IN THE BALANCE:

NEW PERSPECTIVES ON EVOLVING PLANNING PRACTICE IN ENGLISH CONSERVATION AREAS

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ABSTRACT

Conservation area status underpins heritage protection for more properties than any other scheme in the UK or Europe, also addressing issues of linkage and composite character in a way that single asset measures cannot. However, despite extensive literature on the topic, there has been virtually no attempt at a systematic review of trends in conservation area planning practice. This paper sets out to address this gap, providing a picture of the current situation and bringing together data and spatial analysis methods with the potential to support further research.

After setting out the historical and legislative context for conservation area management, along with the findings of previous commentators, the factors currently influencing planning practice in English conservation areas are examined; including policy, implementation issues and key areas of tension in the system. An initial scoping exercise highlights the scale, distribution and characteristics of the areas and their associated local planning authorities, providing the first ever comprehensive listing. Responses from a survey of LPAs and civic societies are then combined with aggregate statistical data and a review of specific planning casework to explore a number of potential areas of influence, with a particular focus on the impact of post-2010 innovations in the planning system.

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Given a fairly high preference for ***privacy*** over responses, I have decided not to include any specific attributions in the body of the paper, but I very much appreciate the extensive advice and guidance on additional areas of influence and tension and potential case studies, and have tried to reflect as much as possible in the following analysis. It has, however, been impossible to reflect the full detail of the many suggestions received, and for that I can only apologise.

GLOSSARY

CA	Conservation Area
CS	Civic Society
DCLG	Department for Communities and Local Government
EH	English Heritage (now Historic England)
ERRA	Enterprise and Regulatory Reform Act
GIS	Geographic Information System
GPDO	General Permitted Development Order
HE	Historic England
LA	Local Authority
LB	Listed Building
LBC	Listed Building Consent
LBCO	Listed Building Consent Order
LDP	Local Development Plan
LP	Local Plan
LPA	Local Planning Authority
NP	Neighbourhood Plan
NPA	National Park Authority
PCPA	Planning and Compulsory Purchase Act
PICD	Planning Inspectorate Casework Database
PPA	Planning Performance Agreement
QGIS	A free, open-source application for analysing spatial (GIS) data
RA	Residents' Association
SPD	Supplementary Planning Document
TCPA	Town and Country Planning Act

INTRODUCTION

This year marks the 50th anniversary of the introduction of Conservation Areas (CAs) in England. There is now an extensive literature on the evolution, strengths and failings of the CA system, but there have been remarkably few attempts at a systematic and quantitative analysis of developments in CA planning practice. This is largely a consequence of the disparate nature of the underlying data, but represents an important gap in current understanding.

This paper aims, firstly, to consolidate the views of commentators and planning practitioners on the main factors influencing CA planning outcomes. These include the impact of recent policy developments, certain aspects of practical implementation, and key areas of tension in the system. However, it also attempts to lay the foundation for a better quantitative understanding of trends in planning practice, by combining existing aggregate data with a systematic spatial analysis of planning casework. The two strands of analysis are then brought together to focus on some of the more salient issues identified.

Conservation areas perform a particular role in heritage management, allowing a broader protection for groups of interconnected heritage assets than is provided by individual listing or other forms of development constraint. This breadth can play both ways. Some argue that CA protections have been over-used to restrict development across unreasonably large areas, excessively favouring preservation over sympathetic progressive development. Others, however, suggest that CAs have been both underutilised and progressively de-emphasised in planning decisions, as policy has increasingly favoured housebuilding over conservation. One aim of the analysis is to assess whether this balance is changing, by considering the data and presenting evidence highlighting the current perspective of both local planning authorities (LPAs) and civic societies.

England currently has just under 9,800 conservation areas. Roughly a third of these were designated within the first decade after introduction, with over 85% in place by 1997. Since then, however, although extensions and creations have continued, the pace has slowed markedly. In many cases, the underlying planning documents (appraisals and management plans) remain underdeveloped or are out of date, and the resources dedicated to supporting this component of LPA activity have been significantly restricted in recent years. These resourcing challenges may, in fact, be as influential on planning practice as some of the legislative and policy changes explored below.

In terms of planning applications, the absolute and relative importance of specifically heritage-related consents has grown somewhat over the last decade (see Figure 1). Around 90% of this total, however, relates to listed buildings (LBs), and the role of conservation areas has been further masked by the elimination of most CA-specific consents since 2013. Since 2004, LB approval rates have averaged

90.7%, about 4.5% higher than the average for all applications, although for CA consents approvals were typically about 1-2% below average. In both cases, there is no particularly strong trend, with heritage-specific approvals broadly tracking the small rise in overall approval rates over the period.

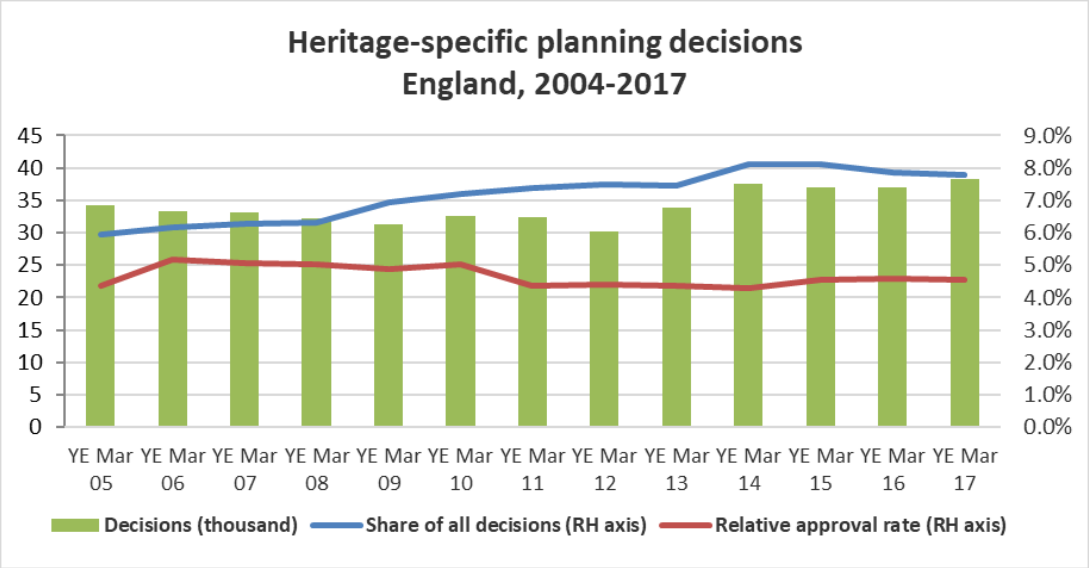


Figure 1 Planning decision trends, 2004-2017

England's conservation areas contain a very diverse collection of heritage assets, ranging from peri-urban garden suburbs and small historic villages to collections of modernist buildings and post-industrial sites. They range in area from a quarter of an acre (Heath Passage in Hampstead) to over 25 square miles (Swaledale and Arkengarthdale). Though some contain large concentrations of listed buildings (over 1,000 in the historic core of York), hundreds contain none at all, with CA status representing the principal protection for the local built environment. The picture at LPA level is also highly variable, with several of the large county-level LPAs having over 100 CAs (240 in the case of Wiltshire), whilst others have only a handful. For the three quarters of LPAs where we have GIS data, just over 2% of the land area lies within CAs, although the share is over 10% for 25 LPAs and over 50% for the Isles of Scilly (one large CA) and three London boroughs. This variability inevitably challenges any attempt at a comprehensive review, but the research has been designed to achieve a reasonably representative cross-section of CAs, LPAs and civic societies confronting a variety of different planning challenges.

The planning framework surrounding conservation area management has undergone a series of changes since the concept's introduction in 1967. Section One of this paper aims to provide an historical context to its evolution over the first four decades, including the perspective of previous commentators. Section Two then considers the changed policy stance of the Conservative-led governments since 2010 and the subsequent modifications to planning arrangements governing CAs.

These combined deregulation with increased localism, appearing to offer the scope for either an increased bias towards development (through more flexible policy and an emphasis on new housing) or a renewed focus on preservation (through localism measures such as Neighbourhood Plans). Section Three, therefore, poses some central research questions: whether there is any evidence for such a shift in planning practice; what other factors might be influencing the balance of planning outcomes in CAs; and where the key sources of conflict lie. It also describes the research methods employed, including a comprehensive review of CA data, a survey covering over 25% of CAs, and a review of planning casework drawing on spatial analysis techniques. The results are assessed in Section Four, which forms the core of this paper, highlighting the merits of a more systematic approach in both identifying influential factors and measuring their effect on real policy practice. The paper concludes with suggestions for broadening and deepening the scope of this analysis, and reflects on issues warranting further focus if CA planning is to remain effective.

THE EVOLUTION OF THE ENGLISH CONSERVATION AREA 1967-2010

Urban growth during the 19th century catalysed increasing calls for government intervention to support the conservation of historic buildings, led by prominent figures like William Morris and John Ruskin. These culminated in the founding of the Society for the Protection of Ancient Buildings in 1878 and the passing of the first piece of formal conservation law, the Ancient Monuments Protection Act, in 1882 (Larkham 2013). However, parliamentary opposition meant that early legislation was primarily didactic rather than mandatory, and failed to mobilise any material national change (Larkham 1992).

Individual property protections gradually improved during the early 20th century, with the introduction of fines for violations and the implementation of stronger obligations on owners through 'preservation orders' under the 1913 Ancient Monument Consolidation and Amendment Act (Delafons 1994). The Town and Country Planning Act (TCPA) 1944 facilitated the 'listing' of buildings of "special architectural or historic interest" and this became a statutory obligation under TCPA 1947, alongside the requirement for 'listed building consent' prior to works (H.E. 2017a; Hobson 2004). Meanwhile, housing acts in 1909 and 1923 broached the possibility of area-based protections, foreshadowing the concept of 'conservation areas', though many politicians considered such ideas impracticable (Larkham 2013).

The introduction of Conservation Areas

It was, however, the impetus for comprehensive post-war redevelopment during the late 1950s-1960s which ultimately drove the planning system to recognise the integrity of settlements as a whole ("cherished townscapes"), rather than just buildings (Punter and Carmona 1997:22; Townshend and Pendlebury 2007; Dobby 1978; Pendlebury and Strange 2011). Public reaction against Modernist urbanism, with its seemingly indiscriminate destruction of entire neighbourhoods, was channelled through local amenity groups (supported by MPs and the Civic Trust) who campaigned for the UK to adopt area-based conservation laws like those recently introduced in France and the Netherlands (Punter and Carmona 1997; Larkham 2014). Meanwhile, by the mid-1960s, the Council for British Archaeology had already paved the way for conservation areas by producing a detailed list of 324 historic towns in need of preservation, featuring an analysis of their special characteristics (EHTF 1998). Consequently, when 'conservation areas' (CAs) were finally introduced under the Civic Amenities Act 1967 (Circular 53/67), the role of conservation not only shifted "from negative control to creative planning for preservation" but expanded its focus from isolated assets to include coherent townscapes (Newman 1975:214).

Circular 61/68 of TCPA 1968 outlined key clarifications to this new policy, with LPAs encouraged to provide positive design guidance, paying "special regard…to such matters as bulk, height, materials, colour, vertical or horizontal emphasis, and grain of design" (Carmona 2001:24). To support them in this process, it also established CA Advisory Committees and promoted increased participation from local amenity groups (Cherry 1975). Indeed, the designation of these new "areas of special architectural or historic interest" by LPAs rather than central government introduced a unique potential for democratic participation (Pendlebury 1999; Pendlebury and Townshend 1997). However, whilst the Government promoted broader use of existing legislation such as Building Preservation Notices (BPNs), Tree Preservation Orders (TPOs), Article 4 Directions (A4Ds, see below) and Areas of Special Control (for display of advertisements), it introduced few *actual* powers, instead relying on hollow notions of "special attention" and "public engagement" (Skeffington Report 1969; EHTF 1998).

Protections were progressively extended in the 1970s, with TCPA 1972 introducing grants and loans for enhancing character (Delafons 1997a:156), Circular 147/74 (Town and Country Amenities Act 1974) requiring explicit permissions for demolition and radical modification, and Circular 102/74 encouraging maximal use of powers among LPAs (National Archives 2005). In addition, the 1973 revision of the Town and Country Planning General Development Order (Appendix D, 4) confirmed a predisposition towards the approval of Article 4 directions relating to land in CAs (Chapman et al. 1995). These restrictions on permitted development rights (already limited in CAs) remain an essential, though tightly controlled tool for planners seeking to reinforce CA protections.

Given the perceived inadequacy of alternative planning controls, the number of CA designations surged, as the Civic Trust rallied the country's 1,000 local amenity groups to action (Pearce 1989). There was also an increased focus on the intangible, rather than merely physical structures of communities, with policy-makers urged to acknowledge "the familiar and cherished local scene…[including] existing communities and the social fabric" (Mynors 2006:4), with the built environment seen as documenting social history. Pearce (1989) sees 1975 as a key milestone, with publications and events associated with European Architectural Heritage Year and the establishment of the activist pro-conservation group 'SAVE Britain's Heritage'.

During the 1980s, Conservative government support for conservation was reinforced by the 1987 Washington Charter, which called for "the conservation of historic towns and…urban areas [to] be an integral part of coherent policies of economic and social development" (ICOMOS 1987:1), foreshadowing later arguments situating it as a potential driver of economic growth and regeneration (Pendlebury 2002; Strange and Whitney 2003). The Charter also stated that conservation "concerns…residents first of all", with their active participation "essential for [its] success" (ICOMOS 1987:2). This paved the way for the influential Circular 8/87, which portrayed public opinion as

"overwhelmingly in favour of conserving and enhancing" (Richards 1994:107) and was to serve as the 'conservation bible' in England for the next seven years (Delafons 1997a:156).

Existing controls were consolidated under the Planning (Listed Buildings and Conservation Areas) Act 1990, which remains England's primary CA legislation. This clarified LPA obligations to regularly designate CAs as areas "of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance" (S.69[1]), and to publish and publicly discuss corresponding proposals (S.71). It also reminded LPAs to continually review their CAs' effectiveness (S.69[2]) and outlined a 'conservation area consent' system for demolitions (S.74). In the same year, a new set of planning policy guidance for the historic environment (PPG15) replaced Circular 8/87, placing greater emphasis on public consultation; a stance echoed by English Heritage (Pendlebury and Townshend 1999). Further important contributions to conservation guidance were subsequently made by heritage bodies, national amenity societies, local authorities, local authority lobbies and academics (Pendlebury and Townshend 1997).

Processes of designation and management have remained largely stable in recent decades (Pendlebury and Townshend 1999), with CAs identified, delimited, advertised and designated primarily by LPAs (Larkham 1992; 1996), who are also required to integrate heritage issues into local plans alongside other objectives such as housing and economic development (EHTF 1998). The designation process considers criteria such as archetypal building styles or materials, specific local or industrial interest, and public realm aspects including street patterns (HE 2016). In principle, proposals should be submitted to a public meeting and the LPA should undertake regular CA appraisals (HE 2017c; SDNPA 2017; DCLG 2014a), highlighting a range of physical, architectural and socio-cultural attributes (Bottrill 2005; HE 2016; Williamson 2010). These should also consider local sensitivities and opportunities identified via Historic Area Assessments (EH 2010), and make proposals for 'preservation and enhancement'. In practice, however, there has been slippage in several areas (SDNPA 2017; EH/PAS 2006).

Subsequent debates

Criticisms of conservationism have always existed: the architect Robert Kerr questioned its "most indiscriminate" philosophy in 1877 (Delafons 1997a:71) and social historian David Eversley made a similar argument a century later, attacking the conservation lobby's efforts to retain "almost every scrap of urban equipment that is more than about fifty years old" (Eversley 1973 in Delafons 1997b:111). By the 1980s, however, the 'anti-conservation movement' had grown.

One of the main arguments was purely objective: that too many CAs had been designated too quickly in England, and the policy mechanism was approaching saturation point. David Morton, chair of the RTPI's conservation panel, suggested that the uncritical extent of designations threatened to devalue the system, with the boundaries of some areas drawn up and revised so loosely that they lacked coherence (Morton 1991; Larkham and Lodge 1997). Various writers also identified a remarkable lack of national consistency in assessing CA 'worthiness' (Larkham 1992; Pendlebury 1999): urban designer Hobson blamed the "profligate indiscretion" of LPAs in designating areas (2004:12), rather than the concept itself, whilst spatial planner Ian Strange (1997) argued that there needed to be better distinction between 'critical' versus 'compensatable' assets

Others criticised the restrictiveness of the appraisal system, including its requirement for LPAs to apply undifferentiated guidelines irrespective of local characteristics, and its tendency to 'freeze-frame' particular policy contexts (Noble 1997). Morton (1991) also found that appraisals were frequently absent, covering only 10% of CAs by 1991, whilst management and enforcement were seen as highly variable, because of local political and resource constraints (EHTF 1998). Furthermore, regional variation was marked, with ten counties alone (primarily in southern England) accounting for 40% of all CAs by 1986 (Larkham 1992:98): a pattern reflecting a bias towards wealthier, more vocal parts of the country, since as Marxist historian Raphael Samuel (1996:128) asserts, there was "nothing 'historic' in any archaeological sense about many of the districts…now designated conservation areas". This prompted some to ask whether under-represented assets, including industrial architecture and post-war municipal estates, would receive the same attention before being swept aside (Larkham 1999).

