

# HERITAGE-RELATED PLANNING DETERMINATIONS

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# HERITAGE-RELATED PLANNING DETERMINATIONS

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## SECTION 1.0: INTRODUCTION

1. This research has been commissioned from Purcell by the Historic Environment Protection Reform Group (HEPRG) to provide evidence on the current functioning of the planning system in relation to applications concerning designated heritage assets and sites of archaeological interest. It does so by providing a 'snapshot' of statistical information about heritage-related planning applications made to a sample of local planning authorities over two two-week periods in 2022. The research has been commissioned in part due to anecdotal reports that it is taking increasingly long for heritage-related planning applications to be determined.
2. The current study takes forward a 2017 Historic England research project looking at *The Heritage Dimension of Planning Applications*, as well as an earlier data-driven report by Green Balance for Historic England – *Listed Buildings Consent: A Review of Data* (January 2015).<sup>01</sup> By drawing extensively on the methods used for this earlier research, the current study has produced data that can be compared, with some caveats and restrictions, to the data for 2016 reported in Historic England's predecessor report. The resulting evidence base helps uncover and define both negative and positive trends in heritage-related planning applications and determinations.
3. Included within the scope of the research are various categories of works to heritage assets for which listed building consent (LBC) or planning permission has been sought and determinations made by the relevant

local planning authority. On the basis of the in-scope applications, this study seeks to establish, for both LBC and planning applications:

- What kind of works was consent being sought for?
- What kinds of heritage assets were the subject of the applications?
- How many heritage-related planning permission applications were submitted with related LBC applications and how many LBC applications were submitted with related planning permission applications?
- What proportion of applications were made by an agent?
- What were the outcomes, and what proportions of first-time applications and subsequent applications were successful?
- What were the reasons given for refusing unsuccessful applications?
- How many successful applications were granted with conditions and, in particular, with pre-commencement conditions?
- How long did it take to determine the applications, and what proportions were determined a) within the statutory determination period; and b) within the agreed determination period (i.e. including those applications that were determined within an extended determination period that had been agreed between the planning authority and the applicant)?
- What proportion of applications required a time extension (and within this, the reasons why a time extension was requested/needed)?

- What proportion of applications involved consultation with conservation and/or archaeological officers?
  - What proportion of applications were supported by a heritage statement, and how good was the quality of the heritage statements submitted?
4. During the course of the project, the research team interrogated a total of 1643 planning and listed building consent applications. Within this total, 80 listed building consent (LBC) applications and 112 heritage-related planning applications met the criteria for inclusion. These applications were supported by 92 unique heritage statements.
  5. The statistical limitations intrinsic to a selective study with relatively small sample sizes mean that the resulting data cannot be directly generalised to the wider heritage planning system. In addition, the criteria for inclusion in the sample of heritage-related planning permissions were defined more narrowly for this iteration of the research relative to Historic England's predecessor report, as proposals for total demolition and works in conservation areas were excluded. This means that the data for heritage-related planning permission applications are not directly comparable between the two years. It has nevertheless been possible to build an indicative picture of the determination of LBC and other heritage related planning consents in 2022 relative to 2016. The findings support anecdotal reports of changes in the performance of the heritage planning system. More specifically, the overall pattern in the planning authorities studied showed an increase in determination times since 2016, with greater reliance on time extensions to ensure that applications are, at least nominally, determined 'on time'. This pattern applied to both LBC applications and other heritage-related planning applications.

<sup>01</sup> These reports can be downloaded from the Historic England website: <https://historicengland.org.uk/content/docs/planning/heritage-dimension-of-planning-applications-pdf/>; <https://historicengland.org.uk/images-books/publications/listed-building-consents-review-data/green-balance-lbc-applications-jan15/>

## SECTION 2.0: METHODOLOGY

6. The scope and basic methodological approach for the study were defined by HEPRG and Purcell in consultation with Historic England. In line with Historic England's predecessor research, nine local planning authorities were selected, one in each of England's nine government regions, and representing a spread of urban, rural and 'mixed' urban-rural areas:

PLANNING AUTHORITY	LPA TYPE	REGION
Leeds City Council	Urban	Yorkshire
Southampton City Council	Urban	South East
Tower Hamlets Council	Urban	London
East Cambridgeshire District Council	Mixed	East of England
Sefton Council	Mixed	North West
Stafford Borough Council	Mixed	West Midlands
Derbyshire Dales District Council	Rural	East Midlands
Mid Devon District Council	Rural	South West
Northumberland County Council	Rural	North East

7. The sample frame consisted of Public Access records of planning permission and LBC applications to the nine local planning authorities that were determined during two periods of two weeks each, running from 1-14 April and 1-14 September 2022. These were the same dates as those in 2016 used for the predecessor Historic England report, which were carefully selected to represent times of the year when there are likely to be a normal (neither unusually high or low) number of applications determined. All planning applications from these time periods for the nine selected authorities available via their Public Access planning portals were manually sifted by a team of researchers. Applications for tree works were excluded from scope at this initial stage. These applications were then reviewed for whether they related to designated heritage assets (World Heritage Sites, scheduled monuments, listed buildings, registered parks and gardens, registered battlefields, protected wreck sites, or areas with archaeological potential). Applications relating to total demolition or only to conservation areas were excluded from the scope of the research. Applications relating to sites with archaeological potential were identified through the inclusion of an archaeological desk-based assessment (DBA), a heritage statement with archaeological emphasis, the involvement of an archaeology officer, or the inclusion of archaeological conditions in any permission or consent granted.
8. The exclusion of applications for complete demolition and for works in conservation mean that the criteria for inclusion were drawn more narrowly for this iteration of the research than for Historic England's predecessor report. Works in conservation areas were the single largest category of heritage-related planning applications identified in the 2016 data, meaning that the sample of applications for 2022 is considerably smaller and has a different profile. The exclusion of works of total demolition and of undesignated heritage assets will have had a similar but much smaller effect. At the same time, a greater range of archaeological assets are likely to have been included in the sample of 2022 applications, as more inclusive criteria were used. The changes to the criteria mean that the planning applications data in this report should be compared with caution to their equivalents in the predecessor Historic England report. The data relating to LBC applications are, however, much more closely comparable, except for the exclusion of works of total demolition, which affect a very small number of applications.
9. Using the defined criteria, an initial sample of applications was identified. These included a number of applications for discharge of conditions imposed as part of prior planning or listed building consent applications, a small number of planning applications for advertising consent, one withdrawn LBC application and three withdrawn planning applications, and one screening request. The screening request was removed from the sample, as it was anomalous in form and content. The withdrawn applications were retained within the sample, in contrast to their exclusion in Historic England's predecessor research. This was because they contained valid data for multiple parts of

