

## **GUIDANCE ON TEMPORARY STRUCTURES FOR EVENTS**

### **Executive summary**

Temporary structures and events in historic places make a vital contribution to the economic sustainability of our heritage. They add to the enjoyment of countless visitors at a huge range of sites, from urban squares to open countryside, as well as generating an important source of income. However, they are not appropriate in every location, and need to be carefully positioned and designed to avoid disfiguring or damaging sites and landscapes of heritage importance. This draft guidance helps to show how this can be done, using examples of good practice and suggesting an approach to risk assessment and mitigation.

### **Contents**

1. Introduction
2. Background
3. Types of temporary structures
4. Benefits of temporary structures
5. Planning temporary structures for events
6. Evaluation of proposals
7. Statutory controls
8. Information in support of proposals
9. Recommended management practices
10. Additional sources of information

Annex A: Extract from the General Permitted Development Order 1995

Annex B: Extract from HM Government Code of Practice on Consultation

## I. Introduction

- I.1 This draft guidance explains and illustrates 'best practice' in the planning, design and management of temporary structures, in all sorts of historic places, both urban and rural, ranging from city squares to landscaped parks and archaeological sites. The aim is to protect these often fragile assets from damage or disfigurement caused by temporary structures and associated activities.
- I.2 The guidance is concerned primarily with proposals for temporary structures that require planning permission, listed building consent, scheduled monument consent or consent under advertisement controls. However, much of the advice on management issues will be applicable even if these permissions are not required. The target audience includes planning and conservation officers in local planning authorities, owners of historic sites, event promoters and expert advisers.
- I.3 Local authorities have a key role to play, not least in deciding whether permission is needed for individual proposals, as explained in Section 7. English Heritage is usually only involved where heritage assets of national importance are affected; however, the approach set out here can be applied to any site of heritage interest.
- I.4 The term 'heritage asset' is used throughout this document to refer to historic buildings, monuments, archaeological remains and designed landscapes. The guidance will be of particular relevance where these assets have protection through listing or scheduling, or are protected through inclusion in conservation areas, World Heritage Sites, registered parks and gardens or battlefields.
- I.5 The benefits that temporary structures can bring to heritage assets are listed in Section 4, but there can also be adverse impacts. These may be visual or physical; temporary structures and events can also cause 'wear and tear' which degrades the condition of assets such as gardens. Section 9 suggests how to manage events to minimise any adverse affects on heritage assets and how to mitigate any unavoidable impacts.
- I.6 Temporary structures and events raise a wide range of technical, environmental and planning issues which are beyond the scope of this guidance. Additional guidance on these issues can be found in *The Event Safety Guide*<sup>1</sup> published by the Health & Safety Executive. They include noise, construction and dismantling, health and safety, traffic, parking and waste management.
- I.7 Large digital screens in public spaces are the subject of a separate guidance note, due to be published later in 2009 by English Heritage and CABE.

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<sup>1</sup> *The Event Safety Guide: A Guide to Health, Safety and Welfare at Music and Similar Events*, Health & Safety Executive, 1999

## **2. Background**

- 2.1 Many historic sites, whether in public, private or charitable ownership, rely on income generated by events. An increasing number of proposals for temporary structures in places of national heritage importance are being referred to English Heritage for comment. Additional pressure for temporary structures comes with the 2012 Olympics.
- 2.2 Temporary structures tend to fluctuate in size and duration from year to year, and can assume a more permanent character over time, which makes it harder for local planning authorities to keep them under control. The cumulative impact of temporary structures at sites which hold multiple or repeated events can be much greater than structures for one-off events.
- 2.3 Many owners of historic sites are concerned about how to satisfy the requirements of the various statutory authorities, and unsure about the interpretation of planning law in relation to temporary structures. Section 7 explains how temporary structures are dealt with in the planning system; however, this guidance note cannot provide a definitive statement about the need for planning permission.
- 2.4 This draft guidance has been developed by English Heritage in consultation with other stakeholders. An illustrated version will be published following a 12-week public consultation period.

## **3. Types of temporary structures**

- 3.1 This guidance is concerned primarily with structures erected for short-term events such as concerts, fairs, rallies, horse trials, circuses, location filming, outdoor art exhibitions, corporate hospitality, weddings and charity events. These structures may include:
- marquees;
  - ice rinks;
  - stages, barriers and seating;
  - large-format television screens;
  - sports and play equipment;
  - services and plant/machinery;
  - temporary buildings ('Portakabins'), toilets and containers;
  - art installations;
  - sets for location filming.
- 3.2 The guidance will also apply to structures of slightly longer or seasonal duration, such as ticket offices, construction compounds, site huts, children's play facilities and 'big wheels'.

- 3.3 In addition to the structures themselves, there are associated impacts of car parking, footfall, deliveries, servicing, security, signage and connections to mains services e.g. electricity.