A number of critics also considered the ideological question of 'museumification', with architect Cedric Price decrying a "misplaced loyalty" to redundant relics which risked undermining "spirit and sensibility" (1981:39/40). Cultural historian Patrick Wright criticised the false abstraction of heritage as 'timeless', noting that the preservation of sanctioned forms detracted from current issues (see Harrison 2008), whilst Robert Hewison (1987) used the term "heritage industry" to warn against idealisation of the past. Some therefore advocated a more 'sustainable conservation' (Delafons

1997b), or in Hewison's words "a critical culture which engages in a dialogue between past and present…, accepts both conflict and change", and improves on the best heritage assets without imposing insupportable costs (1987:144).

The strongest objections, however, were reserved for a perceived conservation 'elite': what Eversley had called "that small group of people…who dictate what is good and beautiful according to aesthetic standards known only to themselves" (1974:14-15). Price echoes this view, stressing the healthier attitudes towards decay and change in the past, and complaining of everyday space being set aside as a "generous repository…for nervous minds" (1981:40). Equally, there is criticism of the dominance of professional assessments of 'special architectural or historic interest' rather than more generic community attachments to place (Pendlebury and Townshend 1997). As John Punter (1990:255) shows, even by the turn of the century, still only a "limited and exceptionally well informed section [of the public]" was getting involved in CA planning, and membership of amenity societies was still largely reserved for the middle classes.

Finally, there were concerns about the downside of public involvement, with fears that changes like PPG15 risked promising levels of agency to the public that were overly anti-development or simply unrealistic (EHTF 1998). As Short et al. (1986:227) attest, participants in public consultation have traditionally tended to be 'stoppers', fundamentally averse to change. Similarly for conservation specialist Peter Larkham (1993), since most public dialogues were being channelled through elite-dominated amenity groups, their representativeness of public opinion was questionable: Robert Maguire (1997) felt that such groups could undermine democracy by favouring stasis over a majority desire for more flexible adaptation. Thinly-stretched LPAs may also be unduly influenced by strong negative feelings or false recollections, as indicated by discrepancies between public evidence and planning files (Larkham 2000). Lastly, gaps in the general public understanding of CAs were seen as a weakness, with Andrew Rogers arguing that the "nebulous" idea of CAs was "impossible to attain and open to gross abuse", hijacked by planners as an additional planning control and by a subset of the public to further preservationist ends (1994:2). This led writers like Pendlebury and Townshend (1999) to call for a more meaningful liaison between planners and the general public, to ensure that broader views were reflected in CA management.

Towards consensus

The impact of such criticism beyond academic circles was limited, and by the late 20th century England had effectively reached an 'age of consensus' around the policy goal of historic conservation (Pendlebury 2000; 2009). After the austerity challenges of the 1970s, a combination of government support and a recognition of the socio-cultural and regenerative benefits of conservation came to outweigh the negatives of planning constraint and maintenance costs (Pendlebury 2009; Larkham 1996). People also began to appreciate the role of CAs in augmenting property values (Ahlfeldt et al. 2016), with HE (2017) estimating a CA house price premium averaging 9%. As a result, from initial expectations of up to 2,000 CAs across Britain, numbers by 1997 exceeded 8,000, vastly more than any other European country (Punter and Carmona 1997).

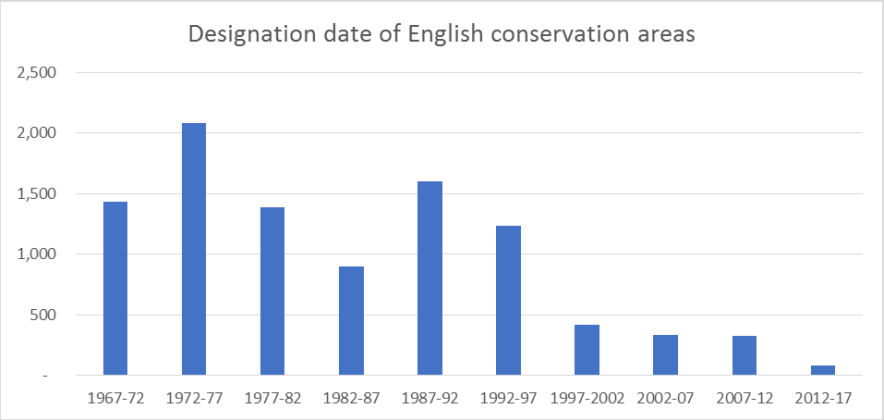


Figure 2 *CA designation dates (personal analysis)*

With CAs now firmly embedded in planning law, only a few reforms were brought in under the Labour governments of 1997-2010, although a series of reviews acknowledged some of the outstanding criticisms of the existing system. English Heritage's 'Power of Place' report (2000) placed a renewed emphasis on local context (see Chitty 2017), and the Planning and Compulsory Purchase Act 2004 established the requirement for local authorities to compile development plan documents integrating heritage issues, placing further emphasis on public empowerment. A Draft Heritage Protection Bill was introduced in 2008, suggesting modifications to heritage asset registrations and consents, but this never became law. However, less prescriptive guidance (replacing PPG15) was implemented in the form of PPS5: Planning for the Historic Environment (2010), which gave more latitude to LPAs and introduced the notion of a 'heritage asset', coinciding with Historic England's decision to re-label 'key unlisted buildings' as 'positive contributors' (see HE 2016:16).

Underpinning this age of consensus was a series of changes to the theory and practice of conservation, with a focus on realistic strategies of managed sustainable change and a shift away from absolute 'preservatism' to the promotion of an evolving, hybrid and dynamic 'cultural landscape' (Hobson 2004;

Howard 2009). For instance, the Civic Trust made a strong plea for more creative ways to reuse and adapt built heritage during urban regeneration, to inject new life into old structures (Strange and Whitney 2003). In Cambridge, modern built forms were used to recreate the city's historic street pattern (Cannon 2009). However, there was also critical reflection on the persistence of an elitist conservation culture, seen to be imposing hegemonic definitions of 'value', and entrenching negative side-effects like gentrification and the displacement of powerless groups (Parkinson et al. 2016; Drury and McPherson 2008; Pendlebury 2009). Urban conservationist John Pendlebury (2002) warned that unless alternative perceptions of 'valid' conservation were balanced carefully, popular brandings like "culture-led regeneration" might be hijacked by property agents and marketers to lobby for more relaxed controls. Calls for a 'cultural turn' in heritage planning came from many quarters, with various writers implying the need for an improved 'values framework' that would better reflect embedded social values and the perspectives of diverse stakeholders (Mason and Avrami 2000; Torre and Mason 2002; Smith 2006; Tait and While 2009; Jones 2010; Hall 2008). Ultimately, new tools emerged for quantifying subjective value (Conservation Performance Indicator; Triple Bottom Line Tool) and paved the way for an institutional learning approach (Lithgow and Thackray 2009), whereby heritage bodies began to question their own values using self-reflexive, 'best value' governance rather than attempting to help poorer groups to appreciate top-down conservation narratives (Pendlebury et al. 2004; Gibson and Pendlebury 2009).

Finally, this period also marked the emergence of a number of other new practical narratives, including the ability to reconcile improved energy efficiency and reduced carbon emissions with heritage considerations (Yung and Chan 2012; HA 2014), with HM Government (2010b) citing research highlighting the availability of cost-effective and heritage-compatible energy retrofits for historic buildings. Ginks and Painter (2017:391) discuss the exemption of CA properties from energy efficiency requirements that would "unacceptably alter their character", suggesting slim profile double glazing as a good compromise and stressing the importance of close cooperation between energy, design, planning and conservation specialists. Increasing consideration is also being given to the idea of 'infrastructure capacity': the relative ability of historic centres to accommodate change, which is key to fulfilling sustainable growth agendas (Poole 2014). By 2010, CA protections included the requirement for explicit consents for demolitions and for several areas normally covered by permitted development rights, including the potential for additional A4D constraints (HE 2017b), consents for works on larger trees (DCLG 2014c), and design constraints on public realm works, including protections for important views (HE 2016; HE 2017d).

DEVELOPMENTS IN CONSERVATION AREA PLANNING SINCE 2010

As Section One has demonstrated, Conservation Area planning has evolved via a uniquely responsive and collaborative process. Although recent Coalition and subsequent Conservative-led governments have steered clear of radical reform, they have nonetheless created significant upheaval in the wider planning system, which has had important implications for CAs. These changes reflect two overarching policy goals: firstly, a renewed localism, giving communities a more direct say in the development of their neighbourhoods; secondly, a greater liberalisation of planning policy, aimed partly at facilitating house-building. These appear to offer the potential for a spectrum of local CA planning outcomes, ranging from a swing to over-preservation thus impeding neighbourhood development, to a more constructive local engagement in the 'sustainable change' agenda, or to an erosion of CA protections through the over-use of new powers. There has so far been limited research into the interaction between these post-2010 changes and CA planning practice, but this section aims to provide a preliminary perspective.

A new localism

The Localism Act of 2011 represented a departure from the regional focus of the Labour years (Regional Spatial Strategies were abolished in 2010) (see HM Government 2010). 'Local Plans' (replaced by Local Development Frameworks in the PCPA 2004) were re-introduced alongside a new system of democratic sub-local planning guidance called 'Neighbourhood Planning'. The first component, Local Plans, was re-established as the primary framework, incorporating existing unitary development plans, including current core strategies, alongside older 'saved policies' predating the 2004 Act (EH 2012). Its purpose was to reduce the 'burden' of planning law and refocus efforts on 'delivery', with a shift from 'top-down' central state presence towards a deregulatory suite of proposals (Haughton and Allmendinger 2013). Local planning, it was argued, differed from previous incarnations of 'New Localism' in that public involvement became a core prerequisite in the design and delivery of outcomes (Deas 2013; Sheppard et al. 2015). In legislative terms, the Localism Act required all LPAs to keep an up-to-date 15-year local plan, covering a range of policy issues (EH 2012). An entire section was dedicated to the conservation and enhancement of the historic environment, with LPAs expected to prepare strategic management plans to guide planning decisions in local CAs. Some writers have viewed this with optimism, although as Alanna Ivin (2011) points out, historic assets may be at risk from up to £680m in public spending cuts to the heritage sector, unless the community and voluntary 'third sector' steps in to regulate private interests.

The second new policy mechanism of 'Neighbourhood Planning' was ostensibly introduced to offer people "genuine opportunities to influence the future of the places where they live" (DCLG 2011:12):

an “authorised institutional discourse” for reconciling placed-based affections with development imperatives (Bradley 2017:236). It was felt that devolving limited statutory powers to communities would help to overcome local opposition to house-building and secure greater compliance with the Government’s pro-growth agenda, thereby increasing the number of residential site allocations without relying on ‘top-down’ state housing targets (Bradley and Sparling 2017; Rowlands 2014). It was also intended to create a less adversarial, more majoritarian planning system, giving local people the option “to develop a shared vision for their neighbourhood” (DCLG 2012:43), although the same outcomes could also be achieved via other routes, for example by incorporating policies into LP or SPDs. In practical terms, neighbourhood plans (NPs) were to be prepared by ‘qualifying bodies’ such as parish councils or ‘neighbourhood forums’. After professional inspection to ensure conformity with the sustainable development agenda, NPPF, SoS, EU or strategic LDP policies (Smith 2016), they could be brought to local referendum and, if achieving over 50%, embedded into their LPA’s statutory development plan. Thereafter, they would symbolise the public voice in future planning cases, taking precedence over the Local Development Plan on all matters except those of ‘strategic’ importance (HE 2017e). This meant they could potentially have an important influence on the evolution of historic places, playing a key role in balancing conservation with adaptation.

There were some criticisms of the geographic spread and concentration of NP implementation (Ludwig and Ludwig 2014; Brookfield 2016), but 270 plans had been adopted by early 2017, with over 8 million people (15% of the population) living in designated ‘neighbourhood areas’ and 2000 further plans under preparation (Bradley 2017). Critics have highlighted positive outcomes, with Colomb (2017) observing inclusive neighbourhood planning in Highgate (engaging local people beyond core ‘neighbourhood forum’ social networks), and Bradley and Sparling (2016) finding that popularly-adopted NPs allowed communities to advance socially- and environmentally-sustainable housing solutions, and to limit corporate volume house-builders. Geographer Jane Wills (2016) also praises the local political opportunities and civic infrastructure imparted by neighbourhood planning, which have helped to shift power away from the state. However, some have accused NPs of advancing ‘protectionist’ anti-development agendas led by the same ‘familiar faces’ in planning (white, middle-aged, affluent), counter to the objectives of managed compromise and diversified participation (Brookfield 2016; Matthews et al. 2015).

Others have argued that assumptions of a latent willingness and capacity within local communities are sometimes flawed (Gunn et al. 2015) and that the long and complex process of plan-making requires unusually high commitment (Parker et al. 2014, Bradley 2017). A lack of technical understanding can leave communities over-reliant on the skills of others (Sheppard et al. 2015; Wills 2016), resulting in a number of ‘false starts’ when initial NP proposals have failed to comply with the

minutiae of the legislation (Lord et al. 2017). Parker and Wargent (2017) have also noted the risk that NPs are 'rescripted' during the examination process to ensure conformity to broader neo-liberal agendas, with 63/130 plans passed in 2016 requiring 'major changes' prior to approval, undermining the sense of community ownership. Conversely, one important condition that draft NPs are required to fulfil prior to referendum, is to pay "special regard to the desirability of preserving or enhancing the character or appearance of any conservation area" within their jurisdiction (DCLG 2014b:para.65). As Chetwyn (2015) points out, neighbourhood planning can thus offer a unique opportunity for communities to prioritise their preferred local heritage characteristics and use these to deliver socio-economic benefits, balancing quantifiable CA features (local property values) against intangible benefits, like community participation (for example, volunteer-led buildings-at-risk surveys) (Chetwyn 2015; EH 2014).

Shifting development constraints

It was not, however, until the National Planning Policy Framework (NPPF) of 2012 that the Coalition Government's plans for conservation became clear. Fundamentally, conservation practice was to conform with the NPPF's central theme of "presumption in favour of sustainable development", with Section 12 outlining the desirability of sustaining and enhancing heritage whilst putting it to viable use. LPAs were therefore reminded to draft a positive conservation strategy in their local plans, with the NPPF encouraging them to include records of heritage assets most at risk, require that new development contribute positively to local character, and continually identify new opportunities for enhancing CAs. The NPPF also promoted re-use of empty and under-utilised buildings by stipulating that levels of conservation protections be made proportionate to the importance of the heritage asset in question, to minimise unnecessary planning hurdles without compromising historic integrity. In these ways, the NPPF demonstrated a turn from prescriptive government authority to greater discretion for LPAs, thus enabling developers to play a greater role.

This simplifying agenda was reinforced further under the Enterprise and Regulatory Reform Act (ERRA 2013), which sought to reduce developers' risk of becoming "bogged down in bureaucracy" by introducing a range of minor reforms (see Rab 2014:1). One of these was the replacement of 'conservation area consent' with the requirement to obtain planning permission for relevant demolition in CAs (essentially the demolition of whole buildings over 115m^3, boundary elements over 1-2m high, or post-1914 agricultural buildings) (HE 2017h). National and Local Listed Building Consent Orders (LBCOs), supported by Heritage Partnership Agreements, were also introduced to enable LPAs to grant single LBCs for minor works of a similar alteration class over an extended period (HE 2017g).

In updated 2014 guidance, DCLG reinforced the NPPF's emphasis on forward-looking conservation, stressing the merits of sustainable sympathetic change over decay, and the need to maintain records when justified loss of heritage occurs. It also called for increased synergy between heritage and other policy objectives such as urban renewal, tourism, housing and economic growth primarily to stimulate new investment (DCLG 2014a). Furthermore, DCLG highlighted the need to reflect the implications of broader local heritage priorities in NPs, encouraging LPA specialists to support the NP drafting process with full details of local designated and non-designated assets. English Heritage supported this approach, also urging NP groups to make use of its own specialists and widely-supported Heritage at Risk Register (Marrison 2017). They also suggested a range of potential heritage components for NPs and underlined the need to accept the ongoing evolution of places and reconcile conservation with sustainable change (Chetwyn 2015). A final part of this more holistic approach was to facilitate changes of use (agricultural to residential, for instance, could help to save dilapidated historic

structures) and to acknowledge that the setting of a heritage asset (its historic or aesthetic context) matters almost as much as its physical presence (DCLG and Boles 2014; Siravo 2011).

