standard approaches such as national design codes and standard approved designs which is the antithesis of what has continuously proved to be a successful approach to conservation.

- The IHBC is extremely concerned at the re-emergence of the 'accredited agents' proposal for handling listed building consent in the form that "suitably experienced architectural specialists can have earned autonomy from routine listed building consents". IHBC considers that recommendations for and decisions on listed building consent should continue to be made entirely by the Local Planning Authority, as the publicly accountable body. It is essential that decisions that involve balancing intangible harms and public benefits are made by democratically elected authorities.

- 2.1. We welcome the aim 'to cherish the past, adorn the present and build for the future' with 'helping historic buildings adapt to climate change' being explicitly cited as a goal .
- 2.2. We are pleased to see government continues to recognise the importance of heritage protection alongside environmental care and sustainability – especially in its Proposal 17, on 'Conserving and enhancing our historic buildings and areas in the 21st century.'
- 2.3. We are especially pleased to hear that "'The existing statutory protections of listed building consent and conservation area status have worked well'. The historic environment creates a sense of place and local identity. It provides continuity with the past, but also accommodates change and helps places adapt for the present and future. The Historic Environment informs and contextualises new development. It is however disappointing to see no consultation questions are asked on heritage protection giving no opportunity to ensure that the future of our heritage is integrated in the changes to the planning system. It should be noted that the impact on the planning system of work with Listed Buildings is very small as Listed Buildings account for only a very small proportion of the English building stock and research has shown that the majority of applications for Listed Building Consent are approved. A new planning system that does not properly integrate heritage would be inherently flawed. 99.3% of people in England live within a mile of a listed buildings, scheduled monument, registered park, battlefield or protected wreck. The historic environment is a part of all places, not stand-alone and separate.
- 2.4. Heritage is the result of a dynamic process and conservation is itself a dynamic process. Conservation is a bottom-up activity that relies on informed decision-making on a case-by-case basis and involvement of local people and local skills. The White Paper promotes a number of top-down standard approaches such as national design codes and standard approved designs which is the antithesis of what has continuously proved to be a successful approach to conservation since the 1970s.
- 2.5. This is not a heritage white paper but it does make some suggestions for heritage. Heritage conservation must be properly integrated into the new planning process not treated as a stand-alone activity.
- 2.6. Changes to the Planning system present a major opportunity to work towards successful measures in tackling climate change. But it needs to begin with an accurate and sensible assessment of our existing building stock. Not from the assumption that existing buildings are unsustainable

and need radical change but by looking at the existing embodied energy and existing buildings as a sustainable resource.

- 2.7. Historic buildings contain large amounts of embodied energy and carbon. Further energy and carbon release is required to destroy them and construct replacements, therefore re-use of both buildings and places is desirable in principle. Planning policies, tax regimes and financial benefits should all reflect this.
- 2.8. The IHBC is extremely concerned at the re-emergence of the 'accredited agents' proposal for handling listed building consent in the form that "suitably experienced architectural specialists can have earned autonomy from routine listed building consents". We are disappointed that there is no formal route for us to comment on this proposal. IHBC considers that recommendations for and decisions on listed building consent should continue to be made entirely by the Local Planning Authority, as the publicly accountable body. We would strongly object to a shift of decision-making to accredited agents employed by applicants. We believe, and we think the general public would agree, that, in the interests of transparency, public interest and personal rights, as well as maintaining proper protection of the historic environment, decisions on matters of public regulation should be taken by publicly accountable persons and bodies. Regulatory decisions should be taken, and seen to be taken, in the interests of the purpose of the regulation, not in the interests of those being regulated. Comparisons with the Building Control system are invalid in our opinion because Building Control is largely a technical discipline in which compliance can normally be tested as a matter of fact.
- 2.9. Listed Building Control involves finesse of judgement often in which heritage significance has to be weighed against intangible economic and social factors. The existing system allows differences of opinion to be resolved by elected members, in a transparent and democratic manner. To put such matters largely or wholly in the hands of a single person, however well qualified, and irrespective of his or her professional integrity, fails the requirement that the decision must be seen to be taken entirely independently of the interests of the applicant.
- 2.10. We are concerned as to how LPAs could rely legally on the recommendations (and consequences of them) being submitted by accredited agents. In particular we have concerns about legal challenges to decisions under s63 of the Act and complaints to the Local Government Ombudsman. This is not to say that private sector expertise does not have an important and major role to play in the LBC system especially in establishing collaborative common knowledge on the history of the heritage and significance of the historic asset.
- 2.11. The IHBC is not against improving the Listed Building Consent process in principle. We are about to publish draft advice on alterations to listed buildings and Historic England will be consulting on advice on the need for Listed Building Consent, both of which will provide valuable guidance for building owners and professionals.
- 2.12. The limited amount of content in the White Paper on heritage and the lack of a question relating to the topic suggests that there is no problem. However, the IHBC has identified the very serious shortages of suitably qualified professional officers in local government. Such officers are

