

Communities and Local Government Committee  
House of Commons  
London  
SW1A 0AA

[clgcom@parliament.uk](mailto:clgcom@parliament.uk)

24 August 2015

Dear Sir / Madam,

### **Planning and Productivity**

#### This evidence

Thank you for the opportunity to provide evidence to this inquiry. Written evidence submitted on behalf of the Association of Local Government Archaeological Officers: England, the Council for British Archaeology and the Chartered Institute for Archaeologists is attached.

#### The Association of Local Government Archaeological Officers: England (ALGAO:England)

The Association of Local Government Archaeological Officers: England (ALGAO) is the national body representing local government archaeology services in England at County, District, Metropolitan, Unitary and National Park authority level. These provide advice to nearly all the District, Unitary and other local government bodies in the country.

ALGAO: England co-ordinates the views of its member authorities (currently 97 in total) and presents them to government and to other national organisations. It also acts as an advisor to the Local Government Association (LGA) on archaeological matters. The range of interests of its members embraces all aspects of the historic environment, including archaeology, buildings and the historic landscape, and its stated aims are to:

- provide a strong voice for local authority historic environment services and promote these to strengthen and develop their role within local government in delivering local and national government policy
- ensure local government historic environment services are included within policy (national and local) for culture and education
- ensure that policy aims to improve the sustainable management of the historic environment
- promote the development of high standards in the historic environment profession

### The Council for British Archaeology (CBA)

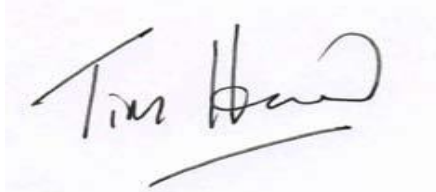
CBA is the national amenity society concerned with protection of the archaeological interest in heritage assets. CBA has a membership of 620 heritage organisations who, together with our thousands of members, represent national and local bodies encompassing state, local government, professional, academic, museum and voluntary sectors.

### The Chartered Institute for Archaeologists

The Chartered Institute for Archaeologists (CIfA) is the leading professional body representing archaeologists working in the UK and overseas. CIfA promotes high professional standards and strong ethics in archaeological practice, to maximise the benefits that archaeologists bring to society, and provides a self-regulatory quality assurance framework for the sector and those it serves.

CIfA has over 3,250 members and more than 70 registered practices across the United Kingdom. Its members work in all branches of the discipline: heritage management, planning advice, excavation, finds and environmental study, buildings recording, underwater and aerial archaeology, museums, conservation, survey, research and development, teaching and liaison with the community, industry and the commercial and financial sectors.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Tim Howard', with a horizontal line underneath.

Tim Howard  
CIfA Senior Policy Advisor

## Planning and Productivity

### **Evidence of the Association of Local Government Archaeological Officers: England (ALGAO: England), the Council for British Archaeology (CBA) and the Chartered Institute for Archaeologists (CifA)**

#### **Executive Summary**

1. ALGAO:England, CBA and CifA support the Government's objectives to encourage long-term investment and promote a dynamic economy and welcome the publication of its Productivity Plan in pursuit of those objectives. A key element of the Plan is further reform of the planning system and we continue strongly to support reforms which facilitate the timely delivery of sustainable development in accordance with the National Planning Policy Framework (NPPF).

2. However, we have significant concerns about the planning proposals in the Plan and, in particular (although not exclusively), about the proposals for a zonal system for brownfield land (which by definition may potentially have archaeological interest). The details of the proposed reforms are not clear. If careful consideration is not given to their implications for the historic environment, there is a risk that such reforms will reduce the level of protection for heritage assets and run contrary to the principles of the NPPF (including the presumption in favour of sustainable development) and of localism.

3. We have considered and endorse the questions raised by the Chair of the Communities and Local Government Committee in his letter to Brandon Lewis MP, Minister of State for Housing and Planning

(<http://data.parliament.uk/writtenevidence/committeeevidence.svc/evidencedocument/communities-and-local-government-committee/planning-and-productivity/written/18795.html>).

Additional questions specifically relating to the historic environment are set out below.

#### **ALGAO:England**

4. The Association of Local Government Archaeological Officers: England (ALGAO) is the national body representing local government archaeology services in England at County, District, Metropolitan, Unitary and National Park authority level. These provide advice to nearly all the District, Unitary and other local government bodies in the country.

#### **CBA**

5. CBA is the national amenity society concerned with protection of the archaeological interest in heritage assets. It has a membership of 620 heritage organisations who, together with our thousands of members, represent national and local bodies encompassing state, local government, professional, academic, museum and voluntary sectors.

