



Strategic Planning Policy Statement Team
Level 6, Causeway Exchange
1-7 Bedford Street
Town Parks
Belfast BT2 7EG

29 April 2014

Dear Sir / Madam,

Consultation on A Strategic Planning Policy Statement for Northern Ireland (Draft)

Thank you for the opportunity to comment upon this consultation.

The Institute for Archaeologists

The Institute for Archaeologists (IfA) 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.

IfA has over 3,000 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.

A Strategic Planning Policy Statement for Northern Ireland (Draft)

General Comments

IfA's focus in responding to this consultation is with the formulation and application of planning policy insofar as it relates to, or impacts upon, the historic environment.

The Institute supports the Northern Ireland Executive in its aim *'to create an improved planning system'* which is *'fair and fit for purpose'* (Ministerial Foreword). An effective planning system is one where the management and protection of the historic environment is part of the solution and not part of the problem, contributing to, rather than compromising, sustainable development. This is particularly important for that part of the historic environment which is undesignated and whose only protection comes from the planning regime.

IfA appreciates the need for economic growth, but has three major concerns in commenting upon the draft Strategic Planning Policy Statement (SPPS) for Northern Ireland. These are that

(1) too great an accent is not put upon growth, potentially at the expense of sustainability (including the management and protection of the historic environment), recognising that sustainability requires an even balance between economic, social and environmental objectives

(2) the streamlining of planning policy does not result (whether deliberately or inadvertently) in any reduction in levels of protection for the historic environment and

(3) policy relating to the historic environment reflects current thinking and practice.

Specific Questions

Question 1

The Purpose of Planning

Do you think the purpose of planning set out in this SPPS is appropriate for Northern Ireland?

If no, please explain how this could be improved.

1.1 Yes, subject to the following.

1.2 IfA welcomes the emphasis in paragraph 1.1 on sustainable development and the balance between environmental, social and economic considerations implicit in that notion.

1.3 However, paragraph 1.3 goes on to identify *'economic growth'* as *'a key dimension of sustainable development'* and to *'prioritise timely and predictable decision making ... focused upon facilitating investment and economic development'*. Economic factors are important but should not be given prominence over and above social and economic ones. Highlighting them in this way risks giving them undue prominence, notwithstanding the references to environmental protection later in the paragraph (and references in later paragraphs such as paragraph 3.5). Decisions should not be focused solely on economic factors but must consider all aspects of sustainable development and a desire to expedite economic development should not undermine the quality of decision making. (See also in this regard the answer to question 16 below.)

1.4 Development which does not respect the environment, and in particular the historic environment, is not sustainable and it would be helpful clearly to express this.

Question 2

Core Planning Principles

Do you think the Department has identified suitable core planning principles for the reformed two tier planning system?

If no, please provide further information

2.1 No. The principles should include specific principles relating to the environment and, in particular, the historic environment. For instance, reference to *'conserving historic assets in a manner appropriate to their significance'* would make clear the Department's commitment to the management and protection of the historic environment and help to allay concerns that economic considerations will be given undue prominence in furthering sustainable development.

Question 3

Furthering Sustainable Development

Do you think that this is an appropriate approach for this core planning principle?

If no, please provide further information.

3.1 Yes, subject to the following.

3.2 There should be clarification of the reference to *'a sustainable economy'* in the third bullet point under paragraph 3.3. *'Growing a sustainable economy'* is not necessarily synonymous with sustainable development (see paragraph 6.69) and the draft should make clear that sustainable economic growth is growth which gives equal consideration to social, environmental and economic factors.

3.3 The reference in the first bullet point under paragraph 3.4 to economic factors being *'given particular priority'* is inconsistent with paragraph 3.5 and should be reworded.

3.4 The third bullet point under paragraph 3.4 concentrates very much upon the natural environment. Although there is reference to *'preserving and improving the built and natural environment'*, the sub-paragraph should address more clearly the considerations relating to the historic environment.

