PLANNING AND WORLD HERITAGE

POSITION STATEMENT SUMMARY

Picture courtesy of Historic Royal Palaces

OCTOBER 2018
1. BACKGROUND

World Heritage UK (WH:UK) recognises the important role that the UK’s planning systems play in helping to protect, preserve, present and transmit to future generations the country’s World Heritage Sites (WHSs). WH:UK convened a workshop in March 2017 to consider how the systems could be made even more effective. The Planning Position Statement sets out the issues raised and possible solutions. The views set out in the document are made on behalf of WH:UK, and are not necessarily those of any representatives of any Site, member organisations or individual member.

2. PLANNING ISSUES

A. National Planning Policies. In England, there is a need to review the effectiveness of the approach to the protection of England’s WHSs, as set out in paragraphs 193 to 195 of the National Planning Policy Framework (NPPF). There needs to be a greater understanding of the terms “wholly exceptional” and “substantial public benefits” as reasons for allowing development. The NPPF needs a clearer recognition of England’s natural World Heritage Site and the national policies that apply to it.

In Northern Ireland, in recent years there has been some improvement to the protection in national planning policy afforded to the WHS designation. However the robustness of the new policies has not yet been tested. Further, responsibility for local development planning and development management transferred from central government to new local councils in April 2015. The new national policies will not be given full effect until the new two-tier system is fully operational.

Similar to England, the Scottish Planning Policy addresses WHSs in the section on the historic environment, but not that on the natural environment. The opposite is the case in the National Planning Framework, which is surprising given that the Framework is the spatial expression of the Scottish Government’s Economic Strategy and that the non-natural sites provide significant economic benefits and potential.

The national policy in Wales has only very recently been revised and it is too early to judge its effectiveness. The NPPF appears to offer greater protection to World Heritage Sites. Should a WH:UK review of the NPPF produce clear criteria against which proposals affecting the Outstanding Universal Value (OUV) of Sites may be assessed, then this guidance should also be used in Wales.

Overall, some members suggested that a more consistent approach across the UK would be helpful.

B. Heritage Impact Assessments (HIAs). WH:UK welcomes the use of HIAs in help assess the impact of development proposals on WHSs. However it recognises that using both a HIA and an Environmental Impact Assessment in relation to one application can be costly, time-consuming and confusing, and work is needed to address these issues. Having said that, WH:UK considers that the use of HIAs should be statutory. It is also concerned that the use of the tool can be very subjective and subject to bias. It would therefore like to see HIAs produced by an independent body. It would like to see a more refined approach to the treatment of the attributes that contribute to each Site’s OUV, and a greater appreciation of the possible impact of the cumulative effect of minor development.

C. Settings and buffer zones. There is a need for a better understanding of these terms in a planning context. WH:UK has therefore made these issues the focus of the October 2018 annual conference.

D. Local plan policies. Given the variety of Sites, planning policy approaches will vary to address specific issues relating to each Site. It would therefore not be possible to produce a model policy applicable to all sites. However it is clear that there could be more consistency in local plan policies in terms of the range and depth of the issues covered.

E. Development Management. Local planning authorities can face dilemmas when determining planning applications in cases where they must balance the need to protect WHSs with the needs for economic regeneration and housing. This situation may be further complicated where a Site lies within or adjacent to two or more planning authorities. In such circumstances, there should be consistency of approach by the authorities in determining planning applications, with all authorities appreciating their responsibilities in protecting WHSs. Another issue is design. New building design for development in
World Heritage Sites, be it contemporary or otherwise, should be guided by the context. Contemporary design can be compatible and exciting if done correctly.

F. Monitoring. The monitoring of all local plans that cover World Heritage Sites or land adjacent to them should include the effectiveness of their policies in the protection of the Sites. World Heritage Site managers/Steering Groups could assist in the monitoring process.

G. Engagement of WHS Managers and Steering Groups. There should be early engagement with WHS managers and Steering Groups both in local planning policy development and the management of development proposals. (See also 6A, under “Issues relating to WHS Steering Groups and Managers” below.)

H. Planning guide/training. There is little appetite for a guide because there is already a substantial amount of guidance available. However, WH:UK and others could arrange further training sessions on planning issues.

3. THE ROLE OF UNESCO-RELATED ADVISORY BODIES IN THE UK’S PLANNING SYSTEMS

A. UNESCO and its advisors – roles, responsibilities and accountability. There is a need to clarify the responsibilities and remit of the various bodies that advise UNESCO regarding WHSs. The dissatisfaction regarding how they operate with regard to the UK planning systems needs to be addressed. There were specific concerns about accountability and transparency. There should be reciprocal advisory arrangements between WH:UK and ICOMOS.

