

CONTESTING THE EXPERT IN THE BIG SOCIETY

AN ASSESSMENT OF NATIONAL AND LOCAL SIGNIFICANCE IN
RELATION TO HERITAGE DESIGNATION IN ENGLAND

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ABSTRACT

As many in academia now argue, heritage significance is ascribed and not intrinsic to the asset in question. For designated sites in England, the significance ascribed by experts is that of 'special interest' in a national context with a resultant emphasis on, in the case of buildings, the more architecturally embellished examples. However, the majority of applications for statutory heritage designation are for everyday heritage assets which have significance to the local community. When assessed under the current criteria, many of these applications are turned down because the site is not thought to have enough special interest. There are therefore significant tensions between national, expert-assessed significance and locally ascribed social significance.

There has been little academic investigation of this particular area of dissonant heritage. This thesis, therefore, investigates this tension and considers opportunities to reduce it through the use of Local Heritage Lists and Big Society agenda outcomes such as neighbourhood planning. It does this through the analysis of 500 applications for statutory designation; collation and analysis of Local Heritage List data; and evaluation and analysis of data in relation to Assets of Community Value and Neighbourhood Development Plans. Empirical data for each of these has not previously been analysed or published. Its collation and use in this thesis thus adds significantly to our knowledge and understanding of why local communities wish to 'save' their everyday heritage, and the methods with which to do so.

In concluding, this thesis argues that a better understanding of the role and legacy of National significance in statutory designation, combined with making the most of opportunities at the local level, can help to reduce tension and better protect everyday heritage. This requires those in authority, however, to understand that heritage is not simply historic fabric; it is also a community asset.

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AUTHOR'S DECLARATION

I declare that, except where explicit reference is made to the contribution of others, this thesis is a presentation of original work and I am the sole author. This work has not previously been presented for an award at this, or any other, University. All sources are acknowledged as References. As such, responsibility for any errors is entirely my own.

While some aspects of this work have been expanded upon and published by the author elsewhere (see below), the majority of the data analysis, discussions and conclusions are presented here for the first time.

PUBLICATIONS RELATED TO THIS RESEARCH:

Jackson, S, and Schmisser, A (2017). 'SPAB Maintenance Co-ops: A move towards meaningful participation?' In: Chitty, G. (ed.) *Heritage, conservation and communities*. Farnham: Ashgate

Jackson, S., Lennox, R., Neal, C., Roskams, S., Hearle, J. and Brown, L. (2014). "Engaging communities in the 'Big Society': What impact is the Localism agenda having on community archaeology?". *The Historic Environment: Policy and Practice*, 5(1), 74-88

Jackson, S (2013). 'Contesting the 'Expert' at the former Bradford Odeon, West Yorkshire'. In: Schofield, J. (ed.) *Who needs experts? Counter-mapping cultural heritage*. Farnham: Ashgate

Jackson, S, and Lennox, R (2013) 'What is the impact of the Big Society? A report from the IfA 'Making Waves' conference', *The Archaeologist*, no. 89

Jackson, S. (2013). 'A tale of two theatres: Can the Localism Bill provide a sustainable future for 'local' heritage in England?'. *International Journal of Heritage and Sustainable Development*, 3(1), 103-112

Jackson, S. (2011). 'Ascribing Significance in the Big Society', *The Archaeologist*, no. 81

ABBREVIATIONS

AHD	Authorised Heritage Discourse
BORG	Bradford Odeon Regeneration Group
CAMRA	CAMpaign for Real Ale
CLGC	Communities and Local Government select Committee
DCLG	Department for Communities and Local Government
DCMS	Department for Culture, Media and Sport
DEFRA	Department for Environment, Food and Rural Affairs
EH	English Heritage
HE	Historic England
HER	Historic Environment Record
HPR	Heritage Protection Reform
NDP	Neighbourhood Development Plan
NHLE	National Heritage List for England
NPPF	National Planning Policy Framework
PPG15	Planning Policy Guidance Note 15: Planning and the Historic Environment
PPG16	Planning Policy Guidance Note 16: Archaeology and Planning
PPS5	Planning Policy Statement number 5
SMR	Sites and Monuments Record
SPD	Supplementary Planning Document
SPG	Supplementary Planning Guidance

1 INTRODUCTION

Most countries have heritage management systems that include legislative protection for heritage assets, and there is often a fundamental acceptance within state-run agencies that the heritage they protect will be of benefit to future generations, and to quality of life (Cowell, 2004; Schofield, 2008). In England, heritage assets which are considered to have ‘special interest’ to the nation are designated as such by the Department for Culture Media and Sport, and are added to the National Heritage List for England (www.historic-england.org.uk/list). This is carried out on the advice of a dedicated designation team at Historic England¹, the government’s non-departmental statutory adviser on the Historic Environment. Many of the applications for statutory heritage designation received from the public by Historic England are for everyday heritage assets which have significance to the local community. When assessed under the current designation criteria, these applications often result in non-designation because the asset does not have sufficient ‘special interest’. There are therefore significant tensions between national, expert-assessed definitions of significance and locally-derived definitions of significance, with members of the local community often contesting both designation decisions and, in particular, the non-representation of community views within the associated assessments. In addition, other ways of protecting these assets are often not considered, leading to the general assumption that the only way to protect what we value is to have it statutorily designated.

The statutory protection of heritage assets in England began with the Scheduling of Ancient Monuments in 1882; and developed to include an additional system for the listing of buildings of special architectural and historic interest as part of post-war comprehensive planning. Calls to preserve the architectural and historical value of historic buildings had begun in the late nineteenth century, however, with the ideas of John Ruskin (1865) being especially influential. These statutory designation systems were essentially positivist and expert-led, with a focus on national significance. Although most academics now agree that heritage significance is ascribed and not intrinsic, and that social value is a key component of heritage significance, statutory definitions of heritage with UK legislation and policy continuing to emphasize the same mid-nineteenth century essentialist conception of heritage in use when these protection systems were developed.

¹ Previously English Heritage – Historic England took over this statutory duty upon its creation in April 2015

The statutory protection of heritage in England has historically been restricted, therefore, to the preservation of buildings and monuments of architectural, historical and aesthetic value (Hunter, 1996). This ideology still forms the backbone of designation legislation and policy in England, having been enshrined in the 1947 Town and Country Planning Act, and reinforced within international conservation philosophy via the 1964 Venice Charter (ICOMOS, 1964). This definition of heritage as iconic, national monuments is defined by Smith (2006) as the Authorized Heritage Discourse (AHD), which places an emphasis on decision-making by heritage experts in a professional, objective environment (Hobson, 2014). Smith (2006) argues that the AHD naturalizes a range of assumptions about the nature and meaning of heritage, placing primary attention on the physical objects of heritage, which are often linked to ideas of the nation. This is despite a gradual shift in emphasis over the past one hundred and fifty years from seeing heritage as a physical entity passed down from one generation to the next, to a much wider more plural definition which includes anything from the past which is valued in the present (Schofield, 2014, 1; Graham and Howard, 2008).

It is also now increasingly clear that people are less likely to accept the 'authorized' view of heritage, preferring instead to choose for themselves what kind of past to believe in (Thomas, 2008). From the 1990s onwards, therefore, community engagement and the social value of heritage have become key concepts in academic debate (Kristiansen, 1998; Johnson, 1992; Jones, 2016; Jones and Leech, 2015; Smith and Waterton, 2009). Recent planning policy in England, as well as Historic England documents such as Conservation Principles (2008), do seem to demonstrate an awareness of this. The Australia ICOMOS Burra Charter (1979) was a key driver in these new understandings of significance, especially in its 1999 revision, and has been highly influential within heritage management practice internationally and within the UK. At the designation level, however, and even within these documents, the role of the expert and the primacy of historic fabric is still dominant; with many in the heritage sector being reluctant to acknowledge that the values ascribed by local communities are as valid as their own 'expert' opinion (Byrne, 2008). Social value, therefore, is still not widely accepted in practice, and participation of local communities within heritage processes remains to be converted into inclusive public debate (Poulios, 2011; Carman, 1996; Gibson, 2009; Hubbard, 1993; Jones, 2016).

Communities, however, now regularly argue for 'local' heritage assets to be 'saved'; not just for their traditional architectural or historic values, but also because of the social value of the site to that particular community. As Giddens (1990) and Grenville (2007) have argued, the historic environment is valued because familiarity of the surrounding social and material environment can anchor societies and thus provide social cohesion (see also Magdin, 2009). For many communities, it is often the everyday heritage and associated social values of their local

streetscapes that they wish to protect via statutory designation (see Chapter Five). Expert decisions which reject these assets for designation under national criteria which does not include social value, therefore, are often contested. The recognition of the importance of locally valued heritage assets and the wishes of local communities to see these protected appears to be a relatively recent development, however. Although the desire to protect local sites is not in itself a new phenomenon, the move away from a centralised government and the increasing empowerment of local communities via such programmes as the Labour Government's Third Way / Social Inclusion agenda in the 2000s and the Coalition Government's 'Big Society' agenda in the 2010s, means that local significance is increasingly vocalised but also increasingly contested. Local community groups no longer simply support conservation; they now seek to have their own sense of heritage acknowledged and legitimised (Smith and Waterton, 2009, 36). However, despite the influence of ideas about social value and multivocality within the Burra Charter (ICOMOS Australia, 1999) and the 2005 Faro Convention (Council of Europe 2005), the idea that values other than architectural and historic interest are just as important, is not yet fully understood within the professional heritage community at the designation stage. In post-designation management, however, Historic England's Conservation Principles (2008) and its inclusion of communal value, has helped to some degree to begin to change the way in which heritage is understood.

Planning decisions will often affect local heritage assets and thus are often the reason for statutory designation nominations, which is itself a key element of the planning system. It is widely acknowledged, however, that decision-making in this area has often failed to respond to the needs and expectations of local communities, with lack of consultation often being the main objection (Burgess *et al*, 2001; Wilson & Game, 2001). Objections are similarly raised in relation to designation decisions, which due to the curtailment of assessments to only the historic and architectural interest set out in the selection criteria (DCMS, 2010); appear to dismiss the significance attached to heritage assets by the local community. Due to concerns that community views will not be taken into consideration, therefore, planning applications and any associated designation applications can be heavily contested, leading to frustration and a feeling that communities are unable to influence the course of developments in their area (DCLG, 2011a, 2). When the UK Coalition Government came to power in May 2010, however, they brought with them a Localism agenda, based upon what they called the 'Big Society'.

This 'Big Society' agenda has led to a number of legislative and policy changes in England including a Localism Act (DCLG, 2011a). This devolved some powers to local government; created new 'Community Rights' which allow local groups to take over community assets and the provision of services; and provided a means for local communities to become more involved in decision-

making. It was intended to be bottom-up, but was driven from the top as a policy counter-balance to 'Big Government' (Jackson *et al*, 2014, 75), with then Prime Minister David Cameron stating in 2010 that the Big Society would be a 'huge culture change' in which people 'don't always turn to officials, Local Authorities or central government' for answers to the problems that they face, having instead the power to help themselves and their own communities (Cabinet Office, 2010). The provisions within the Localism Act, therefore, and in particular Neighbourhood Development Plans (NDPs), would seem to suggest a significant turning point in relation to non-expert, local communities, with a new more positive attitude towards their inclusion within decision-making.

Taking this background into account, this thesis attempts to try and understand what it suggests is the inherently contested nature of heritage significance within the specific context of the national designation system. Following a literature review within which the ideas of national heritage, participation, community, and social value as well as constructivism and multivocality are fully explored; it then moves on to look at the policy legacies of national designation before embarking on data collection and analysis to answer the key research questions set out below. These focus the research around analysis of national designation applications and the reasons why applications are made, consideration of potentially less-contested local listing and the opportunities contained within the Localism Act. Throughout this thesis, the inherently contested nature of significance provides a common thread which pulls it all together. This introductory chapter, however, sets out the research questions, aims and objectives to guide the research within the following chapters, and outlines the background theoretical underpinnings and research rationale.

1.1 RESEARCH QUESTIONS, AIMS AND OBJECTIVES

As outlined above, this thesis will focus on the tension resulting from a national framework of heritage designation policies which seek to be participatory and inclusive, but which cannot effectively recognise the increasing importance of social value due to the restrictions of current legislation and guidance. A focus on the contested nature of the national designation system, however, leads also to considerations of alternatives or improvements to this, especially in light of the Big Society agenda. The analysis within this thesis is therefore structured around the following key questions:

- Why does the national designation system in England often result in contested decisions?
- Given the localism agenda of the 2010 coalition government, should we be looking to more local policies as an opportunity to reduce this tension?

- Is 'national' heritage legislation and policy is still an appropriate way of 'protecting' valued heritage assets?

1.1.1 AIMS, OBJECTIVES AND OUTCOMES

The overall aim of this is thesis is to produce research which will not only answer the research questions set out above, but will contribute to future heritage policy formation and practice. This research is therefore structured around three specific aims, each of which is addressed via a range of core objectives as listed below (see also fig. 3).

Aims

- To produce empirical data which will challenge traditional assumptions concerning which heritages are considered to be significant, and the types of assets that people wish to protect.
- To provide insight into the contested nature of heritage significance
- To investigate local protection opportunities which may reduce the tension and contestation associated with national designation processes

Objectives

1. Describe and evaluate the policy legacies of heritage designation in order to be able to understand the contested nature of the current system
2. Examine and evaluate the tension that surrounds heritage significance through literature review and the use of case studies
3. Evaluate requests for national designation, in particular the reasons given for applying and the type of heritage applied for
4. Evaluate the use and coverage of local lists as a way of protecting locally significant heritage assets, in particular the opportunities for participation and the criteria used
5. Evaluate the potential opportunities provided by Big Society Localism Act policies, in particular the use of Assets of Community Value and Neighbourhood Development Plans
6. Compare the heritage protection opportunities provided by local lists and Big Society Localism Act policies to consider whether the tension associated with designation can be reduced

Outcomes

An underlying aim of this research is that the empirical evidence resulting from the analysis of national and local heritage protection systems and Big Society protection measures can be used to inform advice and guidance prepared by Historic England, Local Authority conservation staff, and other heritage organisations such as the national amenity societies. The key findings from the research as outlined above will therefore be pulled together in the Conclusion of this thesis to consider their potential impact in the form of a number of recommendations for heritage policy and practice.

1.2 RATIONALE AND PURPOSE OF STUDY

1.2.1 RESEARCH BACKGROUND

These questions, and the overall focus of the research, has developed from the author's employment as Senior Designation Co-ordinator (North) at English Heritage from January 2005 until November 2013. Within this work there was an almost daily call or letter from a designation applicant, owner or community group contesting a decision or pleading for an application for a building threatened with demolition to be urgently considered. A high number of 'high profile' cases were also managed by the author which were the subject of numerous press reports and substantial petitions/campaigns, such as Bradford Odeon which is discussed in Chapter Five. This led the author to attempt to try and understand why the system results in so much tension, and to consider ways in which this tension may be reduced.

Another key influence for this research is that it was undertaken during a time of significant potential social reform in England. This was branded as the Big Society, which the 2010 Coalition government envisaged as a more socially responsible society fully engaged in decisions affecting their local area through the devolution of power (Watt, 2010). This would appear to be in stark contrast to the expert-led system of statutory heritage protection, hence the title of this thesis and the focus on the potential of localism to provide alternative or additional ways to protect locally significant heritage assets and thus alleviate some of the tension associated with national designation.

1.2.2 THEORETICAL FRAMEWORK

The research within this thesis is underpinned by three key concepts/theories, full discussions of which are provided in Chapter Two. Firstly, the arguments developed during the thesis are influenced by the constructivist framework as described by Brian Graham and Peter Howard (2008; see also Ashworth *et al*, 2007; Brett, 1996; Graham, 2002; Graham *et al*, 2000; Lowenthal,

1998; Peckham, 2003; Smith, 2004). Through this lens, heritage is seen not as any specific object, site or practice, but as a construction in the present to serve a number of uses (Darvill, 1987; Kristiansen, 1998; Ndoro & Pwiti, 2005, 142; Silverman, 2010, 1; Smith, 2006), for example to stop development, to celebrate local/national history, to increase local pride, to build a nation, and so on. This does not imply that heritage is necessarily a tool used for control, or for economic interest; instead it confirms the argument that heritage does not have any inherent values, it is a social construct with values that are ascribed to it by society (Ashworth, 2002, 2008; see also Byrne, 2008; Howard, 2003; Carman, 2002, 2005b; Graham, 2002; Holtorf, 2008; Sørensen & Carman, 2009; Tunbridge & Ashworth, 1996). Heritage, therefore, is not simply an historic building or an archaeological site, or any other aspect of 'the past'. These remain as elements of the historic environment until values are attached to them and they become heritage. This is an important element in understanding why certain heritage sites are valued and chosen for designation, and why this is often contested.

Using the constructivist framework, this research proceeds from the view that heritage is multivocal, but that this is often not understood or fully considered by those in authority (Ashworth and Larkham, 1994; Belford, 2011; Tunbridge & Ashworth, 1996; Corsane, 2005). It is argued that this leads to tension and dissonance due to 'expert' or 'official' definitions of significance being considered more valid and thus more important. The Faro Convention (Council of Europe, 2005, Preamble) states that there is 'a need to put people and human values at the centre of an enlarged and cross-disciplinary concept of heritage', and this is a strong focus within this thesis, which will emphasise the need to re-examine the authorised view of what should be protected, and to widen the concept of heritage used by those in authority. This results in the question of whether national designation criteria should be widened to include the less tangible, social values attached to heritage sites, or if it should continue to operate as it does, but in addition to measures and policies at the local level, which thus results in a heritage protection system which is better able to recognise the multiple values and significances associated with heritage assets.

Another key influence for the research within the following chapters is the 'dissonant heritage' framework of Tunbridge and Ashworth, whose 1996 book was one of the first to explicitly discuss the inherently contested nature of heritage. The authors define what they call 'dissonant' heritage as the tension between the multiplicity of heritage constructs, stating that at its simplest, 'all heritage is someone's heritage and therefore logically not someone else's' (p. 21; see also, Davison, 2008; 2005; Silverman, 2010; Smith, 2006; Smith & Waterton, 2009; Dolf-Bonekämper, 2008). As Tunbridge and Ashworth (1996, 21) have argued, heritage is inherently contested. There will always be tension between those who wish to protect a heritage asset and those with the

power to do so, therefore, but a deeper understanding of where this tension comes from, and opportunities for reducing it, are essential for the future success of any national designation system.

1.2.3 RESEARCH JUSTIFICATIONS

In the introduction to his 2014 publication 'conserving and managing ancient monuments', Emerick notes that 'designation is not in itself 'management': it is a management tool' (p.3). Once a heritage asset has been selected and designated, there is then a concern to conserve and protect them, and as noted above, traditional, normalised conservation practice suggests that it is the authenticity of the fabric of an asset which must be sustained. The act of designation in most countries is undertaken following defined criteria, whereas the management of assets requires interpretation of guidelines to suit each particular site and consideration of the impacts of any programmes of conservation or repair works. Most academic literature on heritage protection, therefore, focuses on either the post-designation conservation of heritage assets, or on their management as a 'heritage attraction' to visitors. In relation to participation and community involvement with heritage, as well as social value to some extent, much of the literature similarly tends to focus particular heritage assets, usually those open to the public as tourist attractions; and considerations of engagement relate to the management of the site, or reconciling the definitions of World Heritage Site values with those of a local population. None of the literature, it would seem, considers participation and engagement in relation to general designation programmes. The majority of academic publications, therefore, have just a basic overview of designation and what it is in their introductory sections (for example: Emerick 2014, 1-3; Pendlebury, 2009; Fairclough *et al*, 2008; Hunter, 1996; Kalman, 2014; Ross, 1991; Hobson, 2014). None, it would seem, have undertaken a full empirical analysis of the types of assets that are the subject of designation requests and the reasons for their nomination, as this thesis will do.

While the contested nature of heritage has been written about by a number of authors (for example: Tunbridge & Ashworth, 1996; Smith, 2006; Smith & Waterton, 2009; Silverman, 2010; Jones 2005, 2016; Davison, 2008; Ashworth and Larkham, 1994; Byrne, 2008; Croke, 2010; Thomas, 2008; Benton, 2008), as discussed in Chapter Two, this has tended to focus on an analysis of specific heritage sites which need to be managed and not on designation in particular (Emerick, 2014), although a notable exception is the work of Gardner (2004) in NE London. In addition, although a number of authors have written about value and significance (e.g. Avrami *et al*, 2000; Byrne, 2008; Carman, 1996, 2005b; Clarke, 2006, 2010; Darvill, 1987, 1993a, 1993b, 2005; De la Torre *et al*, 2005; Graham and Howard, 2008; Lipe, 1984; Smith, 2006; Startin, 1993; Carver, 1985), with the exception of perhaps Emerick (2014), Jones (2016), and Byrne *et al* (2003) these debates are largely philosophical, with few pragmatic solutions to the problems. Finally,

while the increasing importance of local listing is acknowledged by many in the heritage sector (e.g. English Heritage, 2010), little has been written about it in the academic literature; and the 2011 Localism Bill and associated Big Society programme has yet to be analysed within a heritage designation context.

This thesis attempts to fill these gaps through the analysis of 500 applications for statutory designation; collation and analysis of Local Heritage List data; and evaluation and analysis of data in relation to Assets of Community Value and Neighbourhood Development Plans. Empirical data for each of these has not previously been analysed or published, and indeed there has been little academic investigation of this particular area of dissonant heritage. Its collation and use in this thesis thus adds significantly to our knowledge and understanding of why local communities wish to 'save' their everyday heritage, and the methods with which they can do so. An evaluation of local significance, based on empirical evidence, will therefore result in a much better understanding of the multivocality of heritage, and the different value systems which are used by a wide range of local and non-local communities to ascribe significance to certain assets.

1.3 DEFINITIONS

It is useful at this point to define the key terms used within this thesis. These are commonly used terms which appear regularly in heritage discourse, including guidance documents, advice, and press releases. However, each of these terms can have a wide range of meanings depending on the epistemological background and social setting of their use. This can lead to alternate interpretations of the issue under discussion, which may not be congruent with the arguments being made.

1.3.1 HERITAGE SIGNIFICANCE

The definition of heritage has been the focus of debate for many years, with no overall consensus (e.g. Ashworth, 2008; Brett, 1996; Carman, 2002, 2005; Harvey, 2001; Lowenthal, 1998, 2000; Pearce, 2000; Samuel, 1994; Smith *et al*, 2010; Sørensen & Carman, 2009), although the traditional definition is that of historic sites and structures that are inherited from the past and which need to be protected for the future. Physical heritage can wield enormous social, cultural and political power (Carman, 2002, 2005; Davison, 2008; Darvill, 1987; Saunders, 1983; Tunbridge & Ashworth, 1996), and from the mid-nineteenth century was used to promote national narratives of progression and modernity (Glendinning, 2013). The conservation movement and its mid-nineteenth century 'anti-scrape' campaign (Glendinning, 13) focused ideas of what should be protected to the architectural, historic and aesthetic values of heritage assets. This definition was enshrined in planning legislation along with the term 'special interest' in 1947, and has been

strengthened by international conservation philosophy in such documents as the 1964 Venice Charter (ICOMOS). This bias towards man-made structures of architectural, historic and aesthetic value has remained a constant since the first legislation enacted in the UK to protect heritage in 1882. From the 1960s onwards, heritage also became an omnibus term for things which are in danger of being lost (Davison, 2008, 32).

However, in the later part of the twentieth century there has been an incredible proliferation and diversification of heritage, which now includes much more than just the structures and monuments of the past. This means that heritage can now be defined as all things to all people (Silverman, 2010, 4; Watkins & Beaver, 2008). Debate about the definition of heritage and the roles that it performs, therefore, is not unexpected, especially when it is considered that heritage is selected, negotiated and constructed in the present as outlined above and discussed further in Chapter Two. As Palmer (2008, 7) has noted, however, the concept of heritage that moves far beyond buildings and historic sites may be fashionable for academics, but it remains underdeveloped in national strategies as this thesis will demonstrate in Chapters Five, Six and to some extent Seven (see also Belford, 2011; Ashworth, 2008, Gibson, 2009; Schofield, 2008, 2009; Smith, 2004).

In terms of significance, this is a relatively new and somewhat debated term within the heritage profession. It first appeared in official documentation in ICOMOS Australia's Burra Charter (1979), and has since found its way into policy and guidelines within many other countries, and forms the basis for Historic England's Conservation Principles, and national planning policy on the historic environment (DCLG, 2012; see also Emerick, 2014, 3; Historic England, 2008). While the term was debated at some length following the publication of Planning Policy Statement 5 (see for example Southport Group, 2011), which for the first time referred to significance rather than importance when considering heritage assets in the planning process, using the definition of cultural significance set out in the Burra Charter, heritage significance can simply be defined as the sum of the values of attached to a place (Emerick, 2014, 4). These may be traditional architectural or historic values, but will also be social or community values.

Taking all of this into account, the definition of heritage which underpins this research is one in which anything that people value in the present and wish to continue to be part of their cultural landscape is considered to be heritage. This tends to be the everyday heritage of our local streetscapes, which in addition to traditional architectural and historic values will often have a high degree of social value to local communities. Although the argument is often made that heritage is what we wish to pass on to future generations, this thesis argues that it is intrinsically what we find significant now, and what we would miss if it was no longer there (e.g. Gibson 2009).

Heritage assets can thus be seen as powerful symbols or mnemonics for the past, with the physical entity acting as a symbolic reference to a powerful experience or memory (Ashworth and Phelps, 2002). Heritage then, is in the present and is present-centred (Howard, 2009, 52).

1.3.2 COMMUNITY

Although arguments are often made about the 'local community' in both government policy and academic research, the term can mean anything from local residents to a group of people who share a common interest. As with definitions of heritage there has been, and indeed continues to be, much debate about what community is. Taking a step back from these debates, which are discussed in Chapter Two (Section 2.3.2), it is useful to consider what Studdert (2005, 2) describes as a 'common sense' definition of community, which is a group of people with something in common. These groups develop and overlap through the act of sociality, of social beingness. They therefore change and evolve over time and will overlap with each other. This definition is helpful to keep in mind in within this thesis, as those who apply for heritage assets to be designated because the building is significant to 'the community' will more often than not use this common-sense definition. Communities, however, have boundaries – you belong to a community or you do not - and whether you are inside a boundary or not can translate into power and legitimacy in decision-making. Within heritage protection, for example, there is a community of experts who share a common philosophy, and there are those outside the boundary who are characterized by those within as having only a subjective, locally-derived understanding of heritage (see section 2.4.2 below).

The 'everyday heritage' that is the focus of this research is often valued more often for its locally-based social value rather than for its architectural or historic interest. This means that a more geographically-focused definition of community is appropriate in discussions of 'local communities' within this work. This thesis, therefore, uses Theodori's definition of community as 'a place-orientated process of interrelated actions through which members of a local population express a shared sense of identity while engaged in the common concerns of life.' (Theodori, 2005, 662-3). For the consideration of local heritage assets, including those listed as Assets of Community Value (ACV) or contained within Neighbourhood Development Plans (DNPs), therefore, community occurs in a place and/or is place orientated, but community is not the place itself. Place simply serves as the setting in which social interaction occurs (Theodori, 2005, 663). The theory of multivocality from which this research proceeds, means that this definition of community also understands that there are multiple, overlapping, communities which may value everyday heritage, some of which will of course be communities of interest or attachment and may not be made up of local residents.

1.3.3 PARTICIPATION AND ENGAGEMENT

A key area of tension in relation to designation is the non-participatory nature of the decision-making process. However, participation is a complex and politically-loaded idea, and to engage with people meaningfully requires negotiation, a commitment to flexibility, and an understanding of the role of the professional (Neal and Roskams, 2013). While Shelly Arnstein's (1969) well-known ladder of participation (see Chapter Two, Section 2.3.1) puts the current designation system at a 'tokenistic' stage, neighbourhood planning suggests that communities can climb up to a much higher rung. As Chapters Five and Seven make clear, being involved in a process is not the same as having 'a voice' – voice needs to be nurtured (Cornwall, 2008, 278). The use of models such as Arnstein's ladder, however, which continues to form the basis of much participation policy, closes off options and limits the potential for sharing experience, knowledge and the harnessing of multiple perspectives (Tritter and McCallum, 2006, 166). The inability to harness multiple perspectives is also a key issue for heritage protection, and a key theme which runs through this research.

Overall, the literature in relation to participation tends to focus, as the heritage literature does, on community engagement within specific, large-scale projects such as the redevelopment of an area or participation in Environmental Impact Assessments prior to the introduction, for example, of irrigation or drainage services in developing countries, and so on (e.g. Chirikure *et al*, 2010; Glucker *et al*, 2013; Litva *et al*, 2002). While this is perhaps relevant for considerations of Neighbourhood planning in Chapter Seven, it is not as relevant for consideration of the daily decisions taken on what to designate. With approximately 4000 applications per year being received when the author worked in the designation team at Historic England, full-scale engagement programmes for each of these would be very difficult to facilitate, especially if the asset is under threat and requires urgent consideration. In this thesis, therefore, participation and engagement is used to refer to community views being considered valid by those in authority and included within the decision-making process. In this sense, the expert will act more as a facilitator than a decision-maker, although the final decision may still rest with national organisations such as Historic England. Litva *et al*'s proposed 'accountable consultation' may thus be the most appropriate form of participation at the national level. This would enable citizens to contribute to decisions by expressing views, and they would be guaranteed that this view is heard and be provided with an explanation of the rationale behind the decision, without having decision-making responsibility themselves (Litva *et al*, 2002, 1834). Indeed, it is clear from speaking to both applicants and owners that many feel an expert decision is required, even though they wish to be much more involved in the process. For locally-based forms of protection, however, including Neighbourhood Development Plans, ideas of Co-production put forward by Helen Graham (2016) may be more appropriate.

1.3.4 SOCIAL VALUE

Chris Johnson, in her 1992 discussion paper ‘what is social value?’ states simply that it is the ‘special meanings attached to places by groups of people ...’ (iii), and Jones (2016, 2) takes this further by defining it as ‘a collective attachment to place that embodies meanings and values that are important to a community or communities.’ (see also: Jones and Leech, 2015; Byrne *et al* 2003). This idea of social value has recently received increasing attention in both international and national contexts (Jones and Leech, 2015, 5; ICOMOS Australia, 1999; HE, 2008; Council of Europe 2005, 2009; Pearson & Sullivan, 1995; Byrne *et al*. 2003). These all suggest that social value is closely tied to community, and as Johnson argues (1992, 10), is about collective attachment to places that embody meanings important to a community. Social value, however, is infinitely fluid and malleable (Jones, 2016, 6). It is something that is constructed and attached to heritage assets on a regular basis, as well as something that can fade away over time. In this sense, it is no different to other heritage values, and in fact to heritage itself, as discussed above. It is perhaps for these reasons that the designation, or not, of a heritage asset can result in significant tension and contestation, with social values competing not just with professional/expert values, but with other social values attached to well-known site.

The ways in which communities value heritage assets is often rooted in localised oral narratives, spiritual associations, family histories and associated experiences (Jones, 2016, 4). For the purposes of this thesis, therefore, social value is defined as the intangible values of experience and emotional attachment to a heritage asset. As Smith (2006) has argued, and as the ICOMOS Quebec Declaration on the Preservation of the Spirit of Place (2008) outlines, there is no such thing as either intangible or tangible heritage, all heritage has elements of both (see also, Jones and Leech, 2015, 5, 14). These could very easily be considered not as heritage values, but as community values, especially in relation to Cohen’s (1985) symbols of community. However, where community symbols are also heritage assets, then it is right to consider them here as an aspect of the significance of heritage within this research.

1.4 THESIS METHODOLOGIES

As discussed in Chapter Four, the particular research methods used within this thesis to meet the aims and objectives outlined above follow a grounded interpretivist approach, with the framework method in particular being used in the collection and analysis of six separate but interconnected primary datasets (see Appendices 1-6). These are:

- National heritage designation applications

- Bradford Odeon: letters of support
- Local heritage designation data
- South Tyneside local list nominations
- Assets of Community Value (ACV) Listings
- Neighbourhood Development Plan (NDP) data

The sources for each of these data sets, the reasons for their selection and how they were selected is discussed in Chapter Four along with the methods used to analyse them.

Although the primary method of research used within this thesis is content and/or thematic analysis using the framework method, each of the three results Chapters (Five, Six and Seven) use a mixed methods approach of literature review, content/thematic analysis incorporating discourse analysis, and case studies. Where it was not possible to collect primary data, the analysis of published material via a literature review was undertaken instead. Indeed, literature review of secondary information is a key element of all areas of analysis within this thesis, and forms the basis of the following two chapters.

1.5 STRUCTURE OF THE RESEARCH

The research for this thesis begins with a consideration of the underlying theoretical framework in a review of the relevant academic literature in the following chapter; and an evaluation of the development of legislation and policy (policy legacies) from the 1882 Ancient Monument Act onwards in Chapter Three. In particular, Chapter Two provides the philosophical context for arguments within the following chapters in relation to contested significance, and outlines the understanding of the constructed nature of heritage that this research is based on. Chapter Three continues this thought process to consider why this legislation and policy has developed to produce an expert-led system which would seem to be inherently contested.

In advance of the results of analysis within chapters five, six and seven, the methodology used for the analysis of this primary data is set out in Chapter Four, including the research approach of grounded theory, and the framework method of recording content/thematic analysis. It also outlines the nature of the data collected for analysis and how it is used in relation to the objectives set out above (see e.g. fig. 3). Chapters Five, Six and Seven then consider and evaluate primary survey data in relation to the key research questions of why heritage designation results in tension, and the opportunities available to reduce it. Chapter Five looks at national designation and its associated tension through the analysis of 500 national designation requests submitted to English Heritage in 2010/11, and the use of two case studies which illustrate the inherently

contested nature of heritage significance. This is complemented in chapters six and seven by a consideration of the potential of Local Heritage Listing and the opportunities within the 2011 Localism Act to both better protect assets of local significance, and to reduce the tension associated with national designation through proactive local policies. As with Chapter Five, this is done through analysis of primary data sets and case studies.

The final objective of synthesising the findings of this research and placing them within the context of the localism agenda to consider whether the tension associated with national designation can be reduced is addressed in the final discussion chapter, Chapter Eight. This considers and discusses the results outlined in chapters five, six and seven in relation to the thesis questions, objectives and the context of the theoretical and policy background evaluated in chapters two and three. The thesis then concludes by arguing that a better understanding of the role and legacy of national significance in statutory designation, combined with making the most of opportunities at the local level, can help to reduce tension and better protect everyday heritage. This requires those in authority, however, to understand that heritage is not simply historic fabric, it is a community asset.

2 THEORETICAL BACKGROUND

To understand the need and/or desire for heritage designation, and to begin to understand why designation decisions are often contested, it is necessary first to consider the theoretical basis for the following chapters. A number of ideas, theories and concepts which are mentioned in this chapter will be discussed in more detail later in the thesis, such as: the development of heritage designation legislation in England and its current structure; the types of heritage assets which communities wish to protect; and the potential of localism in relation to heritage protection. The aim of this chapter, therefore, is to set out the philosophical and theoretical underpinnings for the following chapters by developing the guiding concepts and principles used to assess national and local designation and the participation and engagement of local communities in relation to these, in Chapters Five, Six and Seven. It does this by first looking at the nationalisation of heritage, before considering the multivocality of significance and its inherently contested nature.

2.1 NATIONALISING HERITAGE PROTECTION

In order to be able to understand the current legislative and policy framework for heritage protection in England, which is discussed in Chapter Five, and to begin to analyse why the designation system and associated 'expert' assessment of assets is so contested, an evaluation of the development of legislation and policy will be undertaken in Chapter Three. This present section, therefore, will consider the theoretical underpinnings to this, and is structured chronologically following the phases of protection set out by Kristiansen in his 1998 analysis of heritage management. In this, Kristiansen describes three distinct phases: collecting and classifying; recording and protecting; and widening the boundaries. A further phase of increased professionalisation has been added to these to continue where Kristiansen naturally finished due to the date of publication. These phases are implicit in much of the academic writing on the development of heritage protection, and show movement towards wider physical and cultural contexts for protection over the last 150 years. Although Kristiansen's phases are based on an archaeological discussion of heritage protection, they are equally relevant for the analysis of the more building-focused national and everyday heritage at the heart of this thesis.

2.1.1 PHASE ONE: COLLECTING AND CLASSIFYING

Much of the literature on the development of heritage protection argues that it begins in the late eighteenth and early nineteenth centuries as a result of the enlightenment, and as a reaction to modernism and the industrial revolution. This is thought to result in growing feelings of nostalgia and regret, and thus an increasing appreciation and collection of historic buildings as tangible reminders of the past (Allen, 2010; Ashworth, 2002; Ashworth & Phelps, 2002; Brett, 1996; Glendinning, 2013; Graham, 2002; Harrison, 2010a, 2010b; Hewison, 1987; Hunter, 1996; Howard, 2003; Lowenthal, 1998; Sørensen & Carman, 2009; Tunbridge & Ashworth, 1996). Harvey (2001, 320), however, argues that many contemporary studies of heritage have been too preoccupied with certain manifestations of its recent trajectory, and have failed to fully explore the historiography of the concept. He therefore rejects the use of 'arbitrary' dates for the beginning of heritage protection, suggesting instead that throughout the past heritage has always been produced according to contemporary needs and experiences (see also Smith, 2007). However, while an interest in previous societies and the preservation of buildings, sites and structures can be seen throughout the past, they had until this time been valued because they were unfamiliar and inexplicable; or they were acquired as the personal possessions of monarchs (Darvill, 1993b; Sørensen & Carman, 2009). In contrast, from the enlightenment period onwards there is a more concerted and formalised attempt to preserve the remains of the past, with the use and management of heritage becoming a technical, public activity which prioritised aesthetic and historic values (Darvill, 1993b; Smith, 2007; Sørensen & Carman, 2009; Waterton, 2007). The new sense of heritage which developed at this time placed strong emphasis on a sense of inheritance and thus the inevitability of the continuation of traditions and values (Smith, 2007, 6). It is at this time, therefore, that heritage, along with many other aspects of everyday life such as education and welfare, begins to be 'nationalised' (Waterton, 2007, 28).

This new attitude to the past is embedded in the socio-political tendencies of the time (Sørensen & Carman, 2009, 14). Modernity brought with it a new way of thinking about the world, and a belief that people were in a prevailing position of power over the environment around them, which was inherently controllable (Waterton, 2007, 28; see also Glendinning, 2013, 360; Harvey, 2001; Kristiansen, 1998; Thomas, 2004). The modernist philosophy was one of logical positivism, with the concept of objectivity and value-free scientific analysis being key principles of this (Fischer, 2003; Hodder, 1993; Waterton, 2007). The aesthetic, materialistic and more easily quantifiable attributes of historic sites and buildings therefore become the focus of study, with material remains being portrayed as potent symbols of national identity (Waterton, 2007, 29-30). As symbols of national identity, it was therefore considered that they needed protection (Emerick, 2014; Howard, 2003; Smith, 2007; Waterton, 2007). Buildings that were previously considered to be historical ruins and were often in poor state of repair, were now promoted as symbols of

national identity and modern progress, leading to extensive programmes of 'restoration'. Alarm at this was a powerful driving force for the 'conservation movement', which had begun to emerge as a concerted phenomenon in the late 18th and early 19th centuries (Glendinning, 2013, 2, 66). Key campaigners within this movement, such as Viollet-le-Duc, John Ruskin (1865), William Morris (1877), and later Alois Riegle, highlighted the importance of material and the 'patina of age', resulting in appreciation and protection of the historic and aesthetic values of historic buildings (Jones and Leech, 2015, 7). Through what became known as the 'anti-scape' movement advocated in particular by William Morris and the newly-founded Society for the Protection of Ancient Buildings (Morris, 1877), the supposed inherent national value of these assets became irrevocably linked to notions of honesty, trustworthiness, and authenticity, all of which became embedded within the selection criteria for historic buildings after the Second World War.

Heritage assets began to be seen as a testimony of the culture and continuity of entire nations (Glendinning, 2013, 362). There is therefore a very close relationship between the creation of heritage and the political notion of the nation state (Ashworth & Phelps, 2002; Hunter, 1996). Countries across Europe who were engaged in the process of nation-building in the nineteenth century used heritage as a body of tradition to provide citizens with a sense of continuity and belonging (Smith, 2007, 6; see also Ashworth & Tunbridge, 1999). The past was therefore naturalised so that it appeared to lead logically to the present, legitimating the state government's claim to power and authority (Brett, 1996; Byrne, 2008; Davison, 2008; Emerick, 2003; Harrison, 2010a, 201b; Graham, Ashworth & Tunbridge, 2000, 2005; Macdonald, 2009; Phelps *et al.*, 2002; Rakic & Chambers, 2007; Silverman, 2010; Skeates, 2000; Tunbridge & Ashworth, 1996; Waterton, 2007). Similar constructions of a national past can be seen in the former Soviet Union, and especially in former Yugoslavian states in the 1990s where there was a clear political agenda to create a 'new' nation (Brett, 1996; Graham, 2002). However, while the creation of state departments for the protection and management of the national heritage can be observed in most European countries from the mid-nineteenth century, in the UK this occurred much later due to the greater strength of private and capitalist interests (Glendinning, 2013, 363), as discussed in Chapter Three.

An influential archaeological theory that began to develop at this time in Europe was culture history, which groups sites and geographical areas into distinct 'cultures' based on the types of objects found, and their stylistic differences (Smith, 2004). This was therefore, as the title of this section suggests, a period of collecting and classifying objects (Kristiansen, 1998; Carman, 2002). In the context of nation-building, objects and artefacts from sites which provide evidence not only of a distinct national culture, but of the progress and continuing civilisation of that culture, are displayed in National museums (Ashworth, 1994; Kristiansen, 1998). Ideas of cultural superiority

thus emerge across Europe at this time, with rivalry between countries such as France, Germany and Great Britain. This meant that the creation and promotion of a highly significant national heritage became ever more important (Emerick, 2003, 38; Waterton, 2007). However, it was largely the tangible manifestations of the middle and upper classes which were lauded as national heritage at this time (Lowenthal, 1998; Smith, 2004, 2006; Waterton, 2007), although this is not surprising when it is considered that a national heritage was constructed specifically as a political tool rather than as an historical narrative of the past.

The creation of a mythically homogenous and highly significant national heritage based on middle class ideals and the prevailing logical positivist philosophy, however, led many of those in authority at this time to the conclusion that society in general needed to be 'bettered', especially if the progress and civilisation evidenced by the national collection of heritage assets and artefacts was to continue (Carman, 2005b; Sørensen & Carman, 2009, 15; Smith, 2004).

Therefore, Liberal reforms from the 1870s onwards, and the creation of a nation of 'good citizens' who have a stake in maintaining and legitimising the current political system, helped to foster a sense of civic and national duty, and promoted a sense of national responsibility (Smith, 2007, 7).

This formed the background to the creation of heritage organisations such as the National Trust, and heightened concerns over the 'casual destruction' of heritage assets (Emerick, 2003, 41).

These concerns were a key theme within the anti-restoration rhetoric of both John Ruskin and William Morris, With Ruskin's arguments in favour of the conservative preservation of original fabric based on historic and aesthetic values so as to protect them for the nation being incredibly influential. These ideas were consolidated in the Society for the Protection of Ancient Monument's 1877 manifesto prepared by William Morris, and have been perpetuated in subsequent policy and legislation in England, in particular the post-War planning Acts discussed in Chapter Three.

2.1.2 PHASE TWO: RECORDING AND 'PROTECTING'

The concept of a national heritage, and the enterprise of creating national identity, had now become entrenched in most European countries, with an assumption that the association of a national population with certain heritage assets would foster a sense of cohesion and national identity (Byrne, 2008, 167; Davison, 2008; Glendinning, 2013). At the end of the nineteenth century, therefore, the consolidation of the new nation states within Europe tends to be characterised by the recording and classification of assets in a much more formalised way (Kristiansen, 1998, 115; see also Emerick, 2003; Thomas, 2008). This is exemplified in the UK by the creation of the Royal Commissions on Ancient and Historical Monuments (Emerick, 2003). However, the empiricist stance continued to dominate with facts about an asset being considered

to be self-evident; hence the past was recorded in great detail, but with little theoretically-based interpretation of its significance (Hodder, 1993, 12-13; see also Carver, 1985).

In the late nineteenth and early twentieth centuries progress and tradition, both of which had been aspects of modernity since the eighteenth century onwards, were affected by the trend towards collectivist, authoritarian ideologies, particularly socialism and nationalism. This led to a desire to transform society, and an obsession with material culture which was bound up with competitive nationalism (Glendinning, 2013, 360). Indeed, the arguments made by the proponents of the first piece of legislation to protect heritage assets in Great Britain, the 1882 Ancient Monuments Act, were based on an absolute belief that the scientific analysis and protection of prehistoric heritage was a high point in British cultural evolution (Emerick, 2003, Waterton, 2007). In line with the philosophy of the time, value was firmly attached to the materiality of assets, with a belief that it was intrinsic to the historic fabric (Emerick, 2003, 96). Although society has changed significantly since this time, the idea of an 'intrinsic' value within heritage assets has remained as an overarching philosophy of heritage protection (Gibson & Pendlebury, 2009; Schofield, 2009, 97; Tunbridge & Ashworth, 1996). The current Principles of Selection for Listing Buildings (DCMS, 2010, 5, para. 15), for example, state that the criteria contained within them ensure that all 'buildings of strong intrinsic special interest' are included on the list. The coupling of 'inheritance' with assumptions about the intrinsic value of heritage, and the need to educate and pass on these inherited values to future generations, however, meant that only those with the appropriate knowledge and training could be actively involved (Morris, 1993; Smith, 2007, 9). The creation of heritage 'experts' employed by the state to act in the public interest, therefore, is a key outcome of this phase of the nationalisation of heritage (Smith, 2004).

The construction and management of a national past by the state was believed to ensure objective scientific analysis, and also confirmed that the state had the authority to manage the past on behalf of the nation (Darvill, 1987; Hodder, 1993; Thomas, 2008). Following the First World War there was a solidification and celebration of the nation-state (Carman, 2005b; Emerick, 2003; Waterton, 2007). In relation to heritage protection, the transgression of individual rights in the name of national interest had now been normalised, ensuring that the idea of a statutory list of nationally significant buildings was now more acceptable, even with the consequential controls on individual property rights (Ross, 1991). The scheduling of 'Ancient Monuments' from 1882 had already paved the way for this, and the influential 1931 Athens Charter for the Restoration of Ancient Monuments had endorsed the arguments espoused within the conservation movement by emphasising the preservation for 'future generations' of the historical and aesthetic qualities deemed to be inherent in the physical fabric of structures

(Glendinning, 2013, 199; Jones and Leech, 2015, 7; Bell, 1997, 8; Byrne *et al*, 2003, 74). It was following the wars, therefore, that the National Buildings Record was founded. As discussed in Chapter Three, this was initially in reaction to interwar destruction and the subsequent need for post-war clearances and redevelopment (Ross, 1991), with the first statutory lists of historic buildings in 1944/47 being an emergency measure, and an inventory of what was of value to society (Black, 2002). However, in alignment with the philosophies already developed for the protection of 'monuments', listing was prejudiced towards individual buildings of 'special interest' that could only be identified by 'experts'.

2.1.3 PHASE THREE: WIDENING THE BOUNDARIES

In the immediate post-war era, nationalist propaganda was replaced by a new rhetoric concerned with social progress, epitomised by redevelopment and urban expansion, which fuelled both government policy and public concern for heritage protection (Glendinning, 2013, 370). Recording continues in this phase with the creation of county Sites and Monuments Records (SMR) as databases of archaeological remains for use in development control (Hunter & Ralston, 1993), and as outlined in Chapter Three the statutory protection of historic buildings begins following the 1944 Town and Country Planning Act. As Kristiansen argues, therefore, the boundaries of protection are widened in this phase, although the focus remains on the protection and celebration of a national heritage, now officially defined as being of special architectural and historic interest. Heritage protection also begins to include the cultural environment of assets though, with context and setting now being considered (see also Ashworth, 1994; Harrison, 2010b; Hodder, 1993). In addition, a number of studies of entire cities were undertaken, including York, Chester, Chichester and Bath (Emerick, 2003). In most European countries at this time, state conservation policy was also extended into huge open-ended programmes of identifying nationally important heritage assets, with an ever-widening scope for what was considered to be of importance (Glendinning, 2013).

However, the statutory listing of historic buildings as assets of special architectural and historic interest for the nation was relatively new at this time, and thus looked to the now well-established scheduling of ancient monuments as a guide. The protection of 'ancient monuments' tended to be carried out by archaeologists, and was thus influenced by the work of archaeologists such as Lewis Binford and David Clarke in the 1960s and 1970s, who began to advocate a 'new archaeology' which later became known as processualism (e.g. Binford, 1962, 1980; Clarke, 1973). By 1980 this was one of the dominant theoretical positions in Western archaeology (Hodder, 1993; Smith, 2004), and influenced all areas of heritage management, including the protection of historic buildings. One of the first arguments of processualism is that knowledge does not progress simply as a result of data collection but due to theoretical development. Processualism's

scientific discourse focused on an objective search for scientific truths also helped to foster and maintain the sense of expertise and disciplinary authority which had developed in the previous phase (Smith, 2004). The logical positivism of processual archaeology meant that there was a distinct separation of fact and value, with ideas of observation, rationality and 'truth' being at its core. This provided the scientific principles and values with which to assess which aspects of the historic environment to protect (Smith, 2004; Carman, 2002), and these ideas remain at the forefront of all future legislation and policy for the historic environment (Smith, 2004; Waterton, 2007). Although the physical boundaries of heritage may have been widened to include setting and context, therefore, the idea of objectivity continued to be emphasised. The definition of what is and should be protected also remained relatively 'small' in the legislation, which continued to focus on the individual bounded site (Clarke, 2008, 88). The privileging of empirical knowledge also meant that there was no rationale for the protection and management of sites which were not part of the national heritage paradigm (Smith, 2004, 43).

In response to the expert-led nature of an increasingly state-controlled heritage protection system in the post-War era, a number of pressure groups and organisations developed which we might define as communities of interest (see 2.3.2 below). The Victorian Society, for example, was founded through the very public campaign to save Euston Arch, which was unfortunately demolished in 1962 (RIBA, n.d.) The increasing lobbying work of other national interest groups such as RESCUE (established 1971) and SAVE (established 1975) were also accompanied by greater public attention on the conservation of heritage assets (Waterton, 2007, 158), and almost half of the current amenity groups in the UK were established from the 1970s onwards (Saunders, 1983). Increasing public attention on conservation, particularly in reaction to large scale redevelopment from the 1960s onwards, however, meant that there was increasing pressure on heritage 'experts' to explain not just why protection was needed, but their role within this process. This was largely interpreted as a 'lack of understanding' by the public, and resulted in a strongly top-down ideology of experts educating the public about why their national heritage is important, an ideology which many of those working in designation still adhered to whilst this author was working for Historic England. There is a clear focus here on experts educating the public about their national heritage, with a strongly top-down ideology (Byrne, 2008; Carman, 2002; Clarke, 2006, 2008; Merriman, 2004; Skeates, 2000; Smith, 2006; Smith & Waterton, 2009).

The late 1960s and 1970s thus saw increasing concern about the fate of cultural heritage, with much public debate about the need to protect it, the methods with which to do so, and the overall purpose of preservation (Lowenthal, 1998; Smith, 2004). This is illustrated by the publication of a range of both national and international charters, recommendations and conventions. These include, for example, the Venice Charter of 1964, which led to the creation of

ICOMOS, and the UNESCO World Heritage Convention of 1972. The Venice charter in particular is a key document in the philosophical underpinning of future historic building conservation and protection, and further reinforces a concern with the historical and aesthetic value of original fabric (Jones and Leech, 2015, 7). This international 'Charter for the Conservation and Restoration of Monuments and Sites' (ICOMOS, 1964) was adopted at the Second International Congress of Architects and Technicians of Historic Buildings (the first congress having written the 1931 Athens Charter), and while it has 'monuments' and 'sites' in the title, it is very much concerned with the restoration and conservation of historic buildings. It outlines the basic doctrine of what is now accepted to be an appropriate approach in philosophical terms to the conservation and protection of historic buildings (Jokilheto, 1998, 230).

The Venice charter closely matches the philosophy of the Society for the Protection of Ancient Buildings set out in their 1877 manifesto (SPAB n.d.) with a focus on architectural and historic integrity (Jokilheto, 1998, 230), two key principles at the heart of current designation legislation. The principles within the charter can also now be found expressed in many national and international recommendations, guidelines and charters, including for example the Burra Charter of 1979, and the guidelines for the assessment of World Cultural Heritage Sites (Jokilheto, 1998, 230; Goetcheus and Mitchell, 2014, 339). Although the charter provided an internationally agreed set of principles, it allowed each country to apply them within the framework of their own culture and traditions (Rojas, 2014, 198). Over time, subsequent charters and associated discussion have inspired continual evolution of these heritage principles, so that they are now more inclusive of broader heritage values and have extended the definitions of heritage from static fabric to dynamic processes (Goetcheus and Mitchell, 2014, 339) (see section 2.3.3 below). Importantly for the discussion within this thesis, Venice provided what Goetcheus and Mitchell (2014, 344) describe as a 'litmus test' for determining significance through the inclusion of the words 'it is our duty to hand them on in the full richness of their authenticity' in the preamble to the charter (ICOMOS, 1964). Authenticity has been broadly interpreted over the following years to mean original material, thus reinforcing the focus on a tangible, material heritage rather than one which includes social value (Goetcheus and Mitchell, 2014, 344). While the Burra Charter (Australia ICOMOS, 1979) and later documents such as the Nara convention (ICOMOS, 1994), the European Landscape Convention (Council of Europe, 2000) and of course the Faro Convention (Council of Europe 2005), as well as Historic England's Conservation Principles (2008) do include a much wider definition of heritage which also includes social and communal values (as discussed below), the basic understanding of authenticity and value of original material as outlined in Venice remain key elements of designation criteria in England .

An increasing number of legal and policy documents at the national level also meant that heritage became a substantive area of national policy and legislation at this time, through which heritage protection became naturalised so that the protection of sites considered to be of national significance became the natural response to post-war redevelopment (Byrne, 2008). The 1960s, 1970s and 1980s are thus the decades which are associated with the emergence of heritage management as a distinct discipline (Waterton, 2007), with questions of what heritage is and why it needs protection being prominent at this time (e.g. Carman, 1996; Carver, 1985; Darvill, 1987, 1993a, 1993b, 2005; Lipe, 1984; Merriman, 1991, 2004). These debates centred around and were influenced by wider debates about the environment, post-war redevelopment, the growth of tourism, and an apparent obsession with nostalgia and the celebration of past relics caused by the increasingly abstract nature of modern life, as well as conservative political tendencies which focused on a 'better back then' ideology (Carman, 1996; Hewison, 1987; Hunter, 1996; Lowenthal, 1989; Urry, 1990; Wright, 2009).

The economic recession of the late 1980s, however, changed the focus of debate to concern about the commodification of the past and the so-called 'heritage industry' (e.g. Hewison, 1987; Lowenthal, 1989; Merriman, 1991; Samuel, 1994; Walsh, 1992; Wright, 2009). This was characterised by attempts to discover what heritage means to people, and opened up the possibility of a critique of the uses of heritage (Sørensen & Carman, 2009, 18-19). Although the debate focused on the popularisation of the past and was grounded on perception rather than empirical research, Lowenthal (1989) and Wright (2009) both criticised the use of heritage for nationalist economic and political ends, suggesting that an essentially middle-class heritage was being naturalised as national (see also Smith, 2006). In reaction to this, the first wide scale empirical investigation of attitudes to heritage was undertaken by Merriman (1991), who found that contrary to the assertions of most writers at the time, heritage was multi-vocal, with different people valuing different things for a variety of reasons (see also, Sørensen & Carman, 2009). However, despite debate about the so-called 'heritage industry' at the academic level, professional consensus at this time was to conserve 'at all costs' the aesthetic, historical and scientific values of heritage (Benton, 2010, 1), and with an ever-increasing list of heritage assets to be protected, combined with increasing population and associated development/redevelopment, an increase in the professionalisation of heritage protection began to occur.

2.1.4 PHASE FOUR: INCREASED PROFESSIONALIZATION

The environmental rhetoric of a fragile earth in the late 1970s and 1980s and the perceived threat of increasing development and decay (Davison, 2008), led to the historic environment becoming characterised as 'in crisis'. Thus, the conception of heritage as non-renewable, fragile and in perpetual danger became firmly embedded in conservation philosophy (Carman, 1996; Cleere,

1984; Darvill, 1987, 1993a; McGimsey, 1972; Waterton, 2007). The idea of heritage as a finite resource has been disputed by a number of academics, however, who argue that new heritage is discovered everyday (e.g. Carman, 2002, 2005s, 2005b; Holtorf, 2008). As heritage is created according to contemporary need it is, as Ashworth (2008) argues, theoretically ubiquitous and infinite. However, the need to protect heritage from some unknown, future danger continues to be the focus of legislation and policy in England, as well as the numerous international charters and conventions (Skeates, 2000, 63).

The need for the effective management of this supposed finite resource in relation to the threat of development led to an increase in the professionalization of heritage management. One outcome of this was the Planning Policy Guidance Notes for archaeology and for historic buildings which were published in the early 1990s (see Chapter Three). At the same time, a Monuments Protection Programme was initiated to undertake a full survey of archaeological assets in England, scoring each asset in relation to defined criteria, with a view to scheduling those with the highest scores (English Heritage, 1997; Fraser, 1984; Darvill, 1987). A National Listing resurvey had already begun in 1980 (Pendlebury, 2009, 85), which 'accelerated' a 1970 re-survey and resulted in a fourfold increase in the number of Listed Buildings (Black, 2002, 19; see also Cullingworth and Nadin, 1997, 187; Pendlebury, 2009, 85). By this time widespread prejudice against Victorian architecture had been overcome, and there was also a substantial rise in interest in vernacular, industrial and agricultural buildings (Black, 2002, 1970). The statutory lists thus expanded and diversified to include a large number of buildings which would have been rejected in earlier surveys. When English Heritage was established in 1984, all listing Inspectors were transferred to the new organisation and were equipped with a manual on how to select a building for designation and how to write a list entry (HE, n.d.a). In addition to the MPP's scoring system, this meant that the way in which heritage was being identified, designated and managed become increasingly standardised.

By the 1990s, scientific objectivism, and the focus on the materialist and nationalistic values of heritage, however, started to become increasingly questioned by a post-modern society which was structured around choice and self-expression, decentralisation and local distinctiveness (Benton, 2010; Clifford & King, 1993; Corsane, 2005; Kristiansen, 1998; Tunbridge & Ashworth, 1996). In Australia, this resulted in a revision of the Burra Charter (Australia ICOMOS, 1999) to be clearer about what social value is and how it should be included within heritage assessments (Jones and Leech, 2015, 8-9). In the UK, however, while post-modernity also meant a more flexible and mobile world, this mobility resulted in a need to establish control and stability, and nostalgia for local distinctiveness in a globalised and mass-produced world, especially in relation to heritage hence the MPP, listing resurvey programmes and Planning Policy Guidance notes

outlined above. It is similar, therefore, to the later nineteenth century in this respect. In fact, Kristiansen (1998, 119) argues that post-modernity is represented by change and the transformation of social values, whereas the more rationalist modern age saw the consolidation of the new order after World War Two, as well as control and centralisation. Each 'age' is a result of the conditions of the phase before. Therefore, while the next phase may be one of control and centralisation, the need for this develops from decentralisation in the current phase.

Changes also occurred in archaeological theory at this time, with the development of what came to be known as 'post-processual' archaeology from the mid-1980s onwards. New ways of analysing the past in the mid 1970s had begun to develop in the context of other philosophical shifts in the social sciences, particularly structuralism and Marxism. This was also a reaction to the positivist epistemology of processualism which archaeologists such as Ian Hodder (1993, 1997) began to challenge, arguing that to be able to understand the material remains left by past societies, it was necessary to refer to people's attitudes and beliefs, i.e. the cultural meanings behind their manufacture (Johnson, 1999; Smith, 2004). Under the post-processual framework heritage is thus seen as a process which is defined by and dependent on the value system of those who define it (Ashworth & Howard, 1999; Harrison, 2010a; Harvey, 2001; Howard, 2003; Jones, 2009; Schofield, 2008; Smith, 2006).

Silverman (2010, 5) argues, therefore, that by the 1990s there had been a Khunian paradigm shift towards a more socially engaged, politically aware study of the past, which recognises heritage as a cognitive construction focussed on the production of identity (see also Ashworth & Howard, 1999; Blake, 2000; Brett, 1996; Byrne, 2008; Carman, 2002; Cleere, 1984; Gibson, 2009; Graham & Howard, 2008; Layton, 1989; Lipe, 1984; Lowenthal, 1998; Newman & McLean, 1998; Smith, 2004). Heritage thus became viewed as one of the principle sites for the creation (and contestation) of memory and identity, with the material traces of past events being perceived as mnemonic icons that must be preserved (Fairclough et al, 2008, 3). In line with this, and as a reaction to globalisation and the homogeneity of new architecture in so-called 'clone towns', there was therefore a demand for monuments to the British way of life, and a focus on tangible aspects of heritage as symbols of local distinctiveness (Atkinson, 2008; see also Clifford & King, 1993).

Heritage increasingly became used to enhance a sense of identity, and as a stake in claims to power by indigenous communities and other minority groups, who began to question and reject the politically and nationally biased interpretations of heritage (Skeates, 2000, 95). While the physical boundaries of heritage had been widened in the previous phase to include landscapes and setting post-modernism and post-processualism both inspired challenge and critique of the

established traditions (Sørensen & Carman, 2009, 17). In this stage, therefore, it is the definition of heritage and what it constitutes which is widened and debated, along with the ethical and social responsibilities of heritage managers, and the practices and outcomes of what they do (e.g. Carman, 2002; Clarke, 2005, 2006; Fairclough, *et al*, 2008; Merriman, 1992; Pearce, 2000; Smith, 2004, 2006).

Post-modernism's rejection of positive rationalism, allowed the discipline to analyse itself, and also allowed for the incorporation of other knowledge and values (Smith, 2004, 43), although the intellectual authority gained through modernism was not abandoned (Smith, 2004, 4). Debate and contestation over questions relating to the definition, ownership and management of heritage thus became common at this time, as the public began to demand a past which was alive and accessible, not one which was simply observed and described (Hodder, 1993, 18; Skeates, 2000; Sørensen & Carman, 2009). The idea of intangible heritage therefore begins to be debated, often in direct opposition to definitions of tangible heritage. Events in post-colonial countries such as Australia and America regarding repatriation and indigenous values were highly influential in these debates (Blake, 2000; Skeates, 2000). This is not, however, reflected in legislation or policy in the UK at this time, which continued along a very positivist and materially-orientated path (see Chapter Three).

There was, however, increasing recognition of minority voices throughout the 1980s and 1990s, and a shift in emphasis towards Marxist 'histories from below' (Harrison, 2010b, 196; see also Bluestone, 2000). The challenges from indigenous communities in colonial countries did result in attempts to make heritage more 'representative'. UNESCO, for example, launched their global strategy for a balanced, representative and credible World Heritage list in 1994 (Harrison, 2010b, 196), and as discussed below, The 1994 Nara Document on Authenticity (ICOMOS, 1994) marked a significant shift in understanding of authenticity. In contrast to the Venice Charter, the Document acknowledges that spiritual associations, feeling and cultural traditions are also important in the determination of authenticity (Jones and Leech, 2015, 13-14), although this has had very little impact on designation processes and our understanding of National Importance in England, however, which is still very firmly tied to definitions within the Venice Charter.

This new understanding of multi-cultural and minority heritage challenges the nation state, which continues to focus on the production of a cohesive heritage narrative. Heritage which does not meet the strict criteria for nationalism via heritage protection legislation, therefore, is relegated to the position of 'local' or 'community' heritage, which allows the state to retain a national narrative whilst appearing to recognise minority interests (Harrison, 2010b), which is further discussed below in section 2.4. Overall, however, there is now a bigger range and number of

people becoming involved in a much broader and deeper array of heritage assets than ever before (Harvey, 2001. 336).

2.2 PARTICIPATION, COMMUNITY ENGAGEMENT AND SOCIAL VALUE

The previous section has highlighted that an assumption of intrinsic worth linked to historic and aesthetic values has been central to the foundation of both the conservation movement and heritage protection legislation in the UK, and this continues to underpin the moral duty of care promoted by national policy and legislation as well as international conservation charters (Jones, 2016, 1). More recently, however, there has been increasing emphasis on the social values associated with the historic environment (Jones, 2016, 1). These values are often at the heart of requests for locally significant assets to be designated, but which the legislation is unable to accommodate. The inclusion of social value within considerations of heritage significance would require more than simply amending the legislation to add this to the criteria; it suggests community engagement would necessarily become an essential component of assessment processes. Side-stepping away from specific considerations of heritage protection, therefore, it is useful to briefly consider here the debates on public participation that developed in reaction to post-war redevelopment and comprehensive planning policies; and ideas which stem from this such as ‘social inclusion’ and ‘community engagement’. These provide the grounding principles behind much of the UK government’s rhetoric and policies in relation to the Big Society which is discussed in more detail in Chapters Three, Seven and Eight.

2.2.1 LADDERS AND MODELS OF PARTICIPATION

The key document that continues to shape the theoretical framework for public involvement is Arnstein’s ‘A ladder of citizen participation’ (Tritter and McCallum, 2006, 156; Arnstein, 1969). In this seminal article of 1969, Arnstein outlined the tension that often exists between the ‘haves’ and the ‘have-nots’ in relation to decision-making, and argued that participation without the redistribution of power is empty (Arnstein, 1969, 216; Jackson & Schmisser, 2017, 258). In her analysis of participation, Arnstein uses a typology of eight levels arranged in a ladder pattern to demonstrate this (Arnstein, 1969, 217, fig. 2.1), with groups effectively trying to climb up to the top rung. The highest rung is defined as occurring when the ‘have-not’ citizens obtain the majority of decision-making seats, or full managerial power (Arnstein, 1969, 217). This framework continues to be applied today, largely uncritically, despite significant progress since its publication in our understanding of the factors that drive engagement (Tritter and McCallum, 2006, 156).

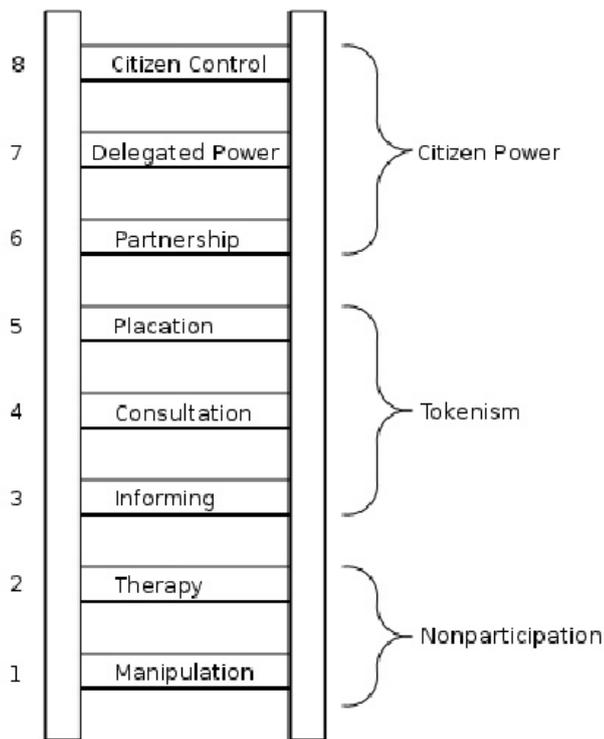


Figure 1 Ladder of Participation. Source: Arnstein, 1969, p.219)

There is an assumption within much of the literature that positive outcomes arise from participatory involvement (Head, 2007, p.448; see also Neal & Roskams, 2013, p.81; Jackson & Schmisser, 2017; Litva *et al*, 2002), and most typologies of participation carry these implicit normative assumptions, placing participation on an axis of bad to good (Cornwall, 2008, 269). While community participation in heritage processes suggests democracy and justice (Chirikure *et al*, 2010, 31), Arnstein's model is ultimately about power and control (Cornwall, 2008, 271). The ladder frames citizen participation as an overt struggle for power between government officials and community activists, thus excluding opportunities for collaboration and shared decision-making (Tritter and McCallum, 2006, 157, 164), and defines at the lower rungs as weak and of little value (Head, 2007, p.444; see also Hart, 2013; Walters *et al.*, 2002; Ross *et al*, 2002; Bishop & Davis, 2002). A number of other authors have also redesigned this model (e.g. Wilcox, 1994; Hart, 2013; Burns *et al*, 2001; <http://iap2.org>). These new interpretations, refinements and revisions, however, all retain a hierarchical approach, and uncritically embrace full citizen control as the desired outcome, with little or no evaluation of the nature of participation (Tritter and McCallum, 2006, 161). Rather than a focus on the citizens who may or may not gain control, Pretty (1995), however, writes from the basis of those who use or set in motion participatory approaches. Although the results of Pretty's work are equally normative with an axis of bad to better, they do make clear that the motivations of those who adopt and practice participatory approaches are an important consideration in how this is facilitated (Cornwall, 2008, 271; Irvin and Stansbury, 2004, 56). Indeed, the type and degree of participation required in practice depends on the particular

decision-making situation (Litva *et al*, 2001, 1826; Tritter and McCallum, 2006, 165; Fung, 2003). Different reasons for using participation demand different forms of engagement by different kinds of participants (Cornwall, 2008, 273), which ladder-style and other similar models fail to capture. In addition, they tend to be premised on the idea that everyone would want to be involved if they could be, with no recognition of the active choice not to (Cornwall, 2008, 279).

Arnstein's model has received both criticism and refinement since it was first published in 1969 (see e.g. Barber, 2007; Bishop & Davis, 2002; Hart, 2013; Head, 2007; Ross *et al.*, 2002; Treseder & Smith, 1997; Walters *et al.*, 2002). The main criticism is that it is over-simplistic, presenting the different 'types' of participation without context and making assumptions about progression from one rung to another without taking account of the dynamic and unpredictable nature of participation (Barber, 2007, pp.24-25; Jackson & Schmisser, 2017). Authors who have criticised the simplistic nature of Arnstein's ladder suggest that rather than being 'weak', more informal forms of participation may open up decision-making processes in the future through the dynamic and evolutionary nature of public involvement (Tritter and McCallum, 2006, 165; O'Faircheallaigh, 2010; Devlin and Yap, 2008). In addition, as Cornwall has argued, the term 'participation' is infinitely malleable and used to signify almost anything that involves people (2008, 269), with many often using 'participation' and 'consultation' interchangeably (Glucker *et al*, 2013, 105; see e.g. Parry *et al*, 1992, 16 and Chirikure *et al* 2010, 40). Different understandings also mean different expectations of the results (Glucker *et al*, 2013). It is not sufficient simply to provide people with an opportunity to express their views, however, for participants to consider the process to be meaningful and legitimate - their input needs to be taken (Fung, 2013, 513).

Litva *et al* (2002, 1834) have found that when people were asked about how they could participate in health-care decision-making, they consistently referred to public involvement as 'consultation', and valued their potential involvement as a way of improving the decision and its acceptability, even though they knew they were not making the decision themselves. In fact, most did not wish to share in the responsibility of decision-making (Litva *et al*, 2002, 1834). This understanding of consultation does not fit well with the models of Arnstein and others, which typically define consultation as tokenistic. The next rung up, however, is also not what those involved in the study were requesting. Litva *et al* thus suggest a form of involvement characterised as 'accountable consultation' in which citizens contribute to decisions by expressing views, are guaranteed that this view is heard, are provided with an explanation of the rationale behind the decision, but have no responsibility for the decision (Litva *et al*, 2002, 1834). Indeed it is clear from speaking to both designation applicants and owners that many feel an expert decision is required, even though they wish to be much more involved in the process. Taking context into account, therefore, means that even 'tokenistic' forms of participation can be

considered 'good', especially if there has been no constructive engagement previously (White, 1996; Cornwall, 2008, 273).

Further critiques of Arnstein's ladder relate to the implication that each 'type' of participation on the ladder is a separate category and that these are not interrelated, with no appreciation that participation at the lower rungs can in fact be meaningful if the context of the situation is taken into account (Cornwall 2008, 273-4; Hughes, 1998, in Glucker, *et al*, 2013, 105; Shand and Arnberg, 1996; Adnan, 1992; Thomas, 1990), these definitions imply that each 'type' of participation is (Glucker *et al*, 2013, 105). A broader understanding of community engagement also requires some consideration of the motives, intentions and purposes of becoming involved (Head, 2007, 447). Tritter and McCallum (2006) suggest that instead of relying on models that are constrained by specific conceptualisations of participation, therefore, involvement should be seen as a dynamic process which recognises that user engagement and empowerment are much more complex than hierarchical models such as Arnstein's ladder would suggest. They propose instead a mosaic, which allows for the interactions between individuals, communities and organisations to be captured (Tritter and McCallum, 2006, 165). Others similarly recognise the need to consider not just the results of participation, but who participates, why they do so, and what influence they may have (see also Fung 2013, 514-5). In addition, as the analysis of Neighbourhood Development Plans (NDPs) in Chapter Seven identifies, much depends on how people take up and make use of what is on offer (Cornwall, 2008, 275).

These ideas thus have a clear relevance to demands for greater public engagement in the heritage designation process, and form a key consideration throughout this thesis. Overall, however, the literature in relation to participation tends to focus, as the heritage literature does, on community engagement within specific, large-scale projects. While this is perhaps relevant for considerations of Neighbourhood planning in Chapter Seven, it is not as relevant for consideration of the daily decisions taken on what to designate, for which full-scale engagement programmes for each one of these would be very difficult to facilitate, especially if the asset is under threat and requires urgent consideration. Litva *et al*'s proposed 'accountable consultation' may thus be the most appropriate form of participation at the national level. This is, in fact, something that Historic England already aims to undertake, with all information sent to them in relation to a designation case being considered and, where possible, included within assessments. Indeed, all reports must now include a summary consultation comments, and the 'reasons for designation decision' are also now included. However, there is an assumption within designation teams, rightly so, that if a report does not appear to take into account information received from members of the public, they will complain. From the author's experience of the process, this is the main reason for its inclusion. In addition, comments relating to social or community values cannot be taken into

account and are not included under the current criteria, leading to complaints that views have not been considered within assessments.

