

New PPS5: Planning for the historic environment

PPS5: Planning for the historic environment, was published on 23rd March 2010, replacing PPG15 (Planning and the historic environment), 1994 and PPG16 (Archaeology and planning), 1990. The PPS is accompanied by an extensive Practice Guide (prepared by English Heritage) and the Government's Statement on the Historic Environment for England 2010.



The PPS emphasises that the Government sees heritage in a positive role in relation to regeneration, economic development, social enhancement and place-making. Particular emphasis is placed on the contribution that heritage assets can make to sustainable development, reinforced by the Government's Statement on The Historic Environment.

Key points:

There is a presumption in favour of protection of all designated heritage assets from inappropriate change – whereas PPG15 only included such a presumption in relation to listed buildings.

In effect, this brings World Heritage Sites, registered parks, battlefields and scheduled monuments within this new policy duty, whereas previously they were simply material considerations in the planning process. It will be interesting to see how this policy sits against the over-arching statutory duties in respect of listed buildings and conservation areas.

The definition of 'heritage asset' has been expanded to specify the different types of asset – 'a building, monument, site, place, area or landscape positively identified as having a degree of significance meriting consideration in planning decisions'.

This includes assets identified by the LPA during the process of decision making or through the plan-making process – including local listing. Clearly such assets (as opposed to designated ones) are potentially less easily identified, requiring early engagement with the LPA.

'Designated heritage assets' include World Heritage Sites, scheduled monuments, listed buildings, protected wreck sites, registered parks and gardens, registered battlefields and conservation areas.

Those of the 'highest significance' are noted to be scheduled monuments, protected wreck sites, battlefields, grade I and II* listed buildings and registered parks and gardens. World Heritage Sites are identified as 'wholly exceptional'.



Establishing the 'significance' of a heritage asset is a key element of the plan-making and decision-making processes.

Significance is intended to be a generic term relating to the special interest held by each type of heritage asset and is linked to existing terms such as special architectural and historic interest, used in the 1990 Act. The concept of archaeological interest, also used in the definition, was established by PPG16.



Development Control:

The PPS introduces some concepts for all heritage assets:

- Applicants are now required to provide a description of the significance of the heritage assets affected and the contribution of their setting to that significance. LPAs will not validate applications without this information.
- In determining applications, LPAs have to take into account the 'desirability of sustaining and enhancing the significance of heritage assets and of utilising their positive role in place-shaping' (a new national policy in addition to the prevailing and well-rehearsed statutory duties) and, 'the positive contribution that the conservation of heritage assets... can make to the establishment and maintenance of sustainable communities and economic vitality'.

In addition, other concepts for **designated** heritage assets include:

- If there is substantial harm to, or loss of, significance then proposals should be rejected unless it is:
 - necessary to deliver substantial public benefits that outweigh that harm or loss, or
 - the nature of the asset prevents all reasonable use of the site
 - no viable use can be found for the heritage asset

- grant aid, charitable or public ownership is not possible
- the harm or loss is outweighed by the benefits of bringing the site back into use.

- Where a harmful impact on significance is proposed, LPAs have to:
 - Weigh the public benefit of the proposal against the harm; and,
 - Recognise that the greater the harm the greater the justification required.
- It is usefully noted that not all elements of a World Heritage Site or conservation area will necessarily contribute to its significance. The need is to take into account the relevant significance of the element affected and its contribution to the significance. Where an element does not positively contribute, the LPA should take into account the desirability of 'enhancing or better revealing the significance of the World Heritage Site or conservation area'.

The full implications of the PPS, and the extensive supporting guidance which is promoted as a material consideration, will take time to digest and be tested through the development process. However, it is clear that protection of local, undesignated heritage has received a significant policy boost and this will need to be addressed, in addition to the more discernible designated heritage assets, in promoting change. In all cases the significance of heritage assets has to be identified and assessed in order for applications to be validated and for proposals to have the best prospects of success.

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