#### **4. Benefits of temporary structures**

- 4.1 Provided that they are well planned and carefully managed, temporary structures can bring a variety of benefits:
- they can enrich the experience of visitors to heritage assets;
  - they can accommodate a range of cultural, sporting and educational activities;
  - they can encourage tourism and the engagement of local communities;
  - they can increase the capacity of historic sites temporarily, and bring a wider range of visitors;
  - they can accommodate activities which might pose an unacceptable risk if held in historic buildings;
  - they are often an important source of income which can help to fund repair and maintenance of heritage assets;
  - some temporary structures (such as garden pavilions and outdoor art works) can visually enhance historic places, as long as their location, scale and design are appropriate.

#### **5. Planning temporary structures for events**

- 5.1 For promoters and organisers of events, good planning means:
- early consultation with the relevant authorities (such as the local planning authority and English Heritage) and responding to any concerns raised (see paragraph 7.1).
  - where planning permission or consent is required, providing all the information needed for decision-making, in particular clear details of the impact of the proposal (see Section 8 below),
  - preparing a risk analysis and mitigation strategy in advance of the event (see Section 9) and ensuring that this is carried out.
  - including a contingency in the project plan to cover the cost of repairing damage and reinstating the site following the event.
  - avoiding or minimising any adverse impacts on historic buildings and monuments, archaeology, landscape and wildlife.
  - removing temporary structures and carrying out remedial works promptly after the event. This should be in accordance with an agreed timetable.
  - following the event, evaluating any impacts and applying the lessons learnt to the planning of future events.
  - planning for the longer term where appropriate: for example, seeking permission for temporary structures to be re-erected at intervals over a period of several years (see 7.2.8).

- incorporating planning for events as part of a wider conservation management strategy. Where there is a Conservation Management Plan, this should include policies and techniques for managing events and the design and location of temporary structures.
- assessing and taking into account the capacity of historic sites, for example by avoiding over-intensive uses or seasonal peaks of demand.
- integrating any heritage-related considerations into the relevant planning processes and documents; for example, event strategies, project plans and health & safety plans. Corporate strategies should integrate the need for conservation of the heritage asset and its setting with other business objectives such as raising income from events.

## 6. Evaluation of proposals

**6.1 The role of the local authority.** Local authorities have a responsibility to protect the historic environment in their areas through their planning policies and development control decisions. This requires:

- the availability of expert professional advice, either from specialist conservation staff or from external consultants;
- a detailed local policy framework, based on the local development framework, for the management of heritage assets.

**6.2 The role of English Heritage.** The English Heritage Charter<sup>4</sup> explains English Heritage's advisory services for planning and development. It has a statutory role in responding as a consultee to planning authorities in connection with applications for planning permission, and listed building consent, and responding to the Department for Culture, Media and Sport (DCMS) on applications for scheduled monument consent. In addition, it provides various types of non-statutory advice, including pre-application advice on important proposals affecting the historic environment in England, and advice on archaeology within Greater London.

**6.3** English Heritage and local planning authorities are guided by the relevant Planning Policy Guidance (PPG) notes: PPG 15: *Planning and the Historic Environment* (1994) and PPG 16: *Archaeology and Planning* (1990). These are due to be replaced by a new planning policy statement with supporting documents in 2009. English Heritage has published *Conservation Principles*<sup>5</sup> (April 2008) which sets out a basis for consistent decision making based on heritage values. Paragraph 162 of *Conservation Principles* states that:

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<sup>4</sup> A Charter for Planning and Development Advisory Services  
[www.english-heritage.org.uk/server/show/nav.19365](http://www.english-heritage.org.uk/server/show/nav.19365)

<sup>5</sup> *Conservation Principles for the Sustainable Management of the Historic Environment*, English Heritage, 2008  
[www.english-heritage.org.uk/server/show/ConWebDoc.13556](http://www.english-heritage.org.uk/server/show/ConWebDoc.13556)

*Every reasonable effort should be made to eliminate or minimise adverse impacts on significant places. Ultimately, however, it may be necessary to balance the public benefit of the proposed change against the harm to the place. If so, the weight given to heritage values should be proportionate to the significance of the place and the impact of the change upon it.*

Guidance on the application of *Conservation Principles* to historic parks and gardens is planned for publication in 2009.

- 6.4 The issues that will concern English Heritage when evaluating proposals for temporary structures and events on which it has been consulted are described in paragraphs 6.5 – 6.12. It is recommended to local planning authorities that they take these factors into account when considering whether to grant planning permission and listed building consent for temporary structures in historic places.
- 6.5 **Location.** Where assets of national significance are affected, English Heritage may ask for an evaluation of different options to explain why a particular location has been chosen. The choice of location can affect both the visual and physical impact on the heritage asset. However, other factors, such as commercial pressures or access to services, may also influence location.
- 6.6 **Physical impact.** It is important to avoid any permanent damage to heritage assets (see paragraph 9.4). Physical impacts include damage to heritage structures and archaeology, increased ‘wear and tear’ and permanent alterations, such as ground works, felling or pruning trees to make room for temporary structures, widening gateways to accommodate delivery vehicles and introducing hard surfaces for car parks.
- 6.7 **Visual impact.** In choosing a location, any adverse visual impact on heritage assets and key views should be avoided or minimised, both within the site and beyond (see paragraph 9.3). The duration of the structure and the season of the event can be important factors – see 6.10 below. Visual intrusion can often be reduced by choosing a location shielded by existing features such as walls and trees. Areas used for storage, deliveries and services (such as generators) are often unsightly, but their impact may be reduced with good layout and screening.
- 6.8 **Setting.** English Heritage is preparing separate guidance on identifying the setting of heritage assets, but relevant factors include the degree of impairment to public enjoyment and the duration of the proposed temporary development. Where the principal established land use is as a visitor attraction, and especially where the appeal of an asset is national or lies in a World Heritage Site, a higher justification is required to compensate for the impairment of public appreciation and enjoyment. Where public access is more limited, or the appeal is more local, the threshold may be set lower. In either case, irreversible damage to heritage assets caused by temporary structures is not acceptable.