Being 'involved' in a process, therefore, is not the same as having 'a voice' Cornwall, 2008, 278). While those who create participation or engagement at the community level may create a space for people to speak out, they have no control over what may happen as a result of this. The Coalition Government's ideal of a Big Society of engaged and empowered communities cannot be achieved, therefore, by 'waving a magic participation wand' (Cornwall, 2008, 278). In addition, the use of models such as Arnstein's ladder, which continues to form the basis of much participation policy, closes off options and limits the potential for sharing experience, knowledge and the harnessing of multiple perspectives (Tritter and McCallum, 2006, 166). The inability to harness multiple perspectives is a key theme which runs through this research, and is discussed in more detail in section 2.4 below. Before this though, the consideration of community engagement via participation processes naturally leads here to a consideration of what community is.

2.2.2 COMMUNITY

One result of the more ethically and socially aware heritage management identified in phase four of the nationalisation of heritage above, was the emergence and development of community engagement programmes. As Cooper (2008, 26) notes, 'community' has become one of the most enduring characteristics of heritage work within the last two decades, frequently being found heritage sector rhetoric with an assumption that inclusion of 'the community' is 'the right thing to do', especially in projects funded by the Heritage Lottery Fund (HLF) (see also, Smith and Waterton, 2009, 13; Kumor, 2005). The term 'community' is now so common-place that Smith and Waterton argue that there is a 'pathological compulsion' to use it (2009, 13). This can be seen in the many voluntary organisations, local governance initiatives and grassroots projects which now use the prefix of 'community'. While this is largely an extension of the ideas of public archaeology and its focus on education which proliferated from the 1970s onwards (e.g. McGimsey, 1972; Carman, 2002; Cleere, 1984; Lowenthal, 2000; McManamon & Hatton, 2000; Merriman, 1991, 2004; Pokotylo & Mason, 1991; Wainwright, 1989), it was also in part due to the New Labour Government of the late 1990s and its focus on community and social inclusion (Pendlebury, 2009, 208; Hobson, 2014, 46). Under this agenda, heritage began to be promoted as a tool for social/community cohesion and something that can enhance quality of life (Pendlebury, 2009, 208).

However, what is actually meant by community needs to be considered here, as although arguments are often made about the 'local community' in relation to engagement and participation, the term can mean anything from local residents to a group of people who share a

common interest (Smith, 2010, 3). Since the late 19th century, the use of the term community has remained associated with a desire to revive a closer, more harmonious bond between people, which is often attributed to the past (Smith, 2001, 1; Hoggett, 1997, 5). Indeed, as Smith and Waterton (2009, 13) argue, the idea of community that is most frequently embodied in considerations of heritage is that of something 'good', 'safe' and 'comfortable', an idea which also underpins much of the Localism rhetoric of the Big Society agenda. From the 1980s onwards, however, the emphasis has moved from studying the structure of communities, to community as a phenomenon of culture, one which is meaningfully constructed by people (Cohen, 1985, 38).

Most would agree, however, that community is a group of people who have something in common, and is something that one belongs to (Crow, 2007; Cohen, 1985, 12, 15; Gold, 2005, 2-3). The most conventional meaning of 'community', is people with common ties residing in a common geographic area, hence the common use of the term 'local community' (Crow, 2007; MacQueen *et al*, 2001), although definitions of community within the social science use a number of common themes, including geographic area, shared/mutual identity, collective action and social interaction (MacQueen *et al*, 2001; Theodori, 2005, 662; Hillery, 1955; Willis, 1977). In addition, community is often defined as one thing or another, artificially polarising them by defining a group of people as a single community (Puddifoot, 1996). Marie Weil *et al* (2005, 10), for example, writes that they can be understood either as geographic entities or as groups that share a special concern or identity, but not both it would seem (see also Kazhoyan, 2012, 229). The focus on place is contested by those who argue that a shared place does not necessarily promote shared social connections, arguing instead that is the nature of relationships between people and the social networks that they are part of that are the most significant aspects of community, regardless of whether these are played out in a local area (Lee and Newby, 1983, 7; Bott, 1957, 99; Smith, 2010, 6; Crow, 2007). In addition, individuals belong to many communities, and these are bounded to different extents and in varying ways (Studdert 2005, 2; Wilson and Peterson, 2002, 455; Kazhoyan, 2012, 229).

Community is approached both as a value and as a descriptive category within the literature (Smith, 2001, 2-3), within which a number of 'types' of community are defined. These include: communities of place; communities of interest; and communities of communion/attachment (Smith, 2001, 3-4; Willmott, 1989). These will, of course, overlap, as place and interest will often collide. However, communities of interest do not need to be place-based, especially in an age of online interaction. In addition to typologies of community, McMillan and Chavis have also outlined in a seminal article of 1986 the four key elements of a 'sense of community', which include: membership; influence; integration and fulfilment of needs; and shared emotional connection (McMillan and Chavis, 1986, 9). The literature would seem to agree with the

commonly understood definitions of a group of people with something in common, therefore, and that the thing held in common distinguishes them from others (Cohen, 1985, 12). It thus implies both similarity and difference, and has a symbolic role in a sense of 'belonging', although this symbolic aspect of community is not always easily distinguished, even by those within the community, and there will always be overlaps (Cohen, 1985, 12, 18).

Because the term is valued as something 'good', the boundary of community membership is often invoked for political gain (Levine, 2017, 1161). As Raymond Williams famously claimed in the first edition of his frequently cited work 'Keywords', community 'unlike all other terms of social organisation ... seems never to be used unfavourably ...' (1976, 76). The term thus continues to have resonance with both the public and policy-makers due to its positive connotations (Walkerdene and Studdert, n.d., 5; Pendlebury, 2009, 208; Hobson, 2014, 46-7). Although community engagement policies such as the Big Society, which it was claimed would mend 'broken Britain' (Bulley & Sokhi-Bulley, 2014, 454), are often criticised as a way of reducing state welfare and/or a means of extending control over communities by the state, the traditional association of the absence of community with social problems and exclusion remains powerful to policy-makers, as does the idea that the promotion of community can solve these (Crow, 2007). However, community boundaries can shift (Levine, 2017, 1160), and while different definitions and meanings of community are often accepted and understood without question, even when used at the same time, because multiple definitions of 'the community' are equally valid, community members can be undermined depending on the definition in use (Levine, 2017, 1161).

The focus of this thesis on the 'everyday heritage' that is valued more often for its locally-based social value than for its architectural or historic interest, means that a more geographically-focused definition of community is therefore appropriate in discussions of 'local communities' within this work, but this is a definition which understands that there are multiple, overlapping, communities which may value everyday heritage, some of which will of course be communities of interest or attachment and may not be local residents. However, community depends on something beyond self, it depends on others recognizing and allowing someone in (Studdert, 2005, 3). Community boundaries can also be exclusionary, therefore, with the benefits of belonging denied to non-members. Boundaries, however, are not always obvious, and may be perceived in different terms by those who are inside and those who are out, or indeed boundaries which are perceived by some may be imperceptible to others (Cohen, 1985, 12). The construction of community boundaries is a symbolic act of interaction resulting in both the enclosure of some elements and the marking off of those that differ, often through symbolism such as rituals, myths and rhetoric (Cohen, 1985, 14; Levine, 2017, 1161). The consciousness of the community, Cohen

argues, is kept alive by manipulation of these symbols (1985, 15). Indeed, heritage assets may well provide a common symbol for a community (see e.g. Greer et al, 2002, 282; Greer, 2010).

Whether you are inside a boundary or not can translate into power and legitimacy in decision-making. Within heritage protection, for example, there is a community of experts who are bounded by a common philosophy, and there are those outside the boundary whom it is assumed will have only a subjective, locally-derived understanding of heritage assets (see section 2.4.2 below). Membership in 'the community', however, affords legitimacy and recognition communities can therefore challenge the other by categorizing them as outsiders (Levine, 2017, 1156). However, when engagement and consultation processes are introduced, the 'expert' community can disempower a local community by empty deference to 'the community' in the abstract, reducing them to a bureaucratic procedure while being able to claim that they have been involved (Levine, 2017, 1156).

Taking a step back from what community is, its meanings and its use as a symbol of 'in' or 'out', it is useful to consider what Studdert (2005, 2) describes as a 'common sense' definition of community, which is a group of people with something in common. These groups develop and overlap through the act of sociality, of social beingness, and therefore change and evolve over time. This definition is helpful to keep in mind in within this thesis, as those who apply for heritage assets to be designated because they are significant to 'the community' will more often than not use this common-sense definition. The traditional definition of community as a group of local residents is also common within applications. As noted in Chapter One, therefore, this thesis uses Theodori's definition of community as 'a place-orientated process of interrelated actions through which members of a local population express a shared sense of identity while engaged in the common concerns of life.' (Theodori, 2005, 662-3). For the consideration of local heritage assets, including those listed as Assets of Community Value (ACV) or contained within Neighbourhood Development Plans (DNPs), therefore, Community occurs in a place and/or is place orientated, but community is not the place itself. Place simply serves as the setting in which social interaction occurs (Theodori, 2005, 663).

2.2.3 SOCIAL VALUE

In their critical review of existing approaches to social value, Jones and Leech (2015) outline a considerable body of research investigating the meanings produced and negotiated in relation to the historic environment, which demonstrates that contemporary meanings are not restricted to the official histories and understandings that are attached to heritage and defined by Smith as the Authorised Heritage Discourse (Jones and Leech, 2015, 18; Smith 2006). The previous section has demonstrated that ideas of social beingness and social symbols are key to our understanding of

community, and throughout this thesis attention is drawn to the need to recognise these ‘social’ values as being as equally valid as more tangible values in our understanding of significance. In order to contextualise the discussion of social value within the succeeding chapters, therefore, a brief discussion of what is meant by social value and its use within this thesis is provided here.

The ways in which communities value heritage assets are often rooted in localised oral narratives, spiritual associations, family histories and associated experiences (Jones, 2016, 4). For the purposes of this thesis, therefore, social value is defined as the intangible values of experience and emotional attachment to a heritage asset. Indeed, Smith (2006) has argued, and as the ICOMOS Quebec Declaration on the Preservation of the Spirit of Place (2008) outlines, there is no such thing as either intangible or tangible heritage, all heritage has elements of both (see also, Jones and Leech, 2015, 5, 14). These could very easily be considered not as heritage values, but as community values, especially in relation to Cohen’s (1985) symbols of community. However, where community symbols are also heritage assets, then it is right to consider them here as an aspect of the significance of heritage within this research.

Chris Johnson, in her 1992 discussion paper ‘what is social value?’ states simply that it is the ‘special meanings attached to places by groups of people ...’ (iii), and Jones (2016, 2) takes this further by defining it as ‘a collective attachment to place that embodies meanings and values that are important to a community or communities.’ (see also: Jones and Leech, 2015, para 1.6; Byrne *et al* 2003, 47). This idea of social value has recently received increasing attention in both international and national contexts (Jones and Leech, 2015, 5). However, some interpretation is required as the terminology used within these varies - while specifically ‘social value’ is found in the Burra Charter (ICOMOS Australia, 1999, Article 1.2), Historic England use the term ‘communal value’ (HE, 2008), and Council of Europe Conventions such as the 2005 Faro Convention make reference to ‘heritage community value’ (Council of Europe 2005, 2009). In addition, terms such as ‘community value’ and ‘social significance’ can be found in the literature (Pearson & Sullivan, 1995, Byrne *et al.* 2003). These all suggest, however, that social value is closely tied to community, and as Johnson argues (1992, 10), is about collective attachment to places that embody meanings important to a community.

The social value of places may be closely connected to historical value, and indeed the historic environment provides a basis for and accommodates the key aspects of social value such as identity, distinctiveness, belonging and social interaction, memory, oral history, symbolism and cultural practice (Johnson, 1992, 18; Jones, 2016, 2; Byrne *et al.*, 2003, 7; Jones and Leech, 2015, 6).

Often, however, social value is created through experiences – people give meaning to places due to the events that have taken place there, and knowledge of these events is passed down through generations as collective social memory (Byrne *et al*, 2003, 3; Jones, 2016, 2; Jones and Leech, 2015, 2). These are continually reworked and embedded in social relationships, providing a basis for the negotiation of identities and power relations (Jones, 2016, 5). These values are not necessarily obvious in the fabric of the place, however, and may not be apparent to observers (Byrne *et al*, 2003, 3); although for local communities they may well be more important than the physical and visible elements of their local heritage (Byrne *et al*, 2003, 50-51).

While social value was alluded to in nineteenth-century debates about conservation, with John Ruskin (1865, 233-4), for example, emphasising the intangible ‘living spirit’ of historic buildings, it is the historic and aesthetic values that Ruskin and later William Morris and the Society for the Protection of Ancient Buildings (SPAB n.d.; Morris, 1877) campaigned to preserve which have come to dominate heritage policy (Jones and Leech, 2015, 7). This focus on tangible, scientific values was effectively confirmed by the Athens Charter of 1931, and reinforced by the 1964 Venice Charter, despite growing post-War awareness of the benefits of heritage to society (Jones and Leech, 2015, 7). As outlined above, the Venice charter provided a foundational reference point for subsequent charters and national policies, resulting in international consensus to marginalise the intangible and social dimensions of heritage (Jokilheto, 1998, 239; Jones and Leech, 2015, 8). From the mid-1970s onwards, the social value of heritage began to reemerge in international charters (Jones and Leech, 2015, 8).

The Burra Charter (Australia ICOMOS, 1979) and in particular its 1999 revision, placed assessment of cultural significance at the heart of the process, and defines this as being made up of four distinct values: aesthetic, historical, scientific and social (ICOMOS Australia, 1999, 1; Jones and Leech, 2015, 8). Social value is defined within the Charter’s guidelines as ‘the qualities for which a place has become a focus of spiritual, political, national or other cultural sentiment’ (ICOMOS Australia, 12), and in theory is placed on an equal footing with historic, aesthetic and scientific values (Waterton, *et al*, 2006, 342). Although there is still a ‘traditional’ focus on historic fabric within the Charter, the 1999 revision in particular marks a departure in the recognition of social value as a distinct category of heritage significance (Jones and Leech, 2015, 9; Waterton, *et al*, 2006, 349). Despite issues over whether social value is in fact included within heritage assessments in Australia (Byrne *et al*, 2003, 7), the Burra Charter has been highly influential in shaping international conservation policy, and the principle of assessing social value as part of cultural significance is now widely accepted (Jones and Leech, 2015, 9). This can be found, for example, in the European Landscape Convention (Council of Europe, 2000), and the 2005 Faro Convention (Council of Europe, 2005). Its influence is also clear in Historic England’s ‘Conservation

Principles' (2008), which calls for the 'communal' value of heritage assets to be included within decisions regarding their management. The Nara Document on Authenticity (ICOMOS, 1994) also marked a significant shift in international understanding of authenticity, acknowledging the importance of spiritual associations, feeling and cultural tradition in its determination (Jones and Leech, 2015, 13; Byrne *et al*, 2003, 11).

Despite this, the legislation underpinning the assessment of significance during the designation process remains tied to historic, architectural and aesthetic values (Smith, 2006, 59-60). While social value is receiving increasing weight in broader principles of heritage management, therefore, it 'necessarily has a secondary place in the designation of monuments and buildings' (Jones and Leech, 2015, 15). Social values rarely conform to the authorised linear histories produced by 'experts' (Smith, 2006, 59-60; Jones, 2016, 2; Jones and Leech, 2015, 5), and are not usually commensurate with the heritage values defined by the profession (Jones, 2016, 5; see also Byrne *et al*, 2003; Schofield, 2014). The assessment and designation of heritage assets, therefore, fails to capture the 'dynamic, iterative and embodied nature of people's relationships with the historic environment in the present' (Jones, 2016, 2). Indeed, historic buildings have tended to be designated as simply dots on maps, which Byrne *et al* (2003, 51-3) further privileges of physical over social value, as social value is not easily bounded – memories and attachments associated with a heritage asset may well include more than what happens at that specific place.

Despite efforts to include social value via consideration of 'communal value' within Conservation Principles (HE, 2008), the long-standing pre-occupation with tangible aspects of heritage continues to be relatively entrenched at the designation level (Jones, 2016, 6; Byrne, *et al*, 2003, 7; Gibson, 2009, 74; Emerick, 2014; Bell, 1997). In addition, experts within state heritage agencies have tended to define social value as the values expressed by a community which fall outside their professional frameworks (Johnson, 1992, 4). The difficulty lies, therefore, not in whether or not to use legislation to protect social value, but how to define and measure it in order to then protect it (Johnson, 1992, 24). This is compounded by the fact that the meaning of heritage assets is continually reworked and reproduced by contemporary communities through the performances and practices which generate social value (Jones, 2016, 6). It is something that is constructed and attached to heritage assets on a regular basis, as well as something that can fade away over time. In this sense, it is no different to other heritage values, and in fact to heritage itself, as discussed below in the final section of this chapter. It is perhaps for these reasons that the designation, or not, of a heritage asset can result in significant tension and contestation, with social values competing not just with professional/expert values, but with other social values attached to well-known site. The contested nature of heritage values is the key issue which guides the research

and analysis undertaken for this thesis, and is also discussed below in advance of its consideration within the analysis of national and local significance in Chapters Five, Six and Seven.

2.3 THE CONSTRUCTION AND CONTESTATION OF HERITAGE

Section 2.2 above outlined a gradual shift in emphasis from physical heritage assets to be preserved for an unknown future generation, to an increasing recognition of social value and the multiple heritages that can exist in a plural society. Indeed, as Cohen (1985, 17) has noted in relation to community symbols, different people orientated to the same phenomenon are likely to differ from each other in their interpretations of it, and 'they may not be aware of this difference, especially if the phenomenon is a common feature of their lives.' As with community symbols, therefore, the significance of heritage is multivocal, and as Graham and Howard (2008) argue, heritage itself is constructed in the present. The multivocality of heritage, however, means that assets are considered to be significant from various perspectives and this can cause tension, especially in relation to designation where 'national' significance is given priority. This section, therefore, explores these philosophical concepts, looking firstly at the social construction of heritage, and then considering the inherent contested and dissonant nature of significance, which has been the key starting point of this thesis.

2.3.1 CONSTRUCTIVISM AND THE MULTIVOCALITY OF SIGNIFICANCE

As outlined in Chapter One, the arguments developed during this thesis are influenced by the constructivist framework as described by Brian Graham and Peter Howard (2008; see also Ashworth *et al*, 2007; Brett, 1996; Graham, 2002; Graham *et al*, 2000; Lowenthal, 1998; Peckham, 2003; Smith, 2004). Through this lens, heritage is seen not as any specific object, site or practice, but as a construction in the present to serve a number of uses (Darvill, 1987; Kristiansen, 1998; Ndoro & Pwiti, 2005, 142; Silverman, 2010, 1; Smith, 2006). This does not imply that heritage is necessarily a tool used for control, or for economic interest, instead it confirms the argument that heritage does not have any inherent/intrinsic values, its appearance and meanings are ascribed to it by society (Ashworth, 2002, 2008; see also Byrne, 2008; Howard, 2003; Carman, 1996, 2005b; Graham, 2002; Holtorf, 2008; Sørensen & Carman, 2009; Tunbridge & Ashworth, 1996). Heritage, therefore, is not simply an historic building or an archaeological site, or any other aspect of 'the past'. These are just 'things' until we ascribe a value to them, and exist only through selective perception and the recognition of attributed meanings (Darvill, 1993a; Carman, 2002; see also Ashworth, 1994; Blake, 2000; Fergusen *et al*, 2010; Graham & Howard, 2008; Harrison, 2010; Pearce, 1998, 2000; Smith, 2006; Thomas, 2008). Heritage therefore is what we decide to preserve not an entity in its own right (Blake, 2000).

While heritage as a social construction is now the dominant theoretical approach across the humanities and social sciences (Gibson & Pendlebury, 2009, 1), state heritage agencies still follow the positivist ideology of 'intrinsic value'. This leads to a focus on physical fabric and the implication that it is possible to create a definitive list of assets to be protected (Harrison, 2010). Despite rhetoric to the contrary, therefore, social and cultural significance is still not widely accepted in practice (Gibson, 2009, 174; see also Carman, 1996). This is especially the case with designation, where fabric-focused, expert-defined assessments remain the dominant paradigm of significance. Heritage agencies do not just observe heritage though the process of designation and management, therefore, they actively engage with it thereby creating, altering and reinventing what is considered to be heritage (Schofield, 2008, 18; see also Byrne, 2008; Palmer, 2008; Skeates, 2000). This is an important element in understanding why certain heritage sites are chosen for designation, and why this is often contested, especially as people are now much more sceptical of the positivist view of absolute certainties and objective facts (Corsane, 2005, 8).

Heritage is thus a process of human action and agency, it is not fixed, but a cultural construct which changes in response to our own needs, and is present-centred, malleable and future-orientated, it is created, shaped and managed in response to the demands of the present (Byrne, 2008; Graham & Howard, 2008; Harvey, 2001, 2008; Jenson, 2000; Smith, 2004; Tunbridge & Ashworth, 1996). When an area of Istanbul, for example, was threatened by the development of a new bridge which would destroy many of the historic houses in the area, the resident's association 'became aware of the value of what was already around' them (Gürsoy, 2008, 193). A heritage was thus created in response to the needs of the present from what were previously just homes and workplaces. The construction of heritage is therefore a deliberate, goal-oriented choice (Tunbridge & Ashworth, 1996, 3), and is dependent on the value system of those who have created it. As we are all involved in the construction process, however, it thus occurs through a process of negotiation of values (Harrison, 2010; Smith, 2006). The criteria used to assess heritage assets for designation in England, however, are based largely on the out-dated value systems of both the early nineteenth century and post-war relativism (Jones and Leech, 2015, 10). In particular, the idea of special architectural and historic interest that developed out of the work of John Ruskin (1865) in particular, as well as William Morris (1877) has dominated the protection of historic buildings since the 1947 Town and Country Planning Act (see Chapter Three). This often contrasts significantly with the current value systems of local societies, especially in a 'big society' era with a focus on community and neighbourhood values.

Aesthetics are a particularly important consideration here, with changing fashion having a significant influence on the construction of heritage (Tunbridge & Asworth, 1996, 266). Huge swathes of Victorian buildings, for example, were pulled down in the 1960s in the name of

modernisation, but those remaining are now considered to be heritage; and in Istanbul, the historic buildings of the non-Muslim Beyoglu district are now embraced as heritage, despite their proposed demolition in the 1980s (Bartu, 2001, in Silverman, 2010). Political ideologies can also change the composition of heritage, although this tends to be more subtle (Tunbridge & Ashworth, 1996, 85). The social inclusion policies of the New Labour government in England, for example, led to the widening of 'national' heritage to include non-white and non-Christian heritage assets. Heritage is not, therefore, created through the haphazard survival of buildings and monuments, it is the outcome of an intentional choice to create, maintain and preserve selected places (Ashworth, 2002, Ashworth and Phelps, 2002, Lowenthal, 1998; Russell, 2010).

Heritage is thus a cognitive cultural construction, and is never merely something to be conserved or protected (Ashworth, 2008; Carman, 2005; Palmer, 2008). Each group or community constructing a unique heritage to both cope with the present and to pass on to an undefined future (Lowenthal, 2000, 307). It can thus be defined as embracing 'any and every aspect of life which individuals, in their variously scaled groups, consider explicitly or implicitly to be a part of their self-definition' (Pearce, 1998, 2). Once constructed, heritage both exercises power and becomes a representation of personal and community beliefs, often being constructed from past experiences and memories (Pearce, 2000; Merriman, 1991; Brett, 1996). There are therefore an almost infinite variety of possible heritages that can be constructed from the same resources, each with a different meaning (Tunbridge & Ashworth, 1996, 8; see also Ashworth and Larkham, 1994; Byrne, 2008; Crooke, 2010; Thomas, 2008). This means that there are multiple stakeholders, each with their own idea of what is significant about a site/place (Benton, 2010). From a pluralist perspective, however, each version of significance is not necessarily more valid than the others (Morrison, 2009). The greatest problem, therefore, lies in trying to balance the different values.

The concept of social value, therefore, which understands that objects and places are given values by society, has gained increasing popularity amongst academics. However, as already noted, the idea that significance is not intrinsic has yet to be accepted in practice (Gibson, 2009, 73; Thomas, 2008). 'Official' interpretations of heritage thus reflect a particular definition of 'special interest', which may conflict with an 'unofficial' interpretation and result not just in contrasting perceptions of significance, but in conflict and dissonance (Tunbridge & Ashworth, 1996, 27-8; see also Lowenthal, 2000). In addition, while a plural society is quite capable of producing numerous heritages which often co-exist without conflict, the close relationship between the creation of heritage and the political notion of the nation state often means that one interpretation is privileged over another, leading to competition, opposition and debate (Tunbridge & Ashworth, 1996, 29; see also Appadurai, 1981; Silverman, 2010). As Hannah Lewi (2005) observed in Perth at

the contested site of the Swan Brewery, for example, the focus of the debate was not simply conservationists versus developers; there were multiple claims of heritage significance both between and within the groups involved.

Although the statutory heritage adviser for England, Historic England (HE), does demonstrate an awareness of the multivocality of heritage in documents such as *Power of Place* (2000), and *Conservation Principles* (2008); in relation to designation assessments the organisation is tightly bound by the criteria set by government, which do not allow for this to be taken into account, leading to designation assessment reports which unhelpfully state that the asset does not have special interest.

2.3.2 CONTESTED SIGNIFICANCE

If the context for our understanding of heritage is pluralism and multivocality, what does this mean for acts of protection which fix a singular value to a site? (Gibson & Pendlebury, 2009, 1; Palmer, 2008, 7). Of particular relevance in thinking about this, is the work of Tunbridge and Ashworth who in 1996 published 'Dissonant Heritage'. This was one of the first works to explicitly discuss the inherently contested nature of heritage. The authors define what they call 'dissonant' heritage as the tension between the multiplicity of heritage constructs, stating that at its simplest, 'all heritage is someone's heritage and therefore logically not someone else's', and is, therefore, inherently contested (Tunbridge & Ashworth, 1996, 21; see also Smith, 2006; Smith & Waterton, 2009; Silverman, 2010; Jones 2005; Davison, 2008). As this is a quality which can be measured in terms of the dispute and intensity of debate (Dolf-Bonekämper, 2008), dissonance therefore provides a structuring concept for both research and heritage management (Tunbridge & Ashworth, 1996, 20-21).

Following both the Declaration of Human Rights in 1984, and the European Vienna Declaration in 1993, social and cultural minorities have begun to use the globalised language of human rights to argue for their own claims to cultural heritage (Harrison, 2010b; Kristiansen, 1998). The need felt by local communities to protect sites which are significant to them has consequently become much more vocalised and contested. Thus, the concept of contested/dissonant heritage, even if not explicitly used, has been present in the literature for at least the past 25 years, and is now a framework driving much applied research (Silverman, 2010, p.1). However, despite the shift to a more socially-engaged and politically aware study of the past (Cooper, 2008; Silverman, 2010, 10; Smith, 2004; Thomas, 2008; Waterton, 2007), much of the research on contested heritage has tended to focus on the presentation of 'difficult' or 'dark' histories, such as slavery, the holocaust, and apartheid in South Africa; or on the issue of ownership and how heritage is defined in specific areas, particularly within post-colonial countries.

One of the most widely discussed areas of dissonance is the marginalisation of indigenous or other minority communities who are attempting to recover an excluded past (Silverman, 2010, 7). The literature suggests that this is a problem most associated with post-colonial countries, where the heritage sites that have been protected tend to support the coloniser's culture, and the indigenous culture has been marginalised or even destroyed (Breglia, 2009; Corsane, 2005; Gibson & Pendlebury, 2009; Harrison, 2010a, 2010b; Ndoro & Pwiti, 2005; Schofield, 2008; Smith, 2004, 2006; Watkins & Beaver, 2008). However, similar underlying issues were also present at Castleford, in West Yorkshire, where Smith (2006) found that evidence of the town's industrial history had been removed through regeneration programmes, leaving a community which felt undervalued and removed from the national heritage discourse. Native Americans and other ethnic 'minorities' have encountered similar problems in the USA (Schofield, 2009), and numerous other examples of marginalisation and dissonance can be found in other post-colonial countries (e.g. Den, 2014; Byrne *et al*, 2003; Silverman, 2010). From all such examples, it is clear that in order to maintain itself and legitimise its existence, the dominant group adopts a policy to destroy or remove other forms of heritage, believing its own heritage and traditions are superior (Lowenthal, 1998). Alternatively, however, the dominant group may celebrate the heritage of non-dominant groups precisely as a means of distinguishing itself from them (Harrison, 2010b, 178). This is perhaps why, at a time when the focus in England was on a 'Big Society' and community empowerment, and a Localism bill was being drafted, which does not readily align with an expert-led national designation system, that Historic England began to promote and provide guidance on local listing (see Chapter Six). Indeed, it is maybe no coincidence that HE began to prepare in earnest its local listing best practice guidance at the same time that the Guardianship sites in the care of English Heritage were rebranded as 'the national collection' towards the end of 2010.

Conflict can also derive from the nature of certain assets (Dolf-Bonekämper, 2008) and a second focus of the burgeoning research into contested heritage, therefore, is that of 'difficult' or 'dark' heritage. This is defined as a past which is recognised as meaningful in the present, but which is contested and awkward to reconcile for a public with a positive, self-affirming contemporary identity (Macdonald, 2009, 1). Across this subject, therefore, the case studies and research have a much more European/North American focus, dealing with subjects such as slavery, suppression and dictatorships (e.g. Breglia, 2009; Brett, 1991; Tunbridge & Ashworth, 1996). This is quite different to the contested significance apparent in the English designation system, although at a basic level the contestation of the local Plymouth community in relation to the listing of the Civic Centre (see Chapter 5), is not entirely dissimilar to the designation of sites of Nazi heritage in Nuremberg. In both cases, there was concern that it would harm the image of the city, and a

realisation that designating a site as heritage accords value to it, implying that it is a treasured part of the cultural landscape (Macdonald, 2009, 190).

The final area of dissonant heritage commonly discussed within the literature is the repatriation of both portable antiquities and human remains, which again tends to have a post-colonial context, although it also includes for example the tension and conflict surrounding the 'Elgin' marbles (see e.g. Lowenthal, 2000). In America, indigenous groups in the 1980s vociferously argued for the physical and ideological control of their heritage, particularly remains of their ancestors who had been excavated and were in museums either awaiting analysis or as exhibits for tourists (Lowenthal, 2000; Skeates, 2000; Smith 2004). The most influential outcome of this has been the Native American Graves Protection and Repatriation Act of 1990, which paved the way for similar legislation in other countries, and arguably led to the reconceptualization of the landscape as socially constructed (Silverman, 2010). In addition, the dispute following the discovery of Kinnewick Man in 1996 highlighted and fed into the emerging ideology of post-processual archaeology, with the realisation that the dominant processual discourse did not readily allow for the humanistic compromise and negotiation that Native American groups were arguing for (Smith, 2004, 160-161).

All three areas of dissonant heritage outlined above are centred around the idea of a dominant group deciding what is, or is not, heritage. They all, therefore, fall within and can potentially be explained by the Authorised Heritage Discourse (AHD) developed by Smith (2006). Smith argues that contestation occurs because the AHD gives primacy to a Westernised, elitist heritage which is based on physical objects and marginalises or attempts to erase other types of heritage, thereby reinforcing the position of the dominant group (Belford, 2011; Gibson, 2009; Harrison, 2010a; Pendlebury, 2009; Smith & Waterton, 2009; Waterton 2007). For the assets discussed in the following chapters of this thesis, however, their definition as heritage and their value to the local community is not contested. The contestation relates to the status of their significance. In this context, they cannot be considered to be competing versions of the past (Appadurai, 1981), as the history of the site and the events which took place there are not contested, only the relative significance of them. This is not to say that there are not any minority groups in England with marginalised pasts who are fighting for recognition, though. The Bengalee community of Tower Hamlets, for example, have successfully fought for Conservation Areas to be created which reflect the heritage assets which are meaningful for them which national designation was unable to do (Gard'ner 2004). Heritage should, of course, take account of public needs and preferences and in this context, national designation criteria cannot always take precedence, especially if, as Fairclough (2009) argues, we are to take seriously the ideas set out in the 2005 Faro Convention (Council of Europe, 2005). Schofield (2009, 105) suggests, though, that contested significance is

due to the distinction between nodes of perception, as those closely familiar with the local area will have a different perspective to those whose role is necessarily more intellectual and detached. Recognising this distinction, he argues, means that an understanding of the tension between national priorities and 'nimbyism'² can be reached.

Using the definition of dissonant heritage as set out by Tunbridge and Ashworth (1996), however, it is possible to see designation as a form of dissonance, because only the 'national' significance of an asset is taken into account when making the decision. In relation to disinheritance, though, which is the focus of their work, it is not normally the act of designation which disinherits local communities (although it can be); it is often the act of non-designation. It is not disinherited in quite the same way or to the same extent as set out by the dissonant heritage framework however, as in most cases a full assessment report for the asset will still be published and added to the local Historic Environment Record (HER). Dissonance and disinheritance occurs because here because assets which are highly significant to the local community are not seen as proportionally significant at the national level (Watkins & Beaver, 2008, 20). In addition, the inability to include social value in an asset's designation assessment means that the materialistic assessment of significance by the national 'expert' body is often, therefore, contested (Low, 2003, 53). In defining cultural heritage only as physical data, however, any conflict over meaning and significance will be obscured within issues of preservation (Smith, 2004, 123). The designation of sites which local communities do not find significant, therefore, also causes tension and conflict, often in relation to the assumption that designation means 'preservation' rather than managed change.

The modernist focus on objective materiality and the assumed authority of Historic England as the 'expert' means not only that social value is not taken into consideration, but that it is not properly understood. It is defined by those working within national designation teams as subjective, emotional ties that should not be taken in account when making designation assessments. Designation assessments will often state, therefore, that an asset is of 'local interest only', with the term 'local' used in reference to the social value attributed to an asset by the local community. To those in Historic England, and in fact at the Department for Culture Media and Sport, who receives letters of complaint following a decision, therefore, the contestation of local communities is viewed as a simple dichotomy between objective and scientifically minded experts; and a subjective, non-scientific, local group (see also, for example, Belford, 2011; Smith, 2004; Watkins & Beaver, 2008; Jones and Leech, 2015). As noted above, the contestation does not originate from disagreements over whether the asset is in fact heritage, it arises from the

Standing for Not In My Back Yard (NIMBY), this is a term often used in relation to planning and development when residents of an area oppose nearby building or redevelopment proposals.

subconscious assumption that significance is singular – it is significant or it is not – and that this is scalar. Therefore, heritage assets are assumed to be highly significant if they are awarded national designation, and less significant if they are not (Carman, 1996), despite the multiple types of significance that can be attached to an asset (Corsane, 2005). Indeed, here the terms ‘local interest’ or ‘local significance’ are used within designation assessments because it is recognised that the asset is heritage, but it does not meet the criteria for National designation and so must be classed as ‘local’ because it can only be one or the other in the minds of the assessors. This is often the same with local lists, which are discussed in Chapter Six, as often there is a stipulation that an asset which is nationally designated cannot be added to the local list, or anything locally listed that is subsequently designated should be removed. National significance, then, is favoured over any other significance, with the elitist values of heritage professionals taking precedence (Belford, 2011; De la Torre *et al*, 2005; Graham, 2002). As illustrated in Chapter Five, however, the heritage profession’s authority to make binding statements about the past is increasingly being challenged (e.g. Howard, 2009; Smith, 2004).

Except for the work of Gardner (2004) in South West London, and articles in the professional press (e.g. the Architects Journal) however, there is very little academic research which looks at contested significance from the perspective outlined above. Most authors focus on the management of already designated sites, or the marginalisation of indigenous groups. Hannah Lewi’s analysis of the Swan Brewery site in Perth is an exception to this (2005). Although her research still has some attention focused on the marginalisation of aboriginal communities, this is not the overall focus of the paper, which discusses the ‘difficult and messy’ local significance of a site which was to be redeveloped (Lewi, 2005, 56). In addition, although not directly related to designation, Herzfeld (1991) has written about the conflicts between local ‘lived’ heritage and officially privileged architectural heritage in Crete. Gürsoy (2008) has also written about two neighbourhoods in Istanbul where residents fought for the retention of historic homes which were threatened with demolition to make way for a major new development. Although limited in number, these studies all point towards ‘local’ heritage becoming significant to the community when it is threatened. This is also picked up in Chapters Five, Six and Seven, and relates to the concept of ‘everyday heritage’ outlined in the introduction to this thesis (see also e.g. Benton, 2010; Gibson, 2009; Fairclough, 2008; Schofield, 2009).

Ian Hodder (1993, 12) has argued that the study of the past is only possible because it is seen as ‘dead’, no longer being alive and connected to the present as it is in many other countries, where meanings and spirits continue to inhabit monuments. However, ‘everyday’ heritage is valued and of significance because it forms familiar landmarks which are cherished and become ‘one of us’, a member of the community who represents longevity and stability in a fast-paced, globalised and

post-modern world characterised by constant change and flux (Jones, 2005; see also Furgusen *et al*, 2010; Gibson, 2008; Grenville, 2007; Harrison, 2010b; Low, 2003; Schofield, 2008, 2009). Physical reminders of the past in the form of heritage assets provide a sense of place attachment, continuity and connectedness that we are rarely aware of (Low, 2003, 47). 'Important' national heritage assets are not always relevant to local communities, however, as for most people it is the local, every-day and intangible things which create a sense of place (Fairclough, 2008, 153). The objective and dispassionate assessment of these by the national 'experts' is therefore at odds with local emotional attachments to a place, which as already discussed are rarely taken into consideration (Davis, 2005; Clifford & King, 1993).

Although Smith (2006) argues that the AHD ensures that the general public continue to see heritage as cathedrals, castles and country houses, people are now less likely to accept the 'authorised' view, preferring instead to choose for themselves what kind of past to believe in (Thomas, 2008). Societies increasingly celebrate a range of heritages in many ways and for a wide variety of reasons (Samuel, 1994). The position of both the academic and the expert, therefore, is under attack and in some cases is actively being disputed (Howard, 2009, p.53), as demonstrated in Chapter Five. The multivocality of significance though, does not in itself lead to dissonance; it is its use in situations where those with a different concept of significance are seen as distinctly different, for example local versus National (Tunbridge & Ashworth, 1996, 27). In a post-modern world where the authority of the state is increasingly questioned, and where Big Society rhetoric and indeed policy actions are encouraging local communities are being encouraged to become more engaged in local decision-making, however, a question that will be considered in the following chapters is whether there is still a role for national expertise.

Finally, although it is now increasingly recognised that multivocal heritage is valid, valuable and vibrant; as Paul Belford argues, 'recognition is one thing: delivery is quite another' (2011, 51). Many heritage professionals are still reluctant to acknowledge that the values ascribed by non-professionals are as valid as their own (Byrne, 2008, 161). While public participation and plurality seem to be accepted at the management level, therefore, including by state bodies such as Historic England in documents such as Conservation Principles (2008); at the designation level the expert is still privileged, and as those who designate and those who manage are two separate teams within HE, often with little contact, there is no impetus it would seem for this to change, especially when, in comparison to the planning advice team, the work of the designation team is to a large extent controlled by the Department for Culture, Media and Sport rather than by Historic England's own policy. Even Conservation Principles places communication with people and communities as a second step after the evaluation of historic fabric and the definition of significance by experts, stating for example that 'to identify the cultural and national heritage

values of a place, its history, fabric and character must first be understood' (Historic England, 2008, 35; Gibson, 2009, 75; see also Davison, 2008). In other countries though, social value is increasingly being incorporated, especially in Australia (Schofield, 2009, 107), where the Burra Charter requires that significance should not be made up of entirely expert views (Gibson & Pendlebury, 2009, 8; see also Corsane, 2005), and this is explored further in the following Chapter in relation to the charter's influence on English legislation and policy.

The literature reviewed within this discussion of contested significance makes it clear that dissonance is intimately tied to the notion of multivocality because if we all valued heritage from exactly the same perspective, there would be no contestation. Conflicts of interest, then, appear to be an inseparable accompaniment to heritage (Silverman, 2010, 33). It could be argued of course, that the debates brought about through tension and contestation are essential for the future of heritage (Howard, 2009, p.62; Benton, 2010, 161). Indeed, Tunbridge and Ashworth (1996, 267) state that proliferating facets of dissonance continue to emerge with the 'apparent inexorable growth of heritage itself' (1996, 267). As discussed in Chapters Five, Six and Seven, it is often discussion about the future of an asset, and the threat of its removal or alteration, which results in the construction of heritage in the first place. Indeed, it was only following an article in a local newspaper which questioned the first designation assessment of Bradford Odeon that Historic England began to receive letters and petitions calling for it to be re-assessed and designated as a listed building (see Chapter Five).

2.4 CONCLUSION

The overall aim of this chapter has been to develop an understanding of the theoretical underpinnings for both the current heritage designation system and the seemingly inherent tension caused by this, as well as ideas about participation and social value. This has established the relevance of this thesis, and provided the guiding concepts and principles for the following chapters. A number of key areas of debate were thus examined, including the development of a 'national' heritage in England following the enlightenment of the late eighteenth century; the social construction of heritage and the ideology of multivocality, community engagement and social value; and the contested nature of heritage significance. In the previous chapter, the 'type' of heritage that forms the focus of this research was identified as the 'everyday heritage' of the seemingly mundane and ordinary elements of our cultural landscapes which become 'cultural touchstones' (e.g. Atkinson, 2008, Clifford & King, 1993; Schofield, 2009). This chapter, however, has mapped the emergence of a distinct nationalistic heritage which is focused on a materialistic and monumental definition of significance that contrasts with the range of values attached to 'everyday heritage'. This developed in a number of phases, beginning in the eighteenth century

with the development of nation states who needed an associated national heritage with which to legitimate their authority, to the post-war era in which nation states were consolidated and solidified. In this era the state became much more centralised, acting 'on behalf' of citizens, and state control of both the construction and management of heritage has continued since then. As discussed in the following chapter, it was also at this time that built heritage, which forms the majority of everyday heritage assets that communities wish to see continue as part of their cultural landscapes, becomes defined as something which has 'special interest' in terms of its architectural and historical value, providing official confirmation of the Ruskinian philosophy underpinning the conservation movement. A definition which is retained within current legislation and selection criteria, and this does not allow for social value to be taken into consideration in assessments.

From the 1980s onwards, however, in the wider heritage field and within academia, the definition of heritage has become increasingly wide, and it is now recognised that not only does heritage include the tangible and the intangible, but that in a plural society there are multiple heritages, each valued by different groups for different purposes (Ashworth & Larkham, 1994). Although this is understood by those working within post-designation management fields, and in the author's experience also by those undertaking designation assessments, the inability of the current designation legislation to take into account or even to recognise the plurality of significance, and the continued emphasis on aesthetic and historic values within the criteria, can lead to significant tension and conflict. When combined with a desire for the system to be more participatory and to demonstrate that the views of local communities are taken into account in decision-making, the concept of dissonant heritage can therefore be applied to heritage designation, which as the author knows from personal experience, would appear to be inherently contested.

Overall, this thesis aims to analyse the dissonant nature of heritage designation in England. Key points emerging from this review, therefore, regarding the multivocality of heritage significance and its inherently contested nature, will continue to inform the analysis undertaken in the following chapters. Importantly, this thesis will look not just at the dissonant nature of the national designation system, but will try to understand the reasons for this, and to analyse some of the ways in which current and future policy can be used to help relieve some of the tension. The purpose of the next chapter is to provide the context for this by looking at the policy legacies of the current system.

3 POLICY LEGACIES

Following on from an examination of the theoretical underpinnings for this thesis in Chapter Two, this chapter continues to consider the development of a nationally-focused designation system in England, focusing here on the specific legislation and policy enacted over the past 150 years. It continues the thought process developed in the previous chapter to consider why this legislation and policy has developed to produce an expert-led system which would seem to be inherently contested. It does this in order to provide context and background for the analysis of national designation requests in Chapter Five, and to contrast these with local alternatives in Chapters Six and Seven. To provide context for answering one of the key questions of this thesis, 'why does the current designation system result in contestation?' this chapter will focus specifically on the designation elements of the legislation, including the criteria that defines what to protect, and who is able to be involved in decisions. This chapter does not, therefore, provide a full narrative history of the development of Heritage Protection legislation in the UK. This has, however, been undertaken by John Delafons in his 1997 Book, 'Politics and Preservation: A Policy History of the Built Heritage, 1882-1996', and the other key texts by Saint (1996), Saunders (1983) as well as Emerick (2014) to some extent, which chart the development of heritage protection policy.

Before considering the development of designation legislation, it is useful to briefly outline the current system in operation at the time of writing, which is covered in more detail in the introduction to Chapter Five. The development of heritage protection legislation in England over the last 150 years has resulted in the current system being rather complex, including five distinct categories of designation governed by four separate pieces of legislation (table 1). Heritage assets which are designated within these categories are added to the National Heritage List for England (NHLE) following their assessment by Historic England (HE), Government's statutory adviser on the historic environment. The final decision takes the form of approval of HE's recommendation by the Secretary of State in the Department for Culture, Media and Sport (DCMS) (Fig. 2). For the non-statutory designations, it is an advisory panel at HE who approve recommendations made by the Designation Department. Assets are assessed for designation either as part of strategic projects or following external requests made via an online application form (see ch.5). This chapter will look at how this system has developed, focussing in particular on the expert-led, nationally-focused nature of the policies.

Heritage Category	Number designated (Jan 2017)	Current Legislation	Earliest Legislation	Key Test/Criteria	Designated by:
Scheduled Monument	20 018	1979 Ancient Monuments and Archaeological Areas Act	1881 Ancient Monuments Act	National Importance	DCMS
Listed Building	379,486	1990 Planning (Listed Buildings and Conservation Areas) Act	1944 Town and Country Planning Act	Special architectural and historic interest (in a national context)	DCMS
Protected Wreck site	67	Protection of Wrecks Act 1973	Protection of Wrecks Act 1973	Historical, artistic or archaeological importance	DCMS
Registered Park and Garden	1,699	1984 National Heritage Act	1984 National Heritage Act	Special historic interest	HE
Registered Battlefields	50	1984 National Heritage Act	1984 National Heritage Act	Special historic interest	HE
Conservation Area (local)	9,880	1990 Planning (Listed Buildings and Conservation Areas) Act	1967 Civic Amenities Act	Special architectural or historic interest	Local Planning Authority (or HE in London)

Table 1 Current Designation System (data for number designated provided by Wade, 2017)

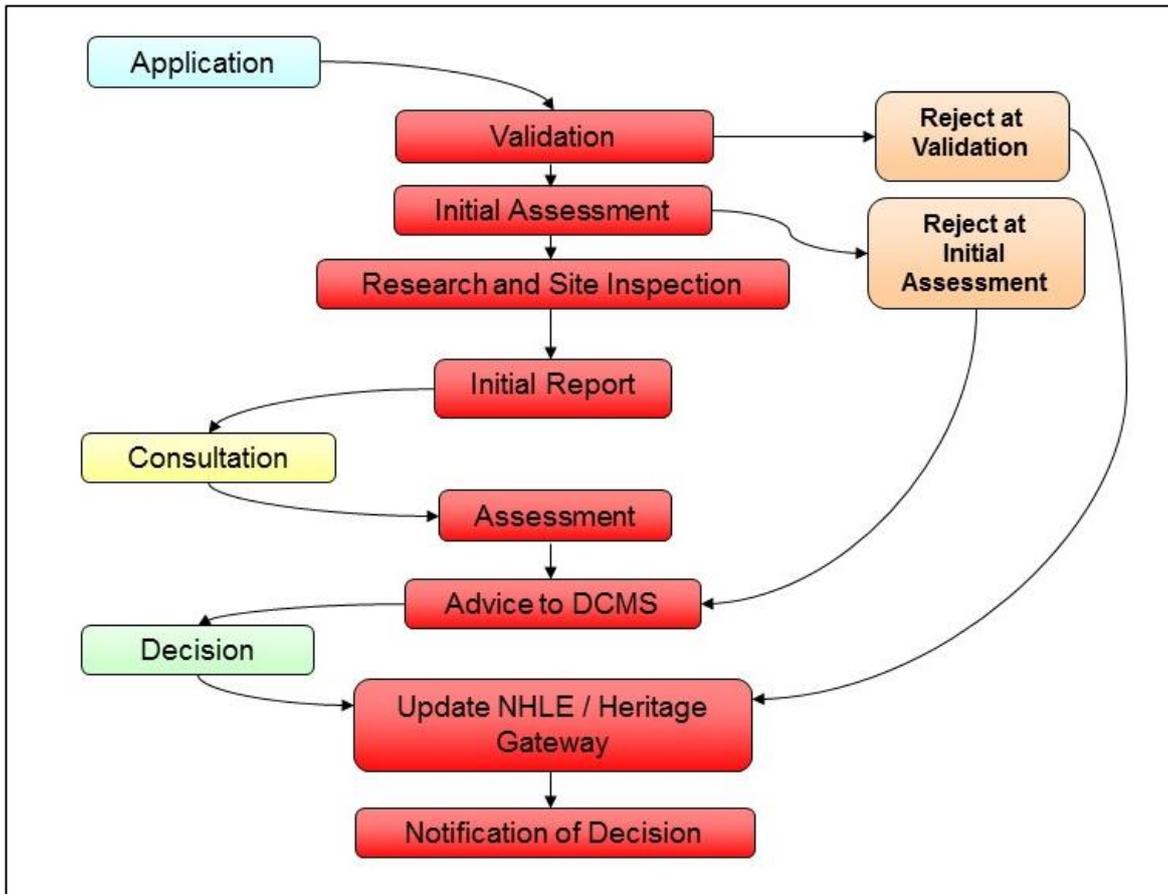


Figure 2 Designation Process

3.1 THE DEVELOPMENT OF LEGISLATION AND POLICY

Although the protection of heritage can be traced back to the Renaissance and the Enlightenment in the UK, the clearest emergence of an explicit attempt to protect heritage is in the mid nineteenth century (Waterton, 2007). This is the result of the systematic break-down of the feudal system in the late 18th and early 19th centuries, resulting in capitalism and industrialisation. Capitalism in particular meant an increase not just in development which threatened to remove historic buildings and features, but gentrification and the ‘restoration’ of medieval buildings as a physical reminder of the wealth of their owners. The emergence of heritage protection at this time, therefore, is typified by debates around conservation or restoration and the emergence of the ‘anti-scrape’ movement, as well as the campaign for an ancient monuments act in the 1870s (Jokilehto, 1986, 320; Glendinning, 2013, 116; Earl, 2003, 60; Waterton, 2010, 81-82).

It was in 1882 that the first Ancient Monuments Act was passed in the UK, some 200 years after the first measure in Europe - the Swedish proclamation of 1660 which declared all objects of antiquity to be the property of the crown (Breeze, 2006, 57; Cleere, 2000, 1). In line with the recording phase identified in Chapter Two, the British Act resulted in a schedule, or list, of

statutorily 'protected' ancient monuments, and this approach has formed the basis of heritage protection legislation ever since (Thomas, 2008, 139). Following this, successive acts have either amended or added to this legislation, with a further eight related specifically to the protection of Ancient Monuments, and numerous planning Acts in the post-war period providing provisions for historic buildings. It was not until after the Second World War that the system which operates today was developed, however (Breeze, 2006, 57; Pendlebury, 2009, 4).

3.1.1 LEGISLATIVE CONTEXT: THE EMERGING CONSERVATION MOVEMENT

The assumption of the intrinsic worth of heritage assets, linked to historic and aesthetic values, was central to the foundation of the modern conservation movement, and continues to underpin the kinds of heritage assets that we designate and conserve today (Jones and Leech, 2015, 5). Before turning directly to the legislation, therefore, it is worth first considering the development of the conservation movement, and its impact on both early legislation and its future development. The concept of 'modern conservation' became firmly established in the eighteenth century (Pendlebury, 2009, 15), although there was growing awareness in the Tudor period of nation, nation-building and ideas of national identity (Emerick, 2014, 27), and an interest in the classical past can be seen amongst the aristocracy of the sixteenth and seventeenth centuries (Black, 2002, 14). By the 18th century British preoccupation with the past mirrored events in Europe with classical architectural models being reinvented for new neo-classical buildings (Emerick, 2014, 28; Delafons, 1997, 9; Choay, 2001; Honour, 1977). At the same time, antiquarianism and the study of the past were becoming more widespread, with the Society of Antiquaries of London being founded in 1707 (Thurley, 2013, 6). Many local societies were also set up at this time, including for example the Association for the Protection of Ancient Footpaths, set up in 1824 to preserve York's city walls, and many similar voluntary amenity societies (Glendinning, 2013, 101; see also Champion, 1996, 39; Emerick, 2014, 35).

The focus on classical architecture soon switched to Romanticism and the Picturesque, but the 19th century progressed so too did issues concerning the past and gradually in the field of architecture the Gothic revival began to dominate both new builds and ideas of conservation and/or restoration from the 1840s onwards (Emerick, 2014, 32; Black, 2002, 14; Pendlebury, 2009, 17; Jokilhetto, 1999). Strenuous efforts were made to exploit 'invented traditions' as an anchor for modern society (Glendinning, 2013, 100), and there was also widespread feeling that elements of the past were part of everyday life (Glendinning, 2013, 100). The concept of a golden age of integrity of medieval gothic culture, with the idea that England could be saved from modern vices by the revival of courtly medieval-style Christianity grounded in traditional church stability (Glendinning, 2013, 101; Jokilhetto, 1986, 293). Ecclesiastical and political authorities in the 19th century, therefore, believed that the best way to control the expanding populations

within towns and cities was to increase the number of churches available for use, leading to the 'restoration' of many medieval churches at this time (Emerick, 2014, 33; Glendinning, 2013, 101). Gothic architecture was considered to be the most suitable for this as it was 'honest' (Ruskin, 1865; Emerick, 2014, 33; Glendinning, 2013, 104), with medieval churches being recreated in 'approved' 14th century Decorated (gothic-revival) style (Emerick, 2014, 33; Jokilhto, 1999, 101-12; Earl, 2003, 60; Clark, 1964; Brooks, 1989; Pendlebury, 2009, 17).

A 'conservation movement' emerged from this background as a concerted, modern phenomenon in the mid to late eighteenth century (Glendinning, 2013, 2). This was a time of great political and economic modernisation and historic monuments increasingly served both as a 'mirror of modernity' and a cultural anchor in turbulent times (Glendinning, 2013, 65). The industrial revolution facilitated by the Enlightenment, and the traumatic French Revolution also contributed to other processes, including the development of a modern historical consciousness and the concept of the nation-state (Pendlebury, 2009, 20; Jokilhto, 1986, 293). At the same time, historical novels, railways and the rise of middle-class tourism brought an appreciation of the past and its monuments to a much wider audience, albeit and elite one (Thurley, 2013, 6-7). History came to be interpreted as a collective social experience and historic buildings as a unique expression of a particular culture, reflecting and demonstrating national identity (Pendlebury, 2009, 20; Jokilehto, 1986). Historic buildings also gave the competitive self-assertions of growing nation-states a solid, apparently enduring, foundation (Glendinning, 2013, 116), and the protection of heritage assets was essential to show the rest of the world how civilised Britain had become in comparison to her prehistoric ancestors (Emerick, 2014, 34-35). A strongly defined nationalism based around the unit of the nation-state, however, demanded a process of building identity and a common national heritage (Brett, 1996, 26; Graham *et al*, 2000).

By the middle of the nineteenth century debate in England focused around the principles of restoration and conservation, dividing people into two groups (Jokilhto, 1986, 298; Earl, 2003, 52; Delafons, 1997, 12). The restorers were mainly concerned with the faithful 'restoration' and, if necessary, reconstruction of the original architectural form, which while increasingly condemned in Britain was the key guiding philosophy in France under the leadership of Eugene-Emmanuel Viollet-le-Duc, for whom the recovery of an ideal and complete former state was a prime concern (Earl, 2003, 52-54; Jokilehto, 1986, 298; Glendinning, 20013, 91-7). The 'Anti-Scrape' or anti-restoration group, however, was concerned with the supposedly insidious evil of restoration (Glendinning, 2013, 116; Earl, 2003, 60). This group were conscious of 'historic time', insisting that each object or construction belonged to its specific historic and cultural context, and that it was not possible to recreate this with the same significance in another period. Any restoration (or 'scrape') of what they described as the 'living fabric' of an historic building was thus considered to

be intrinsically immoral (Glendinning, 2013, 116-7; Jokilhto, 1986, 298). Taking into account the influential writings of Pugin and Walter Scott, which were largely a general romantic critique of utilitarian progress, authenticity became defined not by any specific architectural qualities, but by maintaining a sharp separation between 'old' and 'new', 'original' or 'fake' (Glendinning, 2013, 117).

Conservation Philosophy in the UK and definitions of what to protect developed out of these debates and pursued a radically different course from the rest of Europe and France in particular, relying on private organisations and forceful individuals such as John Ruskin (1865) and William Morris (1877) rather than state bureaucracy or national mobilisation (Glendinning, 2013, 99; Emerick, 2014, 34). A European-style state-supported system would, though, provide the template for twentieth century protection processes (Glendinning, 2013, 102). John Ruskin is considered to be the most influential in terms of conservation philosophy, being a key anti-restoration protagonist (Burman, 2010, 48, 53; Emerick, 2014, 34; Pendlebury, 2009, 17; Brooks, 1989; Jokilhto 1999, 174-81; Choay, 2001, 102-8; Hobsbawm, 1987, 78). He believed that the material remains and associated craftsmanship of the past had a right to be preserved, that material truth was central and that restoration was in fact destruction due to the removal of historic fabric (Emerick, 2014, 34; Pendlebury, 2009, 17; Glendinning, 2013, 119). In his *Seven Lamps of Architecture* (Ruskin, 1865), Ruskin articulated his key ideas about stewardship, respect for the past, age-value, and authenticity (Burman, 2010, 47), and equated visible history, social memory and tradition with monumental architecture, which to Ruskin became the embodiment of the collective memory of a society - memory of a community persisting through generations (Cianci, 2001, 144; Glendinning, 2013, 119-20). As noted in the previous chapter, however, his concern for the conservation of authentic heritage rather than modern replicas, led to a focus on materials and the authenticity of fabric in future policy and legislation, without taking forward the social values also contained with Ruskin's writing. What was taken forward, however, was the moral duty to act as custodians, protecting historic buildings for the future (Ruskin, 1865, 186; Jokilehto, 2007, 174-81).

Ruskin's ideas found practical expression in the Society for the Protection of Ancient Buildings, founded in 1877 by William Morris and Philip Webb (Emerick, 2014, 34; Jokilhto, 1986, 298; Glendinning, 2013, 122; Burman, 2010, 54, 59; Saunders, 1983, 11; Jackson & Schmisser, 2017, 254; Mynors, 2006, 8). The Society mobilised anti-restoration forces into a well-organised campaign, and immediately launched vigorous struggles against both restorations and demolitions of historic buildings (Glendinning, 2013, 124; Earl, 2003, 60). Although initially focused on the restoration of medieval churches, alteration and re-building of historic structures soon spread to country houses, with many Tudor-Georgian buildings also being given a radical

facelift, and the SPAB took this on, helping to solidify an elitist definition for the heritage worthy of protection (Delafons, 1997, 15, 21). The manifesto that Morris drafted to explain the Society's purposes became a benchmark for conservation practice, and remains highly influential today (Pendlebury, 2009, 18; Earl, 2003, 61; Jokilehto, 1999, 320; Burnham, 2008, 60). Rather than an assessment of which building style should be protected, the manifesto emphasises a critical evaluation of the building (Jokilehto, 1986, 320), with material fabric being the key to authenticity – removing fabric or restoring and indeed copying it would, the manifesto argued, lead to a loss of authenticity (Pendlebury, 2003, 18). Authentic historic fabric was, of course, an emblem of the nation-state (Byrne, 1991, 14). Pendlebury (2009, 18) argues that the formation of the SPAB marked an important shift from the Ruskin polemic to the didactic instruction of charters, laws and policies, and indeed the SPAB philosophy arguably forms the basis of modern conservation practice, becoming embodied in the 1964 Venice Charter (Earl, 2003, 62).

Preservation/conservation philosophy, therefore, and indeed definitions of heritage, developed from the rise of the antiquarian movement, the reinvention of the medieval in the present and associated dissatisfaction with restoration, and the influence of a small elite (Black, 2002, 14; Emerick, 2014, 40). Ideas about the nature of conservation have evolved and been codified in various ways since the SPAB manifesto in 1877, but they bear a striking relation to Ruskinian ideology and show a direct ancestry of development (Pendlebury, 2009, 24), with the moral precepts relating to notions of honesty and authenticity remaining key to modern-day philosophy (Pendlebury, 2009, 24). Across Europe at the end of the nineteenth century, the demonstration of a 'preservation ethic' came to be seen as a hallmark of a 'civilised' nation (Emerick, 2014, 35; Waterton, 2010), but the focus of concern in most cases were the monumental and art-historical qualities of historic structures which were easily observable (Emerick, 2014, 39; Pendlebury, 2009, 9). By the early Twentieth Century, across Europe the physical, material remains of the past were upheld as what was 'worthy' to protect in what Waterton (2010, 38) describes as 'nothing short of the fetishization of materiality and an overpowering belief in the cultural value of objects.' A strong visual/aesthetic tradition, therefore, emerged in British conservation (Pendlebury, 2001, 301). Included within this were ideas of pastoral care and moral responsibility for the buildings which met this selection process – this was being undertaken on behalf of both the nation and of future generations (Waterton, 2010, 39; Whiteley, 1995, 222).

Moving on from the campaigning work of individual architects and groups such as the SPAB, efforts to formulate internationally agreed standards began in the twentieth century, with the 1931 Athens Charter advocating the abandonment of stylistic restoration in favour of a SPAB-style ethos that respected the styles of all periods (Pendlebury, 2009, 19; Jokilehto, 1999). The successor to this was the 1964 Venice Charter (ICOMOS, 1964), which again put forth a SPAB-style

conservation ethic. Both of these are discussed further below, but it is useful to note here in the discussion of the conservation movement, that these and other documents adopted by ICOMOS as well as by UNESCO and to some extent the Council of Europe, all aim to impose a certain 'way of seeing' and to create an international convergence on what is acceptable (Pendlebury, 2009, 19). As Gutschow (2008, 13) states, the Venice Charter demonstrates an antiquarian, documentary, educative, distanced and detached attitude which was instrumental in the evolution of conservation in Europe.

Finally in this brief discussion of the early history of conservation, and again in relation to the recording of heritage assets, in 1908 the Royal Commissions on Ancient and Historic Monuments were set up to compile inventories of historic buildings, with the intention of using these inventories as a basis for preservation policies, although that aspect faded after the merger of the Royal Commission with the government's statutory adviser Historic England in 1999 (Cleere, 1984, 60). Across the UK, the Commissions offered objective and scholarly information but had no powers themselves to protect the monuments that they inventoried (Saint, 1996, 117; Delafons, 1997, 30). With this in mind, we now turn to the early protection legislation.

3.1.2 EARLY LEGISLATION: THE PROTECTION OF PREHISTORIC ARCHAEOLOGY

The earliest recorded piece of heritage protection legislation in Europe is the Swedish Royal Proclamation of 1666, but by the end of the nineteenth century most European countries had protection legislation. Naples for example had legislation by the late eighteenth century, and Denmark in the first decade of the nineteenth (Cleere, 2000, 1). The British Government, however, was initially reluctant to get involved in heritage protection (Saint, 1996, 116). It was in France, however, that the statutory inventorying of historic buildings by the state began, with lists of buildings being compiled from 1837 (Delafons, 1997, 12). The idea of inventories remained key in the early conservation movement, building in the experience of recording of field monuments by antiquaries such as John Leland and William Camden in the sixteenth century and John Aubrey and William Stukely in the following centuries (Cleere, 1984, 59; Thurley, 2013, 5). It was architectural historian John Britton, however, who first proposed an official preservation body in Britain, using the French model to suggest an institution for the protection of historic buildings and ancient monuments which would seek to preserve the great public buildings from the excesses of the restorers (Emerick, 2014, 40-41; Jokilehto, 1986, 301; Thurley, 2013, 30). The proposal was taken up by MP Thomas Wyse in 1845, but did not get past a government which thought that it was already conducting repairs in an acceptable manner and was concerned about costs and defining the correct style of repair, which was not considered to be a matter for government (Emerick, 2014, 41; Jokilehto, 1999, 157-8; Saunders, 1983; Chippindale, 1983). A National Museum of Antiquities was also proposed in 1845 (Champion, 1996, 40), and from 1866

the Royal Society of the Arts began identifying the past homes of famous people in London through what is now known as the 'blue plaques' scheme (Black, 2002, 18).

It was not until 1882 that the first piece of legislation, the Ancient Monuments Protection Act, was enacted. This was a private members bill proposed by Sir John Lubbock, a liberal MP and member of the original SPAB committee in 1878 (Delafons, 1997, 23). The proposal by Lubbock was re-submitted eight times since he first introduced it in 1873 (Champion, 1996, 38; Delafons, 1997, 23), and in its final iteration was much reduced from the original proposal, which had also included a National Monuments Commission, and the ability of Commissioners to assume a 'Power of Restraint', which required that owners would need to serve a 'requisition' on the Commission should they wish to alter or remove a monument (Kennet, 1972, 22-23). The Bill received Royal Assent despite being attacked in the House of Commons as an assault on private property to 'gratify the antiquarian tastes of the few at the public expense' (Delafons, 1997, 25). However, it had little power being effectively just a list of assets judged to be of importance to the nation by those who drew it up, including some eccentric choices indicative of Lubbock's own preferences (Saunders, 1983, 12).

The 1882 Act did establish a schedule (list) of 68 state protected 'monuments' though, 26 of which were in England. Despite the emerging interest of the wealthy educated elite in both the picturesque and historic buildings (Black, 2002, 15), and the concerns of the SPAB and others in relation to historic buildings (Thurley, 2013, 36) nearly all of these were prehistoric. The assets included on the schedule could be taken into guardianship by the Commissioners of the Office of Works if the preservation of the site was a matter of public interest due to its historic, artistic or traditional character (Champion, 1996, 41), but this relied on voluntary initiatives as it was only with the owner's consent (Boulting, 1976, 17; Black, 2002, 15). The Act did, however, introduce the expert role of Inspector of Ancient Monuments, appointed by the Commissioners to report on the condition of scheduled monuments and the 'best mode of preserving the same' (Saunders, 1983, 12). The 1882 Act specifically excluded inhabited and ecclesiastical buildings from protection (Boulting, 1976, 17; Mynors, 2006, 8). The UK government at this time was still heavily influenced by liberal traditions of individual responsibility and minimal state intervention (Black, 2002, 13; Cooper, 2010, 146), which meant a strong belief that parliament should not interfere (Saint, 1996, 166; Saunders, 1983, 11; Boulting, 1976, 17; Delafons, 1997, 25; Kennet, 1972, 127; Chippindale, 1983, 12). This tension between the interests of private landowners and the public in relation to the protection of heritage assets is an on-going theme throughout its legislative history (Harwood, 2012, 1), and as Chapter Seven shows is reborn in relation to Localism in the 2010s.

In comparison to many other European countries, therefore, legislative protection in the UK had started later and more hesitantly (Pendlebury, 2001, 289; Saint, 1996, 115; Delafons, 1997, 27-28). Even British-ruled Imperial India had enacted legislation in 1863, and this included the protection of buildings (Cleere, 2000, 1). At the end of the 19th Century, the need for an official inventory of historic buildings was discussed by the London County Council (LCC), which led to the Survey of London beginning in 1896 (Delafons, 1996, 34). In 1898 LCC also acquired statutory powers to act if an historic building was threatened with demolition (Delafons, 1996, 34; Black, 2002, 18). However, it was some time until buildings were included within any protection legislation.

The rivalry between new European nation states discussed earlier in this chapter meant that in the remaining years of the nineteenth century there were numerous proposals for improved and increased protection, many of which focused on extending the criteria to include assets of a later date (Saunders, 1983, 14). Although the scope of the legislation was somewhat widened in subsequent acts, however, including amendment acts in 1900 and 1910, the exclusion of inhabited or ecclesiastical buildings in use was also reinforced (Saunders, 1983, 15; Boulting, 1976, 18; Delafons, 1997, 29). The sale of Tattershall Castle and its planned export to America provided the impetus for a further revision, the Ancient Monuments Consolidation and Amendment Act of 1913 (Kennet, 1972, 34; Saunders, 1983, 18; Champion, 1996, 44). This new act repealed and consolidated the previous three, and is considered to be a major milestone in heritage protection legislation, introducing many of the concepts that have become key features of current legislation and policy including an expert board to advise government on the designation of monuments (Ross, 1991, 15; Saunders, 1983, 18; Delafons, 1997, 30; Mynors, 2006, 9; Kennet, 1972, 34; Clarke, 1934, 417; Cleere, 1984, 55). The criteria were also widened in the 1913 Act to monuments of national importance which have historic, architectural, traditional, artistic, or archaeological interest (Delafons, 1997, 31; Mynors, 2006, 9). Nothing other than the types of assets already on the schedule were included, however, despite the argument in parliamentary debates by the Inspector of Ancient Monuments, Charles Reed Peers, that the state should be enabled to contribute to the upkeep of inhabited monuments (Delafons 1997, 31; Kennet, 1972, 37; Clarke, 1934, 417; Cleere, 1984, 55).

Statutory protection, however, was far removed from the pressures of rapidly industrialising areas and emerging ideas of central planning control, and although the numbers of assets added to the schedule grew rapidly after the First World War, there was also now a much stronger sense of the value of place, with the loss of the countryside and associated historic buildings and their setting becoming an increasing concern in the 1920s, leading to the foundation of the Council for the Protection of Rural England (CPRE) in 1926 (Champion, 1996, 47; Saint, 1996, 117;

Pendlebury, 2009, 39). The apparent limitations of the protection mechanisms under the 1913 Act, and their disconnect with the emerging planning system which would soon encompass historic buildings (Champion, 1996, 48; Saint, 1996, 117; Saunders, 1983, 20; Boulting, 1976, 21; Clarke, 1934, 418) led to the enactment of the 1931 Ancient Monuments Act, which introduced 'preservation schemes'. These could cover larger areas, and would restrict development near to them to ensure their preservation (Champion, 1996, 50). However, the procedures for dealing with these areas were rather complicated, and compensation was payable to those affected by them, resulting in it being used only once, in 1936, to preserve an area close to Hadrian's Wall (Cleere, 1984, 55; Breeze, 2006, 61; Champion, 1996, 50; Saint, 1996, 117).

Both the 1913 and 1931 Ancient Monuments acts significantly increased the scope of the legislation, with definitions of monuments becoming ever wider (Mynors, 2006, 10). However, this legislation retained the criteria of uninhabited sites (Saint, 1996, 116). Buildings did not really feature in the legislation until the inter-war period, which is discussed below (Delafons, 1997, 2). This has created a rather false division between buildings and archaeological monuments, and this legacy remains in relation to statutorily designated assets. The designation of monuments continued under the expert-led and nationally focused system defined within the 1931 Act until its amendment in the 1979 Ancient Monuments and Archaeological Areas Act, while the protection of historic buildings, to which we now turn, follows an almost entirely separate trajectory.

3.1.3 INTER-WAR TOWN AND COUNTRY PLANNING

The idea of Town and Country Planning evolved rapidly in the final years of the nineteenth century, largely as a result of Victorian concern with public health and housing, following a significant rise in population during the nineteenth century which had led to overcrowding in urban areas (Delafons, 1997, 36; Cullingworth & Nadin, 1997, 14). The growing movement for an extension of sanitary policy into town planning was realised in the 1909 Housing, Town Planning etc Act, which enabled Local Authorities to prepare planning 'schemes' for land in the course of development (Harwood, 2012, 1; Mynors, 2006, 10; Cullingworth and Nadin, 1997, 15). This was the first legislation to link conservation and town planning, as the fourth schedule of the 1909 Act included a list of matters to be included in schemes, one of which was the 'preservation of objects of historical interest or natural beauty (Delafons, 1997, 36; Pendlebury, 2009, 41). However, the key issue in this Act was the preservation of the commons and protection of the countryside, rather than historic buildings. In addition, the emphasis was entirely on raising the standards of new development, and in the end very few schemes were actually completed due to economic circumstances.

The subsequent 1919 Housing and Town Planning Act did little to broaden the basis of town planning (Cullingworth and Nadin, 1997, 16). It was not until the Housing and Town Planning Act of 1923, therefore, that the process for protecting historic areas was further refined. The influence of Ruskin's conservation ethic can be seen here as it stated explicitly that planning schemes could be authorised to preserve the existing character and features of a locality due to their special architectural, historic or artistic interest (Delafons, 1997, 38; Mynors, 2006, 10), increasing the presence of heritage protection within the planning system. In contrast to Ancient Monuments this would appear to be a locally-focused system developed specifically for the protection of local character (Pendlebury, 2009, 41). However, no guidance was issued on this, so it was not used as often as it might have been (Mynors, 2006, 10), although the phrase 'special architectural or historic interest' was retained within all future planning legislation in relation to historic buildings, and became the criteria for the assessment of buildings for statutory designation from 1944 onwards.