Question 4

Improving Health and Wellbeing

Do you think that this is an appropriate approach for this core planning principle?

If no, please provide further information.

4.1 Yes, save that the contribution of the historic environment to improving health and wellbeing needs to be more clearly recognised, for instance, in paragraph 3.13 (which is confined to the natural environment).

Creating and Enhancing Shared Space

Do you think that this is an appropriate approach for this core planning principle?

If no, please provide further information.

5.1 Yes. The historic environment has a key part to play in delivering *'the rewards that come with a more diverse, enriched environment'* (for example, through regeneration).

Question 6

Delivering Spatial Planning

Do you think that this is an appropriate approach for this core planning principle?

If no, please provide further information.

6.1 Yes. Adopting a proactive (rather than reactive) approach facilitates the management and protection of the historic environment.

Question 7

Observing a Plan-Led System

Do you think that this is an appropriate approach for this core planning principle?

If no, please provide further information.

7.1 Yes. IfA is strongly supportive of a plan-led system.

Question 8

Supporting Good Design, Positive Place-Making, and Urban and Rural Stewardship

Do you think that this is an appropriate approach for this core planning principle?

If no, please provide further information.

8.1 Yes.

8.2 IfA welcomes the references to *'heritage'* in paragraph 3.36. However, the final bullet point of paragraph 3.37 is confined to the natural environment and should refer to impacts upon *'natural ecosystems and historic assets'*.

Question 9

Enhancing Stakeholder Engagement and Front-loading

Do you think that this is an appropriate approach for this core planning principle?

If no, please provide further information.

9.1 Yes. Community engagement (in collaboration with appropriate experts and other stakeholders) and early consideration of the impact of development on historic assets are important components in the management and protection of the historic environment.

Question 10

Enhancing Local Democratic Accountability

Do you think that this is an appropriate approach for this core planning principle?

If no, please provide further information.

10.1 Yes.

10.2 There is a typographical error in the sixth line of paragraph 3.45. The word 'property' should read 'properly'.

Question 11

Decision-taking Principles and Practices

Do you consider the decision taking principles and processes outlined above are appropriate for a reformed two-tier planning system?

If no, please provide further information.

11.1 Yes, subject to the following.

11.2 IfA welcomes the recognition of the need for interaction between the marine and terrestrial planning systems. Northern Ireland's historic assets extend to the inter-tidal and marine zones.

11.3 A robust evidence base is crucial to sound plan-making (and development management). The reference to this at paragraph 4.19 is welcome but requires further elaboration (either here or elsewhere). The Northern Ireland Sites and Monuments Record has a crucial role to play in informing plan-making and development management.

11.4 The Institute supports the proposed development hierarchy (set out at paragraph 6.5 et seq) provided that, at every level, the impact of development on the historic environment is properly addressed and appropriate historic environment expertise is available to the decision-taker.

Question 12

Archaeology and Built Heritage

Do you consider that the SPPS has appropriately reflected and updated, in a strategic way, the existing planning policy approach on Archaeology and Built Heritage?

If no, please explain how the SPPS can be improved.

12.1 No.

12.2.1 The approach to the management and protection of the historic environment in the SPPS retains overtones of the fabric-based approach to conservation which has generally been superseded by the more holistic, significance-based approach which has emerged from the Burra Charter (1999) which is endorsed by DOENI (http://www.doeni.gov.uk/niea/built-home/information/conservation_philosophy.htm).

12.2.2 This is reflected, amongst other things, in a lack of clarity with regard to definitions. The reference to 'all other sites and monuments' in paragraph 6.4 does not make clear just what constitutes such an asset nor why. A definition expressly related to significance would be much more helpful. Such a definition appears in the newly published PPS 23 (*Enabling Development for the Conservation of Significant Places*) which defines significant places as:

'any part of the historic environment that has heritage value including scheduled monuments, archaeological remains, historic buildings (both statutorily listed or of more local significance) together with any historically related contents, industrial heritage, conservation areas or a historic park, garden or demesne.' (paragraph 1.1)