Other legislation introduced since 2014 HAS had a minor impact on conservation planning. The Housing and Planning Act (2016) set out further steps to accelerate and simplify the development and NP processes, obliging all LPAs to prepare Local Development Schemes and to notify neighbourhood forums of planning applications (HE 2017f). It also made provisions for 'permission in principle', giving developers greater certainty, and the preparation of brownfield land registers, to encourage restoration of historic buildings. The latest version of the London Plan was published in March 2016, including a revised overarching strategy for heritage assets in the Greater London area. Finally, as recently as April 2017, the Housing White Paper focused on promoting sensitive, community-embedded development which references local building traditions and materials.

The situation today

Currently, LPA decision making in CAs still relies most heavily on the TCPA 1990 and the PCPA 2004, supported by the NPPF 2012, Local and Neighbourhood Plans, PPGs and Historic England Advice (HE 2017h). Some argue that, despite numerous policy iterations, the fundamental principles of conservation practice have evolved little since 1967, with conservation remaining largely the domain of specialist practitioners. Ludwig and Ludwig, writing from an LPA practitioner's perspective, raise the issue of "too many competing and contradictory priorities…from government" which have resulted in "diluted messages and guidance" (2014:253). For instance, they find "the contradiction of the national government claiming to give more power to communities whilst really cutting local services without any compensation…[to be] particularly insurmountable", having driven many LPAs to implement a meagre localism agenda simply to avoid being labelled 'failing' by Westminster (2014:253). Furthermore, Civic Voice survey evidence has highlighted further weaknesses in conservation planning, including poor public understanding of CA controls (only 2% of respondents observed 'good' understanding, with most reporting 'little' or 'none') and a perceived stalling of conservation enthusiasm. Respondents highlighted concerns around loss of historic details (front elevations; traditional paving materials) and increased street clutter, implying that controls may be insufficiently strong (HE 2016).

However, although all the factors discussed above will have some bearing on the following discussion, there appears to be a critical absence of any systematic review of conservation statistics. Larkham (2000) offers a reasonable estimate of the number of English CAs (9,000, my own estimate for the figure at the time being around 8,900), commenting that every LPA had at least one, whilst HE (2017) notes that 59% of CAs are located in rural settings. A broader quantitative analysis appears in Bottrill (2005), who suggests that CAs contain approximately 379,123 ha of land (my current estimate is around 325,000 ha) and 1.2 million dwellings (4.8% of Britain's housing stock; 20-24% of its pre-1919 housing stock), although she acknowledges a number of problems with the underlying data and provides an estimate of 13,322 for overall numbers. Finally, Cannon (2009) highlights a range of statistics: that 1 in 13 CAs was estimated to be under significant threat, 25% of LPAs had no heritage champion, 50% lacked an up-to-date character appraisal document, and over 75% had no management plan. However, these figures all pre-date the post-2010 changes to the system and are a long way from providing a systematic analysis. This dissertation will therefore seek to address this gap.

RESEARCH OBJECTIVES AND METHODOLOGY

Having discussed the historical, legislative and critical perspective on CA management, I will now outline the research approaches employed in understanding the character and evolution of contemporary CA planning practice. These seek to address three overarching questions:

i) Can we identify any materially significant recent trends in CA planning outcomes?

ii) To what extent might post-2010 policy changes or other factors be exerting an influence?

iii) What are the principal areas of tension in current CA planning practice?

Scoping and targeting

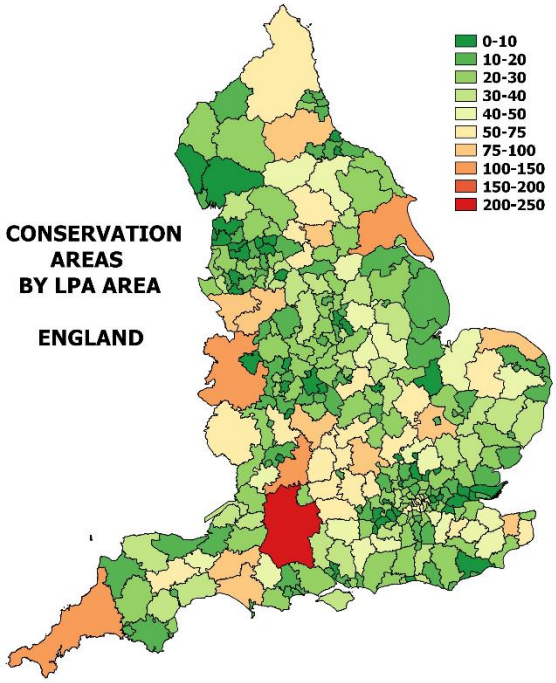
As a starting point, it seemed important to summarise the distribution of CAs and other heritage assets by LPA, so as to focus further research on areas likely to have a good density of relevant issues. This proved less straightforward than initially anticipated, but led to the creation of a new and unique comprehensive database of English CAs.

a) Conservation Area data

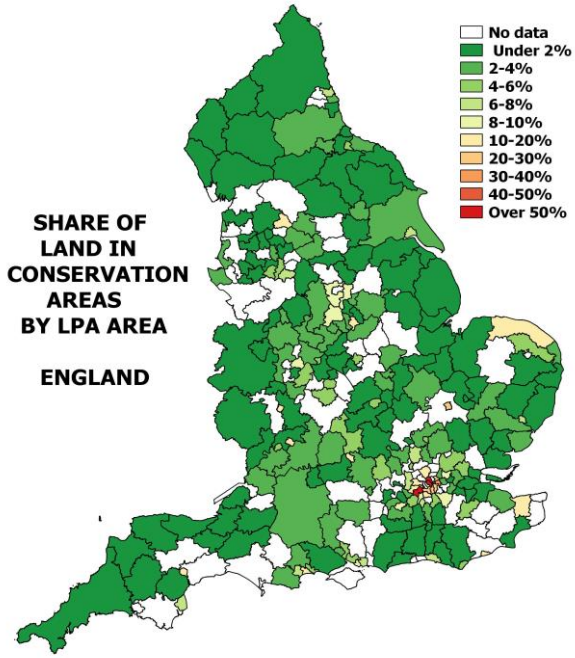
The locally designated character of CAs has led to listings being held at LPA level, with no formal mechanism for maintaining a comprehensive national list. Although many LPAs submit spatial data (including CA names and attributes) to Historic England (HE) under its INSPIRE Memorandum of Agreement with the Local Government Association, this is by no means comprehensive, as implementation is staged until 2020 and different LPAs take different approaches to onward publishing rights[1]. I confirmed via a Freedom of Information request that DCLG also holds no comprehensive list of English CAs[2]. However, a copy of the most recent (Jan 2017) INSPIRE dataset was obtained from HE and found to cover 75% of the 336 English LPAs (including National Park Authorities). For the remainder, I decided to complete the listing by reference to LPA websites.

I began by obtaining a full list of LPA planning department web addresses from the 'Buy A Plan' website[3], gradually correcting errors in the original links as I completed my review. A copy of the revised list is attached as Appendix 1, and will be published online for future use. I then worked systematically through the 83 'database gap' LPAs, incorporating CA listings into an expanded master list. In several cases these were not readily available in a simple format and had to be found via the Local Plan or through correspondence with the relevant LPA. This process added 2,546 CAs to the original HE list of 7,247, bringing the total to 9,793. Where several CAs shared the same name, the LPA name was added in brackets for distinction. The overall list appears to contain a small number of duplicates, primarily where district, borough or unitary authorities overlap with National Park Authorities, but represents what I believe to be the first comprehensive enumeration of English CAs.

Appendix 2 contains a sample, and the full list will be published online and passed to HE and DCLG for future use. Overall totals of CAs by LPA formed the first component of a 'heritage density' analysis, with the spatial pattern reflected in Map 1. It can be seen that the large county-level LPAs of Wiltshire, Cornwall, Shropshire and East Yorkshire all have a significant quota of CAs, although the concentration by land area is actually highest in cities. For those LPAs with spatial data available, a separate calculation of the percentage of land area covered by CAs was undertaken, as shown in Map 2. Please note that NPAs overlapping LA areas are excluded from all maps.



Map 1 *CAs per LPA, England*



Map 2 *CA share of land by LPA, England*

This CA-based heritage density analysis was then augmented by the addition of a number of other metrics, designed to further distinguish LPAs worthy of more detailed focus:

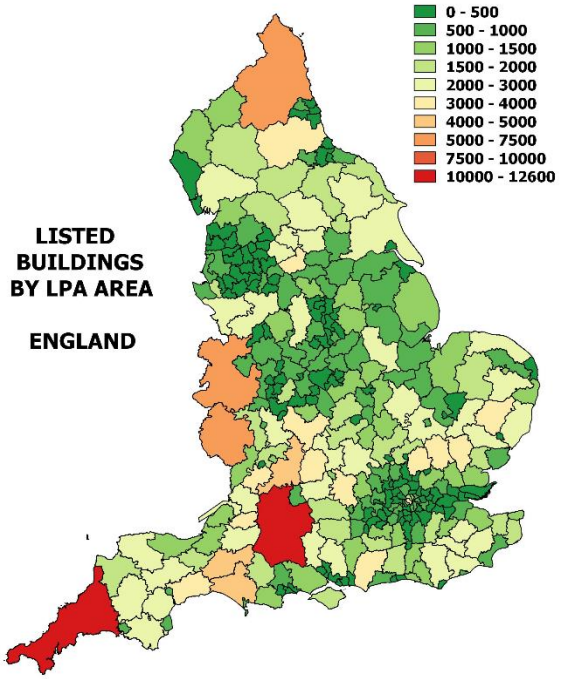
b) Heritage at risk

HE also maintains the Heritage at Risk Register, which records assets at particular risk of degradation and is made available in GIS format[4]. The most recent dataset (August 2016) includes 426 CAs, which were cross-referenced to the overall CA listing to identify concentrations of CAs at risk by LPA. This involved some re-mapping of CA names for consistency.

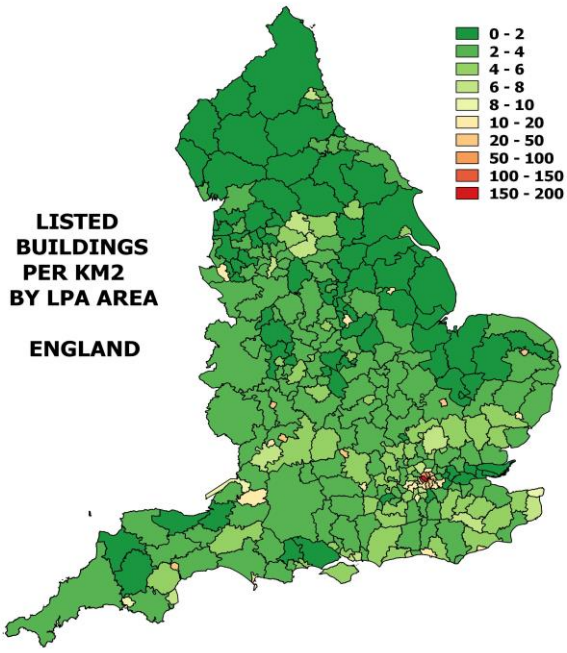
c) Listed buildings

As a national designation, the statutory list of buildings of special architectural or historic interest is maintained by the Department for Culture, Media and Sport (DCMS) on the advice of HE. Again, HE makes a GIS dataset of LB points available, and the most recent version (9 Dec 2016) was downloaded[5]. In order to bring this into the LPA-level summary, the point data was processed alongside LPA boundary data using the 'Points in Polygon' facility embedded in QGIS software. This generated the LPA-level distribution of LBs summarised in Maps 3 and 4 below. As with CAs, we see that the county-wide LPAs hold a very high quota of LBs.

In addition, for CAs covered by the HE dataset (with spatial data available), the number of LBs per CA was calculated using a similar point-count technique. This gave a measure of LB density within these CAs, providing an impression of the degree to which LB protections might support broader conservation objectives (or not) in a given area.



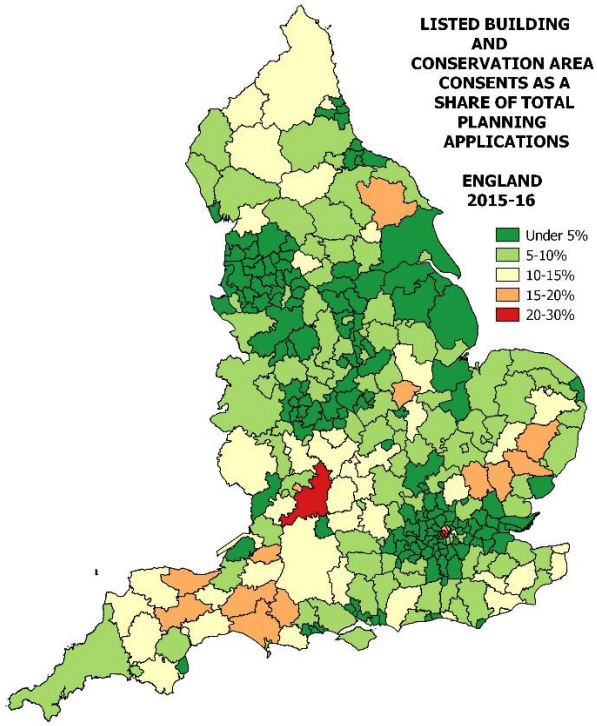
Map 3 LBs per LPA, England



Map 4 LBs per km^2, England

d) Planning consents

As a further measure of the potential for heritage-related local planning tensions, an analysis of recent (June 2015-2016) DCLG data for planning applications by LPA was undertaken, including LB and CA consents. CA consent numbers were minimal (242 for the year), reflecting their discontinuation in ERRA (2013). Overall, LB and CA consents constituted just over 7% of the 431,000 total for the year, although this heritage component ranged from 1% to 29% across LPAs[6].



Map 5 LB and CA consent share of planning applications, 2015-16

e) Neighbourhood Plan data

Since I was interested in the influence of post-2010 planning innovations such as Neighbourhood Plans on CA management, I obtained the most recent (28 Nov 2016) list of NPs from the DCLG website[7]. This was summarised by LPA, with the total NP designations (proposals) and approvals incorporated into the summary. This involved some re-mapping of LPA names for consistency.

f) Land values

Finally, I decided to reflect residential development land values in the analysis, drawing on LPA-level DCLG data from 2014, as I felt these might give an impression of pressures for redevelopment[8].

A summary of these key metrics for the 20 LPAs with the highest number of CAs is shown in Table 1, which was used as a guide for targeting further analysis. Within each column, levels are colour-coded on a RYG spectrum from high to low.