#### **CifA**

6. The Chartered Institute for Archaeologists (CifA) is the leading professional body representing archaeologists working in the UK and overseas. It promotes high professional standards and strong ethics in archaeological practice, to maximise the benefits that

archaeologists bring to society, and provide a self-regulatory quality assurance framework for the sector and those it serves. ClfA has over 3,250 members and more than 70 registered practices across the United Kingdom.

### **Additional Questions for the Minister of State for Housing and Planning**

#### 7. Extension of Permitted Development Rights to cover taller mobile masts in both protected and non-protected areas in England (paragraph 7.3)

7.1 What safeguards will there be for heritage assets (including undesignated assets) and their settings, both to prevent unacceptable development and to ensure that appropriate mitigation and/or compensation is secured in other cases?

#### 8. Secretary of State's Intervention in Local Plan-Making (paragraph 9.10)

8.1 Where the Secretary of State intervenes, what access will he or she (or his or her nominee) have to archaeological and other historic environment expertise in writing local plans?

8.2 How will such work be funded?

8.3 How will the views of communities and other stakeholders be taken into account?

#### 9. Environmental sensitivity of brownfield land (paragraphs 9.13 – 9.16)

9.1 How exactly will brownfield land be defined?

9.2 Does the Minister of State recognise that, since brownfield sites by definition have been subject to previous occupation and use, they are of particular environmental sensitivity on account of the heritage assets likely to be encountered there?

#### 10. Zonal System for Brownfield Land (paragraphs 9.13 – 9.16)

10.1 Will heritage assets (including undesignated assets) receive the same protection under the proposed zonal system as under the current system?

10.2 In particular, will the requirements for a) historic environment desk-based assessment<sup>1</sup> and (b) archaeological evaluation<sup>2</sup> in appropriate cases be altered or reduced in any way where brownfield land is brought forward for development under the proposed zonal system?

10.3 If so, how does this square with the requirements of paragraph 128 of the National Planning Policy Framework and the Government's intention in other respects '*not ... to weaken the protection for heritage assets*'<sup>3</sup>?

10.4 If not, at what stage (i.e. before entry on a brownfield register, before permission in principle or before agreement of 'technical details') will such assessment and evaluation take place? By what means will such requirements be secured?

10.5 If such assessment or evaluation follows entry on the brownfield register and indicates an in-principle objection to development on archaeological grounds, what will happen?

10.6 If assessment or evaluation precedes entry on the brownfield register, what is to be gained in dealing with such sites in this way, as opposed to through local plan allocation or consideration of an application?

10.7 Will *'approval of a limited number of technical details'* include matters relating to the historic environment? If so, what are those details?

10.8 Will it still be possible to bring forward brownfield development through a local plan allocation, a local development order or an application? If so, will the current proposals not complicate the system rather than simplify it?

10.9 How will the views of communities and other stakeholders be taken into account in the process?

10.10 What provision will there be to challenge the entry of land on a brownfield register?

10.11 If brownfield land is entered on a brownfield register on the basis that development will impact upon heritage assets, but that impact can be acceptably mitigated and/or compensated, how will that mitigation and/or compensation be secured under the proposed zonal system? Such requirements are normally secured by a specific planning condition or obligation, which is not achievable via permitted developments: how could an appropriate and proportionate result be achieved by the type of generic conditions that can be applied to permitted development?

10.12 If brownfield land is entered on a brownfield register on the basis that development will not unacceptably impact upon heritage assets, what will happen if that appraisal changes in the light of further evidence?

#### 11. Upwards Extensions in London (paragraph 9.21)

11.1 Does the proposed removal of *'the need for planning permission for upwards extensions'* envisage excluding such works from the definition of development or giving deemed permission for such works to be carried out (for instance, by extending permitted development rights)?

11.2 In either case, how will heritage assets (including those outside conservation areas) and their settings be safeguarded?

#### 12. Public Sector Productivity (paragraph 16.5)

12.1 Will the Government ensure that local government historic environment and archaeology services are fully supported, are adequately staffed and resourced and have access to professionally-supported and maintained Historic Environment Records (HERs)?

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<sup>1</sup> See ClfA Standards and guidance for historic environment desk-based assessment:  
[http://www.archaeologists.net/sites/default/files/node-files/ClfAS&GDBA\\_2.pdf](http://www.archaeologists.net/sites/default/files/node-files/ClfAS&GDBA_2.pdf)

<sup>2</sup> See ClfA Standards and guidance for archaeological field evaluation:  
[http://www.archaeologists.net/sites/default/files/node-files/ClfAS&GFieldevaluation\\_1.pdf](http://www.archaeologists.net/sites/default/files/node-files/ClfAS&GFieldevaluation_1.pdf)

<sup>3</sup> Statement of the then Minister for Communities and Local Government, Rt Hon Greg Clarke MP during a Parliamentary Debate on the Localism Bill on 1st March 2010