

ENVIRONMENT CABINET MEMBER MEETING

Agenda Item 46

Brighton & Hove City Council

Subject:	Consultation response to draft PPS15: Planning for the Historic Environment		
Date of Meeting:	24 September 2009		
Report of:	Director of Environment		
Contact Officer:	Name:	Tim Jefferies	Tel: 29-3152
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Key Decision:	No		
Wards Affected:	All		

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 The report seeks endorsement of the proposed response to Government consultation on the draft Planning Policy Statement 15: Planning and the Historic Environment. This document brings together national planning policy on all aspects of the historic environment – built environment, archaeology and landscape. Consultation closes on 30 October 2009. The proposed response generally welcomes the draft PPS 15 and a copy is attached at Appendix 1.

2. RECOMMENDATIONS:

- 2.1 That the Cabinet Member agrees that the draft Planning Policy Statement 15: Planning and the Historic Environment is broadly welcomed and that the response to consultation, as set out at Appendix 1, is endorsed.

3. RELEVANT BACKGROUND INFORMATION

- 3.1 The draft PPS15 is the latest in the Government's review of current planning policy statements and guidance, with the aim of significantly streamlining the existing suite of documents by separating out policy from guidance to produce slimmed-down, concise policy documents.
- 3.2 This draft PPS is also one element of the Government's ongoing programme of heritage protection reform and is intended to combine and replace the existing Planning Policy Guidance (PPG) note 15 on Planning and the Historic Environment (1994) and PPG 16 on Archaeology and Planning (1990).
- 3.3 The policy in it is to be supported by a separate 'Practice Guide', produced by English Heritage, which is intended to help with implementation of the policy. In respect of implementation, the draft PPS notes the importance to local authorities of having and using appropriate expert advice to inform decisions that affect the historic environment.

4. THE DRAFT PPS AND RELATIONSHIP TO COUNCIL PRIORITIES

- 4.1 The format of the draft PPS is a departure from the previous PPGs, as well as from other PPSs, as it is set out very succinctly as a series of numbered policies, split between 'Plan Making Policies' and 'Development Management Process' and then grouped under sub headings. This format is considered to be very clear and helpful.
- 4.2 The fundamental change proposed is that all elements of the historic environment are to be considered against a common set of principles, in proportion to their significance in heritage terms. Those parts of the historic environment that have significance because of their historic, archaeological, architectural or artistic interest are termed 'heritage assets'. This includes listed buildings, registered parks and gardens, scheduled ancient monuments, archaeologically sensitive areas, conservation areas and other local designations. The intention is that local authorities should focus on what is significant about places in heritage terms and not seek to protect everything.
- 4.3 The draft PPS encourages the approach that heritage assets should be seen in the wider planning context as helping to shape future change rather than as potential barriers to development. The historic environment has a key role in regeneration and should be seen as a stimulus to inspire new buildings of imaginative and high quality design, alongside the re-use of identified heritage assets.
- 4.4 There are two shifts in emphasis in national policy within the draft PPS. The first is the clearer focus on the need for local policy-making and decision-making to be based upon informed understanding of the heritage assets. The second is the strong link made between the historic environment and climate change policy.
- 4.5 In relating conservation policy to climate change policy, the draft PPS 15 notes that the continued use of heritage assets can contribute to sustainable development, as keeping assets in use reduces the consumption of building materials and energy and reduces waste. There will normally be opportunities for heritage assets to be modified in order to contribute to mitigating, or adapting to, the effects of climate change.
- 4.5 The draft PPS15 relates clearly to the council's priority of protecting the environment while growing the economy, and within that, the aims of mitigating climate change, preserving our architectural heritage, supporting business investment in the city and bringing empty properties back into use. It stresses the need for local authorities to identify which groups of, and individual, heritage assets are at risk of loss and decay, how they expect them to change over time and how they propose to respond. This is already reflected in the work that City Planning has done to identify listed buildings and conservation areas at risk and the work that City Planning is doing on enforcing the repair of historic buildings, appraising the character and condition of our conservation areas and contributing to the improvement of the public urban realm and historic open spaces.
- 4.6 The emphasis in the draft PPS on the role of the historic environment in helping to shape the character of areas, combined with the emphasis on the need for basing decisions on a clear understanding of that environment, has already been anticipated in the production of the Urban Characterisation Study and the

prioritisation of conservation area appraisal work. However, in these respects it would also be worthwhile to bring forward work on reviewing the council's Local List, once guidance on the subject has been published by English Heritage in spring 2010.

