

Forum

The National Planning Policy Framework: A Response to the Joe Flatman and Dominic Perring Article

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In early 2010, the rumours circulating shortly before the final publication of PPS5 that all planning policy was likely to be combined into a single document caused a degree of nervousness among heritage organisations. The previous government decided to go ahead and publish PPS5 rather than cancel its publication and consider heritage issues afresh alongside all other planning policy issues. With the benefit of hindsight, this proved to be very helpful for heritage. However, the goal of a unified policy document was made clear shortly afterwards. Fortunately, by the time work started on it in earnest, PPS5 had had just about enough 'bedding down' time to be seen as a broadly successful document.

When work on the NPPF started, the battle was on to ensure that heritage was properly dealt with in the wider planning framework, both in terms of strategic plan-making and for development management. The tactic, employed successfully by archaeological interests and those of the wider historic environment sector, was to illicit statements from key politicians that they valued heritage and that they wanted to maintain those levels of

protection that PPS5 afforded. The main task during the preparation of the NPPF was then for heritage organisations to point out where new wording and policies appeared to dip below the PPS5 level of protection.

The NPPF was hard fought over and the lobbying power of heritage interests undoubtedly had a significant impact on relevant parts of the document. While the National Trust and Campaign to Protect Rural England campaigned very visibly, principally on wider planning and landscape issues, much of it in the general media, archaeological organisations made effective use of their well-developed connections within parliament.

Heritage bodies also worked with private sector interests. Support for clear and robust but proportionate heritage policy from organisations that many would see as 'pro-development' was vital in satisfying government that the PPS5 policies, and the subsequent NPPF heritage policies, were fair and balanced.

With such pressure on reducing word-count in the NPPF, there were inevitably some regrettable losses, even if the main policy core from PPS5 was pretty much preserved. One area, for example, related to the publishing by the developer of detailed recording information and that such work should be carried out in a timely manner (PPS5 HE12). The NPPF, while still requiring recording, advancing understanding and

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making this information publicly accessible, does not explicitly mention publication. At the time of writing, with an announcement on supporting guidance for the NPPF still awaited, it is clear that a reminder in guidance of the value of proper publication would be valuable. Guidance is, of course, not policy and there will be a greater emphasis on the power of persuasion by local authority archaeologists who will need to demonstrate to the developer the benefits of publication (good publicity, greater public buy-in to proposals, creating a positive image of the new development etc).

On the issue of the extent to which the NPPF is more or less strategic than the policies it replaced, I am firmly in the camp that sees it as more strategic. I have been struck by the number of land-use planners who have welcomed the plan-making part of heritage protection. There is clear integration of the historic environment into the definition of sustainable development, principally in paragraphs 7-17. There is the requirement for local planning authorities to include 'conservation and enhancement of the natural and historic environment' into strategic policies (paragraph 156) and there is the requirement that Local Plans should 'identify where development would be inappropriate, for instance because of its environmental or historic significance and contain a clear strategy for enhancing the natural, built and historic environment' (paragraph 157). These are unambiguous requirements that are much more explicit than the pre-NPPF situation where various Planning Policy Statements needed to be read together and strategic heritage considerations risked falling between the gaps. It is implicit in these paragraphs that 'natural, built and historic environment' elements are inter-linked, and it would therefore be sensible to plan for them in an integrated way, but a more explicit statement along those lines

would have been helpful. It may be that the guidance can fill some of that gap.

For the time being, the DCMS, DCLG and EH Practice Guide that was published alongside PPS5, has not been cancelled by government, so it remains a relevant document in dealing with heritage issues in planning. It is hoped that this will, in time, be replaced by guidance specifically tailored to the NPPF, but so far the government has not made a statement on the preparation of NPPF-supporting guidance. It appears that current Ministers are very keen to control the amount of supporting guidance that helps interpret the policies and they will presumably issue a statement in due course. Indications from private, public, not-for-profit and voluntary organisations with an interest in heritage are that they feel very strongly that guidance is needed to help interpret the slim-line text of the NPPF. They feel that the danger that guidance will muddy the NPPF policies is far outweighed by the benefits of minimising disagreements on process and handling that guidance can bring.

The success of the NPPF can initially be judged by decisions from Planning Inspectors, and ultimately, whether England's heritage appears to be better managed than was the case under the PPS5 regime (after one has factored-in other considerations such as the state of the economy). On the former point, decision letters so far appear to maintain the level of protection and Inspectors are seeing the new policies as 'more of the same' rather than a new and weaker set of protections. It is, however, too early to be certain on that point and it can take just one high-profile case to recalibrate levels of protection.

In conclusion, the heritage part of the NPPF appears to have gone down reasonably well. Given the current political and economic situation, it would probably have been unrealistic to have expected much more.