- 6.9 **Design.** Special attention should be given to the design of temporary structures where they affect important views of heritage assets. The shape, materials or colour of structures such as marquees may need to be modified to suit their surroundings. There can be a significant difference in appearance between a marquee with rigid side panels compared with one which is clad in cloth or fabric. In some cases, a bespoke design may need to be considered as an alternative to an 'off-the-peg' structure.
- 6.10 **Duration and season.** The length of time for which a structure is erected is an important factor in assessing its impact. For example, the impact of a marquee erected for one weekend is much less than the same marquee erected for a whole year. The season may also be a factor. Trees in leaf can help to screen temporary structures. On the other hand, green spaces are more intensively used in the summer and thus the number of people affected by temporary structures is likely to be greater.
- 6.11 **Public benefits.** The effect of temporary structures and events on the enjoyment and understanding of heritage assets should be considered. In many cases, the effect will be beneficial, for example by attracting more diverse visitors to a site. However, ticket-only events may exclude the public from historic areas (like garden squares or public parks) which are normally accessible.
- 6.12 **Enabling development.** This is defined by English Heritage as 'development that would be unacceptable in planning terms but for the fact that it would bring public benefits sufficient to justify it being carried out, and which could not otherwise be achieved'. More detailed guidance is set out in English Heritage's updated guidance note on this topic<sup>6</sup>. This is designed to apply to permanent development; however, in exceptional cases a case may be made for a temporary structure as enabling development. Each case will be different and a pragmatic approach should be adopted by the Local Planning Authority.

If approval is given for the temporary structure as enabling development, provision should be made for the proceeds derived from the development to be spent on the heritage asset, and also for the removal of the structure at the end of the period within which the specific benefit to the heritage asset has been achieved. These provisions can be achieved through an agreement entered into under Section 106 of the Town and Country Planning Act 1990 as amended.

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<sup>6</sup> HELM page: [www.helm.org.uk/server/show/nav.00h01600700](http://www.helm.org.uk/server/show/nav.00h01600700)

<sup>8</sup> [www.planningportal.gov.uk](http://www.planningportal.gov.uk)

## 7. Statutory controls

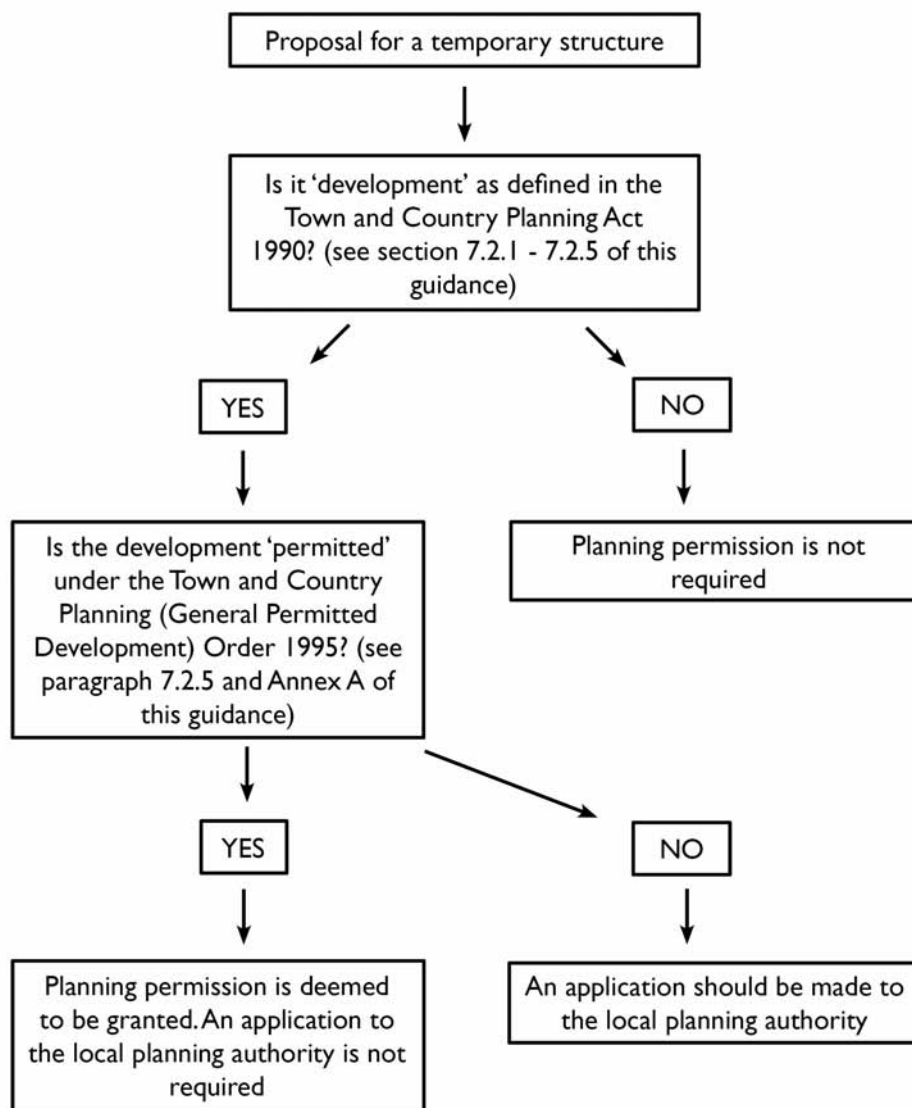
### 7.1 Temporary structures and the planning system