- 4.7 In terms of Development Management, the draft PPS stresses the importance of pre-application discussion and assessment. Early engagement is seen as being particularly beneficial for applications with the potential to impact on heritage assets or their setting and early understanding of those assets is seen as the key to achieving good design. Again this is already reflected in the structure and working practice that have been put in place in City Planning, particularly with regard to major projects.

5. CONSULTATION RESPONSE

- 5.1 The council's suggested response is set out at Appendix 1. The summary of the response generally welcomes both the format and content of the draft PPS15 and endorses the approach of splitting policy and guidance. The Government's consultation paper includes twelve 'consultation questions' and answers to these are given at part B of the response. Other detailed comments are given at part C.

6. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 6.1 The Impact Assessment carried out to accompany the draft PPS concludes that there are no new resource implications for planning authorities arising from its content. The staff resources to prepare the response (at Appendix A) have been met from within existing budgets and work programmes.

Finance Officer Consulted: Patrick Rice

Date: 26/08/09

Legal Implications:

- 6.2 Planning Policy Statements are prepared by the Government after public consultation to explain statutory provisions and provide guidance to local authorities and others on planning policy and the operation of the planning system. They also explain the relationship between planning policies and other policies which have an important bearing on issues of development and land use. Local authorities should take them into account in preparing plans and the policy content may be relevant as material considerations to decisions on individual planning applications and appeals. The accompanying Practice Guide from English Heritage will also carry Government weight in decision-making.

Lawyer Consulted:

Ann Wilkinson

Date: 26/08/09

Equalities Implications:

- 6.3 There will be no significant impact of any of the equality strands.

Sustainability Implications:

- 6.4 By promoting more effective approaches to the conservation of the historic environment through the planning system the PPS will contribute positively to the five principles of sustainable development set out by the Government. By explicitly recognising the importance of addressing climate change in this policy area for the first time, the PPS should encourage better decisions that balance heritage conservation issues against energy reduction and other considerations in a realistic manner.

Crime & Disorder Implications:

- 6.5 None have been identified.

Risk and Opportunity Management Implications:

- 6.6 None have been identified.

Corporate / Citywide Implications:

- 6.7 The draft PPS relates clearly to the council's priority of protecting the environment while growing the economy, and within that, the Corporate Plan aims of mitigating climate change, preserving our architectural heritage, supporting business investment in the city and bringing empty properties back into use.

7. EVALUATION OF ANY ALTERNATIVE OPTION(S):

- 7.1 The alternative option would be to make no response to the public consultation on the draft PPS. That option would be less likely to result in a final document that is useful within our local context.

8. REASONS FOR REPORT RECOMMENDATIONS

- 8.1 As a significant historic city it is considered important for Brighton & Hove to respond to the Government consultation on the draft national conservation policy in a transparent manner, to accord with the corporate priority of open and effective city leadership.

SUPPORTING DOCUMENTATION

Appendices:

1. Response to Government consultation paper on the draft PPS15.

Documents in Members' Rooms

None

Background Documents

1. Draft 'Planning Policy Statement 15: Planning for the Historic Environment' (2009), see website:
<http://www.communities.gov.uk/publications/planningandbuilding/consultationhistoricpps>
2. Living Draft of the PPS Practice Guide (English Heritage, 2009), see website
<http://www.english-heritage.org.uk/server/show/nav.21136>

