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PLANNING

Planning Policy Statement: Consultation

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



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Planning for the Historic Environment

July 2009

Department for Communities and Local Government

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Summary Form

SCOPE OF THE CONSULTATION

Topic of this consultation:	This is a consultation document on a new planning policy statement (PPS) on planning for the historic environment.
Scope of this consultation:	The new PPS will replace the current planning policy guidance (PPG) notes 15 (Planning and the Historic Environment) and 16 (Archaeology and Planning), and takes account of the commitment in the 2007 white paper Planning for a Sustainable Future to streamline existing PPGs and PPSs and separate out policy from guidance. The PPS will be supported by guidance prepared by English Heritage.
Geographical scope:	The draft PPS sets out the national policy for England.
Impact assessment:	The consultation includes a draft impact assessment, on which comments are also invited.

BASIC INFORMATION

To:	Comments are invited from anyone either directly involved with or having an interest in the historic environment, including planning authorities, developers, owners of historic assets, special interest groups, community groups, and members of the public.
Body/bodies responsible for the consultation:	The draft PPS has been produced collaboratively by Communities and Local Government (CLG), the Department for Culture, Media and Sport (DCMS), and English Heritage (EH).
Duration:	24 July – 30 October 2009
Enquiries:	Enquiries about this consultation can be made to Phil Weatherby, PSI Division, Communities and Local Government, Eland House, Bressenden Place, London SW1E 5DU (tel. 020 7944 3888, e-mail address phil.weatherby@communities.gsi.gov.uk).
How to respond:	Written responses can be submitted by e-mail to PPSHistoric-Environment@communities.gsi.gov.uk or by post to Phil Weatherby at the above address.
Additional ways to become involved:	Draft supporting guidance has been produced by EH, working with CLG and DCMS, and a 'living draft' appears on the EH website (see paragraphs 1.17–1.18 of the consultation document). Comments should be sent to planning.policy@english-heritage.org.uk
After the consultation:	A summary of responses to this consultation will be published by 31 January 2010 at www.communities.gov.uk
Compliance with the code of practice on consultation:	This consultation complies with the code of practice on consultation issued by the Department for Business, Innovation and Skills (see section 3 of the consultation document for a list of the consultation criteria).

BACKGROUND

Getting to this stage:	This consultation follows a series of Government consultations on the historic environment and publication by the DCMS of the white paper Heritage Protection for the 21st Century in 2007, which set out a programme of reform.
Previous engagement:	Two stakeholder seminars were held in January 2009 on some key issues of the PPS, and the draft was revised to take account of comments raised at those seminars.

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PART 1: Introduction

PLANNING AND THE HISTORIC ENVIRONMENT

- 1.1 The historic environment is central to our cultural heritage. It contributes to our sense of national, local and community identity, through the memories of events and phases in our history that it holds. It has aesthetic value and provides local distinctiveness that is so important to a sense of place. It can help us support the economic development and regeneration of our communities, particularly through leisure and recreation. Through all this it enhances the quality of our daily lives.
- 1.2 The historic environment has a unique potential to contribute to a sense of place by helping to define the history and character of a particular area. People care about and want to protect those physical remains of the past that are vital to appreciation of our heritage. By understanding our past, we are better able to plan for our future and pass on those elements of the historic environment that we value to future generations. But people are not averse to change in principle. They want the historic environment to be a living and integral part of their local scene
- 1.3 Planning has a central role to play in conserving and enhancing the historic environment through policy and plan-making at national, regional and local level and through the determination of applications for consent for development. Through the planning process we can identify and define the interest and character that the historic environment brings to an area and conserve that value. An area's heritage can also provide a reference point for the design of new development in sensitive locations.

HERITAGE PROTECTION REFORM AND RATIONALE FOR THE NEW PPS

- 1.4 The Government is committed to reforming particular aspects of the heritage protection system. The white paper *Heritage Protection for the 21st Century* (March 2007) set out its intentions which are based on three central principles:
 - the need to develop a unified approach to the historic environment
 - maximising opportunities for inclusion and involvement
 - supporting sustainable communities by putting the historic environment at the heart of an effective planning system
- 1.5 Some elements of the heritage protection reform programme will require primary and secondary legislation, but there is a good deal that can be taken forward now and the Government is keen to keep up the momentum. One key area is the development of a new planning policy statement which is clear and up to date and brings together planning policy on all aspects of the historic environment – the built environment, archaeology and landscape - and underlines their essential place in the planning context.

PLANNING REFORM

- 1.6 In May 2007 the Government published its white paper *Planning for a Sustainable Future*. Amongst the white paper's proposals was a commitment to produce a more strategic and clearly focused national policy framework, with planning policy statement 1 (*Delivering Sustainable Development*) at its heart. A key first step is a comprehensive review of current planning policy statements and guidance and other relevant key policy material. The aim is to achieve a significant streamlining of the existing suite of documents by separating out policy from guidance. That commitment is reflected in the draft planning policy statement on planning for the historic environment.

THE DRAFT PLANNING POLICY STATEMENT (PPS): FORMAT AND UNDERLYING PRINCIPLES

- 1.7 This single new PPS is intended to replace the current planning policy guidance notes (PPG) 15 and 16, originally published in September 1994 and November 1990 respectively. These set out the Government's policy on the historic environment and on archaeology in relation to the planning system. The new PPS has been drafted collaboratively by CLG, DCMS and English Heritage.
- 1.8 The draft PPS is one element of the Government's ongoing programme of heritage protection reform, and should be considered alongside the supporting draft guidance material (see paragraphs 1.17-1.18). This should enable stakeholders to have a clear idea of how this policy guidance might be implemented in practice.
- 1.9 The draft PPS is central to the Government's aims for heritage reform. It reflects a more modern, integrated approach, moving beyond the outdated distinction between buildings and archaeology to embrace all of the historic environment. It defines the historic environment in terms of heritage assets to be conserved and, where appropriate, enhanced in accordance with a set of common principles in proportion to their significance (defined in terms of historic, archaeological, architectural or artistic interest). This represents a significant departure from the present approach with its separate treatment of listed building control, conservation areas and other types of historic asset in PPG 15, and separate consideration of archaeological assets in PPG 16.
- 1.10 The new PPS envisages a proportionate response to change. It makes clear that we should focus on what is significant in heritage terms about a place and not just protect all of it for its own sake.

- 1.11 In support of this, the draft PPS emphasises the need to establish the significance of each asset (defined as its value to people now and in the future derived from its heritage interest). That will help to establish which aspects of an asset it is most important to conserve. Most of the policies set out in this draft PPS are intended to be applicable to all historic assets, but some additional principles have been included which are relevant to designated assets.
- 1.12 The draft PPS highlights the importance of ensuring that adequate information and evidence bases are available, to ensure that the historic environment and the significance of heritage assets is fully taken into account in plan-making and decision-taking. The draft PPS encourages the development, enhancement and use of historic environment records, and emphasises the importance of this to the delivery of Government policies. It also makes clear the need for local planning authorities to have access to expert advice in relation to the historic environment.
- 1.13 The draft PPS also highlights the importance of integrating conservation of heritage assets into the wider planning context. It is particularly important to appreciate and capitalise on the potential that such assets have to contribute to place-shaping, through their distinctive character and inspiration for design of further development. There are clearer policies on setting and design when related to the historic environment.
- 1.14 References to regional spatial strategies in this draft PPS should be taken to mean development plans prepared under Part 1 of the Planning and Compulsory Purchase Act 2004 until such time as they are replaced by regional strategies prepared under the provisions of Part 5 of the Local Democracy, Economic Development and Construction Bill, when implemented.
- 1.15 Finally, the draft PPS makes clear how the historic environment is to be viewed in the context of today's major challenges, such as regeneration, housing supply, economic development and the need to address climate change.
- 1.16 The draft PPS does not include those elements of PPGs 15 and 16 which are considered to constitute guidance as opposed to policy, and is therefore much shorter, and very different in appearance from, those PPGs it is replacing.

SUPPORTING GUIDANCE

- 1.17 To support the policy principles in the draft PPS, English Heritage has prepared an initial draft of historic environment practice guidance to help practitioners implement the policy. The draft is on English Heritage's website (www.english-heritage.org.uk/pps) and is in the form of a 'living draft' on which comments may be submitted online at any time. These will be considered as and when they are received, and the draft will be amended from time to time to take account of suggestions.

- 1.18 In addition to that guidance, DCMS and English Heritage are currently considering how best to present non-planning-related policy and guidance that is currently included in the Annexes to PPGs 15 and 16.

IMPACT ASSESSMENT

- 1.19 A consultation stage impact assessment, setting out the costs and benefits of the draft PPS, is attached at Annex B. It concludes that the main ongoing new costs for local planning authorities and developers will be those resulting from a more consistent application of policy relating to the investigation and recording of heritage assets – particularly historic buildings – and to the creation and maintenance of associated records in historic environment records. However, these are likely to be offset by clearer policies in local authority plans, leading to greater certainty for developers and better quality applications, based on more widespread pre-application discussion, with a consequent reduction in inappropriate applications and therefore in unnecessary costs. As part of this consultation exercise your comments are also invited on the consultation stage impact assessment.

PART 2: Consultation Process

- 2.1 Responses to the draft PPS (Annex A) and the consultation stage impact assessment (Annex B) are invited by 30 October. Part 4 sets out questions on which we would welcome your views and a form is available separately to fill in when responding to them.
- 2.2 Any questions about the consultation should be directed to:
Phil Weatherby
Communities and Local Government
Planning Systems Improvement Division
Eland House
Bressenden Place
London
SW1E 5DU

(telephone: 020 7944 3888)
or by e-mail to: phil.weatherby@communities.gsi.gov.uk
- 2.3 Responses to the consultation should be sent either by e-mail to PPSHistoric-Environment@communities.gsi.gov.uk or by post to Phil Weatherby at the above address.
- 2.4 A summary of responses to this consultation will be published by 31 January 2010 at www.communities.gov.uk
- 2.5 Paper copies will be made available on request.

PART 3: About this consultation

- 3.1 This consultation document and consultation process have been planned to adhere to the code of practice on consultation issued by the Department for Business, Innovation and Skills and is in line with the seven consultation criteria, which are:
- formal consultation should take place at a stage when there is scope to influence the policy outcome
 - consultations should normally last for at least 12 weeks with consideration given to longer timescales where feasible and sensible
 - consultation documents should be clear about the consultation process, what is being proposed, the scope to influence and the expected costs and benefits of the proposals
 - consultation exercises should be designed to be accessible to, and clearly targeted at, those people the exercise is intended to reach
 - keeping the burden of consultation to a minimum is essential if consultations are to be effective and if consultees' buy-in to the process is to be obtained
 - consultation responses should be analysed carefully and clear feedback should be provided to participants following the consultation
 - officials running consultations should seek guidance in how to run an effective consultation exercise and share what they have learned from the experience
- 3.2 Representative groups are asked to give a summary of the people and organisations they represent, and where relevant who else they have consulted in reaching their conclusions when they respond.
- 3.3 Information provided in response to this consultation, including personal information, may be published or disclosed in accordance with the access to information regimes (these are primarily the Freedom of Information Act 2000 (FOIA), the Data Protection Act 1998 (DPA) and the Environmental Information Regulations 2004).
- 3.4 If you want the information that you provide to be treated as confidential, please be aware that, under the FOIA, there is a statutory code of practice with which public authorities must comply and which deals, amongst other things, with obligations of confidence. In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the department.
- 3.5 The Department for Communities and Local Government will process your personal data in accordance with DPA and in the majority of circumstances this will mean that your personal data will not be disclosed to third parties. Individual responses will not be acknowledged unless specifically requested.