essential in order to achieve benefits through heritage conservation. IHBC considers that it is essential that both local authorities and Historic England are resourced sufficiently to advise on optimum solutions for the conservation and enhancement of the historic built environment

- 2.13. It is proposed that Local Plans will clearly identify the location of heritage assets but there is, as yet, no requirement mentioned to develop a strategy for managing and conserving them. This is the most important aspect of securing the future of our unmatched architectural heritage. Ensuring that development within the setting of heritage assets is appropriately conceived is an essential part of the planning process. It would not be practical to define the settings of all heritage assets and to map them in line with the White Paper proposals.
- 2.14. Views are requested in the White Paper on the possibility of optional technical standards for Listed Buildings. The IHBC considers the imposition of such standards might imply that listed buildings are all of a type and a single approach can be taken. This is not the case as each and every Listed Building is unique and requires a different approach.
- 2.15. It is suggested in the White Paper that new and better ways could be found of securing consent for routine works but few works to Listed Buildings are routine and treating them as such can lead to damaging generalisations. It is claimed this will “enable local planning authorities to concentrate on conserving and enhancing the most important historic buildings”. This should not mean that local authorities should concentrate on only Grade I & II\* Listed Buildings neglecting the majority of listed buildings, which are Grade II.

### 3. Plan making

- An increased focus on local plans is commended but this should not result in a reduced emphasis on development management and in less local democratic involvement. Even if developed using community participation local plans will still be a reflection of centralised codes, not a true reflection of local opinion. The streamlined local plan process will reduce the opportunities for public participation.
- The roles of local authorities will be limited, as will local participation, in the development management process once the local plan has been produced
- The opportunity for public consultation on local plans seems limited when the opportunity to comment is simultaneous with submission of the plan to the Secretary of State
- The area-based categorisation system is too simplistic. The approach to categorisation puts land into areas of growth, renewal or protection when in reality many sites embrace all these components.
- Recognising areas such as conservation areas for protection would not recognise the fact that many are economically active and undergoing dramatic physical and economic transformations – aspects of the historic environment are likely to be present in all three areas and should be treated appropriately

- Renewal areas should not be seen as an opportunity to clear away brownfield sites which have buildings capable of sustainable reuse with history and character.
- There is no mention of how the special statutory duties for designated historic buildings and areas will work within zoning.
- It may be necessary to leave some land undesignated in between areas because it cannot fall into one of the three areas.
- Reference is made to protecting views but current guidance and case law make it clear that setting of heritage assets is about more than views and it seems difficult to imagine how settings will be physically mapped.