- 7.1.1 The advice of the local planning authority should usually be sought as to whether planning permission, advertisement consent or listed building consent is required, as this is a complex area of planning law. It is good practice for owners or their agents to inform the local planning authority of proposals to erect temporary structures, even if the owners or their agents consider permission or consent is not needed, to ensure there is no breach of legislative requirements. If permission or consent is required but is not obtained, enforcement action may be taken by the local planning authority to address the situation. English Heritage should always be consulted about scheduled monuments (see paragraph 7.4).
- 7.1.2 Sufficient time should be allowed in advance of the event for consultation with the relevant authorities, and for any permissions or consents to be obtained. It is advisable to contact the local planning authority before making a formal application to ensure that all issues are addressed. The amount of time required for pre-application negotiation may vary, but at least 12 - 16 weeks should be allowed for negotiation and obtaining permission or consent before an event is to be held. In most cases, planning and listed building consent applications are determined within eight weeks following their submission.
- 7.1.3 Where a formal application is required, it should include all the necessary information, with a clear assessment of the impact of the proposal on any heritage assets (see Section 8 below).
- 7.1.4 The guidance in the remainder of this section should not be taken to be the definitive position on the law, and specialist planning advice should be sought when organising events which require temporary structures. General advice about the planning system can be found on the Government's planning portal website<sup>8</sup>.

### 7.2 Planning permission

- 7.2.1 **When is planning permission needed?** Planning permission is required for any activities that amount to 'development'. The Town and Country Planning Act 1990 as amended defines 'development' as 'the carrying out of building, engineering, mining or other operations in, on, over or under land, or the making of any material change in the use of any buildings or other land'. It will be a matter of fact and degree as to whether any given proposal falls within the definition of development. As can be seen from the definition above, development can either be 'operational' development (building, engineering, mining or other operations), or a 'material change of use'.

**Table I:** Process for determination of whether a temporary structure requires planning permission (see section 7.2):



NB. A temporary structure may require other statutory consents, such as listed building consent or scheduled monument consent, irrespective of the need for planning permission

**7.2.2 Operational Development.** It is not always straightforward whether temporary structures fall within the category of 'operational development', and when considering cases, the approach taken by the courts is to ask whether what has been done has resulted in the erection of a 'building'. Three primary factors are relevant to the question of what is a building. The first factor is the 'size' of the structure, as a 'building' is normally something which is constructed on site, as opposed to being brought to site already made. The second factor is 'permanence', as a building, structure or erection normally denotes the making of a physical change of some permanence. The third factor is 'physical attachment' to the land, which in itself is inconclusive, but when weighed against other factors may tip the balance. In the case of *Skerritts of Nottingham Ltd v Secretary of State for the Environment, Transport and the Regions (No 2) 2000*, a marquee (40m x 17m) erected on a hotel lawn for a period of eight months was securely anchored and was seen as development and required planning permission. The implication of this is that the larger, more permanent and physically attached the structure is, the more likely it is to require planning permission. Whether a temporary structure requires permission or not is very much dependent on the facts of each case.

**7.2.3 Material change of use.** As noted above, a material change of use also constitutes development. Therefore, even if a temporary structure is not a 'building', planning permission would be needed if there is a material change in the use of the land upon which the structure is placed, unless the use is permitted under Part 4 Class B of the Town and Country Planning (General Permitted Development) Order 1995 as amended (see further below and also Annex A).

**7.2.4 How is planning permission granted?** Permission for development may be granted in various ways, most usually by:

- The Local Planning Authority (or, by the Secretary of State on appeal or the calling in of the application); or
- A Development Order (such as the Town and Country Planning (General Permitted Development) Order 1995 as amended<sup>9</sup>).

**7.2.5 'Permitted development'.** The Town and Country Planning (General Permitted Development) Order provides for the granting of planning permission for development specified in the order, or for development of any specified class. Part 4 of the Second Schedule deals with permitted development for temporary buildings and uses and the full text of Part 4 is reproduced at Annex A. In particular, Class B of Part 4 permits the use of land for not more than 28 days in total in any calendar year, or not more than 14 days in total if the use would be in relation to the holding of a

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<sup>9</sup> [www.opsi.gov.uk/si/si1995/Uksi\\_19950418\\_en\\_1.htm](http://www.opsi.gov.uk/si/si1995/Uksi_19950418_en_1.htm)

market, or motor car and motorcycle racing. No use is permitted however under Class B if the use of the land would be within the curtilage<sup>10</sup> of a building. Should the proposals therefore fall within either of the Classes outlined in Part 4, express planning permission would not be required, as the Order would be the permission.