Social and economic pressures between the wars brought new issues for built heritage, however, and in the 1920s there were numerous redevelopment proposals which attracted protest from conservationists (Ross, 1991, 16; Pendlebury, 2009, 39). By the 1930s, planning had developed into 'something akin to an obsession' amongst the educated classes and heritage assets were swept up in this with state intervention, through the planning system, increasingly viewed as the means to achieve the Conservation Lobby's goals (Saint, 1996, 116; Pendlebury, 2009, 38-40). In 1932, the first Town and Country Planning Act, extended planning powers to almost any type of land (Cullingworth and Nadin, 1997, 16; Saint, 1996, 117), allowing planning schemes to be developed anywhere. The Act was introduced by Minister of Health and Housing, Sir Hilton Young, and thus had its origins in his previous proposals as a Private Members Bill on the protection of amenity and the countryside (Kennet, 1972, 40). This perhaps accounts for Clause 17 which enabled Local Authorities to identify, as part of a scheme, houses or buildings of special architectural or historic interest which it believed should be retained via a Preservation Order (Black, 2002, 19; Kennet, 1972, 39; Mynors, 2006, 10), again using the criteria of special interest which became the basis for post-War statutory designation. Viscount Cranthorne, however, who had already argued that decisions should be made by 'experts' and not by Local Authorities due to concerns over private property rights, proposed an amendment to the 1932 Act which ensured that Preservation Orders only applied in relation to demolition (Delafons, 1997, 40). With no survey, however, and no requirement yet to inform Local Authorities of intention to demolish, they were only made aware of buildings which may be worthy of preservation order by coincidence (Boulting, 1976, 21). In addition, Local Authorities were not particularly keen on enacting planning schemes which protected existing buildings due to the threat of requests for compensation. In total, therefore, only 19 Local Authorities obtained powers to draw up statutory

planning schemes (Pendlebury, 2009, 42; Saint, 1996, 118), and very few Preservation orders were approved (Ross, 1991, 19; Cleere, 1984, 55).

There was, however, growing public demand for protection of 'general beauty' at this time (Saint, 1996, 120). The 1930s housing boom exacerbated these concerns, and a large body of opinion at this time favoured some degree of control over this (Kennet, 1972, 40; Cullingworth and Nadin, 1997, 18). Significant numbers of historic buildings, for example, were swept away in the interests of public health (Delafons, 1997, 43). In reaction to this the Georgian Group was founded in 1937 as a subcommittee of the SPAB (Saint, 1996, 125; Delafons, 1997, 50). A number of other amenity groups arose in historic cities across the UK including Oxford, Cambridge and Bath; and a number of historic cities enacted local development control legislation (Pendlebury, 2009, 42-3). Although there was no systematic national action, therefore, at the local level amenity groups and Local Authorities did have a significant influence on development (Pendlebury, 2009, 43), suggesting the potential for a participatory and locally-focused heritage protection system.

The period after the first World War saw the beginnings of international political co-operation and the creation of organisations such as the League of Nations in 1920 (Tomaszewski, 2010, 109). The huge loss of buildings and monuments that had occurred during the War led to the first international charter concerned with heritage, the Athens Charter for the Restoration of Historic Buildings, being adopted in 1931 with the intention of producing conclusions that could be used by the League of Nations (Tomaszewski, 2010, 109). The charter was prepared by the first International Congress of Architects and Technicians of Historic Monuments, and was adopted as a recommendation for member states in 1932 (Waterton, 2010, 39; Tomaszewski, 2010, 109). This charter built upon the philosophies of Ruskin and Morris as set out in the SPAB manifesto (SPAB 1877), privileging the aesthetic and historic values of heritage assets within a 'preserve as found' ethos (Waterton, 2010, 39; Tomaszewski, 2010, 110). It was also underpinned by a strong sense of patrimony, with ideas of protecting heritage for future generations being dominant throughout (Waterton, 2010, 39).

With each successive planning Act, however, there was a narrowing of what was considered important to protect, with original concerns for amenity and the countryside being reduced to a focus on the protection of specific buildings via preservation orders, although schemes could be enacted to protect historic areas if the Local Authority wanted to go through the lengthy and complicated process for doing this (Hobson, 2014, 32). The basis of the post-war planning system had thus been set, with the ideas of special architectural and historic interest having a significant influence on the way in which the designation of historic buildings developed, as discussed below.

3.2 POST-WAR PLANNING: BUILDING THE NEW BRITAIN

During the two World Wars widespread destruction had been caused by aerial bombardment, and salvage lists were drawn up as a tool for planners as they re-developed (Saint, 1996, 121). These lists were an emergency procedure, and were prejudiced in favour of individual buildings by specific architects (Black, 2002, 19), a prejudice which has remained ever since. In addition, the National Buildings Record was founded in 1941, and worked alongside the salvage schemes (Ross, 1991, 19-20; Saunders, 1983, 21; Pendlebury, 2009). The Ancient Monuments Branch of the Office of Works was asked to manage this salvage scheme process, and a group of 300 architects were assembled to assess each Local Authority, who were issued with a set of criteria and asked to provide the ministry with lists detailing damage to historic buildings in their area (Saunders, 1983, 21; Thurley, 2013, 198). At the same time, post-war construction of the New Britain, with a focus on 'health, wealth and work for all' (Cullingworth and Nadin, 1997, 24; Cooper, 2010, 146) meant a significant increase in development, with many Local Authorities taking the opportunity to create grand redevelopment schemes (Pendlebury, 2009, 44-5; Saint, 1996, 121; Ross, 1991, 21). In practice, however, few of the schemes were realised due to post-war austerity and significant commercial resistance (Pendlebury, 2009, 47), but it was within this framework of newly acquired confidence that post-war town and country planning was conceived (Cullingworth and Nadin, 1997, 22). There was also considered to be a clear need for a new and more positive role for central government, which through the development of the Welfare State became responsible for meeting the needs of citizens (Cullingworth and Nadin, 1997, 23; Cooper, 2010, 146).

The 1944 Town and Country Planning Act which developed out of this was concerned mainly with post-war reconstruction (Delafons, 1996, 56), but it also empowered the minister to prepare lists of buildings of special architectural and historic interest, a phrase which was now firmly embedded in considerations of heritage significance. The idea of heritage as a finite, quantifiable resource fitted very well with the existing culture of planning policy at this time, which was to collect information and prepare a once-and-for-all master plan (Hobson, 2014, 33). By this time, the salvage schemes and the National Buildings Record had also familiarised both owners and Local Authorities with a listing process (Saint, 1996, 122; Pendlebury, 2009, 43; Kennet, 1972, 43-4), and indeed the selection of buildings followed the same process and criteria as the salvage lists, being organised around progressive concepts of society and built form, for example by listing the principle buildings by the principle architects and by placing emphasis on 'first of type' (Pendlebury, 2009, 13). The debate in the House of Commons regarding the 1944 Bill and the specifics of what to include, however, focused on places and setting rather than individual buildings (Saint, 1996, 127; Pendlebury, 2009, 43). The purpose of listing, though, was defined as identifying potential constraints to take into account in reconstruction schemes, providing baseline information so that Local Authorities could make informed decisions (Saint, 1996, 125;

Ross, 1991, 21-22; Thurley, 2013, 201). In order to ensure rational decision-making in relation to this, however, the principle of listing by experts on defined academic criteria was firmly established (Pendlebury, 2009, 44).

The 1944 Act, however, had not initially included anything new for historic buildings (Mynors, 2006, 11). It was only after consultation at report stage, with responses from conservation bodies such as the SPAB and the Georgian Group, that an amendment was suggested for a new clause, which stated that the Minister may compile or approve lists of buildings of special interest (Delafons, 1996, 56-57). Listing, therefore, did not come about due to the government realising that it must do something, as is often argued (e.g. Ross, 1991), but due to an amendment suggested by the Conservation lobby. Owners and the public, therefore, were kept very much out of the listing process, with the Lord Chancellor stating that prior notification to owners would 'make the whole thing unworkable' (Delafons, 1997, 58). Listing was, however, promoted as being 'in the public interest', a political construct which began to be used across government during the development of the Welfare State, and which legitimated the new planning system (Hobson, 2014, 36). The vagueness of the associated listing criteria however meant that nineteenth century antiquarian views could be used to justify selection, regardless of considerations of any actual advantage to the public (Hobson, 2014, 36). These criteria emphasised, in particular, completeness of survival of the original fabric and were heavily biased towards pre-Victorian architecture, giving little weight to vernacular buildings (Thurley, 2013, 201).

Society had changed a great deal since the emergence of the modern conservation movement in the mid-19th century, as had the conservation lobby itself which saw a rise in the grass-roots movement with local civic societies being developed and brought together into a national network by the Civic Trust in 1957 (Black, 2002, 16-17). Despite this increasing local/public interest however, or perhaps because of it, the principle of an expert committee to supervise listing was agreed in December 1944, and an advisory committee chaired by Sir Eric Maclagan soon began work (Saint, 1996, 128). This work included the assignment of grades of importance, including Grade III for good, ordinary-looking buildings (Saint, 1996, 129; Delafons, 1997, 65-66). A set of guidance notes, Instructions to Investigators, were also produced and issued to field workers in March 1946. The instructions note that there is no statutory date after which a building could not be eligible for listing, but advise that no post-1914 buildings should be listed 'unless the case seems very strong', and taking inspiration from the salvage lists, stated that the selection of buildings for the past 150 years 'should comprise without fail the principle works of the principle architects.' (in Kelsall, 2009, 8; Delafons, 1997, 195). They also set out the three grades of listing, with instructions that grades I and II were for the statutory protection of

individual buildings, and grade III for buildings or groups of buildings which the planning authority should regard as an asset worth trying to keep (Kelsall, 2009, 12).

The chapter on 'the varieties of special interest' (Kelsall, 2009, 7) within the instructions forms the basis of all future selection policy, and states that buildings are selected for their 'intrinsic architectural or historic interest which would naturally be called special interest' (Delafons, 1997, 97). Examples of architectural special interest are defined as including: works of art (masterpieces); good examples of a school of design; aesthetic value; architectural 'freaks' of sufficient character; examples of structural/engineering technique; and age-value. The 'pure historic' interest is split into two groups, evidential and sentimental, although 'sociological' interest is also discussed. Evidential is defined as buildings which provide evidence for history. Sentimental value is described as being the strongest single thread in our interest in the past and a key aspect of national self-respect. However, while sentimental and sociological value are defined and discussed in much the same way as social value was in Chapter Two, the examples provided to illustrate the arguments are all associations of historical people or events with a particular building, and the only clear statement in terms of what should be listed comes at the end of this discussion stating that 'associations with historical events and phases of historical development may offer good grounds for listing' (Delafons, 1997, 198). This is taken forward in future criteria within definitions of historical value, but without the preceding discussion of social value (e.g. DCMS 2010, paragraph 9), ensuring that sentimental value is reduced to simply historical association.

A systematic investigation of listing began in April 1946, although the 1945-51 Labour Government which was pursuing an agenda of nationalisation (Thurley, 2013, 202-3), was already considering a new Planning Bill, not due to conservation concerns, but in relation to issues over compensation for planning restrictions placed on owners (Saint, 1996, 129). The prevailing mood at this time was an assumption that central government should take increasing control of Britain's heritage (Thurley, 2013, 202-3), and the 1947 Town and Country Planning Act for the first time provided comprehensive control over building, engineering, mining and other operations, and it brought almost all development under state control by making it subject to planning permission (Harwood, 2012, 1; Cleere, 1984, 55; Cullingworth and Nadin, 1997, 23). Listing fitted quite easily into this new planning process, with the lists intended to be a key element in the formulation of local development plans, providing 'objective', unambiguous information for planners (Saint, 1996, 130; Black, 2002, 19; Cleere, 1984, 55).

The heritage protection provisions within the 1947 Act largely followed those of 1944, although a last minute amendment saw a change to the wording of the Bill, with 'may' being changed to

'shall', i.e. 'the minister SHALL compile lists ...' (Kennet, 1972, 44 [emphasis added]). This was suggested by the Marquess of Salisbury, who also proposed that the compilation of lists should not be undertaken by Local Authorities, as they did not possess the relevant expert knowledge (Delafons, 1997, 60; Kennet, 1972, 44). Central government, therefore, assumed full responsibility and control of the listing system which was now no longer optional (Mynors, 2006, 11). The selection of buildings for listing via the 1947 Act, however, was to continue under a rather out-dated and somewhat elitist paradigm which reflected the interests of those on the Advisory Committee rather than the general public. Due to their experience of listing since 1944 and previously via the Salvage lists and National Buildings Record, however, owners were now more willing to accept the idea of national designation, although Government made it clear within debates during the bill's passage through parliament that the compilation of the lists was a job for experts and not something that owners should be involved in. Debate about the merits of a building, it was argued, should take place once it was listed when the owners wished to alter it (Saint, 1996, 128). This is, essentially, the same today. From the very start, therefore, this process was anti-participatory and indeed it was only in 2005 that a process of prior notification was brought in.

The speed of listing was a constant concern, especially to the Treasury, and questions were soon asked about how long it would take (Delafons, 1997, 69; Pendlebury, 2009, 44). The Instructions to investigators in 1945 had stated that for 'obvious reasons of administrative convenience the normal unit of listing will be the individual dwelling house or other property' (Delafons, 1997, 196). When combined with the Treasury's pressure to complete the lists, this had the effect of exacerbating the distinction between the protection of place and individual buildings, as buildings were much easier to identify, and more straightforward to list (Saint, 1996, 132). The resulting emphasis on individual buildings of a somewhat elitist nature cannot be blamed entirely on the philosophy of early listing inspectors or the legacy of 19th Century antiquarian ideals, therefore, especially when the majority of debates surrounding the introduction of listing had focused on streetscapes and amenity. Economics, and the push to complete what appeared to be an unending task, have a large part to play in this.

3.2.1 CONSOLIDATION AND AMENDMENT IN THE 1960S AND 70S

Despite the potential of the 1947 Act to protect groups of buildings or streetscapes through the inclusion of the lists within local development plans, professional planners were much more interested in urban design and new towns (Delafons, 1997, 77). As planners showed little interest in broader conservation issues, therefore, the Ministry had concentrated on the listing of individual buildings (Delafons, 1997, 78; Saint, 1996, 131), and by the end of the first national listing survey in 1969 there were 120,000 list entries. In addition to widely accepted

Ruskinian/SPAB philosophy, the Ministry also had confirmation that the focus on architectural and historic values was the appropriate way to select buildings for listing in the 1964 Venice Charter for the Conservation and Restoration of Monuments and Sites (ICOMOS, 1964), which continues to be the primary document for conservation philosophy, upon which many succeeding international charters and conventions, including the 1972 UNESCO World Heritage Convention, are based (Waterton, 2010, 38, 41; see also Chapter Two). The charter buildings on the 1931 Athens Charter by creating a framework of sixteen succinct and straightforward Articles for the protection, conservation and restoration of the authenticity of architecture, monuments and sites (Waterton, 2010, 42). There is a commitment within the charter to the inherent historical and aesthetic values of heritage assets (Waterton, 2010, 45), and notions of patrimony and inheritance are also dominant, with the preamble noting signatories' common responsibility to safeguard a common heritage for future generations (Waterton, 2010, 42). Conditional within the entire document is the notion that heritage is tangible and irreplaceable (Wateron, 2010, 43), Reinforcing a sense of obligation to protect it, and the requirement for a suite of expertise to be placed at the centre of the process to ensure objectivity (Waterton, 2010, 44).

In an era of post-war development, however, listing became not just an inhibition to unwarranted development, but a weapon which resourceful amenity groups and conservation lobbyists such as the Victorian Society, established in 1957 in response to campaigns to protect Euston Arch from destruction (Ross, 1991, 22), could turn against both the state and Local Authorities (Saint, 1996, 131). A rise in campaigning journalism regarding the destruction of the built environment (Black, 2002, 17) was an accompaniment to large area redevelopment and the growth of the motor car industry, both of which became a dominant theme of the 1960s (Pendlebury, 2009, 49-50; Champion, 1996, 51; Cullingworth and Nadin, 1997, 30). Attention was drawn to the fragile state of the Earth's resources, including both cultural and natural heritage (Waterton, 2010, 40). In reaction to this, and combined with a more general concern for the loss of the countryside, the conservation movement developed a broader base of interest and support (Pendlebury, 2001, 304; Mynors, 2006, 13). Although opposition from conservationists was often mobilised to try and protect specific buildings, there was also a much wider and more general resistance to planning developing out of broader struggles about the ideology and power of politicians. Increasingly at this time, therefore, the public began to challenge the authority of the state to decide the fate of where they live, and heritage became a useful tool to mobilise support for these objections (Pendlebury, 2009, 64-65, 67).

To maintain a veneer of social responsibility, therefore, and to legitimise often controversial decision-making in relation to development, there was a move towards more social and participatory planning (Hobson, 2014, 37), exemplified by Arnstein's ideas about public

participation in decision-making as discussed in Chapter Two. Under the increased pressures of comprehensive development and confidence in progress, the existing legislation was felt to be somewhat inadequate, although the economic and social demands for urban renewal and new housing were very powerful forces, easily outweighing considerations of heritage (Champion, 1996, 51). Although the 1947 Act was now able to provide some development control, this did not extend to landscapes (Champion, 1996, 51), and by the 1960s there was increasing pressure to protect the setting of places (Black, 2002, 21). Despite environmental protection becoming a major international preoccupation by the 1970s, however, designation continued to focus on isolated buildings, rather than places and character (Cleere, 2000, 3), despite the extension of protection to historic areas, which is outlined below.

3.2.2 EXTENDING PROTECTION

In 1966 Lord Kennet joined the Ministry of Housing and Local Government (Delafons, 1997, 95), and was given the job of 'looking after historic buildings' (Kennet, 1972, 49). Along with Secretary of State Richard Crossman, Kennet seized the chance offered by Duncan Sandys (former Minister of Housing and Local Government) to use his place in the Private Members' Bill ballot to introduce what became the Civic Amenities Act of 1967 (Delafons, 1997, 96; Pendlebury, 2009, 50-51; Cullingworth and Nadin, 1997, 30; Kennet, 1972, 65). This Act enabled Local Authorities to designate areas of special architectural or historic interest (Conservation Areas), and seemingly went through without opposition (Delafons, 1997, 96; Black, 2002, 23). Conservation areas were introduced at a time when the dominance of master-planning was being questioned, and a new emphasis on planning for people and place began to dominate, with an orientation towards the social aspects of place, rather than the physicality which had dominated the post-war era (Hobson, 2014, 38). Previous processes were not abandoned, however, as the use of the now familiar criteria of 'special architectural and historic interest' shows. This new social movement, however, was also operating in conjunction with the environmental rhetoric of a 'fragile earth', with the prevailing image of heritage becoming one of a fragile, finite and non-renewable resource (Waterton, 2007, 159). This prompted a fear that heritage may disappear under the threats posed by present and future generations (Waterton, 2010, 40; see also: Cleere, 1989; Ashworth and Howard, 1999). Lobby groups, protestors and demonstrators thus became increasingly active, with the more politically aware and vocal groups lobbying for greater concern regarding the state of the environment (Waterton, 2010, 40).

Circular 53/67, which provided guidance on the 1967 Act, advised Local Authorities to 'designate first and think later', as Kennet (1972, 67) was concerned that if authorities discovered how much had to be done, they probably would not designate as many areas as they did (Delafons, 1997, 100; Hobson, 2014, 39). This was also a political move to satisfy public concern for action

(Hobson, 2014, 39). However, with limited/vague guidance and the apparent need for urgent designation, many of the new areas simply provided a boundary to clusters of existing Listed Buildings, and were designated according to the now 'common sense' notions of heritage (Hobson, 2014, 40) as elite, aesthetically-pleasing buildings with 'special' architectural interest. The Act and the guidance did, however, seek to show that it was not just individual buildings that could have architectural and historical interest, but also groups, streets, quarters and in fact whole towns (Kennet, 1972, 67).

A year later, in 1968, a new Town and Country Planning Act repealed the 1947 Act, and replaced them with a new system of county structure plans (Delafons, 1997, 101). Part V of the 1968 Act also abolished the complicated and time-consuming process of Building Preservation Orders, and introduced instead a system of Listed Building Consent, as well as a new Building Preservation Notice system which enabled Local Authorities to protect a building as if it was listed while it was being considered for national designation (Kennet, 1972, 77; Mynors, 2006, 14, 15; Delafons, 1997, 101; Mynors, 2006, 14). Circular 61/68, which provided guidance on the provisions in Part V also introduced for the first time the 'presumption in favour of preservation' (Delafons, 1997, 101; Kennet, 1972, 83-4; Mynors, 2006, 14). While the conjectured loss of all listed buildings which led to this was rather unlikely (Cleere, 1984,56), it did provide fuel for an ever more confident conservation lobby. Indeed, the Preservation Policy Group, set up by Government in the late 1960s, reported in 1970 that 'there has been a revolution over the past five years in the way in which old buildings are regarded, and in the importance now attached by public opinion to preservation and conservation.' (in Ross, 1991, 29).

The first lists of buildings of architectural or historic significance were, however, largely out of date by the time they were published in the late 1960s, with many of the buildings on the lists having subsequently been demolished or altered. A wider range of buildings were also now considered to be of special interest (Ross, 1991, 40), although national importance and expert-led identification of 'intrinsic' value continued to dominate selection practice. In 1970, therefore, a national re-survey was launched with revised and widened criteria (Black, 2002, 19). The Grade III class was also dropped at this time, as it was considered unnecessary given the new Conservation Area designation (Ross, 1991, 40; Kennet, 1972, 85). During the 1970s a sequence of further legislation and policy circulars substantially expanded the system of protection (Delafons, 1997, 104). A new Department of the Environment was also created, which brought together the heritage teams within the Ministry of Public Buildings and Works, and the Ministry of Housing and Local Government under the Directorate of Ancient Monuments and Historic Buildings; although they largely continued to operate separately (Delafons, 1997, 104). The protection of built

heritage was no longer a backdrop to the planning process it was now beginning to assume the foreground (Pendlebury, 2009, 60).

The Town and Country Planning Act of 1971, for example, brought in not just repairs notices, urgent works notices, and a procedure for the compulsory purchase of historic buildings at risk of neglect; but a requirement that special attention should be given to the desirability of preserving or enhancing the character or appearance of Conservation Areas (Ross, 1991; Delafons, 1997, 105). This phrase remains a key component of Conservation Area protection today, despite the provisions being in Part XV of the 1971 Act, which is entitled 'miscellaneous and supplementary provisions'. The subsequent Town and Country Planning (Amendment) Act of 1972 also provided for the control of demolition of unlisted buildings in Conservation Areas (Delafons, 1997, 105; Ross, 1991). It was not until the Town and Country Amenities Act of 1974, however, that Local Authorities had automatic control over demolition within a Conservation Area (Ross, 1991; Mynors, 2006, 16). Circular 102/74 which accompanied the Act urged Local Authorities to bring to notice any buildings not yet listed, apparently due to growing public concern that the national heritage was being destroyed (Delafons, 1997, 107). An appendix to the Circular also set out the latest listing criteria, which now included a few selected post-1914 building types (Delafons, 1997, 107). Despite the expert-led system, therefore, there was an understanding that public opinion needed to be taken into account, although the politics of public appeasement are perhaps a more pressing driver here. The 1960s/70s were, however, a time of rapid urban expansion and redevelopment. The need for legislation was not simply because heritage was 'threatened' with demolition, therefore, heritage also posed a threat to development. Taking this into account allows for a more holistic understanding of the development of heritage protection legislation. Indeed, by the end of the 1970s, the momentum of redevelopment had halted due to recession (Pendlebury, 2000, 304), and government was far more concerned with economic austerity than with heritage protection (Pendlebury, 2009, 5). Quite suddenly, therefore, heritage became a political issue in relation to the perceived threat of listing to planning and development, and has remained so ever since (Waterton, 2007, 157; Ross, 1991, 38).

The focus of conservation in the 1960s and 70s had been on historic buildings and areas, with the protection of archaeological sites continuing under the 1931 Act. However, destruction of archaeological sites through urban development projects was also becoming a major concern. In the last years of the 1970s an increasingly well-orchestrated group of archaeological lobbyists and pressure groups successfully persuaded a government already considering the need for reform, that a new piece of legislation was needed (Champion, 1996, 53). Despite lengthy debate in the House of Lords, a new Ancient Monuments and Archaeological Areas Act was thus enacted on the final day of the outgoing Labour Government in 1979, with enthusiastic cross-party support

(Champion, 1996, 53; Mynors, 2006, 16; Saunders, 1983, 22). The new Act was to some extent a consolidation of previous Ancient Monuments legislation, but it also strengthened controls to safeguard them with tools to protect monuments much more positively than under the previous 1931 Act (Cullingworth and Nadin, 1997, 30). It also included a system of consent for works to a scheduled monument, and a new designation of Area of Archaeological Importance (Champion, 1996, 53-4; Cleere, 1984, 56). The Act thus brought the protection of ancient monuments much more in line with the protection of historic buildings (Saunders, 1983, 22). It retained its discretionary nature, however, with the Minister able to decide not to designate an asset which meets the criteria, unlike buildings which since 1947 must be listed if they meet the test of special interest.

3.3 FREE-MARKET IDEOLOGY AND THE CONSERVATIVE GOVERNMENT

The new Conservative government which came into power in 1979 had a commitment to economic liberalisation, a free-market economy and strong property rights (Pendlebury, 2009, 5-6, 81; Cooper, 2010, 147). This New Public Management philosophy meant greater emphasis on the third sector (voluntary groups/societies) and a reduction in state intervention (Cooper, 2010, 148). This led to the privatisation of many areas of public activity, and the movement of large parts of government to executive agencies (Cullingworth and Nadin, 1997, 28). By the 1980s, the conservation movement was much more politically astute in its use of political agendas to further its cause, however, and the economic utility of heritage was raised to prominence, as it had greater appeal to a government focused on raising the country out of recession (Pendlebury, 2009, 69). It also resulted in the debates surrounding the commodification of the past outlined in the previous chapter.

Despite legislation remaining stable in the 1980s, there was a significant increase in the number of listed buildings and Conservation Areas, largely due to an 'accelerated' listing re-survey (Pendlebury, 2009, 85). The trigger for this was the destruction in 1980 of the Firestone Factory on Great West Road in London, which was demolished over the August bank holiday weekend while waiting for its designation to be approved (Cullingworth and Nadin, 1997, 187; Pendlebury, 2009, 85). By this time widespread prejudice against Victorian architecture had been overcome, and there was also a substantial rise in interest in vernacular, industrial and agricultural buildings (Black, 2002, 1970). The statutory lists thus expanded and also diversified to include a large number of buildings which would have been rejected in earlier surveys. Developers, therefore, began to feel that they were at the mercy of the designation system (Ross, 1991, 38), and this soon began to be contested (Pendlebury, 2009, 94-5). Amenity groups and conservation lobbyists also began to become more politically astute and more willing to challenge, with well-organised

campaigns run against perceived threats to the historic environment (Cooper, 2010, 148; Pendlebury, 2009, 9).

At the end of 1981, the Government published a consultation paper entitled 'Organisation of Ancient Monuments and Historic Buildings in England' (Delafons, 1997, 136; Cleere, 1984, 59). The consultation focused mainly on changes to the way in which guardianship sites were managed (Delafons, 1997, 136). However, government was committed to reducing the number of civil servants at this time, so the paper also proposed to transfer the work of a significant number employed within the Department of the Environment to a new Government agency (Delafons, 1997, 136; Cleere, 1984, 58; Pendlebury, 2009). The final proposals for the creation of a new agency were published in a document entitled 'The Way Forward' in 1982. In pushing this forward, Secretary of State Michael Heseltine seemed to be explicitly supporting what was described as a clear and visible voice for conservation (Pendlebury, 2009, 89), although in relation to designation, the selection and assessment of assets considered to be of national importance continued to follow the same process. The National Heritage Act of 1983 thus created the Historic Buildings and Monuments Commission for England (HBMCE), which began work in 1984 as the lead statutory adviser to government on heritage issues, and soon became known by its 'short name' of English Heritage³ (EH) (Black, 2002, 26). The accelerated listing resurvey continued under EH, and a review of the scheduling process was also initiated (Pendlebury, 2001, 294; Fraser, 1984; EH, 1997; Darvill *et al*, 1987). This review led to the establishment of the Monuments Protection Programme (MPP) in 1986, which was undertaken by local archaeological consultants across England, and was designed to review and evaluate existing information about sites of archaeological and historic interest, to identify those of national importance and to conduct a review of the Schedule (Breeze, 2006, 60; Darvill *et al*, 1987, 393).

The 1983 Act also enabled English Heritage to create registers of historic landscapes, which were considered to have special interest to the Nation. The Register of Historic Battlefields, and a separate Register of Historic Parks and Gardens (which included cemeteries) were therefore developed. These designations do not have statutory weight, but under Circular 8/87 they were named as a material consideration in the planning process, and this has been carried forward in all subsequent policy and guidance. The new circular also consolidated all previous conservation advice, and retained the presumption in favour of preservation (Hobson, 2014, 43; Delafons, 1997, 167; Pendlebury, 2009, 86). It also included revised listing criteria, now described as 'Principles of Selection', which were expanded to include a wider range of building types and a much later date range (Delafons, 1997, 168).

³ On 1st April 2015 the Historic Buildings and Monuments Commission for England changed its common name from English Heritage to Historic England.

Despite an ever widening range of heritage assets considered to be of special interest and thus 'worthy' of protection via designation, the accelerated listing resurvey and the creation of English Heritage were also promoted as part of the 'making Britain Great' agenda. This agenda was an attempt to counter the impact of the economic recession by the promotion of national culture in an international setting (Pendlebury, 2009, 181). In fact the concept of a national past and a national heritage were nurtured and used to legitimise the Conservative values of tradition and continuity (Hobson, 2014, 50). The emphasis on visible national importance in the form of tangible heritage assets thus remained a cornerstone of English designation policy. At the same time, however, the 1985 Granada Convention for the Protection of the Architectural Heritage of Europe (Council of Europe, 1985) was drawn up and opened for signature (Pickard, 2002, 349). The UK signed the convention in October 1985 and ratified it at the end of 1987. It is interesting to note here, that the definition of heritage included within convention is 'interest' factors for the election of architectural heritage assets for protection, and 'architectural heritage' within Article One is defined as comprising of monuments, groups of buildings and sites, each of which will be of 'conspicuous historical, archaeological, artistic, scientific, social or technical interest'. Article Two states that for the purposes of precise identification of these, each party should maintain inventories; and each party should take statutory measures to protect the architectural heritage (Article 3). The UK was already maintaining inventories and already had statutory protection in place, so signing up to the convention would not appear to add any additional responsibilities. However, despite the definitions of 'interest' in Article One, the definition of special interest in the UK was unaltered, continuing to focus on architectural and historical values, although artistic, scientific and technical interest are generally considered to be included as part of 'architectural' interest. Left out, therefore, is 'social interest', although as Pickard notes, in practice the terms used differ but follow a similar approach, and social interest is often represented by 'public interest', 'events', or 'persons of note in history' and 'military significance' (Pickard, 2002, 350), suggesting that in the UK social interest was equated with historical interest rather than using the definition of social value outlined in Chapter Two of this thesis.

Although they were relatively minor and incremental in nature, amendments to Planning Acts in the 1970s had meant a significant increase in provisions relating to the historic environment. It is perhaps an impact of the Granada Convention that these were consolidated via new Planning Acts in 1990 which were brought about under the government's sustainable development agenda (Hobson, 2014, 44). Integrated conservation is one of the main themes of the convention, which has widened the approach to heritage protection from individual assets to whole areas and environments and has been developed across Europe in the context of policies for 'sustainable development' (Pickard, 2002, 357). Returning to the new 1990 planning Acts, there were four

parallel Acts, including one specifically for the built heritage (Mynors, 2006, 17), namely the 1990 Planning (Listed Buildings and Conservation Areas) Act (Mynors, 2009, 19). It is significant that an area of planning previously located in single clauses of previous planning Acts, and which was often added in as a last-minute amendment, should now have its own separate statute (Mynors, 2006, 4), although Heritage protection had seen significant promotion since the accelerated resurvey and the creation of English Heritage in 1983.

The issue of development and planning on archaeological sites also began to gain ground in the 1980s, with Local Authorities beginning to ask for archaeological evidence to be made available in pre-application discussions in an attempt to reduce the need for rescue archaeology later in the process (Champion, 1996, 55). The definition of heritage as a finite resource is key here, with the need for investigation prior to development being premised on the idea that it must be saved before it is lost forever. This change in practice culminated in Planning Policy Guidance Note 16: Archaeology and Planning (PPG16), published in November 1990, and which provided guidance on the treatment of archaeological remains during the planning process, (Champion, 1996, 55; Department of the Environment, 1990; Breeze, 2006, 66). This mirrored the conservation lobby's rhetoric in advising that heritage assets are a finite and irreplaceable resource (Champion, 1996, 56).

Guidance on historic buildings and Conservation Areas was also re-packaged and published as Planning Policy Guidance Note 15: Planning and the Historic Environment (PPG15) in 1994 (Department of the Environment, 1994). As with previous circulars, this was largely a consolidation of previous advice, with large parts of earlier policy which had become 'common sense' being reproduced (Delafons, 1997, 168). For example, the draft PPG no longer included the 'presumption in favour of preservation', although the guidance did weigh in favour of this if followed (Delafons, 1997, 169). However, the conservation lobby ensured that it was re-introduced in the final draft (Delafons, 1997, 169). The now well-known criteria for the selection of buildings and conservation areas for designation, and the role of the expert as decision-maker within this, were also retained.

3.4 SOCIAL INCLUSION AND PUBLIC VALUE: REFORMING HERITAGE UNDER 'NEW LABOUR'

The specific legislation and policy for the protection of heritage was now set, and despite proposals for reform in the 2000s remained relatively stable. This does not mean that heritage protection remained unaffected by wider government initiatives though. In the late 1990s and 2000s, the social potential of heritage re-emerged as a key, international philosophy, with heritage discourses in the UK being articulated around the policy drivers of social inclusion and

urban regeneration. Public value and social inclusion thus become key aspects of heritage policy, especially within English Heritage. (Pendlebury, 2009, 12; Hobson, 2014, 46). These were brought together with environmental quality through the common language of sustainability (Hobson, 2014, 47), and were set out in New Labour's philosophy of the 'Third Way', defined as government being more responsive to a better informed and more politically active society (Giddens, 1998). In policy terms this means government being more open and efficient, and this resulted in a number of procedural and potential, although unrealised, legislative changes for heritage protection and designation in particular.

3.4.1 PUBLIC VALUE AND SOCIAL INCLUSION

Ideas of public value and social inclusion were key areas of New Labour's Third Way agenda, resulting in heritage being promoted as a tool for social cohesion and something that can enhance quality of life (Pendlebury, 2009, 208). Public value also meant that state heritage protection was now required not just to provide public value, but for this to be demonstrable. In addition, all Government agencies, including English Heritage, were now expected to be transparent, accountable and efficient. This meant that from 2005 owners were for the first time routinely notified of applications to assess their heritage assets for possible designation; and further amendments in 2009/10 mean that a range of people are now 'consulted' as part of the assessment (see fig. 2).

Despite a shift in emphasis to the wider cultural concerns of heritage, however, the legislation remained stable, and the process of designation remained largely the same, despite some administrative changes. Although the notification of owners and the inclusion of a consultation stage in designation assessments suggests increased participation and engagement, consultation relates only to the 'facts' of the case. Consultees are not, therefore, consulted on the assessment of the asset's significance, or included in the decision-making process, and in fact only the owner, the applicant and the Local Authority are consulted. In addition, despite the 1980s resurvey broadening the type and age of historic buildings which were added to the lists, Conservation Movement ideas of age-value, of the authenticity of original fabric, and intrinsic architectural/aesthetic, scientific and historic values of heritage have remained strong within the selection criteria, and continued to do so throughout the reform process which is discussed below. This is somewhat at odds, however, with the pluralist ideas of social inclusion and public value.

3.4.2 HERITAGE PROTECTION REFORM

The piecemeal and somewhat confusing development of legislation in England which, as outlined in the previous sections, has separate designation and consent regimes for different categories of heritage, began to attract concerted criticism from the 1990s onwards. The legislation was considered by many to be outdated (see e.g. Mynors, 1998; Cooper, 2010, 145; Breeze, 2006, 67), with unified legislation suggested as a 'common sense' solution (e.g. Breeze, 2006, 67; Cleere, 1984, 61). In addition, the definition of heritage as a finite resource, and the rush to protect everything from some unknown danger meant that the inability to effectively fund and manage what seemed to be an ever increasing resource was also criticised (e.g. Ashworth and Howard, 1999; Morris, 1993; Ross, 1996). An expansion in the types of asset recognised as being of 'special interest' also meant an increasing challenge to the credibility of the protection system, with the inclusion of assets not widely recognised as heritage, such as the 1960s Park Hill flats in Sheffield, being contested, while at the same time those of a more familiar nature but not 'special' enough under national criteria were being rejected (Cooper, 2010, 144-5).

Following a request from government for the heritage sector to review all policies relating to the historic environment, English Heritage published 'Power of Place' in 2000 (Pendlebury, 2009; English Heritage, 2000). Research for this report found that most people place a high value on the historic environment, and that it was seen by most as a totality, with people valuing places as opposed to individual buildings or sites (English Heritage, 2000). Local distinctiveness and character have in fact always been a key focus of the conservation movement, with campaigners in the 1930s, for example, raising concerns about chain-store architecture and standardised shop-fronts (Pendlebury, 2009, 191). The report agreed that the legislation is frustrating and complicated, and recommended that the law be streamlined and brought up to date; that decisions should be consistent and transparent; and that there should be greater consultation and participation procedures (English Heritage, 2000).

The government response to Power of Place was 'A Force for our Future', published in 2001. Within this document, government committed itself to reviewing heritage protection legislation, and argued that we 'must ensure that protection regimes preserve the best of our past, operate efficiently, are free of unnecessary bureaucracy, and deliver high-quality outputs' (DCMS, 2001, 33). Government also agreed that it was important to include and involve people in heritage protection, stating that national criteria do not always take account of other factors which might be of importance to the local community (DCMS, 2001, 33). Following a subsequent raft of reports, reviews and impact assessments which further outlined government plans and objectives for reform, a White Paper which appeared to take account of the majority of these proposals was

published in 2007 (DCMS, 2007). Some of the key outcomes suggested in the White Paper included:

- A unified list of sites of special architectural, historic, archaeological or artistic interest which would replace listing, scheduling and registration, possibly with a national section and a local section, and also including World Heritage Sites and Historic Wrecks
- A unified system of consents
- Devolution of responsibility for national designation to English Heritage, in England
- Interim Protection of sites under consideration of national designation
- Statutory management agreements
- New tools for Local Authorities to protect locally important sites
- A more open approach that included consultation and involvement of the public in 'shaping a new programme of national designation'

Throughout the review process, emphasis was placed on increasing public engagement and consultation. However, this was largely via the provision of information and a clearer process for nominating assets, rather than any meaningful engagement in the actual process. An online application form for nominating assets for designation was thus developed, and more information about designation, including a range of selection guides, has been published. As already noted, a consultation process was also introduced. In early documents, government had seemed to recognise and begin to think through the implications for the pluralist nature of heritage (Thomas, 2008, 143-4). The White Paper, however, retained a definition of heritage which is strongly focused on specific buildings and sites, with the revised criteria (DCMS, 2010) and new selection guides (<https://www.historicengland.org.uk/listing/selection-criteria/>) still following broadly the same definition of heritage and what should be protected as set out by Ruskin and Morris in the late 19th century, although a very wide range of assets including those of a much later date are now listed.

After eight years of consultation and review, a Draft Heritage Protection Bill was published for consultation in April 2008 (DCMS, 2008), and as with the previous acts outlined within this chapter, it was largely a consolidation of previous legislation. It was also a somewhat reduced version of the White Paper, which no longer included provisions for local listing; and maintained decision-making powers at central government, although it did include a unified list, unified consent, and interim protection while assets were under consideration for designation. It was scheduled to go before parliament in autumn 2008, but in the end it was not introduced, with ministers stating that there would be no time to consider the bill due to the pressing need of the

economic recession. A number of reforms have still taken place, however, despite the lack of new primary legislation. The main change was the transfer of much of the responsibility for designation to Historic England (see fig 3.1), with the Secretary of State now simply approving the recommendations that Historic England make. The introduction of the National Heritage List for England (NHLE), which has replaced the original hard-copy schedule of Ancient monuments and district-based lists of buildings, was another key reform, with the NHLE essentially providing the proposed unified register, although without a 'local' section.

Heritage Protection Reform, of course, included debates about the role of both government and its statutory adviser, so English Heritage was also asked by government to set out the principles by which it undertakes its national advice work. The resulting document, Conservation Principles, was published in 2008 and is focused very much on the inclusiveness of heritage (Pendlebury, 2009, 191; Historic England, 2008). However, this was happening alongside, but not in tandem with, legislative reform. While the White paper and draft heritage protection bill continued to be heavily influenced by definitions of heritage and authenticity as set out in the 1964 Venice Charter and the earlier conservation movement, Conservation Principles have a somewhat different philosophical background, taking influences from both the Australian Burra Charter, and the European Faro Convention. As noted in Chapter Two, however, the Principles do seem to take into account the multivocality of heritage, but they retain the role of the expert in defining the significance of the asset (see e.g. HE, 2008, p.10, paragraph 2.3, and p.23 paragraph 5.1).

3.4.3 LABOUR'S PLANNING POLICY REFORM

In addition to reform of the heritage protection system, and in fact as part of it, policy and guidance in relation to planning was also reformed. Modernising the planning framework had always been an aim of the Labour government, and by the end of the 2000s, most of the Planning Policy Guidance Notes had been revised and re-launched as much shorter Planning Policy Statements. Planning Policy Statement 5: Planning and the Historic Environment (PPS5) (DCMS and DCLG, 2010), was published in 2010 and replaced PPG's 15 and 16. The new PPS brought the concept of 'significance' into formal planning policy for heritage assets, and was intended to be published alongside the new Heritage Protection Act. It therefore covered all aspects of the historic environment, including those assets which are undesignated but may be significant in a local context. Importantly it uses the term 'heritage asset' to cover 'those elements of the historic environment which hold significance' (DCMS and DCLG, 2010), no longer distinguishing between buildings, landscapes, and archaeology. In addition, the presumption was subtly changed to one in favour of conservation rather than preservation, and included policies for the setting of heritage assets. PPS5 was largely written by English Heritage, and is thus influenced by Conservation Principles, as well as the wider government policies of social inclusion outlined

above. With this background, it brings what would appear to be a more pluralist approach to heritage, particularly in relation to the management of assets. Despite this, the underlying philosophical basis for protection remains firmly tied to the materiality of heritage, and ‘traditional’ ideas of intrinsic value.

This period in the history of heritage legislation can be seen as one of continuous debate about the protection of the historic environment and the processes for doing so. Despite a wide range of reforms and opportunities for a more participatory and engaging protection system, however, it continues to be expert-led and tied to traditional, positivist ideas of heritage and its selection for designation. Local communities, amenity societies and conservation groups, however, are now much more confident and vocal in their desire to protect what matters to them and to be involved within that protection process, often leading to tension and contestation. The localism agenda of the 2010 Coalition Government, however, perhaps offers a new opportunity for change. The potential of localism is fully discussed in Chapter Seven, but the political development of the Big Society ideology is outlined below to both provide context for this, and to complete the somewhat potted history of legislation outlined in this chapter.

3.5 LOCALISM AND THE COALITION GOVERNMENT

Following elections in May 2010, a new Coalition Government came into power in the UK with a manifesto focused on the ‘Big Society’. This is in essence a localism agenda aimed at decentralization and the devolvement of power from central to local government and, moreover, into the hands of local communities. One of the main aims of the Big Society was to encourage communities to become more engaged. Thus, there are a number of measures within the 2011 Localism Act aimed at empowering local communities to take a much more active role in their local area (Jackson *et al*, 2014). The re-alignment of power which results from this offers the opportunity for residents to have more of a role in the sustainable development of their neighbourhoods and by extension, therefore, more authority over the heritage assets within them.

3.5.1 COALITION PLANNING POLICY REFORM

Before turning directly to the Big Society, in addition to a focus on repairing ‘broken Britain’ with community empowerment opportunities, the new government was also keen to revise planning policy to enable a presumption in favour of sustainable development, and to make the system simpler and easier to understand in the hope that it would encourage development at a time of economic recession. In March 2012, therefore, the new National Planning Policy Framework (NPPF), which combines all previous planning policy into one single document, and has a

presumption in favour of sustainable development, was published (DCLG, 2012). Although heritage has just 2 and a half pages within the document, like PPS5 it includes the definition of a heritage asset as 'A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage assets include designated heritage assets and assets identified by the local planning authority (including local listing)' (DCLG, 2012, 52). The NPPF also states that Local Authorities should take into account the desirability of sustaining and enhancing the significance of the historic environment, which includes all heritage assets, designated or not (DCLG, 2012,). This has led to a number of Local Authorities revising or creating Local Lists of undesignated heritage assets and/or character areas, which is discussed in Chapter Six.

3.5.2 THE BIG SOCIETY

Prior to the General Election in 2010, the Conservative Party had argued vociferously for the need to create greater freedoms for local government and communities (Lowndes & Pratchett, 2012, 26). With David Cameron as Prime Minister following the election, the Big Society initiative was officially launched as part of the Coalition's programme for government (Macmillan, 2013, 4). As well as a desire to shrink the state and reassert the primacy of the markets, the Coalition government also sought to alter the balance between state and citizen, asserting the desirability of collective forms of voluntary social organisation (Deas, 2013, 66-67). The agenda, therefore, offered the promise of a potentially far-reaching shift in the way in which neighbourhood governance and policy were to be organised (Deas, 2013, 68).

In launching the programme, David Cameron stated that the new proposals aim to create a climate that empowers local people and communities, building a big society that will 'take power away from politicians and give it to people' (Cabinet Office, 2010). A critique of the role of the state runs throughout the Big Society idea and resultant policies, with the overall aspiration being to encourage citizens to seek to do more for themselves in collaboration with others in their community (Lister, 2015, 355). As well as a desire to shrink the state and reassert the primacy of the markets, the Coalition government also sought to alter the balance between state and citizen, asserting the desirability of collective forms of voluntary social organisation (Deas, 2013, 66-67). The coalition agenda, therefore, offered the promise of a potentially far-reaching sift in the way in which local governance and policy were to be organised (Deas, 2013, 68).

Ideas about the role of the state and community empowerment were not new, however (Lawless, 2011, 57). As Levitas (2010, 330) argues, it is largely a continuation of Thatcherite 'active citizens' and the subsequent New Labour counterbalance to rising inequality. In 1980, Conservative Prime Minister Margaret Thatcher spoke of the need to limit the role of the state and to encourage

greater citizen participation and responsibility (Lister, 2015, 361), and the 'New Labour' government in 1997 were similarly concerned with responsibility (Lister, 2015, 362). They argued that local councils had become fragmented, and their response to this was a focus on 'partnership' and joint working through an extra tier of regional government (Roxburgh, 2010). All governments seek to shape the discourse of social change, and under New Labour this focused on the 'social compact' – an agreement between government and the third sector for the provision of services (Bunyan, 2012, 121). Rather like its New Labour predecessor, therefore, the 2010 Coalition Government saw local governance as a key area of reform (Lowndes & Pratchett, 2012, 25; Goodchild, 2010, 20).

David Cameron announced his vision for the Big Society in his October 2009 Conservative Party Conference speech; and fully outlined the idea at the Hugo Young Memorial Lecture a month later (Lister, 2015, 352; Macmillan, 2013, 4). The idea had been in development for some time though, with the philosophical ideology behind it arguably informing David Cameron's whole career as Conservative Party Leader (Bulley & Sokhi-Bulley, 2014, 454; Macmillan, 2013, 4). In a speech to the Conservative Party annual Conference in October 2006, for example, he identified 'social responsibility' as the essence of his political philosophy (UKPol, 2015). By 2009 Cameron argued that a Big Society was needed because the state had become so large that it had removed the need and desire for individuals and communities to do things for themselves (Lister, 2015, 354).

The need for a stronger, more responsible, society is in fact founded on the work of former Conservative Leader Iain Duncan-Smith's Social Justice Policy Group (Centre for Social Justice, n.d.). This group developed the ideological trope of a 'broken Britain' during the Conservative Party's 2010 election campaign (Bulley & Sokhi-Bulley, 2014, 454), with the 2010 Conservative Party manifesto stating that 'our society is broken, but together we can mend it: we can build the Big Society' (Conservative Party, 2010, 35). The key to doing this was considered to be increased social responsibility (Bulley & Sokhi-Bulley, 2014, 455), suggesting an attempt to implement a more profound shift in the public's expectations about what the state can and should deliver (Flinders & Moon, 2011, 657).

The philosophical influences for this are considered to be both Conservative Communitarianism (more commonly known as Red Toryism) and Libertarian Paternalism. The Red Toryism ideology is most closely associated with the one nation ideal of a property-owning democracy, and sees the locus of social organisation within family, community and volunteer groups (Corbett & Walker, 2013, 454). It is commonly associated with Philip Blond, who has criticised the Thatcherite Right and the New Labour Left in particular for embracing neo-liberalism, which he argues has produced 'an authoritarian state and an atomised society' (Blond, 2010, 282; Corbett & Walker,

2013, 455). Liberal paternalism, or ‘nudge theory’, emphasises empowerment and choice while asserting that the role of the state is to ‘steer people in directions that promote their welfare’ (Thaler and Sunstein, 2003, 179, in Corbett & Walker, 2013, 454). It has been enthusiastically embraced by Red Tory advocates as it shares the paternalistic use of the state to shape the choices available to individuals (Corbett and Walker, 2013, 458). Libertarian paternalism therefore appeals to the current government in arguing against New Labour’s ‘authoritarian nanny state’ and in advocating the Big Society to support communities in shaping their own destinies (Corbett & Walker, 2013, 460; Lowndes & Pratchett, 2012, 31). It also aligns very well with the paternalistic nature of heritage protection legislation and policy.

For many the ‘Big Society’ seemed to represent a radical attempt to reshape the relationship between the state and citizens (e.g. Deas, 2013, 65), but in ideological terms the same neo-liberal thread can be seen to connect it to both the New Labour era and previous government attempts to mobilise and responsabilize citizens (Bunyan, 2012, 120; Deas, 2013, 65; Davies, 2013; Lister, 2015, 353). Whereas New Labour’s aspirations for community engagement often struggled against strong preferences for national regimes of performance management, however, the Coalition’s localism agenda is characterised by proposals to remove mechanisms of central control and co-ordination (Cowell, 2013, 32). While this was welcomed within Historic England, or at least within the teams that this author worked in at the time, it was also a cause for concern – what about the control of heritage? Early drafts of the Localism Act, which is discussed below, suggested that policies within Neighbourhood Development Plans might have more weight than national heritage legislation, and that when combined with the new presumption in favour of sustainable development, this may result in many Listed Buildings being demolished. Key to this concern is the assumption (said out loud to this author on occasion), that local communities simply do not understand the true significance of heritage assets.

3.5.3 LOCALISM ACT: COMMUNITY EMPOWERMENT AND NEIGHBOURHOOD PLANNING

In its first three years, the Big Society agenda sparked extraordinary amounts of commentary (Macmillan, 2013, 13) and required repeated re-launches and constant reiteration to maintain momentum (Macmillan, 2013, 5). Although it developed rapidly in the first months of the Coalition Government, with a Localism Bill published in December 2010 and enacted 11 months later (Deas, 2013, 67-8), over time the use of the term ‘Big Society’ in ministerial speeches and official documents has declined significantly (Macmillan, 2013, 3). The Big Society ideology does, however, run throughout the Coalition policy agenda (Bulley & Sokhi-Bulley, 2014, 457), a key area of which was the ‘radical reform’ of the planning system to give neighbourhoods far more ability to shape the places where they live (Hanham, 2010).

Since the 1960s, the 'neighbourhood' has been a key area of policy innovation, and its importance is undiminished having also been the focus of previous Governments (Bailey & Pill, 2011, 928). From 2010 the neighbourhood retained its preeminent role as a locus for policy (Bailey & Pill, 2011, 940), with the 2011 Localism Act taking forward neighbourhood planning and containing a number of measures aimed at empowering local communities to take a much more active role in their local area (DCLG, 2010). In addition to Neighbourhood Development Plans which are intended to allow communities to shape new development in their neighbourhood, the act included a number of Community Rights, described by the Coalition as 'a right to be claimed, not a privilege to be earned' (HM Government, 2010, 7). The new rights included a 'Community Right to Bid' for the purchase of buildings listed as Assets of Community Value (ACV). The general regulations governing these came into effect between April and September 2012 (CLCsG, 2015).

Of the new 'Rights', the Community Right to Bid, including the creation through nomination of the associated lists of 'assets of community value' has been by far the most popular (CLCsG 2015, 5). This Right requires Local Authorities (district and unitary) to maintain a list of land or buildings of community value, referred to as a 'list of assets of community value'. The popular definition of an AVC used by, for example, by Civic Voice is a building or land that is of importance to / valued by the local community (Civic Voice, n.d.). This would appear to cover most buildings that are the subject of requests for designation due to their social value to a local community, and as noted in Chapter Two, it is in fact entirely possible to consider social value as 'community value' except that in the case of heritage there is usually an historical element to it. The official definition (DCLG, 2011, paragraph 88) is of course much more precise, and states that building/land can be listed as an ACV if in the opinion of the Local Authority:

- a) an actual current use of the building or other land that is not an ancillary use furthers the social wellbeing or social interests of the local community, and
- b) it is realistic to think that there can continue to be non-ancillary use of the building or other land which will further (whether or not in the same way) the social wellbeing or social interests of the local community

As well as nominating assets for inclusion on a list, community groups have a right to bid for the purchase of listed assets if they come up for sale. This is intended to deal with the issue of the loss of local amenities such as a local shop, public house, or village hall, which often become intense areas of conflict within both local and national press (DCLG, Sept 2011a). Of the new Rights, therefore, it is this one which has the most potential in relation to local heritage protection, and along with neighbourhood planning thus forms the focus of the discussion and analysis in Chapter Seven.

3.6 CONCLUSION

The legislative history outlined in this chapter has widened in scope over the years, and a diverse range of influences have shaped its development (Delafons, 1997, 4). What was once the concern of scholars and antiquarians is now part of a wider and more complex aspect of modern life, and a broader range of public interests are now reflected, each with a greater diversity of motives or objectives (Delafons, 1997, 4). This evolution has been incremental in nature, however, and has resulted in distinct categories of protection for different aspects of heritage (Pendlebury, 2001, 289). While early the Ruskinian philosophy which led to the formation of the SPAB and its benchmark Manifesto of 1877, and in fact the first Instructions for Investigators produced in 1945, spoke of the social value of heritage and historic buildings as containers of communal social memory, this was gradually lost in favour of the more easily identifiable and positivist values of architectural and historical interest based on the authenticity of historic fabric. The 1964 Venice Charter, perhaps, was a key nail in the coffin of the potential to include social value within designation assessments.

However, it is clear from this review that while definitions of heritage and what should be protected have been influenced to a great extent by wider conservation movement philosophies and at times international charters, the prevailing political climate also has a role to play. Criticism of the focus of the early listing system, for example, cannot be based solely on the use of early conservation philosophy. With the state in control of the process, economics and pressures from Government are also key to the way in which the process has developed. Recent reforms to process also bear this out, with demands for the system to comply with ideas of public value and social inclusion. In addition, while there was potential for full reform of the heritage protection system in the 2000, the resulting draft bill was largely a consolidation of previous legislation and policy and retained much of the same focus on positivist identification and assessment processes.

Delafons (1997, 178) suggests that heritage protection in Britain has developed mainly in response to growing public concern, but much of the early legislation and amendments were brought about through private members bills, or were included as an amendment to a much larger planning bill either by individual MPs, or through consultation with the conservation lobby. The development of legislative protection, therefore, cannot necessarily be said to have occurred in relation to public interest, and appears to be inherently anti-participatory, with the prior notification of owners that their building was being assessed for designation not occurring until 2005, some sixty years since listing began. This expert-led, fabric-focused system, with an

inherently contested nature as discussed in Chapter Two, it can be argued, no longer reflects the general mood of public opinion discussed by Delafons.

In addition, the plurality of heritage is now a key understanding of our valuation of the past. This has had limited impact on practice, however, with the designation system still premised on ideas of architectural quality and special interest (Pendlebury, 2009, 13), although the post-designation management of heritage assets via Conservation Principles and planning policy does attempt to take this into account. This provides an interesting contradiction in itself, and the potential for future contestation in relation to decisions. The regime for protection which has developed, however, is built around the authority of the state (Thomas, 2008, 140), and as Hobson (2004, 27) argues, just as conservation protects relics of the past, the ideas prevalent within conservation's own history are equally maintained and protected.

4 METHODOLOGY

Within the previous two chapters the theoretical and conceptual framework for this thesis was developed, providing context for the analysis of national and local significance in the following chapters. The preceding theoretical background found that a positivist epistemology led to the definition of heritage and its identification for protection developing according to an expert led, nationally focused paradigm. This has produced the assumption that significance is singular and scalar, rather than multivocal and plural. In contrast, this research proceeds from a constructivist approach which views heritage as multivocal. It argues that it is this multivocality of heritage significance that leads to tension and dissonance, as 'expert' definitions of heritage are considered to be more valid and thus more important by those in authority.

To investigate this tension, this thesis uses a range of primary and secondary data to consider the types of heritage that communities ascribe significance to and the reasons that they wish to protect it. It then moves on to consider opportunities to reduce this through analysis of primary and secondary data relating to the use of Local Heritage Lists and Big Society agenda outcomes such as neighbourhood planning. This has resulted in the collation of four national data sets, and two case study-based data sets (see appendices 1-6). These are:

- National heritage designation applications
- Bradford Odeon: letters of support
- Local heritage designation data
- South Tyneside local list nominations
- Assets of Community Value (ACV) Listings
- Neighbourhood Development Plan (NDP) data

The sources for each of these data sets, the reasons for their selection and how they were selected is discussed below, before setting out the way in which each data set was recorded and analysed.

4.1 RESEARCH APPROACH

As discussed in Chapter Two, this research is based on an understanding of heritage through a constructivist paradigm. This views heritage as a social construct, its significance being ascribed according to the needs of the present (see e.g. Graham and Howard, 2008; Ashworth *et al*, 2007; Brett, 1996; Graham, 2002; Graham *et al*, 2000; Lowenthal, 1998; Peckham, 2003; Smith, 2004). Constructivism rejects the idea of an external reality which must be investigated through rigorous scientific inquiry. Instead it sees truth and meaning as being created through interaction with the world. Meaning is therefore constructed rather than being discovered, resulting in the possibility of multiple contradictory but equally valid accounts of the world (Gray, 2013, 20). Through this lens, heritage is not simply an aspect of the historic environment, these are just ‘things’ until significance is ascribed to them. They exist, therefore, only through selective perception and the recognition of attributed meanings (Smith 2006, Darvill, 1993a; Carman, 2002). Heritage, therefore, relies on culture and is not something to be simply conserved or protected (Palmer 2009; Ashworth, 2008). However, positivist ‘official’ interpretations of heritage often conflict with more plural and ‘unofficial’ interpretations, resulting not just in contrasting perceptions of significance, but in conflict and dissonance (Tunbridge and Ashworth, 1996, 27-8).

The following three chapters of this thesis explore this tension and look to local designation and the Big Society as an opportunity to reduce it. This chapter sets out the methodological framework for the analysis of the primary data which informs this exploration. This includes the analysis of 500 applications for statutory designation; collation and analysis of Local Heritage List data; evaluation and analysis of data in relation to Assets of Community Value and Neighbourhood Development Plans; and the use of case studies. As a constructivist framework is used to understand the heritage which local communities which to protect, there is naturally a qualitative approach to the methods used to analyse this data. This allows for the subjective elements of heritage significance to be captured and assessed. However, there are also some quantitative elements, such as discerning for example the number of listed assets of community value within a region, or the number of applications made within a particular year.

4.1.1 GROUNDED THEORY

Due to the empirical nature of this research, this study adopts a grounded interpretivist approach to the collection and analysis of data. This approach represents the theoretical perspective most congruent with the thesis epistemology. Grounded theory is a qualitative approach that has been developed by sociologists Barney Glasner and Anselm Strauss (e.g. Glasner and Strauss, 1967). It enables the conceptualisation of social patterns and structures through the process of constant comparison (Grounded Theory Online, n.d.). In relation to the analysis of designation applications,

letters and comments from members of the public, therefore, this means an initial inductive approach of developing codes/categories from the data before a more deductive phase of analysis through thematic or critical content analysis. There are five key methodological stages within grounded theory (Grounded Theory Online, n.d.), and these have been followed for each of the data sets used in this thesis, as outlined later in this chapter. They are:

1. Identify a substantive area which will be about the perspective of one or more groups of people
2. Collect Data – qualitative, quantitative or a mixture
3. Open code whilst collecting data until a core category is recognised or selected
4. Write memos throughout the process
5. Conduct selective coding and theoretical sampling

This process results in new empirical data which adds to our understanding of the motivations for nominating assets for designation and the significance attached to everyday heritage, as well as additional methods that local communities may use to protect what matters to them. This type of data has not been produced by other researchers and thus the findings cannot be compared directly to what has already been published in this field. However, as outlined in Chapter Two, there are a wealth of publications devoted to the definition and value of heritage which provide some common themes for comparison and discussion in Chapter Eight.

4.1.2 INTERPRETIVISM

A grounded theoretical perspective linked to constructivism is interpretivism (Gray, 2013, 20). Indeed, of the theoretical perspectives available, positivism and various strands of interpretivism have been amongst the most influential (Gray, 2013, 21). Interpretive research assumes our knowledge of reality is gained only through social constructions such as shared meanings and languages (Klein and Myers, 1999, 69; Khan, 2014, 225). The underlying assumption is that by placing people in their social contexts there is a greater opportunity to understand the perceptions they have of their own activities (Kelliher, 2005, 123). It thus aims to view the social world from the participant's perspective, seeking to explore their experiences of a particular event or area of interest, as well as their views or perspectives of these experiences (Khan, 2014, 225; Gray, 2013, 37). This type of research focuses on the complexity of human sense making as a situation emerges, rather than predefining dependent and independent variables, and attempts to understand phenomena through the meanings that are ascribed to them (Klein and Myers, 1999, 69), hence its relevance to this thesis.

The results of interpretivist study depend not just on the participant's view of reality, however, but also on the researcher's view (Khan, 2014, 225). Typically it is therefore inductive, and is often associated with qualitative approaches to data gathering (Gray, 2013, 37; Kelliher, 2005, 123) such as the grounded theory method outlined above. In essence, therefore, it is concerned with the uniqueness of a particular situation, contributing to the underlying search for contextual depth (Kelliher, 2005, 123). However, the results of this research are often criticised in terms of research legitimisation due to issues with validity, reliability and ability to generalise (Kelliher, 2005, 123). In contrast to an interpretivist approach within social science research, however, there are no actual 'participants' within the research in this thesis as there has been no direct contact with, for example, listing applicants or those who wrote letters of support in relation to the listing applications for Bradford Odeon. These can be classed as 'participants', however, as it is the process of designation which is being assessed and of which they were in the past a participant. Indeed it could also be considered that a Neighbourhood Development Plan is a 'participant' in this study in that it represents a community of people who participated in its production. With this overall research approach in mind, however, we now turn to the particular methods used.

4.2 RESEARCH METHODS / STRATEGY

The particular research methods used within this research are influenced by both the grounded interpretivist approach outlined above and the type of data collected by or sent to the author for analysis. All primary data is in the form of written data collected by the author and/or supplied by other organisations, including designation applications, official reports, letters, and newspaper reports, the latter of which could be considered to be secondary documents, although they are used as primary data in this thesis as they are evaluated to draw out particular discourses for analysis. The primary method of research used within this thesis is thematic content analysis using the framework method. All six data sets have used this method to categorise the data collected and to draw out themes for analysis, with common themes being used for each one. This has ensured a comparable data set with which to discuss the thesis questions in Chapter Eight. Each of the three results chapters (Five, Six and Seven), however, use a mixed methods approach of literature review, thematic content analysis (incorporating some discourse analysis), and case studies. Where it has been possible, data has been collated and analysed for both national statistics and case studies using the framework approach. This was not possible for two case studies, so the analysis of published material via a literature review was undertaken instead.

The methods of analysis which are used to analyse primary data are discussed below and are noted in Table 2 below. Literature review of secondary information is a key element of all areas of analysis within this thesis, so is not noted as a specific method within this table. It was initially

intended to undertake a discourse analysis of all data sets. However, initial results from content analysis suggested that this would instead provide the data required to answer the research questions outlined in Chapter One. While some basic/limited discourse analysis has been undertaken as part of the content analysis, particularly in the case studies, this has not been the primary method of analysis within this thesis. It would, however, be a useful and interesting piece of future research focused specifically on just one of the data sets, such as national designation applications.

Primary Data	Aim/objective of analysis	Data Source	Data Sample	Method(s)
National Designation Applications	Evaluate the reasons for applying, the types of heritage applied for, and possible causes of dissonance	HE	500 designation applications	- Content analysis - Thematic analysis of content
Case Study: Bradford Odeon	Illustrate and evaluate the contested nature of designation decisions	HE DCMS	314 letters/ emails	- Case Study - Thematic analysis of content - Discourse analysis
National Local List Survey	Consider the potential of local listing to protect everyday heritage	Local Authority Websites	All Local Authority websites	- Thematic analysis of content
South Tyneside Local List nominations	Illustrate and evaluate the potential of local listing	South Tyneside Council	Full data set as provided	- Thematic analysis of content - Discourse Analysis
Assets of Community Value	Consider the potential of ACV listing to protect local heritage	DCLG	Full data set as provided	- Thematic analysis of content
Neighbourhood Development Plans	Consider the potential of NDPs to protect local heritage	DCLG	50% of Made plans fully analysed; date and location analysed for full data set	- Thematic analysis of content - Discourse Analysis

Table 2 Primary Data sources, samples and methods

As table two illustrates, the majority of the research has been carried out through the content analysis of primary documentary evidence, with no direct contact with those who are made designation requests or were involved with the case study buildings/lists. Due to Data Protection legislation and the terms of the author's Freedom of Information agreement with Historic England, it was not possible to contact any of the national designation applicants or National case study contacts, and their personal details were not recorded as part of data collection. This was also the case for any information on DCMS case files, and the list of South Tyneside Local List nominations, as all personal information was redacted before being sent to the author. As no qualitative in-person research with those involved was possible for the National and local datasets, to ensure consistency of approach Chapter Seven also followed a method of analysing only printed data. In a few case studies it was possible to discover email addresses for those involved, however, and ask them for additional information. For each of these the contact was advised beforehand that any replies may be cited within this research. In many cases, however, especially for ACVs, no contact details were available. In addition, the time and resources available did not allow for the discovery of contact details for key people or for interviews and subsequent analysis. This is, however, something that should be considered in any future research in this topic, especially in the case of Neighbourhood Development Plans.

A questionnaire survey of a representative sample of the 'general public' (approx. 1-3 thousand responses) was initially considered to enable the inference of an overall view of why designation is considered to be necessary and the types of sites that most people wish to see 'protected'. However, due to a number of resource/funding issues, these objectives have instead been met through the analysis of national designation applications. This is not considered to be a limitation as it is likely that the comments made to a 'faceless' application form will be much more 'honest' than those which may be made to an interviewer or via a questionnaire from a named individual. For example, Burnham *et al* (2008, 123) note that a major concern with interviews is the issue of 'interview effects', whereby respondents give different answers to interviewers depending on their perception of how empathetic they will be to the respondent. Although designation applications and letters may also be affected by some of the same issues, such as providing information which it is assumed those at Historic England would view more favourably, this is taken into consideration in the analysis.

4.2.1 FRAMEWORK METHOD

The framework method for the management and analysis of qualitative data has been used since the 1980s (Gale *et al*, 2013, 1). A defining feature of the method is its matrix output, usually via a spreadsheet organised by rows (cases/participants), columns (codes/categories) and 'cells' of summarised data (Gale *et al*, 2013, 2). While many qualitative approaches are associated with

particular philosophical ideas, the Framework Method is not aligned to any particular epistemological, philosophical or theoretical approach (Gale *et al*, 2013, 3). It is therefore a flexible tool that can be adapted for use with any qualitative approach that aims to generate themes (Gale *et al*, 2013, 3). As the primary research method used for the analysis the six data sets is thematic content analysis, the framework method of recording is therefore appropriate for this thesis. In addition, the ability to compare and contrast is vital to grounded interpretivist analysis, and the ability to compare easily across cases as well as within cases is built into the structure and process of a framework model (Gale *et al*, 2013, 2). The framework approach provides a structure into which the data can be systematically recorded in order to analyse it either by case or by category (Richie and Lewis, 2003), which has proved beneficial to this research, especially in the analysis of local lists in Chapter Six. While an in-depth analysis of key themes can take place across the whole data set, therefore, the views of each 'participant' or case remain connected to other aspects of the matrix (Gale *et al*, 2013, 2).

4.2.2 THEMATIC CONTENT ANALYSIS

Content analysis is the generic term for strategies used to analyse text, and the thematic organisation of the resulting data is a key aspect of qualitative data analysis (Vaismoradi *et al*, 2013, 400; Gibson and Brown, 2009). Thematic content analysis is a systematic categorising approach used to determine trends and patterns of words used as well as structures and discourses of communication (Vaismoradi *et al*, 2013, 400; Ritchie and Lewis, 2003, 200), with the researcher focusing on the way a theme is presented and the frequency of its occurrence (Burnham *et al*, 2008, 259). It is used to identify commonalities and differences in qualitative data before focusing on the relationships between data to draw descriptive and/or explanatory conclusions clustered around themes. It is therefore appropriate in this thesis as the primary data is all documentary in nature, and works very well with the framework method, which provides a flexible structure for recording the themes which emerge from the data during analysis.

Content analysis is most often discussed, however, in relation to the coding of interview transcripts to determine categories to assign to aspects of the data. While this thesis does not use this form of primary data, the free-text aspect of both national and local designation applications, as well as the content of letters and comments in relation to press reports are examples of people communicating a view and are thus appropriately analysed through content analysis. This technique thus forms the basis of the primary analysis within this thesis as it is particularly useful for gaining an understanding of the thought processes behind the construction of heritage significance, which in turn helps to capture the meaning, process and context of the tension and dissonance which is often associated with it (Bryman, 1988; Devine, 2002).

4.2.3 DISCOURSE ANALYSIS

Discourse refers to the practices of talking and writing, and this type of analysis thus focuses attention on language and texts to consider the process of creating social realities (Burnham *et al*, 2008; Philips and Hardy, 2002). This analysis technique thus studies the way that people communicate with each other through language in a social setting, understanding that language shapes our perception of the world as well as our attitudes and identities (Walliman, 2001, 98). Discourses, therefore, can be seen to reproduce the everyday assumptions of society, and these common perceptions and understandings are encouraged and reinforced by those in authority (Burnham *et al*, 2008). There are two central themes to discourse analysis: the interpretive context in which the discourse is set; and the rhetorical organisation of the discourse (Walliman, 2001, 98). It is the latter which is most appropriate for the analysis of primary data in this thesis, in particular the case studies used in Chapters Five and Six, as it investigates the style and scheme of an argument. Discourse analysis within this thesis, however, has been used only at a rather basic level in relation to consideration of 'official' or 'authorised' definitions of heritage significance, and the challenges to this from local communities. As noted above, initial results from content analysis, which itself includes some consideration of discourse, appeared to adequately answer the research questions, aims and objectives. A specific discourse analysis methodology such as Critical Discourse Analysis, has not therefore been employed.

4.2.4 CASE STUDIES

Case studies are used within this thesis alongside primary data-sets to illustrate and draw out particular themes and issues, as well as to reduce the risk of over-generalising. Throughout the following chapters, examples which illustrate the statistics generated through content analysis will be used, and in chapters five and six two full case studies are used in each chapter to discuss 'real life' examples of themes which come out of the national data set. It was intended to analyse all four case studies using framework method and thematic content analysis outlined above, but as the research developed, it became clear that this would not be possible for Plymouth Civic Centre and Bassetlaw Local List. Literature Review rather than primary data collection and analysis has therefore been undertaken for these two case studies. However, where possible, the same categories have been used across case studies and other primary data sets to allow for thematic comparison.

4.3 DATA COLLECTION AND SAMPLING

As outlined above (see also table 2), six primary data sets have been collected by the author for analysis. These data sets map to the aims and objectives of this thesis and result in three results

chapters (see fig. 3). The reasons for choosing these particular sets of data and the sampling strategies employed are discussed below before a detailed outline of how each one was analysed.