- the analysis, including a heritage statement in the case of the LBC application. They were, however, removed from the sample where they would not produce relevant data for the specific question under consideration. It should be noted that a withdrawn application will by definition take no longer than an application that is carried through to determination, meaning that any bias introduced into calculations of determination times would be in favour of the LPA. Given the small number of such applications relative to the total sample, any such distortion would be slight. Finally, where applications included a heritage statement, this was downloaded and used to create a sample of heritage statements for more detailed analysis. Heritage statements were often used in related LBC and planning applications, meaning that there were numerous duplicates. The duplicates were excluded from the sample of heritage statements.
10. Data relating to the research questions defined in the introduction above were collected systematically from the applications within the sample and entered into two spreadsheets, one for planning applications and the other for LBC applications. The spreadsheets were then collated to enable data analysis to be carried out. A separate spreadsheet was developed to analyse the heritage statements. The main spreadsheet was closely based on that used for the predecessor Historic England research, but with a narrower focus on data for heritage-related applications only and on the specific research questions identified for this study, which were less wide-ranging than those considered in the earlier report.
  11. The review of heritage statements used a series of criteria to assess: a) whether they included an appropriate level of detail to enable the local planning authority to assess the impacts of the proposed work; and, in the case of heritage statements that explicitly addressed the impacts of proposed works, b) whether clear reasons were given for the stated level of impact. There is inevitably a degree of subjectivity in making judgements of this kind. In general, categorisation was inclined towards favourability in doubtful cases. In addition, the criteria used were based on whether there was a meaningful attempt to include an appropriate level of detail or coherent rationale; there was no attempt to assess the accuracy or plausibility of the claims made. A more general overview of quality of the documents reviewed is reported here, but this should be regarded as impressionistic rather than systematic.
  12. As with Historic England's previous research, the source data is limited to information available through the Local Authority's Public Access planning portals. The information contained was in general found to be wide-ranging, but there are differences between the 'back office' IT systems used by individual planning authorities. The way that information is held and displayed is consequently not always absolutely consistent or comprehensive. The major omission for many of the planning and LBC applications reviewed was detailed information on agreements to extend determination deadlines. The data on extended deadlines was therefore gathered in two ways: one was to look in the 'documents' section for correspondence relating to deadlines; the other was based on the 'agreed expiry date' information from the 'important dates' section for each application. Because so few applications included correspondence on deadlines, it was not possible to establish the reasons for time extensions except in a small minority of cases.
  13. The methodological approach defined for this study has statistical limitations that should be borne in mind when considering the data and conclusions presented here. The selective use of data from specific planning authorities and time periods, however carefully chosen, and the relatively small sample sizes generated, mean that the data and conclusions presented cannot be directly generalised to the planning system as a whole. In addition, both high-level statistics and the flow of planning casework to HE show considerable variation in the number of LBC applications received over time. Nationally, the absolute number of applications has been characterised by a general decline from a high of nearly 35,000 in 2004/05 to a low of just over 25,000 in 2020/21 (with evidence of an increase more recently) and locally there are significant fluctuations from year to year and month to month.<sup>02</sup> There has been a similar, but more marked, declining trend in the total number of planning applications. This reduces the comparability of the data from one year to the next and once again places limits on the generalisability and comparability of the samples analysed for this and Historic England's earlier research.
  14. Nevertheless, because the research focused on the same planning authorities and similar time periods as in 2016, it does provide a clear 'snapshot' of changes between 2016 and 2022. In addition, provided appropriate caution is applied, it also provides useful indicative evidence of the likely wider situation, especially where the changes identified are large and/or well-characterised.

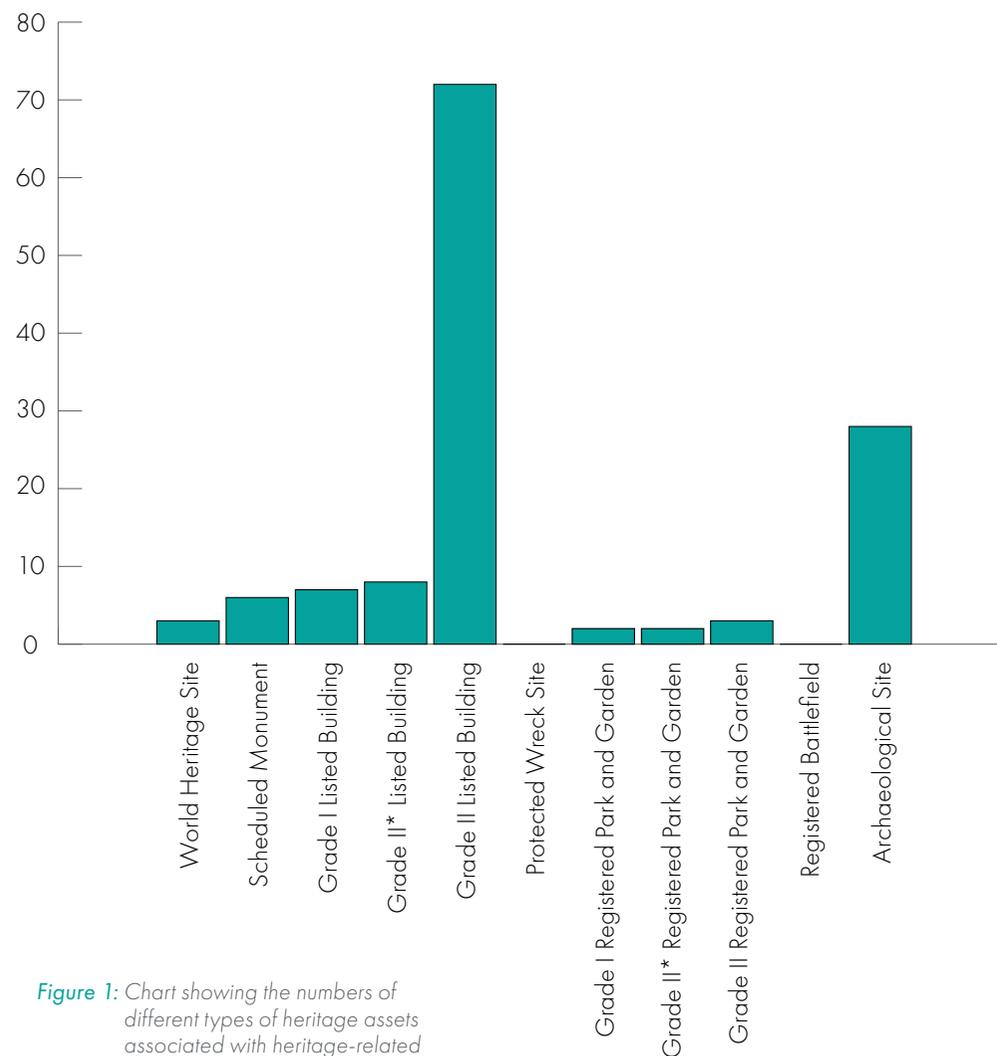
<sup>02</sup> <https://historicengland.org.uk/content/heritage-counts/pub/2021/constructive-conservation-sustainable-management-2021/>.

## SECTION 3.0: ANALYSIS

15. There was a total of 1,909 planning applications decided by the nine LPAs selected for study in the periods 1-14 April and 1-14 September 2022. After excluding applications for tree works and total demolition, 1,643 applications were selected for more detailed review.
16. Nearly 4.5% (84) of all applications decided during the study periods were for listed building consent. After removal of out-of-scope applications, the final sample was 80 listed building consent applications, representing 4.9% of the applications selected for more detailed review. The balance of applications (1,559) related to planning permission. These were reviewed in detail to identify any evidence that they related to designated heritage assets (except for conservation areas or non-designated assets) and/or sites with archaeological potential. This yielded a final sample of 112 in-scope, heritage-related planning applications.

### HERITAGE IN THE PLANNING SYSTEM

17. The final sample of 112 applications represents less than half the number of heritage-related applications identified in 2016 in Historic England's predecessor research. This largely reflects the exclusion of conservation areas from the scope of this study, which were represented in 165 of the 224 in-scope applications in the previous iteration. Grade II listed buildings were more heavily represented in this iteration of the research, relating to 72 of the applications as opposed to 58. There were also larger absolute numbers of applications related to other major designation categories (World Heritage Sites, scheduled monuments, Grade 1 and Grade II\* buildings, registered parks and gardens).