- 3.6 Your opinions are valuable to us. Thank you for taking the time to read this document and respond.
- 3.7 Are you satisfied that this consultation has followed these criteria? If not or you have any other observations about how we can improve the process please contact:
- CLG Consultation Co-ordinator
Zone 6/H10
Eland House
London SW1E 5 DU
or by e-mail to: consultationcoordinator@communities.gsi.gov.uk

PART 4: Consultation Questions

Questions on which we would particularly like your views:

1. Does the PPS strike the right balance between advocating the conservation of what is important and enabling change?
2. By adopting a single spectrum approach to historic assets, does the PPS take proper account of any differences between types of asset (eg. are archaeological assets adequately covered)?
3. In doing so, does the PPS take appropriate account of the implications of the European Landscape Convention, and of the cultural dimensions of landscapes designated as National Parks and Areas of Outstanding Natural Beauty?
4. Are the policies and principles set out in the PPS the key ones that underpin planning policy on the historic environment, or should others be included?
5. Do you agree that it is the “significance” of a historic asset that we are trying to conserve?
6. Does the PPS comply with devolutionary principles with regard to what is expected at regional and local levels?
7. Does the PPS strike the right balance between the objectives of conserving what is significant in the historic environment and mitigating the effects of climate change?
8. Does the PPS make it clear to decision-makers what they should do, and where they have more flexibility? Are there any risks or benefits you would like to highlight for the historic environment sector?
9. The draft PPS highlights the importance of ensuring that adequate information and evidence bases are available, so that the historic environment and the significance of heritage assets are fully taken into account in plan-making and decision-taking. At the same time we are concerned to ensure that information requirements are proportionate and do not cause unnecessary delays. Are you content we have the balance right? If not how would you like to see our policy adjusted? (Policies HE8 and HE9 are particularly relevant to this question.)
10. In your opinion is the PPS a document that will remain relevant for at least the next 20 years? Do you see other developments on the horizon that have implications for the policies set out in the PPS?
11. Do you agree with the conclusions of the consultation stage impact assessment. In particular, have we correctly identified and resourced any additional burdens for local planning authorities? Is the impact on owners/developers correctly identified and proportionate to their responsibilities?
12. Do you think that the policy draft PPS will have a differential impact, either positive or negative, on people, because of their gender, race or disability? If so how in your view should we respond? We particularly welcome the views of organisations and individuals with specific expertise in these areas.

ANNEX A: Planning for the Historic Environment

INTRODUCTION

1. Planning policy statements (PPS) set out the Government's national policies on different aspects of planning in England. This PPS sets out planning policies on the conservation and enhancement of the historic environment through the planning system. These policies complement, but do not replace or override, other national planning policies and should be read in conjunction with other relevant statements of national planning policy¹. This PPS replaces *Planning Policy Guidance Note 15: Planning and the Historic Environment* published in September 1994 and *Planning Policy Guidance Note 16: Archaeology and Planning* published in November 1990. Guidance to help practitioners implement this policy is provided in the *Historic Environment* practice guidance².
2. The policies set out in this PPS should be taken into account by regional planning bodies in the preparation of revisions to regional spatial strategies³, by the Mayor of London in relation to the spatial development strategy for London, and by local planning authorities in the preparation of local development documents. The policies in the final PPS may also be material, depending on the particular circumstances of the case, to decisions on individual planning applications.
3. The policies and principles set out in this statement also apply to the consideration of the historic environment in relation to the other heritage-related consent regimes for which planning authorities are responsible.
4. Those parts of the historic environment that have significance because of their historic, archaeological, architectural or artistic interest are called heritage assets. Some heritage assets have a level of interest that justifies official designation (see Annex 1) and particular procedures apply to development decisions that involve them. This statement also covers heritage assets that are not currently designated or are not capable of designation under current heritage protection legislation, but which have a level of interest which should be conserved and, where appropriate, enhanced⁴.

¹ They are consistent with our obligations as a signatory to the Council of Europe's 'Granada' Convention (The Convention for the Protection of the Architectural Heritage of Europe), 'Valette' Convention (The European Convention on the Protection of the Archaeological Heritage), the 'Florence' Convention (The European Landscape Convention) and the 1972 UNESCO World Heritage Convention.

² See www.english-heritage.org.uk/PPS

³ Following enactment of the Local Democracy, Economic Development and Construction Bill, the responsible regional authorities will be responsible for revision of regional strategy, which will replace the RSS; for reference see footnote 6.

⁴ The glossary at Annex 1 describes these terms in more detail.

THE GOVERNMENT'S OBJECTIVES

5. The Government's broad aim is that the historic environment, and heritage assets in particular, should be conserved, enhanced and enjoyed for the quality of life they bring to this and future generations. To help achieve this vision, the Government's objectives for planning for the historic environment are:
- **to apply the principles of sustainable development to proposals involving the historic environment**, by ensuring that policies and decisions concerning the development and use of land take account of the positive benefits of conserving and, where appropriate, enhancing heritage assets (such as encouraging sustainable tourism to support economic growth or re-using existing heritage assets for example as part of regeneration)
 - **to conserve and, where appropriate, enhance England's heritage assets** in a manner appropriate to their significance by ensuring that:
 - decisions are based on an understanding of the nature, extent and level of that significance
 - wherever possible, heritage assets are put to an appropriate and viable use that is consistent with their conservation
 - that the positive contribution of such assets to local character and sense of place is recognised and valued and
 - that treatment of the historic environment is integrated into general planning policies, promoting place-making
 - **to contribute to our knowledge and understanding of our past** by ensuring that opportunities to capture evidence from the historic environment and make this publicly available are taken, particularly if a heritage asset is to be lost.

PLAN MAKING POLICIES

Policy HE1. Evidence base for plan-making

HE1.1 Regional and local planning authorities should ensure that they have evidence about the historic environment, and heritage assets in particular, in their area and that this is publicly documented. The evidence should be proportionate and sufficient to inform adequately the relevant planning process. Local planning authorities should ensure that they either maintain or have access to a historic environment record.⁵

⁵ All local planning authorities currently maintain or have access to a historic environment record (HER) providing coverage of their area. Most HERs are hosted by unitary/upper tier local authorities and National Park Authorities – and in Greater London, by English Heritage. Details can be found at <http://www.heritagegateway.org.uk/Gateway/CHR>

- HE1.2 This evidence, in particular that contained in relevant historic environment records, should be used to assess the extent, significance and condition of known heritage assets and the contribution that they may make to future development in the area. It should also be used to help predict the likelihood that new heritage assets, particularly sites of historic and archaeological interest, will be discovered, including through the development process.
- HE1.3 Where planning bodies are addressing the conservation of the historic environment they need to consider both known heritage assets and areas where there is a potential for such assets to be discovered.

Policy HE2: Regional planning approach

- HE2.1 The character and significance of the historic environment in a region should inform the regional spatial strategy (RSS)⁶ with particular attention paid to the landscapes and groupings or types of heritage assets that give distinctive identity to a region or areas within it⁷.
- HE2.2 The RSS should ensure a consistent approach across the region to the conservation, enhancement and enjoyment of the historic environment.
- HE2.3 In determining its strategy, the regional planning body should take full account of the positive contribution that the historic environment can have for regeneration, encouraging tourism, and enhancing the quality of the environment and the region's sense of place, alongside other objectives such as economic growth and housing supply. Their approach should be consistent with securing progress against the UK's carbon emissions targets.

Policy HE3: Local planning approach

- HE3.1 Having assessed the evidence, local planning authorities should, where appropriate, set out a positive, proactive, strategy for the conservation, enhancement and enjoyment of the historic environment in their area. They should particularly focus on the local distinctiveness of the historic environment and how this can be used to promote a sense of place. They should include consideration of how best to conserve individual, groups or types of heritage assets that are most at risk of loss through neglect, decay or other pressures (See also policy HE6.1).

⁶ References in this paragraph to the regional spatial strategy should be taken to refer to the regional strategy once the Local Democracy, Economic Development and Construction Bill is enacted and brought into force. The latest version of the Bill can be found at <http://services.parliament.uk/bills/>

⁷ Historic characterisation provides a useful approach for assimilating this information.

- HE3.2 Within the plan-making process, the historic environment should be seen as a stimulus to inspire new buildings of imaginative and high quality design that respect and harmonise with their setting and help to enhance the appearance and character of an area.

Policy HE4: Heritage assets and sustainable development

- HE4.1 The continued use of heritage assets can contribute to sustainable development. Keeping assets in use reduces the consumption of building materials and energy and reduces waste.
- HE4.2 Local planning authorities should contribute to mitigating, or adapting to, the effects of climate change when devising policies and making decisions relating to heritage assets by seeking to reuse and, where appropriate, modify heritage assets so as to reduce CO₂ emissions and secure sustainable development. While there may be occasions when climate change objectives conflict with conservation of heritage assets there will normally be opportunities for enhanced energy efficiency, improved resilience to weather, greater use of renewable energy, or sustainable drainage and use of water, that will make a contribution without such conflict arising.

Policy HE5: Permitted development and article 4 directions

- HE5.1 Local planning authorities should consider whether allowing the exercise of permitted development rights would undermine the aims for the historic environment within the development plan or the general aims of conservation and enhancement set out in this planning policy statement. If so, they should consider the use of an article 4 direction for a single heritage asset, class of heritage assets or an area to limit the extent of such development.

Policy HE6: Monitoring indicators

- HE6.1 Local planning authorities should consider how they can best proactively monitor the impact of their planning policies and decisions on the historic environment. They should pay particular attention to the degree to which groups of heritage assets and individual heritage assets are at risk of loss or decay, how they expect this will change over time, and how they propose to respond⁸.

⁸ The local planning authority has a duty to consider conservation area designation pursuant to s69 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

DEVELOPMENT MANAGEMENT PROCESS

Policy HE7: Pre-application discussions and assessment

- HE7.1 PPS1⁹ says that local planning authorities and applicants should consider the benefits of early engagement in pre-application discussions. Early engagement is particularly beneficial for applications with the potential to impact on heritage assets or their setting: understanding the significance of affected heritage assets is key to successful design (design that uses the advantages of the asset's interest, whilst conserving its significance). The more the applicant and the local planning authority explore and understand that significance before designs are drawn up, the greater the chances of a successful application.
- HE7.2 Where a development site includes heritage assets with an archaeological interest, local planning authorities should require developers to carry out appropriate desk-based or field evaluations as part of any application for consent. They should refer to the results of these evaluations when determining the design of the proposed development. A copy of the outcomes of such evaluations should be deposited in the relevant historic environment record.
- HE7.3 A heritage asset can be better conserved and the burden of the consent process lessened or even removed if through the use of pre-application discussions an owner and the local planning authority can agree the nature and extent of the significance of the asset. There is no obligation on either party to do so but the benefits should be considered by both parties.

Policy HE8: Information requirements for validation of applications for consent affecting heritage assets

- HE8.1 Local planning authorities should require the applicant to provide a description of the significance of the heritage assets affected and the contribution of their setting to that significance. This should set out the information that has been considered and the expertise that has been consulted. As a minimum the relevant historic environment record should have been consulted and the assets themselves should have been assessed¹⁰.

⁹ *Planning Policy Statement 1: Delivering Sustainable Development* (ODPM 2005) p4 para 12.

¹⁰ Advice on the scope of heritage statements is included in CLG's guidance on the validation of planning applications, available at <http://www.communities.gov.uk/publications/planningandbuilding/validationplanningapplications>. At the time of publication (summer 09) this guidance was likely to be updated; please ensure you refer to the most up-to-date version.

- HE8.2 Local planning authorities should consider the evidence provided by that description alongside the outcome of any consultation with the local community and expert advice from professional experts and/or statutory consultees as required. (This should include the results of any desk-based or field evaluations undertaken by the developer as set out in HE7.2 above.)
- HE8.3 Local planning authorities should not validate applications for consent where the extent of the impact of the proposed development on the significance of any heritage assets affected cannot be fully understood from the application and supporting documents.

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

- HE9.1 In considering applications¹¹ local planning authorities should seek to identify and assess the significance of any element of the historic environment that may be affected by the relevant development (including development within the setting of an asset) drawing on the evidence provided by any relevant designation records, the relevant historic environment record, the heritage assets themselves and the outcome of consultations with interested parties and specialist advice. In considering the significance of a heritage asset, local planning authorities should take into account the particular nature of the interest in the asset and the value that it holds for this and future generations. This understanding should be used to avoid or minimise conflict between conservation of that significance and proposals for development.
- HE9.2 Local planning authorities should use appropriate expert advice to inform decision-making relating to heritage assets where the need to understand the significance of the heritage asset demands it. This may be from in-house experts, experts available through agreement with other authorities, or consultants, complemented by specialist national organisations and local amenity societies.
- HE9.3 Local planning authorities should particularly seek the views of the local community where the evidence suggests that the asset may have a historic, archaeological, architectural or artistic significance to the local community that may not be fully understood from records or statutory consultees alone¹².
- HE9.4 In determining individual applications, local planning authorities should take into account the desirability of enhancing the significance of heritage assets, securing their conservation for the longer term and utilising their positive role in place-making.

¹¹ This may relate to an application for planning permission, Listed Building Consent, Conservation Area Consent or any other necessary consent for development.

¹² Annex 1 provides an explanation of the different types of significance a heritage asset may have.

