

19<sup>th</sup> October, 2009

Communities and Local Government,  
PSI Division,  
Eland House,  
Bressenden Place,  
London, SW1E 5DU

**For the attention of Mr. P. Weatherby,**

Dear Sir,

Consultation paper on a new Planning Policy Statement 15  
Planning for the Historic Environment

The Suffolk Preservation Society is the County Branch for the Campaign to Protect Rural England, with a membership of around 2,000, including 292 parish councils and 39 amenity societies. Whilst this consultation is targeted mainly at local authorities, and developers, who will have a planning and working knowledge of this area of work, the Society has an interest in the historic environment, and consequently offers the following comments, and asks to be kept informed as a stakeholder.

### **The Government's objectives**

5. The Government's broad aim for the historic environment and heritage assets speaks of **conserving, enhancing and enjoying** but the emphasis on **'to preserve and protect'** is diminished. It should be possible to provide total protection **in certain circumstances**. This document would benefit from the inclusion of **'protect'** where, 'conserve, enhance and enjoy' are used, and include protection in the wording of Annex 1 Terminology under 'Conservation'. Otherwise there is no real protection for a vulnerable heritage asset in some circumstances, especially if the object is poorly financially supported, has been *allowed* to become run-down, or is in need of urgent and expensive care and repair. Heritage assets, by their very nature, are irreplaceable and society's duty is to protect and up-grade them in the public interest, **unless there are independent sound, fair and proven reasons for not doing so**. They should not be subjected to short term government policies that may see 'heritage' as less important and as a way of increasing the benefit of another policy. It is a duty to protect important heritage for future generations to enjoy. An enlightened society

will pass on its heritage assets in good order as befits their protection in the first place.

### **Plan Making Policies**

#### **Policy HE2: Regional planning approach**

HE2.2 This would benefit from the inclusion of ‘**and preservation where appropriate**’.

HE2.3 This appears a very confusing and conflicting statement. Many important heritage assets could be lost in the face of say housing supply, which already appears an unsustainable policy in itself, and is being challenged through the Courts. It is also difficult to see how economic growth and housing supply are consistent with reducing carbon emission targets. The former could outweigh the latter, and older buildings in the way might be lost although their refurbishment and re-use, where appropriate, would be a more sustainable alternative. Planning Policy Statement 15 should give its weight to the protection of older buildings and sensitive areas. That is its *raison d’etre* **not** the increase of housing supply which is supported elsewhere in planning statements.

There are too many conflicting requirements here and not enough straight-forward guidance to support heritage assets. If this document does not soundly safe-guard heritage sites and buildings and their settings, there is no protection, and the document fails to carry out this function.

#### **Policy HE3: Local planning approach**

HE3.2 This policy, while possibly trying to stimulate inspiration for good, modern architecture, may well back-fire as developers look for development, or in-fill, sites in sensitive areas to build on, and older buildings to demolish. There are, in the Society’s experience, difficulties in attracting good new architecture which respects and enhances an existing historic setting, but it is not impossible. But with the poor plans that often come forward, time constraints on planning departments, (and not all planners have the qualifications to judge good architecture in this context), the cost of producing high quality work, and the pressure to build more housing it is perhaps wishful thinking to believe that this will be a good policy, encouraging the best architecture. Where there is a sensitive heritage environment planners should be able to protect it and allow for only the very best builds to materialise, otherwise it will be a developers’ charter for

mediocre building expansion. This can be a subjective area and the wording of the policy needs to be clear as to what it is asking for.

HE4.1 This is a good point and links well with the guidance on minerals and waste. It is understood that in 2002/03 the UK produced around 330 million tonnes of waste and the vast majority of this was construction and demolition material, most of which went to landfill.

