

Forum

The National Planning Policy Framework and Archaeology: A Discussion

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The National Planning Policy Framework (NPPF) continues to divide opinion. This is especially the case in relation to heritage and the historic environment. On the one hand, the historic environment is given its own section in the document, and there is strong rhetoric around the importance of conserving unique heritage assets. On the other, aspects of the NPPF are a source of great concern, not least the so-called 'presumption in favour of sustainable development'. The end of the transition year, in which local authorities are supposedly updating their local plans, will therefore be a crucial moment for determining the longer-term impact of the NPPF.

The National Trust was one of the organisations that spoke out strongly on the first draft of the NPPF, when this was published for consultation in late July 2011. Our concern was that the document went too far in stripping back regulations and in promoting its presumption in favour of development. The language of the initial draft was in our view too heavily weighted in favour of economic growth above all else, which we interpreted as a denial of the principles of sustainability (admittedly a slippery term at the best of times). We regretted the loss of the brown-

field-first approach to selecting development sites, and feared for the inevitable rash of applications to develop green-field sites that would result as a consequence.

Above all, we felt the NPPF was seeking to undermine the very process of planning, for example by guaranteeing a default 'yes' to development where up to date local plans were not in place. Planning, in our view, needed to continue to be the careful balancing of environmental, social and economic factors in the allocation of land for development. The draft NPPF seemed to present planning, rather, as the handmaiden to economic development above all else.

The vehemence of our response to the NPPF surprised a few, not least some in Government who perhaps had not foreseen that a consultation on land-use planning would become a new battleground for the Coalition. Yet a look at the National Trust's history would show that we have, in the past, played an active part in public debates about planning. The National Trust came into being at a time when there was little if any protection for land, monuments and open spaces. Indeed, it was this context that made the creation of a National Trust for owning assets such as land and buildings such an urgent need. Our founders were closely associated with the struggles for regulation over the otherwise unrestricted enclosure of common land, particularly areas in and near the expanding industrial cities of Victorian Britain. One of our founders, Sir Robert Hunter,

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also played a role behind the scenes in relation to the Ancient Monuments Acts of 1900 and 1913. Figures associated with the National Trust went on to make the case in the 1920s and 1930s for the system of Town and Country Planning that would prevail from 1947 onwards. Our duties, as set out in our founding documents, to 'promote' the protection of special places for ever and for everyone, give us a broad remit to influence the broader regulatory environment in which landscapes of all kinds are protected, not just land that the National Trust happens to own. Having said that, it has tended to be specific planning issues relating to Trust-owned property that has prompted us to speak out in the more recent past, such as airport expansions (at Heathrow and Stansted), as opposed to the generality of planning policy.

On this occasion, the NPPF represented to us such an egregious breaking of the principles of planning that had been put in place in 1947 that we felt we had little option but to speak out. We launched a public petition, and put posters up in our properties to encourage our visitors to engage with the issues. Nearly a quarter of a million people signed up to our statement calling on Government to think again about the approach it was taking with the NPPF. The ensuing media furore, as Government pitched itself against the Trust and the other organisations speaking out about the NPPF, led to planning being on the front pages of the broadsheet media in a way that it had not done for a generation. The Prime Minister intervened, by issuing a statement of reassurance that planning was not under threat, and that the principles of sustainability would be honoured. The Communities and Local Government department, meanwhile, proved remarkably open to our concerns, and willing to consider ways in which the draft NPPF might be improved.

The end result, when the final NPPF was published in March 2012, was reassuring. The document had been revised in some

important ways, with a somewhat more balanced and neutral tone and a stronger commitment to sustainability. We were pleased to see the reference to the 2005 sustainable development strategy, and the reiteration of the fundamental importance of local planning. The brownfield-first and town centre-first approaches to planning were to some degree restored, and local authorities were given a year's transition period to ensure that their local plans were brought up to date. There was even a new reference to the 'intrinsic character and beauty of the countryside', recognising the importance of landscapes that sit outside of formally designated areas. We gave this revised NPPF a cautious welcome, recognising the positive changes that had been made while also indicating that the proof would very much be in the reality of what happens on the ground.

The historic environment provisions of the NPPF did not feature heavily in the National Trust's campaigning during this period. Perhaps this reflects the fact that, as the lead article in this edition observes, there was much to be welcomed from the fact that the historic environment was given such a relatively strong billing in the draft document. Of course, the concerns flagged in the lead article are well made, and we share them. Much is still to be learned about the difference that the NPPF will make, particularly in relation to historic assets above and below the ground.

Meanwhile a range of other factors may prove to be rather more of an influence on the future of heritage protection than the NPPF alone. As the lead article flags, the whole emphasis on local autonomy in the Localism Act could possibly conflict with the pressing need to promote economic development through new building. However, it is perhaps not so clear that the Localism Act's provisions will necessarily act as a brake on development as the lead article suggests, given the way in which neighbourhood planning is constrained by the requirement to be in conformity with local plans. Few (if any) neighbourhood plans

have yet been agreed, and in any case they will not be permitted to call for less development although they can call for more development, should this be the local will. In this way they appear to act as a sort of annexe to local plans, guiding the design and location of the development set out in those local plans. It will be interesting to see just how many neighbourhood plans start with a proper appreciation of the historic and archaeological features of their areas, and how neighbourhood groups are supported in this by the wider heritage sector.

More significant, perhaps, is what is happening to conservation services at local authority level, as the cuts sink in and expert professional support for heritage in planning

dwindles. This appears to be a fundamental change in the planning landscape that we are going to have to adapt to and accommodate in the future. One response, from Government, has been the recent consultation on changes to the process for listed building consent, which proposes various means of minimising the need for local authority scrutiny of consent applications. Whether the proposals lead to fundamental changes to the heritage protection regime remains to be seen at the time of writing. But the crucial test, as with the NPPF, is whether there are net gains to be made for heritage and its protection, or whether several decades of progress are now starting to be unravelled. On that, the jury remains out.