- HE9.5 Where development proposals that are promoted for their contribution to mitigating climate change have a potentially negative effect on heritage assets, local planning authorities should, prior to determination, and ideally during pre-application discussions, help the applicant to identify feasible solutions that deliver similar climate change mitigation but with less harm to the significance of heritage assets and their setting.
- HE9.6 Local planning authorities should aim to ensure that, where reasonably practicable, new developments are designed in a way that respects their setting and reinforces the distinctiveness of heritage assets they stand alongside, in terms of scale, height, massing, alignment, and use of materials. In doing so, local planning authorities should, in line with PPS 1, take care to avoid stifling innovation and undermining investment in sustainable development.
- HE9.7 Where a development proposal has a negative impact on the significance of a heritage asset, through alteration or destruction, or through development within its setting, the local planning authority should weigh the public benefits of the proposed development against any harm it has on the heritage asset, recognising that the greater the harm to the significance of a heritage asset the greater the justification will be needed for any loss.
- HE9.8 Local planning authorities should not accept material harm to or removal of significance in relation to a heritage asset unless:
- (i) the harm or partial removal is necessary in order to sustain the asset in its original use or, if the original use is not possible, some other sustainable use that conserves the asset
 - (ii) the heritage asset impedes all reasonable uses of the site, there is clear evidence that no viable use of the site can be found in the medium term that will enable the retention of the asset's significance, and conservation through grant-funding or some form of charitable or public ownership is not possible or
 - (iii) it can be demonstrated that the material harm to or removal of significance is outweighed by the wider social, economic and environmental benefits, including mitigating climate change, that will be delivered by the proposed development
- HE9.9 Where there has been any deliberate neglect of the heritage asset in the hope of obtaining consent, local planning authorities should disregard any deterioration resulting from such neglect when determining consent.
- HE9.10 Where loss of significance is justified on the merits of new development, local planning authorities should make every effort to satisfy themselves of the likelihood that the proposed new development will proceed before approving the application.

Policy HE10: Additional policy principles guiding the consideration of applications for development related to designated heritage assets

- HE10.1 Local planning authorities should be guided by the principle that the more significant the heritage asset, the greater the presumption in favour of its conservation.
- HE10.2 Material loss of heritage assets of the highest significance, including scheduled ancient monuments¹³, protected wreck sites, battlefields, grade I and II* listed buildings and registered parks and gardens, should be wholly exceptional.
- HE10.3 Local planning authorities considering applications for development related to designated heritage assets should be particularly alert to policy 9.8(ii) which sets out the requirement for evidence that alternative ownership or uses for the asset have been explored. To be confident that no appropriate and viable use of the asset can be found, local planning authorities should require evidence that other potential owners or users of the site have been sought through appropriate marketing and that reasonable endeavours have been made to seek grant funding for the asset's conservation and to find charitable or public authorities who may be willing to take on the asset.
- HE10.4 In considering the significance of heritage assets local planning authorities should bear in mind that not all elements of a World Heritage Site or Conservation Area will necessarily contribute to its significance. Those elements that do contribute to the significance should be considered as designated assets in themselves (whether subject to separate statutory designation or not). When considering applications for development, local planning authorities should take into account the significance of such individual elements and their contribution to the significance of the World Heritage Site or Conservation Area as a whole.
- HE10.5 Where an element of a World Heritage Site or Conservation Area does not positively contribute to its significance, local planning authorities should take into account the desirability of enhancing or better revealing the significance of the World Heritage Site or Conservation Area, including, where appropriate, through development of that element. This should be seen as a positive public benefit and part of the process of place-making.

¹³ Development affecting Scheduled Monuments and Protected Wreck Sites will also require prior consent from the Secretary of State for Culture, Media and Sport (see <http://www.culture.gov.uk/>). In such cases, local planning authorities should encourage applications for all relevant consents to be made in parallel.

HE10.6 Due to the discretionary approach taken to the scheduling of monuments and the statutory limitations on what can be designated as a monument there are many sites that are significant for their archaeological interest that are not designated at present. The absence of designation does not necessarily indicate lower significance. Non-designated assets of archaeological interest equal in significance to that of scheduled monuments should be treated according to the same principles.¹⁴

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

HE11.1 When considering applications for development within the setting of a heritage asset, local planning authorities should treat favourably applications that preserve those elements of the setting that enhance the significance of the asset. When considering applications that do not do this, local planning authorities should weigh any loss of enhancement of the asset against the wider benefits of the application. Reflecting the importance Government attaches to development that contributes to the wider principles of sustainable development, such benefits may include the wider benefits associated with increased production of energy from low or zero-carbon sources. The greater the negative impact on the significance of the asset, the greater the benefits that will be needed to justify approval.

HE11.2 Where an aspect of an asset's setting does not positively contribute to its significance, local planning authorities should take into account the desirability of enhancing or better revealing the significance, including through high quality design of new development. This should be seen as a positive public benefit and part of the process of place-making.

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 Local planning authorities should use the following criteria to determine whether the benefits of an application for enabling development to secure the future conservation of a heritage asset outweigh the disbenefits of departing from the development plan, bearing in mind the requirements of section 38(6) of the Planning and Compulsory Purchase Act 2004¹⁵.

- Will it materially harm the significance of the asset or its setting?
- Will it avoid detrimental fragmentation of management of the asset?

¹⁴ Advice and information about the significance of known, but non-designated heritage assets with archaeological interest may be obtained from County Archaeologists and historic environment records, respectively.

¹⁵ Note that these criteria are listed as a starting point; what is a material consideration will always depends on the circumstances of the individual case and this list is not comprehensive.

- Will it secure the long term future of the asset and, where applicable, its continued use for a purpose sympathetic to its conservation?
- Is it necessary to resolve problems arising from the inherent needs of the asset, rather than the circumstances of the present owner, or the purchase price paid?
- Is there a source of funding that might support the asset without the need for enabling development?
- Is the level of development the minimum necessary to secure the future conservation of the asset and of the design and type that minimises harm to other public interests?

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

- HE13.1 A documentary record of our past is not as valuable as retaining the asset. The ability to record evidence of our past should not therefore be a factor in deciding whether consent for development that would result in a heritage asset's destruction should be given.
- HE13.2 The process of investigating the significance of the historic environment, as part of plan- or decision-making, generates information and furthers understanding of our past. This information should be made publicly available, including through the relevant historic environment record.
- HE13.3 Where a decision has been made that will result in the loss of the whole or a material part of an asset's significance, local planning authorities should ensure that developers maximise opportunities to advance understanding of the asset's significance before this is lost. Developers should publish the outcomes of such investigations and the advancement in understanding that those results bring. They should deposit copies of the reports with the relevant historic environment record. They should also offer the archive generated to a local museum or other public depository. Where appropriate, local planning authorities should impose planning conditions or obligations to ensure such work is carried out before commencement of the development.

ANNEX 1. TERMINOLOGY

Archaeological interest

An interest in carrying out an expert investigation at some point in the future into the evidence a place may hold of past human activity. Heritage assets with archaeological interest are the primary source of evidence about the substance and evolution of places, and of the people and cultures that made them. These remains are part of a record of the past that begins with traces of early humans and continues to be created and destroyed.

Architectural and artistic interest

These are interests in the design and general aesthetics of a place. They can arise from conscious design or fortuitously from the way the place has evolved. More specifically, architectural interest is an interest in the art or science of the design, construction, craftsmanship and decoration of buildings and structures of all types. Artistic interest is an interest in other human creative skill, like sculpture.

Conservation

The process of maintaining and managing change to a heritage asset in a way that preserves its significance.

Designated asset

A World Heritage Site, Scheduled Monument, Listed Building, Protected Wreck Site, Registered Park or Garden, Registered Battlefield or Conservation Area designated as such under the relevant legislation.

Heritage asset

A building, monument, site, or landscape of historic, archaeological, architectural or artistic interest whether designated or not. Heritage assets are components of the historic environment.

Historic environment

All aspects of the environment resulting from the interaction between people and places through time, including all surviving physical remains of past human activity, whether visible, buried or submerged, and deliberately planted or managed flora. Those elements of the historic environment that have significance are called heritage assets.

Historic environment record (HER)

Historic environment records are information services that seek to provide access to comprehensive and dynamic resources relating to the historic environment of a defined geographic area for public benefit and use. Typically, they comprise databases linked to a geographic information system (GIS), and associated reference material, together with a dedicated staffing resource.

Historic interest

An interest in past lives and events. Heritage assets can illustrate or be associated with them. Heritage assets with historic interest not only provide a material record of our nation's history, but can also provide an emotional meaning for communities derived from their collective experience of a place and can symbolise wider values such as faith and cultural identity.

Historic characterisation

Historic characterisation is the process and product of defining the overall historic character of a place or landscape in terms of its present-day archaeological and architectural identity so that the principles of sustainable development can be applied. GIS-based historic landscape characterisation and its urban equivalents are currently the most prevalent of these approaches, but historic environment characterisation extends these principles by combining assessments of archaeological, architectural and historic landscape character, while historic seascape characterisation applies them to the marine historic environment.

Setting

The area surrounding a heritage asset within which activity or development may affect the significance of that asset. The significance of an asset, or appreciation of that significance, may be enhanced or diminished by elements of the existing setting.

Significance

The value of a place to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic¹⁶.

¹⁶ The accompanying guidance by English Heritage (<http://www.english-heritage.org.uk/PPS>) expands on how one can analyse the public's interest in heritage assets by sub-dividing it into aesthetic, evidential, historic and communal values. This is not policy, but a tool to aid analysis.

Summary: Intervention & Options		
Department /Agency: CLG and DCM	Title: Impact Assessment of Planning for the Historic Environment	
Stage: Partial IA	Version: Consultation draft	Date: 11/05/09
Related Publications: PPG 15: <i>Planning and the Historic Environment</i> , PPG 16: <i>Archaeology and Planning</i> (Plus PPS 1: <i>Delivering Sustainable Development</i> , PPS 7: <i>Sustainable Development in Rural Areas</i> , MPS 1: <i>Planning and Minerals</i> , MPS 2: <i>Controlling and Mitigating the Environmental Effects of Mineral Extraction in England</i>)		

Available to view or download at:

<http://www.communities.gov.uk>

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What is the problem under consideration? Why is government intervention necessary?

National planning policy relating to the historic environment is currently set out in two planning policy guidance (PPG) notes: PPG 15: *Planning and the Historic Environment* and PPG 16: *Archaeology and Planning*. Regional planning bodies and local planning authorities are required to take account of this policy in both strategic planning and development control decisions. Planning policy set out in PPGs 15 and 16 needs to be updated and revised in order to reflect the evolution of Government policy and sectoral practice towards conservation of the historic environment over the last two decades; it also needs to be streamlined to ensure consistency with Government reforms of the planning system and realisation of the benefits that this will deliver.

What are the policy objectives and the intended effects?

Policy objectives: (a) to ensure that regional planning bodies and local planning authorities, developers and owners of heritage assets adopt a consistent and up-to-date approach to conserving, the historic environment, and (b) to meet the commitment in the white paper, *Planning for a Sustainable Future*, to streamline current planning policy statements.

Intended effect: to achieve a strategic, integrated and fit-for-purpose planning framework within which issues relating to the historic environment can be reconciled with other priorities.

What policy options have been considered? Please justify any preferred option.

Option 1: to retain PPGs 15 and 16. **Option 2:** to replace PPGs 15 and 16 with a single, streamlined, comprehensive national planning policy statement covering updated and revised planning policy.

The preferred option is option 2. This option will deliver most benefit and is consistent with commitments made by Government in the white paper, *Planning for a Sustainable Future*.

When will the policy be reviewed to establish the actual costs and benefits and the achievement of the desired effects?

The responses to this consultation will be analysed and relevant comments fed into the final policy statement. This will be accompanied by a full impact assessment. Barring legislative reform of the statutory heritage protection system Government has no current plans for a further review once the planning policy statement has been finalised.

Ministerial Sign-off For Consultation Stage Impact Assessments:

I have read the Impact Assessment and I am satisfied that, given the available evidence, it represents a reasonable view of the likely costs, benefits and impact of the leading options.