Table 1 Overview of CA statistics

OVERVIEW OF ENGLISH CONSERVATION AREAS		KEY HERITAGE AND PLANNING METRICS				LAND VALUE	LAND AREA	CA DENSITY	LB DENSITY	PLANNING CONSENTS [year to Jun 2016]			
Local planning authority (LPA)	Total CA	NP desig	NP apprv	CA HAR	LB total	£m per ha	hectares	# per 100 ha	# per 100 ha	Total	LB consents	CA consents	LB+CA share
Totals	*9,793*	*1,931*	*287*	*426*	*377,182*	*4.511*	*13,294,777*	*0.074*	*2.837*	*430,809*	*30,629*	*242*	*7.2%*
Wiltshire	240	51	8	0	12,252	1.130	325,534	0.074	3.764	5,177	686	1	13%
Cornwall	143	75	5	1	12,549	2.310	361,338	0.040	3.473	6,799	532	4	8%
Cotswold	143	10	1	0	4,995	2.745	116,452	0.123	4.289	1,845	373	-	20%
Shropshire	120	7	2	1	6,907	2.055	319,728	0.038	2.160	3,472	279	3	8%
South Downs National Park Authority	111	15	3	1						1,070	99	-	9%
Peak District National Park Authority	110	3	1	0						2,530	415	-	16%
East Riding of Yorkshire	106	10	0	2	2,392	1.340	249,480	0.042	0.959	2,688	116	-	4%
Canterbury	98	1	0	0	1,876	2.514	32,089	0.305	5.846	1,603	153	-	10%
Cheshire West and Chester (UA)	96	29	9	3	2,503	2.284	94,121	0.102	2.659	2,853	206	-	7%
County Durham	93	22	0	8	3,101	1.053	223,270	0.042	1.389	2,593	153	1	6%
South Somerset	86	6	0	1	4,689	1.075	95,906	0.090	4.889	1,947	294	-	15%
South Cambridgeshire	85	9	0	4	2,685	3.225	90,169	0.094	2.978	1,861	164	-	9%
West Dorset	79	16	2	0	4,286	2.110	108,705	0.073	3.943	1,335	240	-	18%
Aylesbury Vale	81	31	11	0	2,901	3.635	90,275	0.090	3.214	2,034	192	-	9%
North Norfolk	78	2	0	4	2,261	1.505	99,144	0.079	2.281	1,347	130	-	10%
Leeds	78	35	1	4	2,348	1.966	55,171	0.141	4.256	4,387	225	-	5%
Stratford-on-Avon	78	31	2	2	3,333	3.300	97,787	0.080	3.408	2,096	288	1	14%
Cheshire East (UA)	76	37	5	6	2,633	2.120	116,636	0.065	2.257	3,463	163	1	5%
Richmond upon Thames	72	1	0	1	813	38.000	5,876	1.225	13.836	3,489	115	-	3%
South Oxfordshire	71	21	4	0	3,286	3.686	67,854	0.105	4.843	2,159	256	-	12%
Northumberland	69	23	2	3	5,598	1.725	507,834	0.014	1.102	2,398	252	1	11%
County of Herefordshire	64	104	15	3	5,895	1.545	217,971	0.029	2.704	2,090	260	3	13%
Wychavon	63	12	0	0	2,455	1.700	66,354	0.095	3.700	1,541	161	2	11%
Lambeth	62	4	0	3	937	25.400	2,725	2.275	34.386	2,732	167	2	6%
Harborough	62	24	3	0	1,270	2.160	59,269	0.105	2.143	1,098	109	-	10%
Wycombe	61	4	0	0	1,243	3.175	32,457	0.188	3.830	2,101	113	-	5%
Huntingdonshire	60	7	1	0	2,203	1.495	91,255	0.066	2.414	1,391	139	-	10%
Tonbridge and Malling	60	1	0	0	1,311	2.882	24,097	0.249	5.440	1,296	97	-	7%
South Northamptonshire	60	7	0	0	1,853	2.070	63,402	0.095	2.923	1,135	118	-	10%
Cherwell	60	8	2	2	2,334	2.585	58,874	0.102	3.964	1,673	220	-	13%
Bradford	59	10	0	11	2,285	0.877	36,642	0.161	6.236	3,263	182	3	6%
Kirklees	59	2	0	4	3,008	1.499	40,855	0.144	7.363	2,489	172	1	7%
Tower Hamlets	58	5	0	5	906	19.000	2,158	2.688	41.993	1,520	185	-	12%
Central Bedfordshire	58	22	0	0	1,913	2.415	71,567	0.081	2.673	2,148	105	1	5%
Dover	57	5	1	3	1,930	1.097	32,082	0.178	6.016	964	96	1	10%
City of Westminster	56	21	0	0	3,931	93.300	2,203	2.542	178.438	7,417	2,060	1	28%
Breckland	55	10	0	2	1,543	1.255	130,512	0.042	1.182	1,302	77	2	6%
Harrogate	53	3	0	0	2,275	2.302	130,913	0.040	1.738	2,079	122	1	6%
West Berkshire	53	2	0	0	1,892	2.911	70,417	0.075	2.687	1,825	144	1	8%
Vale of White Horse	52	16	5	0	2,178	2.656	57,864	0.090	3.764	1,447	155	1	11%
West Oxfordshire	51	5	1	0	3,195	3.002	71,442	0.071	4.472	1,545	213	-	14%
Mid Devon	51	4	0	3	2,568	0.610	91,290	0.056	2.813	932	144	1	16%

Conservation Areas survey

Having identified the areas with the greatest concentration of CAs and other heritage risk indicators, a Conservation Area survey was designed for LPAs and Civic Societies, with several objectives:

i) To assess perceived changes in the balance of planning outcomes in CAs, on a spectrum from rigid preservation (9) to over-accommodation of new development (1)

ii) To obtain a quantitative measure of the perceived influence of a range of recent planning policy and process changes on the nature of CA planning outcomes

iii) To obtain a similar quantitative measure of the perceived areas of tension experienced within current CA planning practice

iv) To canvass opinion from heritage specialists on other important factors, and on potential subjects for more detailed analysis

The survey was created online via Google Forms and advertised via direct e-mails, Twitter, and some liaison with umbrella heritage groups. A copy is attached as Appendix 3.

Local Planning Authorities

The survey was initially targeted at the 250 LPAs with the highest quota of CAs and other heritage assets, covering 88% of English CAs. Unfortunately, obtaining a comprehensive mailing list for conservation officers was challenging. I began with an automated trawl of LPA websites (using the list in Appendix 1), augmented with a manual check for the top 20 and a selection of other key gaps. This process generated validated e-mail addresses for around 60% of the target list, whilst speculative e-mail addresses of the form 'planning@[LPA-website]' were used for the remainder. Overall, acknowledgements were received from 105 LPAs, explicit delivery failures from 27 (under the speculative e-mail address), and nothing from the remainder. The validated sub-list will be made available to other researchers on request.

Survey responses were received from 53 LPAs (and one county-level consultant) covering just under a quarter of English CAs, with a number of others indicating inadequate or inexperienced staffing or too wide a geographical area of responsibility as reasons for non-completion. Responding LPAs had a wide geographical distribution, representing urban, peri-urban and rural areas, and appeared to generate a statistically reliable cross-section.

Civic Societies

I also hoped to encourage local Civic Societies (CSs) to participate in the survey, perhaps providing an alternative and comparative perspective to the LPAs. Given the difficulties of compiling a comprehensive set of CS websites and e-mail addresses, I initially approached this via liaison with

three umbrella organisations: Civic Voice (CV), The Heritage Alliance (HA), and the Historic Towns and Villages Forum (HTVF). However, the process ended up being quite protracted and largely fruitless, with all three organisations reluctant to circulate an e-mail to members. Ultimately, HA issued a tweet, HTVF a LinkedIn message, and Civic Voice kindly incorporated a notice in their weekly newsletter with a link to the survey. This generated a few responses, but I decided to manually compile an e-mail list for around 30 CSs in areas of particular interest. The Yorkshire and Humber Association of Civic Societies was particularly supportive, and their members ultimately formed the core of CS responses.

Although responses were received from only 20 CSs, yielding results that are not really statistically significant, several respondents supplemented their answers with additional insights which contributed meaningfully to the overall analysis. A member of one west London CS was particularly helpful in setting out a detailed overview of the practical functioning of the local CA planning system.

Planning cases, appeals and judicial reviews

Guided by the results of the scoping exercise and survey, I then undertook a more detailed review of on-the-ground developments in planning practice in specific contexts, drawing on a variety of planning casework from different sources.

Local planning authority databases

Obtaining a comprehensive picture of CA-specific planning developments across multiple LPAs is far from straightforward. Firstly, each LPA tends to have its own approach to facilitating access to historic case files, and although some share a similar search engine, the parameterisation is also highly variable. Although DCLG compiles a number of national-level statistical datasets, the only heritage-specific components are the annual totals for LB and CA consents discussed above, which suffer from the post-2013 elimination of CA consent requirements. However, 54 LPAs have submitted planning datasets in .csv format to data.gov.uk, facilitating an alternative sampling approach. The majority cover only a short time period, or relate to LPAs with a low CA density, but the Cotswold dataset was chosen for further analysis as it covered over 31,000 applications from 2004-2014 for the LPA with the third highest number of CAs (covering almost 3% of the land area). Since spatial CA data were also available, the property postcodes were geocoded and mapped onto CA boundaries using QGIS. This facilitated a detailed analysis of trends for both CA and non-CA properties in the area. In addition, I undertook some further ad hoc analysis of some specific LPAs of interest, as a partial cross-check on the Cotswold data, but decided that a national-level focus on some of the more controversial decisions would be a better next step.

National appeals databases

All planning applications and enforcement notices which go to appeal or are called-in by DCLG are overseen by the Planning Inspectorate, which produces its own annual statistical report. Again, the only heritage-specific categorisation covers LB and CA consents (4.7% of the total in 2010-14), but related data for 2001-2014 was aggregated to provide a longer perspective on developments. For more recent cases (largely since 2012), case summaries and decision documents are available via the Planning Inspectorate Casework Database (PICD), searchable via their web portal[9]. Access is restricted to 250-case batches, but full details of almost 2,000 LB and CA consent cases (covering the top 20 CA LPAs, 20 additional representative LPAs, all called-in cases, and a selection of nationwide appeals) were downloaded and reviewed for intertemporal trends (illustrating post-2014 developments) and content characteristics. However, this sample still suffered from the post-2013 CA categorisation problem. Consequently, a second sample of 3,700 mappable cases was constructed, drawing on comprehensive planning appeal data for 24 representative LPAs with high CA concentrations but a manageable planning caseload (under 250 appeals). The same geocoding and GIS mapping approach was used to generate summary data for CA properties (22% of the mappable total), creating an alternative perspective on the underlying trends.

It is worth noting that Historic England also maintains an Heritage Planning Case Database, which purports to cover appeal and call-in details relating to heritage assets and offers augmented filtering by asset type[10]. However, on inspection this was found to contain only a small proportion of the heritage-related cases represented in the PICD (roughly 10% in 2012, 18% in 2013, 50% in 2014, 78% in 2015, 13% in 2016, 0% in 2017), which reduced its usefulness for further analysis.

Judicial review cases

Appeal outcomes can occasionally be challenged on legal process grounds via a judicial review, carried out by the Planning Court within the Queen's Bench Division of the High Court[11]. There have been a few recent cases with potentially important consequences for CA management, and the judgements were reviewed to assess their relevance to the central research questions.

RESEARCH FINDINGS AND DISCUSSION

The previous literature and new research approaches described above combine to highlight a variety of themes in CA management which are explored in further detail below. The first section focuses on the cross-sectional results from the survey, since these demonstrate the perspective of current heritage practitioners on the full breadth of potential influences and challenges. The second presents statistical evidence from planning applications, appeals and some case law notes. The subsequent sections explore in greater depth some of the issues raised, drawing on selected case studies.

Summary of survey results

Overall, the survey received 76 responses, 55 from LPAs (including two multiple submissions), one from a county-wide heritage consultant, and 20 from CSs. In aggregate, these covered 2,493 CAs (about a quarter of the English total), 86% of them covered by a Local Plan, with 210 CA-related Neighbourhood Plans proposed and 40 implemented.

Trends 2007-2017

On average, LPAs felt that planning outcomes were about right, with perhaps a marginal bias towards over-preservation (5.33 average from 98% of respondents) and little change since 2007 (93% of respondents offered a view). However, responses ranged from a marked switch towards overdevelopment (from 5 to 1 over the period) to a marked reduction (from 1 to 5), with assessments of both past and current bias ranging from 1 to 8. By comparison, CS respondents expressed stronger concerns about increased development bias (5.65 in 2007 to 4.60 today), with only two indicating a shift in the opposite direction, but again the ranges were wide (from 2 to 9 and 1 to 8 respectively) and included a perceived 8 to 1 swing in one area.

Changing influences on planning outcomes

Overall, 90% of the specific questions in this area received a response, although only 75% completed the question on civic society guidance. The ranking of perceived influences on planning outcomes ran as follows:

LOCAL PLANNING AUTHORITY RESPONSES			
PERCEIVED INFLUENCES ON PLANNING OUTCOMES			
GREATER BIAS TOWARDS OVER-DEVELOPMENT			
Mean	**Stdev**	**Range**	**Explanatory factor**
4.21	1.49	1 - 9	LPA resources
4.36	1.46	1 - 8	Changes in the Local Plan
4.48	1.31	1 - 8	Appeals and calling-in
4.73	1.27	1 - 8	Introduction of the NPPF (2012)
4.78	1.07	2 - 8	Provisions of the ERR (2013)
4.83	1.54	1 - 8	Planning Committee stance
4.92	1.29	2 - 8	Planning Officer stance
5.21	1.01	2 - 8	Neighbourhood Plans
5.33	0.69	5 - 8	Civic Society guidance
5.56	0.99	3 - 8	Civic Society responses
5.68	1.01	4 - 8	Guidance from Historic England
5.87	0.91	5 - 8	CA management plans (LPA)
5.91	1.29	3 - 9	Resident responses
GREATER BIAS TOWARDS OVER-PRESERVATION			

CIVIC SOCIETY RESPONSES			
PERCEIVED INFLUENCES ON PLANNING OUTCOMES			
GREATER BIAS TOWARDS OVER-DEVELOPMENT			
Mean	**Stdev**	**Range**	**Explanatory factor**
3.70	2.03	1 - 9	LPA resources
3.75	1.52	1 - 6	Introduction of the NPPF (2012)
3.94	1.59	1 - 7	Changes in the Local Plan
4.06	1.51	1 - 7	Appeals and calling-in
4.13	1.31	2 - 5	Provisions of the ERR (2013)
4.25	1.89	1 - 8	Planning Committee stance
4.30	1.98	1 - 8	Planning Officer stance
4.47	1.28	2 - 6	Neighbourhood Plans
4.69	1.85	1 - 8	CA management plans (LPA)
5.11	1.75	2 - 9	Resident responses
5.22	0.94	3 - 8	Guidance from Historic England
5.72	1.71	3 - 9	Civic Society responses
5.80	1.26	5 - 9	Civic Society guidance
GREATER BIAS TOWARDS OVER-PRESERVATION			

Table 2 Survey responses - influences

In addition to the responses above, 43% of LPAs and 80% of CS respondents also offered suggestions on other factors seen as influencing CA planning outcomes, largely in the direction of overdevelopment. Most prominent amongst these were: further comments on LPA resourcing and the maintenance of specialist expertise; challenges arising from meeting 5 year housing land supply targets; the role of appeals and case law (in both directions); the cumulative impact of permitted development; and the absence of up-to-date Local Plans.

A similar proportion of both groups also offered suggestions for reform of the current arrangements, and these emphasised better pre-submission design guidance, better resourcing and training for LPA officers and members, improved local engagement in all stages of the management process (a particular concern of CS respondents), a stronger mandatory process behind CA appraisal and management documentation, and a greater overall weight for CA considerations in the planning process.

Overall, these results suggest that LPA resourcing, the status of Local Plans, appeals, permitted development and a lack of local engagement are largely perceived as introducing a material bias towards unsuitable development, while CS and resident planning responses, CA management plans and HE guidance are largely felt to be pulling decisions somewhat too strongly towards preservation.

Sources of local tension

Here, over 95% of the prescribed questions received a response, with only the slightly London-centric question on basements dipping below 90%. The ranking of perceived areas of tension ran as follows:

LOCAL PLANNING AUTHORITY RESPONSES			
PERCEIVED SOURCES OF LOCAL TENSION			
MAJOR SOURCE OF TENSION			
Mean	**Stdev**	**Range**	**Source of tension**
5.91	1.48	1 - 9	Trees
5.89	1.82	1 - 9	Fenestration
5.89	2.31	1 - 9	Greenfield development
5.52	1.45	1 - 9	Extensions
5.25	1.71	1 - 9	Streetscape
5.19	1.79	1 - 9	Brownfield redevelopment
5.08	1.85	1 - 9	Green spaces
4.79	2.10	1 - 9	National vs local policy
2.92	2.15	1 - 9	Basements
VERY LITTLE INFLUENCE			

CIVIC SOCIETY RESPONSES			
PERCEIVED SOURCES OF LOCAL TENSION			
MAJOR SOURCE OF TENSION			
Mean	**Stdev**	**Range**	**Source of tension**
6.68	2.26	1 - 9	Greenfield development
5.89	2.28	2 - 9	National vs local policy
5.85	2.39	1 - 9	Trees
5.75	2.24	1 - 9	Streetscape
5.70	1.72	1 - 8	Extensions
5.63	1.71	1 - 8	Brownfield redevelopment
5.40	2.33	1 - 9	Green spaces
5.40	2.26	1 - 8	Fenestration
3.37	2.34	1 - 9	Basements
VERY LITTLE INFLUENCE			

Table 3 Survey responses – areas of tension

In addition, around 30% of LPAs and 60% of CS respondents offered views on other perceived areas of tension, including infilling and the erosion of important open space, poor design, poor maintenance (including for multi-occupancy properties) and change of use permissions (including from pubs, other 'community assets' and retail to housing and food outlets). About 16% of LPAs and 65% of CS respondents also offered suggestions for case studies which might help to highlight salient local issues, and these were all reviewed in detail as part of the analysis. They included examples of evolving case law, demolition, open land development, permitted development and change of use, and provided a very useful starting point for understanding some of the broader challenges highlighted in the survey responses.

A relatively small number of LPA respondents, but the majority of CS respondents, provided shareable contact details, and these can also be made available to other researchers interested in exploring related topics.

The remainder of this section focuses on a further exploration of some of the key sub-topics highlighted above.

Planning consents, appeals and case law

Having established the perspective of current market practitioners, a key question is whether any of the suggested trends is reflected in the data we have on planning outcomes. Both sets of respondents identified the introduction of the NPPF, housing land pressures and the balance of appeals and called-in applications as skewing decisions more towards over-development, and the CS respondents suggested an overall shift from a bias in favour of preservation to the opposite position.