#### Policy HE5: Permitted development and article 4 directions

HE5.1 It would seem appropriate to have blanket protection for buildings in conservation areas. Article 4 directions are often not used when perhaps they should be and an erosion of important original detail, such as windows, doors and front gardens become changed and irrelevant to the original, thereby losing their character and meaning. If there was a presumption in favour of protection of buildings in conservation areas then this would reduce piecemeal inappropriate alterations, resulting in deteriorated outcomes.

Local authorities, in dealing with listed buildings and conservation areas, should use their powers to encourage owners to repair or sell buildings that become run-down in a bid to preserve their character and history and the special character of the area, not have them demolished to make way for new build might may detract from the whole.

### **Development Management Process**

#### Policy HE7: Pre-application discussions and assessment

HE7.1 Whilst pre-application discussions with developers and planners could be sensible to establish some early facts, these initial discussions often include important information which excludes public observation or comment. In a controversial scheme where principles are being established early on, without local awareness, this might be construed as an undemocratic process. In a case like this the guidance should allow for the public to be advised and represented as part of the discussions, otherwise they might be placed in a disadvantaged position if wishing to object to a controversial scheme.

HE7.3 While the local planning authority and the owner can '*agree the nature and extent of the significance of the heritage asset at pre-application stage*', again, this excludes the public interest, who may have **the only**

**interest** in its, say, survival. Whilst there is opportunity for public comment in the planning process, established talks at inception can imbalance that process and the outcome. This policy is not clear enough. It is saying ‘better conserved’ but if the owner and LPA decide it is no longer in their interest for it to be conserved then other opinions could be crucial to an asset’s future at this stage.

Policy HE9: Policy principles guiding the determination of applications for development relating to all heritage assets

HE9.5 Whilst it is the way forward for every building, that is able, to consider climate concerns and energy efficiencies there will be heritage assets where this is not possible. This factor should not put their future at risk. They have been retained in the first place because they are important or of special interest.

HE9.6 The last sentence could explain more clearly what it means here, “*to take care to avoid stifling innovation and undermining investment in sustainable development*”. The protection of the heritage environment should be considered **first**, and not be pitted against an idea of what is an innovative development. Innovative builds can quite quickly become unfashionable or be superseded by more modern technology and materials, and be taken down a few years after their erection: a heritage asset, once lost, is gone for all time and is not replaceable. Occasionally, the ‘innovation’ becomes a heritage asset, and is often well-deserved. However, the two are different, and the choice should not be a contest of the one against the other on these grounds. Sustainable development technology too can quickly become superseded by new and better technology and need replacement, it’s a dynamic process. Meanwhile, the ‘about-to-be-demolished-again’ has replaced a heritage asset.

HE9.8 (i) suggests the weight is placed in the heritage asset’s re-arrangement rather than the developer’s withdrawal. The point appears to favour developer rather than heritage asset. (ii) again, this automatically appears to favour the developer not the asset. (iii) heritage assets would have difficulty surviving in the face of this ambiguous statement. This policy is of today’s understanding which could change ‘tomorrow’, and the heritage assets, meanwhile, be lost.

HE9.8 (ii) This point would be better understood if it were more clear exactly what type of heritage asset it is talking about.

HE9.8 (iii) It is difficult for a heritage asset to compete with “*wider social, economic and environmental benefits, including mitigating climate change that will be delivered by the proposed development*”. To say that it “*impedes all reasonable uses of the site*” suggests that a building of value from the past is in the way of new development. Without having specific examples of what is implied, it is the heritage asset which should be protected as the first rule, and the development guided accordingly.

It is frequently observed that when new development needs to be accommodated adjacent with older patterns of building or even one building, a more imaginative outcome is achieved provided that a ‘polite’ design and lay-out approach is taken. It often brings forward the best new architecture.

HE9.9 is a good point.

HE9.10 This point sounds as if it is anticipating speculative development, which is what this document could encourage.