**7.2.6 Planning policies and considerations.** If planning permission is required, the Local Planning Authority will need to determine the matter in accordance with the development plan unless material considerations indicate otherwise. Material considerations are broadly interpreted as any consideration relating to the use and development of land. In relation to the historic environment, the following heritage designations would need to be taken into account:

- Listed Buildings. The local planning authority are required to have ‘special regard’ to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest which it possesses (section 66 and 67 of Planning (Listed Buildings and Conservation Areas) Act 1990). Further guidance is found in PPG15.
- Conservation Areas. The local planning authority must pay ‘special attention’ to the desirability of preserving or enhancing the character and appearance to any buildings or other land in a conservation area. (Sections 72 and 73 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended. Further guidance is found in PPG15.
- World Heritage Sites (PPG 15, paragraph 2.22-2.23). A draft circular on the protection of World Heritage Sites was issued by CLG in 2008.
- Registered Parks and Gardens (PPG 15, paragraph 2.24) and Registered Battlefields (PPG 15, paragraph 2.25). Although not subject to statutory controls, these registers are a material planning consideration.
- Scheduled monuments. Paragraph 18 of PPG16 notes that ‘The desirability of preserving an ancient monument and its setting is a material consideration in determining planning applications whether that monument is scheduled or unscheduled’. Part B of PPG 16 provides advice to local planning authorities and others on the handling of archaeological matters in the planning process.

**7.2.7 Planning conditions.** If planning permission is granted, conditions can be attached to ensure that the impact of temporary structures is minimised<sup>11</sup>. For example, conditions may require reinstatement of affected areas to their

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<sup>10</sup> The definition of curtilage has given rise to some difficulty. It is usually a small area forming part or parcel with the house or building which it contains, or to which it is attached. It is however a matter of fact and degree as to its extent.

<sup>11</sup> Circular 11/95: Use of Conditions in Planning Permission – which sets out the various tests to be satisfied for conditions to be imposed

[www.communities.gov.uk/publications/planningandbuilding/circularuse](http://www.communities.gov.uk/publications/planningandbuilding/circularuse)

former state within a given timescale, submission of additional information (such as a method statement, risk assessment or details of landscaping works), or restriction of the period permitted for a given structure or use.

**7.2.8 Temporary permissions.** When submitting a planning application, consideration should be given to whether a temporary planning permission (where planning permission is given for buildings or works for a set period, after which time they are to be removed) may be appropriate. A temporary permission may be appropriate either when a temporary form of development is being proposed, or a trial run is needed to assess the effect of the development on the land. The Local Planning Authority can advise on whether an application for temporary permission for a trial period would be more appropriate.

### **7.3 Listed building consent**

**7.3.1** Listed buildings and conservation areas are dealt with under separate legislation – the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended). Section 7 of the Act provides that consent is required for any works of demolition, alteration or extension to a listed building which would affect its character as a building of special architectural or historic interest. It is a criminal offence to carry out such works without consent, and temporary works are not exempted from this. It is important that advice is sought from the local planning authority on the need for listed building consent. Listed Building Consent would not normally be required for the erection of a freestanding structure in the curtilage of a listed building.

**7.3.2** There is a general presumption against any works that would have an adverse impact on the special interest of a listed building. PPG 15 contains detailed guidance on alterations to listed buildings.

### **7.4 Scheduled monument consent**

**7.4.1** Scheduled monument consents are administered by the Department for Culture, Media and Sport ('DCMS'). All applications are referred by DCMS to English Heritage for expert advice. DCMS aim to make a final decision within four months of an application being made<sup>12</sup>. Unless class consents apply (see PPG 16, Annex 5), works to a scheduled monument, whether above or below ground, including excavation, require scheduled monument consent. It is a criminal offence to carry out unauthorised works on a scheduled site or to cause damage to a scheduled monument, whether intentionally or through recklessness. The relevant legislation is contained in the Ancient Monuments and Archaeological Areas Act 1979, as amended. PPG 16 provides further guidance on the handling of archaeological matters. .

**7.4.2** The advice of English Heritage should be sought about the need for consent and to agree a method of work which avoids damage or disturbance to the monument. Where a marquee is to be erected, it may be necessary to

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<sup>12</sup> [http://www.culture.gov.uk/what\\_we\\_do/historic\\_environment/4171.aspx](http://www.culture.gov.uk/what_we_do/historic_environment/4171.aspx)

consider alternative locations or methods of fixing to minimise the risk of disturbance or damage to any buried remains. The use of weights as a method of anchoring the structure may avoid the need for excavation.