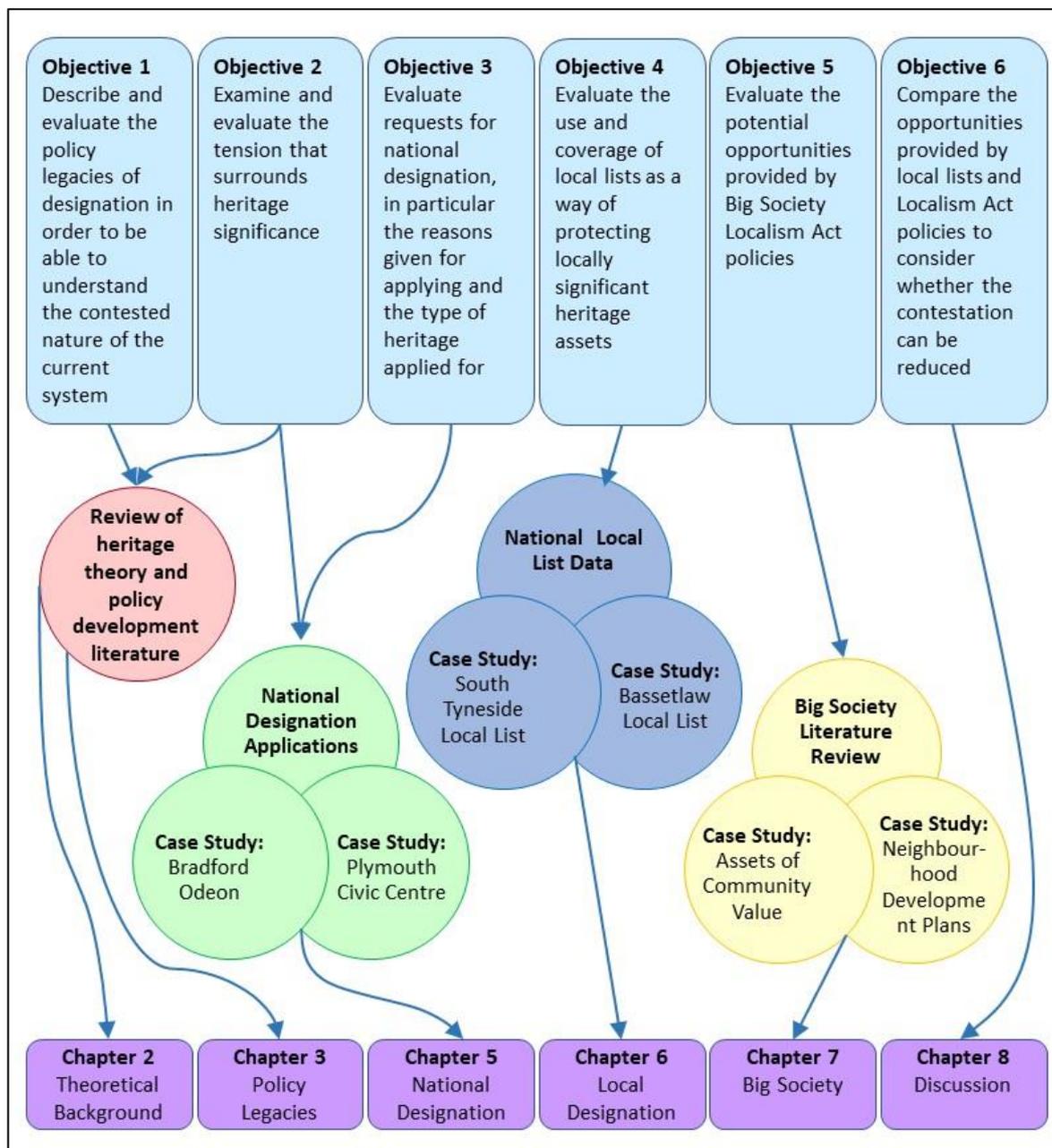


Figure 3 Primary Data sources, samples and methods

4.3.1 NATIONAL DESIGNATION APPLICATIONS

The main data sample used for the assessment of national significance, including the types of heritage nominated, is a survey of applications made to English Heritage for new designations. The applications chosen for analysis were the first 500 requests for new designations made via the online application form launched by Historic England in July 2010 (Appendix 1). This sampling method was chosen as, following the launch of the form, the author had full access to all designation applications made across England via a single internal database at Historic England. This made data collection significantly more efficient and provided an identified start date from

which to collect data. It also allowed for additional analysis in relation to the online form, which now included information and guidance on what would and would not be taken into account during an asset's assessment. The figure of 500 was chosen as it was considered that this provided a statistically-viable sample. An initial analysis of 100 requests was undertaken to draw out common codes/themes for the analysis of an additional 150 requests. Increasing the number produced similar but slightly different results, so when additional data became available (collection began almost immediately after the online form was launched), the number was increased to 500 to ensure greater reliability of trends.

This data-set was selected specifically because if we are to understand why designation decisions are contested, it is necessary to understand why the asset is considered to be significant in the first place. In addition, data of this type has not previously been examined in such a way, although assumptions are often made in both official and academic literature about the types of sites that people find significant, often based on anecdotal rather than empirical evidence. This data-set, therefore, also enables these assumptions to be tested and, if appropriate, challenged.

4.3.2 NATIONAL DESIGNATION CASE STUDIES

The primary data collected for the two national designation case studies includes all data held on file by English Heritage and the Department for Culture Media and Sport (DCMS), along with local press reports and other published material. For the Bradford Odeon, the primary data set was collected and analysed via the framework method and consists of 314 letters/e-mails from members of the public (Appendix 2). These letters were collected through Freedom of Information protocols. For Plymouth Civic Centre, it was expected that similar correspondence would be available. However, no correspondence was discovered on file at both HE and DCMS, despite colleagues of the author remembering them being received. Primary data collected for this case study, therefore, was in the form of comments made online in relation to press reports about the designation of the Centre, and information provided in e-mails from a former Twentieth Century Society Casework Officer.

These two case studies were both very well known to the author due to her role in the Designation Team at Historic England. In fact, the author was the case officer for the 2005, 2007 and 2008 Bradford Odeon designation assessments. The case studies were thus selected for analysis within this research because they were known to illustrate very well the arguments made throughout the thesis, and in particular those relating to the contested nature of expert decisions in relation to heritage significance. In addition, while both had designation decisions which were contested by the local community, for Bradford Odeon this was a 'do not designate' decision whereas for the Civic Centre it was a 'yes, list' decision, so they work well together in terms of

comparison. The case studies chosen also include a range of evidence to analyse in addition to the designation application, including a significant number of letters to English Heritage and DCMS, reports in the local press, campaign group websites, petitions, published articles and so on. This allows for a more substantive analysis and a more complete understanding of the issues, especially when considered within the context of the national survey data.

To confirm that these were the most appropriate cases for discussion and analysis, the author consulted all colleagues within the Designation department at English Heritage, asking for examples of cases which met the criteria of having had a significant amount of public interest and decisions which were unfavourable to the majority of those who had commented. The two cases were not noted in the request, but of the responses received most colleagues suggested them along with Park Hill flats in Sheffield. Park Hill was not chosen as an example of a contested yes list decision, however, as much has already been published on this site by others (e.g. While, 2007).

4.3.3 LOCAL DESIGNATION: NATIONAL DATA

The data for Local Authority local lists was collected by accessing the information available on each Local Authority website. No sampling was undertaken as all Local Authorities were analysed, resulting in a framework of 326 records (Appendix 3). While this type of data collection has also been carried out by Historic England in relation to data for the annual Heritage Counts reports (e.g. HE, 2015), the research within this thesis goes further than simply recording whether a Local Authority maintains a Local Heritage List by analysing how lists are created, the criteria used, decision making processes, and the categories of heritage included. This data has been collected to enable an evaluation of the potential of local listing identified via initial literature and guidance review. It also enables consideration of how participatory local listing is in terms of nomination and decision-making, as well as an analysis of criteria in comparison to national designation requests and the considerations of social value and multivocality discussed in Chapter Two. The data collected is largely a record of specific items, such as for example whether the authority has a local list, when it was published and so on, the criteria used and so on. This was not always available for all authorities, but time did not allow for consultation with each authority to discover anything which was not clear from the information on their websites.

4.3.4 LOCAL DESIGNATION CASE STUDIES

The specific case study lists that were selected for analysis were chosen due to their use of seemingly very different methodologies, and differing levels of public participation. This primary data analysis, which is essentially a comparison exercise, was contextualised by research which

has looked more broadly at local listing. The case studies were thus selected for the same reasons as the selection of the national case studies noted above, which is to draw out and illustrate the key findings of this research. Each of the case study local lists were reviewed or created during the time that this research was undertaken. As with National designation applications, therefore, there is a defined set of data available for analysis.

The choice of the two lists was largely due to prior knowledge and contact with those responsible for maintaining them. The South Tyneside list, for example, was known to the author through her work at Historic England, and a close working relationship with the conservation officer meant that information was readily supplied. The primary data, therefore, is a spreadsheet detailing all nominations received for the local list during its review, including the name of the asset and the general 'type' accorded to it by the conservation officer (Appendix 4). Secondary data includes the revised list itself, documents related to this produced by South Tyneside Council, and local press reports. In contrast, the Bassetlaw list came to the author's attention following attendance at a Civic Voice local listing workshop, which included a presentation on the Bassetlaw list by the Conservation Officer. Discussion with the Conservation Officer and others who attended the workshop suggested that it would be a useful case study for this thesis in comparison to the South Tyneside List. There was, however, no primary data set available to analyse for Bassetlaw. The analysis of this case study, therefore, relies on information provided by the Conservation Officer and a literature review. As with the National case studies, therefore, these lists were chosen due to their differences, allowing for comparison and ensuring validity of the arguments made during Chapter Six.

A number of other local lists were considered for case studies, again due to prior knowledge that they were being reviewed. These included, for example, the York Local list, Chorley Borough Council's proposed list of local historic areas, and a photography-based record of local heritage in Warwickshire. However, only the South Tyneside list had readily available information on the nominations received, as well as a defined data set. In addition, the South Tyneside and Bassetlaw lists are the only examples known to the author which were initiated and completed during the time of this research, others having begun but not been completed, or were completed some time ago and so data was archived and not easily available. In addition, the Chorley and Warwickshire examples were not easily comparable with South Tyneside as they focused only on one particular area of heritage.

4.3.5 THE BIG SOCIETY: ASSETS OF COMMUNITY VALUE AND NEIGHBOURHOOD PLANNING

Of the four new Community Rights brought in by the 2011 Localism Act, it is the Community Right to Bid and its associated lists of Assets of Community Value (ACV) which, along with

Neighbourhood Development Plans (NDP), is considered to have the most potential in relation to local heritage protection. This potential has also been recognised by both Historic England and groups such as the Council for British Archaeology (HE, 2014; CBA, 2017), all of whom include advice on these aspects on their websites and in guidance documents. The Big Society offers an alternative to the positivist position of experts within the national designation system, and indeed in planning in general, which allows for the outcome of national and local heritage designation analysis to be contextualised in relation to the future protection of everyday heritage in England.

The data collected for ACV lists was provided by the Department for Communities and Local Government (DCLG) via an FOI request. This consists of a table listing all listed ACVs including details about the asset such as the date it was listed, the type of asset, and the relevant Local Authority. No sampling was undertaken as the full data set was analysed (Appendix 5). The DCLG Decentralisation team similarly supplied a spreadsheet of data for neighbourhood planning, including a full list of all Neighbourhood Areas which again detailed the relevant Local Authority, and importantly the process stage for each NDP. Although it has been possible to undertake some analysis of the full data set, such as an assessment of the regional spread of neighbourhood planning, only areas with plans which have been 'made' and now form statutory documents have been analysed in full. This is because information is not always available for those areas which are still in the process of drafting their plan, or indeed awaiting the result of their nomination to designate a neighbourhood area. In addition, it is not until plans have been through all stages of the process that policies will be finalised and taken into account in planning decisions. Due to time constraints, a 50% sample of made plans was chosen for analysis, meaning that just 42 of the 84 plans were fully assessed (Appendix 6). This was considered to be a statistically viable sample as it is large enough to allow for generalisations, while remaining small enough to allow those chosen to be looked at in depth.

4.4 DATA ANALYSIS

As noted above, the primary data collected for this research has been analysed inductively using the framework method, and where possible a grounded theory approach, resulting in a spreadsheet being created or added to for each data set. Following this a more deductive content analysis was undertaken in which themes and categories were recorded for each case in relation to the specific research objectives for that data set, and for the thesis as a whole (see table 4.1). Literature review and some basic discourse analysis was also undertaken where appropriate. This is described below for each of the six data sets that were collected.

4.4.1 NATIONAL SIGNIFICANCE

The national designation data extracted from applications is of three main types:

1. That which has already been categorised by Historic England, either as part of the application or subsequently during assessment, e.g. heritage category, applicant type and decision type.
2. That which has been drawn out of the narrative elements of the applications, such as references to local interest and assumptions about the future of the asset.
3. A combination of the above two types which means that information provided in an application has been recorded using standard Historic England categorisations, but this was not part of the official data held by Historic England. For example, the asset type category has been recorded based on Historic England selection guides. While these will of course be used in the assessment of the asset and will be noted in the text of the advice report, this is not something which is specifically recorded on Historic England's internal database.

The data extracted from the Historic England database was in the format of a separate html document for each application. It was not possible to extract this in any other format and thus all data, including categories already assigned by Historic England, had to be manually entered onto a spreadsheet. Each application has been additionally categorised using content analysis to pull out themes in relation to the research objective, and the results were recorded on the spreadsheet for subsequent analysis. In addition to recording basic information relating to each application, the categories include (see Appendix 1):

- Asset Type, e.g. domestic, education, agricultural etc.
- Applicant Type, e.g. member of public, professional representative, society etc. This classification was only possible due to having access to the full records, including applicants' names and addresses. Applicant type is not something which is currently recorded by Historic England as part of the assessment process, and all personal information such as names and addresses would not normally be provided to an external FOI applicant. Access to this information has therefore been provided on the assumption that it will not be displayed within the research, and that it will not be used for anything other than determining applicant type. A disclaimer was signed by the author confirming agreement of this.
- Heritage Type as recorded by Historic England
- Outcome – whether the asset was designated or not

- Whether the applicant explicitly refers to the local significance of the site within their application. While this relied to some extent on both a grounded approach to data collection and the judgement of the researcher in interpreting the text of the applications, in most cases this was clearly expressed by applicants.

Following an initial analysis of 100 applications, it became clear that a number of other questions could be asked of the data, and additional themes and categories were also recorded. The range of local significance categories or ‘types’, for example, became apparent through analysis rather than being pre-defined. Many of these are common terms used within both the academic literature and within Historic England and other guidance, such as local distinctiveness, local landmark and so on. Following an initial recording of this via memos for the first 100 applications, a number of common categories were discerned and all applications were subsequently categorised using these. Another additional category was whether the asset was under ‘threat’ and if so the type of threat. As with the type of local significance, common categories were developed during inductive assessment of the first 100 applications and recorded for the full data set during subsequent analysis. Finally, following a number of designation applications that the author worked on at Historic England which mentioned the potential future of a building once listed, and emerging ideas about the community right to bid while the Localism Act was being drafted; the data set was re-analysed to discover the number of applications which included comments suggesting that the applicant believed continued or future amenity use would result from the asset being designated.

4.4.2 NATIONAL DESIGNATION CASE STUDIES: BRADFORD ODEON AND PLYMOUTH CIVIC CENTRE

National case studies were analysed using similar methods to the analysis of free-text elements of designation applications above, although published accounts in newspapers, websites and campaign group material was also evaluated. Some ‘generic’ discourse analysis (Antaki, 2008) was also undertaken in an attempt to begin to understand the construction of heritage significance and its inherently dissonant nature. The analysis of Plymouth Civic Centre had to be undertaken as a literature review exercise due to the lack of any primary data held on designation case files at HE and DCMS. For the Bradford Odeon, however, using the framework method, each letter was recorded on a spreadsheet and themes within the text of letters and documents were extracted (Antaki, 2008), with the information contained within the documents being analytically filtered to pick up similar themes to those discovered during the national designation application survey, including:

- Reference to local significance
- Type of local significance

- Assumptions relating to the future use of the asset

In addition, discourse within the correspondence, particularly in relation to the designation decisions was recorded and analysed. This included themes related to the contested nature of the decisions such as a ‘them and us’ rhetoric, objections to local views not being considered, comparisons with previously contested planning decisions, and the use of campaigning vocabulary such as ‘fight’, ‘rescue’ and ‘petition’.

4.4.3 LOCAL DESIGNATION

The analysis of Local Heritage Lists was undertaken in the summer of 2014 by looking in turn at each Local Authority website and recording data onto a framework spreadsheet. An initial recording framework was created which included a row for each English Local Authority and its associated region. A search on each website was then undertaken to distinguish whether the authority maintains a Local Heritage List, and this was recorded onto the framework along with a web link to local list information and the name of the list. Initial results showed 129 authorities with a local list and 12 with a list in development. However, Heritage Counts data published in October 2014 (Historic England, 2014), shows that 138 Local Authorities maintain a list, and in 34 cases, Heritage Counts recorded yes whereas this author found no evidence of a list. These instances were all checked by the author, and it was found that in three cases ‘yes’ had been recorded by Heritage Counts for authorities who identify local interest buildings in another way, and authorities who were developing a list had also been recorded as ‘yes’. This did not account for all anomalies, although the data for heritage counts was actually collected in 2013 which may help to explain the inconsistencies.

Following this, the information on the websites of Local Authorities for which a ‘yes’, ‘other’ or ‘in development’ result was recorded were interrogated and data recorded for the following categories:

- Date of current list
- Whether the list is included or referred to in planning policy, and if so, the policy type(s)
- Heritage types included within each list, e.g. buildings, monuments, landscapes
- The criteria used to select additions to the list
- How additions to the list are identified
- Decision-making process – who decides what is added?
- Notes including useful quotes or information not included within the categories above

In all except the date of the current list, data was initially recorded simply as a single string of text for each general category. Using content analysis, this was then categorised according to common terms or themes used across the data set. For example, the majority of websites include a narrative description of how assets are nominated, within which certain groups or processes, such as nominations from members of the public, parish councils, character studies and so on, tend to be identified. As most Local Authorities use a number of ways in which to identify locally significant heritage assets, each category was recorded in a separate column on a yes/no basis, and the number of options used by each list was calculated. The same process was used for planning policy and decision-making analysis.

This process was also used for analysing criteria, although the variables in this case were pre-determined using a combination of national designation criteria (DCMS 2010a and 2010b), suggested local list criteria contained within the Historic England Good Practice Guide to Local Listing (2012), and areas of significance used in Conservation Principles (HE, 2008). The criteria within these are commonly understood and widely used throughout the heritage sector, so it was expected that they would appear within the criteria for local lists. These variables were also used in order to allow for comparison with nationally designated heritage assets, and to consider whether local lists are meeting their potential to protect assets which do not conform to the positivist definitions of national heritage. There are, however, myriad ways in which the same idea can be expressed in relation to some of the criteria, for example, 'authenticity', 'intact', 'survival', 'integrity', 'unaltered' and 'original' all generally mean the same thing in that an asset is considered to be significant when it remains largely as it was when first built. Due to the pre-determined variables, therefore, some judgement has been required to allocate criteria to the most appropriate category. Some of these were not always explicit and have been recorded as present because it was implicit in the criteria - for example 'evidential value' would be recorded for 'illustrates an important element of social or economic history'. In addition, some local list criteria include specific types of building or site, such as 'historic street furniture' or buildings relating to a particular aspect of an area's heritage such as textiles, coal mining and so on, and these have been recorded as selectivity/representativeness,

4.4.4 LOCAL DESIGNATION CASE STUDIES: SOUTH TYNESIDE AND BASSETLAW LOCAL LISTS

The two local list examples were considered through a comparative analysis of the methodologies used to create them, and their relative success in terms of celebrating and protecting the heritage assets which communities in each area find significant. Primary data was not available for the Bassetlaw list, so this was analysed through literature review and comments from the Conservation Officer. For South Tyneside, a spreadsheet detailing all nominations received as part of the review process for the local list was provided by the Conservation Officer. This included the

name of the asset, the type of asset as defined by South Tyneside Council, narrative information provided by applicants outlining why the asset is of significance, and whether it was already on the local list. To this, the author added and recorded a number of other categories to allow for comparison with the other data sets. These included:

Nomination category as noted on the application form – building, structure or open space

Asset type, using Historic England Selection Guides

Local significance type, using the same categories as the national application framework

Assumptions relating to the future use of the asset

4.4.5 ASSETS OF COMMUNITY VALUE AND NEIGHBOURHOOD PLANNING

The analysis of the 2011 Localism Bill and associated policy and guidance was essentially carried out as a literature review. However, as noted above, primary data was also provided by the Department for Communities and Local Government. For ACVs this consisted of a redacted table listing all listed ACVs as of Sept/Oct 2015. This included the name of the asset, the relevant Local Authority, the date of its listing, the asset type as identified by DCLG and details of the nominating group where this does not include personal data. This was converted to an Excel spreadsheet by the author, and the data cleansed to reduce the number of asset types by combining categories to make consideration of common types more statistically viable and comparable with the other data sets. For example, all sports and recreation assets were combined into one category, rather than a number of categories each used only two or three times. During this process the assigned asset type was also checked against the asset name and corrections made to those which had been wrongly categorised. The author also added a column for region to enable comparison of use across the country, and for comparison with the other data sets; and the nominating group categories were also cleansed to reduce the number of categories and thus allow for better analysis, for example all residents, allotment and community associations were combined into one, single classification.

Data for Neighbourhood Development Plans was also supplied by DCLG, and was in the form of a spreadsheet detailing the number of neighbourhood areas as of November 2015. This included the name of the plan and relevant Local Authority, as well as the stage of the Neighbourhood Area within the plan-making process. A literature review of the opportunities of neighbourhood planning for local heritage protection, combined with an initial reading of a number of made plans, using memos to record instances where heritage was or might be included, led to the following categories being added to this spreadsheet for analysis:

- Date the Plan was 'Made'

- Who prepared the plan – Parish Council, Town Council or Neighbourhood Development Forum
- The ‘type’ of Neighbourhood Area – rural or urban
- Whether the plan has a specific heritage policy
- The name/theme of the policy
- The heritage type protected by the policy – local, national or holistic
- Whether heritage protection is included in the vision and/or objectives of the plan
- Whether the heritage/history of the area is included as context within background sections to the plan
- Whether it is an aim of the plan to maintain/conserv e local distinctiveness or historic character
- Whether the plan includes a policy to protect ACVs.

4.5 ETHICAL CONSIDERATIONS

In relation to all data collected from Historic England, including designation applications and national significance case study documentation contained within internal files, the author has signed a disclaimer which entitles her to use information on the understanding that she will not use or reproduce any personal information which would be protected by the Data Protection Act, 1998. In addition, all information obtained from DCMS has been provided via a Freedom of Information (FOI) request, and thus any information which is protected under the Data Protection Act has already been redacted.

The University of York’s Ethics Code of Practice states that if ‘data entails interviews, surveys, focus groups, observations, ethnography, photographic/video/visual production, or related qualitative and quantitative information collected from living human beings’, then the author must apply for ethics approval. This thesis does not include any data collected from living human beings, the data all being of a documentary nature. Personal interviews or other ethnographic research methods were not conducted for this research, so this approval was not necessary. The author did enter into e-mail correspondence with the Conservation Officer at Bassetlaw District Council in relation to their local list, however. The officer was asked in advance if he was happy for his comments to be included within this research, and he confirmed that he was.

4.6 LIMITATIONS

The data for national designation applications was collected from the Historic England database very soon after applications began to be submitted. Regular updates were required, therefore, in particular to the decision category, as not all applications had decisions when first collected.

Although general conclusions could initially be made, therefore, it has not been possible to work with a complete set of data throughout the research. This has been compensated for by the use of 'under consideration' as a decision type.

Prior knowledge of the Bradford and Plymouth cases may have biased or at least had an impact on analysis, although the author had no strong feelings as to whether either building should or should not have been listed, and the cases were not active when they were being analysed, this having taken place at least two years after decisions had been made. The use of a wide range of evidence types allows findings to be verified and validated (Berg, 2009, 6). This is generally referred to as 'triangulation' by social and political scientists and is an important feature in counteracting the threats to validity (Fielding and Fielding, 1986, 51).

4.7 SUMMARY

This chapter has outlined the key data that was collected for analysis, the sampling strategies and methodologies used for this, and the analysis undertaken for each data set, the results of which are discussed within the next three chapters. As the discussion above has highlighted, although it was initially hoped to be able to undertake much more detailed discourse analysis of the free-text, narrative elements of each data set, initial thematic content analysis in fact produced enough data to be able to answer the thesis questions, aims and objectives. Only very limited discourse analysis was undertaken, therefore, mainly within case studies. This has ensured comparative data across each of the six data sets. Focusing on content analysis also allowed for a somewhat more in-depth analysis of ACV listing and neighbourhood plans by freeing up some valuable research resources.

The primary data used within this thesis has all been documentary in nature, with no in-person data collection in the form of interviews and recorded discussions. Due to the nature of the data for the national designation applications and case studies, this was not possible. The same was true for the South Tyneside case study and ACV data. To ensure consistency, therefore, the same 'type' of data was collected for each subject area, and in all primary data sets, the framework method has been used to both record the data and draw out themes and categories. This has proved to be very beneficial as it is a flexible recording method that can easily accommodate

grounded methods and re-analysis of the data. The resulting frameworks also allow for further analysis in the future.

Having now set the philosophical and policy legacy background in Chapters Two and Three, and outlined the methodology within this chapter, this thesis will now proceed to consider national and local designation in terms of its issues and potential, discussing the data and the results of the analysis outlined above in three related and linked chapters. This begins with a consideration of the type of heritage that applicants for national designation wish to protect and the often contested nature of the resulting decisions, before moving on to look at the potential and opportunities contained within both Local Heritage Listing in Chapter Six, and the 2011 Localism Act in Chapter Seven.

5 NATIONAL DESIGNATION

The aim of this chapter is to provide empirical evidence for the arguments made in Chapter Two; and to illustrate the contestation which results from the way in which the heritage protection system has developed, as outlined in Chapter Three. These two preceding chapters have shown that not only does heritage include tangible architectural, historical and aesthetic values and more intangible social values, but that in a plural society there are multiple heritages, each valued by different groups for different reasons (Ashworth and Larkham, 1994). Chapter Two set out both the philosophical and theoretical underpinnings of the thesis, developing the guiding concepts and principles used to assess national and local designation in this and the following two chapters. Chapter Three considered the development of protection legislation in order to gain an understanding of how the current system, which is the focus for this chapter, came about. This chapter thus provides evidence with which to answer one of the key questions within this thesis, which is ‘why does the current system result in so much tension?’, and argues that this is because heritage is multivocal, meaning that assets are considered to have significance from multiple perspectives. ‘Official’ interpretations of heritage assets, however, tend to prioritise the normative definition of architectural and historic interest contained within both listing criteria and national and international conservation philosophy. This can often conflict with an ‘unofficial’ and less tangible interpretation which often prioritises social values, resulting not just in contrasting perceptions of significance but in conflict and dissonance (Tunbridge and Ashworth, 1996, 27-8; Jackson, 2014, 204). Taking its lead from Chapter Two, this multivocality is explored within the first half of this chapter through analysis of designation requests. The tension and dissonance resulting from a system in which decision-makers are unable to take this multivocality into account is then illustrated and further explored within the two case studies.

As outlined in Chapter Four, the primary data evaluated within the first part of this chapter has been collected through the analysis of 500 requests for new designations submitted to Historic England in 2010/11. When combined with the two case studies of Bradford Odeon and Plymouth Civic Centre, the results of this analysis outline the increasing disconnect between the heritage that local communities value, and the nationally significant heritage that is designated via the legislation. The development of legislation in Chapter Three has shown that the designation system is very much based around the selection of assets in the interests of an undefined ‘public’ by those who are considered appropriately qualified to do so (Mynors, 2006, 5). As argued in

Chapter Two, however, heritage is what we find significant now, either because it has survived from the past and has become important through the heritage process (see e.g. Smith, 2006); or because it holds social value of a more recent date. This is illustrated clearly in the designation requests analysed for this chapter, and especially in the Bradford Odeon case study.

The multivocality of heritage in a plural society, however, can cause tension when one perspective is considered to be more important, especially when that perspective is not held by the majority. This is illustrated below with the case studies of Bradford Odeon and Plymouth Civic Centre, where the designation decisions were contested by significant numbers of people, many of whom were aggrieved at not being listened to. The discussion that follows these case studies begins to try and answer the question of whether national legislation is still an effective way of celebrating and protecting valued heritage assets. This feeds into the discussion in Chapter Eight of whether national criteria should be widened to include a more nuanced definition of heritage which takes into account the social values attached to heritage assets; or if it should continue to operate as it does, but with greater emphasis on the local protection measures outlined in Chapters Six and Seven.

5.1 NATIONAL DESIGNATION APPLICATIONS

In England, assets which meet the selection criteria and are thus considered to have 'special interest' are designated as such by the Secretary of State for the Department for Culture Media and Sport (DCMS), and are added to the National Heritage List for England (NHLE). This is carried out on the advice of Historic England, the government's non-departmental statutory adviser (Jackson, 2013, 104). As outlined earlier in this thesis, there are a number of different categories of heritage that can be designated. Three of these (listed buildings, scheduled ancient monuments, and historic wrecks) are statutory, with decisions on their addition to the NHLE made by DCMS. The Register of Parks and Gardens and Register of Historic Battlefields, however, are non-statutory with decisions on these being made by Historic England rather than the DCMS. Conservation areas, although enabled via National legislation, are not included here as they are designated by Local Planning Authorities. At present, there are nearly 400,000 entries for designated assets on the NHLE. Of these, 94.6% are listed buildings, and 4.99% are scheduled monuments, the remaining 0.41% being Protected Wrecks, Parks and Gardens and Battlefields (Wade, 2017). Despite the legislation for scheduling having been the first to be introduced, therefore, the majority of 'national' heritage assets in England are buildings and structures.

Assets are assessed for designation either as part of strategic projects, or following specific requests. From 2005, Historic England has administered the processes for all national

designations and in 2010 an online application form was introduced. The application form has standardised the request process, and in relation to the research for this thesis, has ensured that there is comparable data for each application analysed. Applicants are asked to include information under at least one of the following headings in a 'reasons for applying' section: historic interest; archaeological interest; architectural interest; and artistic interest. When assessing assets for designation, Historic England considers these four interests (values) against the relevant criteria, and the 2011 guidance for applicants (English Heritage, 2011b, 7) states that: 'All of these criteria have two components: the nature of the interest or significance that defines the designation and the relative importance of that interest or significance. Significance, as defined in the Planning Policy Statement 5: Planning for the Historic Environment, encompasses all of the different interests that might be grounds for designating a heritage asset'.

This was updated in 2013 to take account of the National Planning Policy Framework, and a change in process which hoped to reduce the number of individual applications to allow more time for strategic project work. As the analysis in this section relates to applications made in 2010/11, however, it is the previous application guidance which is most appropriate to consider here. It is useful to quickly note here, however, that applications are now only taken forward for assessment if the asset is under serious threat of demolition or major alteration; is one of HE's strategic listing priorities; or has very strong potential for inclusion on the NHLE (<https://www.historicengland.org.uk/listing/apply-for-listing/>).

As discussed in Chapter Two, the significance of heritage assets is considered by most within the heritage sector to be a singular concept with a scale of importance, and thus assets with the highest level of significance are considered to have special interest in a national context and are designated. Those which do not meet the criteria are considered to have relatively low levels of significance; with the rejection often stating simply that the assets is 'not of special interest'. However, while they are not considered to be of special interest in relation to 'expert' understandings of heritage significance, the assets which are the subject of designation requests are often very important to the local community. A decision which states that the asset is 'not of special interest', therefore, is often the trigger for contestation and debate, particularly with sites which are considered to be iconic local landmarks, such as the Bradford Odeon building, which is discussed below. This is because there is often a high level of social value in the local significance of an asset, and this is not something that can be included in designation assessments. The 2011 application guidance, for example, states that 'condition is not a relevant consideration in the designation ... Similarly, economic and social factors cannot be taken into account during the assessment process' (EH, 2011b, 4). The key phrase here is 'not a relevant consideration', which is

often used when outlining information submitted in support of an application where this largely discusses the social value of an asset.

The online application form that was introduced in 2010 was considered to be a way of widening public involvement in the designation process, a key aim of the heritage protection review in the 2000s. In reality it made little difference to the number of applications received by historic England though, which continued to be approximately 2000 per year. In addition, it is difficult to define this as public participation given that applicants simply fill in a form and then wait for the results of an assessment carried out by the ‘experts’ at historic England. A web page through which members of the public could vote for assets and themes which they would like to be included in strategic project work had also been envisaged by HE during the review. However, following the development of the National Heritage Protection Plan (NHPP) (English Heritage, 2011c), this was not taken forward as the NHPP was developed using the results of a public consultation, and now provided the focus for designation project work. These issues of defining significance, representation and participation were considered during the analysis which is discussed below.

5.1.1 ANALYSIS

The methodology used to collect and analyse the first 500 applications for new designation made via Historic England’s online application form launched in 2010 is outlined in Chapter Four, and includes a grounded interpretive approach of thematic content analysis using the Framework method. Although all categories of designation can be applied for via the application form, 89.6% of those analysed were for listing (table 3). As listing is one of the most well-known designation types, especially given that the majority of nationally designated sites are listed buildings; this is perhaps to be expected. In fact, even where another heritage type is more appropriate, such as scheduling or registration as a Park and Garden, applicants will tend to state that they would like the asset to be ‘listed’, and the combined National Heritage List for England (NHLE) was so-named due to the more common use and understanding of this term.

Heritage Category	No. of applications
Listing	448
Parks and Gardens	12
Scheduling	33
Uncertain	4
Wreck	3

Total	500
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Table 3 Number of applications per heritage type

Applications for statutory designation can be made by anyone, regardless of knowledge, background or expertise (Jackson, 2013, 104), and although a large number of applications were submitted by conservation officers and national societies, almost half the applications analysed, 49.2%, were submitted by members of the public (fig. 4), although this does not include owners/occupiers or applicants specifically associated with a local group of society, both of which could of course be considered to be ‘members of the public’. The second highest being applications from Local Authority Conservation/Archaeology officers at 15.8%, followed by local societies/groups at 14.6%.

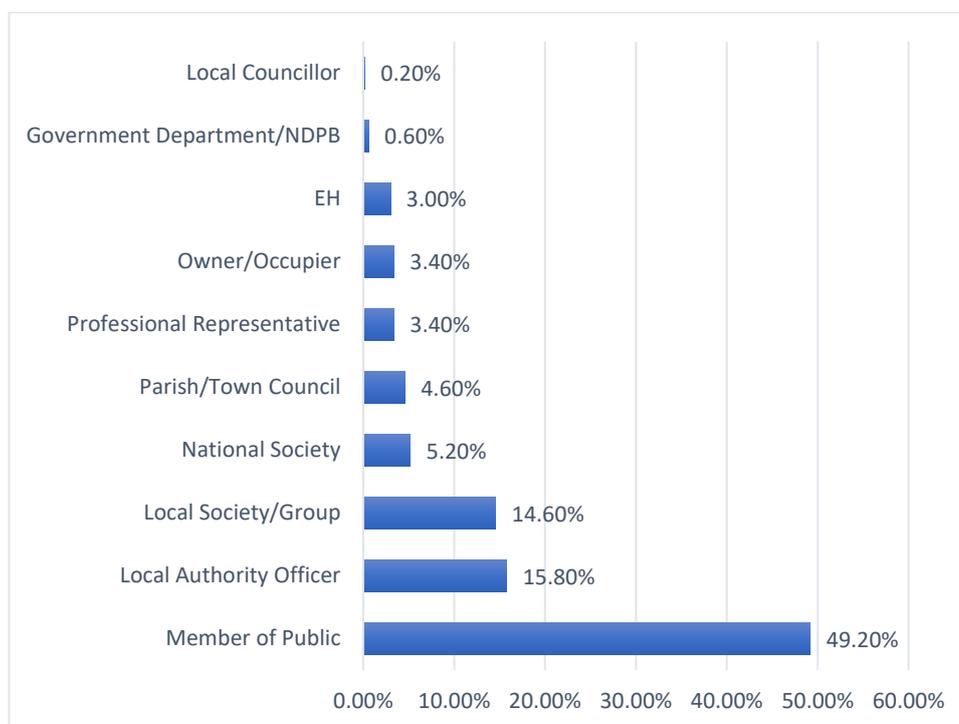


Figure 4 Percentage of applications made by applicant type

Of those submitted by members of the public, however, 7.7% were from the same applicant. Most members of the public will apply for only one site to be assessed, often a cherished local landmark. However, although the initial applications made by this applicant were done so due to frustration at the lack of care and attention being paid to the heritage in his local area, he then began to focus his applications towards buildings by architects that he liked or which were of a particular architectural style. In addition, on learning that there is a presumption in favour of listing war memorials, he began to focus on these, stating that ‘the ones I have applied for so far tend to be either very unusual in design and/or by recognised sculptors/architects’ (Schofield, 2011). None of this applicant’s requests therefore, refer to the local significance of the assets, and

in fact many of the assets he applies for are not local to him, unlike most applicants who tend to apply for assets within their local area.

Almost half the applications analysed, therefore (44.4%), refer to the local significance of the asset. The application form itself does suggest that applicants may wish to 'add some comments about the significance of the heritage asset to the local area or community' in a final 'any other comments' section (English Heritage, 2011a). However, over 89% of applicants referred to local significance in earlier stages of the form before having seen this, suggesting that it was not mentioned simply to fill a box. One applicant, for example, stated that 'I understand that this building is not an exemplar, but I believe it to be a good example and important to the local history' (Application no.199). Although 55.6% of the applications do not make reference to local significance, therefore, this may be because the guidance has been read and taken into consideration, not because it is not of local significance. In addition, many of the references to local significance include the social values of the asset, despite the 2011 guidance for completing the form stating quite clearly that social factors cannot be taken into account during the assessment process (English Heritage 2011c, p.7). This suggests that even though applicants are aware that the asset will not be designated due to its social value, they want this to be recognised and understood by the decision-makers.

Historic England's Conservation Principles (HE, 2008, 72) defines heritage significance as 'the sum of the cultural and natural heritage values of a place', and as outlined in the Introduction to the thesis, this is the definition used within this research and applies to both national and local significance. Although the criteria and principles of selection for the various designation categories does not use the term significance, instead using 'importance' or 'special interest', the NPPF which provides planning policy in relation to these does, and therefore most of those in the heritage sector now commonly use the term 'significance', although as noted in Chapter Two there was some debate about what this meant when it was first used in PPS5. The values referred to within the Conservation Principles document include aesthetic, communal, evidential and historical. These can of course be broken down further into other, more specific values, and the local significance referred to in the applications assessed for this research has been classified according to a number of values which became evident during the analysis (fig.5). Where more than one value was referred to, the application was categorised according to the value that appeared to be most prominent within the reasons for applying section, for example an applications for the 'Big Crane' at Buccleuh Dock, Barrow-in-Furness was described within the various sections of the application form as 'the last surviving example', 'a unique structure in the County', forming 'a backdrop to significant areas of the town', providing 'a strong historical

perspective’, and ‘a local landmark familiar to all in the town and the surrounding Furness area’ (no. 33). It was therefore categorised as ‘local landmark’.

These values used to categorise the applications referring to local significance are as follows:

- Architecture/history: typical architecture for the area or relating to the general history of a place. An application for a Reading Room, for example, stated that the building is ‘an integral part of the economic and social development of the village’ (application no. 66).
- Emotional attachment: an asset which is described, for example, as ‘loved’ by the community, such as an education building in London described as being ‘embedded in the collective memory of Kentish Town and Camden Town’ and ‘well-loved in the community’ (application no.479).
- Historic Event: an asset which is noted as relating to a specific, past event
- Local amenity/resource: an asset used by the community as, for example, a meeting venue
- Local distinctiveness: assets which are described as adding to the character of the area, being a valuable part of the local streetscape, or providing sense of place. An application for a barn in Sandford, Devon, for example, stated that the building is ‘an intrinsic element of the character of the rural village layout.’ (application no. 72)
- Local Landmark: assets which are described as local landmarks, symbols or icons
- Local rarity: this is closely related to local distinctiveness, but is more specific to the asset in question, being described, for example, as ‘one of the last remaining original cotton mills in Farnworth’ (application no. 349).

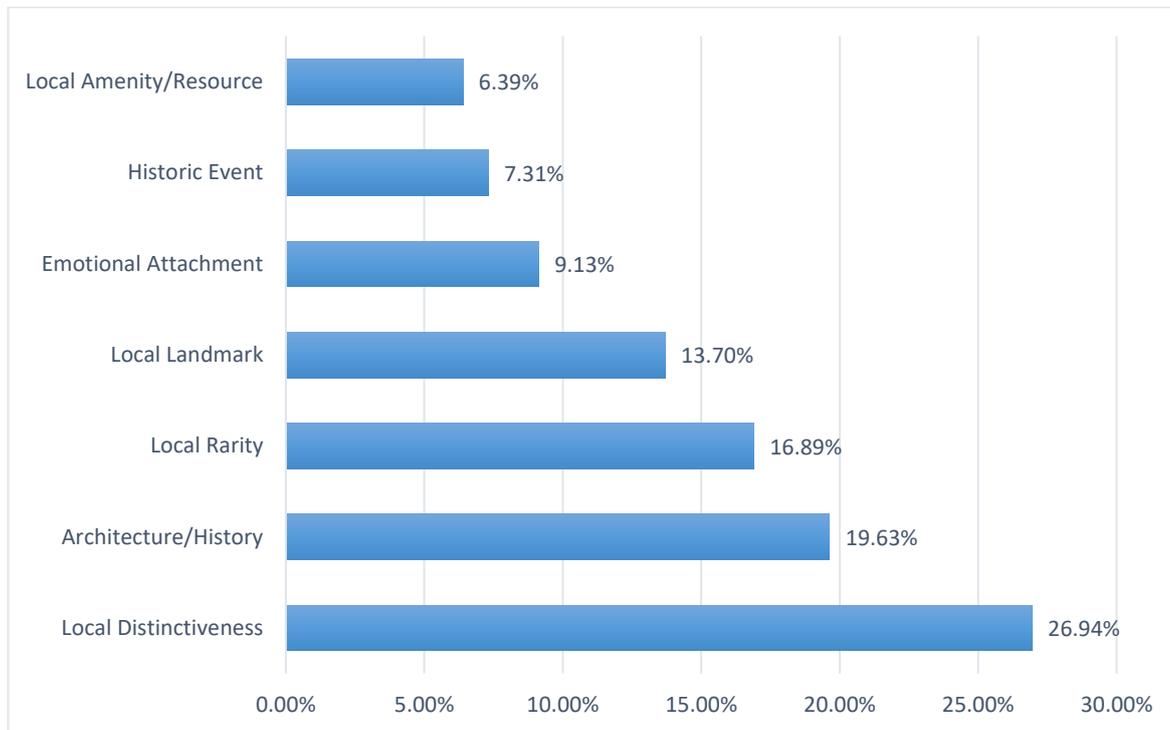


Figure 5 Local Significance Values Referred to in National Designation Applications (% of all applications which refer to local significance)

Apart from a concern for local forms of architecture or the representation of the history of a local area, all other values identified above could be interpreted as social or communal values as defined in Chapter One and discussed in Chapter Two. Communal value within Conservation Principles is defined in much the same way as social value within both this thesis as the ‘value derived from the meanings of a place for the people who relate to it, or for whom it figures in their collective experience or memory’ (HE, 2008, 72). Examples of this are clearly evident within the applications that refer to local significance, with applicants writing for example that ‘The hospital has played a key role in the life of the community in Moreton-in-Marsh for over 100 years and is much valued by the people of the town’ (application no. 124). The identity and personality of most towns is derived from the way in which buildings and places come together to create a recognizable local townscape (Nasser, 2003). Local distinctiveness (sense of place) is, therefore, the most common value referred to in the applications for locally significant assets at 26.94% (see fig. 5.2) The term ‘local distinctiveness’ was developed by the organisation Common Ground in the early 1990s (Clifford and King, 1993), and relates to the relationships between people and the places that are important to them (Common Ground, 1993).

The seemingly ordinary and commonplace buildings and spaces which make up the street scene characterise the local area and provide a sense of place (Clifford, 2001; Schofield and Szymanski, 2011). They are often symbols and carriers of meaning, and their familiarity and desired protection is therefore an emotive force reflecting both memory and identity (Hobson, 2014; see

also Carman, 2002; Grenville, 2007; Lowenthal, 1991; Ross, 1991). An application for a village water pump in Leicestershire, for example, stated that ‘this historic feature of the old way of life of the village may be lost if it is not given some official status’ (application no. 366). Local distinctiveness is not about separating out the many views, but recognising their synergism (Clifford and King, 1993, 17). In this context, therefore, applications have been categorised as relating to ‘local distinctiveness’ when they refer to the local street scene, or suggest that the building adds character to the area, as opposed to local land marks which are valued as a distinct, bounded site. These are values that national designation criteria cannot take into account, not because they are ‘local’ as opposed to ‘national’, but because these social values do not fit into the positivist paradigm of special interest. It is worth remembering here that when the first Town and Country Planning Act of 1944 brought in the listing process for historic buildings, it was made clear that only the expert investigators should be involved in the assessment process, with debate about the merits of the building more appropriate after it was listed (Saint, 1996, 128). This process is retained today as considerations of significance and social value via the NPPF and Conservation Principles only occur once the asset has been designated.

The demolition of a familiar, locally distinctive, building removes an element of security, often provoking a sense of fear and disorientation (Magdin, 2009; Grenville, 2007), often resulting in hostility from the local community (Hubbard, 1993; Schofield and Szymanski, 2011). Just over half the applications were made as an attempt to ‘save’ a piece of heritage from the threat of demolition or alteration, with 41.10% of those under threat being subject to planning/redevelopment proposals, and 25.34% facing demolition (fig. 6). The case studies in the academic literature which relate to the contested significance of assets in relation to designation, suggest they become heritage when they are threatened (e.g. Benton, 2010; Gibson, 2009; Gürsoy, 2008; Fairclough, 2008; Schofield, 2009). In this analysis, 68.92% of the applications which refer to local significance were submitted due to threat, compared with only 50% of those that did not. However, while the construction of heritage due to threat could well be the case for a number of applications, many assets will have been significant to the local community for many years, but with no threat statutory protection was not considered necessary. Contestation often occurs as a result of non-designation in these cases because it is assumed that statutory designation is the only way an asset can be protected from demolition, and this is one of the key reasons why this thesis considers the potential of local lists and Big Society opportunities in Chapters Six and Seven. Campaigns for protection as a reaction to threat can, however, raise the value and profile of those buildings, and therefore transform public preferences so that other buildings of the same genre will be seen as more significant than previously, and will be more likely to be chosen for protection (Hobson, 2014). The campaign to save Euston Arch in the 1960s

for example, led to a new appreciation of Victorian architecture that has continued to be advocated by the Victorian Society, which was founded during this campaign (RIBA, n.d.).

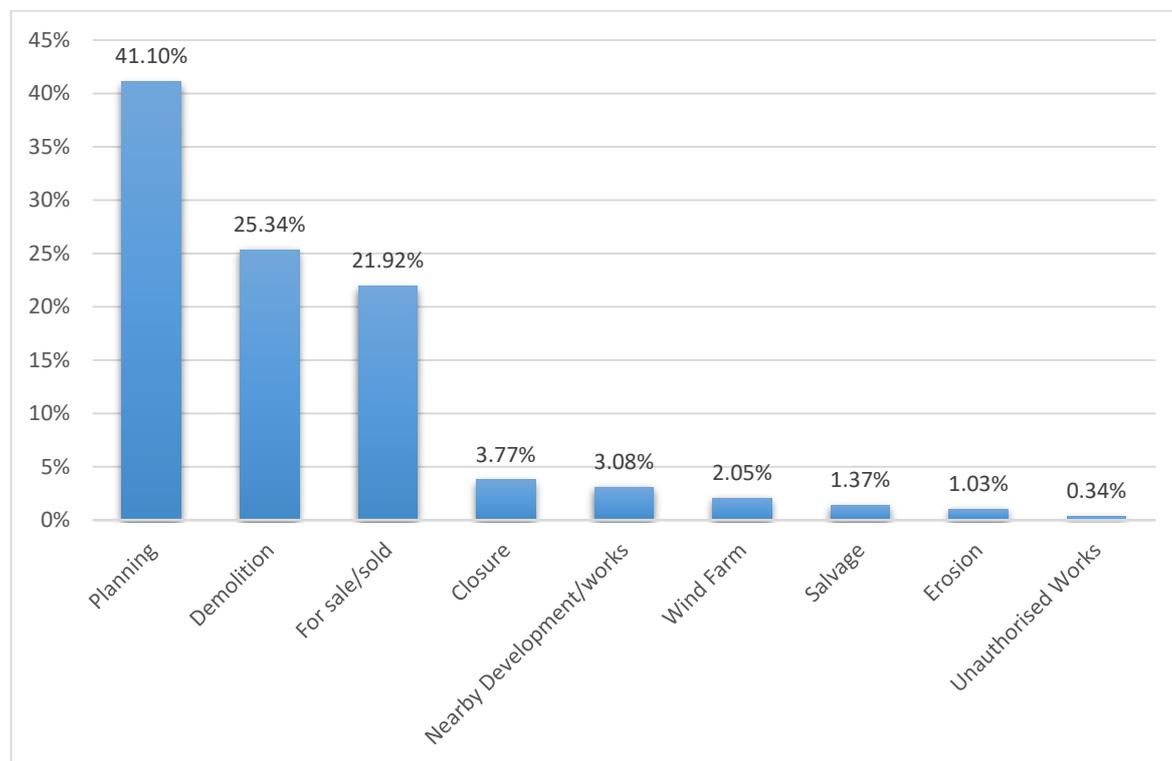


Figure 6 Types of threat noted in applications (% of applications for threatened assets)

Many people do, however, try to use designation as a way to try and stop unwanted developments, rather than to protect the significance of an asset, stating for example that, 'The new building will dramatically spoil any views the current residents have of the lovely gardens.' (application no. 292). This 'type' of application can be classified as an attempt to protect the personal heritage, or personal space, of the applicant from nearby development proposals. These have thus been categorized as NIMBY (Not In My Back Yard) applications, and account for 5.8% of the applications assessed. As discussed in Chapter Two, though, it is essential to understand and recognise the distinction between nodes of perception to be able to reach an understanding of the tension between national priorities and 'nimbyism' (Schofield, 2009, 105), a focus on which can often mask the deeper significance of the asset to those who are campaigning for its future. Indeed, speaking at the launch of the Bradford One group in October 2012, TV presenter Griff Rhys Jones encouraged people to get involved with the campaign to secure a future for the Odeon Building, which is discussed below, and said 'don't get involved just to say don't build this, or don't build that, ... or to be a NIMBY about it (Yearley, 2013a).

The types of assets that Historic England are most frequently asked to designate are understandably those which are more prone to the threat of alteration or demolition. Overall, the

highest number of applications (23.4%) were consequently for domestic buildings, of which 72.6% were under threat, with commercial buildings (public houses, shops, offices etc.) being the next highest at 10.4%, 65.4% of which were threatened (fig. 7). However, within those that refer to local significance, the types of asset that are most commonly applied for are a little different (figs. 8 and 9). Although domestic assets are the highest for both, for locally significant applications commercial buildings are the second highest, in contrast to agricultural sites for applications. Industrial buildings and street furniture are also high within locally significant applications. This is because these buildings are often focal points or landmarks in the local area, which are well-known and used regularly by members of the community, with people often having an emotional attachment to them. Indeed, as Cohen argues the consciousness of a community is often kept alive by manipulation of symbols, rituals, myths and rhetoric (1985, 14-15). One of the applications, for example, was for a public house which overlooks a village green. Given its location, it had become a focal point for local meetings and celebrations, with the local Morris dancing ring traditionally holding dances there, even though it is now closed (Fig. 10).

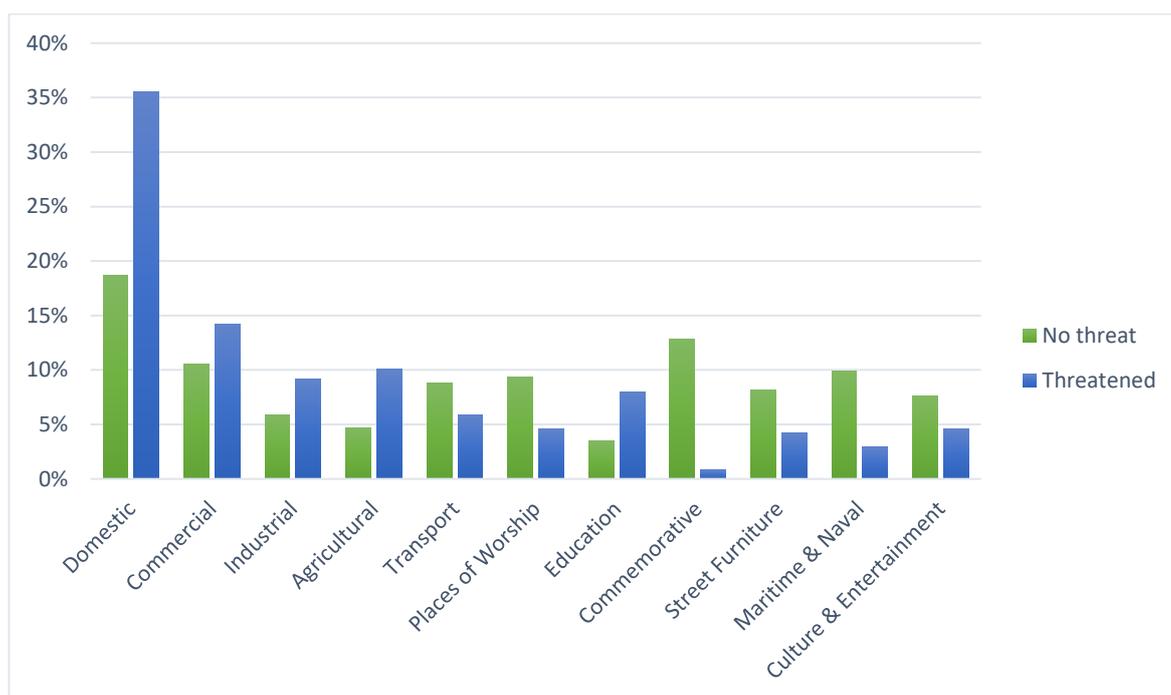


Figure 7 Ten most common asset types within applications, including the % of those that are threatened

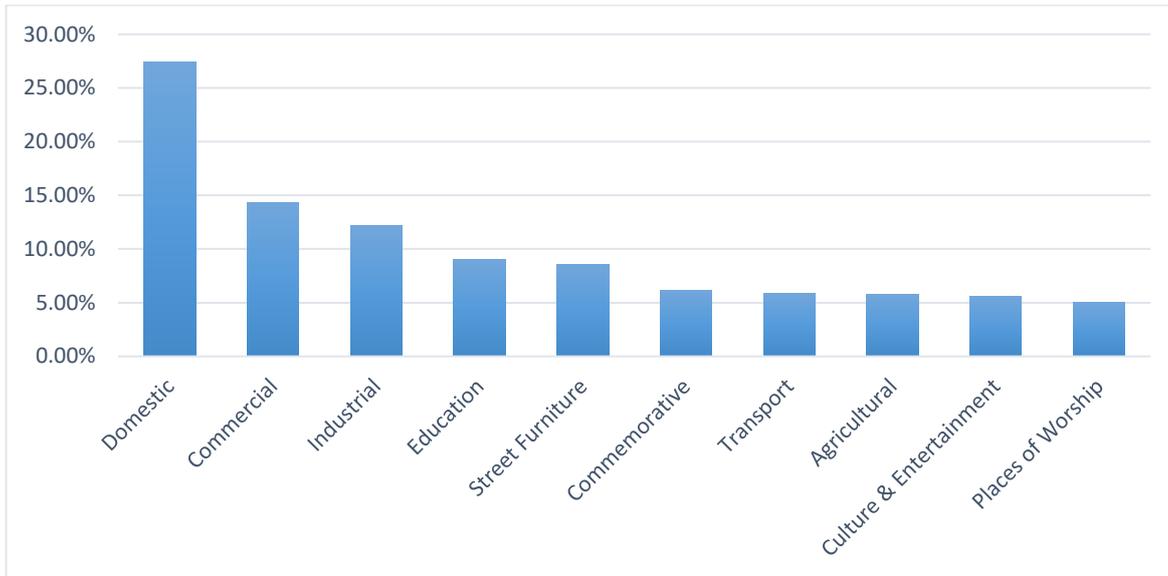


Figure 8 Ten most common asset types requested for designation by those that refer to local significance

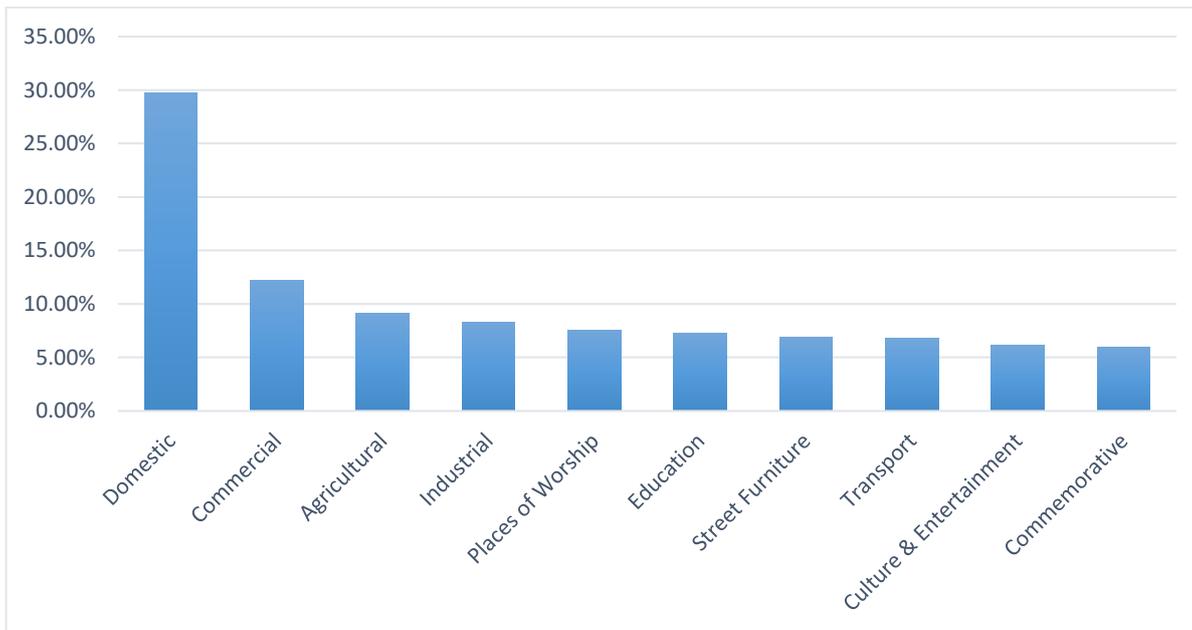


Figure 9 Ten most common asset types, full data set



Figure 10 Fox Public House (Source: Application number 37)

When assessed under the current criteria, many of the applications for locally significant assets are turned down because they do not have kind of special interest required within listing criteria, especially where the key aspect of an asset's significance outlined within an application is social value, which cannot be taken into account. Overall, 61.99% of the applications were turned down, and only 16.46% resulted in a new designation, although 21.5% were still under consideration when the data was collected (Fig.11). However, when looking only at those that refer to the local significance of the site, the number which are rejected goes up to 71.63%, and the number designated goes down to 12.56%. Interestingly, eight applications for which a 'decision' is not possible were for buildings which are already designated, and half of these were considered to be threatened, one by demolition.

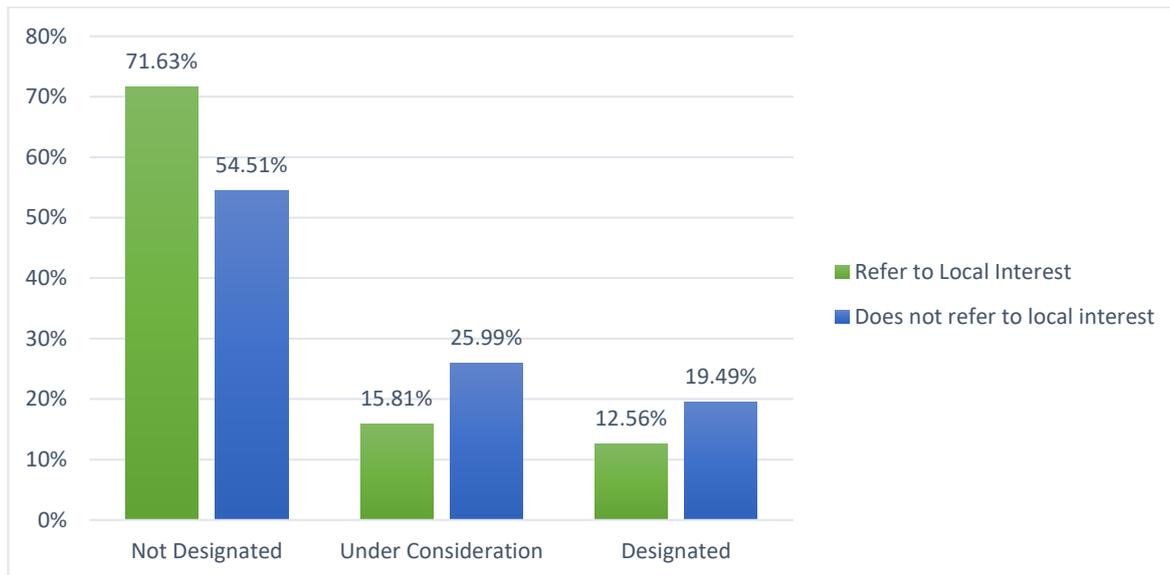


Figure 11 Designation decisions for the applications assessed

Although the majority of applications did not result in statutory designation, 31.85% of the applications were for assets which are already within a local Conservation Area, which does carry some statutory control in relation to demolition. However, 24.32% of the assets recorded as being under threat of demolition were in Conservation Areas, suggesting that either applicants were not aware of this local designation, or that it does not offer the protection that applicants desire. In fact, 18.33% of sites which were threatened with planning and in a Conservation Area, and 12.16% which were threatened with demolition and in a conservation area, were submitted by members of the public, compared to 3.33% and 1.35% respectively by Local Authority staff.

Applications are not always made simply to ensure that the asset is retained, however. Of those assessed, nearly 10% express an explicit assumption that if the site is designated this will ensure continued or future use. This is especially the case for buildings traditionally having social or community value, such as libraries, churches, and theatres. In addition, 81.25% of these are applications for buildings which are threatened by planning, demolition or sale. The majority of these applications assume that the building will have to continue to be used if designated, with applicants stating for example that 'we would like to ensure the building is protected and still used as community space' (no. 180; see also Jackson, 2013, 105). Other applicants, though, refer to the possible future use of the buildings should they be listed suggesting, for example, that the building 'should be made into a museum' (application no.123); or that 'it could be put to variety of uses within the local community.' (application no.209). A final group of applicants also hope that designation will mean that the asset will be maintained, repaired and restored, stating for example that designation 'will ensure that a viable and sustainable future is found for the site' (application no. 14). However, listing in itself does not necessarily ensure that the building is

maintained, and as Brady (2011) has found, listed buildings are often left to decay, even where they are in the ownership of the local council.

5.1.2 SUMMARY

From the results outlined above, it is clear that although just over half the applications were made as an attempt to 'save' a piece of heritage from the threat of demolition or alteration, many of the requests would seem to have been made because the asset is valued by the local community, and they wish for this to be recognised through national designation. In many ways it is therefore similar to the applications made by countries across the world for sites to be added to the World Heritage List, which Rakic and Chambers (2007) argue is now perceived essentially as an accreditation scheme which provides a measure of quality and uniqueness. However, this analysis has also shown that individuals and local communities no longer simply support conservation; they are now becoming actively involved in seeking to have their own sense of heritage acknowledged and legitimised (Smith and Waterton, 2009, 36). The values attached to locally significant assets, however, are not necessarily the normative values included within designation criteria and used to assess national significance. As this analysis had shown, for many applicants it is the asset's place in local distinctiveness and other social values which make up its significance.

The national designation system excludes large numbers of locally significant buildings. While this is to be expected given that it is a national system and not a local one, in dismissing them assessments based on government principles of selection state that they are not of special interest and thus not in fact significant. This often causes dissonance as it appears that the local view is not considered to be valid. Thus, although the academic community, and in many cases those who manage assets once designated, has now recognised that there is a multivocality of significance at heritage sites, with different 'types' of significance associated with assets for different reasons, this is not yet recognised by those involved in the decision-making process for designation. Here a scale of 'levels' of significance (national, regional, local) is used, with National automatically defined as more significant than local rather than significant for different reasons due to its significance being made up of different values. Not understanding this difference by both the applicant and the decision-maker, and those in authority prioritising their value system as more valid and legitimate, often results in tension and conflict (Belford, 2011; Gibson, 2009; Palmer, 2008; Schofield, 2008, 2009; Smith, 2004; Tunbridge and Ashworth, 1996). This conflict is now illustrated with the two case studies below, in particular Bradford Odeon which has seen a number of demonstrations, petitions and campaigns to 'save' it since its closure in July 2000.

5.2 CASE STUDY: BRADFORD ODEON

One site which has received a large number of designation requests over the last few years is the former Odeon building in Bradford, West Yorkshire (Fig. 12). This building, designed in 1929 by local architect John Illingworth, was opened in 1930 and is an iconic structure on the local street scene, with many of the applicants advocating its strong visual relationship with the listed Alhambra Theatre which is adjacent to it (English Heritage, 2009). Given the iconic nature of the building, and its proposed redevelopment, the numerous applications made for its designation have received significant press interest and resulted in a large number of letters being sent to both Historic England and DCMS, all of which argued vociferously for its retention. These letters, and their associated designation applications and review requests have been analysed here to illustrate the inherently contested nature of heritage discussed in Chapter Two, and the multivocality of heritage significance made clear in the data analysed in the above section. This case study looks more critically at these and draws out a number of key issues, which are also clear at Plymouth Civic Centre in the next section.

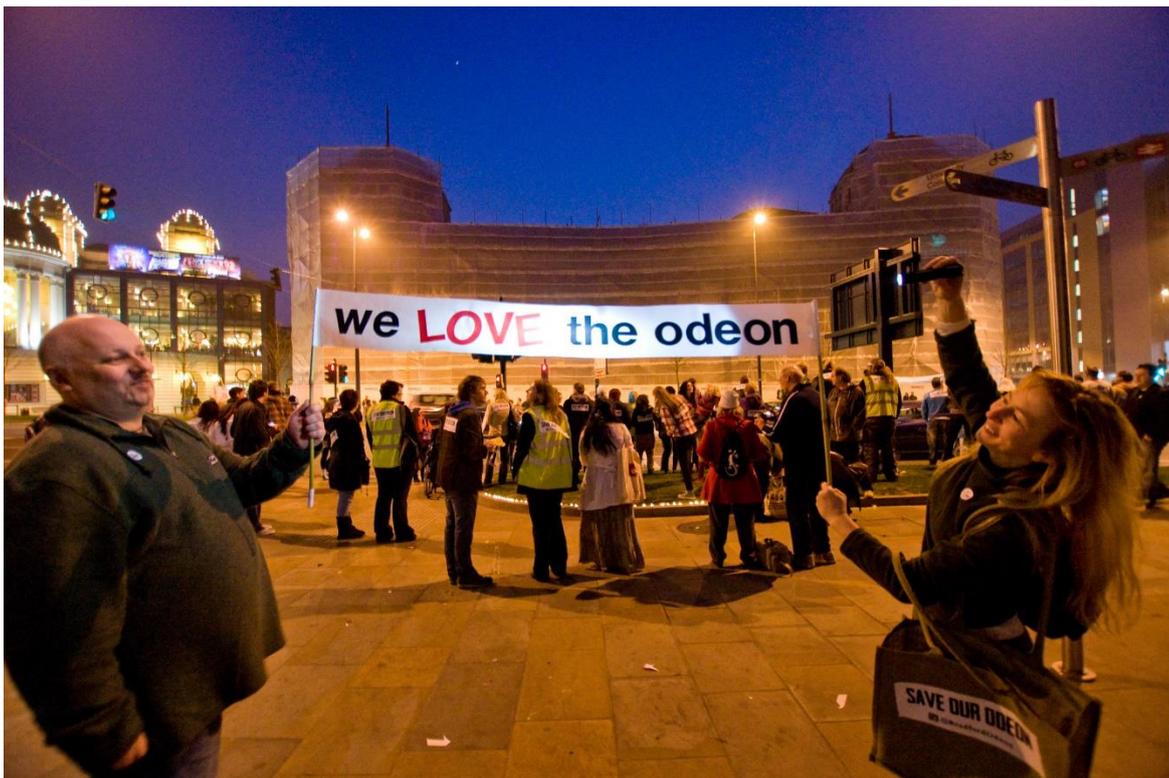


Figure 12 Campaigners outside the Bradford Odeon building (Source: © Roy Templeman)

5.2.1 BACKGROUND

Originally the New Victoria, the Bradford Odeon building was opened by the Gaumont Picture Corporation in 1930. It is thought to have been the third largest cinema of its day, with over 3300 seats as well as a dance hall and restaurant (HE, 2009), and it was designed to complement the

neighbouring Alhambra Theatre of 1914 (Sutton, 2006). The cinema was subsequently bought by the Odeon chain, and in 1969 was extensively altered with the upper part of the main auditorium being subdivided to create two cinema screens, and a bingo hall being inserted into the stalls area below (HE, 2009). It was further altered in 1988 when the former dance hall was converted to include another cinema screen. The original public circulation spaces and foyers had also been extensively altered by this time (HE, 2009). In 1997 the bingo club closed and the two tower entrances were boarded up, and in April 2000 it was announced that the Odeon screens would also close, with the final show being on 2nd July (Nicholson, 2008). Following this it was sold in 2001 and had planning permission granted for demolition. However, the new owners withdrew this and put the building back on the market. It was then bought by the regional development agency Yorkshire Forward in 2003, and passed to Bradford Centre Regeneration (BCR) for redevelopment. The building was to be demolished as part of a redevelopment master plan prepared for the city, although early versions of the plans did retain the towers. These proposals resulted in a huge public outcry, as the local community did not (and still do not) want the building to be demolished, preferring instead to see it restored and re-opened. This has resulted in the creation of a number of groups, including the Bradford Odeon Rescue Group (BORG) which was founded in 2004 after a year of petitioning and other campaigning by the Chairman and his wife (BORG, n.d.a). The group was, in fact, set up at the request of a Bradford Council planning committee in the hope that they would work alongside BCR to explore all options for the site (BORG, n.d.a).

In 2011, as part of the Big Society agenda, the Coalition Government removed all regional regeneration agencies as part of the removal of regional government, which meant that ownership of the Odeon transferred to the new Homes and Communities Agency (BORG, n.d.). A year later, the development agreement which included demolition of the building was terminated by the Agency and in November 2013, after several months of negotiations with Bradford Council, the Homes and Communities Agency 'sold' the building to Bradford Council for one pound (BORG, n.d.). Following this potential developers were asked to submit expressions of interest for the sympathetic redevelopment of the site. One such expression was submitted by Bradford One, a group which evolved from a 'Save the Odeon' campaign group, and was formed as a social enterprise with a Co-operative structure, which meant that if successful, the 'people of Bradford' would own the Odeon building (Bradford One, n.d). However, despite significant support from the local community, their bid was rejected by the Council on the 5th of August 2014. Current plans for the site by a rival group are still awaiting final agreement, but if successful will see the building returned to a concert hall, with the former Bingo Hall and two cinemas above being removed to recreate the original auditorium (Bradford Live, n.d.).

5.2.2 DESIGNATION APPLICATIONS

The building had been assessed for designation in 1996, when it was still operational, as part of a thematic survey of cinema buildings, and was considered to be too altered to meet the criteria (EH, 1996). However, the proposed demolition in the 2001 plans led to a significant number of requests for the building to be reconsidered for listing, with formal applications being made in 2001, 2004, 2005, 2007, 2008 and 2011. In each case, however, the decision has been not to list the building, and a Certificate of Immunity (COI) from listing was granted in 2009. In fact, due to this immunity from listing, the 2011 application was for the site to be scheduled rather than listed. Throughout this time, local residents have continually flooded the local press with fierce letters of opposition (Nicholson, 2008), most of which expressed a deep emotional attachment to the site, with memories of past events at the theatre being a key item in the letters.

These applications and associated letters of support have been analysed for this case study, along with the decision assessments prepared by English Heritage. Within the applications and the letters, a number of common themes emerged during their analysis (Appendix Two). These are discussed below and can be grouped into three main areas as follows:

- Disagreement with and contestation of expert decisions
- A focus on the Social Value of the building
- A clear desire for the building to have future use

5.2.3 ANALYSIS

As well as contesting the decision to demolish the cinema, the numerous listing decisions have also been contested, with a 'them and us' rhetoric being clear in much of the correspondence, and many suggesting that the 'experts' at English Heritage simply do not understand the building because they are not from Bradford (Fig. 13). One correspondent, for example, stated that 'I felt very sad indeed that a building designed in 1929-30, with such a grand exterior can be dismissed so thoroughly by a [redacted word] who obviously has not visited the site or spoken to we, the citizens of Bradford, to whom this building is held very dear' (Letter to DCMS, 28.09.08). Bradford Council are similarly blamed for not listening to 'Bradfordians', also due to an apparent lack of understanding, with one correspondent to English Heritage, for example, asking the organisation to 'please help the people of Bradford to save the Odeon, and to stop any further destruction of our city by the 'experts' who are outsiders and have no feeling for our city' (Letter to EH 18.08.1005). The 'them and us' rhetoric means that a campaigning vocabulary is therefore dominant, with correspondents stating for example that they are writing 'regarding the fight to have the 'Odeon' building listed' (Letter to BORG Campaign Group, 19.02.04), and with many of

the letters explicitly use terminology such as 'fight' and 'battle'. The 2004 application also included a petition of 3,500 signatures.

