



Robert Shane
Planning Performance Consultation
Department of Communities and Local Government
1/J1 Eland House
Bressenden Place
London, SW1E 5DU

17 January 2013

Dear Mr Shane,

Consultation on planning performance and the planning guarantee

Thank you for the opportunity to comment on this document.

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 3,200 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. Furthermore, the IfA is a constituent member of the Archaeology Forum (TAF), a grouping of independent bodies concerned with archaeology, and works closely with other bodies in the sector such as the Association of Local Government Archaeological Officers (ALGAO) and the Council for British Archaeology (CBA).

Planning performance and the planning guarantee

General Comments

IfA supports Government in its desire to ensure that the planning regime operates without unnecessary delays and, subject to the concern expressed below, generally supports this initiative to improve planning performance.

IfA's major interest in this regard relates to the contribution of local authority archaeology and historic environment services to the consideration of planning applications. Such services play a crucial role in facilitating sustainable development through their assessment of, and advice upon, the implications of development for the historic environment – a role which IfA strongly supports. However, these services are increasingly under financial pressure, in some cases even calling into question their continued contribution to the development management process.

Where problems arise largely or wholly due to lack of resource on the part of local authorities, IfA is concerned to see that such problems are not compounded by the further withdrawal of resources as a penalty for under-performance. Although planning application fees are not paid directly to archaeology or historic environment services, any requirement to refund such fees should not be

used as justification for reducing funding to those hard-pressed services.

Specific Questions

Question 1:

Do you agree that local planning authority performance should be assessed on the basis of the speed and quality of decisions on planning applications?

1.1 Yes, subject to (1) the concerns expressed above and (2) the fact that the desire for speed in the process should never override the need properly to consider the impacts of development on the historic environment and other interests of acknowledged importance.

Question 2:

Do you agree that speed should be assessed on the extent to which applications for major development are determined within the statutory time limits, over a two year period?

2.1 Yes, subject to the comments in paragraph 1.1 above.

Question 3:

Do you agree that extensions to timescales, made with the written consent of the applicant following submission, should be treated as a form of planning performance agreement (and therefore excluded from the data on which performance will be assessed)?

3.1 Yes.

Question 4:

Do you agree that there is scope for a more proportionate approach to the form and content of planning performance agreements?

4.1 Yes.

Question 5:

Do you agree that quality should be assessed on the proportion of major decisions that are overturned at appeal, over a two year period?

5.1 Yes. It would be unfair to base an assessment simply on the proportion of appeal decisions that are overturned.

Question 6:

Do you agree with the proposed approach to ensuring that sufficient information is available to implement the policy?

6.1 No comment.

Question 7:

Do you agree that the threshold for designations should be set initially at 30% or fewer of major decisions made on time or more than 20% of major decisions overturned at appeal?

7.1 These thresholds appear to be reasonable.

Question 8:

Do you agree that the threshold for designation on the basis of processing speeds should be raised over time? And, if so, by how much should it increase after the first year?

8.1 No. This should be re-assessed once the designation process has been implemented and information is available on which to make a judgement.

Question 9: Do you agree that designations should be made once a year, solely on the basis of the published statistics, as a way to ensure fairness and transparency?

9.1 Yes, save that there may need to be some residual discretion to deal with exceptional cases.

Question 10: Do you agree that the option to apply directly to the Secretary of State should be limited to applications for major development?

10.1 Yes.

Question 11: Do you agree with the proposed approaches to pre-application engagement and the determination of applications submitted directly to the Secretary of State?

11.1 It is important that the same level of pre-application engagement is provided for applicants in relation to applications submitted directly to the Secretary of State.

11.2 It is also important that the Planning Inspectorate (acting on behalf of the Secretary of State) at all times have access to appropriate archaeological and historic environment expertise (other than that provided by the applicant) in order fully to address issues relating to the historic environment.

Question 12:

Do you agree with the proposed approach to supporting and assessing improvement in designated authorities?

12.1 If designated authorities are under-performing wholly or in part by virtue of funding constraints, Government should also ensure that further funding is available to those authorities.

Are there specific criteria or thresholds that you would propose?

12.2 No.

Question 13:

Do you agree with the proposed scope of the planning guarantee?

13.1 Yes, provided that a realistic approach is taken to defining those exceptional cases where it would be unreasonable to apply the planning guarantee.

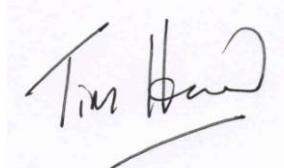
Question 14:

Do you agree that the planning application fee should be refunded if no decision has been made within 26 weeks?

14.1 See response under 'General Comments'.

If there is anything further that I can do to assist please do not hesitate to contact me.

Yours sincerely,



Tim Howard LLB, Dip Prof Arch
Policy Advisor