*Figure 1: Chart showing the numbers of different types of heritage assets associated with heritage-related planning applications in the sample (n=112)*

## ANALYSIS

### LISTED BUILDING APPLICATION DETAILS

18. Of the 80 LBC applications identified and analysed, the vast majority were for works to Grade II listed buildings, which is to be expected given that they are by far the most numerous type of listed building.

LISTING	NUMBER	PERCENT
Grade I	4	5%
Grade II*	5	6%
Grade II	71	89%

*Table 1: Relative proportions of different grades of listed buildings within the sampled LBC applications*

19. The proportion of highly listed buildings (Grade I and II\*) was slightly smaller than was found in 2016 but given the limited sample size the difference cannot robustly be considered significant.

20. Seven (9%) of the application sites had multiple designations or showed evidence of recognised archaeological potential beyond the scope of the designation. Of these, most had a single additional heritage-related characteristic, but one had two and another three more. Of the application sites with more than one heritage-related characteristic, three were also scheduled monuments, four were registered parks and gardens, and three showed evidence of archaeological potential.
21. Nearly two-thirds of LBC applications were submitted on behalf of the applicant by an agent, usually an architect, designer or planning consultant. Some window replacement applications, however, were submitted by the manufacturer or installer of the glazing.

LISTING	NUMBER	PERCENT
Grade I	4	5%
Grade II*	5	6%
Grade II	71	89%

*Table 2: Proportion of sampled LBC applications submitted by an agent*

### THE DECISION-MAKING PROCESS

#### Planning Applications

##### Outcomes

22. Permission was granted for 89% of the heritage-related planning applications, excluding the three withdrawn applications. This represents a similar success rate to that recorded for 2016 in the previous iteration of the research (91%).

DECISIONS	NUMBER	PERCENT
Granted	97	89%
Refused	12	11%

*Table 3: Proportions of applications granted or refused, excluding withdrawn applications*

23. Reasons for refusal fell into clear groups. The most common, accounting for six refusals, concerned the direct impacts of the proposed development on the heritage asset concerned. Of the latter, one specifically mentioned loss of historic material and three cited a lack of counterbalancing justification or public benefit for the harms entailed by the proposals. The next most frequent reason for refusal was the impact on the immediate area resulting from the scale/nature of the development, given in three cases, one of which specifically mentioned a failure to respect the pattern and character of the area. Of the remaining three, failure to provide sufficient information was cited in two cases and the last concerned an inappropriate type of application (the applicant was seeking to secure permission for a non-material amendment to a previous application, when the planning officer judged the amendment was material).

## ANALYSIS

24. Only a relatively small number (3) of applications were resubmissions in modified form of earlier applications. As a result, limited confidence should be placed in their relative success rates. It is nevertheless of interest to note that all the resubmissions were granted permission and none were withdrawn.

	NUMBER	PERCENT		NUMBER	PERCENT
First application	109	97%	Granted	94	86%
			Refused	12	11%
			Withdrawn	3	3%
Resubmission	3	3%	Granted	3	100%
			Refused	0	0%
			Withdrawn	0	0%

*Table 4: Relative success rates of first-time and resubmitted applications*

25. Even if we except routine planning conditions, such as those requiring that the submitted plans be followed and works commence within the prescribed time period, specific conditions were commonly attached to grants of planning permission. After excluding types of application where conditions are not generally imposed or are simply restated from a related consent (such as discharge or variation of existing conditions, non-material amendments and so on), there were 55 applications potentially subject to conditions. Of these, 46 were granted with conditions and only 9 did not have conditions – meaning that nearly 85% of such consents had conditions attached. Of these 46, 21 included pre-commencement conditions, corresponding to 38% of the 55 applications granted that were potentially subject to conditions, and 46% of the 46 applications that were granted subject to conditions.

	CONDITIONS		PRE COMMENCEMENT CONDITIONS	
	NUMBER	PERCENT	NUMBER	PERCENT
Yes	46	84%	21	38%
No	9	16%	25	45%

*Table 5: Proportions of planning permissions granted subject to conditions and pre-commencement conditions (n=55)*

## ANALYSIS

### Determination Deadlines – On Time?

26. Of the heritage-related planning applications that were decided (after excluding withdrawn applications) in the study period, 73% were determined 'on time', by the official definition. This means that the application was either determined within the relevant statutory determination time (in most cases 8 weeks) or within an agreed time extension. This represents a decline from the 77% of heritage-related applications reported as being determined 'on time' in 2016. In addition, 53% (42) of applications determined 'on time' had an extension of time agreed. Directly comparable figures were not given in Historic England's predecessor research, though it did note that only 13% of all the planning applications reviewed (including both those with and without heritage-related aspects) were subject to an extension of time. This suggests that time extensions are being sought more frequently than in 2016. In addition, it should be noted that there was formal documentation of the agreement to a time extension in only seven of the applications. In all these cases the extension of time was requested by the planning authority.

	AGREED DEADLINE		STATUTORY DEADLINE	
	NUMBER	PERCENT	NUMBER	PERCENT
Yes	80	73%	38	35%
No	29	27%	71	65%

**Table 6:** Proportions of heritage-related planning applications determined 'on time' and within the statutory deadline, excluding withdrawn applications

27. Of the applications, 93% (104) were standard applications with an 8-week statutory determination period; of these, 36% (equivalent to 34% of the whole sample) were determined within that period.
28. There was a high degree of variability in determination times between different planning authorities. Although the small sample sizes for some individual authorities limit their statistical significance, these disparities were visible also in those LPAs with relatively large numbers of applications, from which more robust conclusions can be drawn. For example, in one large authority 65% of 31 applications were determined within the agreed determination time, but only 10% within the statutory deadline. By contrast, in another large authority 87% of 23 applications were determined within the agreed determination time, and 61% before the statutory deadline.
29. The average (mean) determination time for the heritage-related planning applications was 20.8 weeks. This is considerably longer than the 11.4 weeks reported in Historic England's predecessor research. There was also some apparent deterioration – though less dramatically so – in the median determination time, at 12.3 rather than the 8 weeks reported for 2016. It should be borne in mind that these figures are not directly comparable, as the previous iteration of the research included a large number of applications for planning permission in conservation areas, which were out of scope for the present study but may be less challenging (and therefore quicker) to determine than applications relating to other types of assets. The increase in determination times was relatively greater than for LBC applications (discussed in paragraph 40 below).

30. Further analysis was carried out on the 53 applications for substantive construction works to see if there was any evidence of a relationship between the type of works being proposed and determination times. Because the number of cases of each type of work was small and on occasions very small, and because some works fell into more than one category, the results should not be taken as anything more than suggestive. However, some patterns could be discerned. The average and median determination times for substantive construction works were considerably longer, at 27.1 and 17.7 weeks respectively, than for those reported for all heritage-related planning applications. The longest determination times were for applications involving separate new build, with an average wait of 49.1 weeks and a median of 29.9 weeks (the former figure reflecting the presence within the sample of large-scale residential developments and mixed-use developments that typically take long periods to determine). Certain other categories also displayed fairly lengthy mean and median determination times of around 30 to 35 weeks, including proposals for major extensions, works of repair or restoration, and 'other' external works. The main exceptions were minor extensions, determined within an average 13.8 weeks and a median of 9.6 weeks (n = 11), and energy efficiency works, with an average and median of 12.1 weeks for window retrofitting (n = 2) and a single application for a ground source heat pump that was determined quickly at 7.1 weeks.
31. As with relative proportions of applications determined 'on time', there was again considerable disparity between individual planning authorities in both mean and median determination times. The mean varied from 9.0 weeks to 44.2 weeks, though these extremes are both from authorities with small numbers of applications, limiting their statistical representativeness. However, even in bigger LPAs determining larger numbers of applications, the divergence in the mean determination times between the best and worst performing authorities was significant, ranging from 11.1 weeks to 30.3 weeks. The way that mean values consistently exceed median values shows that there is a 'positive' or 'right' skew to the data. This implies that in most cases the decision was given within or close to the statutory determination period, but that delayed applications were often very highly delayed.
32. Taken together, the evidence of increases to mean and median determination times and of considerable disparities between individual LPAs, along with the relatively high proportion of applications for which there is evidence of agreed time extensions, suggest that the system was working less effectively in 2022 than in 2016, the source year for the previous iteration of this research.