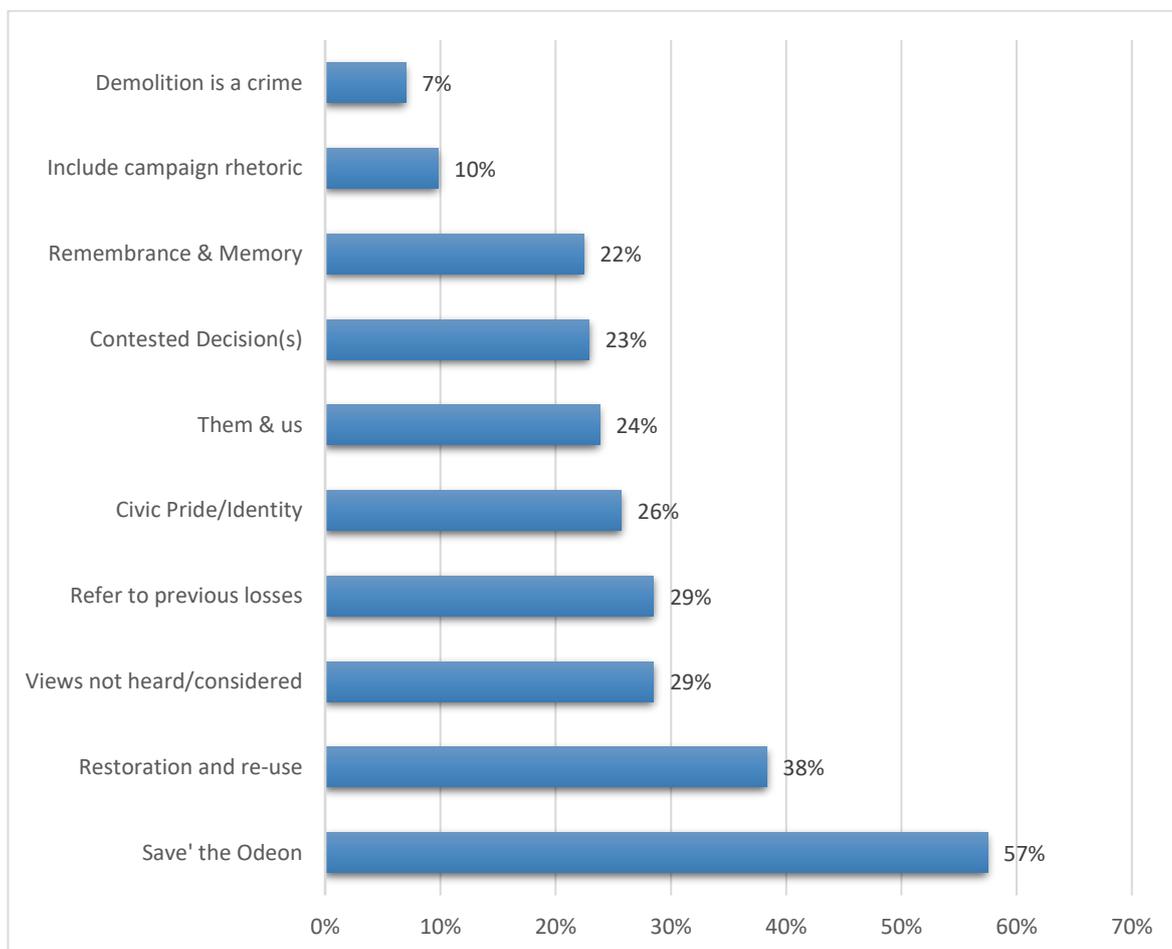


Figure 13 Themes within letters RE Bradford Odeon (applications which referred to local significance)

Another theme within the letters is comparison of the 2003 redevelopment proposals with those of the 1960s, which had included the demolition of a number of sites and buildings that were key elements of the local street scene. Bradford Council are explicitly blamed for this, with correspondents asking 'please don't let us destroy another one' (Letter to BORG Campaign Group, 28.01.04); and stating that 'the council has in the past demolished many fine Victorian buildings, despite protest from the public. It seems that they are intent on continuing their destruction of our heritage and I would like them stopped.' (Letter to EH 05.08.2014). This 'destruction' is considered to be due to those in a decision-making capacity being 'outsiders'. The objective and dispassionate assessment of the building by the national 'expert', is at odds with the strong social values of this site evidenced by the number of letters which refer to values other than architectural and historic interest, and those which include, for example, memories and remembrance (Fig .14). This is rarely included in designation advice reports (Davis, 2008; Clifford and King, 1993), as Historic England are unable to take social value into account during their

assessment of the building (e.g. EH, 2011b). In contrast, if the building were to be designated, its social value could potentially be taken into account in any planning/development proposals via consideration of communal value as set out in Conservation Principles if the Local Authority has chosen to incorporate them into its planning work.

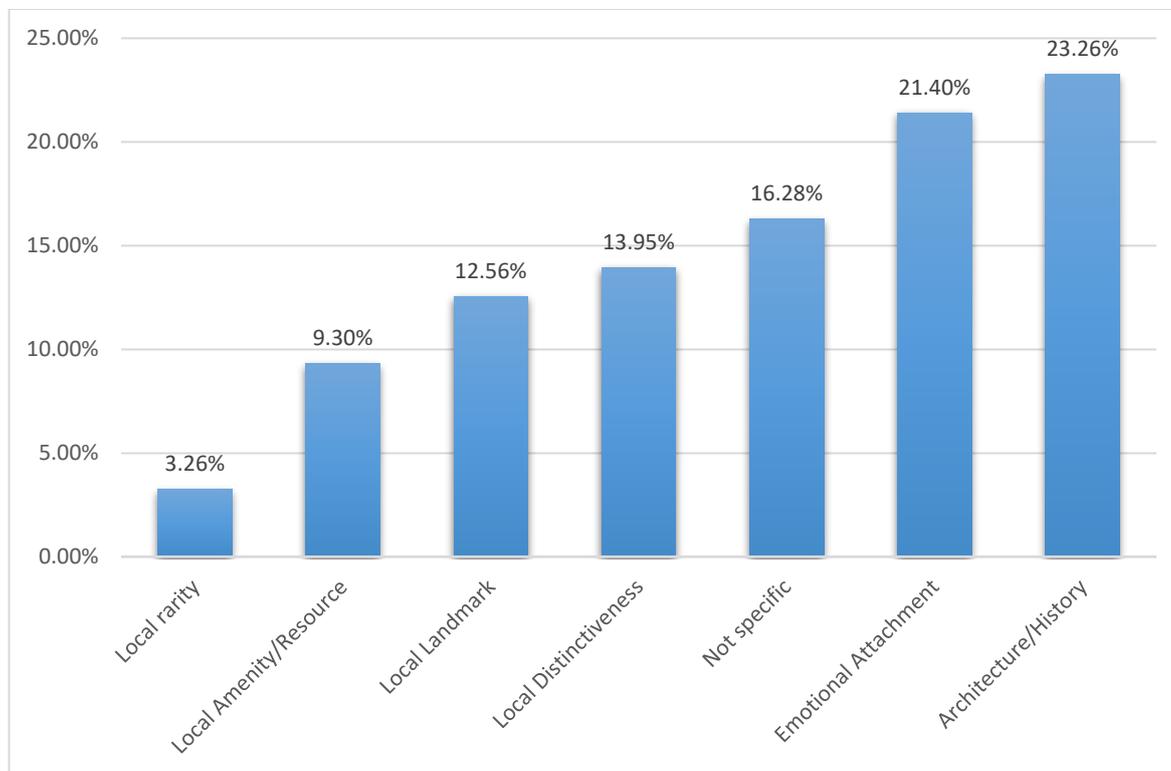


Figure 14 Primary Values referred to in Bradford Odeon Correspondence

Most of the applications and associated letters of support do note that the building has been previously assessed for designation and rejected. However, all argue that the previous assessments were not carried out properly, and that the building was not fully understood. Every decision has also been reviewed⁴, with the 2007 review applicant arguing vociferously that both HE and the DCMS did not follow due process and had therefore compromised the building, stating that they felt ‘enormously let down, frustrated and distressed that English Heritage and DCMS have made this so very difficult and unnecessarily challenging’ (Letter to Bradford MP, June 08). They suggested that EH had aided the developers by omitting details about aspects of the building, which they believed had consequently lead to the Secretary of State taking the decision not to list. Similarly, despite a full inspection of the building having taken place in 2007, and some were still concerned that the building had not been fully understood, stating that the Secretary of

⁴ The Secretary of State can be asked to review their designation decision within a period of 28 days after the decision has been issued by Historic England. This is not an appeal process, however, as requests for the decision to be reviewed will only be accepted if new evidence comes to light which would change the original decision, or if due process was not followed during the assessment (<https://www.gov.uk/how-to-challenge-our-decision-to-list-or-not-list-a-building>).

State 'may not realise how crucial a thorough and fair assessment of this matter is for the city.'
(Letter to Secretary of State, 26.05.08).

The main aspects of the assessments which were contested in the appeals, were: the decision not to list due to the level of alteration, with appellants stating that the exterior could be retained, regardless of interior alterations; that the internal alterations are lightweight and removable; that the building has significant group and townscape value with the Alhambra Theatre and should therefore be retained; and most commonly that the majority of citizens in Bradford want the building to be retained and yet their views have not been taken into account, for example 'no consideration has been given to B.O.R.G. or to the people of Bradford' (Letter to DCMS 20.01.06), and 'there is no doubt whatever that most Bradford residents want the building to be listed, retained and refurbished ... surely it is time that such views were taken on board?' (Letter to DCMS 16.07.05). There is also an assumption within the correspondence and press reports that if a strong case can be made for the depth of local feeling for the site, then the building will have to be listed, with one letter to Historic England asking 'If we can prove to you that most Bradfordians want to keep the Odeon building will that help the proposal for listed status?' (Letter to EH, 27.07.07). Indeed, in a letter to the DCMS of 25.08.08, the writer warned that 'the building means so much to the people of Bradford and that must never be underestimated.'

Listing assessments, however, are made through an 'objective' assessment of the architectural interest of the building, in its current state, based on nationally-specific criteria. The public support for listing, and the social value of the site, therefore, is not taken into account in the assessment, hence the disappointment felt by those campaigning for its designation, and the contestation over whether the building is of significance. Indeed, an assessment by Historic England which states that a building is not of special interest in a national context is often interpreted as the building is not of interest at all. The Yorkshire Post report of the 2005 NL decision, for example, stated that 'a last-ditch attempt to save a former Bradford cinema from demolition has been thwarted after English Heritage confirmed it did not consider the building to be of historical importance' (Cope, 2005), a view clearly not shared by the majority of Bradford residents. In addition to the inability to take into account the social values of this building, the contested significance is also due in part to the distinction between nodes of perception, as those closely familiar with the local area will have a different perspective to those whose role is necessarily more intellectual and detached (Schofield, 2008, 105). It must be borne in mind, however, that local residents were already aggrieved by the local council not appearing to take on board their desire to retain the building, and this fed into their anger with Historic England, who as noted above were considered to be outsiders who could not understand the building.

There is also a clear suggestion that demolition and redevelopment will have a detrimental effect on civic pride and sense of identity, with letters stating that ‘to say we are making Bradford into a possible Capital of Culture or into a city for people to be proud of, I don’t believe knocking this building down would prove anything like that’ (Letter to BORG Campaign Group, undated); and ‘we are becoming hard pressed to justify our pride when around us all our superb old buildings are being vandalised by our council’ (Letter to BORG Campaign Group, 27.01.04). Similarly, a video created by students at Huddersfield University in 2013 included interviews in which they asked passers-by what they thought the Odeon should be. One interviewee described the building as being steeped in history and memory, and especially in relation to the multicultural demographic in Bradford, said that the Odeon ‘should be a representation for everything that Bradford used to stand for, and wants to stand for,’ (Yearley, 2013b). The Odeon, therefore, is more than simply an historic building with some architectural merit, it has become an emblem for Bradford, and many describe its potential demolition as ‘ripping the heart out of our city’ (Yearley, 2013b).

A related theme which runs through the letters of support is one of remembrance and memory. Many of those who wrote letters of support for the 2004 application could remember the building in its early years, with correspondents often reminiscing about the acts that they had seen there, meals they had eaten in the restaurant, or the regular dances in the hall, stating for example that ‘I have so many good memories of this building going to the restaurant after work with a friend and meeting my late husband there whilst dancing among the many’ (Letter to BORG Campaign Group, 28.01.04a), while another wrote that ‘I spent many happy hours dancing in the beautiful ball room, I was there the night that Bradford was bombed’ (Letter to BORG Campaign Group, 28.01.04b). One letter of support even states that ‘the demolition of this wonderful building would be a major blow for our already wounded city.’ (Letter to EH, n.d. 2005). The anthropomorphism of the city in this statement reflects an emotive attachment to place which the ‘experts’ at English Heritage are not equipped to deal with.

Listing is often seen as a last resort and is therefore applied for when it seems nothing else can be done to save the building. The 2005 application, for example, states that ‘this is the last chance to save this superb edifice’ (Letter to EH, 01.08.05), and a letter of support for this application complained that ‘most people would like to see it restored to its former glory, but the council and planners will not listen, in spite of petitions and letters and articles in the local paper’ (Letter to EH, 05.08.05b). Others stated that ‘Listing would be one way, perhaps the only way of preserving it (Letter to DCMS 08.03.08). The campaign to ‘save’ the building, however, is not just an attempt to stop it being demolished, it includes saving the building from neglect and further deterioration and thus encompasses the desire for the building to be re-opened and used by the public. Many also assume, therefore, as discussed above and in Chapter Eight, that listing will ensure that a

building must be put to beneficial use, usually its original use in the case of theatres and other public buildings (see e.g. Jackson, 2013). There is indeed a strong feeling within the letters that the building should be restored and re-opened as an entertainment value, with most of these arguing for its use as a concert hall, although this may be because the 2004 applicant had suggested this in his interviews with the press and letters to the local newspaper and so on. As with the analysis of applications for national designation, for the Bradford correspondence the number which assumed a future use would result from listing were recorded, and this was 27 per cent of the letters and emails (not including correspondence marked as not applicable in relation to local interest). At the opening of the new City Park in Bradford, therefore, protestors all wearing stickers which said 'Save Our Odeon' turned to look at the former cinema instead of watching the opening ceremony and concert, many of them settling down with bags of popcorn (BORG, n.d.b).

One of the main issues for those involved in the various campaigns is that the regeneration company and the Council have stated that it is not possible to refurbish or restore the building, as it is structurally unsound and has serious health and safety issues. This is highly contested by campaigners, and in particular by BORG, who have always maintained that the building is capable of a successful restoration (Nicholson, 2008). One letter to DCMS, for example, suggested that Bradford Council 'have perpetrated a wilful acceleration in the appearance of dereliction in order to persuade public opinion towards demolition' (07.07.08). This is mentioned in many of the letters sent to both EH and DCMS; and is explicitly discussed in a document produced by BORG, which sets out a significant number of 'myths' and 'untruths', regarding the state of the building and its suitability for refurbishment (BORG, n.d.).

A number correspondents also use religious vocabulary to discuss the site, stating for example that it would be 'sinful to pull it down' (Letter to BORG Campaign Group, 28.01.04c), and that 'the Council are hell bent on destroying the city' (Letter to BORG Campaign Group, 23.01.04). The proposed demolition of the building is also described as a crime, with correspondents saying, for example, that 'It would be little short of criminal if they demolished the "New Vic"' (Letter to BORG Campaign Group, 26.01.04), and that 'it would be criminal not to try to preserve the commanding presence elegance, scale and impact this has' (Letter to EH, 16.07.07). The word 'destroy' is also used to describe the plans for the site, conveying something much more brutal and severe than simple demolition, and this fits well with the campaigning rhetoric often used by correspondents.

5.2.4 SUMMARY

As this case has shown, local landmarks such as the Odeon can be very significant to the local community, often due to their social value. However, when assessed against objective, national criteria, this cannot be taken into consideration, resulting in a feeling that local opinion has been 'ignored' or wilfully pushed aside. The contestation is not simply over whether or not it is a heritage asset, it relates to its social value to the community, and its contribution to local distinctiveness. This often conflicts with the objective and dispassionate views of Historic England who, after considering the listing criteria, must conclude that the site is not of special interest (Jackson, 2014, 210). Despite inclusion of a full history and reference to the building's importance to the city, taken out of context, the conclusion that it is not of special interest suggests to the local community that Historic England has not understood the building. The key issue here, it would seem, is that neither understands or fully appreciates the way in which the other defines significance, which for HE is constrained by existing legislation, guidance, practice. Conflicts of interest, then, would appear to be an inseparable accompaniment to authorised versions of heritage (Silverman, 2010, 33), especially when this is recognised to be multivocal, with different types of value being ascribed by different groups, all of which can be considered to be of equal importance. These conflicts of interest, however, are not restricted to cases of non-designation, as the case of Plymouth Civic Centre below demonstrates.

5.3 CASE STUDY: PLYMOUTH CIVIC CENTRE

In contrast to Bradford Odeon, the Civic Centre in Plymouth (Fig. 15) was designated as a Grade II listed building in June 2007, causing much astonishment and contestation from the local community, many of whom felt that the building should be demolished. Although it was originally celebrated as a signature building, the Civic Centre has more recently been the subject of more negative perceptions, and its listing in 2007 was the subject of considerable local controversy (Avanti Architects, 2010, 2). The contestation of the local community, although at first quite different to Bradford, can be seen to arise from similar issues, including an emotional attachment to the site, which in this case is negative rather than positive; and a view that civic pride and local character have been harmed by the designation decision. Press interest and campaigning work also similarly ensued, and petitions were drawn up arguing for the decision to be overturned. As with Bradford, Historic England was again considered to be unable to fully appreciate the issues at the site in the same way that the local community do, hampering redevelopment plans for the city which would see the building demolished and replaced with something 'better'.



Figure 15 Plymouth Civic Centre, January 2016 (Source: © Martin Flook, 2016)

5.3.1 BACKGROUND

The Civic Centre building comprises a fourteen-storey administration block which straddles a two storey block to the North and a bridge link elevated on pilotis to the two storey Council House to the south, creating an open courtyard underneath with a reflecting pond, all of which is part of the Grade II registered landscape of the new Civic Square (EH 2007, 1). The building complex comprises of public reception facilities, council chamber, an administration tower, various departmental offices, and suites of accommodation for the Town Clerk, Elected Members and the Mayor (Avanti Architects, 2010, 3). It lies at the Southern end of the area which formed the focus of Patrick Abercrombie's 'Plan for Plymouth', which was an ambitious planning scheme for the City developed following bombing during World War Two which destroyed much of the city centre (EH 2007, 2; Avanti Architects, 2010, 2-3). The Civic Centre was designed by newly appointed City Architect HJW Stirling, whose plans for the Civic Square were published in 1954, and although revised due to availability of materials and expertise, they won the Grand Prix D'Honneur at the National Festival of Architecture and Monumental Art in Paris in 1956. In February 1957 the plans were approved, but in May 1957 the City Council appointed architects Jellicoe, Ballantyne and Colledge to 'complete' the development (EH 2007, 2). The civic Centre was thus integrated into, and formed the centrepiece, of Jellicoe's designed landscape known as The Great Square (Avanti Architects, 2010, 3; Hobbins, 2007). It also brought together the work of

several noteworthy artists, particularly in the Council House which has a large collection of commissioned artworks (EH 2007, 6). While they retained the spirit of Stirling's layout and design concept, Jellicoe and partner Ballantyne were given a free hand to redesign the buildings in detail, which largely resulted in different cladding being used, with much greater use of concrete than in the original plans, as well as a change to the orientation of the roof (EH 2007, 2; Letter from Plymouth City Council, 17.05.06). Work on the superstructure began in 1958, and the building was officially opened by the Queen in July 1962 (Hobbins, 2007).

In 2006, members of the public made the Twentieth Century Society aware of plans to demolish the building, and they submitted an application for the complex to be assessed for listing. The City Council had been considering options for the future of the complex due to increasing maintenance costs and changing needs (EH, 2007). In their application for designation, however, the Twentieth Century Society considered the building to be of special interest for its simple plan form, its important landmark position, and the unusual richness of art work within the Council House section (EH, 2007). In addition to the application to list the buildings, English Heritage also received representations against listing due to: the buildings not being that which was originally designed, the detrimental impact of cumulative alteration, and structural problems including 'concrete cancer' (EH, 2007). The Twentieth Century Society also received a significant number of letters and e-mails which expressed displeasure at the application having been made (Wright, 2007). The Society, however, has stated that they 'remain convinced that this is a significant building that should lie at the heart of the city's current regeneration.' (Wright, 2007). Despite the opposition, in particular from the City Council, the building was listed in June 2007, with the advice report that 'Given the quality of design and architecture which is seen throughout, it is recommended that the Civic Centre be listed at Grade II' (EH, 2007).

The redevelopment process, which had always focused on the Civic Centre being replaced with a hotel as part of a city-wide regeneration plan, had begun in 2006. In a Plymouth Herald article, Councillor Ian Bowyer is quoted complaining that the redevelopment process had been delayed 'thanks to the unwelcome listing' of the buildings (Rossiter, 2013b). Following the listing of the complex, however, the Council have sought to work with Historic England to find alternative options to demolition. The current plans for the site which were approved in 2013 are to convert the building into a 160 bedroom four star hotel, with adjoining arts centre, which will also include cinemas, restaurants and bars (Rossiter, 2013a). The plans would also retain the Council chamber and its art work, which have been described as a 'statement of civic pride' by the developer (Telford, 2013).

5.3.2 ANALYSIS

As discussed in Chapter Four, neither Historic England nor DCMS had any of the correspondence noted in the 2007 listing advice on file from members of the public in relation to the Civic Centre; neither did the Twentieth Century Society. The views of the local community about the designation of the building, therefore, are only available via comments made in relation to newspaper articles, and from both published articles and personal correspondence with those involved. Although this means that the data is not directly comparable with the Bradford Odeon case study, it is clear that the same themes can be used for analysis because many of the same issues are present. As above, therefore, the key themes include: disagreement with the 'expert' decision; a feeling of 'them and us' in relation to its assessment; and a focus on the impact of the decision on the future of the city.

This analysis focuses on the antipathy towards the building from Plymouth residents, as this provides a direct comparison with Bradford Odeon. There were, however, people who were favourable to the listing, and it should be noted that not everyone in Plymouth wished to see the building demolished. This is likely to have been the case at Bradford too, but as the data analysed was letters of support, this was not as easy to identify as it has been at Plymouth. However, it seems that these comments of support are more commonly from people who have recently moved to Plymouth, rather than those who grew up there. One commentator, for example, stated that 'the Civic Centre is disgusting and no one likes it (or at least most people don't) ... Take it from someone who has lived in Plymouth their whole life' (Anon, 21.02.10), while another has said that before moving to Plymouth they had lived in Brunei, Oman, London and France, and describe the building as 'a brilliant demonstration of post-war architecture' (Anon, 26.06.07).

This difference is perhaps due to the disconnect between what the building was meant to be when first built, a representation of civic pride which was open and welcoming to residents; and what it has become, which is an office block for the City Council with no real public access or amenity. The roof-top restaurant has been closed, for example, and parts of the walkway which linked the centre to the civic Square have been filled in by extensions (Wright, 2014). Due to the destruction of much of the city centre during the second world war, and its subsequent rebuilding, Plymouth has more listed 1950s buildings than anywhere outside London, and in fact in 2011 English Heritage suggested that the whole of the City Centre should be designated as a Conservation Area due to its unique collection of 1950s architecture (BBC, 08.06.11). What would perhaps seem rather rare and iconic in other cities, therefore, should feel 'normal' to those living in Plymouth. It may be this normality which means that the Civic Centre is not valued in the same way that it might be to new residents. It has also suffered from a lack of maintenance over the

years, resulting in the Portland Stone used in its construction taking on the appearance of crumbling concrete (Wright, 2014).

As at Bradford, previous planning decisions were referred to here in relation to redevelopment plans for the site. The Drake Circus shopping centre, for example, opened in 2006 to much controversy (BBC, 2006), winning a 'crimes against architecture' award from Building Design Magazine (Blackler, 2006). In relation to this, one commentator, for example said that they were surprised the Civic Centre has not been listed sooner, but qualified this by going on to say that 'I'd rather see this building stay then risk having another Drakes Circus style disaster replacing it' (Anon, 23.07.07). In relation to current plans to convert the building to a hotel, residents have also stated that 'anything would be better than its present shabby state' (tony1976, 24.08.13). Others, however, describe the redevelopment plans as 'like putting cherries on a rotting cake' (PaintaDecor8r, 24.08.14).

The local press and the City Council were both enthusiastic about the proposed demolition of the building in 2006, and public opinion was also very unfavourable to its retention (Hobbins, 2007). The main reasons for this being that the interior arrangement was no longer considered to work well for Council employees and was in poor condition, with those who work in the building being among the many who have expressed outrage at the listing (Richardson, 2007). Member of Parliament for Plymouth, Alison Seabeck, for example, opposed the listing because she felt that the tower block added nothing to the Abercrombie vision of the city centre; that it was an appalling building to work in, hugely energy inefficient and the concrete was falling off in large lumps from the outside (James, 2014). Many also argued that the building is not as stated in the listing advice, of high architectural quality. One local resident, for example, stated that 'the building is simply ugly. It needs to be altered drastically or removed totally. So what if it has some interesting building materials? The thing is an eye sore, plain and simple' (Anon, 21.09.07). The Historic England advice report states that the building is a complete and coherent design, that it is a landmark which embodies the hopes and aspirations of a newly confident City Council, and overall that it was recommended for designation due to its quality of design and architecture. However, the City council argue that the building is a severe dilution of the original plans by Stirling, resulting in a mundane and uninspirational piece of architecture, which has been further reduced in quality by many unsympathetic and extensive alterations, and argue that it failed to live up to its initial promise (Letter from City of Plymouth Council, 17.05.06). Plymouth Council has, however, been opposed to the listing ever since it was notified of the application, with the Chief executive stating in news articles that they 'vigorously' oppose it (BBC, 2007c). This was mainly due to the financial implications of maintaining the building, which it was argued would

have a detrimental impact on the city's economy, services, and community, as well as the regeneration of the city centre.

Even in 1962, when the complex had just been completed, the buildings were described in architecture magazine 'Topic' as a lifeless glass hulk, and Niklaus Pevsner has described the building as 'a disturbingly prominent lopsided imposition' (2002, 657). In addition, the Civic Centre features strongly in the Knowhere Guide's list of 'Places that need to be levelled', an online list compiled by members of the public, with comments such as 'I think the only good purpose it serves is for people to abseil down and raise money for charity. It is hideous and needs to be flattened' (Knowhere Guide, n.d.). It is no surprise, therefore, that the public did not agree with or understand the recommendation to list the building.

In addition to issues with the usability of the offices, a key area of contestation was the aesthetics of the building, which is often described by Plymouth residents as ugly, an eye-sore and a 'monstrosity', with one resident stating that 'while the Civic centre may be a shining example of 1950s architecture, it is still hideous' (Anon, 28.06.07). In relation to redevelopment plans, others state for example 'knock it down, its an eyesore like most of the city' (BS_Hater, 25.08.13), and 'awful building, why buy that heap of concrete ??' (SteveieWotsa, 20.08.13). Some of those who wrote positively about the building and its designation, however, have suggested that it is simply fashion which makes it seem ugly, one stating for example that '50 years on people don't appreciate 60s architecture as its not old enough or just looks outdated' (PI1Plym, 21.08.13). The Twentieth Century Society have also said that 'it might sound strange now, but we shall see it as an important building in the future' (BBC.co.uk, 2007a), and advised that there are wider issues than whether a building is ugly or not, cautioning that knocking down perfectly good buildings and replacing them is something we simply cannot afford to do' (C20Society, 2007). However, others state that 'This isn't another case of St Pancras; it's not just fashion that makes the Civic Centre an eye sore. Bare concrete never ages well and will look even worse in 50 years time' (timplymouth, 21.08.13). It is worth noting that the building is in fact constructed largely of Portland Stone, rather than concrete (Wright, 2014), but in its current condition it does take on the appearance of failing concrete. In contrast to Bradford Odeon, the Civic Centre could be argued to have 'negative' social value, as although it was intended to be a landmark to both the people of Plymouth and Post-war enthusiasm, the prevailing attitude today is that the Centre is an eyesore (Hobbins, 2007).

Plymouth Civic Society also disagreed with Historic England's assessment of the building as being of high architectural quality, stating that 'It was cheap and nasty and it remains cheap and nasty' (Peter Towey, in BBC, 2007b). The criteria for listing state that 'particularly careful selection is

required for buildings from the period after 1945' (DCMS, 2010, 5), and in relation to aesthetics advise that 'the appearance of a building – both its intrinsic architectural merit and any group value – is a key consideration in judging listing proposals, but the special interest of a building will not always be reflected in obvious external visual quality' (DCMS, 2010, 5). The City Council feel that these criteria have not been met by the Civic Centre, arguing in their notification of application response that the building is mundane and uninspirational (Letter from City of Plymouth Council, 17.05.06). This is perhaps due to the historical focus of designation on buildings of high aesthetic value and of a significant age, the 'traditional' heritage which Smith (2006) argues forms the basis of the Authorised Heritage Discourse. This traditional definition of heritage as something which is not only 'old' but aesthetically pleasing can be seen in many of the comments made about the Civic Centre, and in particular in a debate on planning in the House of Commons in January 2012, in which Plymouth MP Gary Streeter said 'while I'm on the subject of planning, it's worth saying that sometimes English Heritage does not help us. The decision to list Plymouth civic centre as some kind of historic and beautiful building ... is absolutely disgraceful.' (Western Morning News, 20.01.2012). While this thesis has argued that traditional heritage values are often a block in protecting the assets that communities value, in this case their normative nature means that efforts to widen the boundaries of what can be considered to have special interest for the nation are blocked. However, taking into account the age and current appearance of the building, it does still conform to the policy used during salvage listing to select key buildings by notable architects.

The Twentieth Century Society received a large number of Letters and e-mails expressing acute displeasure at their involvement (Wright, 2007), blaming them for the decision to list, rather than Historic England or the DCMS who made the final decision. This correspondence tended to use a similar 'them and us' rhetoric as at Bradford, with the Society being condemned for being an unelected group who had for many had a detrimental impact on the future of Plymouth by ensuring that the Civic Centre was listed. Much of this correspondence was from a local MP, although the groundswell of local anger against the Society soon became national (Wright, 2014). However, local news articles about both the listing of the building and the subsequent proposals for redevelopment, state that it was Historic England (then English Heritage) who listed the building, with one Plymouth Herald article stating that 'English Heritage slapped an unexpected Grade II listing on the Civic Centre' (Rossiter, 2013a; see also Waite, 2007b). While it is largely the applicant and English Heritage who can be characterised as 'them' in this case, with 'us' being Plymouth residents against the retention of the building, there are a number of commentators who seem to blame 'Plymouth' for 'allowing' the building to be listed. One resident, for example, complained that 'allowing this monstrosity to be listed proves Plymouth's desire to live in the past' (Anon, 28.06.07). Again, as at Bradford, there is an assumption here that if there is enough

public support/opposition it will have to be taken into account. Misunderstanding of the process, therefore, is another cause of contestation.

As noted above, the City Council did not consider the building to be architecturally significant, and the local community would largely appear to agree with this, and as at Bradford began to campaign against the decision. The Architects Journal reported on 13th July 2007, for example, that an e-petition⁵ had been set up by 'outraged' local campaigners 'baffled' by the decision (Waite, 2013a). More than 200 people signed this petition, initiated by the city's three MP's, which asked government to overturn the listing decision because the majority of residents in Plymouth feel that it is 'an eyesore, disgusting building, blocks out the sunshine, looks ugly and is a monstrosity' (Petitions: UK Government and Parliament, 2012). This petition was rejected by government as being invalid because there are statutory processes for applying for de-listing and permission to demolish. In contrast, although similarly rejected, a petition signed by 387 people was also launched which argued that the building should remain listed because 'While not to everyone's taste, [it] is a landmark structure on the Plymouth skyline' (DCMS, n.d.).

A further e-petition drawn up in relation to the Civic Centre, entitled 'Listed Buildings', exemplifies one of the reasons for much of the contestation associated with the designation system, the lack of community participation in the decision making process. It argued that the listing criteria should be changed to take into account 'mass public opinion', stating that: 'Currently minorities of people are able to get listed buildings, that an overwhelming majority of residents in an area do not want protected. A prime example of this is in Plymouth where despite overwhelming public opinion the civic centre became a listed building based on a minority request.' (Petitions: UK Government and Parliament, 2014). The opposite is true, of course, for Bradford Odeon, where a 'minority' of people at English Heritage and the DCMS found the building to be not listable, despite the thousands of local residents who had signed a petition and sent letters of support for the designation requests. In both cases, however, the strength of public opinion did mean that the cases were marked as high profile and the Secretary of State personally approved the recommendations. Plymouth City Council did consider submitting a review application to the DCMS. This was widely reported on in the local news, with the Council quoted, for example, as saying that the building is 'long past its sell-by date' (BBC, 25/06/07). However, in the end the council did not submit a review application, choosing instead to pursue the possibility of demolition of the building through the Listed Building Consent process (letter from City of Plymouth Council, 29.09.07).

⁵ e-petitions can be created for anything that the government is responsible for through an official government webpage, and if they get at least 100,000 signatures, they will be considered for debate in the House of Commons.' (<http://epetitions.direct.gov.uk/>)

The issue highlighted in Chapter Two that social value is often conflated with historical value is played out with the Civic Centre. The heritage assessment within a feasibility study for the redevelopment of the centre, for example, considers (albeit briefly in comparison to aesthetic and structural values) the Communal value of the site. The way in which this is written underlines the argument that the heritage profession do not fully understand or feel 'comfortable' with discussing communal (social) value. It begins by advising that 'much of the foregoing historical analysis may be transposed into the assessment of communal values associated with this building', before stating that at the time of completion, it was clear that the centre featured strongly in local perceptions and pride in Plymouth's civic identity, and 'even now' there are residents who regard the centre with affection and respect (Avanti Architects, 2010, 14). Similarly, the former chair of Historic England Baroness Kay Andrews, has said that the Civic Centre is 'the heart of the city' and 'if buildings like that were torn down it would take away what Plymouth stood for after the Second World War – that very optimistic new start' (Plymouth Herald, 30.09.2010). These statements do not relate, therefore, to the present social value of the building, the value referred to is historical, relating to its interest as an early example of post-war planning. The Twentieth Century Society also focus on the original purpose and intention of the building in what would initially seem to be consideration of social value, stating that 'it embodies the whole notion of the city coming back to life' (in BBC, 02/07/07).

The Feasibility study of 2010 does state, however, that the listing of the building was the subject of much controversy and antipathy, but suggests that this is because modern buildings are 'not immediately apprehended as 'heritage' in the conventional sense' (Avanti Architects, 2010, 14), and observed that contributions posted online indicate an acknowledgement of the Centre's significance to Plymouth, 'even from observers who might not have been especially enamoured of its architectural merits' (Avanti Architects, 2010, 14). This can be seen in some of the comments analysed, with statements such as 'ugly or not, [it] does seem to be an icon of the post-war redevelopment' (Mark, 11.07.2007), and 'the civic centre may not be a stunning example of architecture but it is representative of that 1950s architecture. ... and it's extremely short-sighted to demolish something because it's a 'monstrosity'' (Anon, 26.06.07). However, others state that 'I've lived in Plymouth ALL my life and to be honest, although I love my home town to bits, the Civic Centre is bringing it down. ... The Civic Centre is, as most people have stated, a complete monstrosity. Ugly and pointless' (Anon, 29.12.09).

The suggestion that the Civic Centre is too ugly to fit in with any proposed redevelopment of the city centre (e.g. BBC, 18.02.2005), with the listing decision described as a 'body blow' to regeneration plans (Richardson, 2007), hints at a feeling that there would be increased civic pride

if the centre were demolished and replaced with a newer, more modern-looking building, with people contesting the designation decision because ‘not being able to redevelop the site of the Civic Centre is hampering the regeneration and redesigning of the fine city of Plymouth’ (E-mail to DCMS, 26.06.07). The decision, therefore, is considered to have an impact on civic pride in the same way that the decision not to list Bradford Odeon and its potential demolition did. The issue here is the feeling by many that Plymouth is rather dated and set in the past, despite the majority of buildings within the city centre being post-War. Commentators thus state, for example, that the listing of the building has ‘stopped the development of a city that is way behind every other city in Britain’ (Anon, 25.06.07), and that ‘this city needs to modernise itself, or risk being left in a sea of crumbling concrete (Anon, 28.06.07). Bradford, in contrast, wanted to retain the Odeon in preference to modern redevelopment.

5.3.3 SUMMARY

In direct comparison to Bradford, a significant proportion of the local community in Plymouth wished to see the building demolished, with many contesting the assessment of the building as being of special interest. The assumption that the complex cannot now be demolished due to the listing was considered not only to have an economic impact on the city, but as with the decision for Bradford Odeon, to also impact upon civic pride and social value. In all correspondence from DCMS and English Heritage, however, the inability to take into account anything other than historical interest and architectural importance was stressed, as the opposition here was largely in relation to the economic issues of maintaining the building, a common issue with post-war architecture. In response to a letter of opposition from MP Alison Seabeck, for example, Minister for Heritage David Lammy stated that ‘I will of course take your comments [and] into account in reaching a decision. However, please be aware that in making our decision, it is only the historical interest and architectural merit of the building which can be considered’ (Letter from D Lammy, 14/12/06).

A common theme within the opposition was that the building does not have any architectural interest, being defined as ugly by the majority of those who wrote negative comments. However, as the criteria state, ‘the special interest of a building will not always be reflected in obvious external visual quality’ (DCMS, 2010, 5). The Criteria also advise that the state of repair of a building is not a relevant consideration when deciding whether a building is of special interest, which is largely a result of the way in which the legislation developed, which as Chapter Three outlined, had its genesis in post-war re-building and decisions about what to keep and what could be re-built.

Smith (2006) argues that there is a dominant, or Authorised, Heritage Discourse (AHD), which gives primacy to an elitist heritage and ensures that the general public continue to define heritage as physical assets linked to ideas of the nation, such as castles and country houses, and this is often being used to reinforce the position of the dominant group (Belford, 2011; Gibson and Pendlebury, 2009; Harrison, 2010; Smith and Waterton, 2009; Waterton 2010). In this case in particular, Smith's AHD can perhaps be seen to be strongly at work, with local residents claiming that the building is not old or beautiful enough to be heritage. It is the maritime history of the City which residents most often describe as the 'real Plymouth', the post-war city centre not being valued as strongly by them, although Wright (pers comm. 2014) suggests that the dissolution of civic pride in relation to the Civic Centre is due to the disconnect between its original civic amenity purpose and its current use which restricts community access, coupled with a lack of maintenance which results in it looking like 'a big lump of crumbling concrete' (Anon, 25.06.2007). However, despite the listing of a building which is not 'traditional' heritage, suggesting a more open and diverse designation system, the decision had to be based on the statutory criteria and thus the building's architectural and historic interest.

The assessment could not take into account the social, economic and future use values of the asset. As with Bradford, therefore, this is misunderstood as these values being dismissed by HE and not considered valid. Contestation at the non-participatory nature of the assessment process, therefore, is clear and in this case resulted in a petition to change the criteria to include a wider range of values. One blog article on the listing of the Civic Centre, for example, complained that 'it seems that the listing procedure does not involve giving notice to the public and having meetings that people can come to and make their views known. The upshot is that EH designated the Civic Centre a grade 2 listed building much to the amazement of a huge number of Plymouth's residents and others familiar with this structure' (Brian In the Tamar Valley, 26.09.2007). As noted in Chapter Two, however, with 2000 applications a year and relatively limited resources at HE, it would not be possible to have a fully participatory system as suggested above. Accountable consultation as suggested by Litva *et al* (2002, 1834; see Section 2.3.1), however, would perhaps have been helpful in this case to appease the community and to help them to understand the decision.

5.3.4 DISCUSSION

A significant number of the analysed designation applications were also found to refer to the local significance of the asset, and often note that it is the oldest or the last of its kind in the local area, despite applying for a nation designation based on the test of special interest in a national context. In many cases, therefore, there is significant tension between the prioritisation of the nation in designation assessments, and the views of local communities who do not necessarily

accept the expert assessment and decision, prioritising instead the significance of the asset in the local area, often due to its social value. The social value of heritage assets is a key theme which appears throughout both the National designation requests, and the two case studies of Bradford Odeon and Plymouth Civic Centre. While it was most obvious at Bradford, negative social value could also be identified at Plymouth, and local residents at both sites felt that the designation decisions would have a detrimental impact on the future of city, harming civic pride and local identity. In addition, the focus on objective materiality within the national criteria means not only that social and cultural value cannot be taken into consideration in the assessment for designation, but neither is it properly understood. This results in social values being dismissed as subjective, emotional ties by those making assessments and is not included within assessment reports (Jackson, 2014, 204; Hubbard, 1993; Poullos, 2011). As Bradford has demonstrated, this leads to a feeling that the 'experts' do not fully understand the building and feeds into existing 'them and us' tensions. There is a case to be made here, therefore, for including an overview of social value within assessment reports along with the caveat that it is not part of the assessment.

There is a further issue here though, which is the disconnect identified in Chapters Two and Three between designation and management. While designation policy and guidance is strongly focused on more traditional, positivist definitions of special interest, in most cases post-designation management takes inspiration from international guidance such as the NARA declaration and the Burra Charter, with what appears to be an understanding of the multivocality of significance in a plural society. Conservation Principles, for example, which guides the work of the planning department at Historic England and has also influenced policies in many Local Authorities, advises that decisions regarding alterations or other works to a designated asset must take into account the cultural significance of the asset, and like the Burra Charter this is made up of four key values – historic, aesthetic, evidential and communal. Communal value here being defined in the same way as social value within this thesis (see Chapter One). The NPPF also defines significance as the 'value of a heritage asset to this and future generations because of its heritage interest' (DCLG, 2012). This appears to take into account values currently held by society, almost echoing the Faro Convention, although it goes on to define interest as archaeological, architectural, artistic and historic, hence the use of these when asking designation applicants for their reasons for applying. While the inclusion of social value in management decisions has not, as far as this author is aware, resulted in any significant conflicts of interest, the concern within designation teams when the author worked for Historic England was that including it within designation assessments would make the system highly inefficient and unworkable, and would result in designating a large number of assets for what were described by colleagues as spurious, subjective reasons rather than 'true' heritage value. The objective, expert opinion is essential, it was considered, not to

ensure consistency across the country, but to ensure that the 'real' significance of heritage assets is identified.

As noted in Chapter Two and illustrated above contestation by local communities, therefore, becomes viewed as a simple dichotomy between objective and scientifically-minded experts, and a subjective, non-scientific, local group (Belford, 2011; Smith, 2004; Watkins and Beaver, 2008). However, the heritage profession's authority to make binding statements about what should be protected is increasingly being challenged (Howard, 2009; Smith, 2004), as the two case studies have demonstrated. We are also now beginning to recognize that heritage is as much about people in the present as it is about the structures and 'monuments' of the past (Jackson, 2014, 103), and as this analysis has shown, communities are increasingly arguing for locally significant assets to be 'saved'; not just for their architectural or historic interest, but also because of the social values of the site to that particular community (Jackson, 2014, 103). There is also, however, an assumption that heritage is necessarily 'good', and it is often promoted by both Government and Historic England as having a positive role, with an emphasis on the ability of heritage to foster good safe surroundings and identities (Waterton, 2007, 332). An assumption that heritage is 'good' means that where heritage assets have been defined and designated, there is often a feeling of responsibility and stewardship, a social obligation to conserve and maintain them (Hunter, 1996, 14; see also Layton, 1989; Lipe, 1984; Smith, 2006; Smith *et al*, 2010). The assumption that listing means preservation and future use is clear from the applications, and from the two case studies. At Plymouth, for example, one resident stated in a comment regarding the plans to redevelop the building into a hotel: 'Now read very carefully as I shall type this only once The Civic Centre is Grade 2 listed so that means it CAN NOT be pulled down. Simples!' (PL1Plym, 21.08.13).

Although the academic community has now recognized that there is a multivocality of significance at heritage sites, this is not yet recognized by those involved in the designation decision-making process (Belford, 2011; Gibson, 2009; Smith, 2004; Jackson, 2014, 10). As the preceding chapters and this analysis have shown, the statutory designation of heritage in England has historically been restricted to the preservation of isolated assets which are considered to be of special interest to the nation (Hunter, 1996). This ideology still flows through much of the legislation and policy in England, despite the gradual shift in emphasis within academia and amongst the general public from seeing heritage as a physical entity passed down from one generation to the next, to a much wider definition which includes anything from the past which is valued in the present (Schofield, 2008). While working at Historic England this author, for example, received an application to list the name of St James' Park in Newcastle, as the applicant claimed that the name was just as much heritage as the buildings, citing the use of the name at nearby streets and metro

stations, and giving a detailed history of how the name developed. It was not, of course, possible to take this request forward and the applicant was thus sent a rather dispassionate standard letter explaining that, as stated in the legislation, only physical structures of architectural and historic interest could be considered. It is worth noting here that all letters sent by the Designation Team follow a standard format agreed by the DCMS communications team and only limited text changes are allowed. This is also the case for advice reports, which follow a policy of not using terms such as 'unfortunately' within not-listable decision letters in case this is used within review requests or at public enquiries to suggest that HE disagreed with the final DCMS decision.

Familiarity of the surrounding social and material environment can anchor societies and thus provide social cohesion (Magdin, 2009; see also Grenville, 2007). Even in Plymouth, where the Civic Centre was not valued by the majority of local residents, the communal dislike of the building and disagreement with the expert decision had a similar effect of binding people together. People do, of course, want new buildings and good new architecture, as in Plymouth, but as the analysis of national designation requests has shown, they also want their cultural landscapes to have connections with the past as at Bradford (Fairclough, 2009). It is becoming increasingly clear, therefore, that people are now less likely to accept the 'authorized' version of heritage, preferring instead to choose for themselves what kind of past to believe in (Thomas, 2008). From the 1990s onwards social value and 'lived' interpretation have become key concepts in academic debate (Kristiansen, 1998), and recent planning policy in England, as well as Historic England documents such as Conservation Principles (HE, 2008), do seem to demonstrate an awareness that in a plural society local significance is just as valid as national significance and should be seen as differently important rather than being dismissed as less important. At the designation level, however, and even within these documents, the expert view and the primacy of historic fabric is still dominant (Jackson, 2014, 104), as is clear from the decision letters for Plymouth sent by minister David Lammy, in which he makes clear that only architectural and historic interest can be taken into account. Social and cultural significance, therefore, is still not widely accepted in practice, with fabric-focused, professionally defined assessments remaining the dominant paradigm of significance (Carman, 1996; Gibson, 2009). Within Historic, the designation teams work largely in isolation from the planning team, and as the criteria are very specific about not including social value, and concern they are largely unaffected by Conservation Principles and even in many case the NPPF. While there are those within designation teams who strongly argue from a more traditional conservation background as set out in the Venice Charter, often those at higher levels of authority within the organisation, many of the author's former colleagues did appreciate that assets would have social value and understood the reasons given by local communities for requesting their designation. Many often felt frustrated that they were

unable to help, therefore. The desire for the community to be much more proactively involved in designation decisions is clear from both case studies, however, and this issue is taken up and discussed in Chapter Eight.

This analysis has also shown that individuals and local communities are now becoming actively involved in seeking to have their own sense of heritage acknowledged and legitimized (Smith and Waterton, 2009, p.36), with nearly half the requests made for statutory designation in England referring to the local significance of the asset. Any sustainable future for historic towns and cities, therefore, must not be concerned with just the continuity of iconic and nationally significant sites and buildings, but also with the continuity of living culture (Nasser, 2003), the *genius loci* that characterises what might seem to an outsider to be a mundane or 'everyday' streetscape. The national designation criteria exclude large numbers of locally significant buildings, with these assets often defined simply as less significant and not of special interest (Jackson, 2014, 10). This 'everyday' heritage is part of the local distinctiveness of our cultural landscapes, however, being an essential component of cultural identity, sense of place, community and belonging. The national lists cannot easily deal with the need to recognise these social values, and the impact of policy legacies and the normalisation of the current system through incremental amendments, means that it cannot easily be changed, despite an acceptance by many that it does not necessarily protect what matters to people. Alternatives to National designation, therefore, which may in fact be more appropriate in terms of the recognition of the asset's social value, and the potential for its future use, are discussed in the following chapters.

5.4 CONCLUSION

As discussed in the previous chapters, there is a fundamental acceptance that the heritage the state protects via legislation will be of benefit to future generations and to quality of life (Cowell, 2004, Schofield, 2008). The need for protection is generally assumed as a given, therefore, with no justification required (Avrami *et al.*, 2000; Blake, 2000). Assuming that the need for protection is 'self-evident' and/or 'in the public interest' however, masks the fundamental questions of why, what and for who, as it is assumed that we all agree (Carman, 2005; Clarke, 2006; Hobson, 2014). The results of the analysis of designation requests in this chapter, however, show that we do not all agree, and while the significance of a site may appear to be self-evident to one group, another may consider a different significance to be self-evident, resulting in both confusion and contestation, which was most clearly evident in the two case studies.

The multivocality of heritage means that assets are considered to be significant from various perspectives, all of which are valid. 'Official' interpretations of heritage however, favour a

materially-focused definition, which can conflict with an 'unofficial' and less tangible interpretation, resulting not just in contrasting perceptions of significance, but in conflict and dissonance (Tunbridge and Ashworth, 1996, 27-8; see also Lowenthal, 2000). Thus, as the case studies have demonstrated, there often significant tension between the statutory assessment of assets using the test of special architectural and historic interest, and the views of local communities. In most cases, therefore, it tends to be the act of non-designation, rather than the addition of a site to the National Heritage List, which leads to conflict, although as the case study of Plymouth Civic Centre shows, assets which are less 'traditional' in terms of the Ruskinian definition of heritage that continues to underpin protection criteria, can cause contestation when designated. The reasons for this were largely the same as at Bradford Odeon though, with similar arguments being made by those who disagreed with the decision, and in each case it was clear that local communities felt that they should be able to participate in decisions about their local area.

As outlined in chapters two and three, heritage has been nationalised over the last 150 years through the authority of the state. However, at the beginning of the twenty-first century, the emphasis on national, and a system which protects assets defined as nationally significant by the dominant, but not necessarily the majority group, is now being contested (Howard, 2003, 2009; see also Cooper, 2010; Thomas, 2008). The challenge for National designation, therefore, comes from a desire to extend the range of what can be protected to include those things which are important to the non-dominant group (Howard, 2003). This challenge is considered in the following chapters of this thesis, which look at local listing as a way of recognising the everyday heritage assets which have significance to the local community; and the community engagement tools of the 2011 Localism Act.

6 LOCAL DESIGNATION

The psychology of seeing and attaching value and meaning to a heritage asset plays an important role in our sense of place and social well-being (Scott, 2008). However, as has already been argued in this thesis, heritage is as much about people in the present as it is about the structures and monuments of the past, with the most valued assets often being those which are familiar and which play a part in our everyday lives. These local heritage assets provide people with tangible statements of tradition and permanence, something to 'come home to' in our modern, fast-paced and globalised lives. As discussed in Chapter Three and illustrated in Chapter Five, however, decisions about which aspects of the places in which we live have the special interest required to warrant statutory protection are made by 'experts' on behalf of society. The majority of the statutory designation applications analysed in Chapter Five which refer to local significance were rejected, often with the decision stating that the asset is of local rather than national significance. Local listing, therefore, takes on heightened significance as a way of recognising that these assets are valued by the local community, and importantly as a way of engaging communities in the decision-making process. As Ian Gard'ner (2004) has found, for example, while the primary listing criteria ruled out many of the sites identified as being significant to a local Bengalee community in London, the use of local lists and Conservation Areas has been successful in helping them to protect what is important to them. Chapter Five also illustrated the inherently contested nature of national designation. In this chapter, therefore, the potential of local listing⁶ to reduce this tension as an alternative to statutory processes will be considered.

As the previous chapters have shown, communities are increasingly arguing for locally significant assets to be protected, not just for their architectural and historic values, but due the social value of the asset to that particular community. Almost half (44%) of the applications analysed in Chapter Five referred to the local significance of the asset, often as a community resource or due to its local distinctiveness. Local resident's knowledge and the values that they attach to aspects of their cultural landscapes may be of a different character to that of heritage professionals, but they should nevertheless be acknowledged as experts in their own right (Burström, 2014, 101).

⁶ The term 'local list' is used throughout this chapter to refer to non-designated heritage assets which have been identified at the level of the English Local Planning Authority by those within that area. This is the term most commonly used by both Planning Authorities and heritage organisations such as Historic England. As 'local' is used to refer specifically to the relevant Planning Authority area, it is not critically examined within this chapter, or indeed within this thesis, in the same way that 'community' was examined in chapter 2.

There is therefore a need for the purposeful celebration of the variety of people's heritages, (Ashworth and Phelps, 2002, 10) which local listing may be able to provide. Although heritage is something which everyone can engage with, however, those who are not heritage experts do not always feel confident or qualified enough to be able to articulate their views (Schofield, 2014, 1). One of the key areas of contestation which came out of Chapter Five, however, was the non-participatory nature of the national designation system, with a strong feeling emerging that communities wish to be more involved in the decision-making process, especially when the outcome has a significant impact on their local landscape. The case studies in particular found that decisions made by an outside expert were often considered incorrect because they did not know or were not from the local area, leading to significant dissonance.

Local listing, however, has not been considered to any great extent within the academic literature, which focuses on statutory designation for the most part and includes only cursory references to local listing, which Parker (1994, 18) attributes to the non-statutory nature of local designation. Only two published papers which specifically assess the use of local lists by or within Local Authorities have been found, both of which were carried out as research for MSc degrees, the results of which have been published as short magazine style articles by the Institute for Historic Building Conservation (Parker, 1994; Boland, 1999; see also Sir Titus, 1996; Grover, 2003; Chitty *et al*, 2010). In addition, although the Local Authority profile data recorded as part of Heritage Counts by Historic England records whether each Local Authority has a local list, the information is presented in such a way that only two Local Authorities can be compared at one time, and no analysis has been undertaken, the information is simply provided (See e.g. HE, 2014). Nowhere, it seems, has there been a full analysis, except on a case by case basis, of the structure and content of local lists. This chapter, therefore, aims to fill that gap. A full analysis of local lists including the number of Local Authorities who have a list, the criteria used and the identification and decision-making processes are analysed and discussed in this chapter, therefore, with reference to a number of examples for illustration. Two case studies are also used to illustrate the potential of local listing in terms of community involvement and the protection of locally significant heritage assets.

6.1 LOCAL DESIGNATION: AN OVERVIEW

In many Local Planning Authorities, local listing has been used for a number of years as a way of protecting heritage assets which do not meet the criteria for national designation, and in contrast to the emphasis on isolated sites and monuments in the national criteria, local lists allow a wider appreciation of the totality of the historic environment (Boland, 1999). In most cases, local lists are drawn up by the Local Authority in consultation with local residents (Parker, 1994), and a

number of Authorities have adopted the Parish Map concept pioneered by Common Ground in the early 1990s (Boland, 1999; see also Clifford and King, 1993). However, other local lists are drawn up by amenity groups, such as in Hackney (Hackneybuildings.org, n.d.). Local lists therefore vary in size, scope and quality, some are simply former Grade III lists, others are just for one particular type of asset, usually buildings, and others include a wide range of asset types. In addition to lists of distinct heritage assets, some Local Authorities also designate areas of special local character (EH, n.d.a). These are historically important areas that fail to meet the criteria for Conservation Areas, which are in themselves a local designation undertaken by the Local Authority. In Chorley, for example, the Conservation Officer was asked to create a list of local heritage areas by a member of the Council Cabinet who had been asked by local residents to designate a number of new Conservation Areas to help protect their local distinctiveness, but which did not meet the criteria (Heywood, 2011).

Some Local Authorities have also begun to use historic landscape characterisation (HLC) as part of both the plan-making and decision-making process. HLC comes close to representing the broadest view of heritage, and although it has been critiqued due to its lack of discrimination and selectivity, it emerged during the late 1980s as a new approach to mapping distinctiveness which is effectively value free (Fairclough, 2008, 408-9; Schofield, 2014, 3). When a local list was developed in Dudley, for example, the overarching strategy was to conserve the overall local distinctiveness of the historic settlements that make up the borough (HE, 2012, 10). The preferred approach, therefore, focused on Dudley-specific historic characterisation which was. Area Action Plans were then developed from this which have a level of detail that allows for the identification and mapping of individual heritage assets. This gives a context and a justification for the addition of assets to the local list, and allows for the creation of a range of other locally derived policy designations, including Areas of High Historic Townscape and Landscape Value (HE, 2012, 10). The Local List in Dudley is, therefore, a highly effective vehicle for highlighting the significance of assets with individual resonance to the locality. Supporting development plan policies also add much more weight to local designations here, and provide a degree of certainty for developers, who can submit proposals which take the significance of the assets into account. As a result, many locally listed assets in Dudley have been retained and put to beneficial use.

6.1.1 HISTORICAL DEVELOPMENT OF LOCAL LISTS

The identification and designation of locally valued heritage assets began in the 1960s, with many of the first lists being created as a result of former Grade III buildings being removed from the list at the end of the 1960s. A full review was undertaken of all Grade III listed buildings during the 1970s, and as a result approximately half were upgraded to Grade II, and the rest were reported to Local Authorities as having been removed from the National list but of local interest (Kennet,

1972, 85). It was these reports which formed the basis of many early local lists (Morton, 1996). Local designations have thus been the responsibility of Local Planning Authorities since this change in policy (Syrett, n.d.).

Local Lists were given greater importance when Planning Policy Guidance Note 15 (PPG15) was published in 1994. This stated that Planning Authorities could draw up lists of locally important buildings, and formulate local plan policies for their protection through normal development control procedures (DoE, 1994, paragraph 6.16). Local lists, therefore, were confirmed as a material consideration in the planning process. Research by Joanna Parker in 1992/3, however, found that just 24.2% of Local Authorities maintained a list (Parker, 1994, 18), and a further survey carried out by Peter Boland in 1998 found that, despite the additional importance given to local lists in PPG15, the number of authorities with a list was still relatively low at 36.9% (Boland, 1999, 26). The general concept was growing though, especially in London where most Borough Councils did have some form of local list by this time (Sir Titus, 1996, 41). This was still the case when Local Authorities were assessed by Chitty *et al* in 2010, who found that nearly 90% of London authorities work with a local list, whereas only 25% of authorities in the North East did (Chitty *et al*, 2010, 54). The absence of any national guidance on the creation and use of local lists, however, meant that there were wide variations in approach. Most had no defined criteria and the lists were not normally open to public consultation, often being a rather informal list which was added to in a variety of ad hoc ways with little or no information on why an asset had been added (Sir Titus, 1996, 41). In addition, these early lists were often not easily accessible or even known about by the wider community (Sir Titus, 1996, 41). The lack of an agreed process for creating a local list also resulted in them mirroring the statutory lists, especially those which were created from former Grade III designations.

Concern over both the lack of guidance and the inability of local lists to effect any meaningful protection of local heritage assets in the planning process meant that during the Heritage Protection Reform process in the early 2000s, the idea of statutory local lists was widely discussed (see e.g. Atkins, 2006, 36). The resulting 2007 White Paper thus identified the importance of establishing a local list of assets (Syrett, n.d.). It confirmed that local designation had an important role to play in addition to national designation, helping to build a sense of local identity and distinctiveness through communities identifying and protecting the buildings, sites and spaces that matter to them (DCMS, 2007, 14). These same issues were clear within the national applications assessed in Chapter Five, where local distinctiveness was the value most often referred to. In addition to supporting and encouraging the use of local designation through proposed criteria and guidance, the 2007 White Paper also promised to provide Local Authorities with 'new tools to protect locally designated buildings from demolition.' (DCMS, 2007, 8).

Within the Development and Planning sector at this time, it was usually the case that if an asset was not statutorily designated or within a Conservation Area, there was no mechanism to enable prevention of its demolition (Mynors, 2007, 9), leading to the assumption that the only way to 'save' an asset was to have it statutorily designated, as many of the applications assessed in chapter 5 had assumed. Taking into account PPG15 policy to maintain and enhance local distinctiveness, most Planning Inspectors made no distinction in appeal cases between designated and non-designated assets, and supported the retention of those which were locally listed (Boland, 1999, 27). However, revised PPG1 (General Policy and Principles, 1997) made it clear that demolition was not considered to constitute development and was thus outside planning control (in Boland, 1999, 27). Even non-designated buildings within a Conservation Area could not always be protected, as developers would inevitably try to make the case that because a building was not listed, it was of special interest and did not make a positive contribution to the area (Napier, 2008, 27). The 2007 White Paper, therefore, while stating that government were satisfied that there were adequate means of providing protection for locally designated assets through the planning system, stated that government would make the demolition of all locally designated assets 'development', which would provide Local Authorities with the potential for making Article 4(1) directions to remove permitted development rights.

The ease with which unlisted heritage assets could be demolished changed in 2010 with the publication of Planning Policy Statement no.5, which replaced PPG's 15 and 16 (see Chapter Three). This stated that heritage assets should be conserved and enhanced, and defined heritage assets as both statutorily designated, and those which have been 'identified by the local planning authority during the process of decision-making or through the plan-making process (including local listing)' (DCMS, 2010, p.13). This essentially mirrors what was said in PPG15, but widens the scope of local lists to any heritage asset, and confirms that they will be a material consideration in the planning process, even if the list is not included or reflected in the Authority's Local Development Framework (LDF) or Local Plan (Syrett, n.d.). In addition to local lists, therefore, Local Authorities can identify heritage assets through:

- Conservation Area appraisals
- Local character studies
- Historic Environment Record (HER) documents
- Statutory do not designate decisions which, as noted in the previous chapter, often identify assets as being of probable local interest. Two former Victorian villas in Stockton-on-Tees, for example, which had been put forward for statutory listing and found not to meet the criteria, were subsequently added to the local list (Bage, 2014). A planning

application to erect a single-storey detached double-garage at one of the villas was refused in October 2014 due in part to the impact of the proposed building on the character of the locally listed property (Stockton-on-Tees Borough Council, 2014).

- The planning process – assets may be identified during pre-application discussions or as part of a planning application assessment using a set of published criteria, as in the Bassetlaw case study below.

The streamlined National Planning Policy Framework of 2012 replaced PPS5 and despite having just two and half pages on the historic environment, included local lists in the definition of heritage assets as buildings, monuments, sites, places, areas or landscapes⁷ which are identified as having a degree of significance meriting consideration in planning decisions (DCLG, 2012, 52). This definition is much wider than that within PPG15, although the associated planning guidance is keen to make clear that only assets identified as heritage will be a material consideration, not all undesignated buildings and areas (DCLG, 2014). The NPPF also enabled the local plan to do much more for heritage by recognising the social value of the historic environment and its contribution to sense of place and local distinctiveness (Lennox, 2012). In addition, the framework highlighted the contribution of local listing to the development of the evidence base used to support local plan making (EH, n.d.a; DCLG, 2012, 30, paragraph 126).

Following the publication of the NPPF, many Local Authorities found that their relatively old local lists needed to be reviewed. In Leicester, for example, the local list was re-assessed in 2013 as it was not considered to be defensible in planning because it did not relate to the NPPF. The revised and updated local list now uses the heritage asset definition found in the NPPF, and the list was also put out to consultation (Bailey, 2014, pers. Comm). To assist Local Authorities, who were increasingly under pressure at this time to save money due to austerity measures brought in by the Coalition Government, Civic Societies have also begun to create local lists which can be adopted by the relevant authority. This has been encouraged by the national organisation Civic Voice, who have run a series of workshops and seminars on compiling local lists as part of a campaign that began in 2012 (Civic Voice n.d.). In Peterborough, for example, the civic society and Peterborough City Council worked together to prepare a revised local list. The Civic Society reviewed the urban area while parish councils were invited to review more rural areas, both suggesting potential candidates for addition to the list which previously contained just 15 buildings (Lee, n.d.).

⁷ Undesignated archaeological assets are defined separately because the planning process is somewhat different due to the 1979 Act and the legacy of PPG16.

In the same year that the NPPF was published, Historic England was also preparing a local listing good practice guide (English Heritage, 2012). This draws on what they considered to be good practice on the creation and use of local lists (EH, n.d.c). The guide is the first comprehensive guide to developing a local list, and aims to show that local lists, backed by the National Planning Policy Framework, can help to recognise local distinctiveness and character and ensure that these values are taken into account in proposals for change (EH, n.d. c). As noted in Chapter Five, local distinctiveness was a key local significance value referred to in designation applications. The guide is essentially a series of case studies outlining good practice, rather than a set of instructions for creating a list, but it does include suggested criteria which a number of Local Authorities have taken on board (see section 6.3 below). It is intended to be the starting point from which Local Authorities can respond to local needs on the identification of heritage assets (EH, n.d.c). The guide encourages a more consistent approach to the identification of local heritage assets, and a move from buildings-focused lists to the identification of the full range of heritage assets that make up the historic environment (EH, n.d. b). While the guide does note the use of local lists by and for community groups (EH, n.d.b), in practice the majority of lists still mirror the more comfortable and well-known statutory listing processes and criteria. Although this does to some extent ensure that they are consistent, it perhaps also ensures that the role of the expert is retained within this local process (see discussion below).

6.1.2 THE POTENTIAL OF LOCAL LISTING

Although not statutory, local listing does have the backing of secondary legislation via national planning policy, and as decisions on what should be added to the lists are made at the local level, it offers a number of opportunities for local communities to protect what matters to them, and to be involved in the process of doing so. In their guidance, HE state that local listing provides an opportunity to engage with local communities (HE, n.d.a), and are keen to point out, as Civic Voice have done, that Local Listing helps to raise the profile of local heritage by identifying assets that are of the greatest importance to local people (EH, n.d.a); Harvey, 2014). The recognition of the significance of these assets to their local community is as much part of the potential of local listing as their actual 'protection' from demolition or substantial redevelopment, as one of the main areas of contestation in relation to national designation is a decision which states that the site is not significant.

Alterations to unlisted heritage assets can seriously erode the special character and appearance of an area (Syrett, n.d.). The key reason for the creation and expansion of local lists post-PPG15 was concern about possible demolition of non-designated assets (Morton, 1996). A local list which is reflected in adopted policies is proven to strengthen protection of undesigned assets (Syrett, n.d.). Therefore, although the NPPF now considers identified non-designated heritage assets to be

a material consideration in the planning process, many Local Authorities also include their lists, or policies for them, within their local plan or as supplementary planning documents or guidance, which gives them more weight in the planning process. However, as noted above, the demolition of structures which are not statutorily designated and are outside a conservation area is not classed as 'development' when there are no associated plans to redevelop the site, so in these instances local listing is simply a marker (Syrett, n.d.). If this is tackled, however, perhaps during the plan-making process or through neighbourhood development plans discussed in the following chapter, then local lists have a greater potential (Morton, 1996). In fact many Local Authorities do invoke Article 4(1) directions to remove Permitted Development rights in relation to identified heritage assets. A vacant former office on the draft local list in Cleethorpes, for example, had an Article 4(1) direction which prevented demolition without consent. This meant that an application for redevelopment was refused (Winfield, 2012). In relation to the assumption that statutory designation is the only way to protect valued heritage assets, therefore, it would seem that where a local list is fully built into local plan policy, it has the potential to them. This means that an unsuccessful national designation application and the resulting contestation that the decision may cause could be avoided.

Legislation and policy also requires that local planning documents such as SPDs or SPGs, and the local plan itself, are subject to public consultation. Where local lists are published in this way, such as at South Tyneside which is discussed below, this should ensure that in contrast to statutory designation, communities are much more involved in the decision-making process, and indeed communities do seem to be much more involved in the local listing process overall, with many assisting with the identification of heritage assets. In addition, local lists can feed into existing Local Authority activities such as Conservation Area Appraisals, within which locally listed assets can be singled out as items which it is desirable to conserve and enhance. Those already identified within appraisals can also form the basis of local lists which are in development.

Heritage is not just about buildings (Smith, 2011, 27), however, and as already noted in relation to the definition of non-designated heritage assets, local lists have the potential to accommodate this diversity. While social values cannot be included within assessments for national significance, with no set criteria or selection process set out in any legislation for local lists, it should be possible to recognise and protect social value at the local level. This is in fact included within the suggested criteria set out in the HE guide (2012, p?). There is therefore the to protect or at least recognise as significant a large number of the heritage assets analysed in Chapter Five which were rejected.

The Faro Convention (Council of Europe, 2005) states that everyone in society has a right to participate in the heritage of their choice. It takes this idea from the 2000 European Landscape Convention which advises that protection, management and planning entail rights and responsibilities for everyone (Schofield, 2014, 5). Indeed, HE's Conservation Principles also state that the historic environment is a shared resource (EH, n.d. c), and argue that at its heart, local listing provides an opportunity for communities to have their views on local heritage heard, and recognises that the importance we place on the historic environment extends beyond the confines of the planning system to recognise those community based values that contribute to our sense of place (EH, n.d. b). It should be noted, however, that while community views may be recorded, they may not necessarily be included in the decision-making process, especially as many authorities use criteria which is very similar to that for statutory designation, with a focus on the architectural and historic interest, as the analysis below shows. Community involvement has long been recognised as crucial to heritage protection however (Spennemann, 2006, 30), and there is the potential here, especially for new lists, to include a much wider range of values and to involve communities much more in the process.

6.2 ANALYSIS OF LOCAL LIST CRITERIA AND NOMINATION PROCESSES

As noted in the introduction to this chapter, there has been very little research published on local designation schemes, with only five previous studies having been discovered, three of which were part of wider research and only asked whether a list is used. These previous assessments were undertaken through the submission of questionnaires to Local Authorities. The first was carried out by Joanna Parker in 1992/3, whose MSc research was undertaken to assist Croydon Council in their creation of a local list (Parker, 1994). This was followed by research by Peter Boland in 1997/8 which was also for MSc research, and focused on the effectiveness of local lists within the planning process (Boland, 1999). It would appear that these are the only two specific local list studies that have been published. It is possible to add a further more recent study, however, which is MA research undertaken by Nicholas Page in 2015 which does include a national overview, but is focused on the detailed survey of a sample group of Local Authorities. Three other pieces of research were undertaken as part of wider studies, and include a report on Local Authority conservation provision commissioned by English Heritage and the Institute for Historic Building Conservation (Grover, 2003); A report by Atkins (2006) on the provision of Historic Environment Services by Local Authorities as part of the Heritage Protection Review; and a review of the coverage of statutory lists commissioned by English Heritage to inform a reintroduced programme of strategic designation projects, which contains a short section on local list provision (Chitty *et al*, 2010).

There are also statistics contained within the Local Authority data section of HE's annual Heritage Counts research (HE, 2014). However, this also records only whether a Local Authority has a list based on the information on their website. While the research within this thesis also uses information available online from each Local Authority, it goes further than the majority of the previous studies by analysing how lists are created, the criteria used, decision making processes, and the categories of heritage included. This has been undertaken to enable the potential of local listing identified above to be analysed in relation to what's happening 'on the ground' and to analyse how successful local listing is in terms of protecting locally significant heritage assets.

6.2.1 ANALYSIS

Previous research suggests that the number of Local Authorities who have a local list is gradually increasing. Of the 81.1% of Local Authorities across England, Scotland and Wales who responded to Parker's survey in 1992/3 just 24.2% had a local list, most of which were in England, and 8.39% were developing or hoped to develop a list. This had increased to 30.9% of Authorities by the time of Boland's research in 1997/8, although only 66% of Authorities responded to his survey (Boland, 1999). The research by Grover in 2003 found that 44% of authorities identified locally listed buildings, and in 2010 Chitty *et al* reported that just over 50% of Local Authority respondents worked with local lists. This thesis, however, has found that just 41.10% of authorities have a local list (fig. 16), although 6.13% have a list in development, and 5.52% state on their websites that they use other means of identifying non-designated heritage assets. Hambleton District Council, for example, identify non-designated heritage assets through conservation area appraisals, which record buildings of local interest; and through the planning process using adopted criteria which is set out in local plan policy (Hambleton District Council, n.d.). Heritage Counts statistics also show a similar number of Authorities with a local list although it is slightly higher at 42.33% and the specific authorities are not necessarily the same.

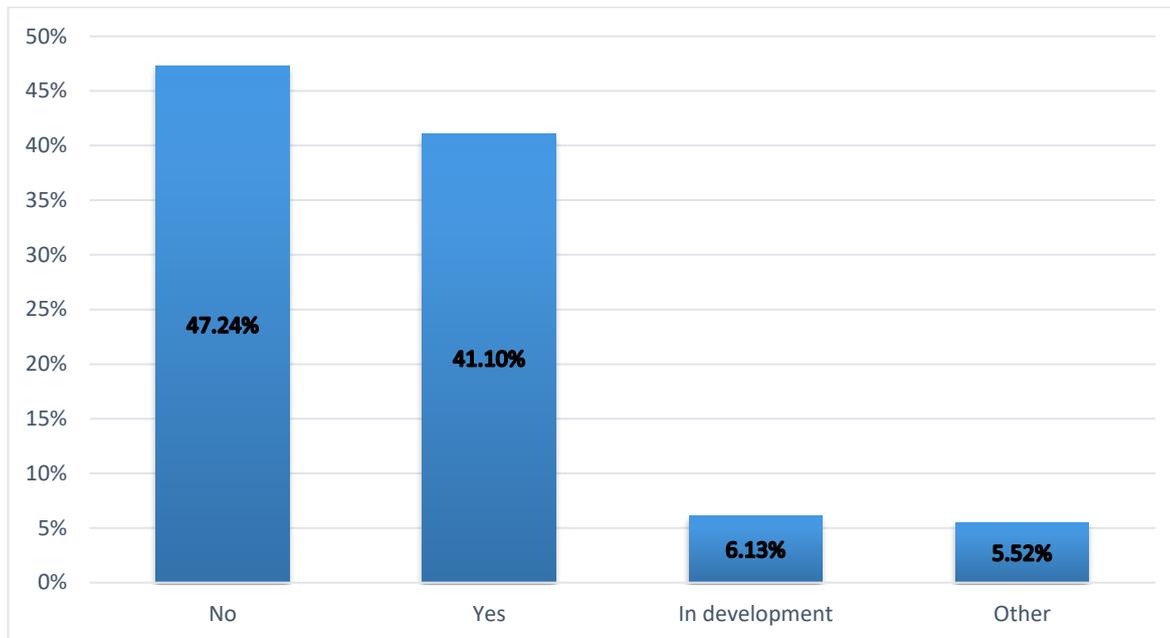


Figure 16 Percentage of Local Authorities who have a local list

In relation to the assertion often made that the number of local lists are increasing (e.g. DCMS, 2007, 29), it is interesting to note that 35 of the lists (26.12%) have a publication date of 2012 or later, and it is assumed that they therefore take account of the English Heritage guidance, although it may be that they were simply reviewed and updated without changing the criteria or decision-making processes. A further 44%, have a publication date which is higher than 2010, with 16 of these being published in 2011, a clear consequence of PPS5. Two lists still have a 1970s publication date though, and a number do not have a specific date as they are added to on a regular basis or are made up of a number of different lists covering specific areas of a Local Authority. North East Lincolnshire, for example, currently has separate local lists for three key historic areas within the borough, although they are in the process of revising these to create a single list for the whole Local Authority area.

