

# Rescue

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**Submission from Jo Caruth on behalf of Rescue, The British Archaeological Trust**

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## **Policymaking, integration and coordination**

*Q1. Are the decisions that shape England's built environment taken at the right administrative level? What role should national policymakers play in shaping our built environment, and how does this relate to the work and role of local authorities and their partners?*

A1.1 Currently, decision-making processes are spread across a wide number of bodies: Historic England (HE) and the Secretary of State take decisions regarding Scheduled Monuments and Grade I and II\* buildings, although the current financial situation means that HE has insufficient resources to carry out these functions adequately. Local authorities determine applications for Grade II buildings and conservation areas without advice from HE. Undesignated archaeological sites are catered for in some authorities through the provision of specialist advisors - although not all LPAs have, or have access to, such advice, thus these sites are often not considered in sufficient depth. HE does not provide support or advice relating to Grade II Registered Parks, meaning that these sites often lack any specialist input if and when decisions need to be taken. Decisions about maritime heritage are nominally settled on HE - but the MoD has recently taken apparently unilateral and financially-driven decisions about treasure recovery from the wrecks of the *SS Gairsoppa* and the *SS City of Cairo*, with scant regard to the heritage value of these sites or the artefacts therein. A coordinated approach to heritage decision-making would clearly be advantageous. Decisions about important heritage sites should be taken out of the hands of unqualified and poorly-advised local authorities: HE must be provided with sufficient resources to do its job effectively. National policymakers should also ensure that where they put measures in place, they follow through with appropriate guidance, instruction and monitoring of their effectiveness. It is clear (for example) that many of the heritage principles set out in the NPPF are regularly ignored or discarded at all levels of decision-making.

*Q2. How well is policy coordinated across those Government departments that have a role to play in matters such as housing, design, transport, infrastructure, sustainability and heritage? How could integration and coordination be improved?*

A2.1 Coordination is poor. Each area of concern constantly attempts to trump the others. Where planning is concerned, "sustainable development" is given greater weight than heritage. Underwater, treasure recovery is a higher priority than adherence to international maritime guidelines. Good design concerns carry no weight whatsoever - as illustrated by the large number of inappropriate buildings constructed in London over the last decade - and is only supported by random meaningless statements. What is "good" design? - it is not defined anywhere.

A2.2 Even where individual concerns are under discussion, competing interests intrude: the recent introduction of the HE Good Practice Advice Notes that replaced the PPS5 Planning Practice Guide are an example of this: a number of heritage bodies responded to the consultation on the draft version of the documents - but GPA 2 was delayed by the sudden introduction of a hitherto unseen and totally unsuitable proposed new archaeological planning condition by DCLG. The profession was given no opportunity to comment on this, and the version now included within the GPA is entirely unsatisfactory, and some bodies (the IHBC being one) have we understand refused to engage with the published document to the point that they are planning to release their own.

A2.3 Improvements should involve properly-stated policy aims, and a commitment to developing practice on the back of them that seeks to reconcile competing interests rather than allow blanket superiority of certain issues. If policy is sound, then decisions can be made equitably: in some cases, it might be appropriate to develop in the green belt, or to demolish a listed building - but in other cases it will be wholly unacceptable. This should be decided on a case-by-case basis on the back of robust policy positions. The current system affords advantages across the spectrum to development at the expense of the environment and this is unacceptable.

## **National policy for planning and the built environment**

*Q3. Does the National Planning Policy Framework (NPPF) provide sufficient policy guidance for those involved in planning, developing and protecting the built and natural environment? Are some factors within the NPPF more important than others? If so, what should be prioritised and why?*

A3.1 See discussion about equitable decision-making above. The NPPF sets out certain policies, but singularly fails to attempt reconciliation of possibly conflicting interests, instead promoting the primacy of "sustainable development". This phrase is then misleading in this context of default development, as much NPPF-driven development is anything but "sustainable" - resulting as it does in the wholesale loss of heritage sites, environmental landscapes, and green belt land. Recent discussions regarding housing site allocations at Shropshire are a case in point: the proposals to develop a site adjacent to the Scheduled Old Oswestry Hillfort are clearly inappropriate - yet convoluted discussions involving various decision-making groups have created a ludicrous "solution" that is obviously unsustainable and vehemently opposed locally, yet allegedly within the parameters of current planning policy.