### Related Applications

33. A high proportion, just over 70%, of the planning applications were directly related to an application for listed building consent – in most cases because there were 'twin' applications for the same works, almost all of which were submitted and determined simultaneously. There was also a considerable number of applications for discharge of conditions attached to prior grants of listed building consent.

### Listed Building Consent

#### Outcomes

34. After excluding a single withdrawn application, 73 (92%) of the 80 listed building consent applications were granted and 6 (8%) refused, exactly the same proportions as in 2016.
35. As with planning applications, the most frequently cited reason for refusing an application was direct harm to the designated asset, given in 5 out of the 6 cases. Of these, the specific harm was variously described as to 'special interest / architectural and historic interest', 'character and appearance', and in one case specifically 'loss of historic fabric'. Only in one case was 'harm' not given any further descriptor. In two cases the lack of a counterbalancing justification or public benefit was also cited. The remaining case related to harm to the curtilage of the listed building, and specifically the historic burgage plot on which it was located.

## ANALYSIS

36. Compared to heritage-related planning applications, more than double the proportion of LBC applications were resubmissions of prior applications (nearly 8% as opposed to fewer than 3%). Most of these were resubmissions of previously approved schemes. In one case this was because the original consent had expired; 2 cases were retrospective resubmissions because the works had been completed in modified form, thus invalidating the original consent; in one other case it seems to have been a 'comfort' resubmission for works already consented, but originally with other works that were no longer part of the application. Only 2 cases were resubmissions to address issues identified with the original application and one of these led to withdrawal, presumably when it became clear that it would also be refused consent. One case, not included in these figures, was not a formal resubmission for LBC, but related to a previously submitted notification of lawful change of use that was rejected because it concerned a listed building and therefore needed to be dealt with through the LBC process.

	NUMBER	PERCENT		NUMBER	PERCENT
First application	74	92.5%	Granted	68	92%
			Refused	6	8%
			Withdrawn	0	0%
Resubmission	6	7.5%	Granted	5	83%
			Refused	0	0%
			Withdrawn	1	17%

Table 7: Relative success rates of first-time and resubmitted applications

37. The vast majority, at 81%, of successful applications were granted with conditions above and beyond the standard conditions (to adhere to the submitted plans and start works before the expiry of the grant of consent). Of these 24% (corresponding to 19% of all the successful applications) included pre-commencement conditions.

	CONDITIONS		PRE COMMENCEMENT CONDITIONS	
	NUMBER	PERCENT	NUMBER	PERCENT
Yes	59	81%	14	24%
No	14	19%	45	76%

Table 8: Proportions of planning permissions granted subject to conditions and pre-commencement conditions

## ANALYSIS

### Determination Deadlines – On Time?

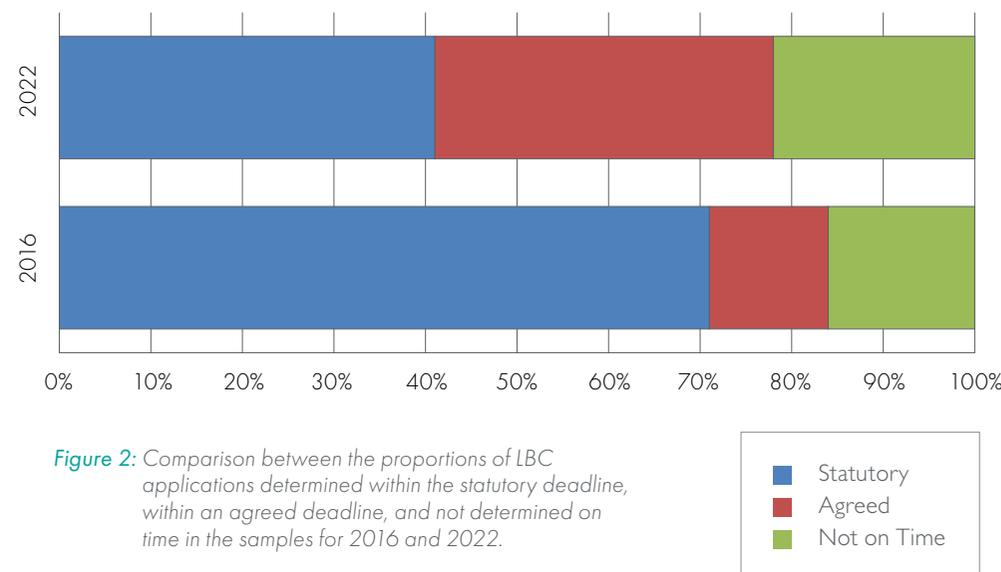
38. Of the listed building consent applications (after excluding the single withdrawn application) that were decided in the study period, 77% were determined ‘on time’, by the official definition. This means that the application was either determined within the relevant statutory determination time (eight weeks in the case of LBC applications) or within an agreed time extension. However, a much lower proportion were determined within the statutory rather than the agreed determination period, at 41%.

39. There was an extension of time agreed for 40% (32) of the applications submitted. This was a considerably higher proportion than in 2016, when there was an agreed time extension for 18% of applications. Of the 32 applications with time extensions, 29 were then determined on time; the remaining three were not. Formal correspondence requesting additional time was available for only nine of the cases, and in all of these the extension of time was requested by the planning authority.

	AGREED DEADLINE		STATUTORY DEADLINE	
	NUMBER	PERCENT	NUMBER	PERCENT
Yes	61	77%	32	41%
No	18	23%	47	59%

**Table 9:** Proportions of applications determined before the agreed deadline (including those decided within the statutory determination period) and proportions determined within the statutory deadline.

40. Comparison with 2016 data shows that in 2022 there was a lower proportion of applications officially determined on time (77% versus 84%). There was also a considerably lower proportion determined within the statutory determination time of eight weeks (41% versus 71%); a much higher proportion officially on time but only after an agreed extension to the statutory limit (37% vs 13%); and a higher proportion were not determined on time (23% versus 16%).



**Figure 2:** Comparison between the proportions of LBC applications determined within the statutory deadline, within an agreed deadline, and not determined on time in the samples for 2016 and 2022.