- 3.1. An increased focus on local plans is commended but this should not result in a reduced emphasis on development management and in less local democratic involvement. Even if developed using community participation local plans will still be a reflection of centralised codes, not a true reflection of local opinion. The streamlined local plan process will reduce the opportunities for public participation. Although developed using community participation local plans will still be a reflection of centralised codes not a true reflection of local opinion. The development management process will then be undemocratic and will limit the roles of local authorities and their elected representatives and provide very limited opportunity for local participation after the plan making.
- 3.2. We agree that Local Plans have often taken too long to be completed in the past. IHBC recommends that consideration is given to introduction of a system whereby following approval, local plans are subsequently reviewed at frequent intervals (perhaps every 12 or 18 months) and are simply updated to meet ongoing requirements. The process could be managed online. Such dynamic plans would always be relatively up to date and the major plan-making exercise would only need to be carried out once.
- 3.3. The submission of the Plan to the Secretary of State, and its publication for the public to comment are described as happening simultaneously. A plan which has been written and submitted to the Secretary of State is unlikely to change following comment. The implication of public 'comment' is not the same as public consultation and this wording seems to suggest a meaningless opportunity to make comment but not to influence.
- 3.4. We support the basic principle of automatic outline approval being given for land identified for development in the local plan but we consider it essential that matters of detail should be reserved for subsequent approval by the local planning authority.
- 3.5. The area-based categorisation system is straightforward but in practice would be too simplistic. The approach to categorisation puts land into areas of growth, renewal or protection when in reality many sites embrace all these components. Conservation areas are zoned for protection, yet this zoning will include economically active areas that are undergoing dramatic physical and economic transformations (high streets, industrial and commercial areas, etc.). Renewal areas should not be seen as an opportunity to clear away brownfield sites which have buildings capable of sustainable reuse with history and character. There is no mention of how the statutory duties relating to listed buildings and conservation areas would work within the categorised areas.

- 3.6. The categorisation of land into areas of growth, renewal or protection seeks to put into separate 'planning boxes' activities that are by their nature interlinked. Taking the redevelopment of Kings Cross in London as an example, renewal and protection worked together to produce a development that is admired across the UK and beyond. We should move towards a better post-pandemic planning world by having a system built on new 'four Cs' of development: Community, Climate change, Conservation and Creativity.'
- 3.7. Character does not do not respect natural boundaries. It may be necessary to leave some land undesignated in between these areas because it does not fall into one of the three categories.
- 3.8. The 'protect' category implies preservation, not conservation but heritage is not simply something to protect. Conservation is an integral part of the built environment and successful conservation relies on shaping change and working with development. A sensitive approach to heritage conservation should be considered to be a normal part of 'growth'. Since the 1970s, conservation has led the way in relation to 'renewal' with countless successful conservation-led regeneration schemes.
- 3.9. In areas categorised as Growth or Renewal we are concerned that local communities will have less say on the outcome through this proposed process than they currently do through consultation on a planning application.
- 3.10. Reference is made to protecting views ('We envisage that Local Plans will identify the location of..... locally important features such as protected views'.) But there is nothing said about protecting the setting of heritage assets. Current guidance and case law make it clear that setting of heritage assets is about more than views and it seems difficult to imagine how setting will be integrated into the proposed categories and physically mapped in Local Plans

#### **4. Development Management**

- We are concerned that loss of criteria-based planning policies, the loss of opportunities for negotiation on applications and the impact of machine-readable development management policies will have on the need for skill in development management.
- Dealing with planning applications should rely on a balance of skills and should not become a formulaic process.
- The decision-making process for Listed Buildings and Conservation Areas will not fit into a system of automatic check for alignment by machine.

- 4.1 We are concerned that loss of criteria-based planning policies, no opportunities for negotiation on applications and the impact of development management policies written in a machine-readable format to automatically screen developments and identify where they align with policies and/or codes will have on the need for skill in development management. Dealing with planning applications should rely on a balance of skills and should not become a formulaic process. Conservation is an integral component of the planning system not a separate matter and should be fully integrated into that system.
- 4.2 If a development management system, with skilled planners handling applications, is not in place, we do not understand how the decision-making process for Listed Buildings and Conservation Areas, which does not fit into the application of a set of rules can be managed. The statutory duties

relating to listed buildings and conservation areas have provided a bedrock to the existing system of development management.

- 4.3 We welcome the proposal to strengthen enforcement powers but this must be accompanied by the appropriate resourcing of local authorities to ensure strong enforcement. Communities are often disappointed by local authorities' lack of ability, willingness or expediency in enforcement.

## 5. Design & Beauty

- IHBC strongly supports and welcomes the emphasis given to beauty and good design in the White Paper
- The Institute welcomes the proposals to create a central design body and for each local planning authority to have a chief officer for design and place-making.
- Design codes can play an important part in raising design standards but good design cannot be imposed by top-down codes alone
- Achieving good design requires good designers working with planners that understand design principles – there is a severe shortage of such people in local government, which threatens the Government's ambitions
- Slavish application of design codes and standardised designs could result in inappropriate and harmful development in historic places and development that diminishes local character and distinctiveness
- IHBC does not agree with the proposed 'fast track to beauty'
- Good design will not be achieved through more permitted development.
- Priority should not be given to speed of decision-making over quality
- Good design is not simply what is popular. 'Provably locally-popular design codes' would not necessarily result in high quality design.