## **7.5 Advertisement consent**

7.5.1 Advertisements usually require express advertisement consent from the Local Planning Authority unless they have 'deemed' consent under the Town and Country Planning (Control of Advertisements) Regulations 1992. Schedule 3 of the Regulations describes various classes of advertisements that have 'deemed consent' subject to various limitations. For example, under Part 1 of Schedule 3, Class 3D gives consent for an advertisement 'announcing any local event of a religious, educational, cultural, political, social or recreational character' or 'relating to any temporary matter in connection with an event or local activity of such a character, not being an event or activity promoted or carried on for commercial purposes'. There then follows a list of various conditions and limitations imposed on the consent in relation to the advertisement's size, duration, height, and that it cannot be illuminated. Advice should be sought from the Local Planning Authority on the need for advertisement consent.

## **7.6 Statutory protection of trees**

7.6.1 Trees may be protected either because they are in Conservation Areas or through Tree Preservation Orders. Before works are undertaken to trees, the position should be clarified with the Local Planning Authority's Arboricultural Officers.

## **8. Information in support of proposals**

8.1 Applicants for planning permission and listed building consent will need to check with the Local Planning Authority what information is required in support of the application, as set out in the validation checklists adopted by most authorities. Under the Planning and Compulsory Purchase Act 2004, it is a requirement to include a Design and Access Statement with applications for planning permission and listed building consent.<sup>13</sup>

8.2 The English Heritage Charter<sup>14</sup> includes advice about the range of information required for consultations on proposals affecting nationally important heritage assets. The amount of information required should be proportionate to the importance of the heritage asset and the impact of the proposal. This is of particular relevance to applications for temporary structures, as the cost of preparing the application and any supporting documents may be relatively high in relation to the income derived from the event. In addition to plans and drawings showing the proposed structure, a written statement explaining

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<sup>13</sup> Detailed advice about design and access statements is contained in DCLG Circular 01/2006: *Guidance on changes to the development control system*.

<sup>14</sup> <http://www.english-heritage.org.uk/server/show/nav.19365>

the proposals will be required. The statement should refer to any other policy statements, where these are relevant, such as Conservation Management Plans and local planning policies.

8.3 Depending to the circumstances of the proposal, additional supporting information may be necessary:

- **An evaluation of different options**, assessing the different impacts and risks associated with alternative locations or designs.
- **Visualisations and views analysis**. Perspectives or photo-montages, models or computer-generated images can be used to show the impact of any structures on the heritage asset and its setting. Where the visual impact and the sensitivity of the asset are both exceptionally high, a views analysis may be required. Guidance on the analysis of important views is being developed by English Heritage<sup>15</sup>.
- **An archaeological assessment**. Where there is potential for disturbing archaeological remains, an assessment by a professionally-qualified archaeological organisation or consultant may be required. This would normally be a desk-based evaluation (see PPG 16, paragraph 20). In London, English Heritage provides advice through the Greater London Archaeological Advisory Service. Elsewhere, the advice of the county Historic Environment Record should be sought.
- **An assessment of potential risks and impacts**, based on the table in Section 9 below, with corresponding precautions and works of mitigation.
- **A financial justification**. Details of how any income generated by the proposed structure will benefit the heritage asset or assets at that location (see paragraph 6.1.2).

## 9. Recommended management practices

9.1 A risk assessment and management strategy can be helpful, whether or not a formal application to the local planning authority is required. The following paragraphs describe management practices and precautions which can be incorporated in management plans and adapted to particular sites. Normally, the risk assessment is done by owners or their advisers; it need not be a lengthy or expensive process except in the most complex cases. By identifying potential problems at the planning stage, measures can be taken to avoid problems or to mitigate them. This can help to protect the heritage asset, by minimising the risk of damage as well as the cost of repairs or reinstatement after an event.

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<sup>15</sup> *Seeing the History in the View*, English Heritage, 2008: [www.english-heritage.org.uk/server/show/ConWebDoc.13380](http://www.english-heritage.org.uk/server/show/ConWebDoc.13380)

- 9.2 Establishing clear lines of communication and responsibility is essential for the smooth running of events, from setting up to taking down. There should be designated points of contact for all the parties involved including the client, the event manager and any contractors. It may be necessary for the client to appoint a professional representative to manage the contractor and ensure that any works are carried out in accordance with an agreed method statement.
- 9.3 **Minimising visual intrusion.** Temporary structures should be sited to avoid blocking important views or disturbing the visual character of historic areas. Careful planning can help to minimise the impact of temporary services, signage and fencing which would otherwise detract from the appearance and ambience of heritage sites. Minimising the set-up and take-down periods can help to reduce their impact, especially for short-term events such as summer festivals. However, it is important that erection and dismantling operations are carried out carefully, according to an agreed method statement and a realistic timetable. Any reinstatement works should be carried out promptly.

