



· INSTITUTE · OF · HISTORIC ·
BUILDING · CONSERVATION

Making Heritage Work

'Temporary Structures'
GHEU
English Heritage
1 Waterhouse Square
138-142 Holborn,
London
EC1N 2ST

James Caird
Consultant Consultations Co-ordinator
IHBC Business Office
Jubilee House
High Street
Tisbury
Wiltshire
SP3 6HA

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Tel (01584) 876141
Web site www.ihbc.org.uk
E-mail consultations@ihbc.org.uk

Dear Sirs

DRAFT GUIDANCE ON TEMPORARY STRUCTURES FOR EVENTS

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.

Thank you for inviting us to participate in this consultation.

The Institute is pleased that English Heritage proposes to issue this Guidance. We think it has the potential to be useful.

Generally, we think that the draft Guidance deals with the issues well. But, whilst we have a few comments on the detail, our main concerns are with the document's usability in the context of development control. As currently framed, we feel that it is likely not to be as helpful as it might be because its apparent requirements are far too onerous for the vast majority of cases, and, perhaps, not sufficiently targeted in others.

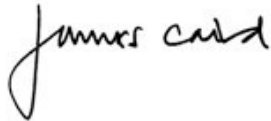
1. It is not entirely clear whether the word "events" in the title adequately covers the issues that the document deals with. We can see that you may feel it is required as an "eyecatcher" for its main area of interest, but it apparently excludes temporary structures which are not seen as being for events by organisers or planning authorities. This uncertainty may be added to by the seemingly comprehensive list at paragraph 3.1.
2. The use of the word "planning" is inconsistent and sometimes ambiguous, meaning at times "the planning process" and at others "event logistics". We think you should carefully consider every reference to "planning" and qualify the expression where necessary.

3. There doesn't appear to be a definition of "temporary". We think you should be clearer about this and the legal position generally. The document's usefulness will be diminished if it requires or implies the need for reference to other documents or, even worse, research. It is important that a succinct run-down of the law is included, maybe as an appendix. We appreciate you may feel that this is beyond the scope of your remit, and that you will not be able to provide "a definitive statement on the need for planning permission" but we feel that you should take proper advice on this aspect and include something more substantive than you have done.
4. Crucially, there is little or no reference to the need for listed building consent. It is reasonable to suppose that this may sometimes be required even if planning permission is not. As LB contraventions are *prima facie* offences, the document lacks appropriate balance. The document refers to the fact that GPDO consent for temporary uses does not apply to the curtilages of buildings but does not mention that normally the use of the building also applies to the curtilage. We would prefer to see you provide a much better indicator of the planning position in legal terms for a range of common situations. Reference ought also to be made to other legal requirements such as events licensing and the need to avoid statutory nuisance. These are important because the requirements of these aspects of the law could also have implications for the siting and design of the structures and might not be handled appropriately if issues emerged late in the process. These aspects could be reflected in the process chart at Table 1.
5. It seems to us that temporary structures are not a problem in the vast majority of cases. They appear for a few days and they go again. The guidance provides a lot of advice on the evaluation of impacts and so forth which is totally disproportional for this vast majority of cases. We do not think most planning authorities are much concerned with technical breaches of planning control if they cause no damage and disappear as rapidly as they appear. An easy "do's and don'ts" sheet might be a useful appendix for these cases.
6. Many events are effectively managed by contractors who are only referred to in passing. There needs to be advice (perhaps another "do's and don'ts" sheet) for them.
7. Timescales are not adequately dealt with. Many events occur with much shorter timescales than can be adequately dealt with by an exhortation to leave enough time to get the necessary consents. The Guidance needs to reflect this reality and set out how expedited event planning and procurement can be achieved without damage to heritage interests.
8. Some temporary structures are not really temporary. These can be long-term continuous placements or continually recurring ones, in both cases the meaning of the word "temporary" may be being stretched, for which the guidance is not emphatic enough. We think the guidance would do well to differentiate more clearly between these and the ephemeral and one-offs referred to above as well as differentiating between structures in terms of their impact.
9. In paragraph 6.5 there appears to be no distinction made between location (where there is a choice) and siting within a location.
10. In paragraphs 6.8 and 6.10 we think we detect an implication that the scale of visual intrusion varies according to the number of viewers. Should visual intrusion not relate principally to the sensitivity of the heritage asset?

11. Section 9 deals well with trees. It would be useful to say in section 7.6 as well that all trees should be protected not just those with statutory protection.
12. In section 9, reference should be made to the need for a proper signing-off of the clearing up exercise to ensure that any conditions have been complied with and any physical damage is remediated.

As we said in opening, we think that the document has the makings of being a very useful one. We hope these comments will be of use.

Yours faithfully

A handwritten signature in black ink that reads "James Caird". The signature is written in a cursive, slightly slanted style.

James Caird
Consultant Consultations Co-ordinator