Signed by the responsible Minister:

Date:

Summary: Analysis & Evidence			
Policy Option: 1		Description: Maintain the status quo by retaining existing suite of planning policy guidance notes relating to the historic environment (PPGs 15 & 16)	
COSTS	ANNUAL COSTS		Description and scale of key monetised costs by 'main affected groups' No new costs. Implementation of policy set out in PPG 15 and PPG 16 is already funded.
	One-off (Transition)	Yrs	
	£		
	Average Annual Cost (excluding one-off)		
	£		Total Cost (PV)
Other key non-monetised costs by 'main affected groups' N/A			
BENEFITS	ANNUAL BENEFITS		Description and scale of key monetised benefits by 'main affected groups' No new benefits.
	One-off	Yrs	
	£		
	Average Annual Benefit (excluding one-off)		
	£		Total Benefit (PV)
Other key non-monetised benefits by 'main affected groups' N/A			
Key Assumptions/Sensitivities/Risks			
Policy will be implemented by local planning authorities and regional planning bodies.			
Price Base Year	Time Period Years	Net Benefit Range (NPV) £0	NET BENEFIT (NPV Best estimate) £0

What is the geographic coverage of the policy/option?		England only			
On what date will the policy be implemented?		Already implemented			
Which organisation(s) will enforce the policy?		LPAs/Secretary of State for CLG			
What is the total annual cost of enforcement for these organisations?		£0			
Does enforcement comply with Hampton principles?		Yes			
Will implementation go beyond minimum EU requirements?		N/A			
What is the value of the proposed offsetting measure per year?		£N/A			
What is the value of changes in greenhouse gas emissions?		£N/A			
Will the proposal have a significant impact on competition?		No			
Annual cost (£-£) per organisation (excluding one-off)		Micro	Small	Medium	Large
Are any of these organisations exempt?		No	No	No	No
Impact on Admin Burdens Baseline (2005 Prices) (Increase – Decrease)					
Increase of £0		Decrease of £0		Net Impact £0	
Key:	Annual costs and benefits: Constant Prices			(Net) Present Value	

Summary: Analysis & Evidence			
Policy Option: [Preferred Option]		Description: Revise and update planning policy relating to the historic environment, and repackage this in a single, streamlined, comprehensive national planning policy statement (PPS)	
COSTS	ANNUAL COSTS		Description and scale of key monetised costs by 'main affected groups' Local planning authorities: <u>c£90,000 p.a.</u> in relation to the creation and updating of additional records relating to historic buildings in HERs. Developers/owners of heritage assets: <u>c£3.35m p.a.</u> in relation to additional investigation and recording of historic buildings.
	One-off (Transition)	Yrs	
	£0		
	Average Annual Cost (excluding one-off)		
	£3.44m		
		Total Cost (PV)	£28.61m
Other key non-monetised costs by 'main affected groups' Policy HE9 (information requirements for validation of applications for consent) may result in more developers consulting historic environment records in relation to buildings-related proposals, and thus incurring the fees which most LPAs charge for the commercial use of HER content. However, this impact is unlikely to be felt until current issues about the coverage of the built environment in HERs are resolved as developers would not be charged if an HER contains no information about a particular building. This situation is unlikely to change significantly within the time period considered by this assessment.			

BENEFITS	ANNUAL BENEFITS		Description and scale of key monetised benefits by 'main affected groups'	
	One-off	Yrs		
	£			
	Average Annual Benefit (excluding one-off)			
	£3.52m		Total Benefit (PV)	£29.27m
<p>Other key non-monetised benefits by 'main affected groups'</p> <p>The new PPS is likely to benefit developers by increasing certainty and reducing risk: for example, it should reduce the number of applications for planning permission/LBC/CAC rejected on heritage-related grounds. These benefits have not been monetised (see Annex B)</p> <p>The cultural benefits resulting from the new PPS are, for the most part, not directly monetisable. Instead, they may best be expressed in terms of public value and sustainability.</p> <p>The historic environment is a rich and diverse part of our cultural heritage¹. By providing a tangible link with our past it contributes to regional and local distinctiveness and sense of place, influences our cultural identity as individuals and communities, shapes our relationship with nature and the spiritual world, and enhances our quality of life. However, it is also a fragile, vulnerable, non-renewable and finite resource.</p> <p>The new PPS should improve realisation of these outcomes through more effective conservation and enhancement of heritage assets, both in the light of present values and in the interest of future generations. It should also help to ensure that opportunities to advance our understanding of the historic environment are taken, and that it is promoted as part of contemporary culture.</p> <p>In addition to its cultural value, the historic environment makes a considerable contribution to economic well-being. For example, tourism accounts for around 5% of GDP – in 2007, £16bn was spent by overseas visitors and £11.5bn by UK citizens on holidays in the UK (Visit Britain) – and heritage forms an important part of the 'draw'. In 2006, 9.8 million (30%) of overseas visitors to the UK visited castles, churches, monuments or historic houses, spending £5.4bn (34% of all overseas spend) while they were in the UK (<i>International Passenger Survey</i>, Visit Britain).</p> <p>By delivering more effective conservation and enhancement of heritage assets through the planning system, it is reasonable to assume that the new PPS will result in a better quality historic environment, and that this in turn may lead to an incremental growth in the revenue generated by tourism. However, it has not been possible to quantify this.</p>				

¹ Together with the living inheritance of local people – their dialect, folklore, craft skills and knowledge.

Key Assumptions/Sensitivities/Risks					
<p>Assumptions: Regional planning bodies and local planning authorities implement the policy and it delivers efficiency savings of the order suggested in Annex B.</p> <p>Sensitivities: effective implementation of policy is dependent on planners having adequate access to specialist expertise covering all aspects of the historic environment (built environment, archaeology and landscape); the level of provision of such expertise is known to vary between authorities.</p> <p>Risks: the economic downturn may lead some planning authorities to reduce current levels of resourcing for in-house or contracted historic environment services.</p>					
<p>Price Base Year 2009</p>	<p>Time Period Years 10</p>	<p>Net Benefit Range (NPV) £665,320</p>	<p>NET BENEFIT (NPV Best estimate) £665,320</p>		
What is the geographic coverage of the policy/option?			England only		
On what date will the policy be implemented?			To be confirmed		
Which organisation(s) will enforce the policy?			LPAs/Secretary of State for CLG		
What is the total annual cost of enforcement for these organisations?			£0		
Does enforcement comply with Hampton principles?			Yes		
Will implementation go beyond minimum EU requirements?			N/A		
What is the value of the proposed offsetting measure per year?			£N/A		
What is the value of changes in greenhouse gas emissions?			£N/A		
Will the proposal have a significant impact on competition?			No		
Annual cost (£-£) per organisation (excluding one-off)	Micro	Small	Medium	Large	
Are any of these organisations exempt?	No	No	No	No	
<p>Impact on Admin Burdens Baseline (2005 Prices) (Increase – Decrease)</p> <p>Increase of £3.09m Decrease of £3.16m Net Impact £72,000</p>					
Key:	Annual costs and benefits: Constant Prices			(Net) Present Value	

Evidence Base (for summary sheets)

1. BACKGROUND

1. The historic environment is central to England’s cultural heritage, and hence, a cultural, socio-economic and environmental resource that should be sustained for the benefit of present and future generations.
2. It is defined as *all aspects of the environment resulting from the interaction between people and places through time, including all surviving physical remains of past human activity, whether visible, buried or submerged, and deliberately planted or managed flora*. Those elements of the historic environment – landscapes, archaeological remains and buildings – deemed to be of significance due to their historic, archaeological, architectural or artistic interest are called heritage assets.
3. The practice of recognising, formally protecting and conserving particular aspects of the historic environment has developed along parallel paths since the passing of the Ancient Monuments Act in 1882. It is currently underpinned by a range of legislation, including:
 - The National Parks and Access to the Countryside Act of 1949
 - The Protection of Wrecks Act 1973
 - The Ancient Monuments and Archaeological Areas Act 1979
 - The Planning (Listed Buildings and Conservation Areas) Act 1990
 - The Treasure Act 1996 and
 - The Countryside and Rights of Way Act 2000²

and by associated Council of Europe and UNESCO conventions to which the United Kingdom is a party, including:

 - The Convention for the Protection of the Architectural Heritage of Europe
 - The European Convention on the Protection of the Archaeological Heritage
 - The European Landscape Convention and
 - The Convention Concerning the Protection World Cultural and Natural Heritage

² Together with the 1949 Act, this provides the basis for the designation of National Parks & Areas of Outstanding Natural Beauty – landscapes deemed to merit statutory protection on grounds of their natural and cultural heritage.

4. National policy guidance on the conservation of the historic environment within the town and country planning system is, for the most part³, currently set out in two planning policy guidance (PPG) notes: PPG 15: *Planning and the Historic Environment* and PPG 16: *Archaeology and Planning*, published in 1994 and 1990, respectively. It recognises that not all heritage assets of international, national, regional or local significance are currently known or recognised, and of those that are, not all are formally protected (or capable of being so under current legislation). It also ensures that developers meet the costs of assessing, evaluating and, if necessary, mitigating the impacts of their proposals on the historic environment.
5. Beyond the scope of the planning system (and in addition to the statutory heritage protection system), conservation of the historic environment is promoted through a variety of land management initiatives, including agri-environment schemes funded as part of the rural development programme for England. Many of the specialist historic environment information and advisory services resourced by local planning authorities (LPAs) to comply with their statutory obligations and to implement the policies set out in PPGs 15 and 16 also play a crucial role in the effective delivery of these initiatives.
6. In 2008 English Heritage published its *Conservation Principles, Policies and Guidance*. These set out the basis for the advice it provides in relation to conservation of the historic environment, including to Government, regional planning bodies, local planning authorities and the owners of heritage assets.

2. RATIONALE FOR ACTION

7. The Government's heritage protection reform programme is the outcome of a comprehensive review of heritage protection measures, which commenced in 2003 with the publication of the consultation paper *Protecting our Historic Environment: Making the System Work Better*. The aims of the programme are to achieve:
 - a modernised approach to all of the historic environment
 - a better designation process and wider participation
 - better management and decision-making and
 - local participation and management
8. Following publication of the white paper, *Heritage Protection for the 21st Century* in 2007, a draft Heritage Protection Bill was published in April 2008 and subjected to pre-legislative scrutiny and public consultation. Although the Bill was not included in the Government's legislative programme for 2008-09, it remains committed to this legislation, which will be brought forward as soon as Parliamentary time allows.

³ National planning policy relating to National Parks and AONBs is set out in PPS 7: Sustainable Development in Rural Areas.

9. In its absence DCMS, CLG and the Department for Environment, Food and Rural Affairs (Defra) are continuing to work on a number of non-statutory reforms to achieve the objectives of the heritage protection reform programme. The planning policy statement (PPS) for the historic environment proposed under option 2 is a key element of this programme. It will provide an opportunity to build on the success of PPGs 15 and 16 by:
- unifying and updating previously separate approaches to the conservation of the historic environment through the planning system
 - ensuring that an appropriate level of public benefit is obtained when development which impacts on the historic environment is permitted to proceed and
 - underlining the potential of heritage assets to contribute to other planning priorities, such as economic development and the mitigation of/adaptation to climate change
10. Given that PPG 15 and PPG 16 were produced in 1994 and 1990, respectively, it is also necessary to update them to take account of recent planning legislation and developments in planning policy. Although some parts of the PPGs have been amended as and when required, a new PPS is needed to fulfil the Planning white paper objective of producing a more strategic and clearly focused national policy framework.

3. OBJECTIVES

11. The policy objectives are:
- to ensure that regional planning bodies, LPAs, developers and owners of heritage assets adopt a consistent and up-to-date approach to conservation and, where appropriate, enhancement of the historic environment through the planning system and
 - to produce a statement of planning policy that not only takes account of developments in planning legislation and policy since the publication of PPGs 15 and 16, but which also meets the commitment in the 2007 white paper, Planning for a Sustainable Future to produce a more strategic, clearer and more focused national planning policy framework⁴

⁴ As a first step towards this the white paper proposed a comprehensive review of existing PPGs and PPSs with the aim of achieving a significant streamlining by separating out policy from guidance and limiting the amount of central guidance to those matters which are strategic and necessary to achieving a consistent approach to decision making.

4. SECTORS AND GROUPS AFFECTED

12. Planning policy relating to the historic environment potentially has an impact on the following groups:
- regional planning bodies and LPAs
 - commercial developers of all sizes
 - owners of heritage assets (including businesses and the general public) and
 - commercial historic environment services (i.e. archaeological and conservation services)

5. OPTIONS

13. This section describes the main options considered in the impact assessment to achieve the policy objectives.
14. **Further details, including a policy-by-policy cost/benefit analysis and an explanation of monetisable cost/benefits, are provided in Annexes A & B, respectively.**

Option 1: PPGs 15 and 16 remain in force.