Aim	Possible management practices and precautions
Minimise any adverse visual impact on significant views of the heritage asset	<ul style="list-style-type: none"> <li>- Conduct a design study to confirm any visual impacts of temporary structures on key views (see 8.3)</li> <li>- Agree measures with relevant authorities such as the Local Planning Authority ('LPA') or English Heritage, to reduce or avoid visual intrusion by alterations to location, layout and design.</li> </ul>
Minimise any adverse visual impact of poorly-designed or inappropriate structures	<ul style="list-style-type: none"> <li>- Consider alternative design solutions: explore alternative colours, materials and forms for temporary structures.</li> <li>- Consider 'bespoke' design in cases where an 'off-the-peg' solution would be inappropriate.</li> </ul>
Minimise any adverse visual impact of temporary services	<ul style="list-style-type: none"> <li>- Consider the need for temporary screening to hide items such as bins, generators, storage areas and toilets.</li> <li>- Implement 'housekeeping' measures to reduce the impact of services such as pipes and cables.</li> </ul>
Minimise any adverse visual impact of temporary signage and advertising	<ul style="list-style-type: none"> <li>- Consider alternative design solutions and locations sensitive to the heritage context and setting.</li> </ul>
Minimise adverse visual effects of erection, dismantling and ground disturbance before and after the event	<ul style="list-style-type: none"> <li>- Minimise the set-up and take-down periods.</li> <li>- Ensure that any re-instatement works, for example re-seeding or re-turfing of grassed areas, are carried out promptly after the event.</li> </ul>

- 9.4 **Preventing physical damage to heritage assets.** Examples of damage include the impact of temporary services and fixing points in areas of archaeological

sensitivity, accidental damage to the fabric of historic structures, and the erosion of landscape features. It is important to inform contractors working on a site about any heritage assets and reasons for caution.

Aim	Possible management practices and precautions
Prevent damage to historic features such as gate-posts, railings, garden statues and trees due to extra vehicle movements	<ul style="list-style-type: none"> <li>- Divert deliveries via less sensitive routes and agree with relevant authorities such as the LPA or English Heritage.</li> <li>- Provide physical protection to valuable or delicate items.</li> <li>- Mark up a site plan showing potential risks and integrate this into the project plan.</li> </ul>
Prevent damage to below-ground archaeological remains	<ul style="list-style-type: none"> <li>- Use weights (such as water-filled tanks) to restrain marquees, as an alternative to ground anchors. (However, there are safety risks associated with the stability of weighted marquees in high winds.)</li> <li>- Where excavation is proposed, avoid areas of archaeological sensitivity and liaise with the relevant authorities such as the LPA and English Heritage.</li> <li>- Limit the depth of disturbance to avoid historical remains.</li> <li>- Agree with the relevant authorities fixed marquee points that can be re-used (subject to Scheduled Monument Consent on scheduled sites).</li> </ul>
Prevent damage to historic buildings and other heritage structures during erection and dismantling operations	<ul style="list-style-type: none"> <li>- Maintain a minimum clearance between existing historic features (including trees) and any temporary structure.</li> <li>- Provide physical protection to valuable or vulnerable features.</li> <li>- Agree a method statement with relevant authorities such as the LPA and English Heritage for erection and dismantling to minimise the risk of accidental damage.</li> <li>- Ensure that no fixings, permanent or temporary, are made to building or structures, other than those expressly agreed in advance with the relevant authorities.</li> </ul>

9.5 **Managing ‘wear and tear’.** Some temporary events attract large numbers of additional visitors and vehicles, which can cause erosion of grassed areas, damage to trees, soil compaction and a general degradation of the landscape. For detailed advice on the management of grassed areas and trees, see the English Heritage handbook on historic parks, gardens and landscapes.<sup>16</sup>

<sup>16</sup> *The management & maintenance of historic parks, gardens & landscapes: The English Heritage handbook*, edited by John Watkins and Tom Wright, published by Frances Lincoln 2007

Aim	Possible management practices and precautions
Maintenance of grassed areas affected by higher intensity of pedestrian traffic	<ul style="list-style-type: none"> <li>- Use temporary flooring to protect lawned areas (although if down for more than a few days this may kill the turf by depriving it of light).</li> <li>- Use more wear-tolerant grass varieties and increase levels of maintenance (especially aeration).</li> <li>- Spread the wear pattern by varying access routes.</li> <li>- Re-seed, taking into account the best seasons for sowing, or re-turf following the event.</li> <li>- Grass reinforcement at pinch points.</li> </ul>
Maintenance of grassed areas affected by higher intensity of vehicular traffic	<ul style="list-style-type: none"> <li>- Ensure that service vehicles keep to specified routes.</li> <li>- Lay temporary trackways at the start of operations (not after damage has occurred) and remove them between set-up and take-down, to ensure turf beneath does not die.</li> <li>- Ensure that any trackways are sufficiently robust to carry the weight of the construction plant and vehicles to be used.</li> <li>- Avoid poorly-drained areas.</li> <li>- Aerate areas after use, using deep penetration aeration where necessary and permissible.</li> </ul>
Prevent ground saturation and/or flooding due to diversion of rainwater run-off from structures	<ul style="list-style-type: none"> <li>- Install temporary rainwater drainage and discharge to existing drains or soakaways, where appropriate and following liaison with relevant authorities such as the LPA and the Environment Agency.</li> </ul>
Prevent damage to tree root systems due to compaction and ground disturbance	<ul style="list-style-type: none"> <li>- Avoid locating temporary structures, paths, parking areas and vehicle routes close to trees.</li> <li>- Provide temporary barrier protection – liaise with the relevant authorities such as the LPA and in particular their arboricultural officers.</li> </ul>
Prevent damage to hard surfaces, such as staining, marking and cracking of stone pavings and steps	<ul style="list-style-type: none"> <li>- Provide temporary protection to hard surfaces, in consultation with the relevant authorities.</li> </ul>

**9.6 Avoiding disturbance of wildlife and ecology.** The planning of temporary structures and associated events should take account of any protected areas of wildlife habitat. It is important not to disturb protected species such as bats, or to disrupt the feeding, roosting and nesting of wildlife.

