

2.5 Managing change and enhancing character

The way in which the legislation has developed piecemeal over 120 years is frustrating for regulators and regulated alike.

79 Since 1882, when the first legislation was passed, a complicated regulatory system has developed in England. Sites and buildings can now be designated as scheduled monuments, Grade I, II* and II listed buildings, designated Conservation Areas, Grade I, II* and II registered parks and gardens and registered battlefields. Owners of complex, sensitive sites may find themselves subject to a confusing plethora of different regulatory regimes operated by different authorities.

80 With some notable exceptions, designation has been effective in enabling acceptable change while protecting those aspects of historic buildings and monuments that are of greatest significance. It has been less effective in relation to historic places – Conservation Areas, parks and gardens and battlefields.

An integrated approach

The most effective way to ensure that a building is conserved is to ensure that its use continues to be economic and that owning it continues to bring an adequate return on investment

William McKee, Director, British Property Federation

81 Developers, planners and conservationists would all benefit from greater clarity and certainty. Conservation policies need to be tailored to reflect the value and significance of the landscape or building concerned. The historic environment is one of a range of considerations that have to be taken into account in determining planning applications. The weight given to it will vary from case to case. Sometimes it will be critical. An integrated system of planning and conservation controls based on character appraisal and conservation plans would provide a simpler, more efficient system for everyone.

82 Character appraisal means understanding and evaluating the significance of a place, and drawing out the management implications so that its significance can be protected and opportunities for change identified. To be effective, it needs to be a participative, inclusive process. It therefore sits well with the concept of community planning, Local Strategic Partnerships and participative neighbourhood renewal.

83 Some Conservation Area appraisals provide excellent examples of character appraisal. The

Urban Design Alliance, supported by English Partnerships and DETR, is carrying out 10 pilot Placecheck projects in different parts of the country. Parish appraisals and Village Design Statements have shown how local people can be involved in assessing the character of their historic environment and in developing policies for managing change. The Countryside Agency is working with a number of partners to apply a similar approach to market towns.

84 This does not mean applying additional controls or attempting to fossilise the whole of the country. Conservation policy is as much about mediating thoughtfully and sensitively economic and social change as about ensuring the preservation of what is valuable. Character assessment, carried out in advance of a development proposal, makes this process more transparent and less arbitrary. Experience demonstrates that people are less – not more – resistant to change if they have been involved in identifying what matters in their local environment. The resulting clarity about what is acceptable to the local community has provided much greater certainty for architects, builders and developers. The risks faced by owners and developers would be further reduced if spatial masterplans, based on participative character assessment, were adopted by local authorities as Supplementary Planning Guidance.

Managing complex sites and buildings

In some instances, such as Whiteleys Shopping Centre in Queensway, and Milton Keynes Shopping Centre (which is not a listed building), management agreements have been introduced ... this system should be encouraged.

British Property Federation

85 The techniques of character appraisal can also be applied to individual buildings and landscape. Delays can be minimised and unexpected problems avoided if the significance of a site or building is understood well before detailed proposals are drawn up and owners know what they will and will not be able to do. The methodology for preparing conservation plans for historic sites is now well established. Management agreements based on conservation plans could, if given legal force, greatly reduce the number of consent applications that owners of complex listed buildings would need to submit.

86 In the long run, character appraisal and



Case Study 18

Character assessment, New Forest, Hampshire

A comprehensive character assessment of the whole of the New Forest District and Heritage Area was undertaken as a partnership project jointly funded by New Forest District Council, Hampshire County Council, the Countryside Agency and English Heritage. Community participation included people from local interest groups, amenity societies, local estates and other stakeholders. The results, now given force in Supplementary Planning Guidance, provide the basis for better informed responses to development proposals and the future management of the landscape. This approach has been strongly supported by the Government in *Our Countryside: the Future*.

Case Study 19

Segedunum Roman Fort, Baths and Museum at Wallsend, Tyne and Wear

High visitor numbers at parts of Hadrian's Wall inevitably put great pressure on both the monuments and the local area. Segedunum is the newest visitor location on the Wall. It is designed to increase access to the monument for visitors without increasing impact at a vulnerable site, in line with World Heritage Status requirements. It features an interactive museum, reconstructions of a section of Hadrian's Wall and a working Roman bath-house as well as the site of the fort itself which has been put out on view while protecting the archaeological deposits from erosion. The plan is best viewed from the spectacular viewing tower (pictured). Since opening in June 2000 Segedunum attracted over 36,000 visitors to the end of October and has won several regional and national awards, including the British Archaeological Awards *Heritage in Britain* trophy for 2000.



conservation plans need to be integrated in planning legislation for managing change to the whole of the environment. This does not mean abandoning the principle of applying more detailed controls where particular sites or buildings have special significance, or placing new and burdensome regulations on the whole of the country. Character appraisal provides the opportunity to regulate only what needs to be regulated; to put in place controls that are appropriate and easily understood.

Sustainable tourism

87 **The historic environment lies at the heart of England's £22 billion tourism industry.**

Recent surveys indicate that as many as 73% of overseas visitors visit historic buildings during their stay, and 54% of overseas visitors to London cite historic buildings as the specific reason for their visit. The Countryside Agency estimates that 354,000 jobs in rural areas are supported by visitors, many of whom are attracted by the quality of the historic environment. The National Trust's study into the impact of its work in the South West

concluded that 21 million visitors, spending around £4.6 billion each year, created an estimated 225,000 jobs. Yet the short-term interests of the industry and of encouraging access can create problems for the long-term sustainability of the assets themselves.

