

# THE ARCHAEOLOGY FORUM

*a grouping of independent bodies concerned with archaeology*

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Planning Reform Team  
Department for Communities and Local Government  
3/J2 Eland House  
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16 August 2007

Dear Sir or Madam

## ***PLANNING FOR A SUSTAINABLE FUTURE WHITE PAPER***

The Archaeology Forum (TAF) is a grouping of the key, non-governmental organisations concerned with archaeology in the UK. Its members include the Association of Local Government Archaeological Officers UK, the Council for British Archaeology, the Institute of Conservation, the Institute of Field Archaeologists, the Institute of Historic Building Conservation, the National Trust, the National Trust for Scotland, Rescue, the Society of Antiquaries of London, the Society of Antiquaries of Scotland, the Standing Conference of Archaeological Unit Managers, and the Society of Museum Archaeologists UK.

TAF is pleased to have the opportunity to comment on the ambitious programme of reforms set out in the Planning White Paper. Our organisations welcome the commitment to the role of planning in shaping places and in the protection and enhancement of the historic environment. We are disappointed to see that, despite the commitment in the Government's White Paper on heritage protection, these further reforms to the planning system do not clearly reflect that aspiration to place the historic environment at the heart of the planning system. Protection of the historic environment should be a key material consideration in all planning policy.

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TAF's principal concern is to safeguard the archaeological aspects of the historic environment and we have responded to the questions in the consultation which are particularly relevant to this central interest.

## **Consultation Questions**

### **Q1:**

The White Paper makes a strong case for reform on the basis of economic arguments. Whatever the economic case, we do not believe there should be a presumption in favour of development need over environmental and social considerations. We are not convinced, as we note in detail in points below, that the proposals would improve the transparency of decisions and the ability of the public to participate effectively in planning decisions for major infrastructure projects.

If national policy statements are implemented as proposed, the definition of 'adverse local circumstances' (3.14) which might justify the refusal of a nationally significant infrastructure project is so narrow that it would leave the Independent Planning Commission (IPC) with little or no grounds for taking heritage or other local considerations into account. There should be explicit measures to ensure that due weight is given to protection of the historic environment at every stages in the local and national planning process. The Forum's serious concerns about the potential erosion of protection for the historic environment are reflected in our comments below.

The new system should be no less rigorous, transparent and accessible than the present planning system.

### **Q2:**

In principle national policy statements (NPS) should provide a welcome national framework for decision making. However, Archaeology Forum members are concerned at the primacy that these appear to be given over existing national planning policy and guidance (e.g. in 3.18). The introduction of national policy statements should not weaken or undermine the effective operation of the current planning system for protection and enhancement of the historic environment. All national policy statements should make reference to the historic environment, and an assessment of the effects of development on it, as a key material consideration.

### **Q3:**

The scope of core issues covered by national policy statements (NPS) should be explicit and the historic environment should be specifically included in this (3.9). Objectives for infrastructure development should respect and give due weight to national planning policy and guidance, including PPS1 and PPG15 and PP16.

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The inclusion of ‘locationally specific’ policy is potentially highly contentious. If included, such sites should be subject to Environmental Impact Assessment, and should also respect existing local and national planning policy and guidance. TAF’s view is that NPS should focus on issues of policy and principle and avoid identification of specific sites and areas.

It will be important that all NPS should be subject to Strategic Environmental Assessment or Sustainability Appraisal.

**Q4:**

Forum members are strongly of the view that NPS should *not* have primacy over existing planning policy statements and guidance. There should be a much clearer statement made about the relationship between the two in the IPC decision-making process. The Archaeology Forum has highlighted the urgent need for revision of the existing planning policy guidance for archaeology (PPG 16 published in 1990) to bring this in line with current policy and heritage protection reform. The potential marginalisation of current planning policy statements and guidance in the national decision making process is a matter of grave concern.

The principles set out in the current PPGs have served our historic environment and our communities well and should not be compromised or weakened by a subsidiary relationship to NPS or a presumption in favour of economic development. Where left to the discretion of market forces, protection of the historic environment is very vulnerable and commonly regarded as an optional environmental benefit. In practice the heritage makes a significant contribution to the economic value of regeneration and refurbishment schemes and to the distinctiveness and liveability that underpins the prosperity of many communities.

