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NEW HERITAGE POLICY PUBLISHED - PPS5 PLANNING FOR THE HISTORIC ENVIRONMENT

Background

PPS5 Planning for the Historic Environment was published on 23rd March replacing PPG15 Planning and the Historic Environment and PPG16 Archaeology and Planning. The PPS brings together the Government's policy on how the historic environment (built and buried) is dealt with in the planning process into a single unified system. The PPS is now a material planning consideration in the determination of planning applications. It is supported by a Planning Practice Guide prepared by English Heritage. PPS5 only applies to England.

Clearer Policy Objectives

Its aim is that the historic environment should be "conserved and enjoyed for the quality of life they bring to this and future generations." The new PPS widens the scope of the historic environment to include places/features/landscapes that have significance due to their archaeological, historic, architectural and artistic interest. These are now called "heritage assets."

Key Measures

- Heritage assets defined as listed buildings, conservation areas, archaeology, historic landscapes and other aspects of the historic environment.
- Balances conservation with the, often conflicting, need to tackle climate change.
- RSSs and LDFs to set out a positive, proactive approach for the conservation of the historic environment of their area.
- Applicants are required to establish and understand the significance of known and 'potential' heritage assets and the contribution of their setting to this significance. This applies to designated and all non-designated heritage assets.

- Emphasis on pre-application assessment and evaluation.
- A presumption in favour of conservation of designated historic assets.
- Where development proposals justify a loss of significance of a historic asset, the developer will be required to record and advance understanding of the historic assets secured through conditions or legal obligations.
- A new policy on setting of all designated and non-designated heritage assets.

OUR ASSESSMENT

Climate Change

- The need to balance conservation and measures to mitigate and adapt to climate change have been made explicit.
- The PPS stresses the importance of the reuse and sympathetic adaption historic assets (i.e. historic buildings) to reduce emissions rather than new build.
- For proposals that mitigate climate change (e.g. wind farms and other renewable energy proposals), it emphasises the need to weigh the balance between the public benefit of renewable energy with potential harm to heritage assets.

Assessment of 'Significance'

- Applicants expected to assess the 'significance' of heritage assets before the development is designed and applications submitted. Includes a consideration of the contribution of setting to this significance.
- No distinction is made between designated and non designated assets. Assessment to cover both known and potential (i.e. currently unknown) heritage.
- Level of assessment detail should be proportionate and no more than is sufficient to understand the potential impact. Quite what is deemed to be proportionate will depend upon the local planning authority and so likely to be variable across the country.

- The need for a desk based 'heritage assessment' is likely to become commonplace.
- LPA should seek the views of 'particular communities' where a heritage asset of 'special significance' to that community is affected. This potentially opens the door to increased third party objections from a plethora of special interest groups.

Evaluation

- Where desk based assessment is deemed to be insufficient, 'field evaluation' will be necessary. Whereas PPG16 indicated that field evaluation is normally a 'rapid and inexpensive operation', the 'Planning Practice Guide' which supports the PPS suggests that local authority archaeologist can require a extensive range of survey techniques; inevitably this will take longer and cost more.

Validation of Applications

- The PPS instructs planning authorities to not validate applications where the above assessment is deemed to have not been fully addressed.

Excavation and Recording

- When planning permission is granted, developers will be expected to pay for not just the recording of archaeological or historic buildings impacted by development, but also to provide resources for access, research, publication, education, presentation and archiving of the results.

Setting

- Setting - The PPS defines setting as "The surroundings in which a heritage asset is experienced". The inclusion of a definition is helpful, but it is not clear how this definition will aid applicants in practice as the subject is still vague and subject to differing interpretations.

Designations

- It is not clear from the PPS how the distinction between harm to grade II buildings and parks and gardens being 'exceptional' being allowed and harm to grade I, II* buildings, parks and SAMs being 'wholly exceptional' will work in practice.

RSSs & LDFs

- The LDF process needs to be monitored as LPAs are encouraged to include a conservation strategy that takes into account the contribution made by the historic environment of the area.

Contact:

If you would like further advice in relation to PPS5, please contact:

LONDON

Archaeology

Rob Bourn

Tel: 020 7832 1473

Email: rob.bourn@cgms.co.uk

Paul Chadwick

Tel: 020 7832 1478

Email: paul.chadwick@cgms.co.uk

Duncan Hawkins

Tel: 020 7832 1481

Email: duncan.hawkins@cgms.co.uk

Elizabeth Stephen

Tel: 020 7832 0257

Email: elizabeth.stephen@cgms.co.uk

CHELTENHAM

Greg Pugh

Tel: 01242 259 833

Email: greg.pugh@cgms.co.uk

Nick Doggett

Tel: 01242259296

Email: nicholas.doggett@cgms.co.uk

NEWARK

Myk Flitcroft

Tel: 01636 653 060

Email: myk.flitcroft@cgms.co.uk

Simon Mortimer

Tel: 01636 653 060

Email: simon.mortimer@cgms.co.uk

BIRMINGHAM

Cathy Patrick

Tel: 0121 616 4852

Email: cathy.patrick@cgms.co.uk

KETTERING

Mike Dawson

Tel: 015 3679 0447

Email: mike.dawson@cgms.co.uk

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www.cgms.co.uk