



· INSTITUTE · OF · HISTORIC ·  
BUILDING · CONSERVATION

*Making Heritage Work*

Phil Weatherby,  
PSI, Zone 1/G10,  
Eland House,  
Bressenden Place,  
London  
SW1E 5DU

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](http://www.ihbc.org.uk)  
E-mail [consultations@ihbc.org.uk](mailto:consultations@ihbc.org.uk)

Dear Mr Weatherby

## **PROTECTION OF WORLD HERITAGE SITES**

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.

Generally, the Institute thinks the draft documents which comprise the consultation are both timely and well considered. However, we do have some concerns which are as follows:

### **The planning circular**

While we support the introduction of better protection for World Heritage Sites (WHS) as soon as possible, we are increasingly concerned about the fragmentation of heritage policy. PPG15 is now quite dated and it seems to us that the gradual replacement of on a paragraph by paragraph basis will make it harder to understand, particularly in the minds of the public. This will lead to confusion which can only have adverse workload effects for LPAs. We strongly urge the full revision of PPG15 as soon as possible.

### **Article 1(5) land**

The draft circular seeks to give added protection from damaging permitted development by including World Heritage Sites (WHS) in the definition of Article 1(5) land. We wonder whether this proposal is the result of any analysis of the vulnerability of WHS to development or just a simple expedient. I'm afraid we suspect the latter.

It seems to the Institute that there are a number of points that need consideration in this regard:

- ◆ We think it is arguable that WHS, being of international importance (having Outstanding Universal Value), should have greater protection than other designated areas. At least the potential for damage should be examined on a case-by-case basis before a decision is made on the level of protection to be afforded. This should include any Buffer Zone there might be.
- ◆ It seems to us that some WHS may be vulnerable to developments not affected by article 1(5) status and thus not referred to in the table at Annex D, for example:
  - Part 2A – Gates, walls and fences
  - Part 2C – Painting of buildings
  - Part 5 – Caravan sites
  - Part 6 – Agricultural developments
  - Part 8 – Industrial and warehouse development other than mentioned in the table in Annex D
  - Part 17 – Statutory undertakers
  - Parts 24 and 25– Communications operators equipment
  - Part 31 – Demolition of buildings
- ◆ While Article 4 is a way of adding controls, that approach would seem rather laborious when legislative changes are being made to protect internationally important sites.
- ◆ At the opposite end of the scale, some WHS include areas where reduction of permitted development rights would only result in larger numbers of trivial planning applications being made to the LPA and an increased enforcement workload created by public ignorance of the position. An example of this is Bath where the WHS includes large areas of quite ordinary housing.
- ◆ The Institute would like to suggest that a better approach, more consistent with the status of WHS, would be to remove all (or at least a much wider range of) permitted development in WHS and invite LPAs give consideration to permitting appropriate developments in Local Development Orders.
- ◆ Appropriate significance is given to Buffer Zones in the draft Guidance. The approach outlined above might also be used to consider properly the effects of permitted developments in these areas which will otherwise not be protected.
- ◆ If this suggestion were to be considered inappropriate, extending the system of notification and submission of details for approval that already exists in relation to some permitted development might be another possibility.
- ◆ The Institute considers that the public is more likely to recognize the status of WHS than Article 1(5) land. If amendment is being made to the GPDO, a specific reference to WHS would make the matter clearer.

## **Development plan policies**

We support the appropriate level of LDF policy to protect WHS. We would wish to see this put more strongly than the draft does at paragraph 14. We think DPDs should set the framework for other LDDs and Management Plans rather than the other way round.

## **Buffer zones**

The advice on inclusion of Buffer Zone policy in DPDs should be strengthened (paragraph 16). If additional policy protection is not required, what is the point of the Buffer Zone?

## **English Heritage Guidance Note**

Given the status and importance of the Guidance Note, it seems strange that the first reference to the role of EH is in paragraph 4.9. We accept that the preceding paragraphs are logical in their sequence, but we think an early reference to EH to set out its authority to issue the Guidance would be beneficial. Might this be done as a preface to avoid interrupting the flow of the document?

## **SEA and EIA**

Paragraph 6.5 refers to EIA for development proposals. SEA is not mentioned in the EH Guidance. The draft circular mentions it in relation to Management Plans only. It needs to be made clear in both the Circular and the EH Guidance that any LDF policy will need SEA and that WHS impacts should be included in any scoping and analysis that is undertaken.

## **Buffer zones and the setting of WHS**

Paragraphs 7.4 – 7.6 deal with this. The Institute thinks this advice is confusing and should be reordered. As UNESCO governs the designation of Buffer Zones, this should be dealt with first. Then, where the LPA thinks that wider protection than given by any Buffer Zone is required, advice should be given to settings and views.

## **Handling development proposals**

Paragraph 7.9 comes to the possibility of development proposals in WHS being damaging almost as an afterthought. As the objective is protection, surely this should be mentioned first with the possibility of neutral or (one hopes) enhancing development coming second? Perhaps also, there should be a reference elsewhere to LDF policy presuming that WHS developments will be enhancing (paragraphs 7.7 and 9.1).

Paragraphs 7.12 and 7.13 refer to reference of important cases to UNESCO World Heritage Committee. The Institute agrees that the decision on whether to do this in a particular case should be made by DCMS but feels, in the interests of impartiality of advice, that this should always be done in cases where English Heritage is closely involved in a WHS as an owner or managing agent.

## **World Heritage Site Coordinators**

We support the view (paragraph 9.6) that WHS Management Plans are most effective where they are managed by a WHS Coordinator. We do think, however, that this should be backed up with specific funding through DCMS.

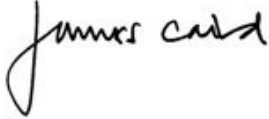
## **Cost implications for LPAs**

While not wishing to promote inaction, the Institute thinks the assessment of nil cost to LPAs of these proposals to be superficial (Annex E) especially as dedicated WHS

Coordinators are specifically promoted in the draft Guidance. Additional cost is bound to follow increased standards for applicants and LPAs alike. Application fees are unlikely to cover costs to LPAs in WHS cases as fee levels are based on average cases. WHS cases will involve more detailed scrutiny and consultation than average. Also to be considered is the additional cost of preparing new policy and management plans under the new guidance.

We hope these comments are helpful.

Yours sincerely

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