A snapshot of trends in planning consents

Across all forms of development, the post-crisis drop in planning applications has coincided with a noticeable increase in the initial approval rate; a trend largely reflected in the figures for LB and CA consents (see Figure 3)[12]. It is unclear whether this reflects a relaxation of planning controls or an improved quality of applications, but it provides a useful baseline for comparisons. Either way, the limited coverage of CA consents and their post-2013 discontinuation suggests the need for an alternative approach to isolating CA-specific trends.

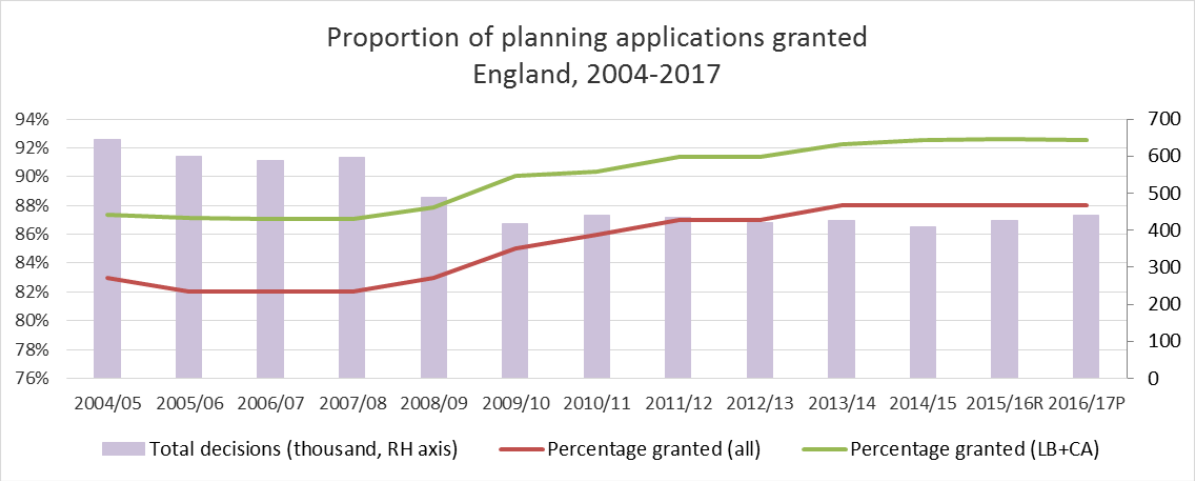
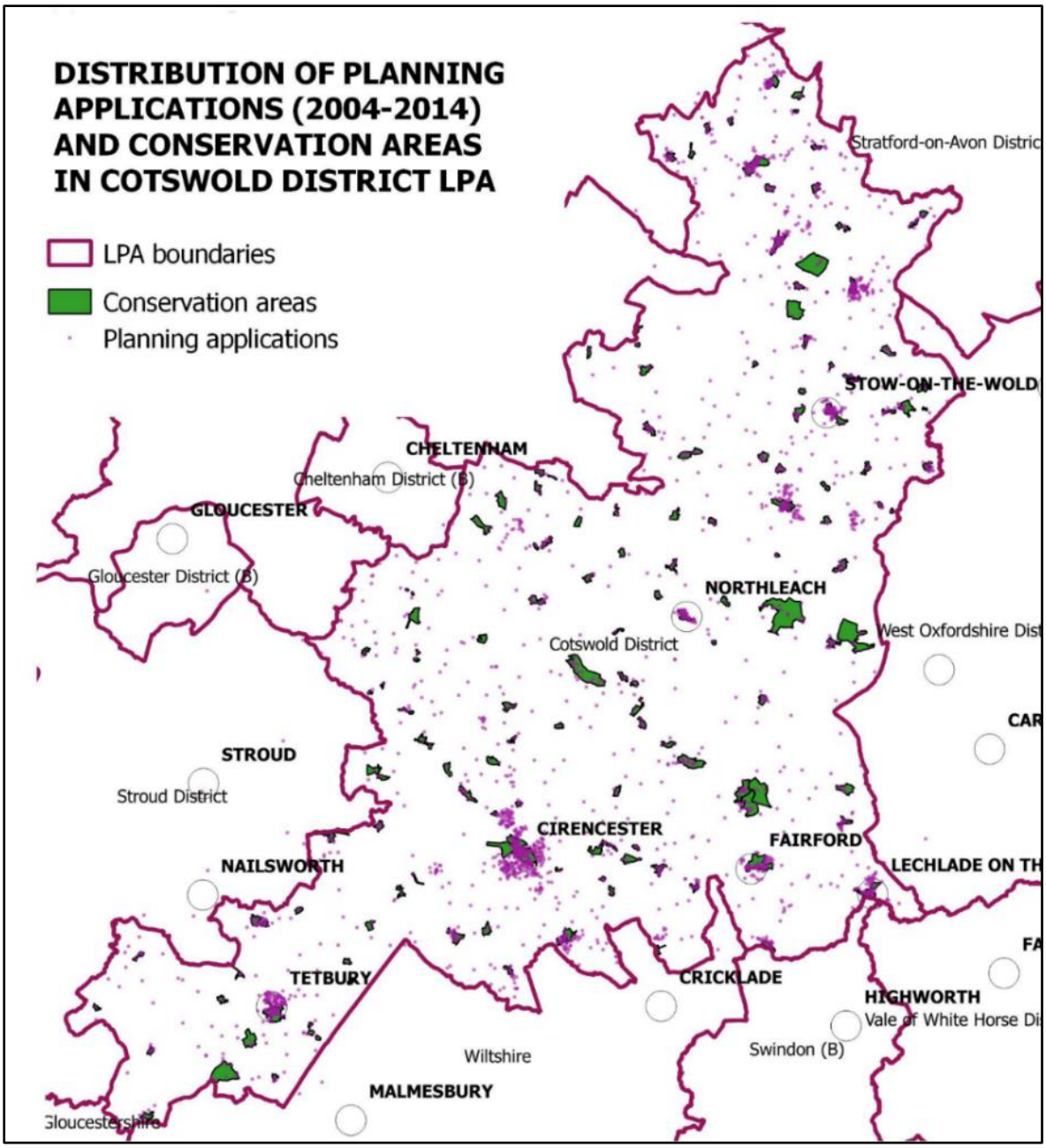


Figure 3 Trends in overall planning decisions, 2004-2017

Given the data challenges described above, a genuinely comprehensive approach was infeasible, so Cotswold LPA was chosen as a representative case study, having the third highest concentration of CAs in England, no Local Plan (the draft goes to independent examination in the autumn, replacing an 11 year-old plan), and a diverse mixture of towns, villages and agricultural land. The overall pattern of planning activity and the distribution of the main settlements and CAs is shown in Map 6.



Map 6 Cotswold LPA planning applications and CAs, 2004-2014

Of the 28,433 decisions recorded, 87% of applications were approved, with 27% of the refusals proceeding to appeal but only 29% of appeals upheld. Of these applications, 16.5% related to LB consents, 0.5% to 'conservation area planning' (the two categories captured in national statistics) and a further 10.3% to CA tree works. However, when the known locations of applications are mapped, 47% of decisions are shown to relate to property in CAs, demonstrating the gap between the profile of CAs in official statistics and the reality on the ground. Overall, the CA-based approval share was marginally higher (88%), but the appeals rate (23%) and share of appeals upheld (24%) both somewhat lower. The intertemporal trends in these key statistics are illustrated in Figure 4.

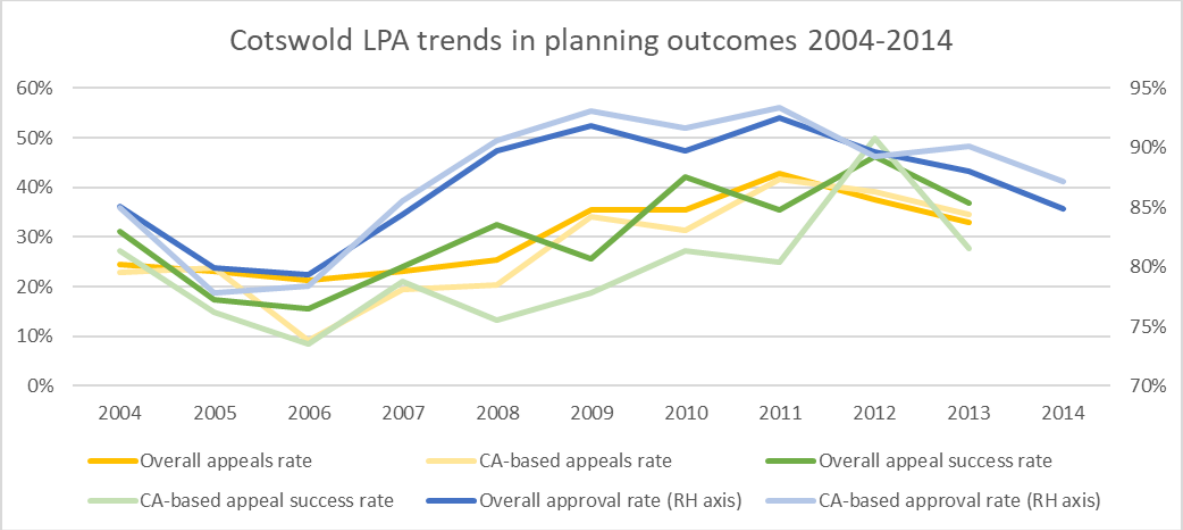


Figure 4 Cotswold LPA trends in planning outcomes, 2004-2014

The overall pattern is somewhat different to the national one, with a dip in post-2011 approval rates, but exhibits a strong correlation between CA-specific outcomes and the broader picture for this LPA. The data also highlight an increasing role for appeals, and a relative reduction in the success rate for CA-related appeals. Overall final approval rates (post-appeal) rose from 83% average in 2004-2007 to 91% in 2010-2013, with a marginally greater increase (from 82% to 92%) for CA-based applications. Taken together with the national data, there appears to be some support for claims of laxer planning controls, with CA properties generally tracking broader trends, although the majority of the change seems to have occurred before the impact of the NPPF (2012).

The evolving role of appeals

Although aggregated national data on initial decisions is unavailable, better information is available for appeals, which also captures the more controversial cases. From April 2010-2017, decisions were made on 70,355 s78 appeals (just over 1% of which were recovered by the Secretary of State) and 32,301 householder appeals, in addition to the review of 110 called-in planning applications. On average, 33% of s78 and 37% of householder appeals were allowed[13]. A longer-time series was constructed for LB and CA consents (which constituted just under 5% of decisions in 2010-2014)[14]. The existing statistical data was then augmented by post-2012 results from PICD casework sampling, as described in the Methodology section, including an extension of the LB and CA consents time-series and a spatially analysed sample of *all* appeals relating to CA properties, aimed at overcoming the shortcomings of the consents subset. The data are summarised in Figure 5. Overall, there does not appear to be a strong trend in outcomes, either for appeals in general or for CA-related appeals in particular. Survey concerns on this count may therefore be overstated, although there is clearly some marked regional variation in the underlying data.

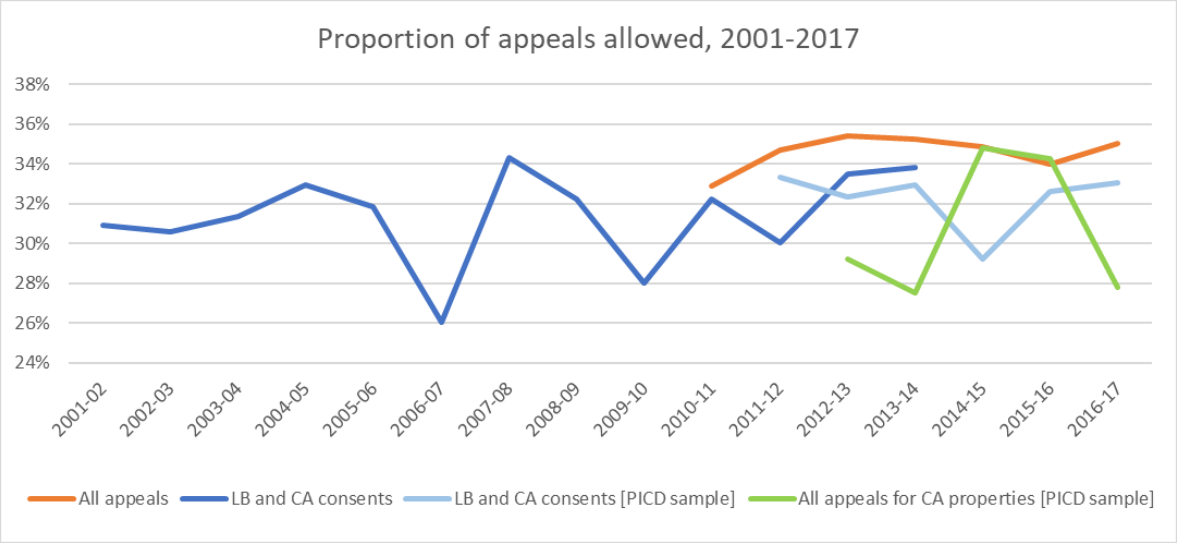
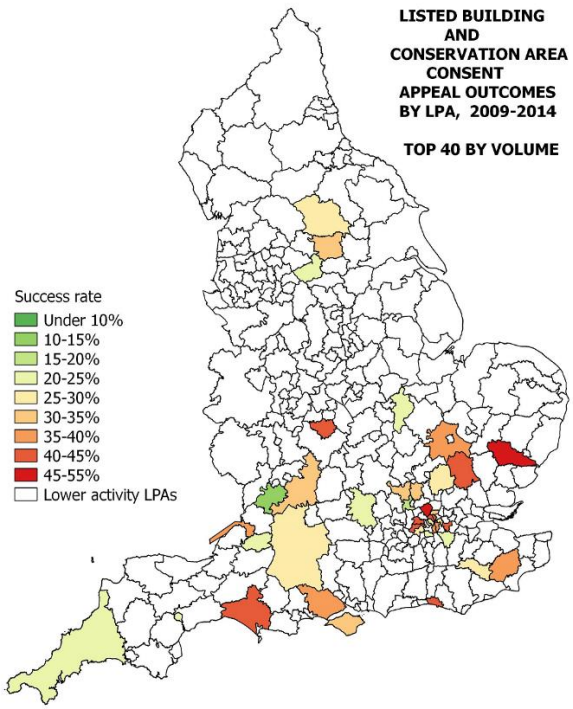
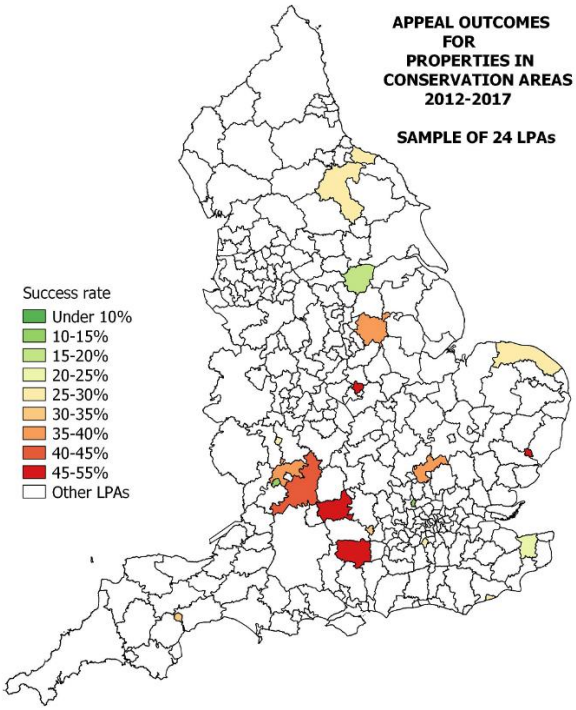


Figure 5 National appeals outcomes, 2001-2017

This regional variation is illustrated in Maps 7 and 8, with average 2009-2014 LB and CA success rates varying from 15% to 55% among the top 40 LPAs by appeal volume, possibly suggesting a marked variation in the quality of the original decisions, although the range reflects that for all appeals so may not represent a heritage-specific issue.



Map 7 LB and CA appeals outcomes by LPA



Map 8 CA property appeals outcomes by LPA

Called-in applications and recovered appeals

Cases called-in by the Secretary of State typically represent the largest and most controversial planning decisions, and so have the potential to provide a useful insight into important changes. Allowance data is rolled into the overall appeals data above, but for cases since 2012 a more granular CA-specific analysis is feasible. In fact, of the 127 cases recorded only 56 have final decisions, with the vast majority lying outside CAs (11 were in LPAs for which we have no spatial data and were manually reviewed). Only two CA-specific examples were identified, both in London: in Smithfield CA (a partial demolition and redevelopment appeal dismissed in 2014) and South Bank CA (the prominent Shell Centre redevelopment allowed in 2014). In the decision notice for the former, great weight is placed on CA character and the group setting of several designated and non-designated heritage assets[15]. In the latter case, a key consideration raised by the LPA was the visual impact of the raised skyline on the setting on the large number of surrounding CAs, both north and south of the Thames, while the 20th Century Society highlighted the importance of the structural balance of the existing building as part of the SBCA[16]. However, the Inspector deemed the overall heritage impact to be low, and no recourse was required to any offsetting benefits from the redevelopment. In conclusion, the evidence we have does not appear to suggest that policy changes have had any noticeable impact on CA outcomes in this subset of material planning cases.

