

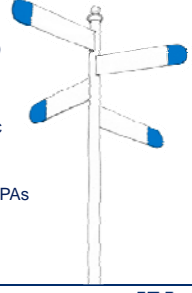


**BIRCHAM DYSON BELL**

Historic Towns Forum  
Local Authority Skills Summit  
Richard Marsh  
18 February 2014

## CONTEXT AND CHALLENGES

- Funding Cuts – loss of resource & expertise (33% since 2006)
- Planning in a state of flux (no change there!)
  - NPPF (NTS of PPS5) & NPG
  - new local plans
  - Streamlined legislative framework
  - DAS changes – less onerous for LBC, but not CAC
- Increased role for local communities (Localism Act, ACVs) = Greater burden on LPAs
- Growing economy = more development, more historic buildings



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## HERITAGE PLANNING REFORM – ERRA 2013 (1)

- Penfold Review (2010) – heritage consent: “particularly problematic” and “complex, time-consuming and expensive”. Need to reduce burdens / bureaucracy and simplify system
- Recent changes:
  - New **listing descriptions** – objects / structures (fixed to building or within curtilage) not be treated as part of the listing can be recorded as such
  - **Certificates of Immunity** – sought at any time, rather than when planning application made or permission granted. Avoid uncertainty & reduce risk.
  - **CAC replaced with PP** to demolish unlisted buildings – but Significance Assessments & Heritage Impact Assessments still needed to inform decision-making.

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## HERITAGE PLANNING REFORM – ERRA 2013 (2)

- Next round of reform (6 April 2014):
  - Consultation on draft legislation – ended 27 January
  - **Statutory Heritage Partnership Agreements (HPAs)**
    - Advance consent for minor, routine or repetitive works (excludes demolition) to identified listed buildings
    - Potential time and resource benefits for all parties (but initial front loading over next few years?)
    - Good for complex buildings and campuses
  - **Listed Building Consent Orders**
    - Automatic LBC for certain categories of work or buildings (time-saving?) – 90% of 30,000 LBC applications for minor works. Can withdraw LBCO (but compensation)
    - Requires LPAs to relinquish some controls
  - **Certificates of Lawfulness of Proposed Works**
    - Mechanism for LPAs to confirm formally that LBC not required when no impact on building's special interest
    - Lasts 10 yrs, 6 wk determination, 28 day appeal - avoids unnecessary LBC applications

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## IMPACTS OF REFORM

- **Pros:**
  - Simplifying the system results in more development, sooner
  - Relieves pressure on LPA officers
  - Administrative savings for LPAs and developers
- **Cons:**
  - Transition to new regime - requires significant investment, training, time.
  - Without resourcing will heritage protection fall away?
  - Poor quality resources = more JRs?

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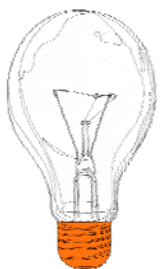
## WHAT IS BEING DONE TO ENSURE QUALITY?

- EH National Heritage Protection Plan – using scarce resources better
- LGA and EH support: e.g. Historic Environment Local Management (HELM) site to support LPAs
- LGA 2003: Charging regime for historic building pre-application advice (Chichester). Far from universal.
- Innovative working arrangements: Joint working and sharing services to generate new income (Essex – full cost recovery service) Historic Environmental Record – charging for commercial enquiries
- IHBC – setting competence standards for officers

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### FURTHER THOUGHTS

- More PPAs to fund resources and early dialogue – developers happy to pay for enhanced service and reinforces service culture
- National / Regional website of officers to maximise efficiency and share knowledge – quality currently variable across England
- Maximise benefit of National Amenity Societies at early stage
- Web-based training resources



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Thank you  
Any questions?