- 5.1 IHBC welcomes the proposal to make beauty a key theme within the planning system. One of the reasons the planning system was created was to create a high quality and attractive built environment. The beauty, character and local distinctiveness that derives from historic buildings and areas invariably contributes to such quality. Beauty is a cornerstone of good design, which should be an essential component of good planning. IHBC agrees that achieving beautiful and well-designed development should be a high priority of the planning system.
- 5.2 IHBC agrees that well-conceived design codes can play an important part in raising design standards, in the same way as the better design guides have done in the past. However, such codes only provide a framework. Achieving good design requires good designers working with planners that understand design principles, in order to interpret and apply the codes. The creation of beauty in new development necessitates talented, trained individuals, underpinned by an extensive body of values, techniques, philosophies and systems, following an approach that has produced great art in many styles through the ages.
- 5.3 IHBC would draw Government's attention to the fact that there is a major shortage of design skill in local authority planning departments. Almost all local authorities have lost their architectural departments and modern planning courses teach little about conservation or design, which are now

regarded as matters for specialists. There will almost certainly be a serious shortage of people with appropriate design skills in local government, in the short to medium term, to deliver the worthy design aspirations of the White Paper.

- 5.4 A Place Alliance housing design audit for England revealed that 75% of new housing development should not have gone ahead due to 'mediocre' or 'poor' design<sup>1</sup>. The report, an audit of over 140 housing developments built across England since 2007, found that one in five of these developments should have been refused planning permission outright as their poor design was contrary to advice given in the National Planning Policy Framework. A further 54% should not have been granted permission without significant improvements to their design having been made first.
- 5.5 Good design cannot be imposed by top-down codes alone. It should be recognised that good design embraces master-planning, urban design, sensitivity to townscape, detailed design, selection of appropriate materials, and landscape design. Meaningful participation is necessary at the local level, with involvement wherever possible by the people who will live in and use the buildings and places that are being conceived.
- 5.6 A slavish application of design codes and standardised designs could result in inappropriate and harmful development in historic and other sensitive areas and development that degrades local character and distinctiveness. The production of suitable local design codes is high on resources. Local Authorities without the skills or capacity to produce their own local design guides may be subjected to a national code of potentially inappropriate standardised designs across the country, which would be extremely harmful to local character and distinctiveness. The Institute is also concerned that 'provably locally-popular design codes' might result in local popularity contests rather than design that is appropriate for its context.
- 5.7 Building materials are important to local areas. Vernacular and local character is based on the use of indigenous, usually local building materials such as stone for roofing, building and paving. To achieve the results sought, there has to be a much greater effort to support the industry which needs to be a viable size to provide sufficient quantities. Production is sustainable, employment and skills will be enhanced for an industry which produces relatively low amounts of carbon. However, these aspirations will all fail to materialise if most of the stone or other building materials are imported or synthetic concrete substitutes used instead, which will be the case if the other goals of speedy production and modern construction methods, take precedence.
- 5.8 Whilst the increased emphasis on good design is welcomed, IHBC has concerns regarding the proposed 'fast track to beauty'. Buildings that might be well-designed in themselves could equally be incongruous in historic areas and in the settings of listed buildings. All material planning considerations need to be taken into account in determining applications for permission.

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<sup>1</sup> <https://indd.adobe.com/view/23366ae1-8f97-455d-896a-1a9934689cd8>

- 5.9 A further point to note is that well-designed places can only be achieved by ensuring that what is approved is built, which necessitates monitoring the quality of the outcomes. Minor amendments and unauthorised changes can easily dilute design quality.
- 5.10 The Institute welcomes the proposal to create a central design body. The dilution of CABI following its merger with the Design Council has meant that promotion of good design has not had a strong enough voice. IHBC believes that a new arms-length body would be the wisest choice, in order to provide strong promotion of good design, together with oversight and liaison with enhanced and reinforced regional architecture and design centres. We do not believe that such a body is suitable for co-location with Homes England. The Institute also welcomes the proposal for each local planning authority to have a chief officer for design and place-making.
- 5.11 IHBC does not support the proposal for permitted development rights to facilitate popular and replicable forms of development. Good design has to respect context. IHBC would implore Government to reconsider some of the current provisions for permitted development, which have been shown to result in examples of very poor design, contrary to the Government's ambitions in relation to beauty and good design.