B. The Reactive Monitoring Process. This process, including how it is initiated and completed, and the criteria used, needs to be clarified. Where an entrenched dispute develops there should be an independent review mechanism to resolve it.

C. Timescales and delegation. There can be a disconnection between the planning systems’ timescales and those of UNESCO’s advisory bodies. There needs to be connectivity and consistency between those involved in the process and timetables that work for all parties. There is a need early in the planning process to clarify which UNESCO-related body will speak on its behalf, and the weight to be attached to views that are not made by the World Heritage Committee itself.

D. Plain language. WH:UK understands that some of the terminology used in relation to WHSs is not always easy to understand. However, given its universal use, there is little point in trying to change it. Rather, planning documents and WHS management plans should define these terms – indeed many do already.

E. The protection of sites and the public benefit of development. For development proposals affecting some Sites, there is an unresolved tension between the rules of the planning systems and the criteria used by UNESCO. The latter focus on conservation issues only, while the former allow, in some cases, for consideration of wider public benefits. This situation could lead to real difficulties for decision-makers, who may need to weigh the potential loss of inscription against any substantial public benefit.

4. CENTRAL GOVERNMENT AND DEVOLVED ADMINISTRATIONS

A. Responsibilities. Several Government/devolved administration Departments and their advisors have interests in WHSs, with the Department for Digital, Culture, Media and Sport (DCMS) having the lead role. Some practitioners felt that central government needs to deal with WHSs more consistently and in the round and not just through DCMS. WH:UK appreciates that, for practical purposes, it is clearer if one Department takes the lead, provided there is good dialogue between Departments. Difficulties may arise if there are differences of view between Government Departments. Also, as noted earlier, there are substantial differences between sites and it is unrealistic to expect a consistent approach to be taken on each one.

B. Timing and transparency issues. DCMS acts on behalf of the Government to fulfil its obligation to inform UNESCO of proposals for major restorations or interventions that may affect the OUV of a WHS. Apart from the timing issues described earlier, there is also a need for greater clarity and transparency
about the process of identifying proposals considered to have a significant potential impact on OUV. In particular:
- how and at what stage in the process Government/devolved administration advisors do this
- how, if at all, the process involves WHS Steering Groups/Managers and local planning authorities
- how DCMS considers the advice it receives
- who provides advice to DCMS on natural sites

C. National Infrastructure Projects. There can be a significant financial cost to WHSs for engagement in the processes involved.

D. Crown Estate and licensing for offshore windfarms. The Crown Estate’s site selection process for development sites at or adjacent to WHSs should be subject to rigorous environmental and heritage assessment, and involve the local planning authorities and WHS Steering Groups.

E. Resources. The Government needs to recognise that more resources should be directed towards WHSs. Possibilities to achieve this include ring-fencing existing funding streams and introducing a tourist tax.

5. LOCAL AUTHORITY ISSUES

A. The need for a better appreciation of the significance of WHSs. Some local authority members and officers need better to appreciate that the significance of the WHS in their area is not restricted to its OUV but, in many cases, brings economic benefit. There should be dissemination of best practice and advice on undertaking economic impact studies.

B. Training. There is a need for on-going training for both members and officers to improve ability, understanding and consistency of decision-makers. This training could cover the significance and economic value of Sites, explain UNESCO terminology, and cover any issues specific to local Sites.

C. Resources. Central Government should be pressed for increased resources for local authorities and Steering Groups/site managers to support WHSs to address planning issues. Also, since local authorities are using the planning system increasingly as a way to secure funding for public benefits, and therefore being more sympathetic to development proposals, there is a case for automatic call-in where the custodian of the Site has made an objection relating to OUV.

6. ISSUES RELATING TO WORLD HERITAGE SITE STEERING GROUPS AND MANAGERS

A. Clarification of how Steering Groups and Managers should be involved in the planning system. WHS Steering Groups should decide under what circumstances they or the Site Managers expect to be involved in the planning system. They should communicate their decisions on this issue to planning decision-makers. Also it may be useful to share standard Terms of Reference for Steering Groups and other management tools/experience.

B. Good practice on involvement in the planning system. There should be closer cooperation and learning by WHS Steering Groups and Managers, for instance through the production of a good practice guide to involvement in the planning system.

C. The use of Management Plans. When preparing Management Plans, it is useful to look ahead to try to identify the sort of development pressures that may impinge on a site. If the Plan is clear about the views of the Steering Group on such developments, it will better inform the planning process.

D. Good practice guide on councillor support. A good practice guide should be produced to highlight Sites where there is good support for local councillors and decision-makers.

E. Resource issues. Where sites are significantly dependent on the public sector for finance and other support, they may wish to consider new financial and management arrangements. Sites that have done or are doing this could share their experience.