**Q5:**

The White Paper makes a strong commitment to consultation and to the principle of engagement by local people with the planning process. There are real tensions between this position and Government’s desire to improve economic performance through speedier procedures which unavoidably limit opportunities for communities to be involved in decisions about local developments.

Consultation on NPS should include local and national planning bodies, statutory and non statutory heritage bodies. We would welcome more imaginative and accessible forms of consultation than the usual 12 week consultation online. Good consultation on major schemes can be shown to have effective outcomes. Time invested in this should not be regarded as ‘slowing down’ the decision making process but improving the quality of resulting schemes and local satisfaction with outcomes.

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**Q6 – 8:**

We agree that Parliamentary scrutiny is essential, that NPS should have a life of 10-25 years but within a strict five-year review process.

**Q11.:**

We agree that a best practice standard for the preparation of applications is desirable and this should include specific guidance on the need for an informed understanding of the historic environment impacts of the proposals, direct and indirect, and for provision of opportunities for creating public awareness and active involvement in the heritage aspects of the development project.

**Q12 – 14:**

We agree that there should be thorough consultation with local communities, with local authorities and with relevant heritage organisations, such as English Heritage, and that this consultation should be no less rigorous and inclusive than it is through the existing planning system. The national amenity societies should also be consulted, as per current arrangements, where there are significant impacts on designated historic assets.

Consultation with English Heritage on projects affecting ‘a building or site (marine or terrestrial) of special architectural, historic or archaeological interest’ (4.12) is appropriate but too limited and omits, for example, parks and gardens, battlefields and World Heritage Sites. Nationally significant infrastructure developments will potentially have impacts on settings and on the archaeological context of large areas of historic landscape, both terrestrial and marine. English Heritage should be consulted about the historic environment impacts of all major infrastructure projects.

**Q24:**

TAF members are strongly of the view that any streamlining of the statutory processes protecting the heritage (conferring powers on the IPC to determine Listed Building Consent, Conservation Area Consent and Scheduled Monument Consent) should retain the same careful scrutiny of applications and appropriate level of specialist advice as is currently provided through English Heritage and local planning authority historic environment services. The IPC should be resourced appropriately for this purpose.

**Q25:**

We welcome the fact that heritage is identified as a specialist area and that there will be a Commissioner with particular responsibility for this. We are seriously concerned, however, about the expectation that a single individual will have the capacity to advise on the full range of historic environment issues. It is not clear how such an individual would be selected and their performance scrutinized, and this approach does not bring accountability or confidence to the process.

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**Q26:**

On acceptance of applications, we are of the view that the Commission should notify and consult on heritage matters, as any local planning authority would do, with the relevant national and local consultees for the heritage and with specialist heritage advisers in the relevant local authority (as above Q24).

**Q29:**

TAF member are very concerned about the implication that national policy statements will have primacy over local and national planning policy and guidance and this will be to the detriment of protection of the historic environment (see above Q1). The definition of 'adverse local circumstances' is too restrictive and the IPC should be able to take into account local historic and other environmental considerations.

**Q38:**

A new 'impact approach' to permitted development has potential to streamline unnecessary planning workload. It is important that thresholds for implementing this should be flexible and that there is clear guidance on the need to take into account the sensitivity of areas of high archaeological potential, Conservation Areas and other designated historic assets and areas. Relatively minor changes may have a disproportionate impact in some contexts.

**Q39:**

As above, we agree that in principle this approach could effectively reduce the burden of minor applications on local planning authorities. Any streamlined process must, however, include mechanisms to ensure that historic environment interest is protected. We emphasise that relatively minor developments such as residential extensions may have a disproportionate impact in sensitive historic areas and there should be safeguards in the form of a notification system to prevent the incremental erosion of archaeological sites and local historic character.

Thank you for this opportunity to comment on the Government's proposals.

Yours faithfully,



Peter Hinton  
*Convenor, The Archaeology Forum*

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