## 6. Localism

- The approach to Localism rows back from the positive community-based principles of neighbourhood planning and community participation developed in recent years. The scope of neighbourhood plans will be detrimentally narrowed if they are simply a vehicle for deciding land categories.

- 6.1 The approach to Localism in the White Paper rows back from the positive community-based principles of neighbourhood planning and community participation developed in recent years. The White Paper says that Neighbourhood plans, of which there are more than a thousand approved and more still in preparation, should be retained. But it then goes on 'to consider whether their content should become more focused to reflect our proposals for Local Plans'. The scope of neighbourhood plans will be detrimentally narrowed if they are simply a vehicle for deciding land categories.
- 6.2 People are passionate about their local area and the buildings in their area. Conservation of local heritage assets is a commonplace theme in neighbourhood plans. Any reduction in the capacity of such plans to make provision for heritage conservation would be a retrograde step that would reduce local people's capacity to protect our unmatched architectural heritage and the cherished parts of the areas in which they live.

## 7. Community Infrastructure Levy

- The new Community Infrastructure Levy relies on development and growth taking place to generate funds and is only likely to be successful in high growth areas, with little recognition of how it can apply in other areas where development is not taking place. This will further create land inflation in high growth areas and stagnation in other areas.
- Section 106 agreements are often an important mechanism in securing action to reuse and restore historic buildings and enhance historic areas and the opportunities for funding important community conservation projects should not be lost.

- 7.1 The new Community Infrastructure Levy proposed appears to rely on high growth, which would result in little support for areas where viability is an issue.
- 7.2 The proposals rely on development and growth taking place to generate funds and is only likely to be successful in high growth areas, with little recognition of how it can apply in other areas where development is not taking place.
- 7.3 The emphasis is on London, the South East and other high growth and will not tackle viability problems in under-performing areas. This will further create land inflation in high growth areas and stagnation in other areas. This is mentioned in passing but should be a main theme of the paper.
- 7.4 Section 106 agreements are an important mechanism in securing action to reuse and restore historic buildings and enhance historic areas. Section 106 planning obligations are mentioned in the White Paper as a source of funding which will be incorporated into the new consolidated Community Infrastructure Levy. They are more than just a developer contribution to infrastructure or affordable housing and the opportunities for funding important community conservation projects should not be lost.

## 8. Skills, capacity and resources

- IHBC welcomes a comprehensive resources and skills strategy for the planning sector to support the implementation of reforms. We hope this will cover the important specialist skills, such as conservation, needed to inform decision good making.
- It is vital that the planning system is adequately resourced and sufficient levels of suitable specialist skills are available.
- The Institute is disappointed to see that conservation skills are not included as an example of those specialist areas in local authority planning departments "under great pressure". Since 2009 the specialist conservation advice available to Local Authorities in England has decreased by 48.7% and 6% of Local Authorities do not have access to conservation advice in any form<sup>2</sup>.

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<sup>2</sup> IHBC 2020

- It is vital that adequate skills for conservation are maintained and enhanced as part of the proposals yet to be revealed for any future reorganisation of Local Government