*Q4. Is national planning policy in England lacking a spatial perspective? What would be the effects of introducing a spatial element to national policy*

A4.1 It is clear that certain parts of the country require regeneration more than others. Spatial policy should give weight and financial incentive to works in deprived areas - similarly, cramming more and more dense and inappropriate development into the south-east should be the subject of developer surcharges to form a national "regeneration fund". If every new house built in the south east were subject to a £5000 developer surcharge, the resulting fund could be used for heritage and environmental benefits to offset and mitigate the damage. Alternatively, the fund could be used to provide a £5000 developer grant per unit, for new properties built in deprived areas in the north or midlands.

A4.2 Spatial policy should also coordinate transport planning. It is clear (for example) that yet another runway at Heathrow will be exceptionally damaging to the local natural and historic environment - yet an efficient rail link to the midlands and new airport capacity in the north could provide the impetus to encourage proper regeneration of deprived communities outside of London and the south

*Q5. Is there an optimum timescale for planning our future built environment needs and requirements? How far ahead should those involved in the development of planning and built environment policy be looking?*

No comment to make.

### **Buildings and places: New and old**

*Q6. What role should the Government play in seeking to address current issues of housing supply? Are further interventions, properly coordinated at central Government level, required? What will be the likely effect upon housing supply of recent reforms proposed for the planning system?*

A6.1 See above. The government should be the driving force for national regeneration. Incentives should be provided for sensible development in deprived areas, with further incentives for businesses - both small and large companies - to move to those areas. There must also be penalties for excessive development in the poor locations. Blanket housing allocations for every local authority damage confidence and trust in the development process locally, and result in poor development overall. Current planning measures - especially the recent extension of permitted development rights - are already starting to result in poor-quality, overly dense inappropriate development that will be unsustainable in the long term. This simply repeats the mistakes of the past.

*Q7. How do we develop built environments which are sustainable and resilient, and what role should the Government play in any such undertaking? Will existing buildings and places be able to adapt to changing needs and circumstances in the years to come? How can the best use of existing housing stock and built environment assets be made?*

A7.1 There appears at present to be generally no need for "existing buildings" to adapt to future needs, as the current development ethos is either simply to demolish wholesale and begin again on a swept-clean site or, in many instances, alteration in such a way as to destroy intrinsic character and the local scene. This clearly doesn't create a built environment that is "sustainable and resilient" - but obviously such a regime is not what recent Governments have intended. The best use of existing

housing stock is not to sell off housing association or LPA rented accommodation. There is no reason why poor design and materials should accompany economic measures in building; nor why potentially attractive existing housing stock should not be renovated in order to provide good housing on a human scale where communities can retain their sense of place and their social needs can be met.

*Q8. To what extent do we make optimum use of the historic environment in terms of future planning, regeneration and place-making? How can more be made of these national assets?*

A8.1 Optimum use is not made of heritage assets. The NPPF promotes retention and sensitive design - but allows "sustainable development" to take precedence. Combined with a VAT system that penalises building repairs with a 20% surcharge, but zero-rates new works, this has created a development framework that **actively works against** incorporating heritage assets in regeneration and place-making. This framework must change if we are not cause significant and irreversible harm to our national heritage assets. VAT rules **must** be relaxed to promote building conservation.

## **Skills and design**

*Q9. Do the professions involved in this area (e.g. planners, surveyors, architects, engineers etc.) have the skills adequately to consider the built environment in a holistic manner? How could we begin to address any skills issues? Do local authorities have access to the skills and resources required to plan, shape and manage the built environment in their areas?*

A9.1 There is a chronic lack of conservation officer and archaeological officer provision at local authority levels. Planners should not be expected to possess all skills involved in the process of decision-making, as many of the areas of concern are highly specialised in nature. However, it is a reasonable expectation of the public that planning authorities should be able to call upon appropriately-qualified, independent expertise at the necessary times, to influence and support decision-making adequately. This is not the case where a local authority lacks the provision of a conservation or archaeological officer, or where the local authority does not have access to a properly resourced and up-to-date Historic Environment Record. Addressing these skills issues is a simple undertaking - HERs and advisory services should be made a statutory requirement as the heritage profession has been requesting for some years to no avail.