41. The average determination time was 15.6 weeks, nearly twice the statutory determination period and markedly longer than the 11.3 weeks found in 2016. The median determination time was 9.6 weeks, showing that most applications were not determined within the statutory period – in contrast to the situation in 2016, when most were determined within this time. In addition, the difference between the mean and the median is indicative of strong positive or right skew in the distribution of the data. This implies that while many applications are determined within or shortly after the statutory determination period, those that are not are often taking much longer than this to be determined.
42. Some further analysis was carried out to see if there was any relationship between the type of works being proposed and determination times. Because the numbers of cases of each type of work were small and in some cases very small, and because some works fell into more than one category, the results should not be seen as anything more than suggestive. However, some patterns could be discerned. The quickest determination times were for external decoration, at an average of 7.7 weeks and with a median only slightly longer at 8.1 weeks (n = 7). The longest determination times were for applications involving separate new build or substantial extension, averaging 27.6 and 29.5 weeks respectively (n = 2). Replacement build (in most cases replacement of a pre-existing extension or outbuilding of no special interest) and minor extensions were decided more quickly, with a mean and median 13.6 weeks for replacement build (n = 2) and an average of 13.6 weeks and a median of 11.3 weeks for minor extensions (n = 7). In spite of the small number of instances to draw on, a plausible overall pattern is discernible,

with the simplest works taking less than the statutory determination time and the most potentially impactful, usually involving substantial new construction, the longest. Longer than typical determination times were also reported for accessibility alterations and for internal alterations other than changes to floor plans. The other categories of works used in the research clustered approximately around the average and median reported for all works.

43. After agreed time extensions, six planning authorities (of the eight that determined LBC applications in the study periods) were on time in at least 75% of applications. However, only one determined a similar proportion of applications within the statutory eight-week deadline, in contrast to six in 2016. There was also a high level of variation between local planning authorities in every aspect of determination times. Even taking into account the small sample sizes for individual authorities, the extent of the differences makes them unlikely to be statistical artefacts. For example, proportions of applications determined both within agreed timeframes and within the statutory period varied from 0% to 100%. Mean determination times varied from 6.6 weeks to 23.8 weeks and median determination times from 6.8 weeks to 20.1 weeks. Even within authorities determining larger numbers of applications (10 or more), so generating more robust results, the proportion of applications determined within agreed times varied from 67% to 92% and within the statutory period from 11% to 75%. In the same authorities, mean determination times ranged from 10.9 weeks to 23.8 weeks, and median times from 7.7 to 20.1 weeks.

### Related Applications

44. Just under half (48%) of the listed building consent applications were directly related to a planning application – in most cases because there were ‘twin’ applications for the same works, almost all of which were submitted and determined simultaneously. This rate is considerably lower than the number of heritage-related planning applications with related LBC applications, as would be expected given that many works that require LBC do not require planning permission.

# ANALYSIS

## TYPES OF PROJECT

### Planning Applications

45. Of the 112 heritage-related planning applications, 40% were applications for construction works, including a very small number related to signage and advertising. A further 8% were classed as change of use applications, but all of these also involved structural alteration or extension work. Together they constituted nearly half of all the applications. The other cases consisted almost entirely of applications that followed on from prior grants of consent, mostly applications to vary or discharge conditions or to make amendments (mostly non-material amendments).

APPLICATION TYPE	NUMBER	PERCENT	STRUCTURAL WORK TYPE	NUMBER	PERCENT
Construction or change of use with substantive construction	53	48%	Alteration or extension	28	25%
			Separate new build	11	10%
			Replacement build	1	2%
			Other	14	13%
Removal or variation of condition(s)				4	4%
Other (inc. discharge of conditions, amendments)				55	49%

Table 10: Proportions of planning applications for different types of works, with breakdown of construction type

46. For the nearly half (53 of 112) of applications seeking permission for substantive construction works, the largest single category of works was miscellaneous external works. The largest clearly definable category was for changes to doors or windows, accounting for 33%. Other substantial categories included changes to internal layout, relating to 26% of construction-related applications, partial demolition (19%), changes to services (22%) and separate new build (20%). The least common works applied for were the installation of renewable energy sources (photovoltaic cells, ground or air source heat pumps) and replacement build.

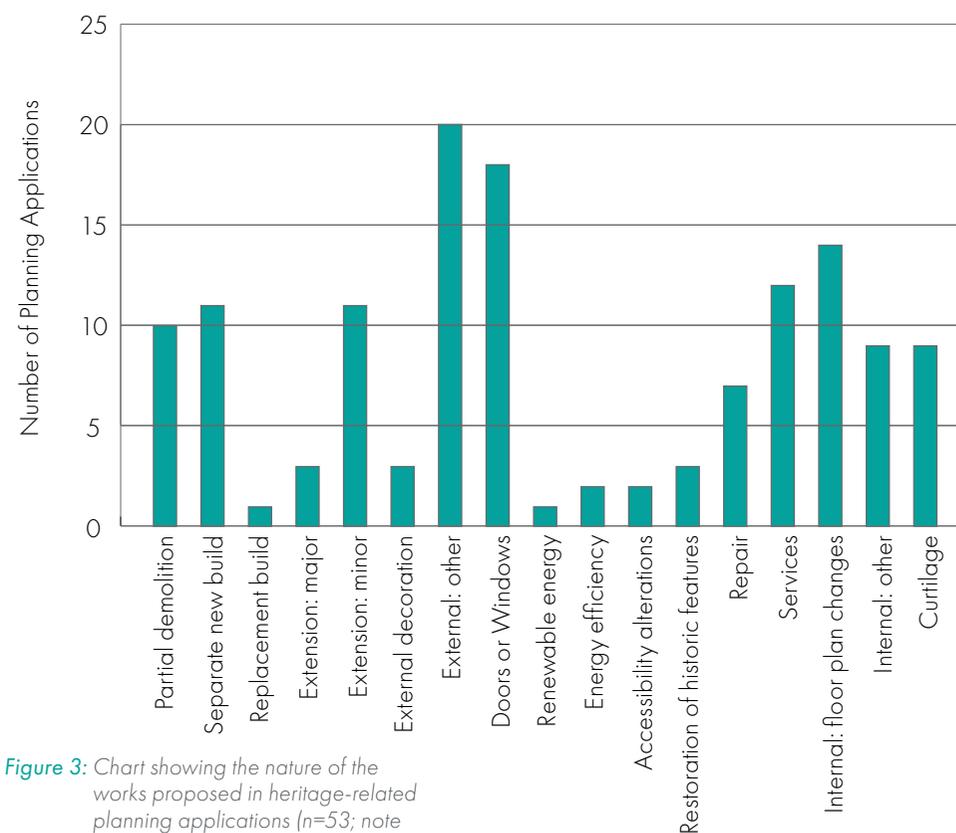


Figure 3: Chart showing the nature of the works proposed in heritage-related planning applications (n=53; note that some applications involve more than one category of works)

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### Listed Building Consent

47. By far the greatest proportion of listed building consent applications related, wholly or in part, to repair, replacement or modification of windows or doors, accounting for 36% of applications. Other major categories of work, all represented by around 20% of applications, were changes to internal layout, general repair, changes to services (gas, electricity, water, drainage, air conditioning and so on). The least common applications types were for works connected to renewable energy (photovoltaic, air and ground source heat pumps) and for major extensions, replacement builds or separate new builds. Both renewable energy and energy efficiency applications show slight increases on 2016, though remain at relatively low levels (two and seven applications respectively, corresponding to 3% and 9% of all applications).
48. The works proposed for the refused applications included: separate new build with repair to the listed property; a minor extension; replacement doors and windows, in one case including improved window insulation; external signage; partial demolition; and other internal or external works not included in another category. The only types of refused works represented by more than one application were for doors and windows and otherwise uncategorised internal or external works.