Policy HE 10: Additional policy principles guiding the consideration of applications for development related to designated heritage assets

HE10.1 Can ‘more significant’ be clearly defined for policy purposes? Does it mean prominence, importance as to rarity, uniqueness or something else? Whilst English Heritage gives guidance on this it is not a *policy* document and, therefore, has limited weight. How will, for example, the aesthetic be compared with the historic in an order of merit? Buildings, monuments and conservation areas, for example, have been safe-guarded for individual and separate reasons: they are all of value to the historic environment and help to inform it, as well as support its rich diversity. They help to form the character and quality of the historic environment in England today.

HE10.2 Again, ‘highest significance’ site categories “*for example scheduled ancient monuments, protected wreck sites, battle fields, Grade 1 and 11\* listed buildings and registered parks and gardens, should be wholly exceptional*”. Once again, a judgement has to be made about which is of highest significance. Buildings and other protected sites and monuments are all very different and are preserved/conserved for different reasons. But importantly this statement omits Grade 11 listed buildings, which is the largest protected category and which probably contributes the most to the

character and quality of the country today. If this protection policy is weakened then it will erode and possibly destroy many of the vernacular buildings of England. To take a local example, Babergh District in Suffolk, the location of the Society's registered office, alone has nearly 4,000 listed buildings of which over 3,400 are Grade 11 listed. They are the predominant character of this rural district. Suffolk has over 11,800 Grade 11 listed buildings, and this does not include curtilage and outbuildings including barns.

Many vernacular buildings in this category are recognised for their group value. Individual historic/older homes and buildings do combine together to form important groups. The groups form the building pattern of villages and hamlets which are their historic roots of development. They may include a mill, an industrial building or a parish room. They are built of local materials – cob, clay lump, wattle and daub, timber frame, thatched etc. or have an interesting pattern of brickwork, and are often more sustainable builds in themselves than most modern development. Their different vernacular interests are the essence of much of Suffolk. It is what people come to visit and enjoy, but they cannot be rated against, say, a Grade 1 building. They are equally as important but in a different way, and much hard work has gone into listing many of these building before they are lost to damaging alteration, poor repairs or demolition, but they are not, and should not, compete with a hierarchy which sees them as less important.

HE10.3 This point does not include the fact that the heritage asset should be protected in all but exceptional circumstances.

HE10.5 There is a need for more clarity here ... *“including, where appropriate, through development of that element.”* It would seem strange that a World Heritage Site or a Conservation Area did not positively contribute to their own significance, unless they had been neglected and allowed to be run down, in which case *support* for the site would be appropriate. It is unlikely that either example could suddenly no longer be relevant in the heritage asset context, so as to require new development or re-development to part of it. ‘Public benefit’ might come in the form of facilities or an interpretation unit to, say, an ancient site but in that context, would be placed so as not to intrude or detract from that heritage asset.

Conservation areas are protected partly because of their unique pattern of buildings in a particular setting. They create a *sense of place* which gives environmental value. They are up-lifting and there should be encouragement

for their conservation. Once erosion or severance commences then it puts at risk the remaining heritage assets which can become isolated and lost to their context. Patterns of buildings grow over time in a holistic way. Once part of it is lost then it puts at risk the remaining heritage buildings. Adding to it in a new way may detract from the original concept. Point HE10.5 has the power to completely change a settled pattern of development over hundreds of years. Much new development, with its modern materials can be monolithic and may have difficulty blending with old materials in the same way. But PPS15 needs to protect and repair older buildings. It is the Planning Policy Statement which should be for that purpose, and if weakened, threatens society's heritage, which is finite. Above all, it should not have to be in competition with the new.

The introduction of Conservation Areas, and their maintenance, has been a valuable contribution to the built environment, and has been recognised through the many awards they have attracted for environmental improvement. They have helped to maintain a unique pattern of holistic development. It is a mature society that sustains them. To speculatively re-appraise parts of them, with a different set of planning values, has the potential to damage the original concept. That "*this (new development) should be seen as a positive public benefit and part of the process of place-making, in this context*", fails to convince.

