



AMS

Defending Historic Buildings

Patron: HIS ROYAL HIGHNESS THE PRINCE OF WALES, KG KT

ST ANN'S VESTRY HALL, 2 CHURCH ENTRY, LONDON EC4V 5HB Tel: 020 7236 3934

The Ancient Monuments Society's Response to the National Planning Policy Framework (NPPF) published on 24th July 2018

1 August 2018

In May 2018 the Ancient Monuments Society (AMS) wrote a [detailed response to the Ministry for Housing, Communities and Local Government \(MHCLG\)'s consultation](#) on the draft revised National Planning Policy Framework (NPPF).

In our consultation response, we expressed concerns about various aspects of the draft. Some of these concerns have been addressed, however several aspects of the document remain problematic.

[Sustainability and Communities](#)

We believe that communities can only be truly sustainable if they are able to recognise and value the history of the areas – including the built environment – in which they live and, similarly, that historic buildings and places will only survive into the future to enrich and enhance people's everyday lives if they continue to be valued and cared for.

We are disappointed that the dual emphasis on sustainability and community engagement which was at the heart of the 2012 NPPF has been eclipsed in favour of a more overt focus on housing delivery.

We welcome the clarification which has been reinserted into paragraph 3 of the revised NPPF that the Framework "should be read as a whole (including its footnotes and annexes)", however we regret the loss of the statement that the policies in the NPPF "constitute the Government's view of what sustainable development in England means in practice for the planning system".

[Heritage Legislation, Policy and Guidance](#)

We are disappointed that the relationship between heritage legislation, policy and guidance has not been made more explicit in the revised NPPF. There is a reference to the Planning (Listed Buildings and Conservation Areas) Act 1990, but this is only contained in a footnote. We also are concerned that no reference at all is made to the Planning Practice Guidance, which supports the Framework.

[Chapter 3: Plan-making](#)

We are disappointed that the section on "Using an appropriate evidence base" in the 2012 NPPF has been removed, especially paragraphs 169 and 170. We believe that, in order to make sound decisions about new development, local planning authorities should have up-to-date information about the historic environment in their area. The early identification of heritage assets removes uncertainty, speeds up the decision-making process and helps deliver better-quality outcomes.

Historic environment records (which are now mentioned in the historic environment chapter – see below) are one way of achieving this, however we believe that employing expert conservation staff with in-depth local knowledge is key to the proper management of the historic environment.

Chapter 4: Decision-making

We very much welcome the mention in paragraph 40 of the revised NPPF of the benefits of engaging consultees at a pre-application stage, which is a recognition of the positive contribution which bodies such as ours can make to the planning process. We are disappointed that the phrase “where they think this would be beneficial” was not removed, however.

Chapter 6: Building a strong, competitive economy

We are disappointed that the revised NPPF does not make reference to the significant contribution which historic buildings, places and landscapes make to the country’s economy, not only through tourism, but also by encouraging inward investment and providing enriching and attractive environment for people to live, work and spend leisure time in.

Chapter 12: Achieving well-designed places

We welcome the addition of paragraph 124 which states that “the creation of high quality buildings and places is fundamental to what the planning and development process should achieve.”

We agree that “good design is a key aspect of sustainable development”, however we continue to be dismayed about the general lack of good design in new development and are concerned that the push for high volumes of new housing will result in the construction of new housing estates that exhibit no understanding of the need for place making and a lack of understanding or appreciation of local distinctiveness. We welcome the Government’s stated ambition to promote design-driven development, however more and clearer mechanisms need to be put in place to support well-intentioned house builders and hard-pressed local authorities in delivering this.

Chapter 16: Conserving and enhancing the historic environment

We are pleased to note that the chapter on ‘Conserving and enhancing the historic environment’ is relatively unchanged from the 2012 version.

We very much welcome the following amendments which were made to the March draft, following lobbying by heritage sector organisations (including ourselves):

- The revised NPPF now makes explicit reference to World Heritage Sites (paragraph 184).
- The revised NPPF now makes explicit reference to historic environment records in the main body of the text (paragraph 187).
- The duty to make information about the historic environment publicly accessible (included in paragraph 141 of the 2012 NPPF) was omitted in the March draft but has now been reinstated (paragraph 188).

The reference to “optimum viable use” (paragraph 134 of the 2012 NPPF) was absent in the March draft but has been reinstated with the addition of ‘where appropriate’ (paragraph 196).

- The definition of ‘historic environment’ has reappeared in the Glossary.

General concerns

A number of overarching concerns which we highlighted in our March consultation response remain unaddressed.

The terms ‘substantial harm’ and ‘less than substantial harm’ continue to be problematic. The Society notes, through the wide range of proposals referred to it as part of its statutory casework, that the

bar for 'substantial harm' appears to be set increasingly high. In this regard, we welcome the introduction of the qualifier 'irrespective of the degree of potential harm' in the new paragraph 193.

We hope that this critical area of policy will be further clarified in revisions to the Planning Practice Guidance, as the Government's response to the NPPF consultation has suggested (see page 53):

We note the concerns about clarifying the policy approach to the assessment of the impact of proposed development on the significance of heritage assets and we will consider this issue further in revising national planning guidance.

There is also a lack of clarity about the interpretation of public benefit v. private benefit that should more closely align with or incorporate the wording in the relevant section of National Planning Practice Guidance (Paragraph: 020 Reference ID: 18a-020-20140306). The phrase 'public benefit' needs clarification as we have observed that it is being used in ever-increasingly elastic ways- often to describe benefits which are either to the applicant / developer or limited to the private realm. We understand Historic England is to produce guidance on 'public benefit'. This is something which we very much welcome and would be keen to be consulted on.

The NPPF is only one of a range of tools and resources which can be used to manage the historic environment. The AMS continues to be alarmed at the sharp reduction in the number of specialist conservation staff employed in local authorities. We believe that the most efficient and cost-effective way of delivering skilled expert advice at a local level is through the in-house conservation officer. Severe cuts to local authority funding in recent years have put the profession under serious threat, however we continue to believe that in-house conservation skills are essential to the management of the historic environment at a local level. In the absence of skilled conservation staff the responsibility is often left with planners, who usually do not have the necessary expertise.

The NPPF is not necessarily well understood by those who use it and can be particularly impenetrable for private individuals, local groups and local councillors. Using the document can be challenging for professionals too, and we very much hope Historic England will offer training to practitioners, especially for those in the public and voluntary sectors who may not have the resources to seek this elsewhere.