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12 November 2021

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**Re: Consultation on Supporting defence infrastructure and the future of time-limited permitted development rights**

Dear Sir,

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 broader consultation document and IHBC also welcomes the direct invitation of the Ministry of Defence seeking our comments in relation to the Defence portfolio of properties. The Institute's comments are as follows:

**Changes to PDRs under the Town and Country Planning (General Permitted Development) (England) Order 2015**

1. The consultation is proposing that Class BB of Part 4 permitting the provision of moveable structures in the curtilage of pubs, cafes, restaurants and historic visitor attractions be made permanent, subject to a number of factors, in looking to consult on a limitation of 56 days per year, bringing this in line with the right for the temporary use of land above. Views are also sought on introducing a height limit of 4 metres,

and a size limit of no more than 50% of the existing buildings on site. Comment: We especially have comment on the implications of this proposal for the setting of heritage assets. IHBC have some concerns about the impact of this permitted development right in the context of sensitive historic complexes where the location, form and materials of certain temporary structures could have a potential negative impact on setting. Negative impacts from the implementation of this particular PDR may need to be controlled depending on the quality and importance of the historic visitor attraction concerned. We support the introduction of height and size limitations. However we do have a concern that 50% of existing buildings on site in the case of historic visitor attractions for 56 days per year may be too open to misuse by those attractions dominated by achieving financial success over the interests of Historic Assets.

2. The extension of the PDR for Class BA of Part 12 permitting markets to be held by or on behalf of local authorities enabling markets be held on an unlimited number of days including provision of moveable structures related to this use.

Comment: The answer to this is dependent on the cultural context. We believe that heritage assets may need to be excluded to ensure that some level of control is exercised from a contextual and quality perspective. Will height and size limitations be introduced and will there be any control over form and materials? Again we have a concern that in an historic environment the requirements for financial success may outweigh the consideration of and need to have regard to the historic context and the existing character of place.

### **Defence Infrastructure**

The Ministry has included maps denoting development locations within six Ministry of Defence (MoD) Sites together with a letter of explanation indicating that any development works will be carried inside fencing within defence properties and will not be in open landscape. We note and welcome, the statement in the accompanying letter from MoD referred to above that *"Defence has a strong commitment to protecting the historic assets on our estate and recognises the significant environmental value and biodiversity across our Defence sites. Our proposed PDRs similarly ensure that the environment and impact on local communities will be safeguarded, through height and curtilage parameters being included within the proposed PDRs."*

Where there are listed buildings in MoD estate which are the subject of planned closure, alternative reuse or disposal, IHBC would welcome a policy commitment on the part of the MoD to ensuring the best outcome and appropriate new uses for those structures. Also in the context of sustainability and MoD's commitment to reduce carbon emissions IHBC

would also welcome a general commitment on the part of the MoD to the reuse and/or adaptation of existing structures where at all possible in keeping with best practice for containing carbon emission as far as possible.

Whilst it is set out that the permitted development rights will not apply to land which is or forms part of a site of special scientific interest, to listed buildings and their curtilage, Scheduled Monuments, or to Article 2(3) land. IHBC welcomes the statement that *"it is important that we protect the rural and historic settings of many of our sites and we recognise that the potential impacts of development coming forward need to be appropriately addressed so that adverse impacts on considerations such as local amenity, landscape and the historic and natural environment are minimised."* IHBC still has a concern relating to the need for consideration of both the immediate setting of listed buildings and historic complexes beyond their curtilage together with consideration of their broader landscape or urban setting which may not be addressed. If the wording of the PDR were to make provision for development within both the immediate and broader settings of listed buildings this gap could be addressed. IHBC would also welcome a commitment from the MoD to simultaneously implement a Heritage Impact Assessment in cases where exemptions from PDR do not apply in the case of certain 'heritage assets'. This would be in line with the 'Principles for Cultural Heritage Impact Assessment', prepared jointly by the IHBC, leading, IEMA and CIfA and available from our website.

We understand that the cartographic information provided for six bases within the military portfolio is not a comprehensive set of the properties of the military estate. The maps denote the location for proposed development within each of those sample properties by the use of a red rectangle. In general there is no way to understand the scale of the proposed developments within the complexes concerned. We appreciate that height and curtilage limits have been suggested as a general principle but these are not presented in a site specific way. There is no information provided on the chronological development of the complexes of structures within these compounds or the qualities of interest of the various structures concerned which would allow us to make a comment on their significance or value and therefore on any potential impact. IHBC can see the location of structures in plan form only, but in order to allow for a proper understanding of the potential effect of what is being proposed a decisionmaker would need to have adequate information on the buildings chronological development, their significance, the context of the existing buildings as well information on their wider setting. For this reason, IHBC has only made comments on this consultation in broad terms and has sought to indicate principles which could be applied generally.

To set a context for the importance of many of the buildings and complexes within the MoD estates there is a record of listed military building and complexes retained by Historic England (HE). HE has also written guidance about the importance of military structures.<sup>1</sup> Should the MoD stand by its commitment to the historic building stock within its estate portfolio, the general principles and policy measures proposed in this response could operate to better secure the protection of these heritage assets for the benefit of future generations.

Yours sincerely,

Fiona Newton

IHBC Operations Director

wouldn't fall under the provisions above because they are standalone. offices which include buildings like Regimental HQs, sports facilities, training spaces (which may be a classroom or may

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<sup>1</sup> HE Guidance is in the following terms "*Britain's military buildings and structures are eloquent witnesses to the impact of world events on our national story. The range is vast, from Hadrian's Wall to Cold War bunkers. Military sites are both offensive and defensive: they include fortifications designed to withstand assaults, and bases from which operations could be launched. To these the twentieth century added buildings designed to protect civilians from various forms of air-attack. Taken overall, the range of military buildings is extremely wide. Some structures are unique; other types, particularly in the twentieth century, were constructed using standard designs, methods of construction and materials (although these do not always survive in large numbers). Specialist knowledge will often be required to assess the relative significance of a site for designation.*"

To conclude: "*The subject is an intricate and complex one: more detailed guidance will often exist on specific topics, and all structures will have to be judged on their individual merits. This survey is biased towards more recent military structures, large numbers of which are considered for designation each year. It is these more recent sites that provide the greatest challenges for assessment. The emphasis in this document is on buildings and structures that are assessed for listing. It is vital to remember that other designation responses are sometimes appropriate too. Scheduling, the designation of archaeological monuments, has been applied to defensive structures for over a century, and a number of twentieth-century sites have been protected in this way. Some military sites, usually spatially extensive, have been designated by local authorities as conservation areas, and this is the most satisfactory way of acknowledging an area of special interest, rather than just the key individual buildings within it.*"

Historic England Military Structures Listing Selection Guides Ed. Dec. 2017

house sophisticated simulators, for example), workshops, garaging and hangars for equipment to be housed and worked on, stores, medical and dental facilities, guardrooms and even kennels.

With estate optimisation, more people at a location means more infrastructure is needed, both from a health and safety perspective but also to ensure that MOD can respond to technological and threat changes. This means new equipment and new capabilities which require purpose built buildings for the equipment and training.

The new permitted development right will enable MOD to have more flexibility and agility to respond to change without having to resort to planning applications