*Q10. Are we using the right tools and techniques to promote high quality design and 'place-making' at the national level? How could national leadership on these matters be enhanced?*

A10.1 What are the tools and techniques in use? There is no coherent approach to these concerns as far as Rescue is aware. Recent development in London - the prime example being the infamous "Walkie Talkie" building - illustrate this admirably, where inappropriate and wholly unsuitable buildings are thrown up without any thought to their surrounding impact. In the aforementioned example, the structure reflected focussed light rays into the surrounding streets to the point where it melted cars, and its unusual shape has created a hostile and windy micro-climate at street level. The structure itself is ugly and overbearing, detracts from

numerous heritage assets in the area including the World Heritage Site of the Tower of London, and spoils views of the city for miles. The development has been a disaster for the environment and has created no positives whatsoever.

A10.2 Hypothetically, "good quality" designed buildings could potentially fulfil the criteria for Listing in the future. This therefore ought to mean that the **Listing criteria should be applied during the planning process, as a test** of whether a structure could be considered to be of "good quality" or not. Where a proposed structure obviously is of a nature or design or construction that would not qualify for Listing, it might reasonably be concluded that - despite what the architect's description might state - it is not of sufficient "quality" of design to warrant approval. Such a selection principle would not prevent development taking place - but it would certainly contribute significantly to ensuring that (for example) "landmark" buildings were of sufficiently considered and careful design to ensure they were satisfactory and sympathetic contributors to the surrounding environment.

### **Community involvement and community impact**

*Q11. Do those involved in delivering and managing our built environment, including decision-makers and developers, take sufficient account of the way in which the built environment affects those who live and work within it? How could we improve consideration of the impacts of the built environment upon the mental and physical health of users, and upon behaviours within communities?*

A11.1 No - and the fact they do not is blatantly demonstrated clearly by the burgeoning number of local campaign groups that have been formed to protest inappropriate and insensitive development proposals. Across the country, local groups are committing to oppose their own councils and local developers in inflicting irreversible damage on local environments.

A11.2 Improving the consideration of the impacts will involve legislative changes in the first instance, to remove the inherent default development bias within the NPPF and other planning documentation, and restore equitability of decision-making. However, it is obvious that simply being elected to a local authority is not a satisfactory qualification to enable someone to take planning decisions. The Government should require mandatory training programmes to be undertaken by elected officials, to ensure that they are competent, and aware of both relevant legislation, and their own responsibilities, before allowing these individuals to sit on planning committees. Local authorities should also be required to have local referenda on their strategic development frameworks and site allocations before putting them in place - and should be subject to a robust and easily accessible process for local challenge if and when they deviate from the agreed principles. No local community should find itself subjected to development proposals as inappropriate as or as contentious as recent examples as have been proposed at The Strand, or Smithfield Market in London, or was approved at Jessop's Hospital in Sheffield, without access to a simple process to challenge these in an independent and accessible way if (as in all these cases) the proposals deviate from previously-agreed development frameworks. Current rules for "calling in" approved applications, and the appeals process, clearly favour the developer excessively, and to the detriment of local residents - particularly when such processes can incur significant fees.

*Q12. How effectively are communities able to engage with the process of decision making that shapes the built environment in which they live and work? Are there any barriers to effective public engagement and, if so, how might they be addressed?*

See response to Q.11.

### **Financial measures**

*Q13. Are there fiscal or financial measures potentially available which would help to address current issues of housing and land supply? Are there financial or other mechanisms that would encourage better design and place-making by private sector developers?*

A13.1 Possible financial and other measures to put in place to address this question have been articulated throughout this response. Please refer to the answers to questions 1-12 for these.