12.2.3 An even simpler definition which defined a historic asset as anything 'having a degree of significance meriting consideration in planning decisions because of its heritage interest' would be preferable. This would allow a more uniform approach with the historic environment comprising a variety of historic assets. The section in the draft SPPS could then be entitled simply 'Historic Environment' instead of 'Archaeology and Built Heritage' (which overlooks the fact that the archaeological resource encompasses both above and below ground remains). Furthermore, a more consistent terminology could be adopted in place of the varied terms applied to the historic environment in the draft (such as 'archaeology', 'archaeological remains', 'built heritage' and 'cultural heritage'). Unless the context demands otherwise, the terms 'historic environment' and 'historic assets' should be used (with 'historic environment' as a counterpoint to 'natural environment').

12.2.4 In addition, simply referring to designated and undesignated assets would be clearer and allow greater prominence to be given to undesignated assets (which comprise the vast majority – over 90% - of the historic environment and whose only protection derives from the application of the planning process).

12.2.5 The above definitions could helpfully be included in a glossary at the end of the document. This could include a definition of 'the environment' to include both the natural and historic environment (which would avoid references to the environment being read as if it solely comprises the natural environment).

12.2.6 Paragraph 6.9 of the draft also needs revision to reflect current policy and practice. It refers to 'mitigation' and 'recording' without acknowledging that excavation does not mitigate the impact of development on archaeological remains; it destroys them. Rather it compensates for that destruction by an increase in public knowledge. Where excavation takes place conditions should be used not only to secure excavation, recording, examination and archiving, but also analysis, publication, dissemination, all of which should be done to professional standards by accredited archaeologists (see, for instance, <http://www.archaeologists.net/regulation/accreditation>).

12.3 The presumption in favour of physical preservation in situ in policy BH 1 of the current PPS 6 has been watered down in the current draft. Although paragraph 6.6 provides that *'Development which would adversely affect [archaeological remains of regional importance] or the integrity of their setting should only be permitted in exceptional circumstances'*, the presumption only appears in paragraph 6.9 (applying to all remains) preceded by the words *'Where appropriate this may involve ...'* Compare the approach in paragraph 1.14(b) Scottish Historic Environment Policy, December 2011 which provides that *'there should be a presumption in favour of preservation of individual historic assets and also the pattern of the wider historic environment; no historic asset should be lost or radically changed without adequate consideration of its significance and of all the means available to manage and conserve it'*.

12.4 Although paragraph 6.2 does briefly touch upon the social and economic value of built heritage (as opposed to archaeology), the section needs greater focus on the scope for significant public and community benefits which the historic environment can and should deliver. In 2013 the Northern Ireland Archaeology Forum (NIAF) held a day conference on *Increasing the value of Northern Ireland's archaeology to the public* (see <http://www.niaf.co.uk/cmsfiles/Publications/IfA-NIAFconference-fullreport-v3.pdf>). Planning policy should lay the foundation for such things as community involvement (where appropriate) in development-led projects.

12.5 The draft SPPS fails to recognise and provide support for the crucial role in the planning process of the Northern Ireland Sites and Monument Record and the Northern Ireland Monuments and Building Record. (Compare paragraph 2.1 of the current PPS 6.) Not only do such records need to be maintained, they also need to be supported by appropriate historic environment expertise.

12.6 Paragraph 6.4 of the draft SPPS states that World Heritage Site '*designation affords it special protection and conservation status*'. PPS 6 more accurately states that '*No additional statutory controls follow on from inclusion of a site in [the World Heritage List]*', which wording should be preferred.

12.7 No key documents are identified with respect to the section on Archaeology and Built Heritage. The Implementation and Transitional Arrangements at page 89 of the draft provide that PPS 6 and the recently published PPS 23 (amongst others) will be retained under transitional arrangements. This suggests, however, that both documents will at some stage be withdrawn. The current draft omits much of the detailed policy and guidance in such documents. There is no indication at present as to what will replace them and clear provision should be made prior to their withdrawal since the loss of that wider elaboration of policy and guidance would undermine the management and protection of the historic environment. In the meantime, PPS 6 and PPS 23 should be cited as key documents in relation to the historic environment.