Important developments in case law

Several survey respondents also highlighted developments in case law as a potentially critical influence on CA planning practice, citing three notable examples: the recent (June 2017) judgement regarding Kedleston in Derbyshire, the Barnwell and Forge Field cases, and the conclusions of *Cheshire East BC v SSCLG and Suffolk Coastal DC vs SSCLG* (May 2017).

The verdict in *Peter John Steer vs SSCLG, Catesby Estates Ltd and Amber Valley BC* (2017) regarding a proposed housing development in the area of Kedleston Hall has had a potentially significant impact on heritage planning for both the LB and CA affected, owing to its expanded interpretation of 'setting'. It is too early to say whether this will set a new precedent for acceptable levels of impact, but some feel that the balance has been shifted too much towards over-preservation, and the developers have applied to take the case to the Court of Appeal.

The cases at Barnwell Manor (a wind-turbine proposal affecting the setting of 40 designated heritage assets, some in a CA) and Forge Field in High Weald (a proposal for 6 faux-Tudor affordable homes at a greenfield AONB site with 'mediaeval character') both addressed the flawed execution of the harm/benefit balancing exercise set out in NPPF Paragraphs 132-134. Ultimately, it was deemed that in both cases (as with others at South Lakeland and Mordue) decision-makers at various levels of

authority (LPA; committee; appeal court; high court) had given undue weight to an assessment of "less than substantial harm" and "[fallen] into the same trap of carrying out a balancing exercise…without demonstrably giving 'considerable importance and weight' to the desirability of preserving…heritage assets" (Bowry and Hurwitz 2015:1). Furthermore, at Forge Field, the court also judged that the officer had failed to reconcile the presumption against historically-harmful development with that in favour of small-scale affordable housing developments when no 'overriding' impacts exist.

The final case, concerning applications for housing development, related only indirectly to conservation practice, but was still thought to be having a significant impact on decision-making. The judgement considered whether an area's LDP policies were reasonable grounds for displacing the NPPF's presumption in favour of 'sustainable development', citing (p.30) the Paragraph 14 statement that this "golden thread" can only be overturned if the adverse impacts of permission would "significantly and demonstrably" outweigh its benefits (assessed against the Framework as a whole) or if the development contravenes terms set out in footnote 9 ("specific policies in the Framework"). At stake, therefore, was whether the term 'Framework' incorporated policies beyond those originating in the NPPF itself, including LP conservation policies. Ultimately it was agreed that these should be included, thus giving LP policies more power within the subtlety of the NPPF.

Together, these and other important strands of case law undoubtedly have the potential to influence the balance of CA planning outcomes in both directions, although the quantitative evidence for any overriding trend is lacking.

The role of LPA resourcing

Both LPAs and CSs identified under-resourcing in planning departments as the main factor undermining conservation protections since 2010 (scoring 4.21 and 3.7 respectively), citing impacts on the quality and promptness of pre-application advice, the efficiency with which applications were processed, and the long-term experience and specialist knowledge of planning staff. Whereas the Government's PPS5 (2010) was keen to emphasise the importance of integrating "specialist conservation skills" into LPA decision-making (cited in IHBC 2010:3), by the early 2010s LPAs across England were already suffering austerity-driven reductions to resourcing and, correspondingly, conservation input. Planning policy staff and budgets were cut by 37% and 27% nationally from 2010-2015, with development management experiencing similar losses (27% and 18% respectively) (RTPI and Arup 2015). This was in spite of the proven financial value of conservation and planning services more generally, and has inevitably had an impact on development delivery in CAs. For instance, staff shortages have resulted in delays in preparing CA appraisal updates, with several respondents highlighting examples of seriously outdated or absent documentation which have hindered conservation efforts. Others showed how under-resourcing had also led to a decline in conservation-related technical support at the pre- and post-application stages, including pre-application heritage advice and help with negotiating S106 agreements or discharge of conditions (see RTPI and Arup 2015). With the LB and CA consent share of applications rising from under 6% in 2005 to around 8% today, and a steady flow of casework from other CA-based properties, heritage-specialist supply and demand are clearly diverging.

Some feel this has been to the detriment of conservation-based protections, with one respondent suggesting that *"vigilance and enforcement"* by LPAs is now much weaker than pre-2010, and another adding that *"putting the case for conservation areas can [increasingly] be a struggle"*. A contrasting view indicated that relatively simplistic yes/no decisions are increasingly being made based purely on CA status, either inhibiting all development or ignoring the subtleties of local character: these risk widening existing disparities between areas with heritage protections and those without, and devaluing the overall CA system. Together, these factors have created a climate of commercial risk for developers, apparently resulting in fewer heritage-sensitive proposals coming forward in recent years, particularly from small- and medium-sized enterprises (SMEs) and the public-private regeneration partnerships that are critical to CA's long-term endurance (Milne 2016; RTPI and Arup 2015).

So far, the Government's principal response to these resourcing challenges has been to provide additional support with housing delivery. The recent Housing White Paper (2017) introduced the ability to increase planning application fees by up to 20% and reward LPAs which best meet local

housing needs by allowing them to impose further levies (up to 20% more), with all extra income reinvested in the planning department (Relph 2017:1). However, some respondents feared that such an incentive structure might push the balance overly towards development, whilst conversely, Joe O'Donnell of the Heritage Alliance worried that "fee increases of up to 40% [would] significantly increase the burden on [those making LB/CA applications]", with the "unintended result of people deciding to risk not making such applications at all" (2017:1). Other respondents questioned whether any of the additional income would actually be reinvested it conservation resourcing, unless a portion of the fee money were specifically ring-fenced for this purpose. As an alternative, therefore, several writers have encouraged the Government to consider introducing higher fees for specialist advice services, or promoting increased obligatory use of pre-application Planning Performance Agreements (PPAs), perhaps for all residential developments above a certain size (Relph 2017:1). PPAs were devised by DCLG in 2007 to manage large-scale developments (Hampson 2016), and have the potential to provide greater certainty for developers and efficiency for LPAs. For example, applicants seem willing to pay a premium to guarantee particular services (including CA advice) and timescales, with 86% of applications with PPAs in place determined 'on time' between 2012 and 2016 compared to just 69% without (Relph 2017:1).

A final approach, however, would be simply to increase investment in conservation departments directly, promoting more regeneration schemes and re-use of declining stock, thereby boosting housing delivery without encroaching on valuable Green Belt or open countryside, or imposing additional fees on developers. This would also align with the 2016 Housing and Planning Act's objective of boosting brownfield redevelopment. Possible options identified by respondents for spending any additional funding could include educating planning staff and committee members on conservation policy (Ryedale Council), updating CAs and designating new ones (Yorkshire Dales NPA felt that there could be twice as many worthy CAs), and boosting public engagement (see below).

Local community engagement and the role of sub-LPA-level plans

With LPAs under increasing pressure to deliver development targets in the face of pressing resource constraints, this raises the question of whether secondary stakeholders, including civic societies and other community heritage groups, might play a greater role in supporting planning officers in the process of managing conservation areas and the historic environment more generally. For example, increasingly CA appraisals and management plans are becoming outdated and therefore redundant in the eyes of planning officers, meaning they are frequently overlooked when negotiating applications within CAs. Although the traditional arms-length approach of periodic public consultation during the drafting of CA plans could arguably be extended, this is unlikely to be practical given the lack of planning staff to facilitate this. Similarly, whilst some survey respondents have called for stronger partnerships between developers and local community groups in delivering heritage-sensitive applications, as observed in Goole (positive cooperation between Julie Howard Partnership and the local CS in securing popular restoration works), it is unlikely that many other developers will be quite so accommodating. Based on the survey data and literature, therefore, this section will discuss two remaining options that could boost public engagement whilst alleviating the strain on LPAs.

Conservation Area appraisals and management plans

On the one hand, many respondents felt that the deep expertise, interest and spare capacity found in many local communities could be harnessed more productively in the process of updating CA appraisals and management plans, particularly in those LPAs like Kettering which currently have no conservation specialists in their planning departments. For example, CS members could work alongside LPAs to review CA status, draft new content, and even contribute to the negotiation of compromises between applicants and LPAs on CA-related applications. They could also play a particularly valuable role in recording and monitoring heritage assets in inaccessible or remote areas, which one respondent felt were being neglected owing to resourcing constraints. Furthermore, by taking greater ownership of heritage documentation and management, residents would be able to express their views on the development models most acceptable to them, which should in turn result in more historically-appropriate local schemes. One LPA already pioneering such a partnership is Malvern Hills District Council, which recently confirmed a new cooperative relationship with the local CS whereby members would support the process of drafting heritage guidance and identifying local heritage assets, via the production of a new Local List SPD (Harvey 2017). Clearly, however, it will be essential in any partnership arrangement to ensure that LPAs still preside over all ultimate decisions, in order to safeguard their impartiality and ensure that processes of public involvement are not hijacked towards over-preservation. For example, in the recent approval of demolition at Heron Lodge

in Worcester (raised in the survey), where the Committee ultimately cast aside the concerns of four heritage bodies in its decision (Historic England; Georgian Group; Save Britain's Heritage; local CA Advisory Committee), the views of local stakeholders might have held greater sway if they had managed to influence LPA CA guidelines prior to the proposal, which could risk detrimentally undermining the LPA's authority.

Neighbourhood plans

A second option could be to make better use of the Government's increasingly popular Neighbourhood Planning tool, by urging people to use NPs to reinforce the heritage provisions of other policies, or perhaps more radically, by encouraging them to embed the entire CA appraisals/management system into the NP, thereby integrating conservation with localism under one consolidated framework. Since their introduction, NPs have already seen widespread uptake, and by November 2016 almost three-quarters of English LPAs had at least one NP initiated (51 with at least ten, and a maximum of 104 in Herefordshire), although the figures for fully implemented plans were only 31% of LPAs (5 with at least 10, and 18 in Arun)[17]. Interestingly, although aggregated NP spatial data are unavailable, there appears to be some correlation between the concentration of CAs and NP initiation across LPAs (see Figure 6), suggesting that areas with pre-existing local groups focused on heritage protection may form the vanguard of those taking up the opportunities offered. This observation is also supported by a superficial comparison of the names of NP areas and those of CAs.

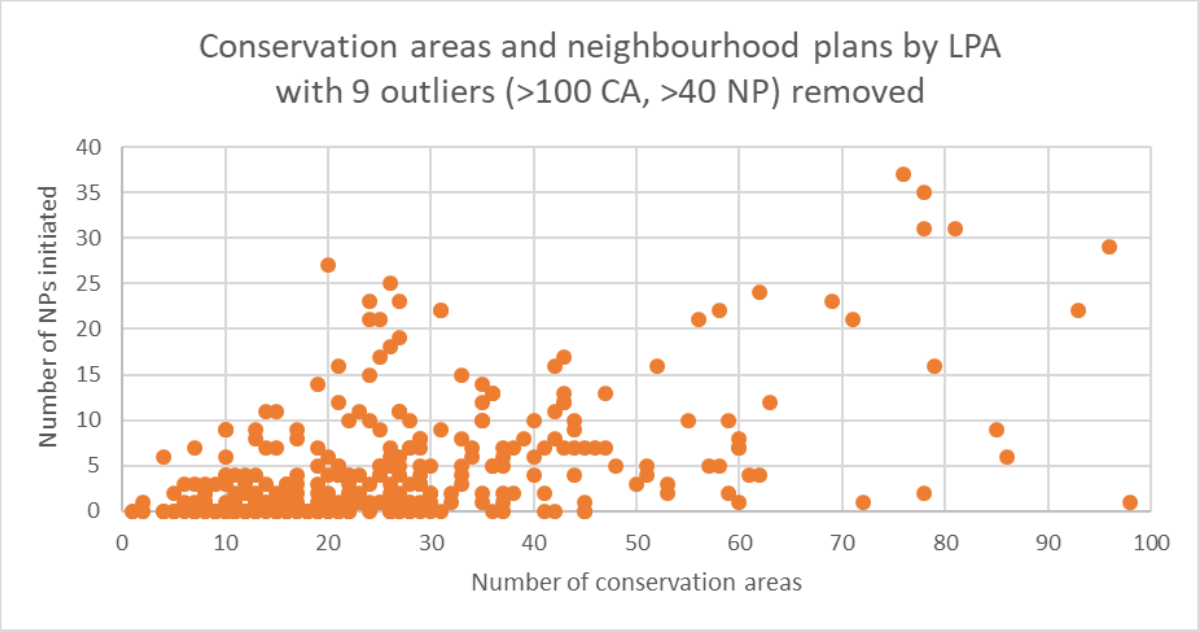


Figure 6 *Correlation between number of CPs and NPs*

Among survey respondents, 78% of LPAs and 67% of CSs who provided data had at least one NP initiated, with 49% and 13% having plans fully implemented. This suggested that the sample was

reasonably representative of the national picture, with an above-average quota of LPAs with operating NPs. Overall, 65% of proposed NPs and 58% of implemented NPs covered CAs, further reinforcing the picture of a potential correlation between heritage and NP interests. This is also reflected by neighbourhood areas like Duston in Northamptonshire, which have identified CA improvements as an element for spending the supplementary CIL payments available for new-build developments in NP areas (25% versus 15%) (FNP 2017). These findings suggest that heritage is a leading consideration for local people in the drafting of NPs.

However, despite the seemingly positive take-up of NPs covering CAs, it is probably too early to say whether these are influencing CA planning decisions materially. Only 125 NPs (spread across 67 LPAs) have been operating since before 2016, with the only significant concentration of early plans (22%) covering the 6 LPAs overlapping the South Downs National Park (SDNP). Furthermore, a review of all recognisably CA-related applications in the SDNP since May 2012 (99 in total) yielded no material decisions referencing any of the local NPs, although searching decision notices more widely and systematically is a very laborious process that could only really be addressed via an automated algorithm (beyond the scope of this paper).

One pertinent example highlighted by the survey is the case of Wolverton Railway Works, the core of a CA designated in Milton Keynes LPA in 2001 and covered by an Article 4 direction. The site is the focus of a major redevelopment proposal by St. Modwen, with an outline planning application submitted in 2015[18]. In September 2015, the Wolverton Town Centre Neighbourhood Plan was accepted into the Development Plan for Milton Keynes, including a policy (W3) covering the Works[19]. This plan set out a series of updates and clarifications relating to the management of heritage assets within the CA, expanding on the Local Plan (2005), regeneration strategy (2004) and most recent CA review (2009). It also states the imperative of encouraging "efficient use of brownfield land assets" on this site and ensuring that the important heritage, industrial character and historic grid layout of Wolverton are protected. The scheme is therefore expected to use heritage as a focal point for participatory mixed-use regeneration.

In practical terms, there are several ways in which NPs might help to streamline conservation processes at the local level, particularly if the imperative for LPAs to rewrite CA appraisals every five years were simplified and handed over to neighbourhood planners. For instance, by delegating responsibilities for recording, appraising and managing CAs almost entirely to NP participants, this could help to alleviate the resourcing burden on LPAs whilst utilising valuable local expertise and making substantial financial savings, given the clear economic benefit of volunteer input (valued at over £50,000 in Winchcomb NP Gloucester) (Derounian 2016). Importantly, this would all be carried out within a framework approved and regulated by the LPA, meaning that planning officers could still

influence the overriding policy direction whilst minimising direct involvement in the protracted drafting and updating of documentation. Furthermore, integrating CA provisions into NPs would also reduce the many layers of planning policy to be considered by officers, ideally making conservation policies more intelligible to the public. Lastly, integrating the "openly pro-development" agendas of NPs like Upper Eden with conservation plan-making could help to encourage more realistic development targets within CAs (Turley in Derounian 2016:1).

Overall, it seems that at present, public engagement in conservation planning is viewed as a burden to LPAs: a further drain on time and resources, and yet another excuse to advance anti-development agendas within historic areas. This negative impression is likely to persist unless the current box-ticking exercise of periodic consultation is reformed, and replaced with more proactive alternatives such as those mentioned above. Given a small amount of additional upfront effort, LPAs could help to make financial and time savings whilst empowering local communities.

The role of Local Plans

In addition to the sub-LPA-level plans discussed above, a number of survey respondents highlighted changes to the Local Plan (LP) as a further influence on CA planning outcomes, with LPs adopted since 2010 in many cases assuming a central role in the determination of decisions in CAs. For example, in a review of over 30 applications and appeals in a range of local authorities, they were typically prioritised above all other legislation except the NPPF, and in some cases were the sole piece of documentation referred to in the planning appraisal. The main component of LPs affecting CAs was their heritage policies, which typically sought to preserve the appearance, fabric or setting of the CA and promote new high-quality development that would enhance local distinctiveness. Furthermore, in the sample reviewed, heritage matters were routinely assigned greater weight over other LP concerns, implying a broadly pro-conservation stance. One example of a direct refusal of an application based purely on LP conservation polices was a recent proposal in Hounslow's Bedford Park CA, where plans to install 'roof-lights' on a listed building were deemed an intrusive presence that would conflict with the recently-adopted LP, despite the applicant's efforts to find a 'conservation-style' design.