Aim	Possible management practices and precautions
Avoid disruption of protected areas (such as SSSI, SAC, SPA,	<ul style="list-style-type: none"> <li>- Consult Natural England at an early stage of planning (<a href="http://www.naturalengland.org.uk">www.naturalengland.org.uk</a>)</li> <li>Setting up a temporary structure within a</li> </ul>

Ramsar)	protected area or close to a protected area may require consent from Natural England.
Avoid disruption of protected species such as bats	- Consult Natural England at an early stage of planning. - A licence may be required if the site is home to or used by a protected species. Setting up a temporary structure which might adversely affect a protected species could be an offence (for example, events such as fireworks, or laser or light shows).
Avoid disturbance of wildlife in general	- Avoid disturbance wherever possible, for example to birds and their nests during the nesting season. - Take advice from an ecologist at the planning stage to avoid possible conflicts.

## 10. Additional sources of information

These references are in addition to those given in footnotes elsewhere in this document:

*Practical Conservation Guidelines for Successful Hospitality Events in Historic Houses*, English Heritage, 2004

[www.helm.org.uk/upload/pdf/6939\\_EHSuccessfulHosp.pdf](http://www.helm.org.uk/upload/pdf/6939_EHSuccessfulHosp.pdf)

*Ancient Tree Guides No.2: Trees in historic parks and landscape gardens*, The Woodland Trust & the Ancient Tree Forum

*Temporary demountable structures: Guidance on procurement, design and use*. (Third Edition), the Institution of Structural Engineers, 2007

[www.istructe.org/publications/pubdetails.asp?pid=138](http://www.istructe.org/publications/pubdetails.asp?pid=138)

**Annex A: Extract from the General Permitted Development Order 1995****PART 4  
TEMPORARY BUILDINGS AND USES****Class A  
Permitted development**

**A. The provision on land of buildings, moveable structures, works, plant or machinery required temporarily in connection with and for the duration of operations being or to be carried out on, in, under or over that land or on land adjoining that land.**

**Development not permitted**

**A.1** Development is not permitted by Class A if—

- (a) the operations referred to are mining operations, or
- (b) planning permission is required for those operations but is not granted or deemed to be granted.

**Conditions**

**A.2** Development is permitted by Class A subject to the conditions that, when the operations have been carried out—

- (a) any building, structure, works, plant or machinery permitted by Class A shall be removed, and
- (b) any adjoining land on which development permitted by Class A has been carried out shall, as soon as reasonably practicable, be reinstated to its condition before that development was carried out.

**Class B  
Permitted development**

**B. The use of any land for any purpose for not more than 28 days in total in any calendar year, of which not more than 14 days in total may be for the purposes referred to in paragraph B.2, and the provision on the land of any moveable structure for the purposes of the permitted use.**

**Development not permitted**

**B.1** Development is not permitted by Class B if—

- (a) the land in question is a building or is within the curtilage of a building,
- (b) the use of the land is for a caravan site,
- (c) the land is, or is within, a site of special scientific interest and the use of the land is for—

- (i) a purpose referred to in paragraph B.2(b) or other motor sports;
  - (ii) clay pigeon shooting; or
  - (iii) any war game, or
- (d) the use of the land is for the display of an advertisement.

**Interpretation of Class B**

**B.2** The purposes mentioned in Class B above are—

- (a) the holding of a market;
- (b) motor car and motorcycle racing including trials of speed, and practising for these activities.

**B.3** In Class B, 'war game' means an enacted, mock or imaginary battle conducted with weapons which are designed not to injure (including smoke bombs, or guns or grenades which fire or spray paint or are otherwise used to mark other participants), but excludes military activities or training exercises organised by or with the authority of the Secretary of State for Defence.

**Annex B: Extract from HM Government Code of Practice on Consultation****THE SEVEN CONSULTATION CRITERIA****Criterion 1 When to consult**

*Formal consultation should take place at a stage when there is scope to influence the policy outcome.*

**Criterion 2 Duration of consultation exercises**

*Consultations should normally last for at least 12 weeks with consideration given to longer timescales where feasible and sensible.*

**Criterion 3 Clarity of scope and impact**

*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.*

**Criterion 4 Accessibility of consultation exercises**

*Consultation exercises should be designed to be accessible to, and clearly targeted at, those people the exercise is intended to reach.*

**Criterion 5 The burden of consultation**

*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.*

**Criterion 6 Responsiveness of consultation exercises**

*Consultation responses should be analysed carefully and clear feedback should be provided to participants following the consultation.*

**Criterion 7 Capacity to consult**

*Officials running consultations should seek guidance in how to run an effective consultation exercise and share what they have learned from the experience.*

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