We are committed to helping the tourism industry develop in a way that does not damage the very assets on which it depends.

English Tourism Council and British Tourist Authority
joint submission

88 Sustainable tourism is tourism that does not degrade the asset on which it depends, and which is acceptable to the host community. Again, management planning provides the best way of identifying and avoiding potential conflicts, for example by carrying out capacity studies. For a plan to work, everyone affected needs to be encouraged to participate as fully as possible in the planning process.

89 Management plans should be drawn up for places with the largest concentrations of visitors, as they are for World Heritage Sites.

Recommendation 12

Make more use of character appraisal

For the Government:

- a Encourage local authorities to use spatial masterplans based on character assessment by including them as Best Value performance indicators
- b Legislate to give statutory force to conservation plans and management agreements for individual listed buildings and registered landscapes
- c Consider how to work towards an integrated system of land-use planning and conservation controls over the next 10–15 years

For local government:

- d Adopt spatial masterplans based on character appraisal as Supplementary Planning Guidance
- e Ensure that all Conservation Areas have character appraisals

For the heritage sector:

- f Continue to develop conservation and management plans as a methodology for evaluating significance and identifying opportunities and constraints
- g Develop management plans for major tourist destinations as well as World Heritage Sites

For owners of complex historic sites, buildings and landscape:

- h Draw up conservation plans or statements before preparing development proposals

Streamlining the system

Over recent years there has been a dramatic decline in the number of [local authority] staff working in this field... In some cases all the archaeological services associated with a county have been threatened with closure... With staffing levels reduced to such low levels and whole units at risk of closure, the historic environment has undoubtedly been placed at risk.

Environment Agency

In dealings with private owners, courtesy and competence on the part of conservation officers, together with a recognition of the contribution of such owners to the historic environment, would make for a more positive relationship.

Anthony Bosanquet, President, Country Landowners Association

90 The success of the planning system rests on the way it is operated by local authorities, owners, developers and others.

91 Many local authorities employ excellent conservation officers able to identify and evaluate the significance of the historic environment and encourage owners and

developers to see it as a creative opportunity rather than a burden. But in too many cases, untrained or inexperienced staff force local authorities into the position of reactive, negative regulation.

92 Eighty-five planning authorities (22% of the total) employ no qualified conservation officer. Even when qualified conservation officers are employed, they may be in junior positions that give them little or no opportunity to advise on decisions critical to the historic environment. New local authority structures have made this situation worse. As a result, opportunities are missed and poor decisions made. Caution, not creative engagement, prevails.

93 The Government's modernising local government initiative aims to ensure that local authorities deliver high-quality services. Access to reliable expert advice and information are both essential to an adequate historic environment strategy. Their availability should be central to the responsibilities of every local planning authority, and should be included as an indicator of Best Value.

Case Study 20

Conservation Area ruined by inappropriate alterations

Inappropriate and unsuitable alterations and replacements installed by well-intentioned but ill-informed home-owners and building managers destroy the character and appearance of Conservation Areas. Local authorities have the powers to prevent unsuitable development by withdrawing permitted development rights; they should use them.



Photo: English Heritage

Conservation Area controls

94 **Designation as a conservation area is intended to protect and enhance character.**

Too often it achieves little. Permitted development rights enable owners of an unlisted house in a conservation area to do more or less anything they wish to change the appearance of their house. Similarly, the local authority can resurface streets and pavements in new materials and patterns, install traffic signs, and, together with over 30 private utility companies, install cabinets, kiosks and other street furniture without any control or co-ordination. Local authorities have powers to remove permitted development rights in order to control changes more effectively but only about 1 in 10 historic towns makes use of them. (Case Study 20)

95 The system in its present form creates uncertainty for owners and is inconsistent across the country. It would be simpler, more consistent and more effective to withdraw a wide range of permitted development rights and allow local decisions to be made.

Removing anomalies and inconsistencies

96 The 1996 Green Paper, *Protecting Our Heritage*, contained a number of uncontentious recommendations. None of these have yet been enacted. Some of them, designed to remedy

defects in the 1979 Ancient Monuments and Archaeological Areas Act, were the subject of public consultation as long ago as 1991. Legislation to enact these is needed.

Removing double-handling

97 In 1999/2000 English Heritage was consulted about over 12,000 listed building consent cases, 900 scheduled monument consent cases and nearly 5,200 applications for planning permission. In many cases it was consulted twice, first by the local authority and subsequently by the Government Office for the Region. This procedure involves unnecessary double-handling and creates delay. It should be reviewed and simplified.

Recommendation 13

Make the regulatory system work better

For the Government:

- a Use Best Value to encourage local authorities to maintain high quality historic environment services
 - b Reduce permitted development rights in Conservation Areas
 - c Eliminate unnecessary double-handling in notification and referral procedures
 - d Require applications for planning permission to be submitted in a standardised form that covers wider environmental implications
 - e Legislate to remove inconsistencies and implement uncontroversial amendments to the current system
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For local government:

- f Ensure that it has access to relevant information and specialist advice
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For the heritage sector:

- g Ensure that heritage professionals have the skills and training to involve people in decisions, think creatively and find solutions to problems