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The Heritage Team
Department for Culture, media and sport
2 – 4 Cockspur Street
London SW1Y 5DH

Dear Sir

RESPONSE TO CONSULTATION ON IMPROVING LISTED BUILDING CONSENT

The Horsham Society is a civic society with a membership of over 1200 and one of our core interests is maintaining and enhancing our local heritage.

Having studied your consultation document we do not support any of the options. In our view each would have the effect of reducing the protection currently offered to listed buildings.

The knowledge base for heritage assets is still limited both technically and historically, and our understanding of these is continually evolving. This is particularly true in the case of medieval buildings with a standard listing. One of the benefits of the current system is the transparency that the requirement to obtain LBC ensures. By advertising applications a local authority can capture information and contributions from a much wider range of sources than are necessarily available to the Council's own officers. The suggestion to use "independent" accredited agent would not solve this problem and would be open to abuse.

A second factor is that solutions are almost always application specific. What might be acceptable in the case of one listed building may not be so for another even if the broad circumstances appear similar. An increasingly frequent issue is the need to find alternative modern uses for listed buildings without which they would be left to decay. This sometimes involves compromise, and always discussion and consultation. A system of class consents would be much too broad to encompass the nuances necessary if the right decision is to be reached.

The suggested system of certificates for lawful works to listed buildings is especially flawed. It seeks to eliminate an area of uncertainty by creating a very risky and non-transparent process. The potential problem can be illustrated by a live case in Horsham where a firm of estate agents have repainted part of a C15th listed building in a deep magenta colour without consent. The Council officers have done their utmost to prevent any action being taken and if a system of certification had been available they would undoubtedly have used it. After considerable pressure from this Society the matter was referred to Committee where the councillors unanimously rejected the Head of Planning's recommendation for no further action and gave the perpetrators 28 days to submit a valid application for LBC or face enforcement action. Similar problems could arise with a system of prior notification unless there was a requirement for these to be advertised with a facility to call cases in for proper determination.

There appears to be no reference within the options to the class designation although one might think more care should be taken over changes to a Grade 2* than a Grade 2 building.

In our view the present system works well in the majority of cases, balancing the interests of the owners of listed buildings with those of the wider public, and ensuring transparency and local involvement in decisions. It need not be time consuming or particularly demanding of resources either for applicants or councils.

All four options would result in a less satisfactory system with concomitant risk to our national and local heritage.

Yours faithfully

John Steele
Secretary, Planning Sub Committee