

Good Practice Advice Consultation
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14 April 2015

Dear Sir / Madam,

Consultation on Historic Environment Advice Note 1: Conservation Area Designation, Appraisal and Management

Thank you for the opportunity to comment on this consultation.

The Chartered Institute for Archaeologists

The Chartered Institute for Archaeologists (CIfA) is a professional body for the study and care of the historic environment. It promotes best practice in archaeology and provides a self-regulatory quality assurance framework for the sector and those it serves. The Institute was granted a Royal Charter of Incorporation on 03 June 2014.

CIfA has over 3,200 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.

Draft Historic Environment Advice Note 1: Conservation Area Designation, Appraisal and Management

General

CIfA welcomes the publication of this draft Historic Environment Advice Note (HEA 1), but is concerned to see that it is as informative and useful as the guidance which it is to replace (*Understanding Place: Conservation Area Designation, Appraisal and Management Assets: English Heritage Guidance* (2011) ('the previous guidance')), if not more so.

It is understood that some of the content (such as case studies) and the verbiage (such as extended recitals of legislative provision) of the previous guidance was removed from the draft

HEA 1 to accord with the recommendations of the Taylor Review. Furthermore, the redrafting of much of the previous guidance in a more succinct manner is helpful. However, some of the information which has been lost (for instance, in case studies and in relation to the detail of Article 4 Directions), was helpful in practice. This begs the question whether the Advice Note might be better published as a sector document, for example, allowing the inclusion of case studies (in accordance with the thinking of the Taylor Review) and further information. If not, consideration should be given as to other means of disseminating such material.

Detailed Comments

Page 1, paragraph 1, Introduction

1. This paragraph makes clear that this Advice Note is not Government policy and refers to Good Practice Advice Notes (GPAs), but does not make clear the relationship of the Note to GPAs nor their relative status in the planning system.

Page 2, paragraph 4

2. We would suggest deleting the word ‘however’ following the words ‘Change is inevitable ...’ at the start of this paragraph, since the last sentence of paragraph 3 envisages change (‘regeneration’ and ‘well designed new development’).

Page 2, paragraph 6

3. This paragraph repeats (and slightly expands) paragraph 1.20 of the previous guidance, but Table 1 (‘Protection offered by Designation’) of that guidance has been lost. It may be felt that this omission is required in order to be fully ‘Taylor-compliant’, but the table is useful in practice and consideration should be given as to how material of this nature might be included in the note or produced elsewhere (see above).

4. The last bullet point (*‘the reinforcement of archaeological potential within the area’*) is a welcome addition to the text of the previous guidance. Nevertheless, it is not made clear precisely what is meant by this. Further clarification in the Advice Note would be helpful.

5. Subject to the above concern, ClfA supports the allocation of significant resources to this objective.

Page 2, paragraph 7

6. The preamble to this paragraph would read better as *‘Areas suitable for designation may be identified in a number of ways, including the following:’*

Page 3, paragraph 7

7. The reference to *‘previously misunderstood historic associations’* in the final bullet point might better be phrased as *‘previously not understood’* as in the previous guidance.

Page 5, paragraph 17

8. To be absolutely clear, the words *'In such cases the existing boundary may need to be extended'* should be added to the end of this paragraph (as appears in paragraph 1,15 of the previous guidance).

Page 5, paragraph 19

9. ClfA supports the addition of the reference to the use of Article 4 directions in the last bullet point (as compared to paragraph 1.7 of the previous guidance). However, the Annex on Article 4 Directions in the previous guidance has been lost. The Annex provided valuable information (particularly with regard to the use of Article 4 Directions in relation to 'archaeological deposits' and addressing perceived issues such as compensation and cost with regard to the use of Article). If it is not possible to retain this Annex in the Advice Note, then it should be reproduced elsewhere and signposted in the Note.

Page 6, paragraph 23

10. The reference in this paragraph (and elsewhere as appropriate) to English Heritage will no doubt be changed to Historic England prior to final publication.

Page 7, paragraph 28 and following

11. Paragraph 28 does not make clear (as paragraph 3.6 of the previous guidance did) that the following sections relate to suggested components of a generic management plan.

Page 7, paragraph 29

12. The words *'while Article 4 directions may prevent further incremental loss'* do not make clear how such directions should be addressed in local plans. Paragraph 3.7 of the previous guidance suggests that *'an area action plan may include specific proposals for new development or Article 4 directions'*.

Page 8, paragraph 32

13. ClfA welcomes the additional reference to *'controls on permitted development (including Article 4 Directions)'* in the last bullet point.

Page 9, paragraph 38

14. The reference to conservation management plans in the fifth bullet point is perfectly reasonable save that, if the sections following paragraph 28 (including this paragraph) refer to the components of a management plan, the free-standing reference to conservation management plans in this bullet point doesn't make sense. It could simply be tacked on to the end of the previous bullet point (as effectively is the case in paragraph 3.19 of the previous guidance).

Pages 14, Appendix 1, paragraph 14

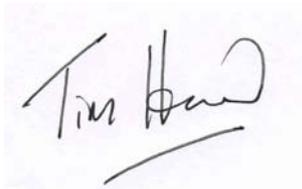
15. ClfA supports the continued reference to archaeological remains and their contribution to conservation areas, although we would like to see further consideration of the basis for

designating conservation areas on archaeological grounds and the extent to which this is possible.

16. The word *'is'* immediately after footnote 23 should be replaced by the word *'provide'*.

CIfA would be happy further to contribute to the development of this and other Historic Environment Advice Notes and related guidance, particularly with regard to archaeological remains, permitted development and Article 4 Directions. In the meantime, if there is anything further that I can do to assist please do not hesitate to contact me.

Yours faithfully,

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

Tim Howard LLB, Dip Prof Arch
Senior Policy Advisor