15. **Benefits:** the benefits for not streamlining planning policy within a single PPS are that it retains a framework with which users are familiar and therefore avoids the short term familiarisation costs that are likely to be incurred under option 2. However, although option 1 is cost neutral in the short term, continuing to pursue the status quo in the medium/long term foregoes the benefits of moving to a streamlined policy framework, in particular the reduction in complexity and the attendant cost savings. The drivers for streamlining policy relating to planning for the historic environment are compelling, and not streamlining policy now would be an opportunity missed. Indeed, it makes sense to streamline and update policy at the same time, rather than separately which would have the potential to be more disruptive and could distract practitioners' focus from implementation.
16. **Resource implications and costs:** no new resource implications or costs for regional planning bodies, LPAs, developers and owners of heritage assets – policy is longstanding and already implemented, although sectoral practice on issues such as the recording of different types of heritage asset has evolved differently under PPGs 15 and 16, even though it was originally anticipated that they should promote a consistent approach.

Option 2: revised and updated planning policy relating to the historic environment is issued in a single, streamlined, comprehensive PPS.

17. Benefits: streamlining is the process of separating policy from guidance, organising policy material around the key planning processes (plan making and decision taking), and removing policy duplication. It is not possible to quantify the benefits of streamlining policy given the inherent difficulties of assessing the impact of changes in the way that policy is structured and presented. Notwithstanding this, reflecting the Planning white paper, it should have the following benefits:

- practitioners are clear about what is expected of them, and on which matters they have discretion

Separating policy from guidance into separate documents enables policy documents to be short and focussed on policy expectations only. Where necessary, Government will provide practical guidance on implementing the policy separately.

The benefit of streamlining for users is that the outcomes they should be working towards are clear, as are the policy principles that they are expected to follow to deliver these objectives. As guidance is set out separately from policy, this clearly indicates that there is discretion in the way in which users (primarily local authorities) can deliver the outcomes and policy principles.

A related benefit is that being clear where there is discretion and flexibility, encourages local authorities to consider what is best for their local circumstances, by using or adapting the guidance as they see fit, or developing their own approach.

- policy is structured in a way that is more user-friendly for practitioners

Streamlining enables policy documents to be restructured so that they are organised with the key users in mind. What this means in practice is separating policy expectations directed at the process of preparing a plan from making a planning decision. For each process, these can be sub-divided by the different parts of the process e.g. evidence necessary to make a robust assessment. This has an important 'reading and complying benefit' for many users – they don't have to read the whole policy document to ensure they have not missed a crucial instruction, but can dip in and out of the document as necessary. This translates into resource savings for local planning authorities and applicants for planning permission, speedier plans and decisions, and better applications for development, with a greater chance of success (and hence fewer planning appeals).

18. As already stated, it is difficult to quantify the benefits of streamlining planning policy related to the historic environment. However, analysis for the Killian Pretty Review⁵ provides some context for what the benefits of streamlining could look like if they were implemented across the planning system as a whole. It estimated that the planning system currently imposes costs on the UK economy both by causing delays, and through its complexity. The costs to the UK economy of delays caused by the planning system were estimated to be between £700m and £2.7bn per year. It estimates that a 10% improvement would save the economy as a whole £70m per year. They also found that planning is consistently one of the top six concerns for businesses wishing to invest in the UK.

Killian Pretty believe that if Government overhauled and simplified the national policy framework and the secondary legislation for the process of planning applications, this would enable faster and more effective handling of applications by reducing the inherent complexity in the process. They estimated that this complexity costs applicants a total of £750m per year in consultants and legal fees, and that a 10% reduction, would save applicants £75m per year and local authorities £30m per year.

19. The publication of a new PPS will also present the opportunity to bring national planning policy into line with the Government's wider policy objectives for the historic environment and current sectoral good practice, both of which have evolved since the publication of PPGs 15 and 16 in 1994 and 1990, respectively. In particular, the application of common policy principles to all types of heritage assets will be consistent with the spirit of the heritage protection reform programme and with the application of English Heritage's *Conservation Principles, Policies and Guidance*.
20. **Resource implications and costs:** we consider that streamlining the policy along the lines proposed in Option 2 would be cost neutral in the short term, with the potential for medium/long term savings in compliance costs by presenting the Government's planning policies for the historic environment in an integrated, streamlined way (reflecting the Killian Pretty analysis above). Furthermore, we believe that this is unlikely to result in significant familiarisation costs for regional planning bodies, LPAs, commercial developers or owners of heritage assets since, although the policy would be updated and presented differently, it would nevertheless be consistent with existing sectoral good practice.

⁵ The Killian Pretty Review Planning applications: A faster and more responsive system (November 2008)

21. We consider that enforcement costs overall will show no significant change. Enforcement costs apply when LPAs tackle unauthorised development or breaches of conditions – these occur regardless of the specifics of the planning policy and we see no reason for them to increase. If anything we expect a slight decrease in such activity as we expect clarification of the policy will result in better quality applications and therefore fewer infringements of the rules.
22. English Heritage is undertaking ongoing research into the staffing of LPA historic environment services. The first report was published in May 2009. Based on surveys in 2006 and 2008 the report show that there are around 1,200 historic environment staff (conservation officers, archaeological officers, HER officers) employed by local authorities in England. The introduction of the planning policy statement proposed under option 2 is not anticipated to necessitate an increase in this number. After an initial period of adjustment, it is anticipated that the time required to be spent on reactive casework will be slightly reduced, allowing time to take on more proactive work to meet the Government’s objectives for the historic environment.
23. English Heritage has a well-established training programme offering a range of courses, workshops and published materials for personal study. Training requirements arising from option 2 would be covered by the historic environment local management (HELM) programme. HELM courses are offered to local authority staff and elected members free of charge as a way of ensuring they maintain and develop their professional standards. It is estimated that if nine courses (one per region) were held, approximately two-thirds of the 1,200 historic environment staff currently employed by LPAs would attend at a total cost of £25,000. Training materials – possibly including e-learning – for these courses and also targeted to non-attendees would cost a further £25,000. Total one-off costs of £50,000 would be covered by English Heritage (possibly seeking sponsorship towards the delivery). Training would also be made available by English Heritage to the private sector if other organisations that offer fee-paying courses did not step in to fill the training need. After year one, training would continue to be delivered through the normal HELM programme at no additional cost to the organisation.

Table 1: Summary of policy options and key costs and benefits

Option 1: planning policy guidance currently set out in PPG 15 and PPG 16 remains in force	
Benefits	Costs
<p>Planning policy relating to the historic environment is well established and understood, and in many respects, remains fundamentally sound.</p> <p>Deferring the introduction of a new PPS on the historic environment until reform of the statutory heritage protection system has been secured would reduce the risk that it may need to be revised in the short/medium term.</p>	<p>The Planning white paper commitment to streamline existing PPGs is not addressed, resulting in opportunity costs (the medium/long term benefits of moving to a streamlined policy framework would be forgone).</p> <p>An opportunity to maintain the momentum of the heritage protection reform programme, and to update planning policy to take account of recent advances in (a) policy and practice relating to conservation of the historic environment, and (b) planning legislation, since publication of the PPGs, would be lost.</p>
Option 2: revised and updated planning policy is issued in a single PPS which replaces PPGs 15&16	
Benefits	Costs
<p>The Planning white paper commitment to streamline existing PPGs will be met, and the consequent benefits for regional planning bodies, local planning authorities, developers and owners of heritage assets realised.</p> <p>The momentum of the heritage protection reform programme will be maintained, with the PPS clarifying how the planning system will be expected to contribute to delivery of the Government’s vision for England’s historic environment in terms of:</p> <ul style="list-style-type: none"> • promoting sustainable development by ensuring that the historic environment forms an integral part of social, environmental and economic development • conserving, and where appropriate, enhancing, heritage assets in a manner appropriate to their significance and • realising opportunities to advance our knowledge and understanding of our past 	<p>Some developers and owners of heritage assets would incur additional costs arising from more consistent application of policy relating to the investigation and recording of historic buildings.</p>
Conclusion: Option 2 is our preferred option. It is consistent with wider reforms of the heritage protection and planning systems and its long term benefits are greater.	

EVIDENCE IS WELCOMED FROM CONSULTEES ON THE COSTS AND BENEFITS IDENTIFIED ABOVE AND IN ANNEXES A and B. IN PARTICULAR, WE WOULD BE INTERESTED IN VIEWS AS TO WHETHER WE HAVE CORRECTLY IDENTIFIED ANY NEW BURDENS AND BENEFITS FOR LOCAL PLANNING AUTHORITIES, AND THE IMPACT ON OWNERS/ DEVELOPERS OF HERITAGE ASSETS.

6. SPECIFIC IMPACT TESTS CARRIED OUT

Competition assessment

- 24. Option 2 will have little or no effect on competition. It has been assessed against the four key questions identified by the Office of Fair Trading:

Does Option 2:	Yes/No
Directly limit the number or range of suppliers?	No
Indirectly limit the number or range of suppliers?	No
Limit the ability of suppliers to compete?	No
Reduce suppliers’ incentives to compete vigorously?	No

Small firms impact test

- 25. Option 2 is likely to offer considerable benefits for small firms, and potentially these would be proportionately greater than for larger firms. A streamlined and well organised policy document will mean that policy expectations are easier to understand and comply with. Consequently, applicants should be able to submit better quality planning applications which have a greater chance of success. This is likely to benefit small firms in particular since they are more likely to submit planning applications themselves than larger firms (which are more likely to employ consultants or have in-house specialist expertise). It is not anticipated that a new planning policy statement would, in itself, lead to an increased number of applications for planning permission (or for listed building consent or conservation area consent).
- 26. The proposed planning policy statement retains the ‘beneficiary pays’ principle at the heart of PPG 15 and PPG 16 by ensuring that developers – including commercial developers – are responsible for assessing, evaluating and, where necessary, mitigating the impact of their proposals on the historic environment. As now, such costs will be proportionate to the potential impact of the proposals rather than to the nature of the developer. It would not be appropriate to introduce flexibilities or exemptions for small businesses.

27. Small businesses with an interest in the proposals, and their representative bodies, are encouraged to contribute to the public consultation.
28. Compliance of option 2 with the Hampton Principles is considered in Annex C.

Legal Aid

29. Option 2 will have no impact.

Sustainable development, carbon assessment, other development

30. The importance of protecting the historic environment as an aspect of sustainable development is made clear in PPS 1: *Delivering Sustainable Development*.
31. By promoting more effective approaches to the conservation and, where appropriate, enhancement of the historic environment through the planning system, the policy statement proposed under option 2 will contribute positively to the five principles of sustainable development to which the Government is committed. By explicitly recognising the importance of addressing climate change in this policy area for the first time, it should encourage better decisions that balance heritage conservation issues against energy reduction and other considerations in a realistic manner.

Health impact assessment

32. Option 2 will not have a significant impact on human health or lifestyle, nor will it lead to a significant demand on health or social care services. However, effective conservation and, where appropriate, enhancement of the historic environment is likely to contribute positively to well-being.

Race, disability, gender equality

33. Option 2 will not discriminate on the grounds of race, age, faith and belief, disability, sexual orientation or gender.

Human rights

34. Option 2 will not have human rights implications.

Rural proofing

35. Option 2 will have little or no rural-specific impact. Although implementation of the policy depends on the accessibility of specialist historic environment advisory and information services, this is a continuation of the current position. Impacts have been assessed against Defra's rural-proofing checklist.

Checklist:	Yes/No
Will the policy affect the availability of public and private services?	No
Is the policy to be delivered through existing service outlets, such as schools, banks and GP surgeries?	No
Will the cost of delivery be higher in rural areas where clients are more widely dispersed or economies of scale are harder to achieve?	No
Will the policy affect travel needs or the ease and cost of travel?	No
Does the policy rely on communicating information to clients? How will clients access information in rural areas, where there are fewer (formal) places to obtain advice and information?	Yes [information about the historic environment is increasingly being made available online – including via the Heritage Gateway – while the Planning Portal provides a one-stop-shop for planning services online]
Is the policy to be delivered by the private sector or through a public-private partnership?	No
Does the policy rely on infrastructure (e.g. broadband ICT, main roads, utilities) for delivery?	No
Will the policy impact on rural businesses, including the self-employed? Will it have a different effect on smaller businesses (which employ a greater proportion of the workforce in rural areas) or those sectors which are typically more significant in rural areas – farming and construction? Will the higher proportion of self-employed people in rural areas be affected by the policy (including women running part-time businesses)?	Yes [Option2 will impact on developers of all sizes. However, these will be proportionate to the potential impact of the proposed development – as is currently the case under PPG 15 and PPG 16.]