Question 13

Coastal Development

Do you consider that the SPPS has appropriately reflected and updated, in a strategic way, the existing planning policy approach on Coastal Development?

If no, please explain how the SPPS can be improved.

13.1 Yes, save that the section on Coastal Development should include reference to the heritage value of Northern Ireland's coast.

Question 14

Control of Outdoor Advertisements

Do you consider that the SPPS has appropriately reflected and updated, in a strategic way, the existing planning policy approach on the Control of Outdoor Advertisements?

If no, please explain how the SPPS can be improved.

14.1 Yes. IfA welcomes the acknowledgement implicit in paragraph 6.50 that advertisements can have a harmful effect on the historic environment and its significance.

Question 15

Development in the Countryside

Do you consider that the SPPS has appropriately reflected and updated, in a strategic way, the existing planning policy approach on Development in the Countryside?

If no, please explain how the SPPS can be improved.

15.1 Yes.

Question 16

Economic Development, Industry and Commerce

Do you consider that the SPPS has appropriately reflected and updated, in a strategic way, the existing planning policy approach on Economic Development, Industry and Commerce?

If no, please explain how the SPPS can be improved.

16.1 Only if the reference to *'growing a sustainable economy and investing in the future'* as *'the first strategic priority of the Northern Ireland Executive'* at paragraph 6.69 is clarified to make clear that this does not involve prioritising economic factors over and above social and environmental ones (see also paragraphs 3.2 and 3.3 above).). Although any false impression is remedied to some extent at paragraphs 6.71 and 6.72 it would be better if there were clarification at the start of the section (i.e. in paragraph 6.69) to make clear that the first priority is a social, economic and environmental one.

16.2 The reference in paragraph 6.80 to treating certain proposals for Class B1 business uses *'favourably'* should also be caveated to make clear that this is subject to meeting normal planning criteria (including avoiding harm to the historic environment).

Flood Risk

Do you consider that the SPPS has appropriately reflected and updated, in a strategic way, the emerging planning policy approach on Flood Risk as expressed in PPS 15 Revised (Draft) Planning and Flood Risk?

If no, please explain how the SPPS can be improved.

17.1 No comment, save that IfA welcomes the recognition in paragraph 6.107 of the potential adverse impact upon *'archaeology [and] the built heritage'* (which might better be phrased: *'the historic environment'*).

Question 18

Housing in Settlements

Do you consider that the SPPS has appropriately reflected and updated, in a strategic way, existing planning policy on Housing?

If no, please explain how the SPPS can be improved.

18.1 No comment.

Question 19

Minerals

Do you consider that the SPPS has appropriately reflected and updated, in a strategic way, the existing planning policy approach on Minerals?

If no, please explain how the SPPS can be improved.

19.1 Yes, save that the reference to *'built and natural heritage'* in the second bullet point of paragraph 6.137 would be better rephrased as *'the historic and natural environment'*.

19.2 IfA particularly welcomes the presumption against the granting of planning permission for the extraction and/or processing of minerals in identified areas of archaeological or historic interest.

Question 20

Natural Heritage

Do you consider that the SPPS has appropriately reflected and updated, in a strategic way, the existing planning policy approach on Natural Heritage?

If no, please explain how the SPPS can be improved.

20.1 No comment, save that IfA welcomes the recognition in paragraph 6.152 of the *'cultural components of the landscape'*.

Question 21

Open Space, Sport and Outdoor Recreation

Do you consider that the SPPS has appropriately reflected and updated, in a strategic way, the existing planning policy approach on Open Space, Sport and Outdoor Recreation?

If no, please explain how the SPPS can be improved.

21.1 No comment, save that IfA would prefer the references to *'archaeology or built heritage'* at paragraphs 6.185 and 6.187 to be rephrased to refer to *the historic environment'*.