A majority of respondents, however, felt that changes to the LP, or indeed the absence of an up-to-date edition, was pushing the balance towards over-development (LPA score 4.36, CS 3.94). For example, several respondents found that local policies from previous development plans were being sidelined altogether by the NPPF in the absence of a post-2010 LP, thereby putting heritage matters at risk of being overlooked. To gain a quantitative impression of the scale of this problem, the Planning Inspectorate's summary of progress on core strategies and other elements of the LP was downloaded and reviewed[20]. Overall, by 30th June 2017 76% of LPAs had adopted core strategies, with 53% having adopted further supplementary plans (73% of these Area Action Plans). However, the age profile of existing plans is indeed worrying, with 57% of LPAs using plans pre-dating the publication of the NPPF.

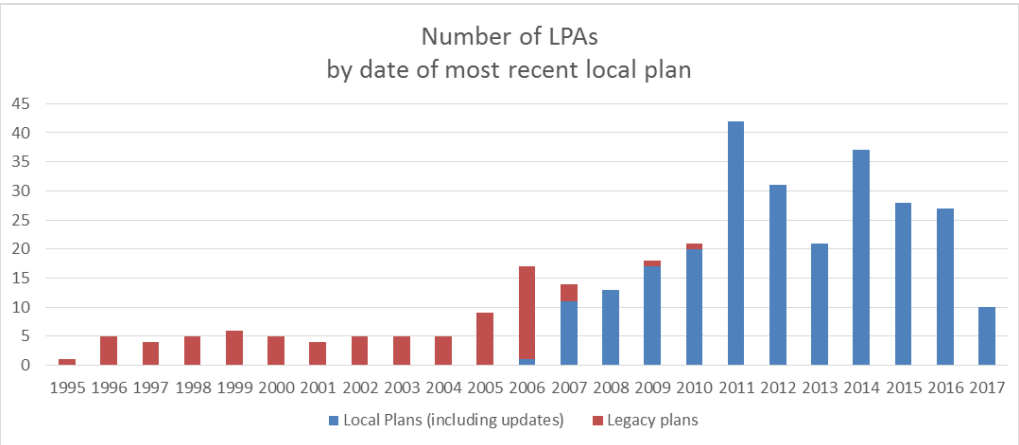
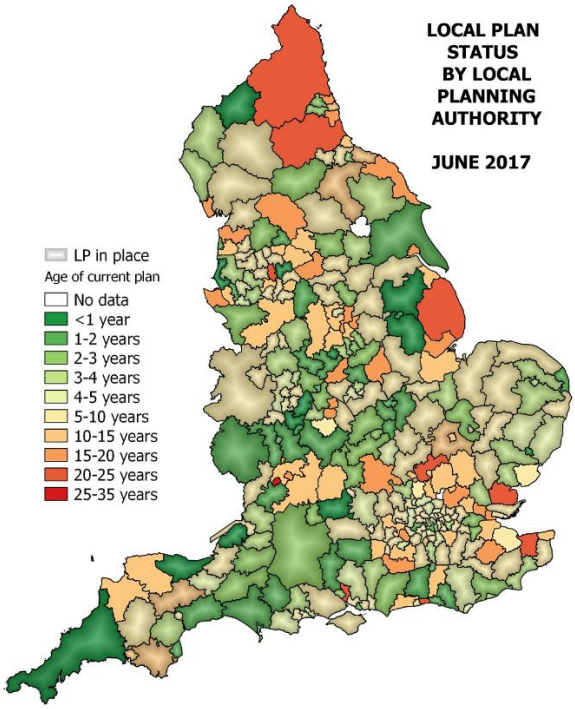
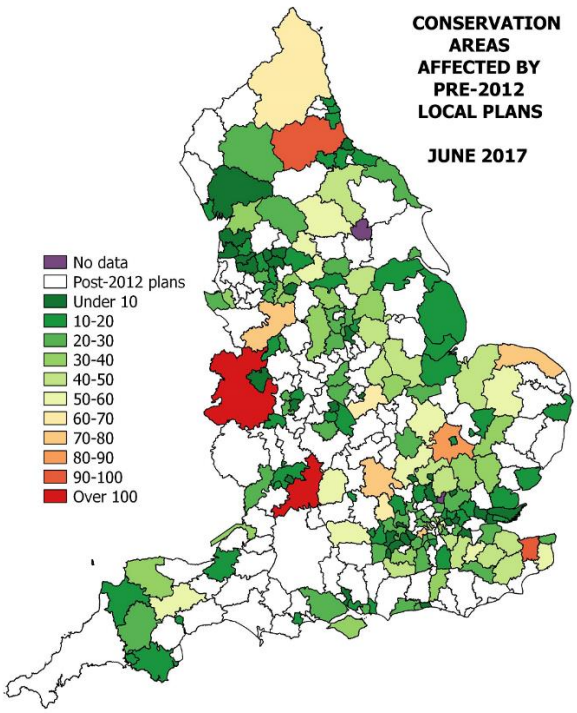


Figure 7 *Age profile of Local Plans and legacy guidance*



Map 9 Age profile of local plans by LPA



Map 10 CAs affected by pre-2012 local plans

For CAs, the picture is almost identical, with 77% covered by an LP but 56% still relying on pre-NPPF plans. Remarkably, even some of the highest heritage-density LPAs still lack an updated LP (see Maps 9 and 10), including Cotswold, South Downs NPA, Canterbury and County Durham, with the latter two relying on plans dating back several decades to the Major government era. Survey comments from the South Downs NPA are illustrative: *"we…work with a patchwork of inherited saved policies and two Joint Core Strategies. Some areas have a five-year land supply, some don't. Our first, unified Local Plan is only now approaching submission. Simplification of the plan making process would help…every Government has made it steadily more complicated and opaque, never ever simpler"*.

Respondents also highlighted other reasons why changes to LPs might be compromising CAs, with one CS response indicating that some councils had omitted a section on heritage from their LPs altogether, resulting in CAs being granted lower priority in planning decision-making. There have also been cases where LPs have been sidelined by the NPPF despite being clearly up-to-date, with planners sometimes exploiting the ambiguity of the NPPF to overlook any LP contraventions. For example, one survey respondent in Buckinghamshire pointed to a recent approval for a sports facility in a residential CA despite the recently-adopted LP exempting the area from infilling or erosion of open space. Here, the NPPF was used to negate this protection at appeal, despite the LP supposedly lasting until 2032. Similarly, at an appeal in Market Drayton, the LP development boundary for residential allocations was overridden by the NPPF requirement for a 5-year land supply, providing another example of a single aspect of national policy eclipsing a whole host of relevant local polices. Finally, in another local

redevelopment case, the respondent explained that *"the many planning policies that should have prevented this land in a Conservation Area being permitted for development [were] gradually eroded"*, with valid LP polices protecting the historic fabric of the CA being picked away via selective interpretation of NPPF wording. These examples illustrate that NPPF definitions of harm and public benefit are extremely vague, with LPs apparently being neglected in favour of development, thereby undermining their authority. Thus, as one respondent indicated, there may be need for greater clarity in national guidance to reduce loopholes in planning policy.

Permitted development and Article 4 directions

A final factor seen to be influencing the direction of change in CAs over recent years was permitted development (PD). Although this was omitted from the survey, given the absence of planning applications and the related statistical evidence, several respondents highlighted it as an important 'other influence' affecting development. Although PD rights in CAs are significantly curtailed, buildings in CAs still receive almost equivalent rights for windows, doors, roofing, outbuildings and solar panels as conventional stock, and only require extra planning permission for major works like re-cladding, demolition and conspicuous extensions (multi-storey; side) (Orme 2014). As such, several survey respondents have argued that the cumulative effect of many small PD modifications has contributed to the gradual erosion of the overall character of CAs, with PD rights reducing the level of control available to LPAs in influencing minor forms of development (demolition of chimneys; construction of porches and fences). This has been observed in areas like East Herts LPA, where until a recent intervention, minor works and extensions to a CA's 1,500 properties had been harmfully distorting the area's appearance (EHC 2017).

Clearly, LPAs do have the option to restrict PD in specific locations through the use of Article 4 directions (A4D). Since the rules were streamlined in GPDO 1995, there appears to have been a surge in A4D uptake, with RPSP's 2007 survey indicating that 71% of LPA A4Ds had been made since that date (RPSP 2008); however, it has proved impossible to find data on their current use. During the 2000s they resulted in a number of successful permission refusals in CAs for works otherwise permitted under the GPDO, including appeal cases at Abbey Gardens in London and Ray Walk in Leigh-on-Sea (RPSP 2008:3;17). More recently, this approach was used in Wandsworth, whose A4D successfully protected 120 historic pubs (some in CAs) from change of use (WC 2016). Nonetheless, the process of implementing A4Ds can be *"lengthy and sometimes controversial"*, and as one respondent pointed out, their irregular use and application (with different controls in different CAs) can cause confusion among applicants, whilst adding excessive complexity to early planning stages. Reliance on these controls may also simply reveal defects in existing CA protections.

In previous years, therefore, some planning officers have called for alternative solutions, including what would effectively be a reversed form of A4Ds, whereby PD rights would be removed automatically for *all* properties within CAs except those where extra controls were deemed unnecessary by the LPA (ability to 'opt out') (RPSP 2008:18). This would, in theory, simplify and standardise PD rights for CAs, whilst tackling the issue of cumulative erosion of character. However, it would also result in a surge in planning applications for minor residential adjustments, which could otherwise be dealt with efficiently under PD. This would risk distracting planning officers from more

complex proposals, and could deter residents from making essential updates to secure the long-term sustainability of their property. As one survey respondent writes, *"obviously there needs to be a balance between being flexible to allow people to adapt their homes and being more stringent to protect the character of conservation areas"*. Based on the survey responses and the range of recent policy reforms, therefore, a second option could instead be to pursue a simpler A4D model tied to neighbourhood plans, which would avoid accretive damage while giving the local community a clear say in where the practical balance between modern living and conservation is struck. For example, clearly articulated policies on uPVC windows, satellite receivers, door design or other potentially damaging core PD options (as outlined by HE 2017i) could be addressed in the NP, which would then help to dictate more accurately the kinds of PD allowed in a given CA. In cases where A4D directions may be undesirable, meanwhile, developers should consider following the good practice of the large-scale PD scheme at Endeavour Wharf in Whitby CA (mentioned in the survey), where extensive stakeholder and public consultation were undertaken despite the freedoms of PD.

CONCLUSIONS

The huge variation in the character and setting of England's conservation areas compounds the shortcomings of existing datasets, challenging any attempt at a comprehensive analysis of CA planning practice. However, this paper has attempted to create a new starting point for those with an interest in this topic, drawing together the findings of previous literature with a range of new material to provide a better foundation for future analysis. In so doing, it has established the first ever comprehensive CA listing and quantitative overview, a broad range of local and national metrics on planning outcomes (including uniquely-constructed CA-specific figures based on spatial analysis), and a picture of the opinions of survey respondents covering a quarter of CAs. This has been augmented with some more anecdotal and case-specific evidence in areas that seem to be of particular relevance, although much more would need to be done to establish a truly broad-based understanding. Future work building on the same approaches might focus on expanding the survey coverage, applying the spatial analysis techniques to the full spectrum of local planning and PICD casework data, using the results to formally test hypotheses relating to LP and NP influences, and a deeper analysis of all the context-specific material that has been gathered but requires more space to discuss.

A few key themes have emerged from the analysis.

Firstly, despite the concerns of some observers, there is relatively little evidence of a significant shift in planning outcomes towards over-development. In terms of the proportion of initial applications approved, there has been some overall upward trend but no evidence of CA-specific issues. After a 20% dip from 2010-2011 levels, overall appeal volumes have climbed to a new high, suggesting some possible cause for concern, although the proportion upheld (including for LB and CA consents and CA properties in general) has remained steady. An examination of called-in applications and emerging case law suggests no obvious overall bias. There would certainly be merits in improving data availability, and in a broader application of the spatial analysis techniques developed in this paper, but an initial appraisal suggests a need for caution but not concern.

Secondly, the question of LPA resourcing, in terms of both headcount and relevant expertise, is viewed by many as potentially detrimental to good decision-making on heritage issues, and could account for the recent rise in appeals. Putting heritage planning on a firmer footing via the increased use of pre-application approaches like PPAs is one option, but the Government should perhaps acknowledge the critical role of heritage expertise in urban regeneration and brownfield housing development, and ensure that the funding matches this ambition. It is also possible that an improved approach to community engagement could play a valuable role, enabling planners to co-opt the expertise and enthusiasm of local heritage groups in maintaining and updating plans in a more effective way. As

Neighbourhood Plans are implemented more widely, there seems to be scope for greater incorporation of heritage planning and development control into this framework, potentially streamlining processes and improving efficiency.

Local Plans clearly also have a critical role to play in ensuring balanced local development, and the aging nature of many local development frameworks appears to raise significant concerns for the correct balancing of heritage concerns against a less-prescriptive NPPF. Again, there is a question whether increased harmonisation of policy documents, potentially with a greater level of community involvement, could help to achieve a more consistent and efficient process.

Finally, permitted development rights seem to be affecting some conservation areas in a detrimental way, through a cumulative impact on cohesion and character. In the same way as Listed Building Consent Orders have been used to balance overarching protection with a sensible level of pre-approved development for LBs, it may be feasible to implement broader Article 4 Direction-style protections for CAs under a Neighbourhood Plan, with exception rules agreed at a community level in consultation with the LPA.

This year's 50th Anniversary of the 1967 Civic Amenities Act has provided an opportune moment to reflect on the progress and evolution of CA planning practice. Clearly, CAs have proved successful in protecting areas of special historic significance, but people have also grown to accept that conservation today is not only about preserving historic assets, but also about welcoming sustainable change, which includes embracing and integrating certain forms of modern design. The desirability of promoting public participation has also become central to heritage management, and it is likely that people have more power than ever to influence change in their local area.

Ultimately, CA planning policy needs to remain robust, fair and adaptable. It is hoped that this paper will have informed this aim not only by assessing the current situation, but also by providing new approaches and analytic techniques with the potential to underpin future work. It has been difficult to capture the full range of insights from both the survey and the casework evidence in a relatively short space, but I hope to stimulate further thinking on this important topic.