Checklist:	Yes/No
<p>Will the policy have a particular impact on land-based industries and, therefore, on rural economies and environments?</p> <p>How will the policy affect the agricultural sector and the mining, extraction and water industries, which have a particular importance in many rural areas?</p> <p>Will there be a knock-on effect on the environment (given that 70% of the land is farmed)?</p> <p>Conversely, if the policy affects the environment, what are the implications for businesses based on natural resources such as tourism, leisure, renewable energy and food production?</p>	<p>Yes</p> <p>[Option 2 will impact on land-based development (i.e. mining and extraction, but not agriculture⁶). Conservation of the historic environment is beneficial for tourism, leisure etc.]</p>
<p>Will the policy affect those on low wages or in part-time or seasonal employment?</p>	<p>No</p>
<p>Is the policy to be targeted at the disadvantaged?</p>	<p>No</p>
<p>Will the policy rely on local institutions for delivery?</p>	<p>No</p>
<p>Does the policy depend on new buildings or development sites?</p>	<p>No</p>

⁶ Agriculture is not classed as 'development' under the Planning Acts. Mitigation of the impacts of agriculture on the historic environment is addressed through other measures, including the Rural Development Programme for England.

Specific Impact Tests: Checklist

Use the table below to demonstrate how broadly you have considered the potential impacts of your policy options.

Ensure that the results of any tests that impact on the cost-benefit analysis are contained within the main evidence base; other results may be annexed.

Type of testing undertaken	Results in Evidence Base?	Results annexed?
Competition Assessment	Yes	No
Small Firms Impact Test	Yes	No
Legal Aid	Yes	No
Sustainable Development	Yes	No
Carbon Assessment	No	No
Other Environment	No	No
Health Impact Assessment	Yes	No
Race Equality	Yes	No
Disability Equality	Yes	No
Gender Equality	Yes	No
Human Rights	Yes	No
Rural Proofing	Yes	No

ANNEXES

ANNEX A: SUMMARY OF KEY COSTS AND BENEFITS AND INITIAL ASSUMPTIONS

OPTION 1			
Measure and description	Costs and benefits	Assumptions	Issues, sensitivities and risks
Regional planning bodies and local planning authorities continue to implement policy set out in PPG 15 and PPG 16	No new resource implications for planning authorities or developers.	LPAs have access to specialist expertise covering all aspects of the historic environment (built environment, archaeology and landscape).	LPAs currently have variable access to specialist expertise.

OPTION 2			
Measure and description	Costs and benefits	Assumptions	Issues, sensitivities and risks
<p>Policy HE1: Evidence base for plan-making</p> <p>This policy is consistent with the emphasis in PPS 12: <i>Creating Strong Safe and Prosperous Communities Through Local Spatial Planning</i> that plan making should be based on a robust and credible evidence base.</p> <p>It updates policy set out in PPG 16 by recognising that most archaeologically-focused Sites and Monuments Records (SMRs) have now broadened their scope to encompass evidence relating to other aspects of the historic environment – thus becoming Historic environment records (HERs) – or are in the process of doing so.</p> <p>[PPG 15 does not explicitly require planning authorities to have an evidence base before creating historic environment policy or taking decisions, but this is covered more generally by PPS 11 and PPS 12.]</p>	<p>Costs</p> <p>Regional planning bodies and local planning authorities: no additional resource implications.</p> <p>Developers/owners: n/a</p> <p>Benefits</p> <p>Regional planning bodies, local planning authorities, developers and owners: some additional benefits – the policy consolidates current sectoral practice, which has evolved since the publication of PPGs 15 and 16.</p> <p>By promoting an approach where all relevant information is available in a single location and all new information is deposited there, it ensures that any new research commissioned by an applicant not only informs the specific application in question, but also improves the quality of future planning and decision making in the vicinity.</p>	<p>All LPAs currently maintain or have access to an HER – in total there are c80 HERs in England⁷.</p> <p>No increase in the number of HERs will be necessary and the majority will continue to be hosted by single/upper tier local authorities and National Park Authorities – and in Greater London, by English Heritage.</p> <p>In addition to information about individual heritage assets, the content of HERs includes the outcomes of completed historic characterisation projects.</p> <p>National standards and guidance for HERs will be published, promoted and supported by English Heritage.</p> <p>LPAs have access to specialist expertise covering all aspects of the historic environment (built environment, archaeology and landscape).</p>	<p>LPAs will need to continue to invest in the maintenance and development of HERs, particularly if their potential as community resources is to be realised more consistently.</p> <p>Coverage of built and marine heritage in HERs is currently inconsistent and will need to be enhanced over the medium/long term.</p>

⁷ Details of current HERs can be found at <http://www.heritagegateway.org.uk/Gateway/CHR/>

OPTION 2	Measure and description	Costs and benefits	Assumptions	Issues, sensitivities and risks
		<p>Others: in addition to the groups identified above, the ability to access comprehensive and up-to-date sources of information about the historic environment of a locality is of direct benefit to planning/environmental consultants, highways engineers, statutory undertakers, land managers, farmers, academic researchers, local societies, amateur historians/archaeologists, teachers, students and interested members of the public – as well as to historic environment professionals working in the public, private and voluntary sectors.</p>		<p>LPAs currently have variable access to specialist expertise. The forthcoming survey for the <i>Delivering the Heritage Protection Reforms: A report on local authority and English Heritage Resources</i> report will show that in 2008 there were 756 FTE staff employed by English local planning authorities on historic building issues and 401 FTEs working on archaeological issues, giving a total of 1157. This was a 5% drop in numbers from 2006, but higher than in 2003. These figures demonstrate that total numbers employed fluctuate and suggest a current decline. This may parallel recent data from the Institute for Archaeologists on the current decline in private sector employment in archaeology.</p>

OPTION 2			
Measure and description	Costs and benefits	Assumptions	Issues, sensitivities and risks
<p>Policy HE2: Regional planning approach</p> <p>This policy is broadly consistent with that in:</p> <p>PPS 11: <i>Regional Spatial Strategies</i>, which identifies culture as one of the policy topics to be taken into account in plan making, and in this context makes reference to policy and guidance relating to conservation of the historic environment set out in PPGs 15 and 16.</p> <p>PPS 1: <i>Planning for Sustainable Development</i>, which sets out the Government's aims for delivering sustainable development in an integrated way through a sustainable, innovative and productive economy that delivers high levels of employment, and a just society that promotes social inclusion, sustainable communities and personal well being, in ways that protect and enhance the physical environment and optimise resource and energy use.</p>	<p>Costs</p> <p>Regional planning bodies: no additional resource implications.</p> <p>Local planning authorities/ developers/owners: n/a</p> <p>Benefits</p> <p>Regional planning bodies/local planning authorities: enhanced consideration of the historic environment in the plan making process should help planning authorities to identify and realise the positive contribution it can make to delivery of wider objectives at both regional and local level.</p>	<p>Applicants take account of policies in putting forward their proposals for change.</p>	<p>Consideration of the historic environment in regional plans is currently of variable quality.</p>

OPTION 2	Measure and description	Costs and benefits	Assumptions	Issues, sensitivities and risks
		<p>The importance of the environment as a regional driver for growth is already recognised (for example in <i>The Regional Spatial Strategy for the SW</i>).</p> <p>Research by the National Trust on <i>Valuing our Environment</i> (2001) shows that 40% of employment in rural areas is dependent upon a high quality natural and built environment. The National Trust estimates that each of its employees generates additional employment of between 5 and 9 FTE. In the NE region, environmental employment generates over £1bn with 27,000 people employed directly on natural and historic environment and a total of 67,000 people employed in tourism as a whole (amounting to 7% of regional employment).</p> <p>Developers/owners: will be able to prepare applications for planning permission in a context where issues and expectations relating to the historic environment are clearer. Provided they take proper account of these policies, their applications are more likely to be approved.</p>		

OPTION 2			
Measure and description	Costs and benefits	Assumptions	Issues, sensitivities and risks
<p>Policy HE3: Local planning approach</p> <p>This policy is consistent with policy currently set out in: PPGs 15 & 16 (in relation to conservation of the historic environment); and PPS 1: Planning for Sustainable Development (in relation to delivery of the Government's aims for sustainable development in an integrated way through a sustainable, innovative and productive economy that delivers high levels of employment, and a just society that promotes social inclusion, sustainable communities and personal well being, in ways that protect and enhance the physical environment and optimise resource and energy use).</p>	<p><i>Costs</i></p> <p>Local planning authorities: no additional resource implications.</p> <p>Regional planning bodies/ developers/owners: n/a</p> <p><i>Benefits</i></p> <p>Regional planning bodies: n/a</p> <p>Local planning authorities: enhanced consideration of the historic environment in the plan making process should help LPAs to identify and realise the positive contribution it can make to delivery of wider objectives at both regional and local level.</p> <p>Ensuring that the historic environment is well cared-for and that its potential is fully realised is important. In 2007-08, the five properties managed by Historic Royal Palaces welcomed almost 3 million people and generated £52m direct income.</p>	<p>LPAs have access to specialist expertise covering all aspects of the historic environment (built environment, archaeology and landscape).</p> <p>Applicants take account of policies in putting forward their proposals for change.</p>	<p>LPAs currently have variable access to specialist expertise.</p>

OPTION 2	Measure and description	Costs and benefits	Assumptions	Issues, sensitivities and risks
		<p>Research published by RICS, the British Property Federation and English Heritage in <i>Heritage Works: the use of historic buildings in regeneration</i> (2007) shows that investment in heritage-led regeneration creates jobs and facilitates the creation of new businesses (2,300 direct and indirect jobs and 286 new businesses in the Grainger Town area of Newcastle upon Tyne; 3,500 jobs and 210 new businesses in the Lace Market area of Nottingham. However, it is not possible to demonstrate the comparative figure of employment and start-ups had all the historic buildings had been replaced with new ones. Both areas benefited from a strong policy steer from the relevant local authorities.</p>		

OPTION 2	Measure and description	Costs and benefits	Assumptions	Issues, sensitivities and risks
		<p>Developers/owners: will be able to prepare applications for planning permission in a context where issues and expectations relating to the historic environment are clearer. Provided they take proper account of these policies, their applications are more likely to be approved. The key saving for developers in such situations is often time, and as they will usually be paying interest on a loan for the development site, anything that speeds delivery offers significant financial benefit.</p> <p>The EH publication <i>Constructive Conservation in Practice</i> (2008) sets out 20 examples of high quality imaginative design in a historic context which resulted in popular and saleable/lettable commercial and residential developments (including Princesshay retail development in a very sensitive part of Exeter and Royal Clarence Yard, centre of a £100m regeneration project in Gosport)</p>		

OPTION 2			
Measure and description	Costs and benefits	Assumptions	Issues, sensitivities and risks
<p>Policy HE4: Historic environment and sustainable development</p> <p>This policy seeks to integrate policy relating to conservation of the historic environment (currently set out in: PPGs 15 and 16) with policy relating to sustainable development (currently set out in PPS 1: <i>Planning for Sustainable Development</i> and its supplement <i>Planning and Climate Change</i>).</p>	<p>Costs</p> <p>Regional planning bodies and local planning authorities: no additional resource implications.</p> <p>Developers/owners: n/a</p> <p>Benefits</p> <p>Regional planning bodies and local planning authorities: greater clarity in decision-making will help to ensure that fewer outcomes are challenged</p> <p>Developers/owners: applications will be prepared and submitted in a context where issues and expectations relating to the historic environment are clearer. Provided that they take proper account of these policies, their applications are more likely to be approved.</p>	<p>Planning authorities use the new policies to take consistent decisions and give appropriate reasoning at the time that decisions are made.</p> <p>Applicants take account of policies in putting forward their proposals for change.</p>	<p>Some applicants whose proposals are refused are still likely to challenge decisions, although the number of challenges is likely to fall if the policy is set out clearly.</p>

OPTION 2			
Measure and description	Costs and benefits	Assumptions	Issues, sensitivities and risks
<p>Policy HE5: Permitted development and Article 4 directions</p> <p>This policy is broadly consistent with policy currently set out in: PPGs 15.</p>	<p><i>Costs</i></p> <p>Regional planning bodies: n/a</p> <p>Local planning authorities: no significant additional resource implications – although LPAs would be asked to ‘consider’ the use of Article 4 directions, no degree of regularity or formal process is indicated.</p> <p>Developers/owners: if the policy were to lead to LPAs declaring additional Article 4 directions this would create a new burden for some property owners of having to apply for consent for development that was previously permitted development.</p> <p>For an individual owner wishing to carry out works that but for an Article 4 direction would be permitted development, the application fee would be £150. However, properties in well-kept historic areas often sell for a premium (<i>Heritage Counts 2003</i>).</p> <p><i>Benefits</i></p> <p>Regional planning bodies: n/a</p> <p>Local planning authorities: no additional benefits.</p> <p>Developers/owners: no additional benefits.</p>	<p>LPAs use Article 4 powers selectively (i.e. only in sensitive areas where further protection is necessary in order to enable change to be managed in more detail).</p> <p>Applicants take account of policies in putting forward their proposals for change.</p>	<p>LPAs may under or over use Article 4 powers if they are not given clear guidance.</p> <p>Forthcoming research from English Heritage will show that 13% of Conservation Areas currently have Article 4 directions in place and that where there are such directions, LPA conservation officers are twice as likely to believe that the character of these areas will improve in the following three years when compared to Conservation Areas without Article 4 directions.</p>