In their guidance on local listing, HE state that 'local heritage assets can range from buildings, designed landscapes, archaeology and elements of the natural environment' (EH, n.d. a). This mirrors designated heritage categories except for 'elements of the natural environment'. As noted above, the NPPF uses a less precise definition of heritage assets, stating that they are 'buildings, monuments, sites, places, areas or landscapes' (DCLG, 2012, 52). Local lists, therefore, should be able to include and protect a wide range of heritage categories and asset types (HE, 2012, 14). However, due in large part to the legacy of their development, which is very strongly tied to historic buildings, the main heritage type noted by Local Authorities in relation to their local list is buildings and structures (fig. 17), with 98.79% including this within their definition of what can be included. Indeed, 80.6% local lists include the term 'building' within the name of the list. Landscapes are also relatively high with 26.67% of Local Authorities including this within their

definitions. In addition, while 35% include more than one asset type, only 10% of authorities have more than four. One Local Authority, Havering, notes eight different asset types within its definition, all seven of the possible categories used for data collection, as well as artwork and sculpture.

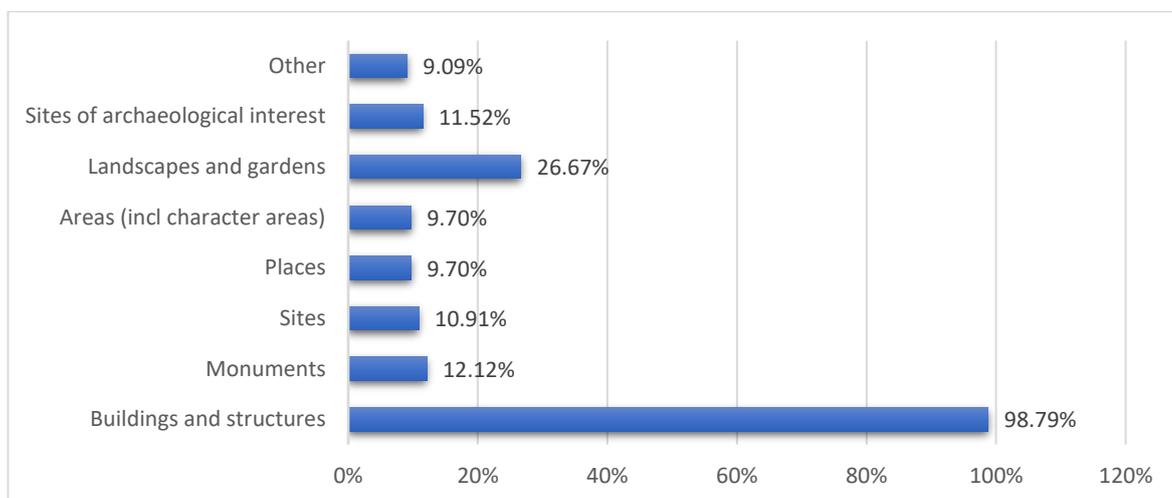


Figure 17 Types of heritage protected via local listing

In contrast to the majority of local lists, the Isle of Wight list was established in 2001 specifically for 27 parks and gardens, which were requested by the local Gardens Trust in recognition of their local distinctiveness (HE, 2012, 15). These gardens form an important component of the island’s historic development and identity, and through the local list they have been given specific protection in local plan policy. This seeks to support informed restoration; prevent fragmentation; and sustain their character and amenity value (Isle of Wight, n.d. a). Working in partnership with archaeologists, Town or Parish Councils, the general public and civic societies, the Council then extended the project to include other types of asset which provide a sense of place, enabling local communities to better articulate local distinctiveness. The criteria for inclusion on the list were correspondingly widened and developed to include townscape merit, survival, architectural and design merit, historic association and historic interest (Isle of Wight, n.d. b). The Island’s list, therefore, now recognises the richness of the everyday and the list helps to sustain the heritage values of the island for the future (Isle of Wight, n.d. a).

For the majority of local lists, the identification of assets is largely the same as national designation regimes, with a combination of nominations from members of the public and area or thematic assessment by the Local Authority. Nomination is the most common method of identification, with 66.94% of Local Authorities using this. Planning processes including character studies, HER records and planning application and pre-application analysis are the second highest and are used to identify assets by 24.79% of authorities with a list (Fig. 18). In some cases, however, particularly the older lists, local heritage assets are identified only by the conservation

team, although the identification of assets via the planning or conservation team was much lower than expected at just 18.18%. It may be that this is not noted within the information provided by the Local Authority though, and it should be noted, however, that 37% of authorities use two or more methods of identification.

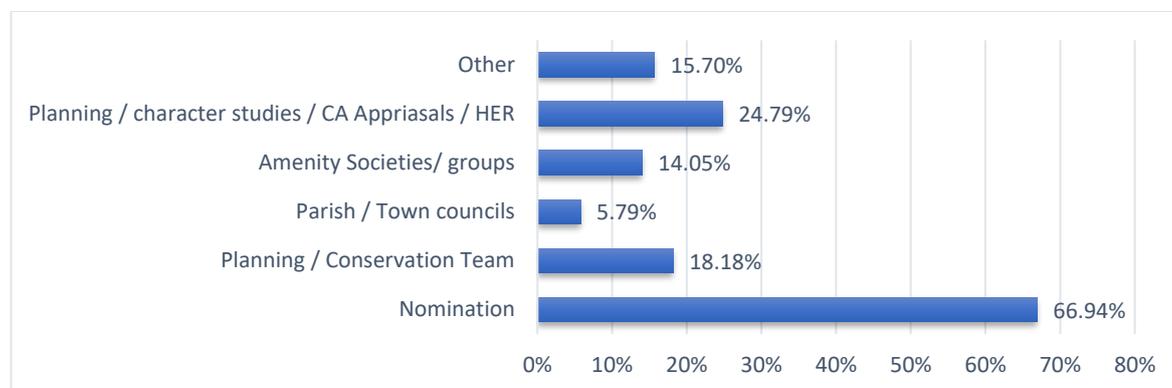


Figure 18 Identification of assets to be included on a local list (% of Local Authorities)

As discussed in chapters two and three, while the need to understand social value is recognised as part of the assessment of an asset’s significance, for example via Conservation Principles (HE, 2008), there is considerable variation in where and how this is taken into account (Jones, 2014, 13). National designation is constrained by statutory frameworks which exclude social value (Jones, 2014, 13), while a broader range of values is, or can be, considered in the wider conservation and management of the historic environment. In practice, however, this is still eclipsed by the long established historical, architectural and aesthetic values enshrined within traditional conservation philosophy that forms the basis of statutory selection criteria. (Jones, 2014, 13). Despite the potential to include a much wider range of values within local lists, therefore, especially if the criteria in the EH guide are used (HE, 2012, 16), this legacy of positivist, material-focused values continues to permeate through the criteria which are used.

Architectural interest is therefore the most common criterion used at 93.69%, with other key elements of statutory listing criteria found in the majority of lists (Fig. 19). Historic interest and historic association, therefore, are also high at 83.78% and 69.37% respectively. Although not a criterion used within national designation, conservation principles or the suggested criteria within the HE guide, 68.47% of Local Authorities also include townscape value as a criteria, which has the potential to accommodate those assets which were the subject of applications for national designation due to their local distinctiveness. Group value or setting was also relatively high at 52.25%. In the Forward to the HE local listing guide, Baroness Andrews, then Chair of the organisation, states that ‘at its heart local listing is a much needed opportunity for communities to have their voices heard, and recognises the importance of community-based values in

contributing to sense of place' (HE, 2012, 5). Although local lists have the potential to take the social value of assets into account, however, only 42.34% use this as a criterion.

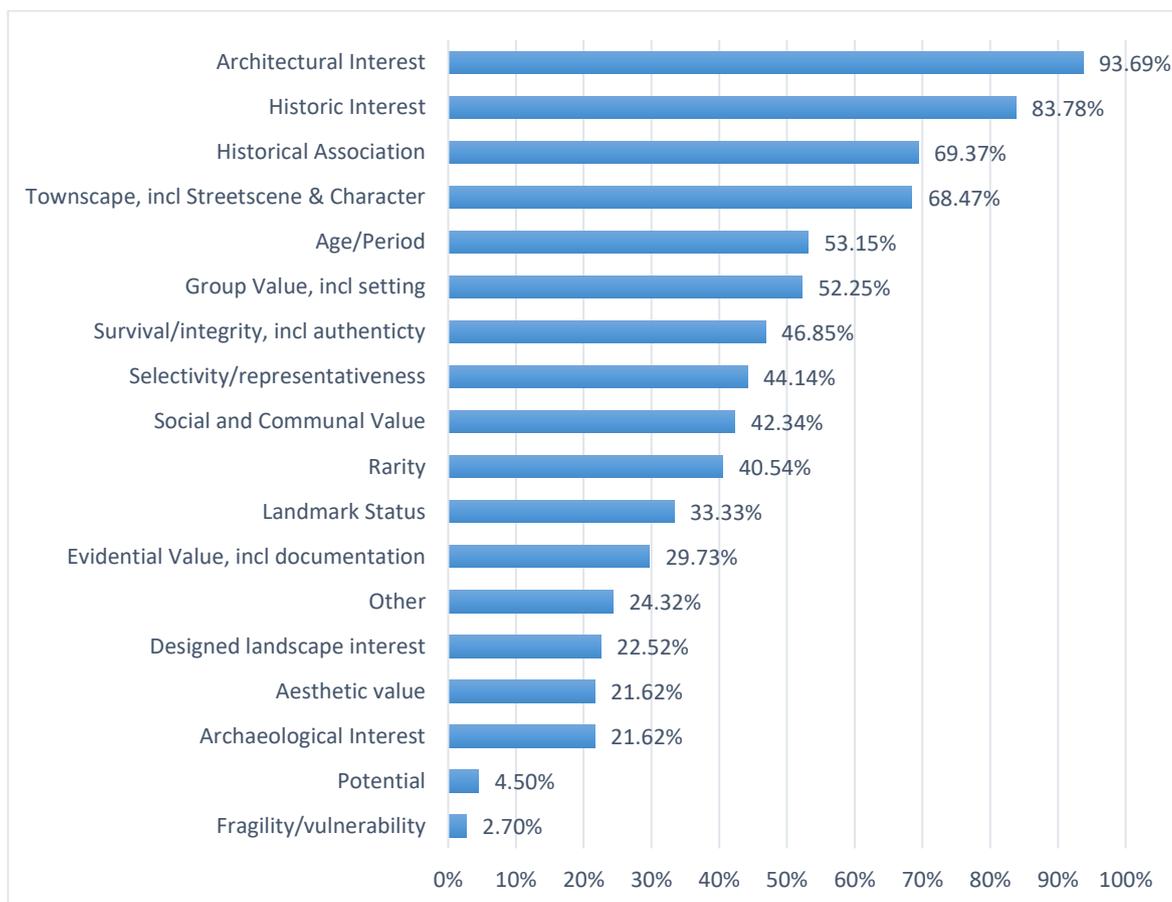


Figure 19 Percentage of Local Authorities that use each criterion

In terms of the number of criteria used, ten lists use just three criteria, mainly architectural interest, historic interest and either townscape or group value/setting. In addition, only 49% have used more than five criteria, although nine per cent use more than ten. At Warwick, for example, the Local Authority is in the process of launching a new 'local list of historic buildings and structures', and have developed 13 criterion which are split into three sections. For inclusion on the list, an asset must fulfil at least once criterion from either an architectural and design merit section, or from a historical/social interest section (Warwick District Council, n.d.); as well as one criterion from a section entitled 'survival and originality'. Other criteria that are used for the selection of assets to be added to lists commonly include industrial importance.

The values which local communities attach to heritage assets, and the reasons why, are not always straight-forward and easily identified (Jones, 2014, 14). As Bradford Odeon demonstrated in the previous chapter, they are unlikely to be obvious or readily apparent to an 'outside' observer. Local lists, however, have the potential to better reflect local values through the inclusion of local communities in the decision-making process. This potential is not always realised

though as the decision to add assets to a local list is most often made by the Local Authority alone (Fig. 20). At Lambeth Council, for example, local listing is undertaken by the Divisional Director of Planning in liaison with the lead member for Planning and Ward Councillors for the relevant ward, although this is on the advice of the Conservation and Urban Design Team (Lambeth District Council, n.d., 2).

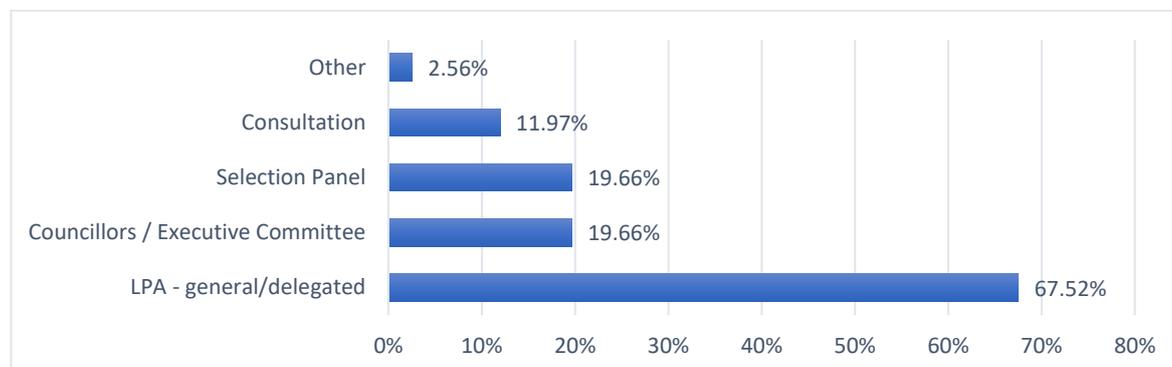


Figure 20 Decision-making: percentage of Local Authorities that use each type of decision-making process

The use of either a selection panel or councillors/executive committee is the next highest, at 19.66%. Although communities may not be involved in this aspect of the decision-making process, the resultant list should be published for consultation before being adopted. However, only 11.97% of Local Authorities specifically mention consultation as part of the process, although it can be assumed that the majority of local lists will have been through this process, especially those which are an SPD or an SPG. Indeed, the data shows that 13.61% of Local Authorities use more than one decision-making process. Most often this will include consultation or a selection panel followed by a final decision by the planning/conservation team or the Local Authority executive committee/councillors. In West Berkshire, for example, nominations are considered by the local heritage forum at a selection panel meeting and are then submitted to the council for consideration following public consultation. The final decision is taken by the Head of Planning and Countryside (Pick, 2012, 4).

Some of the lists are still just a list of addresses, with little or no information on why an asset is considered to be significant, except a note to say that it met the criteria set out by the Local Authority. Others, however, include a short description of the asset, reasons for its addition to the list, a photograph, and a map showing its location. These are often lists which form a Supplementary Planning Document as part of the local plan. As discussed in the overview of local designation above, local lists are most effective when fully incorporated into or supported by a specific local plan policy. When this was assessed by Grover in 2003, he found that just 46% of Local Authorities reported that their lists had this support (Grover, 2003, 43). By the time that the

data for this chapter was collected, 2015, this has risen to 66.28%, which is still relatively low, but as non-designated heritage assets are now protected to some extent by the NPPF, this is perhaps not as necessary as it was in 2003. Of those who do note in the information on their website that locally listed assets are supported by planning policy, 65.45% have a specific local plan policy for the local list, and 28.18% of lists are an SPD or SPG, with 21% having both a local plan policy, and supplementary guidance/documents for the list and/or criteria (Fig. 21).

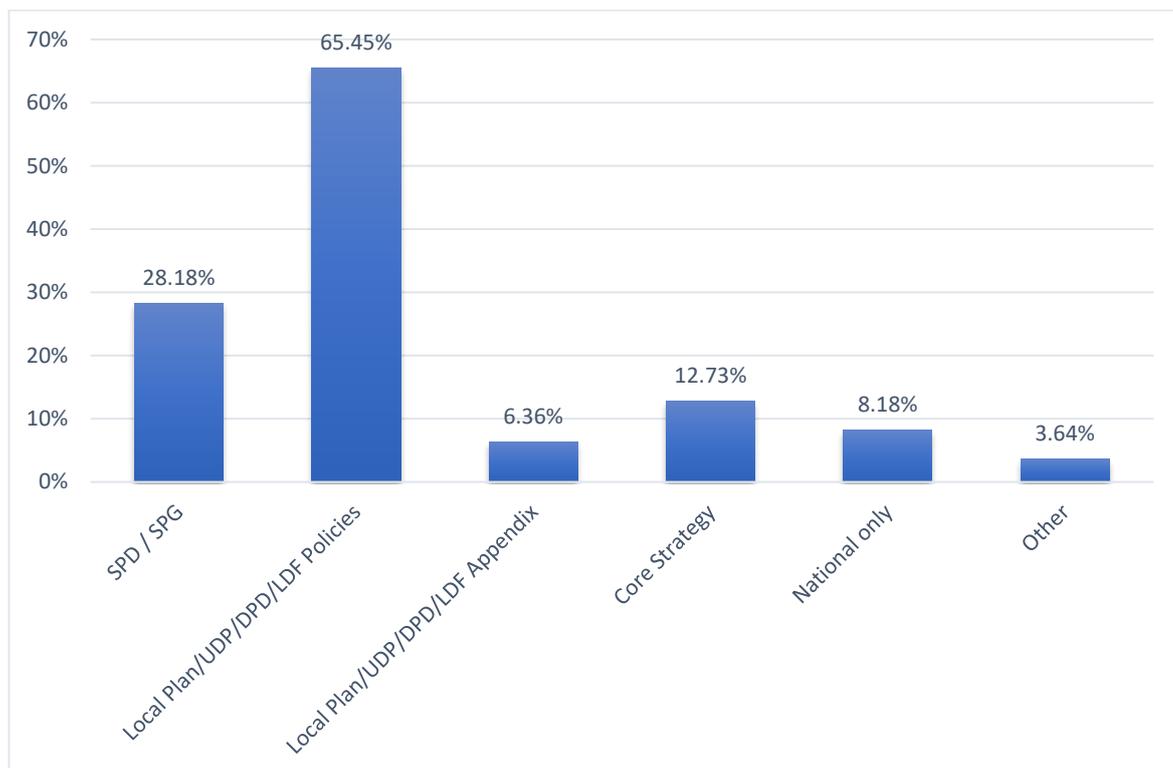


Figure 21 Percentage of Local Authorities who use each Policy Type (where this is known)

Interestingly, 8.18% of Local Authorities only noted national planning policy in their local list documents or on their websites, suggesting that they do not have local policies for the conservation and management of locally significant heritage assets. While local lists with additional supporting policies do tend to be more successful in terms of their conservation, an application to demolish locally listed East Street Cooperage in Grimsby was successfully refused in 2012 due to PPS5 (Winfield, 2012). An urgent works notice was then served to make the building safe, and it has now been conserved, although a lot of replacement was needed. The Conservation Officer had a few complaints that they had forced a building that was not statutorily designated back into a reasonable state of repair, especially as there were numerous derelict listed buildings in the area, but this building was posing the greatest threat to public safety and was thus prioritised (Winfield, 2013).

6.2.2 SUMMARY

This chapter began by outlining the potential of local listing as an alternative or additional form of designation which may better protect the assets that are significant to local communities, without the contestation associated with the national designation selection criteria and decision-making process. This analysis of local lists from a national perspective has shown that some of this potential has been realised. Communities are generally involved in the production of a local list to some extent, and in some cases are also included within the decision-making process. However, the legacy of mid-nineteenth century conservation philosophy and familiarisation with the heritage protection system in England which developed from this has had a clear impact on the types of assets included on a local list and the criteria used to assess them, with architectural and historic interest featuring highly in both. This is especially the case where a list has developed from a previous grade III or similar buildings focused list, and despite the definition of heritage assets within the NPPF and within English Heritage Guidance including much more than buildings, many continue to focus on this asset type. This is not necessarily due to those responsible for developing and curating the list, however, as the case study below demonstrates.

While they are not constrained by specific criteria or definitions of heritage assets as part of legislation, therefore, local lists do seem to be constrained by both the same conservation philosophy gained through a similar education and background, and the use of a comfortable and well-rehearsed process for designating heritage assets. Risk aversion and ideas about the 'right way' to undertake designation, therefore, would seem to reduce the potential of local lists set out in Section 6.2.2. However, it may be that it has been too soon to see any significant impacts from the 2012 local listing guide, and indeed the more engaging planning process demanded by the Big Society agenda.

6.3 CASE STUDY: SOUTH TYNESIDE

South Tyneside Council had an old local list which was a combination of former grade III buildings and assets that previous conservation officers had identified. This was a traditional 'list' with simply the names and addresses of buildings and no information on why they were locally significant. It was also largely hidden from the public as few people knew that it existed or what it was for (Routledge, 2011). In 2010, the Council's Historic Environment Officer decided to re-launch it, and wanted to ensure that it was a community-led list that would form an essential part of the emerging Local Development Framework (LDF). The revised local list for South Tyneside includes a statement of significance for each heritage asset, including the reasons for its inclusion, and was published as an LDF Supplementary Planning Document (SPD) in November 2011 (South Tyneside Council, 2011a). For ease of reference, the local list is also split into five sub-sections,

each one a distinct character area within which locally significant assets are identified (South Tyneside Council, 2011a, 14), and each area has an introductory section which details the special characteristics of that area and the key types of heritage within it.

Although this local list was reviewed and re-launched prior to the publication of the English Heritage good practice guide in 2012, it very much follows the suggestions within the guide, and made sure that local people were fully involved in the process. Indeed, the SPD states that it encourages the Local Authority, property owners, local organisations, development professionals and the local community to engage in conservation, which it says will enable 'proper protection of those parts of the historic environment that the community genuinely values' (South Tyneside Council, 2011a, 3).

6.3.1 ANALYSIS

The 2011 list includes a large number of the assets that were on the original list, all of which have been re-assessed according to the new criteria, and a number of new assets have been added following a request for nominations. A nomination form was prepared which included a short summary of what the local list is and how the nomination and assessment process works. The form then asks 'which buildings, structures and open spaces in South Tyneside are important to you?' and 'which would you miss if they were no longer there or were altered in an unsympathetic way?' (South Tyneside Council, n.d.). The request for nominations was widely publicised in the local press, with an emphasis on local communities being best placed to identify their local heritage. The headline in a Shields Gazette article, for example, stated that people were needed to nominate assets which are important to them to help protect their heritage (Shields Gazette, August 2010), and indeed the Conservation Team felt very strongly that ownership of the list should be placed with the local community (Routledge, 2011).

The nominations received were considered by a panel of judges, made up of local 'experts', who were asked to assess the significance of each nomination (Blower, 2011). The panel were carefully selected to represent local residents while at the same time provide specialist advice on historic buildings and architecture (Blower, 2011). The panel included, therefore: Jules Brown, a representative from the North of England Civic Trust, based in the North East; Peter Derham, the Tyne and Wear Historic Buildings Advisor who works across the five Local Authorities within the county; Cyril Winskill, a notable North East conservation architect; Councillor Jim Perry, lead member for transport and environment in the Council Cabinet and a 'history enthusiast' (Blower, 2011); and local newspaper journalist and Chair of South Shields Local History Group Janis Blower. Janis has described local listing as 'a means for a local community and a Local Authority to jointly decide what, in their area, is worthy of some degree of protection in the planning system.'

(Blower, 2011). It was the panel who decided on the final list though, and not the local community as such.

Within academic understanding of heritage protection processes, a dominant, or Authorised, Heritage Discourse (AHD), is considered to give primacy to a Westernised, elitist heritage which ensures that the general public continue to see heritage as physical sites and objects which are often linked to ideas of the nation; and this therefore marginalises or attempts to erase other types of heritage, being used to reinforce the position of the dominant group (Smith, 2006; see also Belford, 2011; Gibson and Pendlebury, 2009; Harrison, 2010; Smith and Waterton, 2009; Waterton 2007). This includes a professional discourse that validates and defines what is or is not heritage, and frames and constrains heritage practices (Waterton and Smith, 2010, 12). This can be seen to some extent with local listing. Historic England state that local lists play an essential role in building and reinforcing a sense of local character and distinctiveness in the historic environment, introducing the good practice guide as something that will 'support Local Authorities and their communities' (EH, n.d. b). The conception of community which dominates the heritage sector, however, aids and even reinforces ideas of expertise and those who are able to have a say (Waterton and Smith, 2010, 11). While members of the community were invited to join the selection panel, therefore, the request for volunteers was subsumed within a discourse of expertise, asking for 'local historians who can spare some time' (South Tyneside Council, 2010a). Communities of expertise are thus placed in a position that regulates and assesses the relative 'worth' of other communities of interest (Waterton and Smith, 2010, 13).

The original list had been entitled the 'list of other buildings of acknowledged architectural quality or value' (South Tyneside Council, 2011a, 2) and thus had a focus on built heritage and structures. The revised list is simply called the list of 'locally significant heritage assets', and using PPS5 for inspiration, defined heritage assets as buildings, monuments, sites, places, areas or landscapes positively identified as having a degree of significance (South Tyneside Council, 2011a, 3). This is a much wider definition and allows for a much broader range of assets to be identified as significant (see e.g. Blower, 2011). The conservation team thus hoped to receive nominations for a wide range of assets and in particular open spaces, which had not previously been considered for local listing. Councillor Jim Perry, then Lead Member for Environment and Transport, and the cabinet minister who would eventually agree to the adoption of the list by the Council, also stressed that 'we are not just looking for historic assets. Nominations could be relatively new but just as locally significant.' (South Tyneside Council, 10th Aug 2010). Press articles about the local list, however, tended to focus on historic buildings, with a report on 26th April 2011 having the headline 'Town's past comes under spotlight', and stating within the first sentence that the local list includes old buildings and local landmarks (Kelly, 2011a).

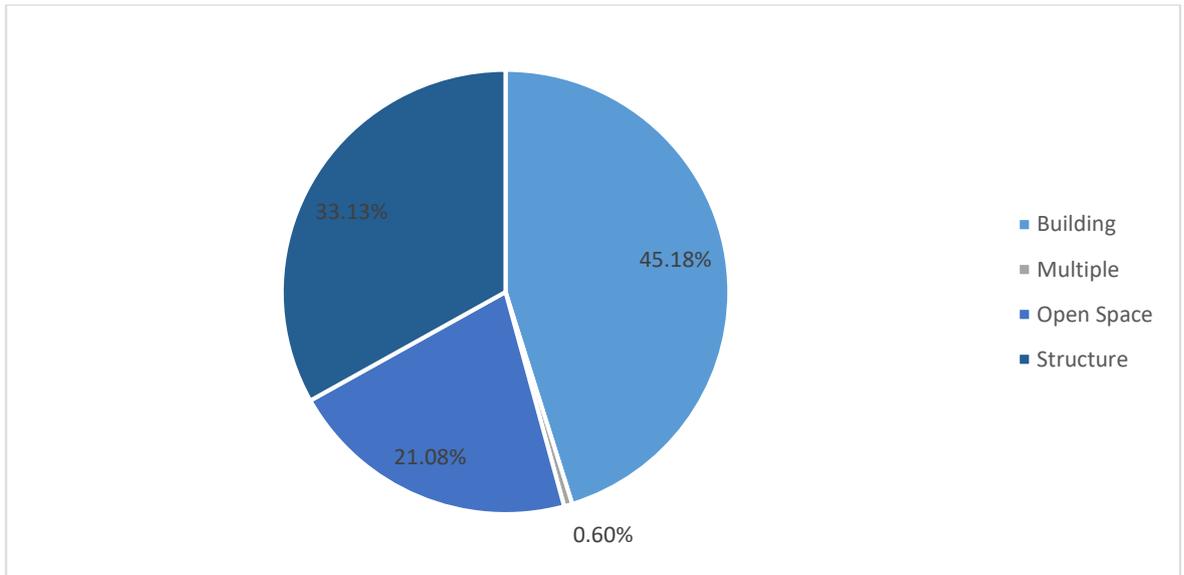


Figure 22 Percentage of Nominations within each category

In the end, despite them not being used within any of the official nomination material, well-rehearsed and traditional definitions of heritage ensured that the majority of nominations were for buildings, with open spaces forming just 21.08% of nominations (Fig. 22). This is still a relatively high number when compared with the national nominations assessed in Chapter Five though, of which only 2.4% were for parks and gardens. One open space which was included in the new local list was Cleadon village pond. The nomination for this open space stated that the pond 'is a bit of a hidden gem which deserves more recognition' (Appendix 3). While the clear value to the local community of this asset has been lost to some extent in its more formal statement of significance on the local list, it is still described as being of being of 'great community importance and vital to the historic character of the village' (South Tyneside Council, 2011d, 352).

Despite the nomination form asking simply for examples of assets that would be missed if they were no longer there, the full criteria are more reminiscent of statutory principles of selection, being set out under the headings of heritage Interest, historic association, architectural and design merit, and townscape merit (South Tyneside Council, 2011c, 5). However, the SPD states that the list includes a variety of heritage assets, some of which are simply 'historically or socially important to the borough', which means that unlike national designation, social value appears to be taken included. There were, However, a number of buildings nominated which would usually have strong social value, such as social clubs, were not included as they were not considered to have strong enough architectural or historic merit (Blower, 2015).

The most common asset types within the nominations received by South Tyneside Council were those which had a more social or communal significance, with the most common being

commemorative, which includes war memorials, at 16.24% (Fig. 23). As would be expected for coastal area, maritime and naval as well as military sites (often associated with the World Wars) were also high, as were places of worship which often have strong social values even for those who are not regular members of the congregation (Jackson and Schmisser, 2017, 257). The analysis of national designation applications discussed in Chapter Five, found that of those which refer to local significance, domestic is the highest at 25.08%, followed by Commercial (which includes public houses) at 16.39% and industrial at 11.4%. This suggests that the local community in South Tyneside did view the local list as being different to National Designation and a way of protecting a different range of heritage assets.

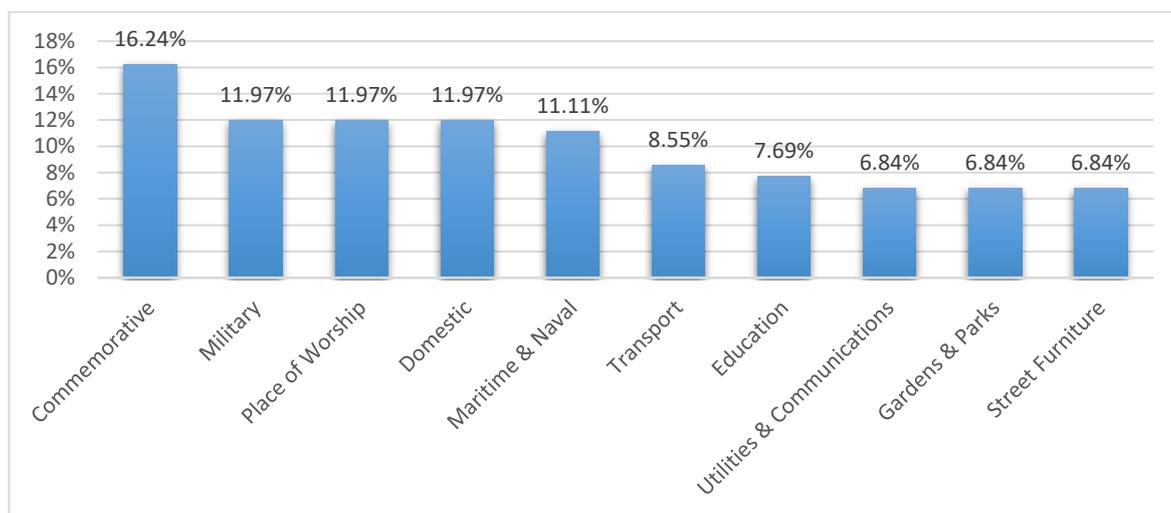


Figure 23 Ten most common asset types within nominations for the South Tyneside local list

Using the same methodology and categories as in the analysis of national designation requests, the local significance attached to each nominated asset was also assessed (fig. 24). However, it was assumed that all nominations were made for assets of local value, so where there was no reference to a particular value category, architecture/history was recorded. This is the largest value at 40.79%, followed by local rarity at 15.13% and local distinctiveness at 14.47% of the total nominations. In comparison with the applications assessed in Chapter Five, the same three types of local value are found to be the highest, but in a different order, with local distinctiveness being the most common for National applications.

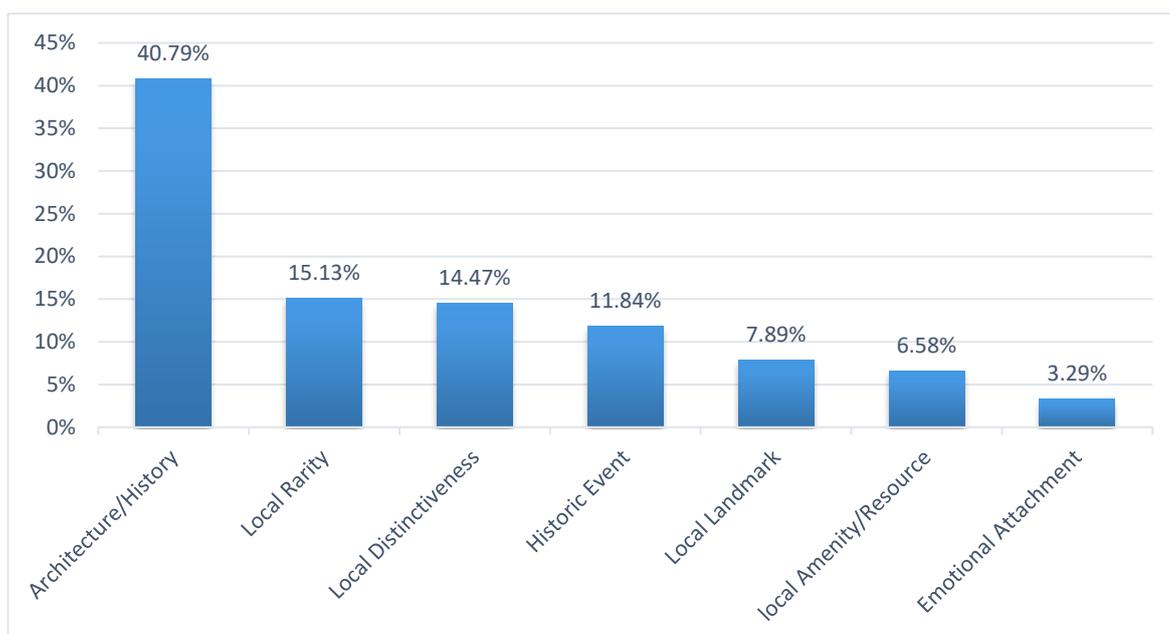


Figure 24 Type of local value identified within each South Tyneside local list nomination

The draft local list was published for consultation from the 3rd to the 31st of May 2011, which purposefully coincided with local history month (Blower, 2011; Routledge, 2011) In addition to the draft document being available on the Local Authority's website, copies of the planning document and the list of successful nominations were placed within the Local Studies section of South Shields Central Library, as well as other local libraries. The Central Library also hosted a week-long display on the new local list from the 9th of March (Routledge, 2011). Within the consultation period, the local community were asked for their feedback on the planning document, as well as any additional information that they might have about the assets proposed for designation.

One asset on the new local list is the Mission to Seafarers' building in South Shields, which has a grand institutional appearance and copper domed turrets which are particularly striking, along with a large stained glass window indicating the presence of a chapel inside (South Tyneside Council, 2011b, 19). The early beginnings of a Seafarers Mission in South Shields seems to date to 1818, when a local branch of the British and Foreign Sailors Society was established for the Port of Tyne (South Tyneside Council, 2011d, 19-20). The site of the first mission building was on land which was part of the former Bottle Works at Mill Dam. This was presented to the Mission by Mrs Sarah Love of Beulah House, Durham in 1883. Additional land was bought in 1884 and Dr Lightfoot, Bishop of Durham, opened the completed building on May 25th 1885. In 1921, due to the ever-increasing number of seafarers acquiring accommodation, it was decided to buy a vacant German Sailors' Home, built in 1909. The new Mission was opened in this building on December 15th 1921 and was dedicated by the Right Reverend Herbert Hensley Hendon, D.D. Lord Bishop of

Durham (South Tyneside Council, 2011b, 19-20). The significance of this asset, therefore, lies more with the history and work of the mission than with the building itself.

The charity who own the Mission were very pleased to hear that the building was proposed for addition to the local list, and felt that its designation as an asset of local significance would confirm the building's heritage status (Tulip, 2011). The building had been threatened with closure in 2009 following flood damage, but a successful campaign to 'save' it, including a petition to overturn the decision, resulted in it being repaired and remaining open and in use. However, although a press article highlighting its addition to the local list confirms that local listing does not provide any additional planning protection, a further article on charity officials and volunteers celebrating the news with then MP for South Shields David Milliband, states that South Tyneside Council had 'announced its plans to preserve the building' (Tulip, 2011). This may have been written in relation to the decision not to close the building, but it is followed by a quote from David Milliband which ends 'this local listing helps to make a very strong statement that we want to see this great heritage built on We want it to have life again'. This implies that local listing will result in preservation of the building as if it were nationally designated. A further article from November 2011 covering the adoption of the list by South Tyneside Council's cabinet, also states that the future of assets on the list 'will now be overseen and preserved for future generations' (Kelly, T, 2011). There is also an assumption, therefore, made clear in the quote from Milliband above, that local listing will ensure continued use of the building, as was noted for at least 10% of the nominations for National designation in Chapter Five. Within the nominations received as part of the South Tyneside list review, 6% of the nominations were for local amenities/resources, and 7.83% referred to the potential future or continued use of the asset should it be locally listed.

However, it is unclear how many people within the local community were actually aware of the local list and what it intended to do. As a member of the selection panel stated when asked if she felt that local people welcomed the list: 'Yes, as far as they were aware of it, but I do tend to think that it's one of those things that is below the radar for the majority of people' (Blower, 2015).

Despite the information in documents, guidance and publicity by the Local Authority stating that local listing would not bring any additional planning requirements; there was still some opposition from owners of buildings on the draft list who were concerned about the potential impact on their rights as property owners (Routledge, 2011). The Historic Environment officer, therefore, arranged a number of consultation meetings across the borough. One such meeting was held as part of a community area forum, with people invited to go along to receive a progress report (South Tyneside Council, 2011a). While the press release published by South Tyneside Council about this meeting used a discourse of heritage assets rather than historic buildings, with a quote

from Councillor Strike defining local heritage assets as sites which include significant historic associations, architectural or landmark sites, or those which contribute to the quality of a particular place (South Tyneside Council, 2011a); the resulting article in the Shields Gazette began with 'Local landmarks worth preserving will come under the spotlight ...' (Clifford, 2011). However, these meetings worked well to dispel any myths about the local list, with owners having a better understanding of the list and what it aimed to do (Routledge, 2011).

The local list supports existing planning policies and guidance, and although it does not introduce new policies for heritage assets, it mirrors the policies in PPS5 (and now the NPPF) by seeking to protect, conserve and where possible enhance the borough's character, appearance and local distinctiveness, with the SPD being a material consideration in the assessment of planning applications (South Tyneside Council, 2011a, 2). In 2011, therefore, a proposal for the partial demolition of a building on the draft list, Christ Church Rectory in Jarrow, was refused on the grounds that the building had been identified as being significant to the local area (South Tyneside Council, 2011a). It was considered that the proposed alterations to the building would 'result in an unsympathetic and incongruous form of development that would be materially detrimental to the architectural quality, historic fabric, historic interest and overall appearance of this historic building' (Checkley, 2011), and as such it was considered contrary to local planning policy. This decision was appealed, but was again refused for being contrary to the Local Authority's Local Development Framework (LDF) (South Tyneside Council, 2011c; Checkley, 2011).

South Tyneside will also consider the use of Article 4(1) Directions for locally listed assets to ensure that any development in relation to a local heritage asset is sympathetic to it (South Tyneside Council, 2011, 12). There are, however, many cases where local listing has not been successful in 'protecting' heritage assets. For example, a locally well-known riverside public house, The Commercial, was added to the list but has been demolished; the old Staithes House at Mill Dam in South Shields, a last remnant of the old Harton Low Staithes from which coal was shipped, is also facing demolition; and Redhead's landing, one of the last historic public landings left at that area of the Tyne and the only remaining direct public access to the river in the town, has been closed by the Port of Tyne due to redevelopment and extension plans (Blower, 2015). Selection panel member Janis Blower, therefore, says that 'it is impossible not to feel that local listing can be worthless in the face ... [of] determination to develop' (Blower, 2015).

The Local List SPD is keen to make clear that not all of the borough's non-designated heritage assets will be identified via the local list. The selection criteria will thus be used to assess other assets which may come to the attention of the Local Authority as a result of a planning application or enquiry (South Tyneside Council, 2011c, 10). A small number of other Local Authorities use only

this method of identifying non-designated heritage assets. Bassetlaw Council discussed below, for example, has identified the majority of its local heritage assets in this way. However, this can cause tension where a potential heritage asset has been proposed for redevelopment by an 'outside' company. The ability to check a local list beforehand, therefore, as can now be done at South Tyneside offers much more certainty. As Blower (2011) states, not only does the local list allow residents to help protect aspects of their heritage that they value; it also leaves developers 'in no doubt' as to where heritage assets are located, and importantly, 'what it is about them that's worth considering'.

6.3.2 SUMMARY

One of the main areas of potential for local lists is their ability to recognise and take into account local distinctiveness and other, less tangible, social values; and to include the local community within this process. The South Tyneside Local List SPD states that the historic environment is not just about listed buildings or conservation areas, rather it is the larger number of non-designated assets which reinforce local distinctiveness and a sense of place, and the local list is intended to recognise these non-designated assets so that they can be properly considered (South Tyneside Council, 2011a, 1). It thus seems to fulfil this potential to a large extent. The community were not only invited to nominate the things that they would miss if they were no longer there or substantially altered, but were also invited to put themselves forward for the assessment panel of local 'experts' (Shields Gazette, 10.08.2010), and were given the chance to provide feedback during the consultation process. The resultant list, therefore, includes a wide range of assets, from traditional architecturally and historically interesting buildings such as the Mission to Seafarers building, to open spaces such as Cleadon village pond which would not normally be considered for statutory designation. Selection panel member Janis Blower, however, says that 'I think the local list does what it can to the best of its ability, but I'm sceptical as to how far it influences planning decisions.' (Blower, 2015). The case study of Bassetlaw, in contrast, suggests that local lists certainly can have an influence in decisions.

6.4 CASE STUDY: BASSETLAW

When the idea of Local Listing was given more weight in the planning system in 2010 through PPS5, Bassetlaw District Council, Nottinghamshire, saw the opportunity to protect more of its heritage. The aim was to create a set of criteria which could be used to identify all categories of assets (HE, 2012, 17) and they were quick to react in developing and implementing a comprehensive system of identifying non-designated heritage assets (Britt, 2014). In contrast to South Tyneside, however, the Bassetlaw 'list' was compiled by the Local Authority conservation team with little input initially from the local community. It is, however, used as an example of

good practice in the HE local listing guide specifically in relation to the development of criteria (English Heritage, 2012, 17). The importance of having agreed and well-defined criteria which can be applied consistently across the District is also noted in the Bassetlaw Core Strategy and Development Management Policies Document, which was adopted in December 2011 (Bassetlaw District Council, 2012, 5). This sets out a vision for the District that is focussed on improving the attractiveness of the area, with the conservation and enhancement of the District's heritage assets considered to play a key role in this. The core strategy, therefore, gives considerable weight to the preservation and enhancement of both designated and non-designated heritage assets in planning decision making (Bassetlaw District Council, 2012, 5).

6.4.1 ANALYSIS

The definition of a heritage asset used by the Council follows that within national planning guidance and thus states that a heritage asset may comprise a building, structure, historic settlement, archaeological site or landscape/landscape feature. These are identified by the District and County Council's Conservation teams in four different ways (Bassetlaw District Council, 2012, 28):

- Local Character Studies such as Conservation Area Appraisals
- Nottinghamshire County Council Historic Environment Record (HER) data and project reports
- During pre-application discussions, where it may emerge that a site affected by a proposal meets the criteria for identification as a heritage asset. If this is the case, the developer/agent will be informed and will be required to produce a heritage statement at the application stage.
- If an application is submitted without pre-application discussions, the site affected may be identified as a heritage asset at the applications stage, and therefore, the developer/agent may additionally be required to submit a heritage statement.

Bassetlaw had not previously had a local list, and the biggest concern that the authority had with the concept of was in relation to the decision-making process, as they were very conscious that it would simply be viewed as the Conservation Department protecting 'anything and everything at a whim' (Britt, 2014). As the designation of Listed Buildings and Conservation Areas has to be very well justified, they felt that the same should be true for local listings, and thus decided to devise clear criteria for identification. These were developed following a review of the range of existing national and local guidance, as well as international guidance from Canada and Australia (Bassetlaw District Council, 2012, 8). Within the existing heritage guidance documents and other relevant research, they repeatedly found the inter-connected themes of 'interest' and 'significance'. By assessing the use of these different terms, the Council considered that rather

than being interchangeable, interest and significance are both essential in explaining the importance of a heritage asset. If an asset has at least one element of interest, it will then be judged on its significance (Bassetlaw District Council, 2012, 8), and it must have at least one element of both to be considered a non-designated heritage asset (Fig. 25).

Common to the various definitions of ‘interest’ were four separate types: architectural; archaeological; artistic; and historic. These are the four areas of interest used within NPPF definitions of significance, and the statutory designation application form also asks for information on at least one or more of these. Despite significance being described as the sum of an asset’s heritage values or interests in, for example, Conservation Principles (HE, 2008) and the NPPF, as well as in international guidance such as the Burra Charter (Australia ICOMOS, 1999), ‘significance’ within the Bassetlaw definition is measured in terms of: rarity; representativeness; aesthetic appeal; integrity; and association (HE, 2012, 17), all of which are criteria usually associated with Listed Buildings, Conservation Areas and to some extent by Registered Parks and Gardens. The majority of Bassetlaw's non-designated assets, therefore, are traditional heritage in terms of architecture and interest, and while Britt has confirmed that social value is considered here, all assets must fall within the criteria of one element of interest and one element of significance (Britt, 2015).

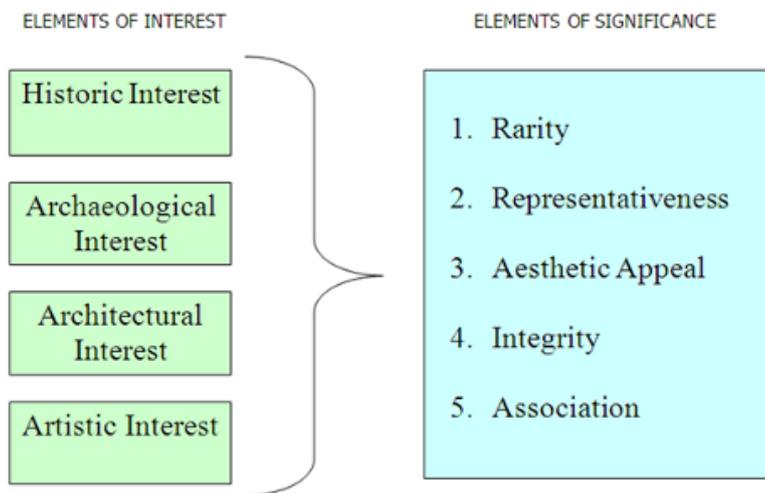


Figure 25 Definitions of Interest and Significance for Bassetlaw non-designated heritage assets (Source: Britt, 2014)

To ensure that the criteria were easy to use and understand for council officers, developers, applicants and the general public, a criteria guidance document was produced which clarifies each of the categories of interest and elements of significance, and puts forward a process of heritage asset identification to be used by the District Planning Authority (Bassetlaw District Council, 2012). It also provides information on the types of assets that are prevalent within, and

contribute to the historic character of, the District (Historic England, 2012, 17). The Conservation team and Planning Policy Officers were already in the process of writing new planning policies for the District when PPS5 was published in 2010. This allowed them to use the new terminology of 'heritage assets' and to ensure that locally listed buildings and the criteria by which they are selected were included in the policy for the historic environment (Britt, 2014). Although consultation was undertaken on both the criteria and local planning policies for the historic environment (Bassetlaw District Council, 2012, 2). Because newly identified assets are constantly being added by Conservation Officers, however, the 'list' of non-designated heritage assets is not itself consulted on, although the public are welcome to make comments on non-designated assets at any time (Britt, 2015).

Following the development and agreement of the selection criteria, the identification of non-designated heritage assets at Bassetlaw has been undertaken on the basis that if it fits the criteria then it is a heritage asset and should be identified (Britt, 2015). Once identified, local heritage assets are not added to a list as such, they are mapped on the Council's GIS along with Conservation Areas and statutorily designated heritage assets, and this is available online (Britt, 2014; fig. 26). They do keep a database which identifies the assets, sources of historic information, which of the criteria they fulfil and any additional comments such as whether further research is needed, but this is not a public document. Unlike South Tyneside, therefore, where each asset has a statement of significance which includes details of the specific criteria that the asset meets, the only publicly available information at Bassetlaw is a GIS layer (fig. 6.10).

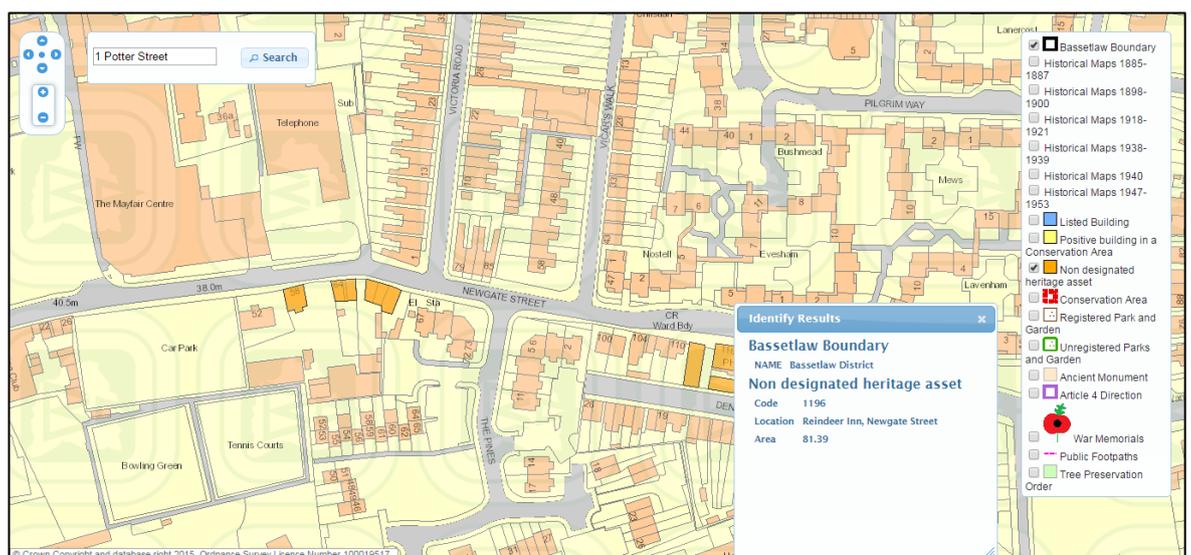


Figure 26 Example of Bassetlaw Heritage Mapping (Source: <http://lvf1.bassetlaw.gov.uk/LocalView/Sites/ConservExt/>)

Although the majority of non-designated assets are identified by the Conservation Team, the public can also identify a site for possible addition to the map (Britt, 2014). Using the information that is provided, the Conservation Team will make an assessment of the asset against the criteria and map it if it is appropriate. Once mapped, the building or site will become a constraint in planning terms, requiring additional information if a planning application is submitted, including a heritage statement. Assets which the Conservation Team are unsure about are still mapped, however, with the understanding that more detailed research on the significance of the asset can be undertaken at a later time when resources allow, or if the asset is under threat from planning. Conservation Officer Simon Britt says that this 'simply means that the Planning Department and Planning Officers are aware that the heritage value of the building and site will need further assessment and understanding' (Britt, 2014). The system is therefore described by Britt as being very flexible, ensuring that the district is less likely to lose locally significant heritage assets (Britt, 2015). While this means that the majority of proposed heritage assets will be mapped and flagged as having significance, it would appear to leave developers somewhat uncertain about whether the site is actually an identified heritage asset until a planning application is submitted. An application for the re-development of a dwelling in Bawtry, for example, was refused in 2012 following its identification as a non-designated heritage asset during assessment of the planning application, and this refusal was appealed. The appeal decision noted that, in relation to the building being a heritage asset, 'there appears to be no good reason to override this protection and accept that this [building] should be removed and replaced with the proposed new dwelling.' (Frost, 2012, 3). While this process would certainly seem to offer the protection that many local communities would like to see for their local heritage, it must be assumed that many of the decisions are contested by those wishing to redevelop assets previously not identified as being heritage assets, and is perhaps not the most efficient way of identifying local significance.

The mapping of non-designated assets, therefore, is very much a planning tool used to ensure that heritage assets are properly assessed if planning applications are submitted for them. The Conservation Officer for Bassetlaw has advised that planning applicants are generally accepting of the identification of a local asset, and if it is worthy of retention they understand this once it is explained (Britt, 2015). In some cases, however, usually with large developers, this is not accepted and can end up in a contentious situation (Britt, 2015), especially as identification works only as a safety net to ensure that the Conservation Team learn more about the asset (Britt, 2014) (see fig.27).

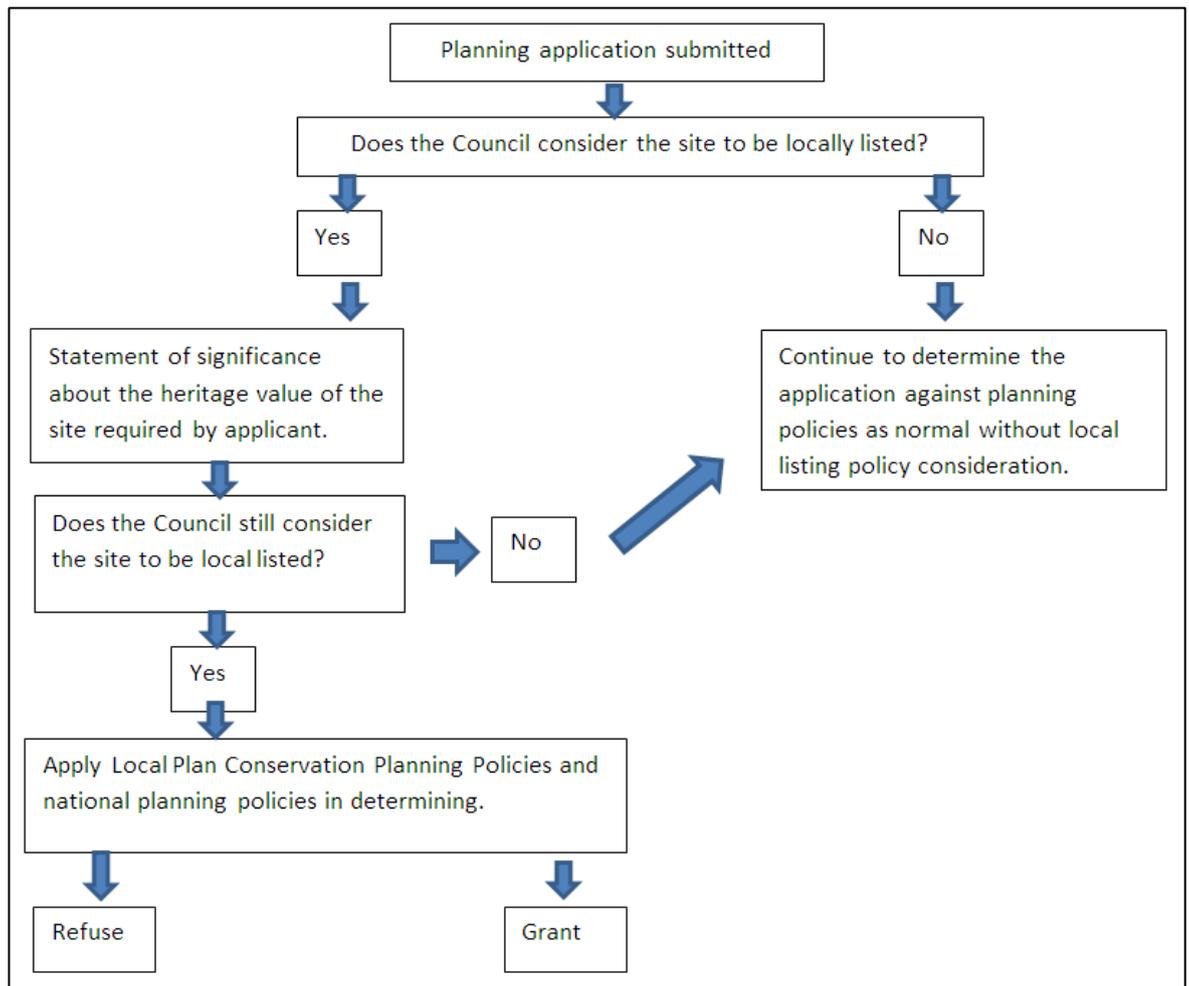


Figure 27 Non-designated heritage assets within the planning process at Bassetlaw (Source: © Britt, 2014)

Rose Cottage, for example, was identified by the Conservation Team as a non-designated heritage asset and subsequently became the subject of a planning application. The building is an 18th century cottage which had been much extended in the 19th and 20th centuries resulting in the loss of some of its architectural interest. It was still identifiable as a historic building in the village, but because of the alterations there was some doubt about its significance (Britt, 2014). A planning application was submitted to demolish it and build a new house, and as part of the application the Conservation Team asked the applicant for a detailed heritage assessment. A professionally researched assessment was thus submitted which confirmed to the Conservation Team that it met the local list criteria (Britt, 2014). The Council therefore refused the planning application for demolition and rebuilding. Although the applicant appealed the decision, the Planning Inspector agreed with the Council and did not allow its demolition, stating that 'the proposal would have a materially harmful effect on the character and appearance of Rose Cottage and its setting, taking into account its status as a non-designated heritage asset' (Harrison, 2012, 2). The house has subsequently been sympathetically restored and extended. By identifying and using the policy requirements of heritage statements of significance the Council was able to

confidently apply the relevant conservation planning policies to this building (Britt, 2014). It might be argued, however, that if the building had been assessed when it was first identified as a heritage asset, the applicant would have been able to submit a planning application which was sympathetic to its heritage significance and thus approved in the first instance without costly appeal and re-application.

6.4.2 SUMMARY

The Conservation Team at Bassetlaw have found that having a local planning policy and criteria for the identification of locally significant heritage assets, which councillors, planning officers and members of the public all have access to, provides significant weight and thus protection of non-designated heritage assets in the planning system. Their system is also relatively quick and effective, and is flexible enough to allow significance to be re-assessed as needed. The system does appear to work very well as a planning tool therefore, ensuring that assets are assessed thoroughly at planning application stage, and it is flexible in allowing officers to identify them at this stage. However, unlike South Tyneside, it is not something that the public have ownership or pride over because they have had very little involvement in the process (Britt, 2015). The Conservation Officer at Bassetlaw argues that because the system is robust, however, the public have little complaint about it either (Britt, 2015). Having been developed relatively recently though, the process is likely to continue to develop and evolve (Britt, 2014).

However, while it would appear to be successful in terms of 'protecting' identified heritage assets, it does not appear to have been influenced at all by the ideas of community engagement and empowerment prevalent at the time of its creation. It would seem to have been a quick reaction to the potential within PPS5 for greater heritage protection and has been developed in isolation from prevailing political agendas and academic debate on community involvement. In addition, despite what is described as a large amount of research having been undertaken, it also seems to have developed criteria which on the one hand are very similar to both statutory principles of selection and definitions within the NPPF, but on the other are quite different in their use of 'interest' and 'significance'. As the process appears to work in terms of refusing planning permission for threatened locally significant assets, rendering a statutory application unnecessary, this somewhat confusing process and criteria may potentially result in contestation simply moving to the local level.

6.5 DISCUSSION

This chapter began by thinking about the potential of local listing as a less contentious and more engaging addition to national designation, which can perhaps better protect the assets that

communities value. A number of areas of potential were identified, therefore, and analysed during both the national survey of local lists and the two case studies. These are:

- Community engagement with the full nomination and assessment process
- Ability to recognise and include social and other 'non-traditional' values
- Ability to protect a wider range of heritage asset types
- Protection of the assets that matter to local communities
- A less contentious process

The national survey of local lists across England found that overall these five areas of potential are being fulfilled to some extent. However, with local lists being non-statutory, whether they are actually protecting what matters and ensuring its continued use into the future, is very much dependent on both the Local Authority and on asset owners, with many examples of local heritage assets being demolished suggesting that local listing is perhaps just an exercise in community appeasement. In addition, as Page (2015, 51) argues, having a local list does not ensure that it is utilised, with only two of the lists that he analysed being in active use, and more generally several being unmaintained or out of date.

Historic England state that the potential of the local listing process includes opportunities for local communities to be involved in the drafting of criteria, and to have a role in nominating assets for inclusion on the list (HE, n.d. b). Although suggesting that decision-making is retained within the Local Authority, they also say however, that local lists should mean greater co-operation between the Local Authority and the community, with a transparent, consistent and proportionate system for the identification, validation and recording of heritage assets (HE, n.d.b). In most cases this does seem to occur, with 66.94% of authorities with a local list using nomination as an identification process, and as South Tyneside demonstrated, some also invite members of the community to join a panel of 'experts' who agree the final list. However, despite increasing engagement and consultation with local communities, the role of the conservation officer as heritage expert continues to be perpetuated in many authorities, particularly in relation to the definition of heritage significance. Speaking about his experience of developing a local list at a conference in 2011, for example, Mike Scammell, a former Conservation Officer at Cheshire East, advised that nominations could often be 'strange' and would need expert screening. Nominations from Amenity societies, however, he considered to be more reliable and consistent (IHBC, 2011, 29). Therefore, although many are now realising the benefits of greater public participation, in practice there are still many barriers to this (Clarke, 2008; Skeates, 2000), especially when it is considered that the heritage sector is dominated by a particular notion of community and an idea of those who should be engaged and be able to participate (Waterton and Smith, 2010, 9).

Faro's recognition of the need for dialogue between heritage managers and groups in society is an important step forward (Burström, 2014, 101). In relation to community involvement in decision-making, the process towards a decision can be just as important as the decision itself (Burström, 2014, 105). Those who take part in the process and feel that their views have not just been heard but taken into account, also usually find it easier to accept a decision that is not in their favour (Burström, 2014, 105). In general, the inclusion of communities in the decision-making process is improving, as they increasingly have a voice and the mechanisms to ensure that their voice is heard (Schofield, 2014, 1), particularly at the local level. In relation to local designation this includes responding to consultation and taking part in selection/judgement panels. Although the composition of focus groups or community reference panels is meant to be representative of the views of the community as a whole (Spenneman, 2006, 32), however, as South Tyneside demonstrated, those on the panel could all be considered 'regional' experts rather than members of the community, and all had a background in heritage or architectural history. Waterton and Smith (2010, 10) caution, therefore, that the institutionalisation of 'community' within policy and engagement processes means that some people are involved in groups that are 'entitled' to make decisions about what is and what is not heritage and others are excluded. Those who tend to be listened to, therefore, are usually the well-established citizens, often with an academic background, who are used to taking part in such situations (Burström, 2014, 106). Some individuals do expect and in fact prefer the traditional expert to make decisions on their behalf, however, and there's nothing wrong with this, so long as there is a choice. The goal of involving everyone in society as suggested by Faro, therefore, may as Burström suggests be somewhat over-optimistic and in need of reflection (Burström, 2014, 105).

Local lists also have the potential to include the social values of heritage assets. The relationship between expert professional judgement and the values of the wider community is reframed when social value and collaboration is included in the process, especially with community-led local lists (Jones, 2014, 14). In Australia in the 1990s, the community based response to the traditional expert-led model was to turn away from universalising narratives and to focus on indigenous interests (Greer, 2010, 48). This can also be seen to some extent in non-colonial countries such as the UK, with the increased desire to protect the local and the everyday a similar reaction to the universalising narratives of globalisation. It is also in part though a direct response to new ways of thinking in countries such as Australia, which through the Burra Charter have become a key influence in the UK. As already discussed in Chapter Three, however, it was only in 2008 that social value was officially included within heritage management literature in the UK (e.g. Conservation Principles, EH 2008), although not within statutory designation strategies. Local listing does offer the potential for social value to be recognised though and it is included within

the suggested criteria in the 2012 HE local listing guide (HE, 2012, 16). However, although this is a criterion for 42% of local lists, it does not appear to be used to the same extent as the more traditional and perhaps better understood criteria of architectural and historical interest.

Adding assets which are significant for their social values to a list, however, dissolves the boundary between the official and the unofficial, and threatens to subsume the latter within the former. Any list is an act of appropriation, generally at some point requiring keepers, and criteria and rules, and thus there will inevitably be exclusions and selectivity (Fairclough, 2014, 246). As Bassetlaw illustrated, dependence on agreed criteria and an approved identification process did prove successful in terms of protection, but not in relation to engagement with communities. The development of criteria, policy and process however, means that the heritage professional retains their role as the expert. It is they who are deciding what is of significance based on their training and experience, with the local community perhaps being consulted and asked to nominate sites, but only after definitions and criteria have already been agreed. In addition, the seeming certainty of 'national importance', and well-rehearsed and familiar processes of considering architectural and historic interest provide greater comfort to those in authority than discourses which include social values such as memory and lived heritage (Emerick, 2007, 28).

Despite planning policy defining heritage assets as simply a 'valued component of the historic environment' (DCLG, 2011, 52), and public consultation being a key element in the development of most local lists, the definition of heritage used by most Local Authority conservation officers when putting them together focuses on the more traditional heritage values that they are more accustomed to. The criteria for Southampton's list of locally important 'buildings of architectural or historic interest', for example, almost entirely mirror those for statutory listed buildings, including authenticity, architectural significance, and historical significance. A number of authorities, in fact, have complex scoring systems for determining whether an asset should be included on their local lists, for example Chorley and Blackburn, and these also tend to mirror the criteria for national designation. In addition, many Conservation Officers also feel that they need to 'vet' nominations in order to ensure that only 'real' heritage sites are included on the lists (Scammell, 2011). This screening is essential, it is argued, as Officers will have to defend the building's retention (Scammell, 2011), and this defence, it seems, can only be made using 'traditional' heritage values. A similar prioritisation of professional expertise was discovered by Page (2015, 58) in relation to the Barnsley Local List, where officers rejected community engagement due to the need for consistency, objectivity, and a 'proper understanding of historic significance'.

There is a growing awareness of the democratic aspects of cultural heritage though, and the Faro Convention (Council of Europe, 2005) is a clear example of this. It states that we need to put people and human values at the centre of an enlarged and cross-disciplinary concept of heritage (Council of Europe, 2005 2). While this would be difficult to put in place for national designation due to the politics and bureaucracy of the systems, as well as the lack of resources that would be necessary to implement this – there are already ‘old style’ designations with lost entries written in a different format to ‘new-style’ entries written from 2005 onwards but no resources to be able to amend them. However, this should be possible at the local list level, especially as consultation on the final list usually occurs, often with regular updates, and a wider range of both people and heritage values are usually involved.

Faro challenges us to adopt a holistic view of heritage, recognising that heritage assets are important because of the meanings and uses that people attach to them (Thérond, 2009). Indeed, Faro encourages a wider understanding of heritage and its relationship to community, society and nation, moving beyond the traditional notion of old buildings and historic sites (Palmer, 2009). In most cases local lists do follow this wider definition. They are not constrained by national policy and legislation, so they have the benefit of being able to a wider appreciation of the totality of the historic environment (Boland, 1999). This is clear in the HE good practice guide, which advises that Local Heritage Listing has the capacity to include all types of heritage assets (HE, 2012, 14), and further defines heritage assets in the same way as national planning policy as 'a building, monument, site, place, area or landscape identified as having a degree of significance' (HE, 2012, 32). The survey of local lists undertaken within this chapter, however, found that a significant number still focus on buildings and structures, with open spaces and other categories all being less common in definitions of what can be protected. The case studies also show a continued focus on buildings, although South Tyneside Council did open the criteria up to include open spaces which saw a number of village ponds and walkways being added, neither of which would usually be statutorily designated.

Leaving to one side whether the potential of local lists in terms of the research questions within this thesis is being realised, they do appear to operate very well alongside national designation. In an ideal world this allows for both national designation based on traditional essentialist legacies; and recognition of socially valued assets of local significance via local listing systems. Indeed, the recognition and legitimation of locally significance assets does appear to be one the key benefits of a local list. In terms of actual protection, however, the outcome is not always beneficial. In some Local Authorities, local listing has not been particularly successful in protecting heritage assets, often simply because it is not a statutory designation. In Hartlepool, for example, a building which was assessed for National designation and rejected, Tunstall Court, was added to

the local list following the decision. However, this has provided very little additional protection, and the planning committee recently resolved to demolish the property (Scarr, 2014). In addition, as Page (2015, 52) discovered in his analysis of the Wakefield local list, unless it forms part of development plan policy, it is often difficult to use a list in relation to planning applications. In fact, local listing may even cause destruction. In Newcastle, for example, a planning application was submitted for development on a site containing a group of locally listed farm buildings. Their inclusion on the local list was flagged up, and the developer withdrew the application. However, as demolition does not require consent, they simply demolished the buildings and put in a new application (anon., 2014). Where the local list and associated policies for the conservation and enhancement of the historic environment are built into the local plan, however, as at Bassetlaw, they have significantly more weight in the planning process, especially where Article 4(1) directions are used.

Whether or not they are able to 'protect' heritage assets, however, local lists do play an important role in celebrating the heritage which is valued by local communities (HE, 2012, 6), as was illustrated by the Mission to Seafarers building in South Tyneside. When compared with the tension that surrounds national designation decisions often due to the objective and dispassionate way in which advisers must explain why an asset does not merit listing, there is the potential here to limit some of the tension. A pilot study in Tendring, however, which tested the use a 'toolkit' for partnership working with HERs to compile, develop and manage local lists found that local politics had a significant impact on the success of the project (Belton, 2012). As Janis Blower argues in relation to South Tyneside though, a Local Heritage List is likely to be 'one of those things that is below the radar for the majority of people' (Blower, 2015).

While some local lists do include community involvement, heritage professionals are often reluctant to allow other groups the status to participate on a par with them, and even when they do work together to facilitate equitable participation, this is constrained by institutional and systematic issues (Waterton and Smith, 2010, 11; see also Emerick 2009; HE n.d. a). At South Tyneside Council, however, the conservation officer wanted the community to feel that they were the owners of the list rather than it being just a local plan document. In addition, social values were included in the request for nominations, with residents being asked to nominate the things that they would miss if they were gone (South Tyneside Council, 2010). However, as Bassetlaw demonstrated this is very much the exception, with many local lists tending to perpetuate, and therefore preserve, the role of the expert by considering themselves to be the only ones who have the relevant knowledge and training to make final decisions on what to list.

6.6 CONCLUSION

It is now recognized that there is a plurality of views and perceptions in relation to heritage, and that everyone will have their own special places which hold meanings for a variety of different reasons. Faro challenges us to adopt a holistic view of heritage and to recognise this multiplicity of meaning. However, statutory designation decisions and the conservation of the historic environment in England continues to favour the physical, material aspects of 'national' heritage, despite an increasingly strong desire from local communities for the protection of assets due to their socio-cultural significance. Faro challenges us to adopt an holistic view of heritage, recognising that heritage assets are important because of the meanings and uses that people attach to them (Thérond, 2009). In most cases local lists do follow this wider definition, and 42.3% include the criterion of social value. However, local lists are not compulsory, and if they are to protect what local communities value, they are reliant on an acceptance by those in authority that there is a need to put people and human values at the centre of an enlarged and cross-disciplinary concept of heritage.

The research within this and the previous chapter has found that individuals and local communities no longer simply support conservation; they are now becoming actively involved in seeking to have their own sense of heritage acknowledged and legitimized, with nearly half of the requests made for statutory designation in England referring to the local significance of the site, often due to its social value. The national designation regimes cannot easily deal with the need to recognise this. However, while perhaps not fulfilling the potential to protect these sites from alteration or demolition as much as they could, local lists do seem to offer a number of opportunities for the significance ascribed to these assets by local communities to be recognised, understood, and perhaps even celebrated, all of which helps not only to legitimize local significance, but to provide a sustainable future for locally identified heritage assets. This results in a new definition of heritage not as a 'thing' from the past, but as a community asset. In the following chapter, therefore, we turn to the Big Society and the potential within the Localism Act to protect these assets.

7 THE BIG SOCIETY

It is widely acknowledged that decision-making in the UK often fails to respond to the needs and expectations of local communities (Burgess *et al*, 2001), with local government simply putting into practice decisions made by central government. Local Authorities too are often criticised for failing to meet the needs of their local communities (Burgess *et al*, 2001; Wilson & Game, 2001), with lack of consultation often being the main objection, especially in relation to planning decisions. These decisions regularly affect local heritage assets and as was found in Chapter Five, are often the reason for statutory designation nominations. Planning applications, therefore, can be heavily contested, leading to frustration and a feeling that communities are ignored and unable to influence the course of developments in their area (DCLG, 2011a, 2). When the UK Coalition Government came to power in May 2010, however, they brought with them a Localism agenda, based upon what they called the 'Big Society'. There have since been a number of legislative and policy changes in England, with the 2011 Localism Act devolving powers to local government, and providing a means for local communities to become more involved in decision-making, inspire volunteerism, and support social enterprise. As already discussed, national designation (and to some extent local listing) has a focus on the expert-led protection and conservation of historic fabric. The localism agenda, however, has a focus on the future, with a presumption in favour of sustainable development and community decision-making.