Question 22

Renewable Energy

Do you consider that the SPPS has appropriately reflected and update, in a strategic way, the existing planning policy approach on Renewable Energy?

If no, please explain how the SPPS can be improved.

22.1 No comment, save that IfA would prefer the reference to *'built heritage interests'* in paragraph 6.194 to be rephrased to refer to impacts upon the historic environment and the reference to *'cultural ... assets'* in paragraph 6.196 to be rephrased to refer to *'historic assets'*.

Question 23

Telecommunications, Public Services and Utilities

Do you consider that the SPPS has appropriately reflected and updated, in a strategic way, the existing planning policy approach on Telecommunications, Public Services and Utilities?

If no, please explain how the SPPS can be improved.

23.1 No comment, save that this section should recognise the potential for even quite minor development relating to telecommunications, public services and utilities to have a disproportionate impact upon the historic environment.

Question 24

Tourism

Do you consider that the SPPS has appropriately reflected and updated, in a strategic way, the existing planning policy approach on Tourism?

If no, please explain how the SPPS can be improved.

24.1 Paragraph 6.214 should refer to utilising and developing the tourism potential of the historic environment by facilitating tourism development of an appropriate nature, location and scale.

Question 25

Town Centres and Retailing

Do you think a 'town centres first' / sequential test is the appropriate policy approach for the location of future retail and other main town centre uses in Northern Ireland?

If no, please set out and justify any alternatives.

25.1 Yes.

Question 26

Town Centres and Retailing

Do you agree that councils should undertake an assessment of need or capacity for retail and other main town centre uses to inform local development plans?

If no, please provide further information.

26.1 Yes

Question 27

Town Centres and Retailing

**Do you think that councils should prepare town centre health checks as described?
If no, please provide further information.**

27.1 Yes.

Question 28

Town Centres and Retailing

**Do you think a 'call for sites' consultation is an appropriate mechanism to assist with site allocations in a local development plan?
If no, please provide further information.**

28.1 No comment.

Question 29

Town Centres and Retailing

**Do you agree that 300m from a town centre boundary is an appropriate threshold for a site to be considered as edge of centre?
If no, please provide further information.**

29.1 No comment.

Question 30

Town Centres and Retailing

**Do you think 2,500 sq metres (gross) is the appropriate threshold for requiring a proportionate retail impact assessment?
If no, please provide further information?**

30.1 No comment.

Question 31

Town Centres and Retailing

**Do you agree with the factors to be addressed as part of a retail impact assessment?
If no, please provide further information.**

31.1 No comment.

Question 32

Transportation

**Do you consider that the SPPS has appropriately reflected and updated, in a strategic way, the existing planning policy approach on Transportation?
If no, please explain how the SPPS can be improved.**

32.1 No comment.

Question 33

Waste Management

**Do you consider that the SPPS has appropriately reflected and updated, in a strategic way, the existing planning policy approach on Waste Management?
If no, please explain how the SPPS can be improved.**

33.1 No comment.

Question 34

Implementation and Transitional Arrangements

Do you agree that transitional arrangements as described above are required in the short to medium term?

If no, please provide further information.

34.1 Yes. See paragraph 12.7 above.

Question 35

Other SPPS Comments

Do you have any other comments on the SPPS?

If so, please specify the relevant section and/or paragraph.

35.1 No further comments.

Question 36

Interactive Digital Engagement

Do you consider that the provision of the interactive digital consultation document has been a successful initiative?

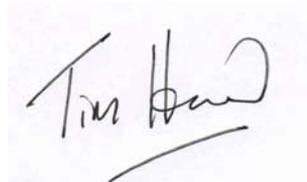
If no, please tell us why?

36.1 No comment.

IfA would be happy further to discuss these issues with the Department with a view to facilitating sustainable development which delivers public benefit both economically and culturally.

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 that reads "Tim Howard". The signature is written in a cursive style with a horizontal line underneath the name.

Tim Howard LLB, Dip Prof Arch
Policy Advisor