OPTION 2			
Measure and description	Costs and benefits	Assumptions	Issues, sensitivities and risks
<p>Policy HE 6: Monitoring indicators</p>	<p><i>Costs</i> Regional planning bodies: n/a Local planning authorities: no additional resource implications Developers/owners: n/a</p> <p><i>Benefits</i> Regional planning bodies: n/a Local planning authorities: in order to ensure that policies are appropriate and proportionate, monitoring is essential in all aspects of planning; by focusing on those parts of the historic environment that are most 'at risk' LPAs will be better able to target their resources in the most effective way.</p> <p>Developers/owners: n/a</p>	<p>LPAs have access to specialist expertise covering all aspects of the historic environment (built environment, archaeology and landscape). English Heritage will continue to provide LPAs with baseline information on heritage assets at risk and assist them in recognising the efficiency savings that can accrue from the focussing of resources on such assets.</p>	<p>Some owners of heritage assets identified as being 'at risk' may be unhappy at their property being listed as such. However, evidence from work by English Heritage on 'buildings at risk' shows that positive targeting of efforts can result in a fall in the number of 'at risk' assets. LPAs currently have variable access to specialist expertise.</p>

OPTION 2			
Measure and description	Costs and benefits	Assumptions	Issues, sensitivities and risks
<p>Policy HE7: Pre-application discussions and assessment</p> <p>This policy is consistent with policy currently set out in PPS 1: <i>Planning for Sustainable Development</i> and PPG 16.</p> <p>In bringing together policy currently set out in PPGs 15 & 16 the PPS will emphasise that this policy is as applicable to buildings as it is to archaeological remains and landscapes.</p> <p>In relation to its reference to the negotiation of ‘agreements’ between LPAs and owners of heritage assets, this policy reflects current sectoral practice whereby:</p> <p>there is scope for LPAs/English Heritage/the Secretary of State for Culture, Media and Sport to negotiate statutory management agreements with the owners of ancient monuments – whether scheduled or not – under section 17 of the Ancient Monuments and Archaeological Areas Act 1979;</p>	<p><i>Costs</i></p> <p>Regional planning bodies: n/a</p> <p>Local planning authorities: no additional resource implications – pre-application discussions and the negotiation of management agreements would be voluntary.</p> <p>Developers/owners: discussions are not obligatory – developers and owners will come to their own view as to whether they will help to smooth the course of a proposal through the planning process, and thus whether they represent a good investment of money and time.</p> <p><i>Benefits</i></p> <p>Regional planning bodies: n/a</p> <p>Local planning authorities/ developers/owners: the effort involved in the negotiation of management agreements is normally more than repaid by the benefits from eliminating some proposals from needing consent, and, by the provision of all the necessary information in advance of development proposals (which helps ensure a speedy decision)⁸.</p>	<p>Both LPAs and developers have a good idea of the costs and benefits of early discussions.</p> <p>Both LPAs and owners have a good idea of the costs of preparing management agreements and of the benefits that are likely to result before they agree to produce one.</p> <p>LPAs have access to specialist expertise covering all aspects of the historic environment (built environment, archaeology and landscape).</p> <p>LPAs specify that investigations undertaken as an outcome of pre-application discussion (or as a planning condition or obligation) should be conducted in accordance with relevant professional standards⁹.</p> <p>Developers may access information about heritage assets in the area affected by their proposals from the relevant HER independently of pre-application advice from the LPA.</p>	<p>LPAs currently have variable access to specialist expertise.</p> <p>LPAs charging for pre-application advice may reduce the likelihood of it being asked for by applicants.</p> <p>Policies in PPG 15 relating to the investigation and recording of buildings are currently applied less consistently than those in PPG 16 relating to archaeological remains.</p> <p>Coverage of built and marine heritage in HERs is currently inconsistent and will need to be enhanced over the medium/long term.</p>

⁸ The Impact Assessment published by DCMS alongside the draft Heritage Protection Bill (http://www.culture.gov.uk/reference_library/publications/5075.aspx) considered the cost/benefits of HPAs by referring to an example where an LPA (Cornwall County Council) was the owner of a large number of designated heritage assets. It identified one off implementation costs of £4,464 and annual savings of £2,558 (over a five year period) from the HPA developed by English Heritage and the LPA. However, such figures are unlikely to be directly applicable to the majority of agreements between LPAs and owners under Policy HE 7 since many will concern only a single heritage asset.

⁹ Such as those published by the Institute for Archaeologists (<http://www.archaeologists.net/modules/content/index.php?page=15>)

OPTION 2				
Measure and description	Costs and benefits	Assumptions	Issues, sensitivities and risks	
<p>non-statutory agreements relating to a wider range of heritage assets have been successfully trialled by English Heritage to inform the draft Heritage Protection Bill; and both English Heritage and the Heritage Lottery Fund encourage applicants for grants relating to heritage assets to prepare conservation statements/conservation management plans.</p>				
<p>Policy HE8: Information requirements for validation of applications for consent</p> <p>Policy on the validation of applications for planning permission, including those likely to impact on the historic environment, is currently set out by CLG in <i>The Validation of Planning Applications: Guidance for Local Planning Authorities</i>¹⁰.</p> <p>The link between SMR/HERs and applications for planning permission was specific in PPG16, but was only implied in PPG15. This policy clarifies that the HER should be the starting point for gathering implications on all applications, not just those with archaeological implications.</p>	<p>Costs</p> <p>Regional planning bodies: n/a</p> <p>Local planning authorities: the implication that all applicants for planning permission should consult the relevant HER to inform their application will have an impact on those LPAs responsible for maintaining HERs. It is anticipated that current staffing levels of HERs may need to increase very marginally.</p> <p>Developers/owners: applications impacting on the historic environment should already be accompanied by a 'heritage statement'; this policy indicates that the preparation of such statements should involve consultation of the relevant HER.</p>	<p>LPAs have access to specialist expertise covering all aspects of the historic environment (built environment, archaeology and landscape).</p> <p>LPAs are able to assess what information they will need to make a decision when an application is first lodged.</p> <p>All LPAs currently maintain or have access to an HER.</p> <p>The costs to local planning authorities of employing additional staff in HERs are met through the charges levied on developers (and their agents) for the use of HER content for commercial purposes.</p>	<p>LPAs currently have variable access to specialist expertise.</p> <p>Coverage of the built environment and the marine historic environment in HERs is currently inconsistent and will need to be enhanced over the medium/long term.</p> <p>Estimated cost/benefits do not take account of the impact of the economic downturn on the number of development proposals brought before local planning authorities.</p>	

¹⁰ <http://www.communities.gov.uk/publications/planningandbuilding/validationplanningapplications>

OPTION 2	Measure and description	Costs and benefits	Assumptions	Issues, sensitivities and risks
		<p>Most LPAs charge commercial developers for the use of HER content, hence those developers who might not otherwise have had recourse to consult the HER will now need to do so, and in doing so, pay the relevant fees. However, this impact is unlikely to be felt until current issues about the coverage of the built environment in HERs are resolved since developers would not be charged if an HER contains no information about a particular building.</p> <p>Benefits</p> <p>Regional planning bodies: n/a</p> <p>Local planning authorities:</p> <p>Developers/owners: this policy will make it less likely that relevant information in the HER is overlooked by applicants as they are putting together their justification for development.</p>		

OPTION 2			
Measure and description	Costs and benefits	Assumptions	Issues, sensitivities and risks
<p>Policy HE9: Policy principles guiding the determination of applications for development relating to all heritage assets</p> <p>This policy is broadly consistent with policy relating to conservation of the historic environment that is currently set out in PPGs 15 and 16.</p>	<p><i>Costs</i></p> <p>Regional planning bodies: n/a</p> <p>Local planning authorities/owners: no additional resource implications.</p> <p>(By requiring LPAs to consult the relevant HER in relation to all applications, this policy is likely to result in an increase in the workloads of HER staff over the medium/long term. However, this impact is unlikely to be felt until current issues about the coverage of the built environment in HERs are resolved.)</p> <p>Developers/owners: n/a</p> <p><i>Benefits</i></p> <p>Regional planning bodies: n/a</p> <p>Local planning authorities/developers/owners: in setting out planning policy for the treatment of all historic assets in a single place and in a clearer form, the PPS should reduce the scope for misunderstandings and encourage more efficient applications and decision-making.</p>	<p>All LPAs currently maintain or have access to a historic environment record (HER). The majority of HERs will continue to be hosted by single and upper tier local authorities and National Park Authorities – and in Greater London, by English Heritage.</p> <p>National standards and guidance for HERs will be published, promoted and supported by English Heritage.</p> <p>LPAs have access to specialist expertise covering all aspects of the historic environment (built environment, archaeology and landscape).</p> <p>LPAs will not misinterpret the policy by requiring additional information that is not strictly required to determine an application.</p> <p>English Heritage will provide training to LPAs in the implementation of the new PPS.</p>	<p>LPAs will need to continue to invest in the maintenance and development of HERs.</p> <p>Coverage of the built environment and the marine historic environment in HERs is currently inconsistent and will need to be enhanced over the medium/long term.</p> <p>LPAs currently have variable access to specialist expertise. Those without sufficient in-house expertise may be encouraged by this policy to seek more advice from national or local amenity societies, thereby placing additional burdens on them.</p>

OPTION 2			
Measure and description	Costs and benefits	Assumptions	Issues, sensitivities and risks
<p>Policy HE10: Additional policy principles guiding the consideration of applications for development relating to designated heritage assets</p> <p>This policy is broadly consistent with policy relating to conservation of the historic environment that is currently set out in PPGs 15 and 16.</p>	<p><i>Costs</i></p> <p>Regional planning bodies: n/a</p> <p>Local planning authorities/owners: no additional resource implications.</p> <p>Developers/owners:</p> <p><i>Benefits</i></p> <p>Regional planning bodies and local planning authorities:</p> <p>Developers/owners: the additional clarity this policy brings should assist developers in making applications that, in information levels and structure, help LPAs to determine the relative merits of their schemes.</p>	<p>LPAs have access to specialist expertise covering all aspects of the historic environment (built environment, archaeology and landscape).</p> <p>English Heritage will provide training to LPAs in the implementation of the new PPS.</p>	<p>LPAs currently have variable access to specialist expertise.</p>
<p>Policy HE11: Additional policy principles guiding the consideration of applications for development affecting the setting of a heritage asset</p> <p>This policy is broadly consistent with that set out in PPGs 15 and 16</p>	<p><i>Costs</i></p> <p>Regional planning bodies: n/a</p> <p>Local planning authorities/developers/owners: no additional resource implications</p> <p><i>Benefits</i></p> <p>Regional planning bodies: n/a</p> <p>Local planning authorities/developers/owners: no additional benefits</p>	<p>LPAs have access to specialist expertise covering all aspects of the historic environment (built environment, archaeology and landscape).</p> <p>English Heritage will produce advice on the interpretation of 'setting' in parallel with the PPS and its supporting guidance.</p> <p>English Heritage will provide training to LPAs in the implementation of the new PPS.</p>	<p>Setting will remain an occasionally controversial issue: although guidance should help to reduce the areas of disagreement, the issue will always require LPAs to exercise skill and judgement when determining the impact of an application.</p> <p>LPAs currently have variable access to specialist expertise.</p>