This chapter will consider the opportunities contained within this localism agenda, suggesting that they provide additional ways for communities to recognise and protect what matters to them. Not all of the localism agenda reforms provide opportunities for heritage protection, however, as they relate to service provision and economic growth. This chapter is thus rather selective in its assessment of the Big Society, focusing only on these aspects which provide the potential for community engagement in the protection and recognition of locally significant heritage assets. Unlike the previous two chapters, however, in which a single primary data set was collected and analysed; due to the range of different policies and associated opportunities within the Big Society agenda, it has not been possible here to collate a single data set for analysis. Instead, this chapter uses data collected by others to illustrate the potential of the Big Society agenda for community heritage protection.

7.1 BIG SOCIETY AND LOCALISM: AN OVERVIEW

Although it has been variously described, repackaged and re-launched since the Coalition government came to power in May 2010 (Jackson *et al*, 2014, 75), the Big Society is commonly held to have three main elements:

- Community empowerment – devolvement of power to local councils and residents;
- Public Service Reform – public services to be delivered by a range of local providers, including charities, social enterprises, and voluntary groups;
- Social Action – Larger numbers of people to become active citizens and ‘responsible neighbours’, again focusing mainly on volunteering

(Civil Exchange, 2015, 6; Bingham, 2011; Corbett & Walker, 2013, 453; Jackson *et al*, 2014, 75). It was intended to be bottom-up, but was driven from the top as a policy counter-balance to ‘Big Government’, with then Prime Minister David Cameron stating that the Big Society is about a ‘huge culture change’ in which people ‘don’t always turn to officials, Local Authorities or central government’ for answers to the problems they face, having instead the power to help themselves and their own communities." (Watt, 2010).

Although the underpinning principles of localism are not new (Pendlebury, 2015, 434), the Coalition government has stated that its ‘driving ambition’ was to ‘put more power and opportunity into people’s hands’ (Cabinet Office, n.d.), and the agenda did in fact lead to a wide range of policies and opportunities in relation to this (Bulley and Sokhi-Bulley, 2014, 457; Macmillan, 2013, 5). However, it has also generated a great deal of critical comment and has received a very mixed reception. Macmillan’s research on how the Third Sector views the Big Society, for example, found that there was often a ‘double-sided response’, with overwhelming scepticism about the agenda combined with an awareness of the potential opportunities within it (2013, 4). The criticism that it received when it was launched, however, was largely due to the raft of ‘austerity’ measures which have run in tandem with the Big Society agenda, and are often seen as one and the same (Jackson *et al*, 2014, 75). The focus on volunteering and social enterprise within the agenda was thus interpreted as an attempt to fill the gap left after substantial cuts in public expenditure (Bailey and Pill, 2011, 938; Lawless, 2011, 55; Macmillan, 2013, 5; Levitas, 2012, 328; Flinders and Moon, 2011, 654). By the end of 2010, therefore, many within the third sector were deeply suspicious of a community organising initiative being promoted at a time of unprecedented public cuts (Bunyan, 2012, 127).

There is, however, increasing demand for community participation and involvement in the planning process, and thus in heritage protection too. Groups who value sites often for reasons

other than traditional aesthetic and historic values are now demanding to be involved in heritage decision making (De la Torre *et al*, 2005). It is no longer accepted that experts should have the sole power to decide how a town/village should look and what should be built there. Criticisms of austerity aside, this is a key idea behind the development of neighbourhood development plans, and other localism agenda policies such as assets of community value. The historical background and policy development of these has been outlined in Chapter Three. The focus of this chapter, therefore, is their potential in terms of the protection of locally significant heritage assets, and the reduction of contestation in the national designation system, both of which are explored below.

7.2 THE POTENTIAL OF LOCALISM

As discussed in chapters two and three and illustrated in Chapter Five, the social values of heritage are often not understood or taken into account in statutory designation decisions. In addition, the non-participatory nature of the scheme, particularly at the assessment and decision-making stages is often contested. The 2011 Localism Act, however, includes a number of measures aimed at empowering local communities to enable them to take a much more active role, particularly in relation to planning and development. In fact, the Big Society philosophy of the Coalition Government can be seen to bolster an increasing desire of citizens to be actively engaged with protecting what matters to them, with the focus on Localism strengthening the value of a local sense of place and people's passion for their heritage (Heyworth, 2011). In particular, the Localism Act offers communities additional ways to protect the heritage assets that they find significant, potentially reducing the tension and contestation caused by statutory designation applications with unfavourable outcomes.

Speaking at the Heritage Champions National Conference in 2010, Baroness Hanham described the historic environment as the 'richness of our heritage in people's houses, factories, streetscapes and landscapes', and one of the principal drivers of civic activity in communities helping to give people a proper sense of place and local identity (Hanham, 2010). She then gave an outline of the Big Society in which she stated that 'the Government understands the value of and the key role that communities can play in protecting and enhancing their area. ... we believe there is scope to build on and harness more of the knowledge and interest that exists in neighbourhoods and communities, and giving them a bigger say in what happens to them. In doing so we help to build the Big Society.' (Hanham, 2010). While it is not directly related to heritage protection, therefore, the resulting Localism Act presents a number of opportunities for local communities to protect the aspects of their cultural heritage that they find significant and that they wish to have a sustainable future. These opportunities come in the form of new 'community rights', in particular the Community Right to Bid, and neighbourhood planning.

7.2.1 ASSETS OF COMMUNITY VALUE (ACV) AND THE COMMUNITY RIGHT TO BID

Assets of Community Value (ACVs) can be nominated to the Local Authority for listing by Parish or Town Councils, by groups of 21 residents who are on the local electoral roll, or by a local community group. If the nominated asset meets the criteria of being a building or land whose recent, current or future use furthers the social well-being and the social interests of the local community, and a site for which it is realistic to believe that there will continue to be such a use, whether or not this is the same, then it must be accepted and published in a list of ACVs for that Authority (HMSO, 2011, Pt 3, Ch. 5, Paragraph 88). Many of the assets which meet the ACV criteria are also likely to be local heritage assets, especially those identified in Chapter Five as having local significance due to their amenity/resource value. An ACV listing last for a maximum of five years, or until the asset is sold. If the nomination for listing is unsuccessful, however, the application must appear on a published list of unsuccessful nominations, which potentially provides a resource for identifying local heritage assets and still provides recognition of the value of the asset to the local community. Uttlesford District Council, for example, has taken a very proactive approach (Localism Alliance n.d.b). They have listed over 170 ACVs, including telephone boxes, community centres, recreation grounds, pubs, hospitals, allotments, leisure centres and cricket grounds. The authority's Assistant Director of Planning and Building Control (in Localism Alliance, n.d.b) has said that:

We have promoted ACVs as they are a fantastic way of protecting those services or areas which communities hold most dear and that are essential for local life to continue. The process also helps local communities to come together and decide what is most important and to work together to protect them.

The act of listing an ACV does not create any restriction on what the owner can do with the asset while they own it (Sandford, 2015, 6). Some Local Authorities, however, regard ACV listing as a material consideration in the planning process, especially in applications for change of use (Sandford, 2015, 9). The main area of potential in terms of protection, however, is that community groups also have the right to bid for the purchase of assets on the lists should they come up for sale. If the owner of an ACV wishes to 'dispose of' the asset they must advise the Local Authority of this, which triggers a six-month moratorium period during which time the asset cannot be sold except to a community bidder (CLGC, 2015, 7). Once a moratorium is triggered, community groups have an initial six weeks to register a right to bid, and if the right is registered the remainder of the six-month moratorium period is intended to be used by the community group to formulate and submit a bid. The bid does not have to come from the same group that nominated the asset for listing, and in fact there is nothing to stop two or more different groups

putting a bid together (Sandford, 2015, 6). Unlike the equivalent scheme in Scotland, however, this right does not give the community group first refusal, it is simply the right to submit a bid (Sandford, 2015, 3), and although the owner cannot sell or dispose of the asset during the moratorium period, they are not obliged to accept the community bid at the end of the period. In addition, if a sale begins before an asset is nominated, the moratorium does not apply even if the property is subsequently listed (CLGC, 2015, 7).

While the scheme is aimed at securing the on-going community benefit of local shops, pubs, libraries and so on, these buildings will frequently also be heritage assets (HE, n.d.b). A case in point here is Portishead Lido. This 1961 outdoor pool was the subject of two listing applications following news that the pool was to close, neither of which was successful (Williams, 2012; thisbristol.co.uk, 2008). A local campaign group was set up to try and 'save' the pool, and a community Trust was subsequently formed. Despite a possible housing development at the site, the Trust successfully persuaded the council to transfer the pool to them and it is now being run as a community asset (thisbristol.co.uk, 2009). In the end, therefore, statutory heritage listing was not necessary to ensure its survival, despite the local community initially seeing this as the only way to 'save' it. The right to bid process, and indeed the initial ACV listing process if considered a material consideration in the planning process, thus has the potential to similarly protect locally-significant heritage assets.

In their comments on early drafts of the Localism Act, the Heritage Alliance also allied Assets of Community Value with heritage, stating that they welcomed the idea because heritage assets 'frequently provide the 'envelope' for community services.' (Heritage Alliance, 2011). Indeed, a number of groups have worked with local councils to have heritage assets listed as community assets (Joyce, 2015). In Darlington, for example, local people got together to list their railway museum and civic theatre, although both are also statutorily listed buildings. Melbourne Civic Society have also been successful in having the undesignated site of a Holy Well in Kings Newton, Derbyshire listed as a community asset, for reasons which include it being a site of local historical interest and a source of local pride (Civic Voice, n.d.).

Many of the designation requests analysed in Chapter 5 were made in an attempt to stop an asset being closed, and in fact in nearly 10% of the applications there was an assumption that listing would ensure that the building either remained open as a local amenity, or could be put to community use. There is a clear opportunity here, therefore, for communities to more successfully do this via ACV listing and the right to bid, thus reducing the number of threat-based statutory designation requests and their often-contested decisions. In addition, designation does

not in fact place any restrictions on change of use or require a building to remain open, so ACV would perhaps be a more appropriate designation for these assets.

The ACV and Right to Bid process, therefore, has the potential to help communities to protect locally significant heritage assets from demolition or major alteration, reduce often contested threat-led statutory designation requests, and engage the community much more in the protection process. In addition, Local distinctiveness features strongly in the rhetoric for Assets of Community Value, with the Localism Alliance stating that the only way we are going to keep our towns and villages distinctive is if we 'all join in and start nominating' (Localism Alliance, n.d.b). This was a key area of significance discovered in both the analysis of national designation requests in Chapter Five, and the criteria used within Local Heritage Lists in Chapter Six, so it thus provides an opportunity for this to be protected. In addition, with the listing of an ACV being a material consideration in applications for change of use, the potential of this process to work not as an alternative to national designation but as an additional or complimentary measure of protection, therefore, is clear and is discussed in the analysis below.

7.2.2 NEIGHBOURHOOD PLANNING

The 2011 Localism Act also introduced Neighbourhood Development Plans (NDPs), through which general planning policies for the development and use of land in an area can be established. NDPs encourage local communities to play a more direct role in the planning process (Locus Consulting, 2014, 11), and this therefore provides an opportunity for communities not just to 'save' what matters to them without the need for formal designation, but to be fully engaged in planning decisions within their local area. NDPs are drawn up following the designation of a Neighbourhood Area by Parish or Town councils. Where there is not a parish or town council, a neighbourhood forum can be formed to lead and co-ordinate the plan-making process (Chetwyn, 2016, 8). There is a relatively long and bureaucratic process involved in preparing an NDP which councils and forums must go through (Fig. 28). This begins with an application to the Local Authority for a Neighbourhood Area to be designated, and includes a significant amount of consultation and discussion with the local community which aims to ensure that all views are heard and taken into consideration.

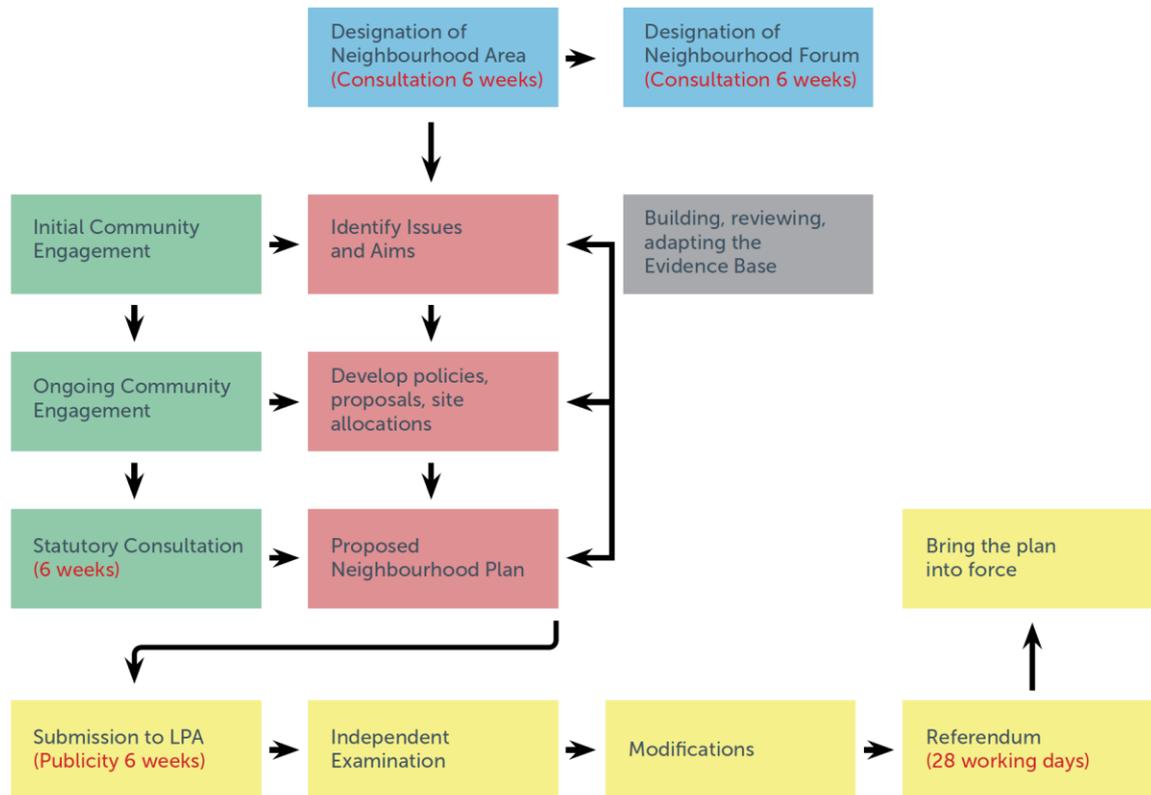


Figure 28 Neighbourhood Development Process Diagram (Source: Chetwyn, 2016)

Although they are for the purpose of defining new development in an area, plans also outline the characteristics of a place, the elements which communities may wish to retain, and the areas which can be subject to change (Historic England, n.d.). The Parish Council in Tattenhall, Chester, for example, applied to be Frontrunners of the new neighbourhood planning powers in 2011 as a way to achieve their vision for their village, which centred on preserving the distinctive and vibrant nature of the village (Tattenhall Parish Council, 2013). Once a plan is approved by the Local Authority and ‘made’ part of the Local Plan, it will be consulted before any planning decisions are taken. An NDP thus has statutory status as a planning document, sitting below Local Plan policies but having more weight than an SPD or SPG which might cover local heritage, such as a local list. In cases where communities wish to retain heritage assets which may be threatened in the future by demolition or significant alteration, therefore, this provides an opportunity for them to be protected without the need for national designation. There is also the potential for communities to prepare their own specific heritage policies for their neighbourhood, which may include, for example, a policy to create a local list and/or to ensure that identified locally significant heritage assets are protected.

Guidance on how to create a Neighbourhood Plan by Locality states that developing an understanding of the significance of heritage assets should be a key part of a plan’s development, (Chetwyn, 2016, 48), and they suggest that the evidence base for plans might include

Conservation Area Appraisals, Buildings at Risk surveys, landscape character studies, and designations such as listed buildings, conservation areas, scheduled monuments, local lists, historic parks and gardens, and assets identified within characterisation documents and character appraisals (Chetwyn, 2016, Worksheet 5). There is the potential for the full historic environment, therefore, including locally significant heritage assets, to be included within the evidence base and indeed within policies for the Neighbourhood Area. If heritage is included within the plan, this should mean that development is properly integrated with what already exists, thus ensuring the continuance of local distinctiveness (Historic England, n.d.).

The Big Society agenda via the Localism Act, therefore, represents a profound shift in the way that the English planning system works, with local communities much more directly engaged with development (Chitty, 2012). This is analysed below in relation to its potential to work alongside or in partnership with national and local heritage designation schemes to help communities to protect locally significant heritage assets as part of their everyday cultural landscapes. However, this necessitates communities to include heritage within their NDP without any specific requirement to do so, meaning that in areas where the plan is drawn up by a predominantly business community, this opportunity may not be realised.

7.3 ANALYSIS OF LOCALISM OPPORTUNITIES: THE BIG SOCIETY IN ACTION

7.3.1 INTRODUCTION

The Big Society, and in particular the 2011 Localism Act, would seem to offer communities a range of additional measures with which to recognise and protect their local heritage. The Localism Act, however, does not itself include any specific heritage policies. Its use in relation to local heritage protection requires communities to identify and make use of the opportunities that it presents. This section attempts to assess both the use and success of the potential of localism identified above to consider whether communities have grasped or missed the opportunities presented by the Big Society agenda.

Research into this new tier of local planning policy has been limited so far due to its newness, and has focused largely on the use of Neighbourhood Plans in relation to new development; and the transfers of services to voluntary and third sector organisations via the new Community Rights. Although much has been written in relation to the ideological background of the Big Society, therefore, as outlined in Chapter Three, only limited academic research on the use of the Localism Act has been published. John Pendlebury (2015) is perhaps the only academic so far to have published something on heritage and neighbourhood planning, but this is focused on one particular case study – the North Shields Fish Quay Pilot Neighbourhood Plan. The key

publications which include some general statistics are a report published by the House of Commons Community and Local Government Select Committee (CLGSC) in January 2015 following an inquiry into the new Community Rights; and three Big Society Audits published by Think Tank Civil Exchange in 2012, 2013, and 2015. A further study published by Locus Consulting in 2014 considered both the use and accessibility of historic environment information in the development of Neighbourhood Plans. The majority of publications, therefore, are guidance, advice and case studies prepared by organisations such as Locality (Chetwyn, 2016), Civic Voice/the Localism Alliance (Civic Voice, n.d.) and the Department for Communities and Local Government (DCLG) themselves (DCLG, 2011b; DCLG, n.d.a), all of which are necessarily aimed at engaging more people in the process. Civic Voice and the Campaign for Real Ale (CAMRA), for example, each provide guidance as part of campaigns to increase the number of ACV nominations (CAMRA, 2015).

The three Big Society Audits published by think tank Civil Exchange give an overall analysis of the Big Society agenda and associated policies. The audits compared government commitments to what has happened on the ground, considering each of the three Big Society aims (community empowerment; opening up public services; and social action), before looking at the differential impact of these on different groups and communities (Civil Exchange, 2015, 4). The final audit in 2015 found that despite some genuinely positive initiatives the Big Society has failed to deliver against its original goals, and suggests that society in England is more divided than ever before (Civil Exchange, 2015, 4). In relation to engagement, the 2013 Audit had found that this had been positive, but by 2015 the impact had been largely negative (Civil Exchange, 2015, 16).

The 2015 Big Society audit also found that there had been a significant decline in community empowerment since the previous audit of 2013, with a reduction in the proportion of people who feel that they could influence decisions over their local area, which dropped to just 34% in 2013-14 (fig. 29) (Civil Exchange, 2015, 16). In addition, the 2015 Audit found a reduction since 2005 in the numbers of people who engaged in civic activism (fig. 30), and importantly, a reduction in those who feel that they strongly belong to their neighbourhood (fig. 31).

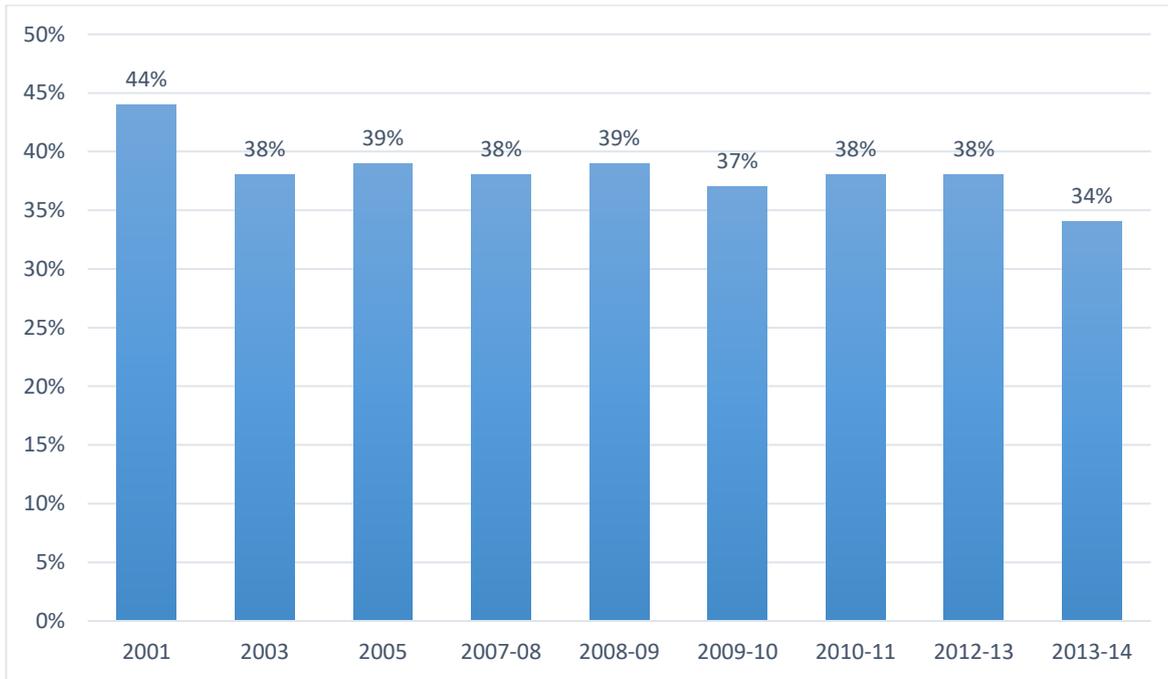


Figure 29 Percentage of people who believe they can influence local decisions (Source: Civil Exchange 2012 and 2015)

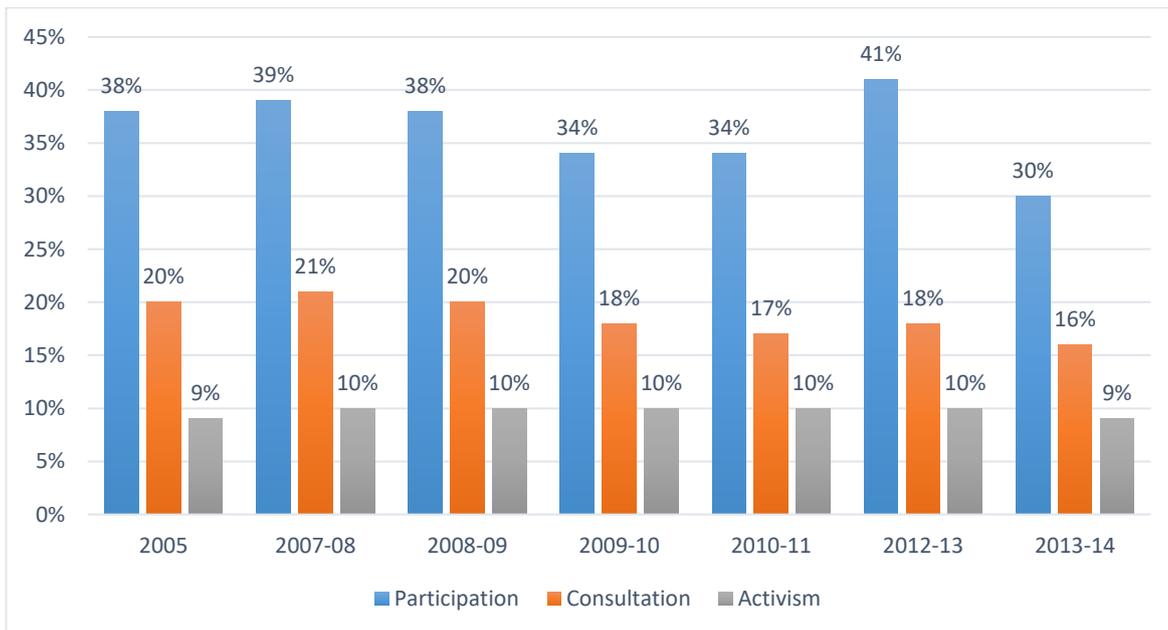


Figure 30 Percentage of people who are engaged in civic activism (Source: Civil Exchange 2012 and 2015)



Figure 31 How strongly people feel that they belong to their local neighbourhood

These Audit findings may have a significant impact on neighbourhood planning, suggesting that NDPs will be drawn up by only a limited number of people who feel connected to an area, and the policies perhaps not being fully representative. Indeed, some of the neighbourhood plans analysed include a desire to increase connectedness and local identity. In Sprowston, for example, a key aspiration of the plan is to ‘reinststate a sense of settlement and community identity, which has been lost as a result of the rapid expansion of Norwich’ (Sprowston Parish Council, 2015). Rustington Neighbourhood Plan similarly states in its vision that the plan will encourage ‘local people to take responsibility, to be involved in decision making and thereby take pride in their village.’ (Rustington Parish Council, 2014, 16).

The Decentralisation Team at DCLG collate statistics on neighbourhood planning, many of which are published as part of their regular ‘Notes on Neighbourhood Planning’ e-bulletins (DCLG, 2011-17). This is not the case for Assets of Community Value, however, for which there has been no formal or nationally agreed collation of statistics. The DCLG do ‘periodically’ count the number of ACVs listed by systematically examining Local Authority websites and manually updating an internal spreadsheet using publicly available information (Lock, 2016). This does not appear to be used for any published statistical analysis though, and has only been made available to this author via a Freedom of Information Request. A number of organisations, including CAMRA, similarly collect data from published Local Authority lists, but Local Authorities themselves are not obliged to report on this. In addition, there does not appear to be any data on the number of assets which have been sold to a community group. Stephen Williams MP (2014) has explained the lack of any formal reporting mechanism as an essential part of the localism agenda, which includes the intention to ensure that Local Authorities were freed from ‘burdensome reporting requirements’.

DCLG have thus reported that their understanding of their uptake of the new community rights is based only on ad hoc and informal information gathering (Lock, 2016). There is, however, a range of evidence published elsewhere for Assets of Community Value that is used within this analysis, in particular the evidence provided to the CLGSC inquiry into community rights published in January 2015. For Neighbourhood Development Plans, however, this analysis uses data provided by the decentralisation Team at DCLG on the number of neighbourhood areas and their stage within the neighbourhood planning process; as well as their analysis of the policies within plans dated to October 2015. This therefore allows for a much more in-depth analysis of this particular Big Society policy.

7.3.2 ANALYSIS: ASSETS OF COMMUNITY VALUE AND COMMUNITY RIGHT TO BID

The ACV scheme officially came into force in September 2012, and by October 2015 over 2600 assets had been listed (Green, 2016; Appendix Five). These include community centres, parks, pubs, libraries, village halls, theatres, museums and football stadiums (DCLG, 2014). By June 2014 122 groups had also shown an intention to bid by triggering the six-month moratorium period (CLGSC, 2015, 8). Of these, 60 were unsuccessful in their bid, 27 were outstanding at the time of investigation, and 11 had resulted in community purchase (CLGSC, 2015, 8). The first of these purchases was the Ivy House pub in Nunhead, London Borough of Southwark, which is also a designated heritage asset.

The analysis within this section uses data from October 2015 that has provided by DCLG (Green, 2016), as well as published examples, to analyse whether the potential identified in Section 7.3 above is beginning to be fulfilled. These key areas of potential include:

- Celebration and recognition of heritage assets for reasons other than their architectural and historic values
- Community engagement in the heritage protection process
- The protection from demolition or major alteration of locally significant heritage assets
- A reduction in threat-based statutory designation requests and the contested decisions often associated with them

As noted above, over 2600 ACVs have now been listed (Appendix Five), with early listings including a significant number of pubs as well as, for example: Anfield football ground; Mansfield Bowling Club; a bowls club and community Centre in Kensington and Chelsea; Newcastle's Turkish Baths; and Wokingham Town Hall. Some of these are also statutorily designated, the Town Hall at Wokingham being Grade II*, for example. The largest group of ACV listings have been for public

houses (fig. 32), perhaps in part due to guidance on this Community Right, which makes reference to its ability to help communities to ‘save’ the village pub; and a CAMRA ACV listing campaign (CAMRA, 2015). Public houses also feature highly in national designation requests though as they are often assets with high levels of social value which is threatened by a potential closure. Sports and leisure facilities also feature relatively highly in the numbers of ACVs, with their listing often being widely celebrated not just by the local community, but in the case of football stadiums by fans from across the country. Sports facilities which have been listed, for example, include Old Trafford football stadium which became asset of community value in 2013 (Joyce, 2015) and was previously the subject of an unsuccessful application for statutory heritage designation. Another football club to be listed was Newcastle United, which the local newspaper reported as fans ‘winning’ their ‘battle’ to safeguard it as a city centre asset (Davies, 2014). The Newcastle United Supporters Trust (NUST), who nominated the stadium for listing, has said that its listing ‘symbolically recognises that the Club is part of the local community’ (in Davies, 2014). While they understand that its listing would not give them any powers to stop changes taking place, they were pleased with the listing as they felt it would give the local community the ‘opportunity to know what is happening’ (Davies, 2014).

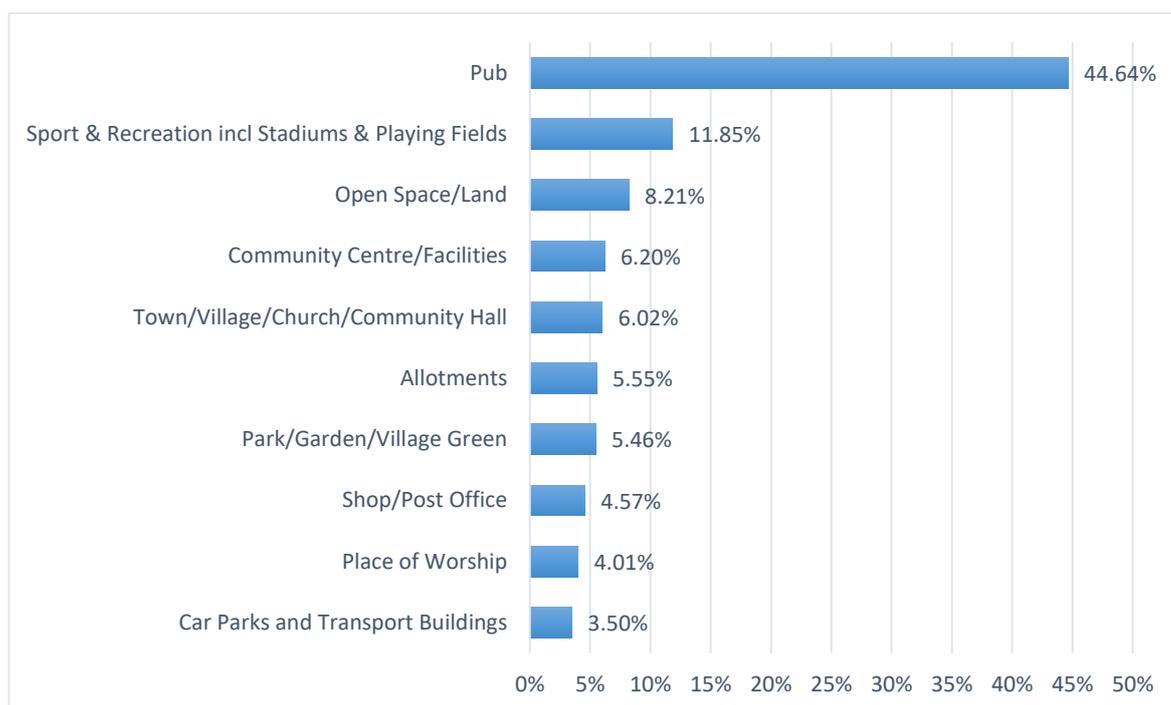


Figure 32 Ten most common ACV Asset Types

In terms of the recognition and legitimization of the assets which statutory heritage designation criteria may reject, allotments and village greens/open spaces also feature highly within the types of assets listed. Celebratory news stories related to their listing can also be found across local and social media, often in relation to a ‘campaign’ by local residents to ‘save’ the asset (see e.g. <https://uk.pinterest.com/communitiesuk/community-rights>). It is interesting to see that places of

worship also feature quite highly in the list of asset types. Although most of these, especially Anglican Churches, do consider themselves to be community assets with a wide range of non-religious community activities often taking place within them, their use for this is usually considered to be ‘ancillary’ and thus not an appropriate reason for listing. The listing of New Church in Bristol as an ACV, for example, was successfully appealed on these grounds (Wadsley, 2015, 3). The potential for the protection of locally significant heritage assets via ACV listing, therefore, as with local listing would seem to depend to a large extent on the Local Authority and their interpretation of what can be included.

In evidence to the CLGC Inquiry in 2014, DCLG reported that over half of Local Authorities have at least one asset of community value listed, and that the spread is reasonably consistent across all areas of the country, with a slight bias towards the south-east which may reflect increased land prices (DCLG, 2014). However, data provided on the number of AVC listings up to October 2015 by DCLG shows a very clear bias towards the South and East, with nearly 25% being in the South East region and 20% in the East of England (fig. 33). In addition, while either the Parish Council, an unincorporated group of 21 people on the local electoral roll, or a community interest group can nominate an asset for listing, where it is known, the majority of the nominations have been made by parish/town councils (fig. 34). While a parish council is intended to represent local residents in a defined area, councils tend to be made up of retired and often middle-class members of the community, so they cannot necessarily be said to be fully representative. In terms of heritage, therefore, this suggests a continuance of traditional ideas of aesthetically pleasing buildings of architectural interest, with those heritage assets of a less traditional nature not being considered. The same can be assumed for assets of community value, with the parish council thus becoming the contested ‘expert’ in this situation.



Figure 33 ACV Listings per Region

Uttlesford District Council, for example, has listed 171 ACVs and has seen a number of these successfully purchased by community groups. They found that nominations have also created a number of disputes, however, often due to lack of consultation (Localism Alliance, n.d.b). In one case, a village cricket team were evicted from their newly listed pitch via legal action due to anger from the owner at not being consulted in advance. A number of appeals have also been lodged, and two assets have been de-listed (Localism Alliance, n.d.b). The process in Uttlesford has, however, created successful community groups. When a parish council in the district refused to nominate privately owned allotments, for example, an allotment association was formed and it successfully applied for listing (Localism Alliance, n.d.b).

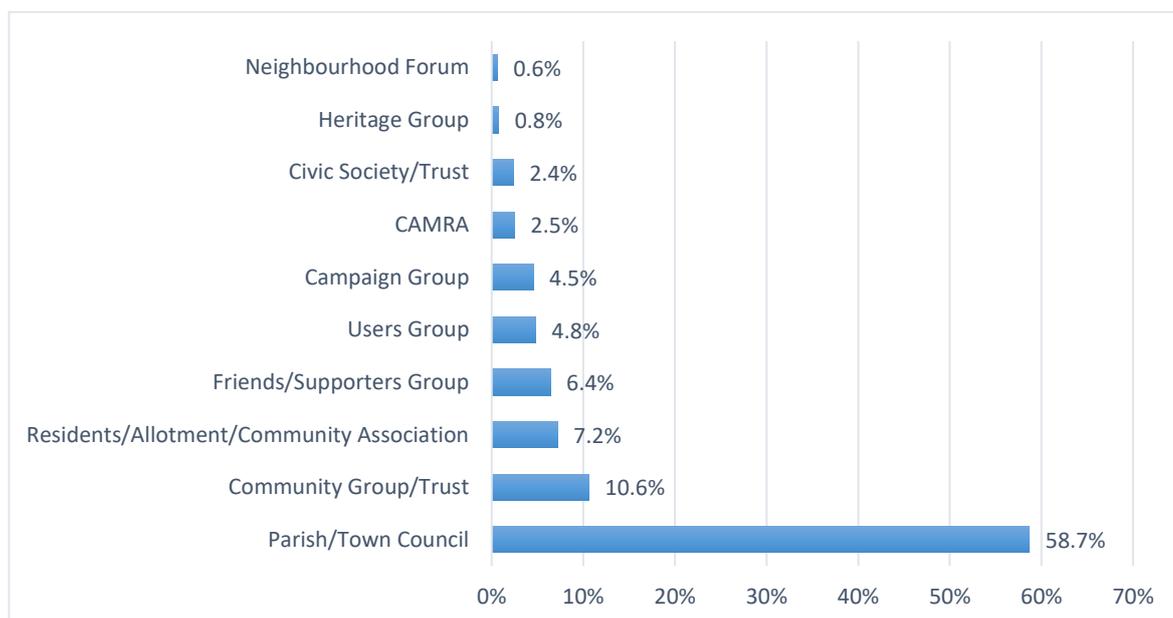


Figure 34 Ten most common ACV nominator categories

Despite the seemingly high numbers of listings, the CLGSC inquiry noted an issue with a lack of knowledge and/or understanding of the new community rights (CLGSC, 2015, 29). However, evidence shows that the number of ACV listings has risen significantly year on year (Fig. 35), suggesting that more groups are becoming aware of the rights. Locality were concerned that although awareness has increased rapidly since the scheme was introduced, there is still a long way to go in terms of ‘widespread public understanding’ (Locality, 2014); and the CLGSC inquiry report itself states that ‘these reforms will not amount to much ... unless people are much more aware of the Rights.’ (CLGC, 2015, 3).

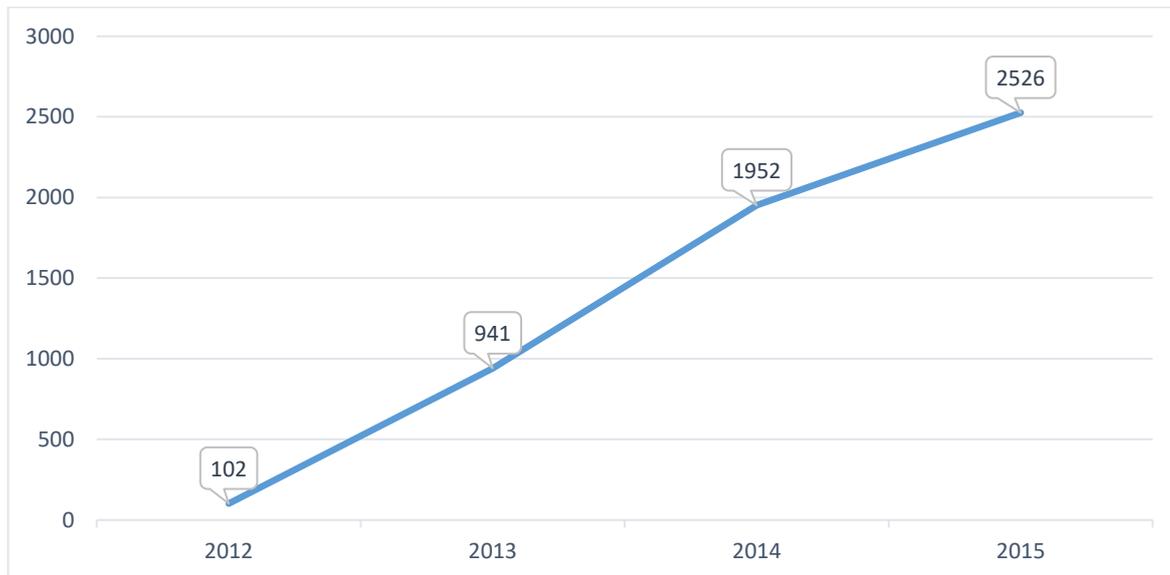


Figure 35 Assets listed per Year (running total up to Nov 2015. 83 unknown). Source: Lock, 2016

The Community Right to Bid has been by far the most popular community right (CLGC, 2015, 5), although the actual bidding process has proved difficult, and is criticized due to the limited number of buildings which have been purchased by community groups, with almost 50% of attempts to buy ACVs being unsuccessful (CLGC, 2015, 9). Although all Local Authorities have lists of assets of community value on their websites, however, there is little or no information about which of these have been purchased, perhaps because their listing as an ACV lapses once they are sold. It has not been possible, therefore, to assess this within this thesis. However, there is no compulsion to sell an asset once it has been listed, and in terms of community engagement, the listing of an asset is perhaps more important than its purchase. It is the listing process which brings communities together to celebrate their valued local assets (Civic Voice, 2014). Importantly in terms of this thesis, the criteria for designation as an ACV mean that the social value of the asset is officially recognised via its listing. In addition, even where an asset is not listed, this can still have a positive community engagement outcome, and as lists of unsuccessful nominations are published by each Local Authority, the value of these assets to the local community is still evident.

Another area of criticism within the CLGSC report, however, is that although an owner whose land or building is included on a list has the right to ask the authority to review its decision, community groups do not have the right to ask for an unsuccessful nomination to be reviewed, although they can re-apply as many times as they like. When this issue was raised in Parliament, the Minister for Communities and Local Government echoed those who had opposed the first Ancient Monuments Protection Act in the 1870s, stating that the listing process meant potentially holding up a sale and interfering in owners' property rights. He said he was not sure, therefore, whether the owners' right of appeal, against what he described as 'a limitation on their free will', should

extend to nominators (in CLGC, 2015, 15). Even though ACVs are not a heritage designation, therefore, it would seem that the same 19th Century ideology in relation to designation is still strong here, which is perhaps not surprising given the philosophical background to the Big Society as outlined in Chapter Three.

The Plunkett Foundation have reported that this community right has been used much more than the other three, because the process of nominating an asset to be listed is simple, and the high risk of not being able to save an asset if it is not used (in CLGSC, 2015, 8). The Right to Bid, however, was considered by the CLGSC inquiry to be too complicated. In Horspath, Oxfordshire, for example, a Methodist Chapel which had been used as a community meeting place since 2004 was to be sold for development into a four bedroom house (ACRE, 2014). It was registered as an asset of community value and prefeasibility funds were awarded by the Social Investment Bank. However, a 'Friends of Horspath' group who registered an intention to bid struggled to put together the £100,000 funding package in the six month moratorium period. The group therefore required support from Action with Communities in Rural England (ACRE) and Oxfordshire Rural Community Council, who helped them to secure a Department for the Environment and Rural Affairs (DEFRA) Rural Community Buildings Loan for the majority of the funding (ACRE, 2014). The rest came from the local Parish Council, the District Council, three local charitable trusts, and personal pledges and donations.

The 2015 CLGSC inquiry report considered ACV listing to be successful in terms of the overall Big Society agenda because it has brought people together and given them the opportunity to have their views heard, which is an issue often at the heart of contestation in relation to statutory heritage designation, as illustrated by the case studies in Chapter Five. However, as with local listing, listing something as a community asset does not necessarily prevent change of use or in fact demolition. Where the Local Authority does consider ACV listing to be a material consideration in the planning process however, this need not be the case; and as of the 6th of April 2015, change of use of an ACV listed public house does now requires planning permission (CLGC Report, 2015, 9). Since this change, the nomination or listing of a pub as an ACV triggers the 'disapplication' of national Permitted Development Rights for change of use or demolition for the period of listing (Rolph, July 2015).

Brent Council have similarly refused planning permission for the redevelopment of historic Kensal Rise Library (a listed ACV) on the basis that the development proposals failed to provide sufficient mitigation for the loss of the ACV (Civic Voice, 2014). However, there are also examples of ACVs not being considered as a material consideration. Waverley Borough Council, for example, has a policy stating that 'it is recommended that the designation of land/buildings as assets of

community value is not treated as a material planning consideration as it may result in an inconsistent approach being taken to the consideration of planning applications' (Civic Voice, 2014). Norwich City Council similarly stated in October 2012 that 'Whilst the designation of a site or building as an asset of community value is an important consideration, it cannot be considered to be material in planning terms.' (Civic Voice, 2014). Similar to Local Listing, therefore, the potential protection of heritage assets through their listing as an ACV (if appropriate) depends to a large extent on the location of the asset and the policies in place at the local level. This is perhaps to be expected given that it has arisen out of the localism agenda, but it does have an impact on the potential for heritage protection.

Although a key area of potential for ACV listing is the protection of non-statutorily designated heritage assets, it can also work in tandem with heritage designation. When planning permission for change of use to a domestic dwelling was sought for the Grade II listed Peterborough Arms in Dauntsey, near Chippenham, for example, the application was rejected with the decision stating that: 'whilst the proposed development could offer some minor improvement to residential amenity and highway safety, it is not considered that these factors alone outweigh the inherent local benefit of a pub and/or other community uses.' (Sandford, 2015, 9). While the building's listing as an ACV is taken into account in this decision, it is interesting to note that the Conservation Officer did not consider a change of use would detrimentally alter the character or setting of the building, which had only been a public house for 150 years (Marsh, 2013). Its social value, therefore, is only taken into account due to its ACV listing.

Some Local Authorities and HERs also make use of ACV lists as a resource for identifying potential non-designated local heritage assets. The HER officer at West Berkshire Council, for example, has advised that she found significant additional information about a hall and a number of pubs within ACV nomination forms, and has added AVC as a monument status in the HER (Orr, 2016). This means that listed ACVs will be flagged up in any desk-based assessments as part of planning applications. Although part of the potential of ACVs is that they can work alongside local lists to recognise and offer some protection to the heritage assets which would be rejected by National Designation regimes, as noted above they also allow for the full significance of an asset to be protected. In Blackpool, for example, the local Civic Trust had already worked closely with the Council and the local community to list 300 buildings as local heritage assets, including the Comrades Club (Humble, 2016). The chair of the Trust was subsequently approached for help by representatives of the Club when it closed and went into administration. Although a couple of community groups continued to use the premises, there was concern that it would be knocked down, despite it being in a Conservation Area and now having additional protection via its Local Listing. The Civic Trust therefore worked with members of the Club to list it as an ACV. Club

members now feel confident that its full significance has been protected, and that the building will continue to be a part of their local everyday heritage (Humble, 2016).

As with heritage listing, therefore, and no doubt due to the rhetoric of the ACV guidance which focuses on 'saving' local assets, communities frequently seek to list an asset as a way of preventing it from being sold or redeveloped (Sandford, 2015; Plunkett Foundation, 2014). Indeed, ACV listing only lasts for five years, and it is intended as a short term measure in reaction to a possible future threat. The historic Angel pub in Debenham, Suffolk, for example, was nominated for listing as an ACV due to plans to convert half of the building to domestic use. Local villagers campaigned to stop this, and were reported to be delighted by its ACV listing, with the spokesman for the group stating that 'it is a fairly recent and quite complicated process but it should allow the community more say in the pub's long-term future' (Diss Express, 2014). The community would only be notified should the pub come up for sale, however, suggesting that as with Newcastle United football stadium, its listing as an ACV is assumed to mean a greater level of protection and community engagement that it in fact does. It is cases such as this, however, where ACV listing is assumed to mean full community involvement in an asset's future protection, which illustrate the potential for a reduction in reactive heritage designation applications. Local communities will perhaps no longer feel that this is necessary to 'save' the building.

However, if the sale of an ACV concludes before the asset is listed, the moratorium period would not be triggered until the asset is next sold (Sandford, 2015, 8). This was also something which was of concern to those who submitted evidence to the Communities and Local Government Select Committee in 2014 (CLGSC, 2015, 9). The Theatres Trust (2014), for example, suggested that theatres are not being listed as Assets of Community Value because there is a perception that this is only worth pursuing when a theatre is at risk, without understanding that this is often too late to do anything. Community Groups that have been successful in listing theatres as Assets of Community Value, however, have found the legislation to be of considerable benefit in terms of raising their theatre's profile – often as part of a long-running campaign to bring it back to use (Theatres Trust, 2014). As with all designation schemes, therefore, a major challenge will be to get communities to see the value in registering an Asset of Community Value before there is a threat (Plunkett Foundation, 2014).

7.3.3 ANALYSIS: NEIGHBOURHOOD DEVELOPMENT PLANS (NDPs)

A key priority for the 2010 Coalition Government was to give communities greater control over shaping the development of their local area. The 2011 Localism Act thus created new powers for communities to write their own neighbourhood development plans, and this was implemented from September 2012, initially via a number of 'front runner' groups (DCLG, 2014). By November

2015 nearly 1700 communities were engaged at different stages of the neighbourhood planning process, with 1566 Neighbourhood Areas having been designated and 84 plans being adopted and 'made' part of local planning policy (Table. 4).

Stage	No. of plans/areas
0. Plan Made	84
1. Passed Referendum	21
2. Referendum	18
3. Passed Examination	14
4. Submitted for Examination	98
5. Pre-submission Consultation	112
6. Designated	1214
7. Designating	122
Failed Examination	5
Grand Total	1688

Table 4 Stages of areas and plans as at 6th Nov 2015 (Source: Green, 2016)

The key areas of potential in relation to neighbourhood plans discussed earlier in the chapter are analysed below. These are largely the same as those for ACVs but are played out slightly differently, and are related to an entirely different process, hence their separate analysis and consideration. The areas of potential for heritage protection which arise from neighbourhood planning are as follows:

- Recognition and celebration of locally significant and heritage assets
- Engagement of the local community in decisions relating to locally significant heritage assets
- The protection of locally significant heritage assets for values other than traditional architectural and historic interest
- A potential reduction in reactive responses to planning proposals for locally significant heritage assets, which often lead to unsuccessful and contested statutory designated applications

In contrast to the above analysis of ACV listing, due to a list of current and in process NDPs having been provided by DCLG, and the relative ease with which NDPs can be viewed online, it has been possible to collect and analyse primary data. Analysis has been therefore been undertaken of a 50% sample of 'made' plans using the sampling methodology outlined in Chapter Four.

Neighbourhood planning is about people and the future of the places in which they live. An understanding of the character of an area, including its heritage, can ensure that future change and development makes a positive and effective contribution to place (Locus Consulting, 2014, 11). The majority of the plans analysed do include reference to the history or heritage of the area in the background sections of the plan, and just over 75% also make specific reference to heritage protection or conservation in their vision and/or objectives for the area (Fig. 36). The vision for Felpham, for example, is to ‘value, protect and promote the unique parish of Felpham, by respecting its heritage, appreciating its current community and being aspirational when planning its future’ (Felpham Parish Council, 2013, 14). Likewise, Buckingham’s Neighbourhood Plan has a specific objective to ‘conserve and enhance the town’s historic environment and its setting’ (Buckingham Town Council, 2015, 21). Communities clearly see NDPs as an opportunity to engage with the heritage of their areas, but Locus Consulting found that whilst a high number of those preparing plans were able to access information about the historic environment for their area, especially statutory designations, most were not accessing the full breadth of information available, in particular information on an area’s social history (2014, 6).

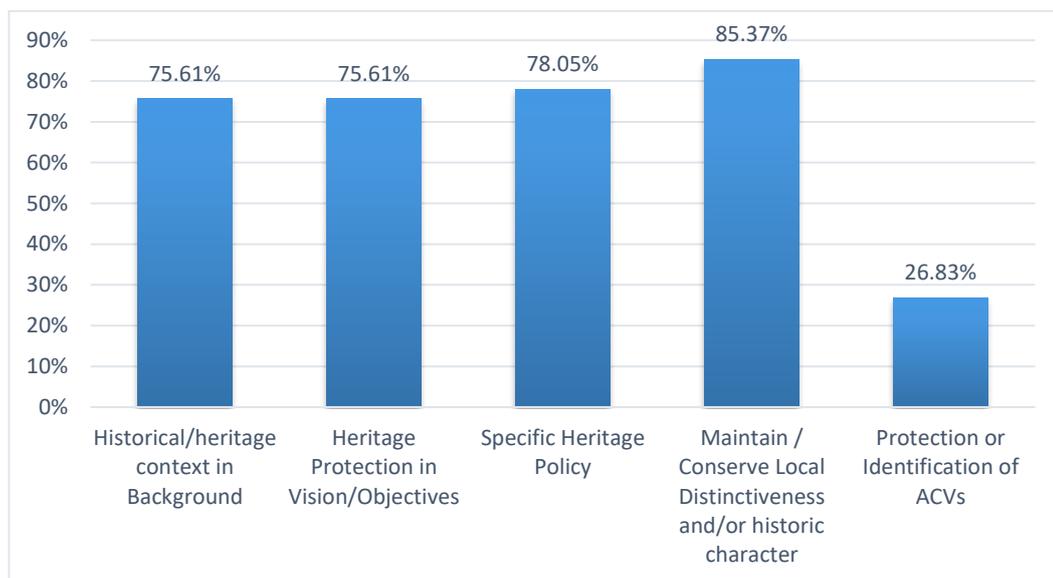


Figure 36 Heritage within Analysed Neighbourhood Plans

Over 85% of plans also have policies or objectives concerned with the maintenance or conservation of local distinctiveness or historic character, especially where there is a rural village with a high level of historic vernacular architecture. The majority of local communities thus have clear aspirations to use their NDP as a tool to regenerate and conserve the historic fabric of their neighbourhood (Locus Consulting, 2014, 88). An objective within the Bersted NDP, for example, is to ‘maintain Bersted’s local character, protecting and enhancing its high quality environment and cultural and historical heritage’ (Bersted Parish Council, 2014, 20).

Although it is not a requirement to include a policy on heritage, Locus Consulting (2014, 6) reported in 2014 that 93% of Neighbourhood Planning teams were engaging with the heritage of their area, and this analysis has found that 78% of plans within the sample had a non-site-specific specific heritage protection policy for the Neighbourhood Area. Policy EM.3 (conserving and enhancing the historic environment) of the Kirdford Plan, for example, states that ‘the historic environment within the Plan Area will be conserved and enhanced through positive action’ (Kirdford Parish Council, 2014, 19), and within this plan the historic environment includes both statutorily designated and locally identified heritage assets. Although six of the 42 plans analysed did not have a specific heritage policy, two of these did include it within their vision or objectives, and all but one included the heritage of the area within background sections. An objective within the plan for Backwell, for example is to ‘protect the environment by safeguarding/enhancing areas important for nature conservation, heritage or landscape value’ (Backwell Future, 2015, 2), yet there is no associated policy for this, just a note towards the end of the plan which states that ‘BACKWELL FUTURE proposes no change in existing conservation areas and listed buildings’ (Backwell Future, 2015, 19). The inclusion of heritage within plans of course varies from one to the next (Locus Consulting, 2014, 183), and DCLG Decentralisation Team’s own analysis of DNP policies in November 2015 found that heritage policies within the majority of plans were either for the conservation of heritage assets, or for resisting loss or harm to heritage assets (Green, 2016; Table 5). While these largely mirror national guidance within the NPPF, they do suggest that communities are taking up the opportunities provided within the Localism Act to protect local heritage assets.

Historic Environment Policy	No. Plans
Identify designated heritage assets	14
Identify areas of heritage importance	6
Conservation of heritage assets	30
Resist loss / harm to heritage assets	34
Re-use of heritage assets	5
Site specific policy	2
Other	9
Total	62

Table 5 DCLG Analysis of the inclusion of heritage within neighbourhood plans (Source: Green, 2016)

Paul Collins (2015, 10) has argued that the Big Society has so far been one of the most remarkable of all developments in citizen participation, showing that people clearly want to plan their local areas, or at least be involved in the decision-making process (Collins, 2015, 13). Although the wider aspects of the 2011 Act have not gained much engagement, the popularity of neighbourhood planning has shown that when given the opportunity, communities are keen to shape future development in their areas, and the number of community-led developments is expected to increase as more neighbourhood plans are finalised (DCLG, Sept 2014). In all cases so far, the required 50% Yes majority vote at referendum has been met, and in many cases the turnout has been higher than in national elections and referendums (Collins, 2015, 10). In addition, people who may never have been interested or felt able, have been drawn into planning and development issues, finding a new voice and a vehicle with which to engage (Collins, 2015, 13). In contrast to national designation, therefore, with neighbourhood plans it is the local community who are choosing what to protect and making the final decision on what to include, although a significant number of NDP teams make use of local or regional history groups to help form their plan (Locus Consulting, 2014, 96).

However, as with ACV listing above, the more affluent South East is the region which has seen the most neighbourhood planning activity, with by far the highest number of 'made' plans at 42.86% (Fig.37 and Fig.38). This region has the highest value economy after London and the highest proportion of residents in employment than any other region in England, with the joint highest percentage (with London) of workers having managerial or senior official roles (Causser and Park, 2011, 1, 15). This suggests a more middle-class approach to the development of neighbourhoods which is more likely to focus on traditional ideas of heritage. The 2012 and 2015 Big Society audits similarly found that higher socio-economic groups were far more likely to be involved in civic engagement, and identified that in affluent areas there is a difference of over 25% in the proportion of people who say that their neighbourhood 'pulls together' to improve it (Civil Exchange, 2012, 16). The 2015 audit also found that those in the highest social classes were more than twice as likely to take action to influence decisions (Civil Exchange, 2015, 7). While there is the potential for communities to be engaged and take decisions about their area, therefore, this would seem to be restricted at present to those who are perhaps already more accustomed to taking on a decision-making role. Again, this aligns well with the analysis of AVC listings, and similarly most were nominated by a parish or town council (Fig. 39), although there is greater variety with ACV nomination due to the way in which the process operates.

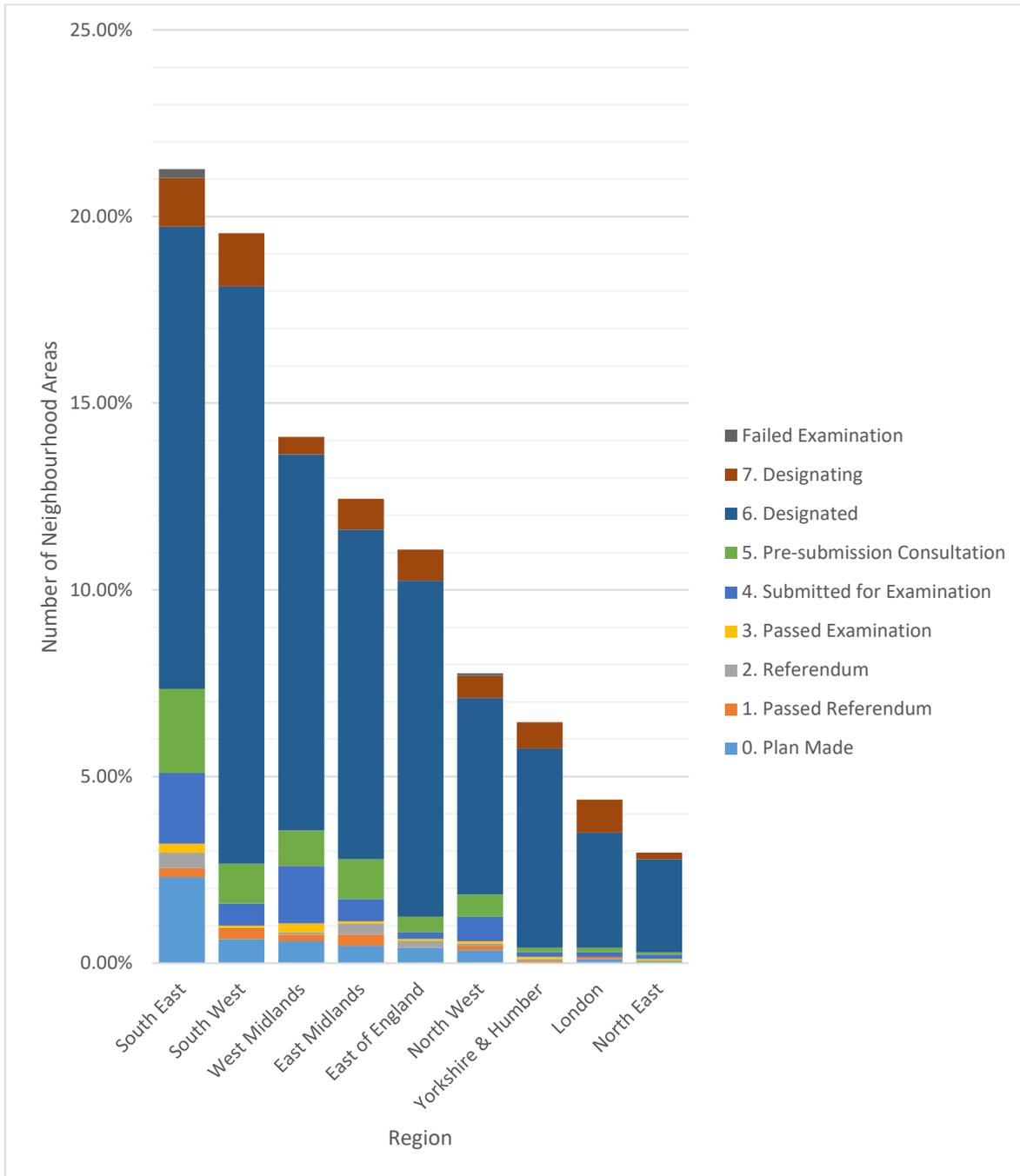


Figure 37 Neighbourhood Planning Activity per Region



Figure 38 Percentage of 'made' Plans per region

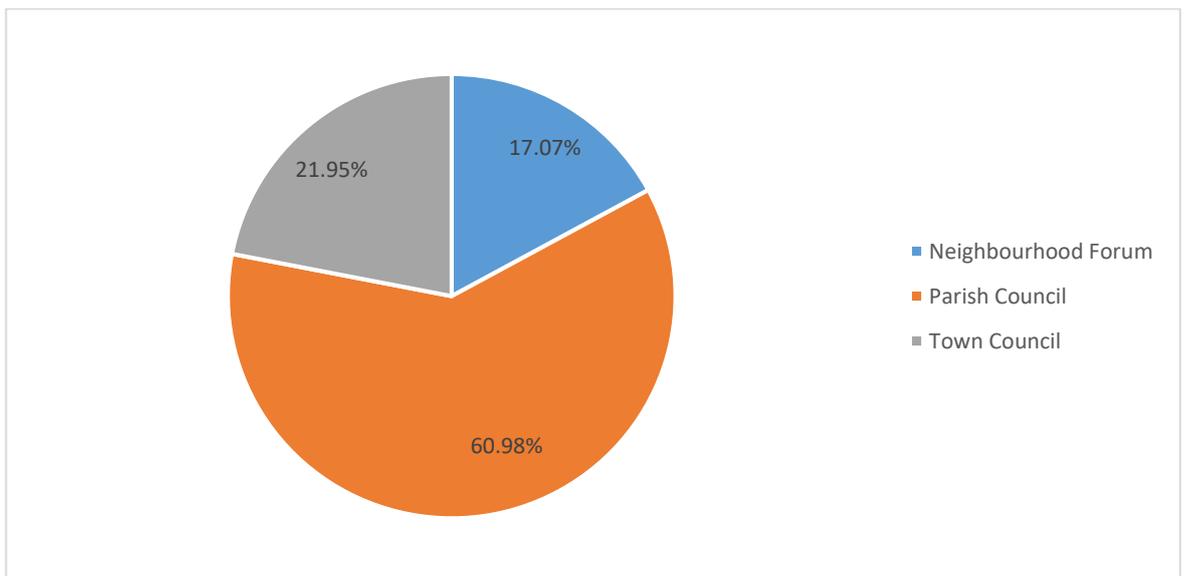


Figure 39 Preparation of Plans by Group

In his assessment of the pilot North Shields Fish Quay plan, John Pendlebury (2015, 436) found that there was less focus on traditional conceptions of heritage and conservation-planning goals than there had been in previous planning initiatives by community groups in the area. Instead there was an increased emphasis on concepts such as amenity, leading Pendlebury to suggest that the neighbourhood planning process had created a different dynamic and interaction of interests in the area, with the outcome being a modified conception of place with different values given emphasis in the area's future management (Pendlebury, 2015, 436). He argues that Neighbourhood plans could, therefore, develop a more holistic conception of place with less

emphasis on locally applied, expert-led judgements based on national criteria (Pendlebury, 2015, 437). Locus Consulting, however, have found that Neighbourhood Plan teams will 'rarely unlock the full potential of heritage information' without further assistance and guidance local societies, Local Authority staff, the Third Sector and private heritage organisations (2014, 7), which may retain the focus on more traditional definitions and reduce the potential for moving away from traditional conceptions of place.

Analysis of the 'type' of heritage referred to by specific policies (Fig. 41), however, shows that the focus is on built heritage, although 31.43% include a holistic definition covering locally identified assets, statutorily designated assets, other buildings or areas of character, as well as archaeology and often views and vistas/streetscape. Objective eight of the Madely NDP, for example, is to protect and enhance the historic environment, and it defines this as including archaeological remains, non-designated buildings and sites of heritage value (Madely Parish Council, 2015). Most plans additionally include separate policies for open spaces, and for the designation of green spaces such as village greens, playgrounds and parks. Freshford and Limpley Stoke NDP, for example, has a section devoted to the safeguarding of local green spaces, while heritage specifically has just a single sentence within a section on planning and development policy that relates to the village design statement (Freshford and Limpley Stoke Parish Council, 2014, 20). The majority of plans do not refer to open spaces in relation to their specific heritage policy, suggesting that they are not considered to be heritage. There are of course exceptions to this. Broughton-Astley, for example, combines heritage and open spaces in a single 'Environment: Heritage and Open Spaces for Protection' policy, although of the seven sub-policies only one specifically relates to heritage, and simply states that listed buildings will be protected in line with national policy (Broughton Astley Parish Council, 2014, 25). In nearly a quarter of plans, in fact, the heritage type referred to is just statutorily designated assets such as listed buildings and conservation areas. The monitoring indicators and targets for Cuckfield's policy on design of new development and conservation, for example, include no reduction in the extent of Conservation Areas and no loss of listed buildings, but no target for non-designated heritage despite the focus of the policy being to ensure that design responds to the heritage and distinctive character of Cuckfield (Cuckfield Parish Council, 2014). In contrast, 14.29% of plans only refer to locally identified heritage assets, deferring to national policy and legislation for those which are statutorily designated. Branston's NDP, for example, has a specific policy for the protection of local heritage assets.



Figure 40 Heritage Type referred to within Plans

Guidance on the preparation of plans published by Locality (Chetwyn, 2016) states in the section on historic environments that the special statutory duties which apply to decisions involving listed buildings and conservation areas need to be taken into account, and that policies about design in historic areas should be about the use of good townscape principles, which is perhaps why specific heritage and historic environment policies are most often contained within the broad policy theme of design (40.63% of plans). While NDPs would seem to offer the prospect of new inflections to dominant modes of heritage (Pendlebury, 2015, 438), policies within plans often state that new design must respect the historic environment, many also including the well-known rhetoric of the 1990 Planning Act by stating that heritage should be preserved and enhanced (HMSO, 1990, 42). Thame NDP, for example, states that ‘new development within or next to either of the Conservation Areas or Listed Buildings must make sure it preserves and enhances the character of the area’ (Thame Parish Council, 2013). This is despite PPS5 and the subsequent NPPF changing the focus from a presumption in favour of preservation to one of conservation. The majority of plans do include reference to the NPPF in their background sections, so it is interesting that although they often quote sections of the framework which relate to sustainable development, the historic environment section has presumably been missed or not fully comprehended, with plans instead relying on traditional discourses of heritage protection. Indeed, analysis in 2014 by Locus Consulting found that although around three quarters of plan teams used national and/or local guidance, very little of this was heritage-specific (2014, 7).

This perhaps suggests that the Authorised Heritage Discourse is still strong here, although it is possibly also a result of plans having to be drawn up in conformity with overarching policies at both Local Authority and national level, resulting in the potential for them to simply mirror national heritage policy. In Central Milton Keynes, however, despite the plan being a ‘Business

Development Plan' prepared by an alliance of the Town Council and local business leaders, the plan includes a detailed history of the city and its heritage, and 'celebrates CMK's distinct design and heritage' (CMK Alliance, 2014, 6). The plan has a heritage buildings and public art policy, which aims to protect these for reasons of local distinctiveness. In addition, while they welcome the statutory designation of key buildings within the town as recognition of the Milton Keynes' significant and distinctive contribution to contemporary British architectural design, they also have a specific policy for the creation of a local list (CMK Alliance, 2014, 64).

The majority of policies within plans do include local heritage assets which would not meet the statutory criteria, suggesting that communities are using NDPs to protect non-dominant modes of heritage, and in fact over 85% include a desire to maintain local distinctiveness (in terms of historic street layouts and vernacular architecture) and/or historic character. Over a quarter also have policies for the protection or identification of assets of community value. As a 'made' plan must be taken into account in planning decisions, this should ensure that locally significant heritage assets are less at threat of alteration or demolition, reducing the need for urgent applications for assets to be statutorily designated in order to 'save' them, many of which as Chapter Five discovered are turned down resulting in tension and conflict. There are a small number of plans, however, which do not take up the opportunity to have a policy for their heritage, deferring to local or national policy instead. The draft plan for Poppleton near York, for example, includes a heritage policy but states that it is in fact not needed as the area's heritage is adequately protected by national planning policy and designation (Plan4Poppleton, 2015), and does not take up the opportunity to create policies for the conservation or enhancement of the everyday heritage within the village.

This brief analysis has shown that heritage policies within NDPs will often reiterate national policies, focusing on the conservation and enhancement of heritage assets or the need to resist their loss or harm, and most plans use traditional definitions of heritage as architecturally significant buildings and structures, although many do include locally identified assets, archaeological heritage and open areas. Some, however, state that heritage is appropriately covered by national legislation and policy often despite the plan covering a wide range of issues relating to everyday heritage and amenity. The heritage and historic character of Stubton, for example, is noted as a key concern throughout the plan, but in terms of heritage protection there are no specific policies, although the plan is clear that it conforms with the measures within the Local Plan for this (Stubton Parish Council, 2015).

This suggests that despite Pendlebury's argument that NDPs will lead to a more nuanced and holistic conception of place, for many the idea of heritage is still closely connected to mid C19th

definitions, and to national designation, despite the opportunity to recognise a range of heritage values within a plan. This also suggests that while communities may now be engaged and feel able to take on the role of planner within their neighbourhood area, they are not yet engaged with heritage to the same extent, still considering this to be an expert-led role and something for which the state is responsible. Oakwood's NDP, for example, states contradictorily that the parish contains few historically important features other than two listed mileposts, with no listed buildings, Conservation Areas, Ancient Monuments or site of archaeological importance. This is immediately followed with 'however, there are numerous buildings within the parish that are of high quality and of local importance to the community which help to form the local character' (Outwoods Parish Council, 2015, p.7-8), suggesting a missed opportunity within this neighbourhood.

7.4 DISCUSSION: REALISING THE POTENTIAL?

The idea of a breakdown in social responsibility due to too much state involvement led the Conservative Party in 2009 to the deceptively simple dichotomy of Big Society (a source of everything identified as good) versus Big Government (a source of everything identified as being bad), with this being re-launched by the Coalition Government in May 2010 (Bulley and Sokhi-Bulley, 2014, 455). The Localism Act has provided a new opportunity for communities to engage in the planning process, and a chance to harness the value placed on local heritage in Neighbourhood Plans (Locus Consulting, 2014, 10). The outcomes of the Big Society agenda have been assessed in this chapter in relation to their potential to work alongside statutory heritage designation and Local Heritage Listing programmes to better protect locally significant heritage assets. It was found that the 2011 Localism Act provided the potential for locally significant everyday heritage to be recognised by ACV listing and protected via the associated Right to Bid; and that Neighbourhood planning offered communities the ability to highlight areas of their neighbourhoods which are not suitable for development due to their heritage values, and in fact to have specific policies for the protection and management of local heritage assets. While the emphasis of ACV listing and NDPs is somewhat different, there are common threads to their potential in relation to local heritage. The key areas of potential, therefore, can be translated into four common themes:

- The potential to protect locally significant heritage assets
- The potential to holistically protect heritage values in tandem with national (and local) designation schemes
- The potential for greater community engagement in decisions relating to local heritage assets

- The potential reduction in reactive and often contested statutory designation applications

When the Big Society idea was first announced, Flinders and Moon (2011, 653, 657) argued that the commitment to a shift from a 'Big State' to a 'big society' may well founder on its inability to reconcile the centrifugal forces of devolution and localism and the centripetal forces of political accountability and public expectations in terms of ministerial responsibility; see also Roxburgh, 2010). This analysis has found that this would appear to be the case, as although communities are confident in outlining policies for the design and location of new development within NDPs, there is still a clear expectation that heritage is the preserve of both experts and the state. This does not impact to a great deal the types of assets listed as ACVs, which does fulfil the potential of protecting locally significant heritage to some extent. In terms of NPS, however, it affects the potential for protection, and means that this is often a missed opportunity as demonstrated by the draft Poppleton Neighbourhood Plan.

