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27 April 2016

Dear Sir / Madam,

### **Representation on Local Plans Expert Group Report**

Thank you for the opportunity to comment on the Report of the Local Plans Expert Group submitted to the Communities Secretary and to the Minister of Housing and Planning on 16 March 2016. The Institute submitted evidence to the Group by letter dated 22 October 2015.

#### The Chartered Institute for Archaeologists

The Chartered Institute for Archaeologists (CIfA) is the leading professional body representing archaeologists working in the UK and overseas. CIfA promotes high professional standards and strong ethics in archaeological practice, to maximise the benefits that archaeologists bring to society, and provides a self-regulatory quality assurance framework for the sector and those it serves.

CIfA 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.

#### Local Plans Expert Group Report

##### General

CIfA welcomes the publication of the Report of the Local Plans Expert Group. In particular, the Institute applauds the reaffirmation in the report of the key role of local plans in facilitating the timely delivery of sustainable development and the Group's constructive approach to ensuring that local plan making is efficient and effective.

CIfA is a member of The Heritage Alliance (THA) and, as an active participant in its Spatial Planning Advocacy Group, endorses the representations submitted in this regard by THA.

The detailed comments set out below highlight some specifically archaeological issues which arise with regard to the Report.

### Detailed Comments

1. ClfA welcomes the recommendation in paragraph 4.3 of the Report that:

*'a proportionate Assessment of Environmental Capacity should be an important part of plan making and we recommend that it should be defined as an essential element of the local plan evidence base.'*

2. Furthermore, we agree that the required contents of a local plan should be clearly set out in a single source (as suggested in section 10 of the Report), although we are disappointed that there is no reference in Appendix 12 to paragraph 169 of the National Planning Policy Framework (NPPF) relating to the historic environment (notwithstanding the inclusion of reference to paragraph 165 of the NPPF relating to the natural environment) – this omission should be rectified.

3. However, if assessments of environmental capacity are to serve a useful purpose, they must be accompanied by a willingness to accept an inability to meet housing requirements where environmental capacity is shown to be lacking.

4. Environmental capacity assessments are not new. For instance, in 1996 West Sussex County Council produced such an assessment to demonstrate that the County could not meet proposed Structure Plan requirements. This was accepted at the Examination in Public of the Structure Plan but overridden by the then Deputy Prime Minister, John Prescott's Direction to increase the Plan's housing numbers. These are very different political times, but the temptation to prioritise housing numbers above all else remains common and should be resisted. Indeed, the *'robust'* approach to meeting *'objectively assessed needs'* advocated in paragraph 4.4 of the Report casts doubt on just how effective assessments of environmental capacity would be in the face of continuing pressure to meet housing needs.

5. In addition, there are specific issues relating to archaeology which need to be addressed when considering information requirements relating to the historic environment. The nature and extent of many heritage assets with archaeological interest is unknown (i.e. undiscovered or not fully understood) and is only normally appropriately assessed (through archaeological desk-based assessment or field evaluation) in the course of an application for planning permission. Consequently, even if environmental capacity assessments are undertaken on a broad scale, assessment and evaluation is still likely to be required on a site by site basis when development proposals come forward.

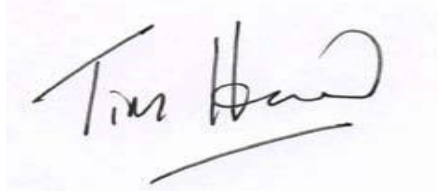
6. In the current system sites which are allocated in local plans still need to receive permission, at which stage such assessment and evaluation (undertaken by or on behalf of the developer) can take place. However, if the proposals in the Housing and Planning Bill automatically to confer permission in principle on sites allocated in local plans are enacted, such assessment and evaluation will need to be undertaken before allocation. This will increase the consideration required in local plan making rather than reduce it – an unavoidable consequence of giving permission in principle to sites allocated in plans.

7. ClfA supports the recommendation at paragraph 7.7 of the Report that the *'Government should introduce a statutory duty on each local authority to produce a Local Plan and to maintain an up to date local plan'* and understands the need to encourage timely plan preparation. However, the Institute remains concerned to see that the carrots and sticks envisaged to speed up plan making do not undermine the efforts to improve of local authorities perceived to be failing, particularly at a time when local authority services (including heritage and archaeology services) are under intense financial pressure.

8. The Institute also agrees with the views of the Group (as expressed in section 8 of the Report) on the need to avoid constant, ad hoc changes to planning policy and guidance. So far as the historic environment is concerned, the NPPF has provided a generally sound mechanism for the management and protection of heritage assets and needs to be upheld.

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

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Tim Howard', with a horizontal line underneath.

Tim Howard  
ClfA Senior Policy Advisor