- 8.1 We welcome a comprehensive resources and skills strategy for the planning sector to support the implementation of reforms but hope this will cover the important specialist skills, such as conservation, needed to inform decision good making.
- 8.2 We also welcome the recognition of the role of planners in creative placemaking. It is vital that the planning system is adequately resourced and sufficient levels of suitable specialist skills are available.
- 8.3 More planning skills in plan making and policy will be required for the proposals. But changing the way local plans facilitate development and the move from a discretionary decision-making system to a rules-based one may consequently reduce the number of skilled planners needed to handle planning applications. Dealing with planning applications should rely on a balance of skills and should not become a formulaic process.
- 8.4 We are pleased to see the White Paper recognises the skills of planners and others, acknowledging the importance of good planning and effective leadership. We strongly commend the recommendation for a chief officer for design and placemaking in each local authority. We would suggest that skills and training for this role need to be identified to ensure it is a meaningful and makes a genuine contribution.
- 8.5 There is no acknowledgement that there is a severe shortage of design skills in local authorities. Few, if any authorities have an architects department and planners are no longer trained in design. Conservation and design teams, which were common in the later twentieth century, were decimated by the cuts following the 2008-9 financial crash. IHBC believes that there is a strong synergy between conservation and design and that the reintroduction of such teams would greatly help implement the Government's aspirations to achieve better design.
- 8.6 Furthermore we are disappointed however to see that conservation skills are not included as an example of those specialist areas in local authority planning departments "under great pressure". Since 2009 the specialist conservation advice available to Local Authorities in England has decreased by 48.7% and 6% of Local Authorities do not have access to conservation advice in any form<sup>3</sup>. It is vital that the planning system is adequately resourced and sufficient levels of suitable specialist skills are available, with regard to both design and conservation.
- 8.7 The future of the planning system will be impacted by the results of the further proposed reorganisation of Local Government which has not yet been revealed. It is vital that adequate skills for heritage assets in each area are maintained and enhanced. Previous merged authorities have led to reductions in specialist conservation staffing leaving our unmatched architectural heritage without suitable skills for its protection.

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<sup>3</sup> IHBC 2020

## Planning for the Future White Paper IHBC consultation question responses

### 1. What three words do you associate most with the planning system in England?

Effective, Sophisticated, Nuanced

2(a). Do you get involved with planning decisions in your local area?

2(b). If no, why not?

3. Our proposals will make it much easier to access plans and contribute your views to planning decisions. How would you like to find out about plans and planning proposals in the future?

### 4. What are your top three priorities for planning in your local area?

Protection of existing heritage buildings or areas /

Other – please specify Preserving and enhancing local character and distinctiveness

### Local Plans

### 5. Do you agree that Local Plans should be simplified in line with our proposals?

Not sure.

*Please provide supporting statement.*

IHBC recommends that consideration is given to introduction of a system whereby following approval, local plans are subsequently reviewed at frequent intervals (say 12 or 18 months) and are simply updated to meet ongoing requirements. The process could be managed online. Such dynamic plans would always be relatively up to date and the major plan-making exercise would only need to be carried out once.

See our detailed comments above.

### 6. Do you agree with our proposals for streamlining the development management content of Local Plans, and setting out general development management policies nationally?

Not sure.

*Please provide supporting statement.*

We do not oppose the streamlining of development management content of local plans but do not support setting out general development management policies nationally. The increased focus on local plans is not in itself a cause for concern but a consequent reduced emphasis on development management is likely to result in less local democracy. Even if developed using community participation local plans will still be a reflection of centralised codes not a true reflection of local

opinion. The roles of local authorities will be limited, as will local participation, in the development management process once the local plan has been produced. The opportunity for public consultation on local plans seems limited when the opportunity to comment is simultaneous with submission of the plan to the Secretary of State. The imposition of such national guidelines will impose potentially inappropriate standardised approach to the local area, damaging local character and preventing local community engagement in policy making.

Again, see our detailed comments above.

7(a). Do you agree with our proposals to replace existing legal and policy tests for Local Plans with a consolidated test of "sustainable development", which would include consideration of environmental impact?

7(b). How could strategic, cross-boundary issues be best planned for in the absence of a formal Duty to Cooperate?

### **Housing Land**

8(a). Do you agree that a standard method for establishing housing requirements (that takes into account constraints) should be introduced?

8(b). Do you agree that affordability and the extent of existing urban areas are appropriate indicators of the quantity of development to be accommodated?

### **Area based categorisation**

**9(a). Do you agree that there should be automatic outline permission for areas for substantial development (Growth areas) with faster routes for detailed consent?**

Not sure.

*Please provide supporting statement.*

Yes in relation to land allocated in a local plan. No in relation to approval of detailed matters. We support the basic principle of automatic outline approval being given for works when identified in the local plan but we suggest that all matters of detail should be reserved for further approval.

**9(b). Do you agree with our proposals above for the consent arrangements for Renewal and Protected areas?**

Not sure.

