



Historic England
1 Waterhouse Sq.
138-142 Holborn
London
EC1N 2ST

GoodPracticeConsultation@english-heritage.org.uk

14 April 2015

Dear Madam / Sir,

The Chartered Institute for Archaeologists (ClfA) 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.

ClfA has over 3,150 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.

We are writing to you to provide comments on English Heritage/Historic England's *Historic Environment Advice Note 2: Making Changes to Heritage Assets* (<https://content.historicengland.org.uk/content/docs/guidance/150217-Making-Changes-to-Heritage-Assets-consultation-draft.pdf>). The content of this document is substantially taken from the former PPS 5 Practice Guide (2010) and as such represents material which we have previously commented on and which is embedded in practitioner use. As such our comments largely reflect an acceptance of the main principles of the content. However, the document has been adapted in several ways on which we are glad to comment.

General comments

1. As set out in the Taylor Review recommendations, the document sits in a fourth tier of guidance beneath the National Planning Policy Framework (NPPF), National Planning Practice Guidance (NPPG), and Good Practice Advice Notes (GPAs). It is understood that this advice is therefore somewhat restricted in terms of what it can suggest and the language that it uses to do so. Nonetheless, we believe that the document has significant purpose in informing practitioners of various patterns of use of historic environment policy within the planning system. We hope, therefore, that the slightly weakened language of the newly relegated tier does not harm the document's power to encourage particular standards of practice.

Introductory paragraphs

2. The introductory paragraphs are the most substantial addition from the existent material of the PPS5 Practice Guide. They form a largely appropriate introduction to the document and its new position in the context of the NPPF and NPPG. The wording of paragraph 2, however, we regard as being potentially detrimental to proper understanding. The paragraph reads:

“2. This advice is based on positive, well-informed and collaborative conservation, the aim of which is to recognise and reinforce the historic significance of places, while accommodating the changes necessary to ensure that people can continue to use and enjoy them. *Change to heritage assets and their settings is, of course, acceptable* where it is sustainable in terms of the NPPF; *change is only unacceptable where it harms significance without the balance of public benefit.*”
[Emphases added]

3. The possible inference from the chosen wording is that public benefit and harm to historic assets are positively correlated. This of course is not correct, as it is possible to have public benefit without eliciting harm to the historic significance, or greater public benefit from less harm, etc.
4. We feel that this precise choice of wording reads as a tacit presumption in favour of development, and has the potential to be misrepresented by developers who wish to do so. In our experience, such language can be emphasised by advocates at public enquiry and have the potential to undermine the elsewhere much more carefully caveated protections for historic assets as part of sustainable development.
5. We suggest that the paragraph be altered to read;

“2. This advice is based on positive, well-informed and collaborative conservation, the aim of which is to recognise and reinforce the historic significance of places, while accommodating the changes necessary to ensure that people can continue to use and enjoy them. *Change to heritage assets and their settings may, of course, be acceptable* where it is sustainable in terms of the NPPF; *change is unacceptable where it harms significance without an appropriate balance of public benefit.*”

This wording retains a sufficiently positive approach to development, but emphasises that change is not always better than the status quo, even where it is sustainable and creates public benefit.

Definitions of diverse historic environment assets

6. ClfA recognises that there is a difficult balance to strike between the various different types of heritage asset within the holistically defined historic environment. However greater care needs to be taken to ensure that the language used reflects the wide variety of sites and places which come under the advice note’s influence.
7. In places, the text is highly buildings orientated, with language which is largely inappropriate or wholly inapplicable to archaeological sites which comprise standing

remains and monuments, or which are primarily buried or submerged. For example, paragraph 3 states that ‘the best way to conserve a building is to keep it in use, or find a new use if it has passed out of use’. While this paragraph considers specifically the ‘use value’ of heritage which is most applicable to buildings, other types of heritage asset are not mentioned.

8. It may be that the advice *is* more focussed on buildings than on other types of heritage asset. This is possibly the case within this document due to the complexity of the changes which are common in relation to historic buildings which are in use, versus sites with standing and buried remains (particularly sites with no current use) where such considerations may be less likely to apply or be less complex. If this is the case, it should be clearly stated. This would avoid confusion and the side-lining of assets which do not appear to conform to the language used.
9. Similarly, paragraph 4 contains reference to important characteristics of heritage assets;

“These can include orientation, layout, plan-form, setting, materials and construction, the disposition of openings, external detailing (with larger assets or groups of assets this might include street furniture and paving) and internal fittings.”
10. It is clear that this list of characteristics is written with buildings in mind and that they are much less appropriate for other types of heritage asset. We suggest the following wording;

“For buildings these can include orientation, layout, plan-form, setting, materials and construction, the disposition of openings, external detailing (with larger assets or groups of assets this might include street furniture and paving) and internal fittings. For other types of heritage asset they may include; landscape setting, materials and construction, relationship to other monuments or assets and degree of preservation. However, different types of asset will be likely to have different characteristics.”

Compliance with professional standards

11. Paragraph 55 relating to additions and alterations to standing remains and buried remains including marine states:

“New work and alterations are likely to be rare. There may be cases where a new structure enables the long-term care of the original asset or its interpretation and conservation, or where alterations may assist the long-term conservation of the asset. Works other than those of a minor nature are likely to be acceptable only where they would be in the best long-term interests of the conservation of the remains, or, there are other important planning justifications. Any additions or alterations to marine sites or sites affecting the marine area must be made in accordance with the UK Marine Policy Statement and relevant Marine Plan.”
12. We would note here that archaeological works should be carried out by accredited practitioners in accordance with professional standards (see <http://www.archaeologists.net/codes/ifa>)

Definition of works for research alone

13. While we note that paragraphs 58-60 on works for research alone reflect the content of the PPS 5 Practice Guide, the lack of reference to the need for the increase in public knowledge to be predicted 'decisively to outweigh the loss of the primary resource' (cited in Conservation Principle, Policies, and Guidance, 2008) is potentially detrimental to the interpretation of this passage. The requirements in Conservation Principles for a 'skilled team, with the resources to implement project design based on explicit research objectives' is also missing. Inclusion of both of these passages would, we feel, provide extra useful information to the advice note without prejudicing higher tiers of guidance.

CIfA would be happy to contribute further to the development of this and subsequent Historic Environment Advice Notes. 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 'Rob Lennox', written in a cursive style.

Rob Lennox BSc (Econ) MA
Policy Advisor, Chartered Institute for Archaeologists