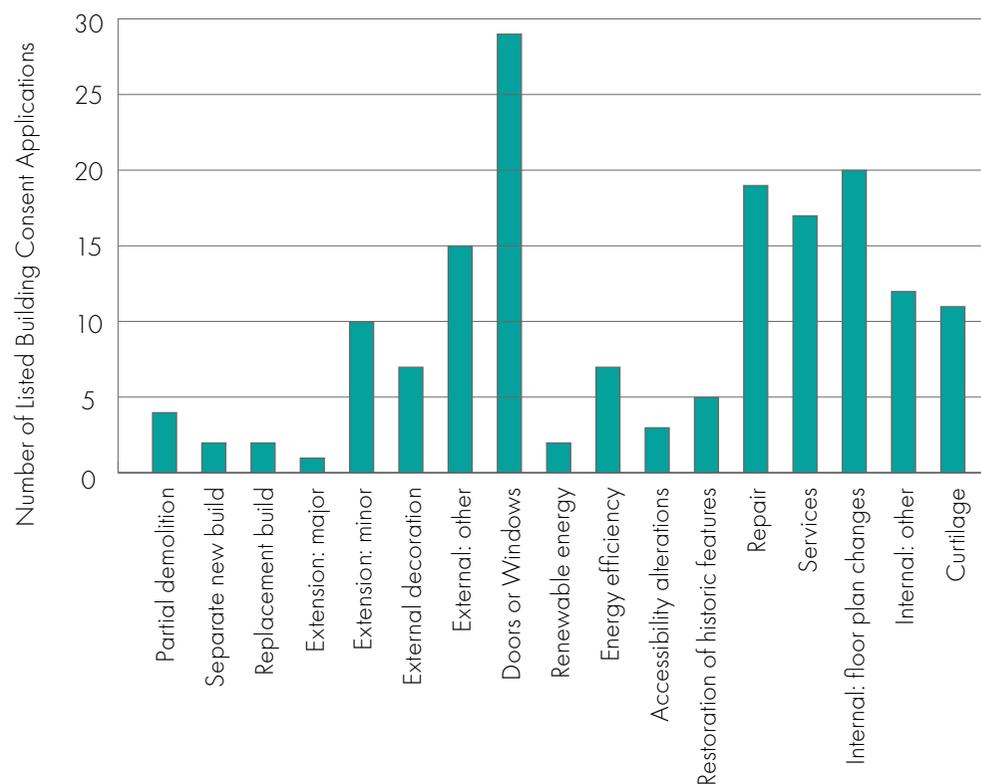


Figure 4: Chart showing the nature of the works proposed in listed building consent applications (n=80; note that some applications involve more than one category of works)

### LOCAL AUTHORITY CONSERVATION ADVICE

49. There was evidence that a conservation officer was consulted in 55% of heritage-related planning applications, and an archaeology officer in 28% of cases (though it should be borne in mind that consultation with an archaeological officer was used a criterion for inclusion within the sample of heritage-related applications, which will almost certainly have boosted relative participation by archaeology officers). Overall, a heritage specialist was consulted on 76% of the heritage-related planning applications. In 10% of cases both an archaeologist and a conservation officer were consulted. It should be noted that in some cases there may have been informal or indirectly reported heritage advice sought, and that the figures here are minimums. These figures show some variation from the figures reported for 2016, where 62% of applications were reviewed by a conservation officer and 21% by an archaeology officer. The pattern of a somewhat lower proportion being reviewed by a conservation officer and a slightly higher by an archaeology officer may reflect the more inclusive criteria used for including applications relating to assets with archaeological significance or archaeological potential. When this is combined with the difference in sample profile between the two iterations of the research, it is difficult to see a distinct trend towards greater or lesser specialist conservation advice for heritage-related planning applications.

50. There was evidence of a conservation officer giving advice in just under 92% of listed building consent applications and an archaeology officer in 6% of cases. In all cases where an archaeology officer was consulted, this was in addition to a conservation officer. Thus the overall proportion of LBC applications in which heritage advice was sought was also 92%. The corresponding figures for 2016 were 89% having conservation officer input and 11% with archaeological officer input. This suggests that conservation officer involvement remains high but there is some evidence of a lesser degree of archaeological input. Given the likely variability in the type of LBC applications received, however, this may reflect natural variation in the extent to which specific applications require archaeological expertise, rather than a reflection of a more fundamental trend.
51. In some of these cases, the conservation advice was quoted as coming from a generic 'heritage and design' or 'design' consultee, rather than a named conservation officer. In some cases, the advice appears to have been given informally, presumably orally or via email, and was summarised in the broader case officer report rather than directly reported. In one specific planning authority, there was no direct evidence within the applications that a conservation officer had been consulted, but cross-checking established that the officer who handled the applications was in fact the authority's conservation officer. The conservation officer had therefore acted as the case officer as well as the source of conservation expertise for these applications. Interestingly, this authority also had the highest rate of determination of LBC applications within the statutory time limit (100%, although with a small number of four applications determined). There was evidence

in a number of cases of considerable direct interaction between officers and applicants, for example where initial information was insufficient or changes needed to be made to secure consent. This may be a factor in slowing determination of some applications.

### STATEMENTS ON HERITAGE

#### Frequency of submission

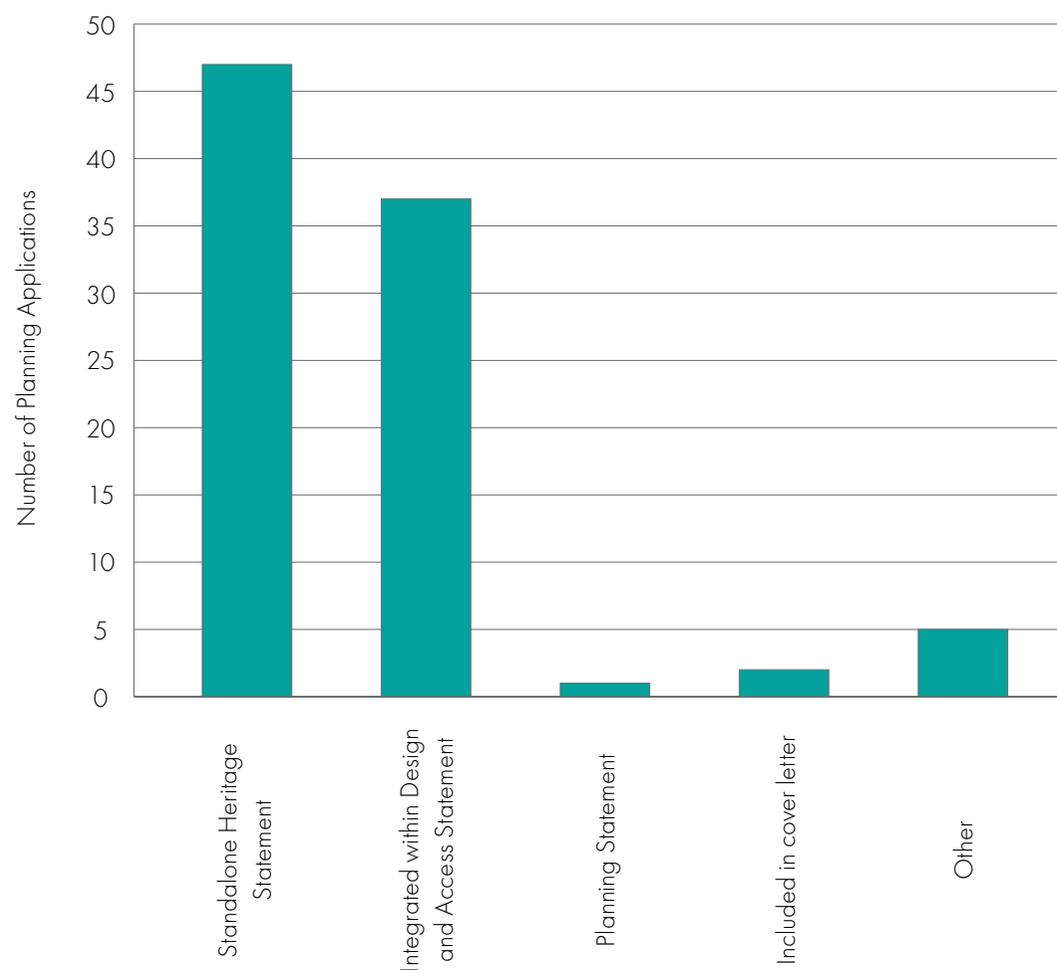
52. A 'heritage statement' was submitted with 44% of the 112 heritage-related planning applications. However, a substantial number of these applications were to discharge conditions attached to previously grants of listed building consent or planning permission. In such cases a heritage statement would not generally be required. Of the 53 applications proposing substantive construction works, 39 included a heritage statement, equating to 74% of those applications. It should be borne in mind that 34 of these applications had a related LBC application, of which 33 were accompanied by heritage statements. In the case of the single exception, a heritage statement was included in the parallel LBC application. Therefore, a total of six heritage statements were submitted with the 14 applications for which a parallel LBC was not being sought.
53. Heritage statements were submitted with 98% of the 80 listed building consent applications in the sample. There were two applications that did not include a heritage statement. Of these, one included a design and access statement (DAS) that referred to an accompanying heritage statement, but there was no evidence that this was submitted. The proposals were for cabling works only and it appears that the relevant heritage consultees were satisfied that the DAS provided sufficient information to decide the application. The other application was for freestanding digital display units within a listed railway station. This