*Please provide supporting statement.*

The area-based categorisation system is too simplistic. The approach to categorisation puts land into areas of growth, renewal or protection when in reality many sites embrace all these components.

Recognising areas such as conservation areas for protection would not recognise the fact that many are economically active and undergoing dramatic physical and economic transformations – aspects of the historic environment are likely to be present in all three areas and should be treated appropriately

Renewal areas should not be seen as an opportunity to clear away brownfield sites which have buildings capable of sustainable reuse with history and character.

There is no mention of how the special statutory duties for designated historic buildings and areas will work within the categorisation system.

It may be necessary to leave some land undesignated in between areas because it cannot fall into one of the three areas.

Reference is made to protecting views but current guidance and case law make it clear that setting is about more than views and it seems difficult to imagine how setting will be physically mapped.

9(c). Do you think there is a case for allowing new settlements to be brought forward under the Nationally Significant Infrastructure Projects regime?

### **Timescales**

#### **10. Do you agree with our proposals to make decision-making faster and more certain?**

No

*Please provide supporting statement.*

Priority should not be given to speed of decision-making over quality.

Permission should not be given for failure to make a decision on heritage applications which are often more complex.

Recent and proposed changes to permitted development have shown that prioritising speed of decision-making over quality leads to unintended poor design.

Time needs to be allowed for consultation with communities and with amenity bodies.

#### **11. Do you agree with our proposals for accessible, web-based Local Plans?**

Yes

*Please provide supporting statement.*

We do not disagree with web based Local Plans. We agree that Local Plans have often taken too long to be completed in the past. A system where local plans are dynamic should be developed with the plan being revised continually by annual review (see 5 above)

#### **12. Do you agree with our proposals for a 30 month statutory timescale for the production of Local Plans?**

Yes

*Please provide supporting statement.*

Thirty months should be sufficient but the process must allow for poor, unsustainable plans to be scrapped and for the process to be started again. Poor plans should not be patched-up simply to get them through the process within the specified timescale.

### **Neighbourhood Plans**

#### **13(a). Do you agree that Neighbourhood Plans should be retained in the reformed planning system?**

Yes

*Please provide supporting statement.*

We support the retention of Neighbourhood Plans but the scope of plans should not be narrowed. The White Paper says that Neighbourhood plans, of which there are more than a thousand approved and more still in preparation, should be retained. But it then goes on 'to consider whether their content should become more focused to reflect our proposals for Local Plans'. The approach to Localism

rows back from the positive community-based principles of neighbourhood planning and community participation developed in recent years. The scope of neighbourhood plans will be detrimentally narrowed if they are simply a vehicle for deciding land categories. People are passionate about their local area and the buildings in their area. Conservation of local heritage assets is a commonplace theme in neighbourhood plans. Any reduction in the capacity of such plans to make provision for heritage conservation would be a retrograde step that would reduce local people's capacity to protect our unmatched architectural heritage and the cherished parts of the areas in which they live.

13(b). How can the neighbourhood planning process be developed to meet our objectives, such as in the use of digital tools and reflecting community preferences about design?

14. Do you agree there should be a stronger emphasis on the build out of developments? And if so, what further measures would you support? [Yes / No / Not sure. Please provide supporting statement.]

### **Design**

15. What do you think about the design of new development that has happened recently in your area?

### **16. Sustainability is at the heart of our proposals. What is your priority for sustainability in your area?**

Other – please specify An holistic approach to sustainability based on a whole life cycle approach to buildings.

*Please provide supporting statement.*

Sustainability means taking account of all these things and many more, including conservation of the built and natural environments. The question suggests a worrying failure to understand the concept of sustainability. Conservation of the historic environment is an essential component of Sustainability.

### **17. Do you agree with our proposals for improving the production and use of design guides and codes?**

No

*Please provide supporting statement.*

The design focus of the proposals is strongly supported and welcomed. However design needs to be properly understood and should not be diluted as a focus on beauty, which is subjective and at very best is style not design. The reliance on codes removes the scope for meaningful participation and achieving good design is a participatory activity. The use of design codes may be especially damaging in historic areas. Participation in design codes is a poor substitute for proper opportunities for participation for actual sites and development schemes. Priority should not be given to speed of decision-making over quality. We are concerned that 'provably locally-popular design codes' might be a term which is used to support a popularity contest in design rather than to enable and support high quality in design.