Policy HE11. Additional policy principles guiding the consideration of applications for development affecting the setting of a heritage asset

HE11.1 Whilst it is recognised, through policy guidance, that the wider principles of sustainable development are important, the *principle* of new development, in itself, is not necessarily sustainable. More new development uses more minerals, transport and energy-using resources and materials, even if the build itself is a low or zero-carbon one. At the moment many materials used on sustainable buildings still have to be imported. Once again, to pit new development against older good buildings on the basis that the setting is compromised appears flawed. Good planning should always preserve the setting of good older or listed buildings. The two concepts are different and should not be in competition with each other.

HE11.2 Again, this appears to be saying that what is conserved is no longer worth conserving. An independent judgement would need to be made in each case, but '*new high quality designed development*' might not necessarily enhance it either, or '*be positive to public benefit and part of the*

*process of place-making*’ if the heritage asset is lost. It is not really understood here whether the asset is to be conserved in the face of new development, in which case there is no protection for the heritage asset.

Policy HE12: Additional policy principles guiding development of a heritage asset that is otherwise contrary to the development plan (also known as enabling development)

HE12.1 This is worded in such a way as to suggest that “*the benefits of an application for enabling development to secure the future conservation of a heritage asset outweigh the non-benefits of departing from the development plan*” centres on its financial support, and development around it to support that, rather than on the protection of the heritage asset, and its setting, itself. Once again, the heritage asset’s future protection should be the guiding principle here. All heritage assets need to be indicated and valued in any draft development plans, as they would have already been there when the plans were drawn up.

HE13: Policy principles guiding the recording of information related to heritage assets

HE13.1 and 2 The Society would agree.

HE13.3 If this asset has lost its ‘significance’ in whole or in part, to enable development, local authorities will have difficulty in “*persuading developers to maximise opportunities to advance understanding of the asset’s significance before it is lost*”. This appears a contradiction and needs better explanation. Asking the developers to “*publish the outcomes of investigations and advancement in understanding that those results bring, deposit copies of the reports with the relevant historic environment record, offer the archive generated to a local museum or other public depository*”, suggests that the heritage asset is very important and should not be set aside, in whole or in part, for enabling development.

If this policy is referring to say ‘archaeology’ or ‘battlefields’ then it should say so. If it is for a historic building/s then, again, it should say so – the treatment of the different categories of ‘heritage asset’ should be quite separate, as the interpretation will be different for each. A one size (policy document) does not fit all in this respect.

Planning Policy Guidance 15 was the document that was designed to protect heritage/older building assets and their environmental setting, and could be tested against other planning guidance on an equal footing. Planning Policy Guidance 16 centred on archaeology, which needed different interpretation (see point HE13.3). PPS15 is something quite different. It appears to be saying that heritage assets can be challenged if new technology can show that the development that will replace it is more energy efficient, uses sustainable materials, or is providing much needed zero-carbon homes. Heritage assets should not have to compete with this thinking. It should be noted, however, that many traditional vernacular buildings, apart from their value as heritage assets, are sustainable in terms of their build and function, and have a history of being so.

Heritage assets are not merely another factor, such as energy efficiency or the demand for new housing, but the *evolution of town and country*. There are communities that feel a loss of *sense of place*. Losing touch with one's past can destabilize communities through the loss of familiar surroundings, even if on a small scale, in social as well as environmental terms.

This country's built heritage belongs to society as a whole, not changing governments, and should be treated as such. It is fragile and finite and it is surely government's duty to protect, enhance, promote and celebrate it through sound planning guidance, for the benefit of everyone. This document does not appear to create a sound foundation for the built heritage and to safeguard it through the planning system.

The Society asks for the foregoing to be taken in to account when assessing draft Planning Policy Statement 15.

Yours faithfully,

Linda Clapham  
Suffolk Preservation Society

cc: SPS Trustees & Executive