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included an untitled document that did not formally describe the significance of the building or the potential impacts of the works but did include the building's list description and a historic photograph of the area where the units would be installed, along with photographs of the area as existing and corresponding 3D visualisations of the same views with the proposed interventions.

### Formats

54. Because of the duplication of heritage statements between planning applications and parallel LBC applications, the heritage statements from both types of application were pooled and duplicates removed before their quality was assessed. The resulting sample of 92 unique heritage statements varied from a simple, single-sentence assertion that the proposed works would not harm the asset through to hundreds of pages of information and assessment for large residential development sites.
55. The majority of heritage statements were standalone documents, accounting for just over half (51%) of the heritage statements reviewed. The main alternative was to integrate the heritage statement within a more broad-ranging design and access statement. The former approach was common with heritage statements prepared by a heritage specialist and the latter where an agent was preparing the application, though many standalone heritage statements were produced by agents too. The proportion of standalone heritage statements is similar to that reported in relation to listed building consent applications in 2016 in the previous iteration of the research.



*Figure 5: Chart showing the relative numbers of different formats of unique heritage statements submitted with planning and listed building consent applications*

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### Quality of statements on heritage

56. The 92 unique heritage statements were assessed on the basis of the series of four categories developed by Historic England for the previous iteration of this research. These relate to the extent to which the heritage statement attempts to set out the significance of the asset that will be affected by the works. The most basic level is a simple statement of the heritage asset's existence; there are then basic descriptions of the asset, in many cases repeating the listing description. Neither of these categories is properly compliant with the NPPF requirement to understand the significance of the asset potentially impacted by the proposed works. There are then two classes of potentially NPPF compliant approaches to assessing the assets: a basic assessment of significance, including, where relevant, a mention of setting, that would give a basic sense of the potential impact of the proposals; and more comprehensive assessments, that include specific discussion of the fabric and aspects of significance potentially affected by the works.
57. Categorisation of the heritage statements was undertaken in an intentionally inclusive way, so even a basic reference to the HER, without reported content, was categorised positively, as was even the briefest attempt to justify a statement of impact. No attempt was made to make a systematic judgment on the accuracy or adequacy of the evidence or reasoning presented in the documents. When assessed in this way, just over half (53%) of the applications were potentially NPPF compliant, and just under a quarter (24%) provided more detailed significance assessment. This represents an improvement on the situation in 2016, where just under a third of statements submitted with a planning application and 40% of applications submitted with a listed building consent application were potentially NPPF compliant in their approach to assessing the asset.

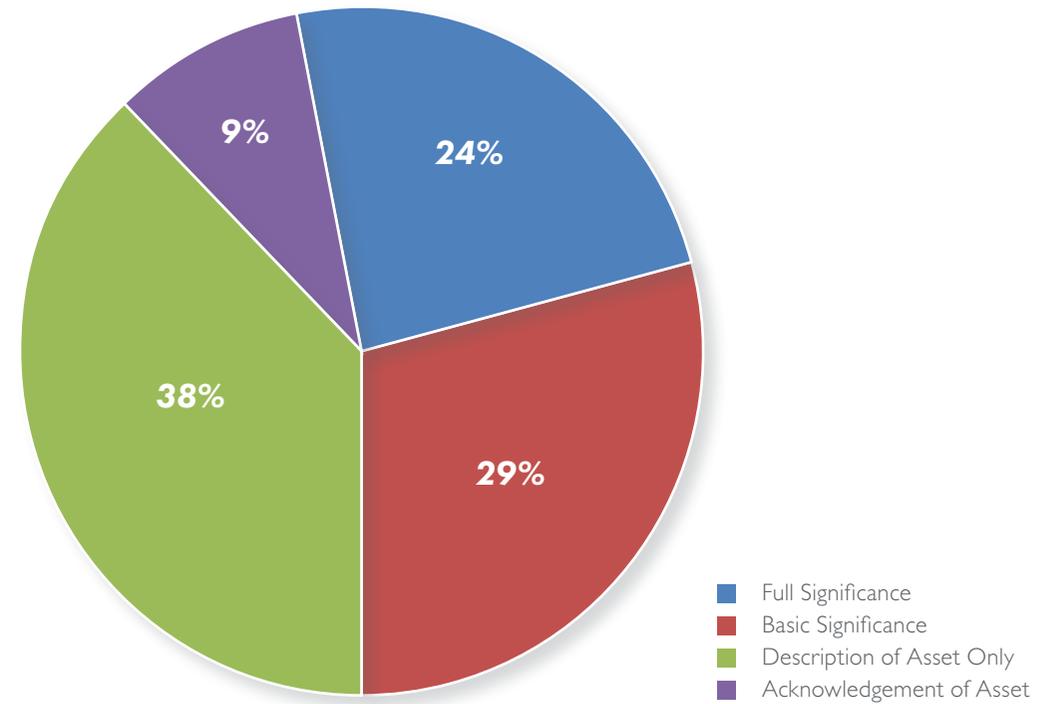


Figure 6: Chart comparing the quality of heritage statements submitted with listed building consent and planning applications using the categories based on those used for the Historic England's predecessor research project

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58. In addition, a similar series of categories was developed to analyse the extent to which heritage statements explicitly considered the impacts of proposed works. Since the introduction of the NPPF there has no longer been a formal requirement to assess heritage impacts within heritage statements, but it is clear that some planning authorities continue to prefer, and in some cases require, heritage statements to do this. The most basic category was those that simply asserted whether the impacts would be positive, neutral or negative. A further group made a basic attempt to explain or justify the judgment of impact. Finally, some statements provided a more detailed and fully justified assessment.
59. Of the 92 heritage statements reviewed, 82 (89%) considered impacts in some way. Of these, 27% simply asserted that the impacts would be neutral, beneficial or harmful. A further 38% provided some kind of description or explanation, however slight, for the assessed degree of impact and the remaining 35% attempted a more comprehensive assessment that considered impacts on the specific fabric involved and/or provided a reasonably full explanation for the judgement reached.
60. Because the categorisations of the relative quality of both assessments of significance and impact assessments were made inclusively, the analysis here is liable to present an optimistic picture of the quality of heritage statements submitted within the planning system. The overall impression given by the documents to the reviewer was that many appear to be poorly researched and inadequate in scope. Even some professionally produced documents, and most documents produced by applicants or agents, lacked focus on the significance or level of impact on the specific fabric affected by the proposals, meaning that they would be of little practical benefit for supporting decision-making by planning and conservation officers. This may reflect the relatively low levels of involvement (at 20% of cases) of heritage specialists in the production of such documents.

