



CONSULTATION RESPONSE FORM

Good practice guide for local listing: identifying and managing significant local heritage assets

The questions on which we would particularly like your views are found below. This form, along with an electronic version of the consultation paper and instructions on how to submit this form, is available on the English Heritage website at:

www.english-heritage.org.uk/caring/listing/local/local-designations/local-list

Completed forms should be submitted by **Friday 13 May 2011** to:

locallisting@english-heritage.org.uk

Or by post to:

Heritage Protection Reform Team

English Heritage

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Section 1: Introduction and Overview		
Question 1: Has the role of local listing in supporting the policies and principles of Planning Policy Statement 5 (PPS5) been properly explained?	Yes	<input checked="" type="checkbox"/>
	No	<input type="checkbox"/>
Explanation/comment: We think a footnote referring to the full range of heritage assets set out in PPS5 would be helpful as there is little sense of the full range of potential heritage assets that could be included.		
Question 2: Has the role of local lists in influencing the outcome of planning applications, and the level of protection it affords, been clearly stated?	Yes	<input type="checkbox"/>
	No	<input checked="" type="checkbox"/>

Explanation/comment: While this section states that the process of compiling and managing local lists should rest with LPAs and their communities (with which we agree) we think this could be more overtly stated. It should be made clearer that LPAs are not obliged to compile local lists.

The paragraph dealing with demolition should refer to the required notification procedures.

Section 1.2: It should be noted that just because an asset is not listed does not mean it does not meet the criteria, but instead that it may meet the criteria but has simply not yet been identified as doing so at the time of listing.

We agree with the importance of SPDs to set local listing in statutory frameworks but more clarity is needed around the bullet points at 1.3 which currently read as alternative options when a combination of all three is likely to be more appropriate for effective policy.

Section 2: Selection Criteria: Defining the Boundaries of the Local List

Question 3: Does the guide provide sufficient detail on the various approaches to developing selection criteria?

Yes

No

Explanation/comment: However Table 1 under section 2.1 is confused and unhelpful. the Guide usefully explains earlier the context provided by 'Conservation Principles' and the use of the heritage values described in that document. Table 2.1 deviates from this, and mixes other values without explanation. This table, and the thinking behind it, must be clarified if those engaged in local listing are not to be confused, frustrated, and condemned to producing inconsistent and unsustainable recommendations. A popular explanation of heritage values, and the distinction between these and instrumental values would be really helpful. It should also avoid referring to 'intrinsic' values, which the concept of heritage values renders redundant and inappropriate.

Section 3: Management Framework: Processes Supporting the Local List

<p>Question 4: Have the appropriate stages in creating and managing a local list (particularly those forming the 'local list cycle') been identified and properly explained?</p>	<p>Yes</p>	<input checked="" type="checkbox"/>
	<p>No</p>	<input type="checkbox"/>

Explanation/comment: However what is not addressed is how this process might lead to inconsistencies of approach and content over the LPA's area as a whole and the need for some sort of overview to be maintained. The LPA needs to have a degree of control over this process if an outcome with SPD compliance requirements is to be met.

<p>Question 5: Has the role of the Historic Environment Record (HER) in supporting the local list been properly addressed?</p>	<p>Yes</p>	<input type="checkbox"/>
	<p>No</p>	<input checked="" type="checkbox"/>

Explanation/comment: It is essential that heritage assets on a local list should be contained in the HER. It is not currently clear in the proposed text whether this is mandatory or merely preferable.

General comments		
Question 6: Does the guide provide a clear and concise overview of local listing in England?	Yes	<input checked="" type="checkbox"/>
	No	<input type="checkbox"/>
<p>Explanation/comment: Generally we think the draft guide in this respect is clear and well written. However, one important omission is an explanation to community representatives of the consequences of local listing. The guidance explains that such designation becomes a material consideration, but it should also be explained that this does not rule out change, adaption or even demolition. The purpose of designation is to ensure that proper consideration is given to historic significance. In the context of neighbourhood planning aspirations enshrined at present in the Localism Bill, local listing could be seen as a means of blocking unpoular development. Not only should this not be the case (unless justified) but it could undermine the wider credibility of conservation as a whole. A clear explanation of the purpose, as well as the process of local listing would be helpful.</p>		
Question 7: Have the appropriate sections of the guide that would benefit from the inclusion of a case study been identified?	Yes	<input checked="" type="checkbox"/>
	No	<input type="checkbox"/>
<p>Explanation/comment: It is unfortunate that case studies are not yet available for comment but we would be happy to comment on these when they are drafted.</p>		
Question 8: Are there any additional comments that you would like to make?	Yes	<input checked="" type="checkbox"/>
	No	<input type="checkbox"/>

Explanation/comment: The Historic Towns Forum welcomes the guidelines as a useful tool to identify and protect heritage assets which are otherwise not protected but that could be a vital part of local distinctiveness.

It is however unfortunate that the guidelines are to be published when LPAs are going to be under tremendous pressure - community involvement is a particular area where engagement with individual owners could be very time-consuming (establishing ownership, informing them of potential inclusion/exclusion, discussion) . Given that inclusion in the 'list' would not trigger any additional planning controls it might be better if a simplified/reduced methodology were produced.

Although the suggestion that the 'list' will usually take more than one review cycle is sound, this implies a long-term project, which given the current uncertainty for LPA resources may be a disincentive to starting the process, particularly as many authorities already have a local list which (presumably) would have to be reviewed under the new criteria. Suggestions as to how to avoid uneven coverage in a district would be helpful. Similarly, 3.7 advises that the 'list' is reviewed when suggested new assets arise. However, as reviews will likely be infrequent, it might serve better if new entries could be included (perhaps on a provisional basis) in the interim without necessarily going through the entire consultation process.

We note also that there seems to be a serious omission in that the Localism Bill is not addressed. This would mean the GPG would be in serious danger of being quickly outdated. At the very least the Guide should:

- 1.) Recognise that localism is on the agenda (and attendant Big Society issues) and that local listing would be a good area for (community) engagement;
- 2.) In addition to noting that LDFs and SPDs will be very important, recognise that so too will Neighbourhood Plans and Neighbourhood Development Orders; indeed, both could become a focus for action over protection through local listing; and
- 3.) Recognise that PPS5 is very likely going to be subsumed in the new

NPPF and so make reference to this as yet unseen document.

in addition we feel there is a very good case for delaying publication of the GPG until the Localism Bill is finalised.