OPTION 2			
Measure and description	Costs and benefits	Assumptions	Issues, sensitivities and risks
<p>Policy HE12: Additional policy principles guiding development of a heritage asset that is otherwise contrary to the development plan</p> <p>This policy is an extrapolation of Policies HE10 and HE11 and sets out the criteria for assessing applications that seek approval for new development that would benefit the conservation of a heritage asset.</p> <p>The principles for assessment were established in PPGs 15 and 16, and more recently by English Heritage in the guidance, <i>Enabling Development and the Conservation of Significant Places</i> (2008, English Heritage).</p>	<p>Costs</p> <p>Regional planning bodies: n/a</p> <p>Local planning authorities: no additional costs – as this is a framework for decision-making, there is no new administrative burden.</p> <p>Developers/owners: no additional costs – the policy simply makes clear what information a LPA will require if an application is to have a chance of being approved.</p> <p>Benefits</p> <p>Regional planning bodies: n/a</p> <p>Local planning authorities: the policy clarifies the tests by which they should assess enabling development applications and will reduce the chances of the refusal of an application that would be upheld at appeal.</p> <p>Developers/owners: by clarifying the information that an applicant will need to provide if they are to persuade a local authority to accept an application that is contrary to the LDF, the policy will reduce the chances of an application being submitted that stands no chance of approval, thus preventing wasted effort.</p>	<p>LPA's have access to specialist expertise covering all aspects of the historic environment (built environment).</p> <p>English Heritage has provided training to over 800 people in 2008-09 on its current enabling development policy. If necessary, it will deliver more training once the PPS comes into force.</p>	<p>'Enabling development' will remain an occasionally controversial issue. Although guidance and advice may help to reduce areas of disagreement, it will always remain an issue where an LPA will need to use its skill and judgement when determining the effect of an application.</p> <p>LPAs currently have variable access to specialist expertise.</p> <p>English Heritage policy on enabling development has been accepted as a material consideration by Planning Inspectors in assessing appeals and simply clarifies existing practice.</p>

OPTION 2			
Measure and description	Costs and benefits	Assumptions	Issues, sensitivities and risks
<p>Policy HE13: Policy principles guiding the recording of information related to the historic environment</p> <p>This policy is a continuation of policy currently set out in PPGs 15 and 16, whereby applicants are expected to fund the costs of assessing, evaluating and, if necessary, mitigating the impacts of their proposals on the historic environment – with the outcomes of such investigations made accessible for public benefit.</p> <p>In applying this policy across the full range of heritage assets LPAs will need to recognise that many buildings have archaeological interest as well as historic or architectural interest.</p>	<p>Costs</p> <p>Regional planning bodies: n/a</p> <p>Local planning authorities: no significant additional resource implications. In clarifying the application of principles already enshrined in PPGs 15 & 16, it will ensure that recording is applied consistently and proportionately across all forms of heritage asset.</p> <p>More consistent assessment and evaluation of buildings prior to development may result in the deposition of an estimated additional 600 records p.a. in HERs. However, additional costs incurred by individual LPAs are expected to be negligible.</p> <p>Developers/owners: no significant additional resource implications. If more published outputs result from this policy, there may be a marginal increase in cost for a few developers who previously might have gone as far as commissioning a report, but not publishing it. Set against the overall development costs, this addition is insignificant.</p>	<p>All LPAs currently maintain or have access to a historic environment record (HER).</p> <p>National standards and guidance for HERs will be published, promoted and supported by English Heritage.</p> <p>LPAs have access to specialist expertise covering all aspects of the historic environment (built environment, archaeology and landscape).</p> <p>LPAs specify that investigations undertaken as an outcome of pre-application discussion, or as a planning condition or obligation, should be conducted in accordance with relevant professional standards¹¹.</p> <p>Most recording will remain archaeological because applications for Listed Building Consent (or for planning permission in relation to an unlisted building) that involve the loss of significant fabric, on a scale that is likely to trigger a condition specifying recording and subsequent publication will only rarely be granted approval. English Heritage will offer more training in this topic area, if required.</p>	<p>LPAs will need to continue to invest in the maintenance and development of HERs.</p> <p>Coverage of built and marine heritage in HERs is currently inconsistent and will need to be enhanced over the medium/long term</p> <p>LPAs currently have variable access to specialist expertise.</p> <p>Policies relating to the investigation and recording of buildings are currently applied less consistently that to archaeological remains.</p> <p>Compliance of written schemes of investigation agreed by LPAs and developers with professional standards is variable.</p> <p>The capacity of museums/archives to accession archiver-generated by development-related archaeological investigations is limited.</p> <p>Many reports of investigations undertaken in the course of the planning process currently remain unpublished or in limited circulation – so called “grey literature”.</p>

¹¹ Such as those published by the Institute for Archaeologists (<http://www.archaeologists.net/modules/index.php?page=15>)

OPTION 2	Measure and description	Costs and benefits	Assumptions	Issues, sensitivities and risks
		<p><i>Benefits</i></p> <p>Regional planning bodies and local planning authorities/ developers/owners: benefits derived from the contribution of developer-funded investigations to enhancing the evidence base maintained in HERs will be increased if such investigations are undertaken in accordance with appropriate standards and their outcomes made more readily accessible. It is not possible to quantify these benefits.</p> <p>Others: the public value derived from advancements in understanding about the historic environment of a locality will be similarly enhanced if the outcomes of investigations commissioned during the planning process are made available to communities of interest in a timely manner. It is not possible to quantify these benefits.</p>		

ANNEX B: MONETISED COSTS AND BENEFITS FOR OPTION 2

Monetised cost 1: (Policy HE 8/HE14)

Assumption: Policies HE8 and HE14 will encourage more pre-application/pre-development investigations, particularly in relation to historic buildings which, because of the different ways that PPGs 15 and 16 have been interpreted, have until now been subjected to less assessment, evaluation and recording than archaeological remains¹.

Under PPG 16 English Heritage advise² that:

- the proportion of planning applications that currently require desk-based archaeological assessment = 3% (c18, 000 p.a.)

Average cost per desk-based archaeological assessment = £750

The estimated costs to developers relating to desk-based archaeological assessments = $18,000 * 750 = \text{c}\pounds 13.5\text{m p.a.}$

- the proportion of these planning applications that currently go on to require further field evaluation = 25% (c4, 300 p.a.)

Average cost per archaeological field evaluation = £7,500

The estimated costs to developers relating to archaeological field evaluations = $4,300 * 7,500 = \text{c}\pounds 32.3\text{m p.a.}$

- the proportion of these planning applications that currently go on to require full excavation = 25% (c1, 000 p.a.)

Average cost per excavation = £25,000

The estimated costs to developers relating to excavations = $1,000 * 25,000 = \text{c}\pounds 25\text{m p.a.}$

Research by English Heritage to inform the impact assessment of the draft Heritage Protection Bill in 2008 estimated that there would be around 600 additional assessments covering historic buildings each year (at a total cost of c£450,000) and around 220 of these would require further evaluations (at a total cost of c£1.65m p.a.).

Assuming that the new PPS results in a similar increase, and that 23% of these go on to require more detailed work (mirroring the pattern above), there may be 50 cases a year where the most detailed recording was necessary, costing c£1.25m.

¹ As a result of this work, it is usually possible to redesign development proposals to avoid significant archaeological remains. It is not possible to monetise redesign costs, however a US study reported in *Antiquity* vol. 68 (1994) suggests that in situ preservation costs are significantly less than the cost of full excavation (10-25% less in the project reported on), so redesign to ensure preservation is the favoured and cheaper option in many cases.

² On the basis of recent surveys of archaeology-related planning casework undertaken by the Association of Local Government Archaeological Officers (<http://www.algao.org.uk/Publications/Docs/SurveySummary.pdf>)

The estimated total additional cost for developers/owners in relation to historic buildings = £450,000 + £1.65m + £1.25m = £3.35m p.a.³

If Policy HE 8 leads to assessments, evaluations and investigations relating to an additional 600 historic buildings each year, the outcomes of these will need to be recorded in the relevant historic environment record.

English Heritage advises that the cost to local planning authorities of creating and maintaining such records in HERs (including text, associated GIS layers, reciprocal links and any necessary updating or amendments to other records or links to grey literature) are likely to be in the order of £80,000-£100,000 p.a. It also advises that these costs are likely to diminish over time as new systems reduce the amount of double handling and more data is created and exchanged electronically.

³ Against this, developers are interested in getting planning permission as quickly as possible, as they will be paying interest on the deposit paid for their sites. If the developer of a reasonably-sized development site has paid a deposit of £1m, with an (historically low) interest rate of 6%, they will be paying £5,000 a month in interest payments. By investing in assessment and possibly evaluation up-front, they will create certainty for less than the cost of a month's interest on the deposit. This will reduce their chance of encountering delay further down the line as a result of the unexpected discovery of historic or archaeological remains. The costs of last-minute redesign, full-scale excavation, delay in determining an application, delay in starting work or the re-programming of that work as a result of unexpected discoveries are considerable and outweigh investment in early assessment and evaluation many times over. The net saving per annum through increased use of more up-front assessment and evaluation will greatly exceed the limited up-front additional costs.

Monetised benefit 1: efficiency savings by local planning authorities

The streamlined and unified policy approach represented by the new PPS should benefit local planning authorities by:

- clarifying how the historic environment should be taken into account in regional and local plan making
- promoting a shared understanding of the extent and nature of the significance of heritage assets, thereby reducing the number of unnecessary applications for LBC/CAC
- encouraging developers to submit better quality applications that are less likely to be rejected or require amendment on heritage-related grounds
- enabling better decisions to be made more rapidly and
- reducing the number of outcomes that are challenged

The ODPM report *Planning Services: Costs and Fees* (2003) suggested that the average gross cost of dealing with an application for planning applications is c£1,500, and for listed building consent (LBC), c£275.

English Heritage advises that it is reasonable to assume that one third of planning applications have a heritage dimension (i.e. c200, 000 p.a.). As an illustration, if the new PPS delivered a 1% efficiency saving in relation to such decisions, then there would be a cost saving to LPAs equivalent to £15 per heritage-related planning application. Similarly, if a 5% efficiency saving was assumed in relation the 34,000 applications for LBC and 3,500 applications for conservation area consents (CAC) submitted to LPAs each year, there would be a cost saving to LPAs equivalent to £13.75 per LBC/CAC application.

If this were to be the case then the new PPS would result in efficiency savings for LPAs in the order of **£3.52m p.a.** in relation to applications for planning permission, LBC and CAC (assuming similar costs for dealing with the latter two types of application). By way of comparison, a selection of alternative scenarios is illustrated below.

Assumed efficiency saving in relation to applications for planning permission	Cost saving per application	Assumed efficiency saving in relation to applications for LBC/CAC	Cost saving per application	Total cost saving	Net benefit (NPV)
0.5%	£7.5	4.5%	£12.375	£1.96m p.a.	-£12.31m
1%	£15	5%	£13.75	£3.52m p.a.	£0.67m
1.5%	£22.5	5.5%	£15.125	£5.07m p.a.	£13.56m

Many of the benefits outlined above are equally applicable to developers. In addition to increasing the efficiency with which applications are processed, the new PPS should lead to greater developer certainty when preparing proposals by promoting:

- clarity about national, regional and local policy in relation to the historic environment
- the use of publicly accessible evidence bases
- pre-application discussion with LPAs
- consistent approaches to the assessment, evaluation and mitigation of applications that impact on heritage assets
- shared understanding of the extent and nature of the significance of heritage assets and
- consistent decision making across the full range of heritage assets

Taking such factors into account it may be reasonable to assume that the new PPS will lead to a reduction in the number of applications for planning permission/LBC/CAC rejected (and, in some cases, subsequently appealed) or approved with conditions (sometimes necessitating redesign) on heritage-related grounds, but it has not been possible to quantify this and thus monetise the benefits for developers.

ANNEX C: COMPLIANCE WITH HAMPTON PRINCIPLES

1. The Hampton Review was aimed primarily at business and reducing administrative and regulatory burdens for that sector. It set out ten principles for regulatory enforcement. These covered areas such as the use of comprehensive risk assessment; the way in which regulators should behave and the enforcement of regulations.
2. The review's central objective was to raise both the quality and effectiveness of the regulatory system, and sought to build on the strengths of the regulatory system as it exists at present, especially regulatory independence. It also considered that over time its proposals had the potential to reduce the direct cost of regulation to Government and regulated sectors.
3. By seeking to reconcile conservation of the historic environment with other economic, social and environmental benefits that may be associated with development, the planning policy statement proposed under option 2 will impact on three sectors of business – commercial developers, businesses which own heritage assets and commercial contractors for historic environment services. In such circumstances the most relevant Hampton principles are likely to be those which indicate that businesses should not have to give unnecessary information (nor give the same piece of information twice), and that they should be able to access authoritative and accessible advice.
4. In addition to realising the benefits to businesses of streamlining the presentation of planning policy (see Section [5]), Option 2 will tackle these issues in several ways, including by emphasising the importance of:
 - planners and developers utilising specialist historic environment advisory and information services from the pre-application stage onwards
 - proportionality in the specification of information required by local planning authorities to validate applications for development
 - ensuring that information generated through the development process is made publicly accessible through deposition in the relevant historic environment record – thereby helping to improve the evidence base for future decision making and
 - consistency in the quality of historic environment-related advice offered to planners and developers, including through adherence to relevant professional standards

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