### The Historic Environment Record

61. Of the 92 heritage statements reviewed, 10% included reference to the local Historic Environment Record. This is a marked improvement on the 1% identified in the data for 2016. Nevertheless, it remains surprising that the proportion remains so small given that applicants for heritage-related planning proposals are required to consult the local Historic Environment Record.

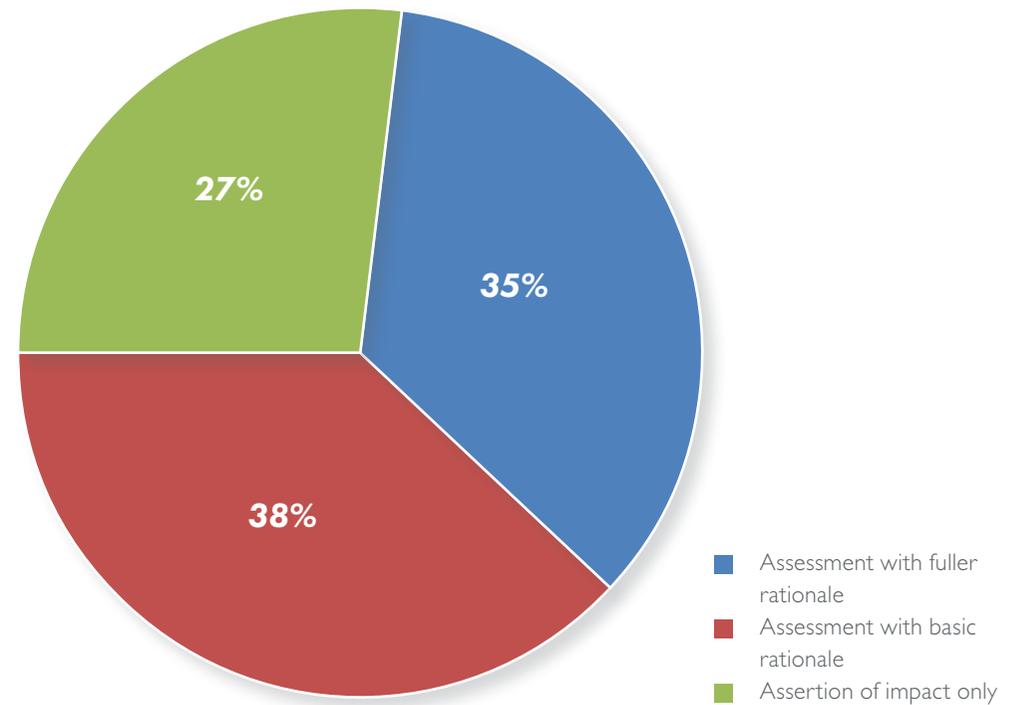


Figure 7: Chart comparing the quality of impact assessments in heritage statements submitted with listed building consent and planning applications by categorising the extent to which judgments made are adequately evidenced and/or explained.

## SECTION 4.0: CONCLUSIONS

62. This study has presented research into a number of aspects of the heritage planning system, focusing on: outcomes; the type of works proposed; determination times; and the use and quality of heritage statements.
63. When compared with the situation in 2016, reported in Historic England's predecessor report, it seems that outcomes for applications are closely comparable, with most applications receiving consent and relatively few being refused.
64. The types of works have changed somewhat, with markedly fewer applications for extension and alteration. The dominant specific category remains window and door works. There are more works related to renewable energy and thermal efficiency than in 2016, but proportions remain small given the strong political and environmental impetus towards retrofitting to help the UK meet its net zero carbon ambition.
65. Determination times for both planning and listed building consent applications appear to have lengthened. This is evident to some degree in the proportion of applications determined 'on time' (by the agreed deadline). However, it is more clearly apparent when comparing actual determination times in 2022 relative to 2016. There was some deterioration in the median determination time, with the effect that a majority of applications are now determined after the statutory deadline, whereas this was previously only a minority. There was a more marked increase in mean average determination times for both categories of application, suggesting that increasing numbers of applications have lengthy or very lengthy determination periods.
66. It should also be noted that the decline in the proportion of applications that were officially determined 'on time' is relatively less than:
- the increase in the number of applications for which a time extension is agreed;
  - the increase in the average determination period;
  - the increase in the median determination period
- This points towards the need for caution when using proportions of officially 'on time' determinations to track the performance of the planning system. Although there does seem to be a general correlation between changes in this headline figure and underlying trends in determination times, relying on it may lead to underestimation of the degree of change over time. It may also serve to understate performance variations between different local planning authorities.
67. This research has found evidence of considerable divergences in performance between individual planning authorities. Certain high-performing authorities appear to be maintaining standards and routinely determining applications before the statutory deadline. In others, there is frequent recourse to time extensions, and in some cases these seem themselves to be quite frequently not met. Variation of this kind was not reported as significant in Historic England's predecessor report (though it should be noted that there is little evidence of data analysis at the level of individual local planning authorities having been carried out in the context of that research).
68. There appears to have been a considerable increase in determination times for heritage-related planning permission applications, at least in the 'snapshot' presented by the nine authorities over the two two-week periods considered in this research. This evidence suggests that the increase is greater than that for LBC applications and also that the average and median determination times are longer for applications for planning permission than for LBC. However, it should be borne in mind that differences in sampling strategy for this and the predecessor Historic England research mean that the samples of heritage-related planning applications for 2016 and 2022 are not directly comparable. It would therefore potentially be of value to undertake further research and analysis to understand whether these findings reflect wider trends and, if so, to understand their causes.
69. Levels of consultation with conservation officers, archaeology officers or heritage and design specialists remain high, especially in relation to listed building consent applications, and are broadly comparable with the situation in 2016. However, it is difficult to say whether this reflects the maintenance of appropriate amounts of heritage resource within local planning authorities, as a combination of high levels of consultation with lack of capacity could be a potential explanation for the deterioration in determination times and the increasing reliance on time extensions.

## CONCLUSIONS

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70. The evidence from this research suggests that use of heritage statements has become more universal and that their quality has improved since 2016. Nevertheless, only a small minority of the individual documents reviewed are potentially compliant with the requirements of the NPPF. Many documents also appeared to lack the focus, detail and clarity needed to support decision-making by planning and conservation officers. It would therefore seem that, more than ten years after becoming a standard requirement for LBC applications in PPS 5 (2010), heritage statements remain a poorly understood and implemented component of the heritage planning system.
71. Overall, the impression is of a system under strain, with this strain being unequally distributed and affecting some planning authorities more than others. This is reflected in the general deterioration of determination times but even more acutely in the considerable divergence in performance between different local planning authorities.

