

ITEM 6

Circular 01/07: Revisions to Principles of Selection for Listed Buildings **Date published 8th March 2007**

Section 1 of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a duty on the Secretary of State to make a list or lists of buildings of special architectural or historic interest as a guide to the planning authorities when carrying out their planning functions.

This circular updates and clarifies the present advice in Planning Policy Guidance 15: Planning and the Historic Environment (PPG15) dealing with the principles and criteria for listed buildings. The current paragraphs 6.1 to 6.40, in the PPG15, are therefore revoked and replaced by the guidance outlined within this circular.

The main items that have changed are that there is wider public access available through the National Monuments Record and online access (via English Heritage/ Department of Communities and Local Government). There is further guidance on information that should be sent to support listing applications and also a right to appeal for someone who considers that a listing decision has been dealt with wrongly.

Copies of the circular can be viewed on the Department for Communities and Local Government website <http://www.communities.gov.uk/index.asp> and the DCMS website (located on the same page as the 'Heritage Protection for the 21st Century' White Paper): <http://www.culture.gov.uk>.

White Paper '*Heritage protection for the 21st Century*' **Date published 8th March 2007**

The legislative framework now proposed in this White Paper received wide support and consensus in a public consultation in 2003 '*Protecting our historic environment: Making the system work better*'. Parliamentary time is currently being sort to form new legislation based on this White Paper.

Central to the list of improvements is a recommendation to create a single combined "Register" of all protected sites, historic buildings, monuments, parks and gardens, archaeological sites, battlefields and marine sites. A single, simple consent application procedure for all these different types of site on land is proposed. The designations grade I, grade II* and grade II will eventually be extended to all national heritage assets on land.

Proposed changes under the new system are as follows:

- The Department for Culture Media and Sport will no longer make listing decisions. Responsibility for designation will rest with English Heritage.
- Decisions will be made more quickly and to agreed targets.
- English Heritage will open-up the system and consult owners when their property is being considered for designation.

- Interim legal protection will be introduced for historic assets being proposed for designation - to protect from hasty demolition.
- Owners will have a new right to appeal against a decision.
- English Heritage aims to make the process of designation clear by publishing its selection guides for buildings. Other guides will follow for other types of historic asset.
- Also, subject to consultation, Conservation Area Consent will be merged with Planning Permission.
- A new type of "Heritage Partnership Agreement" between owners, managers, Councils and English Heritage will cut time-consuming consent administration and encourage strategic management of large sites.
- Owners of sites such as large estates, which have many similar assets under single management, will be able to avoid the need for multiple consent applications.
- English Heritage will help negotiate single consent agreements for sites that stretch across many local authority boundaries, such as stations on underground lines.
- Consent can be provided in advance for a large number of agreed works on complex sites such as university campuses and housing estates.
- Owners of archaeological sites under cultivation would be able to take part in a management agreement allowing them to be able to work protected land.
- World Heritage Site protection will be strengthened by the requirement for greater notification of major developments and strengthened protection against minor works.
- Protection will be strengthened for archaeological sites on cultivated land.
- Marine sites and assets, of which there will be an extended range, will benefit from similar protection to that given to terrestrial assets.
- Designation will now include complex sites of early human activity that do not have structures.
- Subject to consultation, locally designated buildings could be protected from demolition and greater controls restored over Conservation Areas.

In addition to setting out the proposals, this White Paper (Page 49) also asks for views in response to three questions. These questions include views on whether Conservation Area Consent be removed as a specific consent and merged with planning permission? And as a means of promoting early consideration of heritage issues in large scale developments, should there be new statutory guidance promoting pre-application assessment and discussion for all major planning applications which may affect heritage assets. Responses, in the form of answers to these questions should be sent to: Heritagewhitepaper@culture.gsi.gov.uk Or Leila Brosnan, Architecture and Historic Environment Division, Department for Culture, Media and Sport, 2-4 Cockspur Street, London, SW1Y 5DH. By 1 June 2007.

The full document can be viewed on the DCMS website: <http://www.culture.gov.uk/default.htm>

English Heritage Selection Guides

As a result of the government's White Paper '*Heritage protection for the 21st Century*', also published on the 8th March 2007, English Heritage has produced a series of selection guides. These set out some of their approaches when designating certain types of buildings. The guides cover the following types of buildings: Agricultural buildings, commemorative structures, commercial buildings, culture and entertainment, domestic: introduction, domestic (1): vernacular houses, domestic (2): townhouses, domestic (3) suburban and country houses, domestic (4) the modern houses and housing, education, garden and park, health and welfare, industrial, law and government, maritime and naval, military buildings, places of worship, sport and recreation, street furniture, transport buildings, utilities and communications.

These guides can be found on the English Heritage website <http://www.english-heritage.org.uk/server/show/ConWebDoc.10514>