### **18. Do you agree that we should establish a new body to support design coding and building better places, and that each authority should have a chief officer for design and place-making?**

Yes

*Please provide supporting statement.*

The creation of a central design body is welcomed. The dilution of CABI following its merger with the Design Council has meant that design has not had a strong enough voice. However, we do not believe this is suitable for co-location with Homes England. A strong voice for design in a new arms-length body would be the wisest choice whilst also building on the role of architecture and design centres regionally. This should not simply be a body that focuses on aesthetics and beauty as the Building Better, Building Beautiful Commission<sup>4</sup> appears to have done.

We commend the recommendation for a chief officer for design and placemaking in each local authority. We would suggest that skills and training for this role need to be identified to ensure it is a meaningful and makes a genuine contribution.

However, there is no acknowledgement that there is a severe shortage of design skills in local authorities. Few, if any authorities have an architects department and planners are no longer trained in design. Conservation and design teams, which were common in the later twentieth century, were decimated by the cuts following the 2008-9 financial crash. IHBC believes that there is a strong synergy between conservation and design and that the reintroduction of such teams would greatly help implement the Government's intentions with regard to achieving better design.

Furthermore we are disappointed however to see that conservation skills are not included as an example of those specialist areas in local authority planning departments "under great pressure". Since 2009 the specialist conservation advice available to Local Authorities in England has decreased by 48.7% and 6% of Local Authorities do not have access to conservation advice in any form<sup>4</sup>. It is vital that the planning system is adequately resourced and sufficient levels of suitable specialist skills are available, with regard to both design and conservation.

**19. Do you agree with our proposal to consider how design might be given greater emphasis in the strategic objectives for Homes England?**

Not sure.

*Please provide supporting statement.*

We agree that design should be more prominent in the role of Homes England and they should as stated lead by example and give design greater weight. However, we do not believe that a new nationwide design body is suitable for co-location with Homes England. A strong voice for design in a new arms-length body would be the wisest choice whilst also building on the role of architecture and design centres regionally.

**20. Do you agree with our proposals for implementing a fast-track for beauty?**

No.

*Please provide supporting statement.*

Planning is about place, local distinctiveness and context. What is suitable in one place may not be in another. The proposal would almost certainly be extremely harmful to local character and distinctiveness and could be harmful to the settings of heritage assets.

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<sup>4</sup> IHBC 2020

21. When new development happens in your area, what is your priority for what comes with it?

### **Infrastructure Levy**

**22(a). Should the Government replace the Community Infrastructure Levy and Section 106 planning obligations with a new consolidated Infrastructure Levy, which is charged as a fixed proportion of development value above a set threshold?**

No

*Please provide supporting statement.*

Section 106 planning obligations or similar funding should be retained. Section 106 agreements are often an important mechanism in securing action to reuse and restore historic buildings and enhance historic areas and the opportunities for funding important community conservation projects should not be lost.

22(b). Should the Infrastructure Levy rates be set nationally at a single rate, set nationally at an area-specific rate, or set locally?

22(c). Should the Infrastructure Levy aim to capture the same amount of value overall, or more value, to support greater investment in infrastructure, affordable housing and local communities?

22(d). Should we allow local authorities to borrow against the Infrastructure Levy, to support infrastructure delivery in their area?

23. Do you agree that the scope of the reformed Infrastructure Levy should capture changes of use through permitted development rights?

24(a). Do you agree that we should aim to secure at least the same amount of affordable housing under the Infrastructure Levy, and as much on-site affordable provision, as at present?

24(b). Should affordable housing be secured as in-kind payment towards the Infrastructure Levy, or as a 'right to purchase' at discounted rates for local authorities?

24(c). If an in-kind delivery approach is taken, should we mitigate against local authority overpayment risk?

24(d). If an in-kind delivery approach is taken, are there additional steps that would need to be taken to support affordable housing quality?

25. Should local authorities have fewer restrictions over how they spend the Infrastructure Levy?

25(a). If yes, should an affordable housing 'ring-fence' be developed?