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TECHNICAL NOTES

[1] See https://data.gov.uk/dataset/conservation-areas for background on the spatial dataset, and the Local Government Group note on INSPIRE implementation (Nov 2010) for background on compliance
[2] See https://www.whatdotheyknow.com/request/full_list_and_gis_shapefile_for#incoming-955334
[3] See https://www.buyaplan.co.uk/blog/posts/64-planning-authorities-of-england-scotland-and-wales
[4] See https://historicengland.org.uk/advice/heritage-at-risk/
[5] See https://services.historicengland.org.uk/NMRDataDownload/default.aspx
[6] Data from DCLG Live tables on planning application statistics, table P124A (Planning decisions by development type and LPA) [downloaded 11 Dec 2016] https://www.gov.uk/government/statistical-data-sets/live-tables-on-planning-application-statistics
[7] See https://data.gov.uk/dataset/neighbourhood-planning-areas-in-england
[8] See https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/407155/February_2015_Land_value_publication_FINAL.pdf
[9] See https://acp.planninginspectorate.gov.uk/CaseSearch.aspx
[10] See https://historicengland.org.uk/advice/hpg/planning-cases/
[11] See https://www.judiciary.gov.uk/you-and-the-judiciary/going-to-court/high-court/queens-bench-division/courts-of-the-queens-bench-division/planning-court/
[12] Data from DCLG Live tables on planning application statistics, tables P120 (totals), P124 (LB+CA) [downloaded 7 Jul 2017] https://www.gov.uk/government/statistical-data-sets/live-tables-on-planning-application-statistics
[13] Aggregate appeals data from Planning Inspectorate Statistics, tables 2.4 (s78) and 2.6 (HA) [downloaded 6 Jun 2017] https://www.gov.uk/government/statistics/planning-inspectorate-statistics
[14] The LB and CA totals to 2014 come from the Planning Inspectorate Annual Statistical Report (PINS), available from http://webarchive.nationalarchives.gov.uk/20141202105453/http://www.planningportal.gov.uk/planning/planninginspectorate/statistics. Post-2012 LB and CA consents are based on the PICD case data sample of 40 representative LPAs, post-2012 CA property consents on the alternative PICD sample of 24 LPAs
[15] See https://acp.planninginspectorate.gov.uk/ViewCase.aspx?CaseID=2205294&CoID=0
[16] See https://acp.planninginspectorate.gov.uk/ViewCase.aspx?Caseid=2205181&CoID=0
[17] See https://data.gov.uk/dataset/neighbourhood-planning-areas-in-england, with original data augmented by personal analysis in the context of broader conservation area data
[18] See http://www.wolvertonworks.com/
[19] See https://www.milton-keynes.gov.uk/planning-and-building/planning-policy/wolverton-neighbourhood-plan, final plan pp.51-60
[20] Data from the monitoring section, core strategy and 'other plans' Excel files [downloaded 15 Jul 2017] https://www.gov.uk/guidance/local-plans

APPENDIX 1

UPDATED LIST OF LINKS TO LOCAL PLANNING AUTHORITY WEB PAGES

Based on the original list at https://www.buyaplan.co.uk/blog/posts/64-planning-authorities-of-england-scotland-and-wales [downloaded 22 Apr 2017], with all references relating to LPAs outside the HE INSPIRE Conservation Area dataset checked and, where necessary, corrected [May 2017]

Adur	Greenwich	Runnymede
Allerdale	Guildford	Rushcliffe
Amber Valley	Hackney	Rushmoor
Arun	Halton	Rutland
Ashfield	Hambleton	Ryedale
Ashford	Hammersmith and Fulham	Salford
Aylesbury Vale	Harborough	Sandwell
Babergh	Haringey	Scarborough
Barking and Dagenham	Harlow	Sedgemoor
Barnet	Harrogate	Sefton
Barnsley	Harrow	Selby
Barrow-in-Furness	Hart	Sevenoaks
Basildon	Hartlepool	Sheffield
Basingstoke and Deane	Hastings	Shepway
Bassetlaw	Havant	Shropshire
Bath and North East Somerset	Havering	Slough
Bedford	Herefordshire	Snowdonia NPA
Bexley	Hertsmere	Solihull
Birmingham	High Peak	South Bucks
Blaby	Hillingdon	South Cambridgeshire
Blackburn with Darwen	Hinckley and Bosworth	South Derbyshire
Blackpool	Horsham	South Downs NPA
Bolsover	Hounslow	South Gloucestershire
Bolton	Huntingdonshire	South Hams
Boston	Hyndburn	South Holland
Bournemouth	Ipswich	South Kesteven
Bracknell Forest	Isle of Wight	South Lakeland
Bradford	Isles of Scilly	South Norfolk

Braintree	Islington	South Northamptonshire
Breckland	Kensington and Chelsea	South Oxfordshire
Brent	Kettering	South Ribble
Brentwood	King's Lynn and West Norfolk	South Somerset
Brighton and Hove	Kingston upon Hull	South Staffordshire
Bristol	Kingston upon Thames	South Tyneside
Broadland	Kirklees	Southampton
Broads Authority	Knowsley	Southend-on-Sea
Bromley	Lake District NPA	Southwark
Bromsgrove	Lambeth	Spelthorne
Broxbourne	Lancaster	St Albans
Broxtowe	Leeds	St Edmundsbury
Burnley	Leicester	St Helens
Bury	Lewes	Stafford
Calderdale	Lewisham	Staffordshire Moorlands
Cambridge	Lichfield	Stevenage
Camden	Lincoln	Stockport
Cannock Chase	Liverpool	Stockton-on-Tees
Canterbury	Luton	Stoke-on-Trent
Carlisle	Maidstone	Stratford-on-Avon
Castle Point	Maldon	Stroud
Central Bedfordshire	Malvern Hills	Suffolk Coastal
Charnwood	Manchester	Sunderland
Chelmsford	Mansfield	Surrey Heath
Cheltenham	Medway	Sutton
Cherwell	Melton	Swale
Cheshire East	Mendip	Swindon
Cheshire West and Chester	Merton	Tameside
Chesterfield	Mid Devon	Tamworth
Chichester	Mid Suffolk	Tandridge
Chiltern	Mid Sussex	Taunton Deane
Chorley	Middlesbrough	Teignbridge
Christchurch	Milton Keynes	Telford and Wrekin
City of London Corporation	Mole Valley	Tendring

Colchester	New Forest	Test Valley
Copeland	New Forest NPA	Tewkesbury
Corby	Newark and Sherwood	Thanet
Cornwall	Newcastle upon Tyne	Three Rivers
Cotswold	Newcastle-under-Lyme	Thurrock
County Durham	Newham	Tonbridge and Malling
Coventry	North Devon	Torbay
Craven	North Dorset	Torridge
Crawley	North East Derbyshire	Tower Hamlets
Croydon	North East Lincolnshire	Trafford
Dacorum	North Hertfordshire	Tunbridge Wells
Darlington	North Kesteven	Uttlesford
Dartford	North Lincolnshire	Vale of White Horse
Dartmoor NPA	North Norfolk	Wakefield
Daventry	North Somerset	Walsall
Derby	North Tyneside	Waltham Forest
Derbyshire Dales	North Warwickshire	Wandsworth
Doncaster	North West Leicestershire	Warrington
Dover	North York Moors NPA	Warwick
Dudley	Northampton	Watford
Ealing	Northumberland	Waveney
East Cambridgeshire	Northumberland NPA	Waverley
East Devon	Norwich	Wealden
East Dorset	Nottingham	Wellingborough
East Hampshire	Nuneaton and Bedworth	Welwyn Hatfield
East Hertfordshire	Oadby and Wigston	West Berkshire
East Lindsey	Oldham	West Devon
East Northamptonshire	Oxford	West Dorset
East Riding of Yorkshire	Peak District NPA	West Lancashire
East Staffordshire	Pembrokeshire Coast NPA	West Lindsey
Eastbourne	Pendle	West Oxfordshire
Eastleigh	Peterborough	West Somerset
Eden	Plymouth	Westminster
Elmbridge	Poole	Weymouth and Portland

Enfield	Portsmouth	Wigan
Epping Forest	Preston	Wiltshire
Epsom and Ewell	Purbeck	Winchester
Erewash	Reading	Windsor and Maidenhead
Exeter	Redbridge	Wirral
Exmoor NPA	Redcar and Cleveland	Woking
Fareham	Redditch	Wokingham
Fenland	Reigate and Banstead	Wolverhampton
Forest Heath	Ribble Valley	Worcester
Forest of Dean	Richmond upon Thames	Worthing
Fylde	Richmondshire	Wychavon
Gateshead	Rochdale	Wycombe
Gedling	Rochford	Wyre
Gloucester	Rossendale	Wyre Forest
Gosport	Rother	York
Gravesham	Rotherham	Yorkshire Dales NPA
Great Yarmouth	Rugby	

APPENDIX 2

SAMPLE OF NEW COMPREHENSIVE CONSERVATION AREA LISTING

SUMMARY LIST OF CONSERVATION AREAS IN ENGLAND			
This comprehensive list of English Conservation Areas is based on the Historic England (HE) GIS datafile, provided in Jan 2017			
This only covers the 75% of Local Planning Authorities (LPAs) which have submitted data under the INSPIRE Directive			
Details for all LPAs not included in the HE database were added from the LPA websites (or direct inquiries) during May 2017			
Of the total of 9,793 Conservation Areas documented, 74% came from the original HE data, with 26% added from LPA data			
Conservation Areas appearing on the Heritage at Risk register are flagged in the HAR column			
For further details of the completion methodology and sources, please contact Leo Hall via leo@bedfordpark.net			
Conservation Area	**Local Planning Authority**	**Source**	**HAR**
1937 Kent and Canterbury Hospital, Canterbury	Canterbury	Historic England GIS file	
420-440 Romford Road, Forest Gate	Newham	Historic England GIS file	
Ab Kettleby	Melton	Leo Hall completion project	
Abberley	Malvern Hills	Leo Hall completion project	
Abberton	Wychavon	Historic England GIS file	
Abbess Roding	Epping Forest	Historic England GIS file	
Abbeville Road	Lambeth	Historic England GIS file	
Abbey	Nuneaton and Bedworth	Historic England GIS file	
Abbey and Barking Town Centre	Barking and Dagenham	Historic England GIS file	
Abbey Road	Torbay	Historic England GIS file	
Abbey Road Riverside	Barking and Dagenham	Historic England GIS file	
Abbey Village	Chorley	Historic England GIS file	
Abbots Bromley	East Staffordshire	Historic England GIS file	
Abbots Langley	Three Rivers	Leo Hall completion project	
Abbots Moreton	Wychavon	Historic England GIS file	
Abbots Ripton	Huntingdonshire	Historic England GIS file	
Abbots Salford	Stratford-on-Avon	Leo Hall completion project	
Abbots Worthy	Winchester	Leo Hall completion project	
Abbotsbrook	Wycombe	Historic England GIS file	
Abbotsbury	West Dorset	Leo Hall completion project	
Abbotshall Avenue	Enfield	Leo Hall completion project	
Abbotskerswell	Teignbridge	Historic England GIS file	
Abbotsley	Huntingdonshire	Historic England GIS file	
Abbotts Ann	Test Valley	Historic England GIS file	
Abercrombie Street	Chesterfield	Leo Hall completion project	
Aberdeen Park	Islington	Leo Hall completion project	
Aberford	Leeds	Leo Hall completion project	
Abingdon Town Centre	Vale of White Horse	Historic England GIS file	
Abingdon, Albert Park	Vale of White Horse	Historic England GIS file	
Abingdon, Northcourt	Vale of White Horse	Historic England GIS file	
Abinger Hammer (Guildford)	Guildford	Historic England GIS file	1
Abinger Hammer (Mole Valley)	Mole Valley	Historic England GIS file	
Abington Park	Northampton	Historic England GIS file	
Abington Pigotts (High Street)	South Cambridgeshire	Leo Hall completion project	
Abington Pigotts (St. Michael's)	South Cambridgeshire	Leo Hall completion project	
Ablington	Cotswold	Historic England GIS file	
Abney	Peak District National Park Authority	Historic England GIS file	
Abridge	Epping Forest	Historic England GIS file	
Abthorpe	South Northamptonshire	Historic England GIS file	
Accrington Town Centre	Hyndburn	Historic England GIS file	1
Ackers Road and Marlborough Crescent, Stockton Heath	Warrington	Historic England GIS file	
Acklam Hall	Middlesbrough	Historic England GIS file	1
Acol	Thanet	Leo Hall completion project	
Acomb (Northumberland)	Northumberland	Historic England GIS file	
Acomb (York)	York	Historic England GIS file	
Acton	Purbeck	Historic England GIS file	
Acton (Cheshire East (UA))	Cheshire East (UA)	Leo Hall completion project	
Acton Burnell	Shropshire	Historic England GIS file	
Acton Green	Ealing	Historic England GIS file	
Acton Park	Ealing	Historic England GIS file	
Acton Town Centre	Ealing	Historic England GIS file	1

Conservation Areas Survey

This short four page (online) survey focuses on evolving planning practice in English Conservation Areas.

It contains some introductory questions about your area, two main sections on local processes and challenges, and a final page for contact information. The survey should take no more than a few minutes to complete.

Please try to provide as many answers as possible, although there are very few obligatory questions (which are marked * Required)

INTRODUCTION **LOCAL AREA DETAILS**

Name of organisation *

_ _

Which Local Planning Authority is responsible for your area of geographical focus (please list multiple LPAs on separate lines, LPAs need not answer)?

_ _
_ _
_ _

Is your area covered by a Local Plan? *

Yes No Not sure

How many Conservation Areas lie within your area ? _ _ _ _ _ _ _ _ _ _ _ _ _ _

How many Neighbourhood Plans are proposed or in place for your area ?
Proposed (total) _ _ _ _ _ _ _ _ _ _ _ _ _ _
Proposed and covering local Conservation Areas _ _ _ _ _ _ _ _ _ _ _ _ _ _
Implemented (total) _ _ _ _ _ _ _ _ _ _ _ _ _ _
Implemented and covering local Conservation Areas _ _ _ _ _ _ _ _ _ _ _ _ _ _

The following sections focus specifically on Conservation Areas.

Part 1 addresses the planning policy framework and decision process.
Part 2 considers specific issues and conflicts.

PART 1 **PLANNING POLICY AND PROCESS**

How would you assess the balance of planning outcomes in your local Conservation Areas ?

Today

Heavily in favour of new development								Heavily in favour of conservation
1	2	3	4	5	6	7	8	9

10 years ago

Heavily in favour of new development								Heavily in favour of conservation
1	2	3	4	5	6	7	8	9

How do you feel the following factors have affected planning outcomes in your local Conservation Areas since 2010 :

The scale indicates degree of impact, with 5 representing no material impact over the period

The replacement of PPS 5 guidance by the NPPF (2012)

Tilting decisions towards new development								Tilting decisions towards conservation
1	2	3	4	5	6	7	8	9

The provisions of the Enterprise and Regulatory Reform Act (2013), including LBCOs and the abolition of Conservation Area consents

Tilting decisions towards new development								Tilting decisions towards conservation
1	2	3	4	5	6	7	8	9

Changes in the overall balance of the Local Plan

Tilting decisions towards new development								Tilting decisions towards conservation
1	2	3	4	5	6	7	8	9

The introduction of Neighbourhood Plans

Tilting decisions towards new development — Tilting decisions towards conservation

1 2 3 4 5 6 7 8 9

Changes in local resident responses to applications

Tilting decisions towards new development — Tilting decisions towards conservation

1 2 3 4 5 6 7 8 9

Changes in local Civic Society responses to applications

Tilting decisions towards new development — Tilting decisions towards conservation

1 2 3 4 5 6 7 8 9

Changes in the stance of local Planning Officers

Tilting decisions towards new development — Tilting decisions towards conservation

1 2 3 4 5 6 7 8 9

Changes in the stance of the local Planning Committee

Tilting decisions towards new development — Tilting decisions towards conservation

1 2 3 4 5 6 7 8 9

The role of appeals and calling-in

Tilting decisions towards new development — Tilting decisions towards conservation

1 2 3 4 5 6 7 8 9

Changes in LPA resources

Tilting decisions towards new development — Tilting decisions towards conservation

1 2 3 4 5 6 7 8 9

New guidance produced by Historic England (or English Heritage)

Tilting decisions towards new development — Tilting decisions towards conservation

1 2 3 4 5 6 7 8 9

Conservation Area enhancement statements and character appraisals produced by the LPA

Tilting decisions towards new development — Tilting decisions towards conservation

1 2 3 4 5 6 7 8 9

New guidance produced by local Civic Societies

Tilting decisions towards new development — Tilting decisions towards conservation

1 2 3 4 5 6 7 8 9

Are there any other aspects of planning policy and process which you feel are having a material influence on outcomes? Please list these on separate lines, ending each with a 1-9 score (in brackets) as above

_ _
_ _
_ _

Do you have any views on how the system might be further reformed to better balance continued conservation with growing demands for housing and other development?

_ _
_ _
_ _
_ _
_ _

PART 2 **PLANNING ISSUES AND CONFLICTS**

Please indicate the extent to which the following planning issues are leading to tension (including active local opposition, planning appeals, dissatisfaction with outcomes, including by the applicant) in your local Conservation Areas :

Conflict between national, local and neighbourhood planning policies

Very little tension Extremely high tension

1 2 3 4 5 6 7 8 9

New development on greenfield sites

Very little tension Extremely high tension

1 2 3 4 5 6 7 8 9

Property demolition and brownfield redevelopment

Very little tension Extremely high tension

1 2 3 4 5 6 7 8 9

Substantial extensions or property remodelling

Very little tension Extremely high tension

1 2 3 4 5 6 7 8 9

Development of basements

Very little tension Extremely high tension

1 2 3 4 5 6 7 8 9

Alterations to fenestration (including double-glazing)

Very little tension Extremely high tension

1 2 3 4 5 6 7 8 9

Removal of trees

Very little tension Extremely high tension

1 2 3 4 5 6 7 8 9

Other alterations to the streetscape (street lighting, pavements, fences, parking, signage)

Very little tension Extremely high tension

1 2 3 4 5 6 7 8 9

Other alterations to green space (parks, rights of way, access land, village greens)

Very little tension Extremely high tension

1 2 3 4 5 6 7 8 9

Are there any other significant areas of local tension? Please list these on separate lines, ending each with a 1-9 score (in brackets) as above

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Can you identify any specific Conservation Area planning cases which might warrant a detailed case study? If you can provide any hyperlinks to planning application or appeals databases, this would be especially helpful.

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FINAL SECTION **RESPONDENT DETAILS**

Thank you for taking the time to complete this survey. My intention is to use the majority of responses in anonymised form, but it may be helpful to link certain insights to specific respondents. Please indicate whether you are happy for your responses to be used in this way. *

I am happy for you to link selected responses if this helps

I would prefer my response to be fully anonymised

If you are willing to be contacted with any follow-up questions arising from your response, please provide the best contact e-mail address

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It would be very helpful if you could provide a post code for your organisation (for mapping purposes)

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Are you happy for these contact and location details to be included in an aggregated list, to assist future researchers? *

Yes No

If you have any additional comments or advice that you feel could be helpful, your feedback would be very much appreciated!

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