

Report of the House of Lords Built Environment Select Committee

Briefing on archaeology in the Government's response to the committee report

Background

On Tuesday 8 November, the Government published its response to the Select Committee Report. The Report itself, originally published in February 2016, considered development and implementation of national policy for the built environment. It treated a range of issues, one of which was the protection of the historic environment and the issues arising from current planning reforms which are affecting it. CIfA was among the organisations which provided evidence to the review¹.

The Report strongly urged Government to establish an approach to the built environment which does more to promote the benefits to quality of life, prosperity, health, and wellbeing, which can result from ambitious 'place-based' planning and maintenance of the built environment.

What's in the Government response?

- Broad agreement with the Committee's position on importance of place, wellbeing, and heritage
- Denial of a mismatch between these principles and the Government's current deregulatory agenda
- Failure to address technical concerns regarding a number of issues raised by the Report

Key passages

General position:

"9. The Government's reforms are helping to boost housing supply, but we are crystal clear that we do not want development at any cost. We recognise the need for new homes to be balanced against the need to maintain strong environmental protections and we are adamant that the homes we build are sustainable."

CIfA response: We are pleased that Government has consistently expressed the view that environmental protections, including for the historic environment, are important in the planning system. However, despite this, we have yet to see evidence that Government is tackling technical problems which would produce effects which contradict this and other positive commitments to the historic environment.

Permission in Principle (PiP):

"80. Permission in Principle is a new route to obtaining planning permission that will give greater up-front certainty that an amount of housing-led development is suitable in principle. However, permission in principle will not remove the need to assess the impact of development properly before full planning permission is granted. We are clear that the assessment of all sites against local and national planning policy is at the heart of both the decision to grant permission in principle and the subsequent technical details consent."

CIfA response: This response illustrates that current concerns over the technical procedures for ensuring such 'up-front' certainty are not getting through. Under the current planning system, it is the developer's

¹ [CIfA submission to the call for evidence, October 2015](#)

responsibility to provide an archaeological assessment survey where one is required to support a planning application. There is no realistic mechanism for such detailed assessment to be undertaken on land subject to PiP as local authorities do not have the resources to be able to undertake this work. We would be eager to discuss what options are being considered by Government but currently this level of detailed consideration remains hidden.

It is important that the Government continues to consult closely with the sector about the regulations and guidance to support the provision of PiP. Despite having met on several occasions with CLG officials, we currently have no information on how the process of assessing the principle of a site's development or the 'technical details' stage will work in practice. ClfA supports the Committee's recommendation that Technical Details Consent should give full regard to these issues and agrees that failure to do so would undermine place-making, but ClfA would also like to see robust safeguards for the historic environment at the in principle stage.

Ministerial co-operation on heritage policy:

"119. The Government agrees it is important for the Department for Communities and Local Government and the Department for Culture, Media and Sport to work together to ensure the protection of the historic environment. The departments meet regularly to discuss and agree the Government's approach to heritage matters."

"121. The Government is committed to the protection of the historic environment and DCLG, DCMS and Historic England will continue to work together to deliver this."

ClfA response: ClfA strongly supports the committee's views and Government's response. We have had several productive meetings with DCLG, DCMS and Historic England in recent months and are keen to improve these relations further by seeking technical solutions to current issues in planning reform.

The historic environment is not an obstacle to development:

"123. The Government agrees that it is important to see the approach to achieving sustainable development set out in the National Planning Policy Framework reflected in the outcomes achieved in practice and we recognise the significant economic and social value and benefits that the historic environment provides."

ClfA response: ClfA strongly welcomed the committee's emphasis on how holistic and sustainable planning for the built environment should consider the benefits that heritage – among other issues such as design, amenity and environment – can bring to developments as the central purpose of the planning system. Despite this statement of agreement, current Government reforms do not deliver on this rhetoric, as the primary intent is one of deregulation to facilitate homebuilding. We need to see tangible changes to policy proposals to assure that the message that Government is not seeking 'development at any cost', as it claims.