

**Berwick upon Tweed Conservation Area Advisory Group**

c/o Berwick-upon-Tweed Town Council,  
1 The Chandlery,  
Quayside,  
Berwick-upon-Tweed.  
TD15 1HE

Dear Sir/Madam

This letter is the formal response of the Berwick-upon-Tweed Conservation Areas Advisory Group, (hereafter CAAG) to your consultation of the draft version of the National Planning Policy Framework (NPPF). The Berwick-upon-Tweed CAAG is an independent advisory group convened by Northumberland County Council (NCC) that has a geographical remit of three conservation areas at the mouth of the River Tweed (Berwick, Spittal and Tweedmouth). The CAAG works in partnership to provide advice and community consultation in relation to the huge range of heritage assets within the three historic settlements. The group includes representation from NCC, English Heritage and Berwick Town Council as well as 12 community and interest groups from within the conservation areas (see the list below).

I am writing to voice CAAG's strong concerns about the risks the draft NPPF would bring to the Development Management system. We fear the NPPF will reduce the protection of historic places, particularly the wide range of Heritage Assets that our group is charged with advising upon. While much has been written and offered in consultation from various professional bodies (IFA, IHBC, Rescue, the National Trust, etc.) on this specific aspect of the NPPF and while we generally support their comments and concerns, CAAG has specifically asked me to raise the following points:

1. **Loss of the presumption in favour of the conservation of designated Heritage Assets is disastrous.** This statement of policy has been maintained for more than 20 years (through PPG15/16 and PPS 5) but now the NPPF proposals effectively downgrade the importance of the UK's national heritage assets. Para 183 suggests only that 'considerable

importance and weight' should be given to 'the conservation of' designated assets. There is no mention of the vast number of undesignated assets many of which are acknowledged to be nationally and internationally important.

CAAG also expresses strong concerns over the lack of clarity about what should happen with non-designated heritage assets which may range in importance from locally significant through regional, national and internationally important assets. The value of the historic environment is about quality of place and conservation needs to be sufficiently connected to other strands of policy.

Furthermore the failure to mention or advocate Local Lists anywhere within the NPPF (except within the glossary), as a means of establishing through working with communities which Heritage Assets are important at a local and regional level seems to be a failure of the Government's overall Localism and Big Society agendas.

2. **Presumption in favour of Sustainable Development in relation to non-designated assets**– [Para 185]. This raises two key issues for CAAG. Firstly the wide range of Heritage Assets which remain undesignated (see comments above in point 1). Secondly, Para 185 causes CAAG major concern in light of how the proposed NPPF draft redefines 'Sustainable Development' to suggest the only consideration is sustainable economic growth [Paras 13, 14, and Ministerial Foreword] to the detriment of all other considerations.

It is the view of CAAG that development should not be considered sustainable if it does not give due consideration to sustaining the environment and quality of place (including where appropriate the built and natural heritage). There is also a concern that sustainable development viewed solely as sustained economic growth at the cost of the environment

would be detrimental to the quality of people's lives and therefore contradicts Paras 10, 176 and others.

3. **The loss of Government guidance supporting Planning Policy (in the case of Heritage Assets, currently contained in PPS 5 and the Historic Environment Practice Guide),** apparently to be replaced by guidance prepared by interest groups (such as the IFA and IHBC) and not endorsed by Government is of great concern to CAAG. While the guidance currently plays a useful role in determining planning applications and could continue to do so within the framework of NPPF (particularly providing clarity in relation to undesignated assets) the lack of Government approval/endorsement would make any new guidance worthless, particularly in an appeal situation. This again appears to demonstrate not only the indifference within the proposals to Heritage issues in planning but also a wish by the Government to distance itself from any guidance that would otherwise be considered to be supportive of the NPPF.
  
4. Generally CAAG is concerned that, **far from simplifying the planning process, the NPPF will lead (at least in the short to medium term) to planning by appeal and inquiry.** It is clear from the draft document that there is too much simplification of what is an inevitably complex process and the result will be a slew of appeals by developers on a broad spectrum of issues relating to the NPPF. This then raises the question whether the already depleted planning services of a county such as Northumberland, potentially further reduced by the Government's Localism proposals would have the capacity to effectively engage within the Planning Inquiries that would inevitably arise.

One clear example of an unworkable NPPF policy which will lead to planning appeals is the proposal that no planning condition should be imposed that would 'undermine the viability of development proposals' [para 70]. This clause creates a grey area within which any condition could be challenged (and surely will be) and should be deleted from the guidance as there can be no objective assessment of 'viability' in a dynamic economic environment.

5. CAAG also raises strong concerns about **the statement in Para 14 which suggests that where a local plan is absent (out of date or silent on a subject) permission should be granted**. While CAAG welcomes any encouragement to Local Authorities to prepare local plans; to provide no policy other than ignore the issue and grant approval where no plan exists is irresponsible. It would leave the authorities concerned exposed to landbanking campaigns aimed solely to boost land values for the companies involved, irrespective of community needs. We consider it essential that appropriate arrangements be put in place to cover the transitional period before adoption of new plans.

Overall, CAAG is concerned that the thrust of the current proposals seem to be to create ambiguity and uncertainty within the planning system which might be perceived simply as a way of allowing previously unacceptable applications for development to be approved in the future.

Far from simplifying the existing system these proposals as they stand will do immeasurable harm not only to the planning system but also the rich wealth of heritage that is an important part of Britain's economic soft power. The Berwick CAAG does not subscribe to the 'nimbyism' approach and is actively engaged in a number of heritage-led regeneration projects in the town as part of sustained effort to see an upturn in growth and support for local businesses within an important historic market town. It strives to work with the business

sector and its partners but understands the value of place and role the historic environment plays. The CAAG fears that the uncertainty the NPPF seems set to introduce into the planning process would in fact delay regeneration schemes and actually harm recovery in the longer term.

If you require any clarification of any of the issues discussed above please do not hesitate to contact me.

Yours sincerely

***Christopher Burgess***  
***(CAAG Chair)***

Berwick-upon-Tweed Conservation Areas Advisory Group consists of representation from:

- Northumberland County Council (Conservation Service, Development Management Service and Regeneration Service)
- English Heritage
- Berwick Town Council
- Castlegate Area Residents Association
- Greenses Residents Association
- Spittal Improvement Trust
- St. Boisil's Residents Association
- West End Residents Association
- Berwick-upon-Tweed Chamber of Trade
- Bridge Street Traders Association
- Castlegate Traders Association
- Berwick-upon-Tweed Civic Society
- Berwick-upon-Tweed Cittaslow
- Berwick Community Trust

- Berwick Building Recording Group.