It is now recognized that there is a plurality of views and perceptions in relation to heritage, and that everyone will have their own special places which hold meanings for a variety of different reasons. The 2005 Faro Convention (Council of Europe, 2005) challenges us to adopt a holistic view of heritage and to recognise this multiplicity of meanings. However, as illustrated in Chapter Five and to some extent in Chapter Six, designation decisions in England continue to favour the physical, material aspects of heritage, despite an increasingly strong desire from local communities for the protection of assets due to their socio-cultural values. Where an asset with heritage significance is also of community value, which was often the case in the applications assessed in Chapters Five, its social values can be legitimised and often protected, as illustrated by the example of the Peterborough Arms made clear (Section 7.4.2). However, this is reliant on the Local Authority and how it has chosen to work with ACV lists. Many do not consider them to be a material consideration in the planning process, so provide only recognition rather than protection. NDPs can also include additional protection for local listed assets however, as the Central Milton Keynes plan demonstrated. In addition, integrating Local Heritage Lists into their NDP has allowed the community in Boston Spa, for example, to identify and locally significant assets and have them adopted into the Local Plan as part of the NDP despite the Local Authority not having a local list itself (Page, 2015, 24). It should also be possible to bring new 'voices' into local planning, potentially resulting in more holistic conceptions of place and heritage, albeit in tension with the more traditional conceptions of the historic environment held within the AHD (Pendlebury, 2015, 437). It is perhaps due to these that most NDPs are therefore using definitions of heritage which mirror statutory designation selection criteria by focusing on architectural and historic interest. While Local Plan policy as well as National legislation and policy in relation to the historic environment must be adhered to in NDPs, this should not stop them from having a more

nuanced understanding and recognition of values that make up heritage significance for their local heritage assets.

In terms of the potential for greater community engagement, the rhetoric of Localism would seem to offer 'something good', and as discussed in Chapter Two the same can be said of terms such as neighbourhood, community, and engagement, all of which engender ideas of a common good (Roskams and Neal, 2013, 153; Smith and Waterton, 2009). Indeed, it is claimed that the ACV listing process has helped local communities to come together (localism Alliance, n.d.a), and the NDP process similarly claims to improve community cohesion, with this being a key objective in many plans. As Chapter Two argued, however, the notion of a coherent, identifiable, spatially defined community (or neighbourhood in this case) is debatable, and there is no guarantee that locality-based activities will necessarily 'bring together' residents (Lister, 2015, 59; see also Lawless, 2011, 59). Indeed, the 2015 Big Society Audit published by Civil Exchange found that there had been a reduction since 2013 in the number of people who feel that they strongly belong to their neighbourhood (Civil Exchange, 2015, 16). In relation to the specific areas of potential for heritage, however, community groups and neighbourhoods have come together to nominate and have listed over 2600 ACVs; and to have 1566 neighbourhood areas designated and 84 plans having been made, the majority of which include policies for the Historic Environment.

Despite this success, the Localism Act would seem to have an underlying essentialist notion of the 'local', and a focus on village life, with communities being advised that community rights allow them to save the village shop (e.g. Hanham, 2010; DCLG, n.d.), which support the criticisms that the Big Society idea harks back to an unknown 1950s ideal (see Unite, 2010). The Act and associated guidance would thus appear to be aimed at rural areas, and does not seem to take into account the competing local, national and international communities of interest which can exist, especially in an urban context. This was clear in the analysis above, where the majority of neighbourhood plan areas were rural or semi-rural. This in part results from influences on the development of Big Society policies (Corbett and Walker, 2013, 455-6). The residual commitment to the neighbourhood may reflect the state of the UK when conservative communitarian ideas developed; a time when populations were less mobile and more homogenous than in many towns and cities today (Bailey and Pill, 2011, 931). This results in a narrow interpretation of neighbourhood as a static concept with a relatively stable community, assuming homogeneity and unity (Bailey and Pill, 2011, 939; Corbett and Walker, 2013, 461). Throughout the rhetoric of the Localism Act and the supporting guidance, therefore, there is a clear emphasis on both the village and the 'traditional' Parish Council, which was found to have had a significant influence in implementation. The majority of ACV nominations and NDPs were made by parish councils, with a Neighbourhood Forum only being required where a parish council does not exist. The 'traditional'

community or neighbourhood is perhaps less well-defined in a city context, where there are many more communities of, not least the business community, as well as tourists and regular visitors, all of whom may consider assets to be significant for a range of values.

In 2014 Locus Consulting reported that of the Neighbourhood Planning teams with a member experienced in heritage management, 73% considered this to be useful in their plans, 'defining a need to expertise and assistance in plan-making' (p.97). Empowered communities (Neighbourhoods), therefore, take on the role of the expert, and potentially the contestation that comes with that. This thesis does not argue against this though. In fact, a key area of concern with both the right to bid and the preparation of NDPs is the variation in the ability of communities to organise, to prepare technical arguments, and to lobby for and against specific proposals (Goodchild, 2010, 22; ACRE, 2014). Analysis of the previous New Deal for Communities programme under New Labour, for example, shows that most communities do not have the expertise to acquire, manage and successfully sustain physical assets (Lawless, 2011, 60-61). The community purchase of the Methodist Church in Horspath discussed above illustrates that similar issues exist with the Right to Bid, which has been criticised for being too complicated. This combined with a lack of expertise within community groups, therefore, may be one of the reasons for the relatively low numbers of assets known to have been purchased under this Community Right. This may also be the reason for the majority of NDPs being in the traditionally more affluent South East, as places with strong local support for sustainable development and buoyant economies are more likely to seize opportunities to promote better development and resist unattractive projects (Cowell, 2013, 34; Levitas, 2012, 331).

Further to this, Cowell (2013) has argued that as some neighbourhoods use plans to specify what development they want to see in their area, in the long term this may lead to a divergence between those keen to attract any development and those who are able to be choosier. This may be further reinforced, he warns, in a climate of austerity when money from developers may be only way of gaining funding for key local projects (Cowell, 2013, 131). It is too early to assess whether this may be the case, but the high levels of community consultation and engagement built into the neighbourhood planning process, and their requirement to conform with local and national planning policy and legislation may help to counterbalance this. In addition, this analysis has found that heritage and the protection of local distinctiveness does feature prominently within NDPs, even where neighbourhoods have not taken the opportunity to have their own heritage policy. Indeed, Locus Consulting (2014, 6) found in 2014 that over 93% of NDPs were engaging with the heritage in their area.

Just over a third (37%) of heritage policies within NDPs refer only to statutorily designated heritage, with most simply mirroring national legislation and guidance in respect of heritage conservation. As Pendlebury argues however, while the AHD might serve the purposes of a particular elite, in practice this may be less at the expense of suppressing non-traditional heritage values than in competition for control over the built environment with other elite interests (2015, 438). There is a risk, therefore, that we might also see the status of locally significant places challenged by commercial or other interests directly through the plan-making process (Pendlebury, 2015, 437). Outlining the Big Society and planning reform ideas in 2010, however, Baroness Hanham spoke of the anxiety caused by unwelcome or controversial developments, and was clear that the government believed that ‘when places are properly shaped by the people who live in them, there should be far less room for controversy’ (Hanham, 2010). It has not been possible to assess this within this chapter, because many of the NDPs have only been in operation for a short period at the time of writing. This would, however, be a useful piece of future research.

ACV listing and its associated right to bid, and heritage protection policies within neighbourhood plans, both have the potential to reduce the number of reactive heritage designation requests made to ‘save’ a threatened community asset, many of which do not result in designation and are often therefore contested. Although it has not been possible to assess this due in part to the newness of the ACV and NDP measures within the Localism Act at the time of writing, and the inability to predict whether statutory designation applications may have been made if these measures were not brought in, the remains a key argument within this thesis. The example of Portishead Lido and other asset transfer examples (e.g. Jackson, 2013; Wyler, 2009) hint at the potential of the ACV and Right to Bid process to help communities to both ‘save’ the assets that they value and to keep them open and in use – something that statutory heritage designation would not necessarily ensure.

In its short period of implementation at the time of writing, therefore, the two aspects of the Localism Act analysed within the chapter as providing the most opportunity for local heritage protection would seem to be successful in terms of protecting locally significant heritage assets, and providing community participation in decision-making. In addition, often both statutory and local heritage designation have worked together with ACV designation to ensure that the full significance of an asset is taken into account during the planning process, as illustrated by the examples at Chippenham and Blackpool. The opportunities within the Localism Act should not be seen as alternatives to national heritage designation, therefore, but as additions to this which can help to better protect not just locally significant heritage assets, but those which also have

national significance. The key issue, however, lies in ensuring that both communities themselves, and Local Authorities, recognise and take advantage of these opportunities.

7.5 CONCLUSION

In conclusion, while specific heritage legislation has a direct impact on the way in which the historic environment is managed, a range of other legislation and policy can affect the ways in which we can protect it. In addition, the 'Big Society' agenda, with an emphasis on community empowerment, bolsters an already increasing desire of citizens to be more actively engaged in heritage protection, and to be able to 'save' what matters most to them. The potential re-alignment of power which results from the 'Big Society' offers a number of opportunities for residents to have more of a role in the sustainable development of their towns and villages and by extension, therefore, more authority over the heritage assets within them. This results in a new definition of heritage as a community asset, which is already understood by most academics and is enshrined in Faro. If new/alternative ways to protect local heritage are to succeed, therefore, they must encourage a wider understanding of heritage as a community asset not just by those in authority but by communities themselves, who as the analysis of NDPs has found, often still consider heritage protection to be an expert-led responsibility of the state.

Historic England (n.d.) guidance on Neighbourhood Plans states that the value of local heritage is to its local community, and it is therefore important for it to be protected at the local level by those who 'treasure' it most. Working in addition to, and sometimes in partnership with both national and local designation, the Localism Act has been found to have the potential for locally significant heritage to be identified, legitimized and protected by local communities. This is either through the involvement of the community in the decision-making process as part of neighbourhood planning; or by the nomination of sites for inclusion on lists of assets of community value. However, given its essentialist notion of the 'local', and a focus on village life, and well as there being no requirement to have a heritage policy within NDPS, it could easily be a missed opportunity, and many Plans simply mirror national definitions of heritage significance found in statutory designation selection criteria, or simply refer to national policy for the protection of the local assets within their NDP. In addition, despite campaigns for ACV listing by Civic Voice and groups such as CAMRA, the limited guidance on this aspect from the heritage sector suggests that the potential has not been identified to the same extent.

Although it may be tempting to see the Big Society as a gimmick, or simply the short-lived rhetoric of the 2010 Coalition government, placing it in a slightly longer context suggests that government policy has been moving in this direction for some time, as outlined in Chapter Three. The Big

Society's characteristics are built on the foundations laid by previous governments, and while there have been a significant number of critics, all political parties are continuing to look for ways to unlock the potential in society beyond the state and the market (Civil Exchange, 2015, 6). Whether it is the Big Society, the Third Way, the Good Society or any future concept, politicians are likely to continue to place emphasis on social responsibility and empowerment (Lister, 2015, 366). Indeed, the 2015 Conservative Government continued to promote this localism agenda. In the following chapter, the results of this analysis are brought together with that of the previous two chapters to discuss the thesis questions and objectives as set out in Chapter One.

8 DISCUSSION

This thesis has examined the tension resulting from the statutory framework of national heritage designation policies which prioritises expert-led assessments and decision-making; a fabric-focused definition of heritage significance based on a positivist epistemology of intrinsic value; and the national as more rather than differently significant. It has examined this through the analysis of national designation requests, and has considered alternative or potentially less contentious ways to protect locally significant heritage assets through the analysis of Local Heritage Listing, and the Big Society outcomes of Assets of Community Value (ACV) and Neighbourhood Development Plans (NDP). This has resulted in a consideration of whether national heritage legislation and policy is still an effective way of protecting valued heritage assets given the localism agenda of the 2010 Coalition Government.

In Chapter Five, the national designation system was examined in terms of the applications made for new designations, including the categories of heritage and asset types nominated, and whether the local significance of the asset was referred to. It was clear from this analysis that the dominant ideas of heritage which developed from the mid-nineteenth century onwards and which continue to underpin current principles of selection (e.g. DCMS, 2010) are now being contested and challenged by a multivocal understanding of significance. It was found, therefore, that 'official' interpretations of significance which favour a special architectural and historic interest, assessed objectively and dispassionately by a national 'expert' body, often conflict with an 'unofficial' and less tangible interpretation, resulting not just in contrasting perceptions of significance, but in conflict and dissonance. Local Heritage Lists were thus considered in Chapter Six as a potential alternative or addition to national designation which may be better able to protect locally significant assets, and the full range of values ascribed to them, including social value. Local Heritage Lists can also be much more engaging in terms of participation in the heritage protection process. Chapter Seven further developed these thoughts by considering the potential of policies within the 2011 Localism Act to identify, legitimise and protect the significance of local heritage assets, arguing that they may work in tandem with or at least in addition to national and even local designation systems to ensure holistic recognition of the heritage values that make up an asset's significance, and a reduction in reactive and often contested national designation decisions.

The three previous chapters thus discovered and analysed a number of areas of potential in relation to local heritage protection. These are:

- Recognition and inclusion of social value and other non-traditional heritage values, thereby legitimising them as valid
- Protection of locally significant heritage assets which would not meet the criteria for statutory protection
- Holistic Protection of heritage values in tandem with national designation schemes
- Greater community engagement in decisions relating to local heritage assets
- A reduction in reactive often contested statutory designation applications

This chapter will synthesise this potential and place it within the context of the Big Society to consider the research questions set out in Chapter One, which are:

- Why does the national designation system in England often result in contested decisions?
- Given the localism agenda of the 2010 coalition government, should we be looking to more local policies as an opportunity to reduce this tension?
- Is 'national' heritage legislation and policy is still an appropriate way of 'protecting' valued heritage assets?

It therefore discusses the results of analysis outlined in Chapters Five, Six and Seven in relation to these research questions, placing them in context with reference to the review of heritage and policy literature in Chapters Two and Three. Overall, however, the key aim of this chapter is to consider whether the tension identified as being inherent to statutory heritage designation in Chapter Two can be reduced. This is discussed in relation to a number of common themes that emerged during the analysis of data in the previous chapters. These are discussed below in relation to the philosophical and policy background reviewed in Chapters Two and Three.

8.1 EVERYDAY HERITAGE IN THE BIG SOCIETY: FARO AND MULTIVOCALITY

Before beginning to compare and contrast the results of Chapters Five Six and Seven, it is useful to first to consider the ideas of heritage and the role of the expert as set out in the 2005 Faro Convention, which itself has been described as an example of an emerging and radical heritage agenda in which heritage is everywhere, heritage is for everyone, and we are all heritage experts (Schofield, 2014, 2). This provides a useful context for considerations of the multivocality of heritage and the role of the expert in the following sections of this chapter.

The Faro Convention (Council of Europe, 2005) emphasizes the value and potential of cultural heritage as a resource for sustainable development. Any sustainable future for historic towns and cities, however, must be concerned with the continuity of living culture, the *genius loci* that characterizes heritage places and creates a sense of place (Nasser, 2003; Low, 2003, 47; Fairclough, 2008, 153). Chapter Five found that the most common value referred to in applications for locally significant assets was local distinctiveness, and many of the applications were made in an attempt to keep the site open and in use, thus providing a meaningful and sustainable contribution to the present (Jackson, 2013, 1). As the previous chapters have shown, however, these social values, defined in Chapter One as the intangible values of experience and emotional attachment to a heritage asset, including collective memories as well as more current meanings and values that are important to the local community (see also: Johnson, 1992; Jones and Leech, 2015; Jones, 2016; Byrne *et al* 2003). Official definitions of heritage significance in England, for designation at least, often relate only to the expert-derived 'special interest' of places and, in particular, to the authenticity of their fabric, their age-value and aesthetics as prioritised within the principles of selection. National and local designation applications, as well as NDP heritage policies, for example were all dominated by the traditional 'Ruskinian' conservation philosophy. Even the village ponds and similar open spaces locally Listed in South Tyneside conform to this philosophy, their authenticity having been a key reason for their addition to the list. In contrast, one of the top three asset types for ACVs was open spaces/land, with sports pitches and recreation grounds also featuring highly, perhaps because the idea of heritage is not explicitly connected to this process.

Using the constructivist framework, this research has proceeded from the view that heritage is multivocal, but that this is often not understood by those in authority (Ashworth and Larkham, 1994; Belford, 2011; Tunbridge & Ashworth, 1996; Corsane, 2005). It has argued that this leads to tension and dissonance due to 'expert' definitions of significance being considered more valid and thus more important. Key to understanding multivocality is understanding that assets can have a wide range of heritage values and be significant for many different people or groups, and for many different reasons, all of which should be considered valid rather than being dismissed as irrelevant or unimportant. At Bradford and Plymouth this resulted in a feeling that local views were not considered to be important by those in authority, especially as it was assumed that if enough people wrote letters of support the building would automatically be listed. The Faro Convention is based on the idea that knowledge and the use of heritage form part of a citizen's right to participate in cultural life, and it argues that every person has a right to engage with cultural heritage while respecting the rights and freedoms of others to do the same (Council of Europe, 2005). As the Bradford Odeon case study in Chapter Five demonstrated, however, it is clear that citizens do not always feel that their views are respected in relation to statutory

designation assessments. The disconnect between the positivist expert assessment of special interest and government discourse and public policy focused around encouraging community empowerment and engaging with much wider, plural views means that although members of the public are able to apply for any asset to be considered for national designation, for example, they are not involved in the assessment and decision-making process. This process continues to be defined as a role only for experts as it was when listing was first introduced in 1944. This is despite increasing demands for community engagement, and not just from communities themselves but from government agendas.

As discussed in Chapter Two, from the 1990s onwards in the academic literature, heritage has become viewed as one of the principal sites for the creation and contestation of memory and identity, with the material traces of past events becoming mnemonic icons that many local communities wish to preserve (Fairclough *et al*, 2008, 3). In relation to communities, they also provide symbols and markers community boundaries (Cohen, 1985), often being valued as local landmarks for this reason. This was clear in the designation applications analysed in Chapter Five, with 44% referring to the local significance of the asset, and 13.7% being described as a local landmark, with a further 26.94% describing the asset was locally distinctive and thus emblematic of local identity. This is not just apparent in the academic literature, however. A MORI poll carried out by English Heritage for Power of Place (HE, 2000), which fed into the Heritage Protection Review outlined in Chapter Three found that 73% of people disagreed with the statement that 'only great architecture and buildings count as heritage.' (HE, 2000). People ascribe great significance to their local everyday heritage, which provides them with tangible statements of tradition and permanence. Often, unlisted assets will be of far higher significance to some communities than those which are listed (Chitty *et al*, 2010), but as Chapter Three outlined and Chapter Five illustrated, local significance and the social values that often form a key part of it, is not taken into account in National designation decisions, and is consequently considered by local communities to have been devalued or ignored by the 'experts' at Historic England (Smith and Waterton, 2009).

The Faro Convention challenges us to adopt a holistic view of heritage and to recognise that in a plural society everyone will have their own special places which hold meanings for them, and there will thus be a multiplicity of meaning at heritage assets. This encourages a wider understanding of heritage and its relationship to community, society and nation, moving beyond the traditional notion of old buildings and historic sites (Palmer, 2009). Despite an increasingly strong desire from local communities for the protection of assets due to their socio-cultural values, the statutory designation system is unable to include these in decision-making processes as the Principles of Selection state very clearly that socio-economic factors cannot be taken into

account (DCMS, 2010). In this author's experience, this results in designation advisers dismissing social value as subjective emotional ties to a place that do not represent its 'true' heritage significance. Faro, however, recognises that heritage assets have significance because of the meanings and values that people attach to them (Palmer, 2009, 8). This was reflected in all data sets analysed within the previous chapters, with 44.4% of applications for national designation referring to the local significance of the asset due to a wide range of values. Within NDPs, however, this thesis found that ideas of heritage are often still connected with traditional mid-nineteenth Century conservation philosophy. In fact 37.14% of Plans have policies which only cover statutorily designated assets (including Conservation Areas), and a small number simply defer to district or national policy, missing the opportunity to have a policy to protect their distinct local heritage. In many cases local lists, however, do follow the wider understanding of heritage encouraged by Faro, although architectural and historic interest are still the most common criteria, with social/communal value only being present as criteria in 42.34% of lists. This may increase though as more Local Authorities take on board the guidance prepared by Historic England (HE, 2012).

The analysis of primary data in the previous three chapters found that the range of asset types most commonly associated with each type of designation do appear to reflect a particular understanding of heritage significance in relation to that particular designation type. In the national applications analysed, for example, the most common asset types applied for were domestic, many of which were under threat; followed by commercial, including pubs and shops, and industrial (Fig. 41). With local listing nominations at South Tyneside, however, the most common asset types were of a more social and communal nature, with the most common being commemorative. ACV listings, on the other hand, tend to focus on assets with amenity value such as pubs, sport and recreation and open spaces being the most common. This suggests that a combination of protection measures can holistically protect the historic environment.

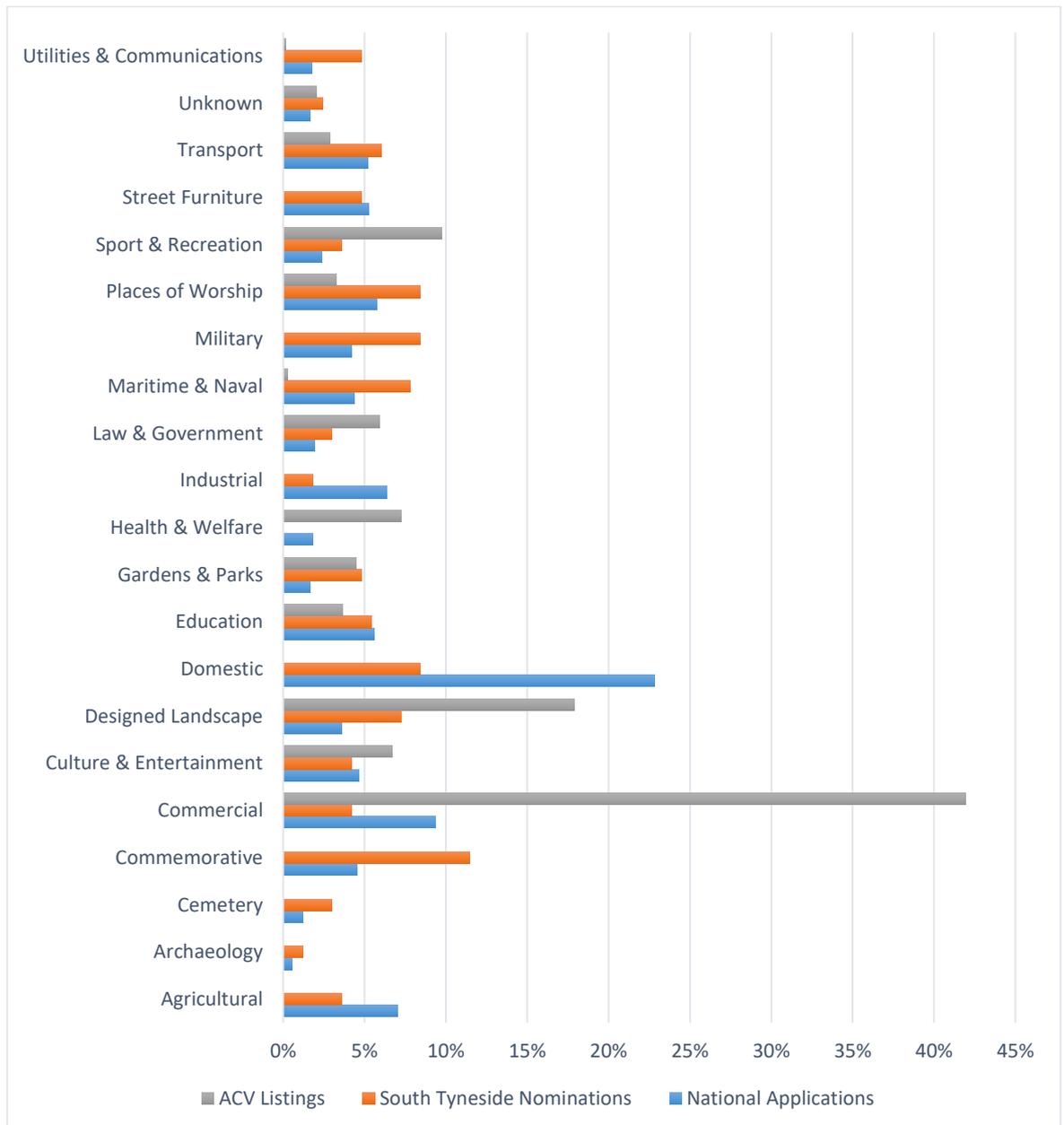


Figure 41 Percentage of Asset Types nominated or listed per data set

Faro also states that we need to put people and human values at the centre of an enlarged and cross-disciplinary concept of heritage (Council of Europe, 2005, 2). This thesis has demonstrated that there is potential for social value to be incorporated into and legitimised as valid within local protection opportunities. As already noted, nearly half of Local Lists use the criterion of social or communal value, and the definition of an ACV is a place which furthers the social well-being of the local community. National designation, however, does not include social value and, in fact, is perhaps not the most appropriate place for. The 401,320 designated assets on the NHLE (as of January 2017) have been assessed under a relatively narrow definition of heritage, which as Chapter Three demonstrated, has become normalised and would be very difficult to change (requiring legislative as well as cultural change). In the author’s experience of working in the Designation Team at Historic England, there are already criticisms from many in the sector that

differences in the style and format of list entries depending on the template in use at the time of designation can be problematic when explaining conservation decisions, with more recent entries providing much more information than older ones, and modern list entries including details of element of an asset that are not of special interest. It would not be beneficial, therefore, to make a substantive change to the system without a complete review of all entries, which the resources available would preclude.

It can also be argued that national designation does have its place, so long as it is understood what it is for and why it works in the way that it does. Rather than specifically adding to this or attempting to amend the criteria, therefore, it is a culture change that is required to encourage consideration of heritage in measures and policies which do not at first appear to be for this purpose, taking up opportunities provided at the local level such as Local Heritage Lists, ACVs and NDPs. These have the additional benefit of providing a wider appreciation of the totality of the historic environment (Boland, 1999), and in the case of local lists are not regulated through legislation with specific criteria in the same way that national designation is. In addition, these local processes all involve consultation with local residents to some extent. They therefore offer communities a way of participating in both the recognition and protection of the assets that matter to them. The key issue here however, is the dominance of the heritage expert within understandings of heritage. While public policy would seem to be much more at ease with ideas of multivocality and community engagement in a plural society, this would appear to be at odds with the statutory designation system. This is perhaps a result of the nationalisation of heritage discussed in Chapter Three, which has ensured that to many, heritage is something for the experts at Historic England to be concerned with. As Chapter Seven found, for example, while communities may now be engaged and able to take on the role of planner within their neighbourhood area, they are not yet engaged with heritage to the same extent, still considering this to be an expert-led role and something for which the state is responsible.

More recent policy documents such as PPS5 and the subsequent NPPF (DCMS and DCLG, 2010; DCLG 2012), the associated planning good practice guide (DCMS, 2010), and Conservation Principles (HE, 2008), do seem to demonstrate an awareness of the multivocality of heritage, but this is only at the post-designation stage. Despite a widening of the selection criteria and the age of assets which can be designated, this has yet to include the social value of the asset. Protection thus remains firmly tied to the materiality of heritage, and 'traditional' ideas of inherent value. This may be because the more intangible social values of heritage are much harder to define, and as discussed in Chapter Two they are embedded in social relationships and continually reworked (Jones, 2016, 5), and as Byrne *et al* (2003, 51-3) have found, social value is not easily bounded –

memories and attachments associated with a heritage asset may well include more than what happens at that specific place.

8.2 CLIMBING THE LADDER IN THE BIG SOCIETY: PARTICIPATION AND ENGAGEMENT IN HERITAGE PROTECTION

Faro challenges us to enable heritage processes that move beyond experts in government ministries, however, to include the different publics who are associated with heritage assets (Thérond, 2009). At the national level, in contrast, the addition of a consultation stage (fig. 1) is a move in the right direction, but it does not include consultation on the assessment or decision, and if consultation responses are not specific to architectural or historic values they are not taken into account. This is an argument to be made here, therefore, for an improved consultation process and for advice reports to demonstrate more awareness and understanding of local significance and social values in particular. The views of local residents are being encouraged and taken on board in Local Heritage Lists though, where these exist. Indeed, Faro encourages a wider understanding of heritage and its relationship to community, society and nation, moving beyond the traditional notion of old buildings and historic sites (Palmer, 2009, 7), and local lists do follow this wider definition. North Tyneside Council, for example, have locally listed several 'modern' assets including a pair of life-sized concrete hippopotamuses in the centre of a housing estate (HE, 2012, 1). Being Localism Act measures, ACVs and NDPs also aim to include the different publics suggested by Faro, although as Chapter Seven found, there is a focus of Localism activity in rural areas and the Big Society itself has a place-centred idea of community which may exclude some communities of interest.

Chapters Five and Six found that individuals and local communities no longer simply support heritage protection; they are now becoming actively involved in seeking to have their own sense of heritage acknowledged and legitimized, with nearly half of the requests made for statutory designation in England referring to the local significance of the site. The lack of engagement or participation within the national designation process except at nomination stage, however, is a key area of contestation. The 2005 applicant for Bradford Odeon, for example, had assumed that if enough people supported the case to list the building, it would have to be designated (Letter to HE, 22.07.05). In addition, Letters received following the decision not to list, and indeed the review application submitted in 2007, all spoke of their upset (anger in some cases) at the views of the community being 'ignored'. The Big Society Agenda from 2010 onwards, therefore, which aimed to include local communities much more in decisions about their local area can be seen to encourage this desire for greater involvement, and suggests that Historic England should think about reviewing their current engagement methods to allow for additional or alternatives modes

of participation. The idea of accountable consultation put forward by Litva *et al* (2002, 1834), in which citizens contribute to decisions by expressing views, are guaranteed that this view is heard, are provided with an explanation of the rationale behind the decision, but have no responsibility for the decision (Litva *et al*, 2002, 1834), would be a way forward, and is what is aimed for within the current consultation process, although the rhetoric used within advice reports when listing consultation responses often reads as though this information was not considered to be valid.

In contrast, while perhaps not necessarily fulfilling their potential to protect locally significant heritage assets from demolition, as discussed in Chapter Six, Local Heritage Lists do seem to offer the opportunity for the significance ascribed to these assets by local communities to be recognised, understood, and perhaps even celebrated, as do ACV lists. However, only 52.75% of Local Authorities have a Local List or other means of identifying non-designated heritage assets, and of these only 66.94% have a nomination process. As Bassetlaw demonstrated, in some Authorities the identification of assets for designation is still largely the work of the Conservation Team. Any published lists, however, especially if they are a Supplementary Planning Document (SPD) will usually be subject to consultation, providing the local community with the opportunity to make comments and suggestions. In terms of the ideas and debates on participation highlighted in Chapter Two, however, many of the models discussed, especially Arnstein's ladder of Participation (1969) would define this as tokenistic participation at best, and place it towards the bottom of the ladder. As White (1996) and Cornwall (2008, 273) have argued though, the definition of 'good' or 'bad' participation needs to take into account context. Consultation where there was previously no involvement could thus be considered to be 'good', and as Litva *et al* (2002, 1834) have found, people consistently refer to public involvement as 'consultation', valuing their involvement as a way of improving the decision and its acceptability, even though they knew they were not making the decision themselves. In fact, most did not wish to share in the responsibility of decision-making (Litva *et al*, 2002, 1834).

Local Heritage Listing, especially when it is a process owned by the community, should be able to recognise and celebrate the significance of local assets to their communities, and with no governing legislation, should be able to include assets for their social value as well as traditional heritage values. In relation to engagement, however, while any list which is an SPD or SPG should be published for consultation before being adopted, only 11.97% of Local Authorities specifically noted that consultation is used as part of the decision-making process. In addition, while South Tyneside encouraged nominations, consultation, community meetings to discuss the list, and the option to be on the selection panel; at Bassetlaw the list has been put together by the Conservation Team and as it is not a 'list' as such there has been no consultation or discussion with the local community about what should be added to it. The lack of consistency, therefore,

means that some local communities are full engaged and able to participate (if they wish to) while others are not, which reduces the impact of the potential of Local Heritage Listing to reduce the tension associated with National designation.

Neighbourhood Plans and ACV nominations would be expected to come entirely from local communities, and while this is the case, it is parish or town councils who make the most nominations. Although the representativeness of parish councils was questioned in Chapter Seven, the NDP process does include significant engagement with the local community, often including for example workshops to gather ideas and feedback. They would certainly seem to fulfil the potential of greater community engagement, therefore, although coverage is not even across the country, with the majority of both NDP activity and ACV listing being in the South East. In addition, while Assets of Community Value can only be nominated by local community groups of parish councils, despite what would appear to be relatively high numbers of listings, there is an issue of lack of knowledge and/or understanding, with the Communities and Local Government select Committee report, for example, stating that ‘these reforms will not amount to much ... unless people are much more aware of the Rights’ (CLGC, 2015, 3)

In terms of Arnstein’s ladder of participation, therefore, National statutory designation is towards the bottom, local listing is perhaps somewhere in the middle taking account of the variations in process, and neighbourhood planning is close to the top, with the community directly producing their own plan (so long as they conform with the overarching local plan). However, as discussed in Chapter Two, there is an assumption within participation models such as Arnstein’s Ladder that full project ownership is significantly better and more purposeful, which assumes that everyone wants to be empowered, and that those who are not are ‘missing out’. Different reasons for using participation, however, demand different forms of engagement by different kinds of participants (Cornwall, 2008, 273), which ladder-style and other similar models fail to capture. That aside, while full citizen control is of course an appropriate aim for NDPs, this being their objective, it is not feasible and perhaps not necessary for national designation. The challenge is not to include full citizen in National designation though, despite the Big Society suggesting that this is desirable, but to provide additional or alternative options for participation and engagement which are better able to take into account the values and overall significance attached to a heritage asset by both national experts and local communities. Indeed, not everyone necessarily wants to be involved in decision-making, so any participatory model used needs to consider the active choice not to participate Cornwall, 2008, 279).

8.3 MAKING DECISIONS IN THE BIG SOCIETY: THE ROLE OF THE EXPERT

The Big Society and associated move towards community empowerment would appear, in the author's experience, to have by-passed designation teams at Historic England and had very little impact. The key change has, in fact, been a re-assertion of the national through guidance on local listing (HE, 2012); and a recent 'enhancing the list' project which allows people to add photographs and other information to list entries, but with the very clear caveat this it does not form part of the official designation. While public participation and plurality of values would now seem to be accepted by many in the heritage sector, therefore, especially at the management level as illustrated in documents such as Conservation Principles (HE, 2008); at the designation level, the expert is still privileged. Even Conservation Principles places communication with people and communities as a second step, after the evaluation of historic fabric and the definition of significance (HE, 2008, 10; Gibson, 2009, 75; see also Davison, 2008). Similarly, at the discussion workshops which fed into the 2012 Southport Group report, some of which the author attended, there often seemed to be a dismissal of 'non-expert' ideas and values because the general public simply misunderstand, or do not know, what is significant about the historic environment, because unlike 'us' they did not have the relevant training and experience. Indeed, it was often stated by colleagues of the author while working at Historic England that 'non-experts' just ascribe irrelevant emotional values to assets, rather than well-informed, objective values. This is a common assumption made by many within the heritage sector, and a key area of tension. It can also be an issue at the local level, however, with many conservation officers feeling that they have to 'vet' nominations for local lists, as discussed in Chapter Six. ACV listing also attracts tension and dissonance, with anger at the lack of consultation and numerous appeals against listing, as highlighted in Chapter Seven. Conflicts of interest, then, would appear to be an inseparable accompaniment to authorized versions of heritage (Silverman, 2011, 33), especially when heritage is recognised to be multivocal.

The process of statutorily designating heritage assets by a national 'expert' group has its origins in the immediate post-war era and the assumption that there would not be the necessary levels of knowledge or understanding required in Local Authorities, most of whom had no experience of heritage protection. The continued dominance of the expert in the designation process, however, and the types of assets accepted for statutory designation could be explained by Smith's (2006) Authorised Heritage Discourse (AHD), which gives primacy to a Westernised, elitist heritage. This ensures that the general public continue to see heritage as physical sites and objects which are often linked to ideas of the nation, such as castles and country houses; and this therefore marginalises or attempts to erase other types of significance, being used to reinforce the position of the dominant group (Belford, 2011; Gibson and Pendlebury, 2009; Harrison, 2010; Smith and Waterton, 2009; Waterton 2007). However, although this can sometimes be observed in relation

to national designation, a wide range of assets which are not always considered to be 'traditional' heritage are included on the NHLE, Plymouth Civic Centre being one example although it does have links to nationhood with part of its significance lying in it being a representation of post-war regeneration. Many local lists also include assets which would not normally be considered to be heritage, such as the 1980s concrete hippopotamuses in the middle of a housing estate in Killingworth, North Tyneside.

The assessment and rejection of local landmarks such as the Bradford Odeon for statutory designation using criteria that focus on expert understandings of architectural and historic interest, can as this thesis has demonstrated, result in a feeling that local opinion has been ignored or wilfully pushed aside. This contestation is not simply over its non-designation as a heritage asset though; it relates also to its social value within the community, which conflicts with the necessarily objective and dispassionate assessment report prepared by Historic England (Jackson, 2014, 207). The issue is not fully about whether it is heritage, but about whether an asset it is in fact heritage, however, the history of the asset or the events which took place there are not usually contested. It is the relative significance of the asset and whether it should be designated which is disputed, with decisions resulting in both non-designation of a cherished local asset such as Bradford Odeon, and the designation of a building which is not considered to be important to the local community such as Plymouth Civic Centre, both being the focus of campaigns to overturn a decision.

It is assumed by many in the heritage sector, though, that the need for protection is 'self-evident' and 'in the public interest', which masks the fundamental questions of why, what and for who, as it is often assumed that we all agree (Carman, 2005; Clarke, 2006; Hobson, 2014). The results of analysis of designation requests in Chapter Five, however, showed that we do not all agree, and while the significance of an asset may appear to be self-evident to one group, another may consider a different version of significance made up of a wider range of values to be self-evident, resulting in both confusion and contestation. This was most clearly evident in the two case studies of Bradford Odeon and Plymouth Civic Centre. In most cases, it tends to be the act of non-designation which leads to conflict, although as the case study of Plymouth Civic Centre shows, assets which are less 'traditional' in terms of their aesthetic values, can cause contestation when designated. The reasons for this were largely the same as at Bradford Odeon though, with similar arguments being made by those who disagree with the decision and in each case, it was clear that local communities felt that 'experts' at Historic England had made the 'wrong' decision because they were not from the area so could not fully understand the building.

8.4 REDUCING TENSION IN THE BIG SOCIETY: LOCAL AND NATIONAL DESIGNATION

WORKING IN TANDEM

Thinking again about Faro, retaining a system which is top-down, driven by heritage authorities and without apparent regard for individual, local and everyday significance is not only outdated but impossible to sustain in a world where local values and concerns are increasingly driving regional and national agendas (Schofield, 2014, 2). When the research for this thesis began, it was assumed that this concluding discussion would argue that the national designation system should be reformed, or the criteria at least updated or re-interpreted to allow for the inclusion of social value. However, the results of analysis within Chapter Seven suggest that purely in terms of the potential of ACV listing and NDPs, it may be more appropriate and indeed pragmatic for the national designation systems to work in partnership with other locally-based protection mechanisms to ensure that both local and national significance can be recognised and protected, and that the full significance of assets, including their social value, is protected. Before considering this, however, it is useful to first consider whether ACV listing, Local Heritage Lists and NDPs can in fact protect locally-valued heritage assets, and if so whether they can help to reduce threat-based, reactionary designation requests of the type which tend to result in a contested non-designation decision.

Local Heritage Listing, especially when it is a process owned by the community, should be able to recognise and celebrate the significance of local assets. Their non-statutory nature, however, means that people often turn to national designation to try and protect locally significant assets when they are threatened with development (Chitty *et al* 2010). Where the process for identifying non-designated heritage assets relies to a large extent on their identification at the planning stage using information provided in planning applications, this can result in a similarly reactionary designation and contested decisions, as the case study of Bassetlaw demonstrated in Chapter Six. In addition, analysis found that where it was known, just 65.45% of Local Authorities have a local plan policy for their local list, and indeed 47.24% of Local Authorities do not have a list, relying on the NPPF along to ensure that the significance of assets is taken into consideration in the planning process. Similarly, while ACV listing can be mapped as a planning constraint and considered a material consideration in planning decisions, the legislation leaves the decision on whether to do this open to Local Authorities, meaning that some do not. This results in the heritage protection potential of ACVs being met only in a rather haphazard and piecemeal fashion, although as the system progresses and is refined over the coming years, there may well be a gradual alignment of policy across Local Authorities, and despite these misgivings the potential of ACVs still remains as outlined in Chapter Seven.

In terms of other local designations not considered within this thesis, Conservation Areas do carry some statutory control, but of the applications for national designation analysed in Chapter Five, 39% of them were for buildings already within Conservation Areas. An application was made to list a police station in Harrow, for example, which was already in a conservation area, was on the local list, and was in a special character area, but the applicant was still concerned about alteration and extension because the building was for sale (app. No 61). While this may appear to be an overly-concerned applicant given the range of protection measures that the building already enjoys, the potential identified in this research of national and local designations working in tandem would seem to be one of the most successful ways of protecting the multivocal significance of an asset. This is something that would certainly benefit from guidance and promotion by organisations such as Historic England. A key area of potential for ACV listing, for example, is that it can work in partnership with heritage designation in cases where local communities prioritise the amenity/resource values of an asset. As illustrated in Chapter Seven, for example, planning permission for change of use to a domestic property was rejected for the Grade II listed Peterborough Arms in Dauntsey, near Chippenham due to its ACV listing and not its national heritage designation. Its social significance, therefore, was only taken into account due to its ACV listing. This remains just a potential, however, if the Local Authority do not consider ACV listing to be material consideration.

The adoption of a Local Heritage List and the use of planning controls for both local lists and ACV lists, as well as policies within NDPs, however, would appear to be somewhat haphazard in that some Local Authorities will have all of these while others will not, even where an NDP may exist. Although all authorities must maintain a list of ACVs, not all authorities have assets which have been nominated, and thus listings are more prolific in some areas of the country as opposed to others, particularly the South East, although this has the largest population of any region so this may be due to a higher than average number of planning or redevelopment cases. NDPs are similarly spread inconsistently across the country, again being highest in the traditionally more affluent South East (Fig. 42). While the opportunity of local heritage protection through the use of these is significant, therefore, it is not something which all communities necessarily have access to.

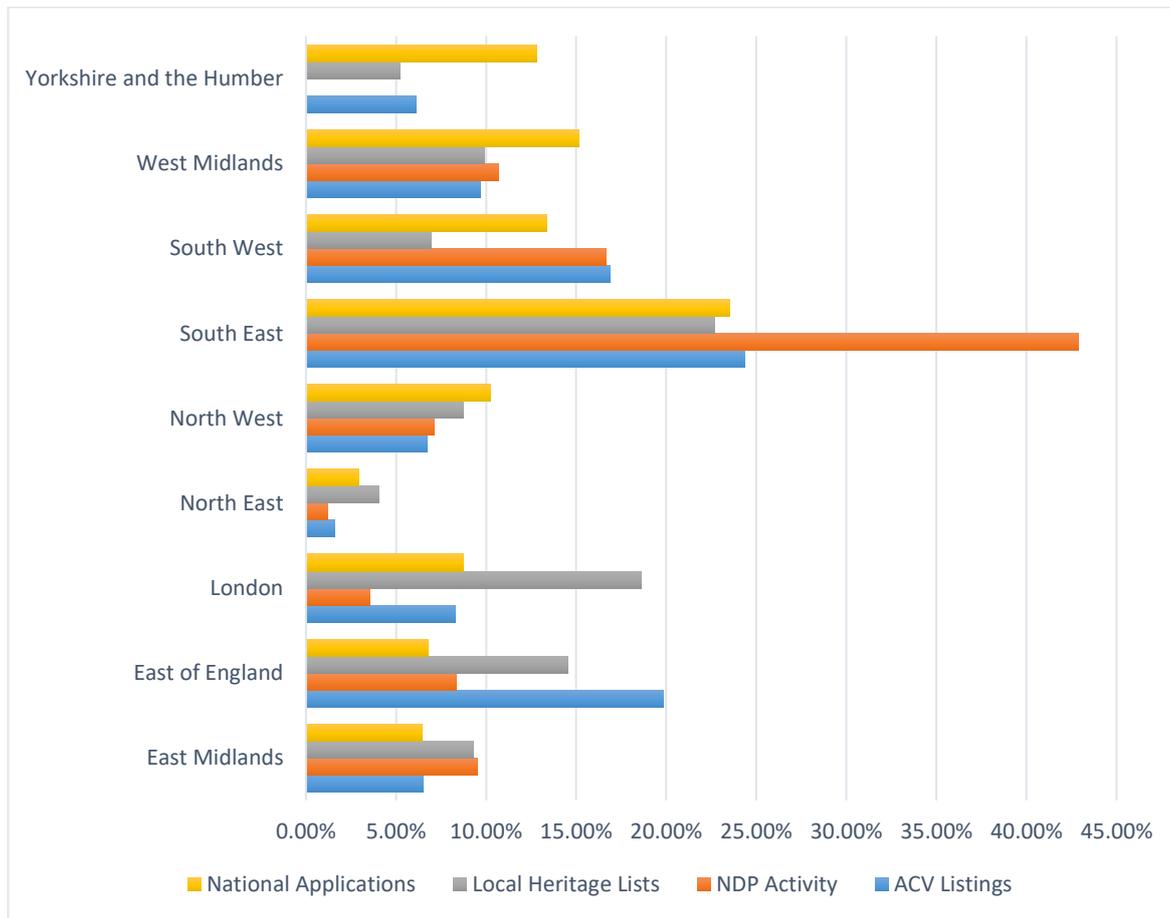


Figure 42 Percentage of national and local listing applications, ACV listings and NDP activity within each region of England

8.5 DESIGNATION IN THE BIG SOCIETY: WORKING IN PARTNERSHIP

Throughout this thesis, the contestation associated with National Designation has been discussed at length, and alternative or additional processes for recognising and celebrating heritage values other than traditional architectural and historic interest has been considered. Whether national designation regimes should be changed or even replaced with something new, however, has not been fully considered. Should local listing, for instance, be made statutory and thus part of Historic England’s remit? In answer to this, it should be clear from the preceding discussion that the two designation systems are largely complimentary and have the potential to operate well alongside each other. If they were brought together under Historic England, local listing would no longer be ‘local’, and even if assets are still nominated by local communities and decisions made by the relevant Local Authority, they may well be just as contentious and open to criticism. As Fairclough cautions, recognition by national government of independent lists risks making them dependent (Fairclough, 2014, 246). Inclusion into the National Heritage List is also likely to result in the application of a narrow list of specific criteria. The ability for national and local designation to work well together is currently hindered by the rather random spread of Local Lists, though.

There is an argument to be made, therefore, for requiring that all Local Authorities have a mechanism in place to identify locally significant non-designated heritage assets, rather than relying only on the NPPF.

In addition to Local Heritage Lists as a complimentary designation, working in addition to and sometimes in partnership with national designation, the Localism Act has also been found to have the potential for local significance to be recognised and protected. However, given its essentialist notion of the 'local', and a focus on village life, and well as there being no requirement to have a heritage policy within NDPS, it could easily be a missed opportunity. The potential to reduce the contestation associated with national designation and perhaps better protect locally significant assets due to a more nuanced understanding of the values which make them significant, therefore, may be thwarted by this continuing to be the 'only way' to 'save' a local asset, especially if there is also no Local List. In addition, as already discussed, many of the heritage policies that do exist in NDPs simply mirror the national system or in fact state that national protection mechanisms adequately cover heritage so there is no need for additional policies. There would seem to be a missed opportunity here, therefore, for both the identification of assets that are significant to the Neighbourhood, and policies for their protecting. Without the heritage sector placing a greater role in the production or promotion of NDPs, this is likely to continue and may also result in continued dissonance with national systems which cannot protect locally significant assets. Greater partnership working and multi-disciplinary understandings of the best way to protect heritage would seem to be key here.

A key aim of this thesis and a key area of potential in relation to ACV listings and NDPs is the potential to reduce the tension associated with the statutory designation system. The analysis of national designation applications found that 68.92% of those which referred to the local significance of an asset had been submitted because it was under threat. The assessment of these assets for designation will already be somewhat contentious, therefore, because if the asset is designated any planning permissions already granted will no longer be valid. In the case of a large redevelopment there may also be many people who wish to make their views heard, resulting in a contested decision if the asset is not designated. This could potentially be avoided if the asset was a listed ACV which a community group had been able to bid for and purchase rather than a developer. Similarly, if the building was specifically highlighted as a building to be retained in an NDP, or identified as a local heritage asset and thus protected by an NDP policy for local heritage, there would perhaps be no need to submit an urgent, reactionary designation application to Historic England.

The Big Society idea suggests that national control of planning is no longer acceptable, and that communities should be empowered to make their own decisions about their local area. The statutory designation system based on expert-led assessments of national significance would seem to be at odds with this. However, the system operates under the philosophy of protecting nationally significant heritage assets for the benefit of the entire country, and on the understanding that these will be conserved and passed on to future generations. Local significance, therefore, is as the guidance states, not relevant to this system. The nature of social value, which is often experience-based and inherently fluid and changeable does not fit well the idea that nationally significant designated assets will continue to be passed on from one generation to the next into the foreseeable future. This does not mean that social value and local significance is not valid and legitimate, however, and they do need to be considered as such in heritage assessments. It is for this reason that this thesis argues that working in combination with other protection measures may provide the best way forward, rather than a whole scale amendment of the national designation system. This is not to say that no change is necessary to the designation process, however. A key area of contestation identified within this thesis has been the assumption that social value is not deemed to be legitimate due to the way in which it is portrayed. While it is perhaps not appropriate as a criterion for decision-making, therefore, using an accountable consultation approach to participation, it should be included in advice reports but with the caveat that it does not form part of the assessment.

8.6 SUMMARY: CONTESTATION, DISSONANCE AND CHALLENGES

Chapter Five provided an illustration of both the contested nature of national significance and the multivocality of heritage, in both national designation requests and the two case studies. It also highlighted an increasing challenge to national designation for the social value of lived heritage to be both taken into account, and accepted as being as important as any legally-prescribed, expert-derived value. At the beginning of the twenty-first century, the emphasis on the national, and a system which protects assets held to be significant by the dominant, but not necessarily the majority group, is now being contested (Howard, 2003, 2009; see also Cooper, 2010; Thomas, 2008), especially in an era of community empowerment promoted by the Big Society agenda. The challenge for national designation, therefore, comes from a desire to extend the range of what can be protected to include those things which are important to the non-dominant group (Howard, 2003), and for the system to be more engaged with local communities. When national significance and the relatively narrow range of values used to define it are prioritised above all else by experts in the national heritage body in England, this expertise is often contested by those affected by the resulting decisions.

The key issue discovered during analysis of this in Chapters Five, Six and Seven, it seems, is one which was identified and discussed in Chapter Two that there is often a subconscious assumption that significance is singular – it is significant or it is not – and that this is scalar. Therefore, sites are assumed to be highly significant if they are awarded national designation, and less so if they are not (Carman, 1996), despite the multiple types of significance that can be attached to a site (Corsane, 2005). In addition, there would appear to be a somewhat inherent assumption by legislators and heritage professionals, that ‘the past’ as a national asset should take precedence over the more particular interests of other groups (Ucko, 1989, xii), including the local community (Belford, 2011; De la Torre *et al*, 2005; Graham, 2002;). The idea that social value is legitimate, valid and should be taken into consideration does not mean that national expertise is no longer required or that the designation system is no longer appropriate; it means that we need to take into consideration all forms of value, to understand and recognise the multivocality of heritage significance, and to change the way in which we articulate our understanding of social values. It also means working in partnership with other disciplines and other potential protection measures to ensure that when combined, all forms of value have the potential to be legitimised and protected.

However, this largely continues to be potential in many cases, with all three local protection measures considered within the thesis being taken up and used inconsistently across the country, and in many cases both local lists and NDP heritage policies simply mirror the national system. Many of the challenges for future designation, therefore, continue to exist, although perhaps with a more positive outlook than they did before the Big Society agenda was introduced. To that end, this discussion has identified a number of recommendations for the heritage sector, and these are discussed within the concluding chapter which follows.

9 CONCLUSION

The starting point for this research was a consideration of the contested nature of heritage designation decisions, witnessed first-hand on an almost daily basis by the author in her work within the Designation Team at Historic England. This led to a critical academic analysis of why the system results in so much tension, something which has not been assessed previously within the academic literature. Drawing on the theoretical background of constructivism and ideas of dissonance, a review of both the relevant literature and the development of heritage protection legislation developed an argument which runs throughout this thesis that the tension is caused by the multivocality of heritage significance. This is clearly seen within the primary data that was analysed and discussed within Chapters Five, Six and Seven, with communities nominating and wishing to protect a wide variety of assets often for a variety of reasons. The tension, it has been argued, thus results from the positivist epistemology of the national designation system in which the social and communal values of locally significant heritage assets cannot be considered, often being cited as irrelevant, leading to communities feeling that their views are intentionally ignored.

Except for the work of Gard'ner (2004) in NE London, and articles in both newspapers and the professional press (e.g. the Architects Journal), there is very little academic research which looks at contested significance in the way that this thesis has done, with most authors focusing instead on the management of already designated sites, or the marginalisation of indigenous groups. Hannah Lewi's analysis of the Swan Brewery site in Perth is an exception to this (2005), although this is focused on a single asset rather than being a more generalised understanding of contested significance as in this thesis. In addition, none of these studies provide any statistical analysis of the type of heritage that communities find significant, and very little has been published on Local Heritage Listing or the protection of heritage within localism outcomes. The collection and use of empirical data in relation to these, therefore, has added significantly to our knowledge and understanding of why local communities wish to 'save' their everyday heritage, and the methods with which they can do so.

With this background in mind and given the Big Society agenda of the 2010 Coalition Government, which promised devolution of power so that communities would have a greater say in decisions affecting their local area, opportunities for the recognition and protection of locally significant

heritage assets at the local level was considered. Within this consideration it was found that Local Heritage Listing, new Assets of Community Value Lists, and Neighbourhood Development Plans have the potential to recognise and accord some validity to the multivocal significance attached to everyday, local heritage assets. It was argued, therefore, that working in tandem with national designation these schemes have the potential for the full range of values that make up the significance of an asset to be protected. By making the most of local planning policy tools and understanding that statutory heritage designation is not the only way to 'save' a valued local asset, there is also the potential to reduce the number of threat-based reactionary applications made for national designation, many of which result in contested decisions. However, the use and take up of these local measures is inconsistent across the country, and while some areas full meet the potential discussed in the previous chapters, there is a 'missed opportunity' in others, with NDPs for example either mirroring national policy or not including a heritage policy for their locally significant heritage assets.

The previous chapter has already discussed the key areas of potential emerging from the analysis in Chapters Five, Six and Seven, and considered whether this is being met. This aims of this chapter, therefore, is to answer the key research questions that have provided the background for this research. It then sets out a number of recommendations for the heritage sector in the form of research outcomes, and concludes by taking a critical look at the way in which this research has been undertaken in terms of its limitations and areas for future research.

9.1 REALISING THE POTENTIAL

The research questions that have provided the focus for this thesis are:

- Why does the national designation system in England often result in contested decisions?
- Given the localism agenda of the 2010 coalition government, should we be looking to more local policies as an opportunity to reduce this tension?
- Is 'national' heritage legislation and policy is still an appropriate way of 'protecting' valued heritage assets?

Each of these questions is answered below by summarising the more detailed discussions within previous chapters, in particular Chapter Eight.

9.1.1 WHY DOES THE NATIONAL SYSTEM RESULT IN CONTESTATION?

As noted above, tension and contestation within the designation system would appear to result from the multivocal nature of significance, and the prioritisation of an expert-led designation system founded on a contrasting epistemology of positivism. The national designation system has

developed in this way due to its foundations within a positivist paradigm concerned largely with the documenting and recording of heritage assets in the post-war era. At the same time, the solidification of new Nation states and the need to promote a particular national identity, often in competition with nearby European neighbours, focused the work of those responsible for the identification and recording of heritage on assets which would illustrate both a civilised nation with a clear preservation ethic; and the development of the nation into a powerful, industrialised, world leader (Emerick, 2014, 35; Waterton, 2007; graham et al, 2000, p.??; Brett, 1996, 26). The tangible manifestations of the middle and upper classes were thus the focus of early protection measures, and along with a modernist philosophy of logical positivism, have remained so ever since. The conservation movement which took up pace in the mid-nineteenth century through the work of key individuals such as John Ruskin and William Morris set the standards for future conservation policy. This resulted in ideas of significance being defined by a relatively narrow set of values which were officially defined in the 1944 Town and Country Planning Act, and have continued into all subsequent legislation as 'special architectural and historic interest' (see e.g. DCMS, 2010). This has a focus on the authenticity of fabric and a requirement for historic associations or social history to be evident in the structure of an asset. In a post-modern, plural society in which localism and ideas of social responsibility are being promoted, this definition is at odds with the significance that local communities ascribe to their everyday heritage, which is often constructed from a much wider range of values and meanings. It is this difference which causes contestation, especially when objective expert decisions are in seemingly direct competition with the social values of an asset, as illustrated in Chapter Five with the Bradford Odeon. The key issue here, however, is that neither properly understands the other, with social value typically being discussed by designators as irrelevant emotional attachment, and local communities feeling that their views are intentionally excluded from assessments.

9.1.2 CAN LOCAL POLICIES REDUCE THE TENSION?

The previous chapter outlined the common areas of potential at the local level identified within Chapters Five, Six and Seven. They were considered in the previous chapters as alternative or additional measures to National designation which may more appropriately protect locally significant heritage assets by taking into account the full range of values that make up an asset's significance, and thus reduce the tension associated with the national system. These are:

- Recognition and inclusion of social value and other non-traditional heritage values, thereby legitimising them as valid
- Protection of locally significant heritage assets which would not meet the criteria for statutory protection
- Holistic Protection of heritage values in tandem with national designation schemes

- Greater community engagement in decisions relating to local heritage assets
- A reduction in reactive often contested statutory designation applications

A full discussion of whether this potential is being met was undertaken in Chapter Eight. In summary, therefore, this thesis has found that this potential is being realised in some areas of the country but in many cases, they continue to be simply potential rather than having any actual protection outcomes. The analysis of Local Heritage Lists within Chapter Six, for example, found that where there is a Local List, communities do tend to be able to participate to some extent, in some cases as part of selection panels during the decision-making process. A significant number of local lists (over 40%) also include the criterion of social and communal value within their criteria, allowing for assets which would not be statutorily designated to be listed. Other lists, however, continue to focus only on architectural interest and are maintained only by the Conservation Team, with little community involvement. Where the list is included within Local Plan policy, however, as is the case for 65.45% of lists, there is the potential for local listing to better protect local heritage assets. Indeed, as South Tyneside demonstrated, local listing has been successful in refusing planning applications for the demolition of assets on the list. It therefore follows that where it is recognised that national designation is not the only way of protecting these assets, this has the potential to reduce the number of contested non-designation decisions. However, there are also many cases where the non-statutory nature of Local lists has resulted in assets being demolished, and nearly half of all Local Authorities (47.24%) do not have a list or measures for identifying non-designated assets. This significantly reduces the impact of this potential and results in inconsistent protection processes across the country.

In its short period of implementation at the time of writing the two aspects of the Localism Act considered within Chapter Seven to provide the most opportunity for local heritage protection would also seem to be successful in terms of the key areas of potential outlined above, although coverage is similarly variable across the country. The ACV listing process, for example, brings community groups together to nominate assets of social value, many of which are likely to be heritage assets. The publication of the lists on Local Authority websites also allows for the celebration and legitimisation of social value. In addition, often both statutory and local heritage designation have worked in tandem with ACV designation to ensure that the full significance of an asset is taken into account, as illustrated by the examples at Chippenham and Blackpool discussed in Chapter Seven. This measure perhaps has the biggest potential for the protection of assets that have significance largely due to their social values, although certain types of assets are exempt from the scheme due to the criteria – those without a local resource/amenity value such as domestic or agricultural heritage assets could not be listed. In addition, the use of ACV listing has in some cases resulted in similar issues of dissonance as statutory designation, with many appeals

and in some cases anger at the listing. In addition, there is not as yet alignment of policy across Local Authorities on whether an ACV listing should be a material consideration in the planning, which also reduces the potential for heritage protection. The key benefit of ACV listing, however, is its ability to legitimise the social value of a heritage asset, which statutory designation cannot currently do.

There is also the potential for locally significant heritage to be identified, legitimized and protected by local communities through heritage policies within an NDP. If a heritage asset is specifically highlighted as a building to be retained in an NDP, or identified as a local heritage asset and thus protected by an NDP policy for local heritage, there would perhaps be no need to submit an urgent, reactionary designation application to Historic England. However, given its essentialist notion of the 'local', and a focus on village life, and well as there being no requirement to have a heritage policy within NDPS, this can easily be a missed opportunity. Many Plans, therefore, simply national definitions of heritage significance found in statutory designation selection criteria, or simply defer to national policy for the protection of the local assets within their NDP. In addition, as with Local Heritage Lists, there is an inconsistent spread of NDPS across the country, with the majority being in the South and no 'made' plans at the time of assessment in Yorkshire and the Humber.

The opportunities within the Localism Act and the use of Local Heritage Lists, although remaining largely a potential, should not be seen as alternatives to national heritage designation, but as additions which can help to better protect not just locally significant assets, but the social value of nationally significant assets, thus reducing tension by reducing the number of statutory designation applications made for assets with significance largely made up of social values which result in a non-designation decision. The key issue, however, lies in ensuring that both communities themselves, and Local Authorities, recognise and take advantage of these opportunities. There are still many Local Authorities who do not yet have any listed ACVs or NDPS, and even where these do exist they are not as well-known as the national designation regimes. There is still a great deal of advocacy work required for these, therefore, especially with NDPS, to ensure that heritage is appropriately included and reflects the everyday assets that the community finds significant.

9.1.3 *IS NATIONAL DESIGNATION STILL APPROPRIATE?*

The Big Society suggests that national control of planning is no longer acceptable, and that communities should be empowered to make their own decisions about their local area. The statutory designation system based on expert-led assessments of national significance would seem to be at odds with this. However, the system operates under the philosophy of protecting

nationally significant heritage assets for the benefit of the entire country, and on the understanding that these will be conserved and passed on to many future generations. Local significance, therefore, which is often formed of social and other 'non-traditional' values is as the guidance states, not relevant to this system. The nature of social value, which is often experience-based and inherently fluid and changeable does not fit well the idea that nationally significant designated assets will continue to be passed on from one generation to the next into the foreseeable future. This does not mean that social value and local significance is not valid and legitimate, however, or that they do need to be considered as such in heritage assessments. It is for this reason that this thesis argues that working in combination with other protection measures may provide the best way forward, rather than a whole scale amendment of the national designation system.

This is not to say that no change is necessary to the designation process, however. A key area of contestation identified within this thesis has been the assumption that social value is not deemed to be legitimate due to the way in which it is portrayed. While it is perhaps not appropriate as a criterion for decision-making, therefore, using an accountable consultation approach to participation means that it should be possible to refer to it in advice reports, but with the caveat that it does not form part of the assessment. It may also be worthwhile adding this information to both the NHLE and non-designated asset records on the Heritage Gateway in the same way that members of the public can now 'enhance the list' through the submission of photographs and other information for a particular list entry.

9.2 RESEARCH IMPLICATIONS AND OUTCOMES

An underlying aim of this thesis has always been to produce a piece of research which can be used to inform the advice and guidance prepared by both Historic England and Local Authority conservation staff. As noted above, there is still a great deal of advocacy work to do in ensuring that communities and Local Authorities are aware of the opportunities that exist in relation to both Local Heritage Lists and Localism Act policies. This is especially important in relation to the question of whether the tension associated with designation decisions can be reduced, as unless local communities are aware of how they can best protect their valued everyday heritage, and have the option to do so, they will continue to apply for assets to be statutorily designated when threatened with an unsympathetic planning proposal. The empirical data which has been collated and used within this thesis adds significantly to our knowledge and understanding of why local communities wish to 'save' their everyday heritage, and the potential methods with which to do so, and thus provides a useful evidence base for the preparation of guidance and advice for local heritage protection, and indeed reforms to national processes.

A number of recommendations have thus emerged from both the analysis in Chapters Five, Six and Seven, and the discussion in Chapter Eight, all of which, if implemented would significantly increase the impact of the potential outlined above. These are:

Planning and Policy Recommendations:

- Compulsory Local Heritage Lists, or similar measures to identify local non-designated heritage assets for all Local Authorities
- Changes to the way in which statutory designation advice reports are prepared to include recognition of social value, and the inclusion of this on the NHLE via the Enhancing the List project
- Consultation with NDP teams in addition to owners, applicants and the Local Authority Conservation Officer as part of the statutory designation process (Fig. 1)
- Updating of policy to provide clear guidelines on whether ACV listing is a material consideration in the planning process

Heritage Practice Recommendations:

- Encourage consideration of heritage in measures and policies which do not at first appear to be for this purpose to ensure the take up of opportunities such as ACV lists and NDPs
- Clear and accessible guidance on alternative/additional protection measures
- Review of current statutory designation engagement methods to allow for additional or alternatives modes of participation. For example, large or controversial cases, such as Bradford Odeon and Plymouth Civic Centre, would benefit from a similar process to that used at South Tyneside, with community meetings at which Historic England could more fully explain the basis on which decisions are made.
- Working in 'partnership' with other disciplines and other potential protection measures to ensure that when combined, all forms of value have the potential to be legitimised and protected.

A further implication of this research is that it has challenged the assumption that national heritage designation protects assets 'in the public interest', finding that designation does not always protect what the public value, as illustrated by the two case studies within Chapter Five. It has also confirmed that heritage significance is multivocal, and that social value is a relevant and contemporary concern, especially given the ability for communities to protect via ACV listing

places of community value which further their social well-being. That is not to say that national designation does not have its place in the Big Society though. This research has also confirmed that, as long as it is understood how national designation has developed and the specific values that it is designed to protect, it has the potential to work well with complimentary system of Local Heritage Listing, ACV Listing and NDP heritage policies. The inconsistent nature of these, however, means that this potential is yet to be fulfilled, suggesting that the dissonance associated with statutory designation may continue for some time. As the Big Society measures continue to evolve and be refined, there is also the potential for increased dissonance due to the disconnect between public policy focused on community empowerment and a national designation system focused on the role of the expert, although the NDP heritage policies analysed in Chapter Seven suggest that many believe that unlike decisions on new development, heritage decisions are appropriately dealt with by national expertise.

9.3 RESEARCH LIMITATIONS

This research has used several different but related data sets, all of which have helped to provide the recommendations above, and have resulted in significant new empirical knowledge. However, given the time limits of PhD research, it might have been better to have followed a less grounded approach to the collection of data, with a defined set of comparable variables being agreed for all data-sets at the outset, rather than returning to re-analyse data to ensure comparability due to the themes which emerged from a different set of data. Although this inductive process worked very well in this thesis in terms of adhering to the chosen grounded interpretivist approach, and allowing unbiased data collection, it meant that it was somewhat time consuming and inefficient in relation to workflow. Due to the data and resources available it has not been possible within this thesis to fully assess whether the use of Local Heritage Lists and/or the Localism Act community engagement policies have reduced the number of threat-based reactionary designation applications, which often result in contested decisions. This remains one of the key areas of potential, however, and is therefore noted below as an area for future research.

In addition, the choice of case studies should also perhaps have been reconsidered once it was discovered that there was no or very limited primary data for two of them. While they did fulfil their aim of illustrating a related but contrasting methodology or definition of significance, the lack of comparable data between the two case studies in Chapters Five and Six perhaps hampered their discussion. It was still possible to determine common areas for comparison, however, and has not affected the overall conclusions of this research. Similarly, the lack of substantive case studies in Chapter Seven is perhaps a limitation in that it would have been useful to have been able to discuss in depth a particular NDP or ACV list. Time and resources did not allow for this

during the time of the thesis, but again it did not affect the overall outcomes of the research, and is suggested as an area of future research below.

9.4 AREAS FOR FUTURE RESEARCH

There are a number of areas of possible future research associated with this thesis, in particular those relating to the community engagement tools within the 2011 Localism Act. Additional research on Neighbourhood Plans, for example, including an ethnographic study of a plan in development would allow further understanding of their potential in relation to heritage protection. Similarly, an ethnographic study of a community right to bid for a heritage asset would provide useful insights and first-hand knowledge of the complexity of the process which many have criticised. Further to this, it would be interesting to take a sample of ACV listings, perhaps public houses due to the wealth of information on these available via CAMRA, and try to assess whether their listing has reduced the number of national designation applications which might have been made should ACV listing not have been available.

9.5 CONCLUSION

This thesis has examined and evaluated national and local significance in relation to the heritage designation system in England, with the aim of identifying why it often results in contestation, and what can be done to reduce this. This area of dissonance has not previously been examined in relation to heritage protection, and this thesis has therefore added to our knowledge of these processes and our understanding of the ways in which communities interact with them. It has investigated this through the collation and analysis of new empirical data in the form of 500 applications for statutory designation; Local Heritage List data; and data in relation to Assets of Community Value and Neighbourhood Development Plans which was provided by the Department for Communities and Local Government and subsequently added to. Although it is important to keep in mind, leaving to one side the issues with them often being a missed opportunity, analysis of these data sets in combination with a review of the relevant literature and policy background leads to the conclusion that a better understanding of the values that are used to define both national and local significance in relation to designation, combined with making the most of opportunities at the local level, can potentially help to both reduce tension and better protect everyday heritage. This requires those in authority, however, to understand that heritage is not simply authentic historic fabric; it is also a community asset.

APPENDICES

The appendices to this thesis are all Excel spreadsheets and are stored on the disc at the end of this thesis.

They can also be viewed at the following link: <https://doi.org/10.5284/1045777>

Information for each Appendix can be found on the following pages.

APPENDIX ONE: NATIONAL HERITAGE DESIGNATION APPLICATIONS

This appendix is an Excel spreadsheet which can be found on the CD at the end of this thesis, or at the following link: <https://doi.org/10.5284/1045777>

The information below is provided to aid interpretation and understanding of the data. The numbered notes correspond to numbers within the spreadsheet column titles.

Key Data Source(s): Online applications sent to Historic England - collected by the author via access to the internal database that they fed into. Use of these was agreed with the Freedom of Information team on the basis that no personal data would be published.

At the time of collection, designation decisions were recorded on three separate databases. From 2012, a single unified designation system (UDS) was introduced and all legacy data was transferred to this. All legacy databases and the UDS database provided the source of designation decisions.

Date of Collection: 125 applications were collected in October 2010, a further 125 were collected in March 2011, and a further 250 were collected in August 2011. The decisions for many of these were available at the time of collection, but the author updated the data every 3 months until July 2012. In the same way

Notes:

1. **HE Case Number:** Applications become 'cases' if they are considered valid and taken forward for assessment. When they become cases they are automatically given a new reference number.
2. **Heritage Category:** Applicants are asked to pick a heritage category when making their application. These categories are used across all Historic England databases, and are the specific types of designation that currently exist as per the legislation (see Chapter 3, P.51)

3. **Applicant Type:** Derived from personal data on applications forms, which is exempt from this appendix to comply with the Data Protection Act 1988, and the terms of the data collection agreement with the FOI team.
4. **Threat:** Derived from a section of the application form which asks for details of any threats. In most cases the assigned category was used in the application, although some cleansing has been undertaken.
5. **Asset Type:** Assets have been categorised by the author according to the Historic England Listing Selection Guides, which use the same macro-level categories as the thesauri used within all Historic England databases, as well as Historic Environment Records and databases managed by the Archaeology Data Service (ADS).
6. **References to local significance:** This was recorded as 'yes' if the application text included the term 'local', or similar phrases such as 'our village', 'this area', 'local community'; and if these were included in terms of it belonging to them, e.g. 'our heritage', 'important to our community' etc.
7. **Local Significance Type:** The local significance referred to in the applications has been categorised here according to a number of values which became evident during the analysis (fig.5.2). Where more than one value was referred to, the application was categorised according to what appeared to be most prominent within the reasons for applying section of the application form. These categories are as follows:
 - Architecture/history: typical architecture for the area or relating to the general history of a place.
 - Emotional attachment: an asset which is described, for example, as 'loved' by the community
 - Historic Event: specific to the social history of the local area
 - Local amenity/resource: an asset used by the community
 - Local distinctiveness: assets which are described as adding to the character of the area, being a valuable part of the local streetscape, or providing sense of place.
 - Local Landmark: assets which are described as local landmarks, symbols or icons
 - Local rarity: assets described as e.g. 'the last remaining ...'
8. **Local significance mentioned only in the Comments:** Application guidance makes it clear that local significance and/or social value cannot be taken into account in assessments, but the application form itself suggests that comments on the significance of the asset to the local community may be added when a final 'any other comments' section is reached.

9. **NIMBY Applications:** Recorded as 'yes' if the application has been made to stop development at a nearby asset it will have a detrimental impact on their personal heritage.
10. **Assumed continued/future use:** Recorded as 'yes' if the application refers to designation ensuring that the asset will remain open, will have to re-open, or would become a community asset etc.

APPENDIX TWO: BRADFORD ODEON LETTERS OF SUPPORT

This appendix is an Excel spreadsheet which can be found on the CD at the end of this thesis, or at the following link: <https://doi.org/10.5284/1045777>

The information below is provided to aid interpretation and understanding of the data. The numbered notes correspond to numbers within the spreadsheet column titles.

Key Data Source(s): Letters contained within designation files archived at Historic England
Letters contained within designation files archived at DCMS

Date of collection: Requests were sent to Historic England and DCMS Freedom of Information teams on 2nd August 2011 and papers were sent to the author in response to these within 21 days.

Notes:

1. **References to Local Significance:** As with the applications in Appendix 1, this was recorded as 'yes' if the correspondence included specific reference to the significance of the building to the local community, which was not always the case.
2. **Type of Local Significance:** The local significance referred to in the correspondence has been categorised here according to a number of values which became evident during the analysis of national designation applications (Appendix 1). These categories are as follows:
 - Architecture/history: typical architecture for the area or relating to the general history of a place.
 - Emotional attachment: an asset which is described, for example, as 'loved' by the community
 - Historic Event: specific to the social history of the local area
 - Local amenity/resource: an asset used by the community
 - Local distinctiveness: assets which are described as adding to the character of the area, being a valuable part of the local streetscape, or providing sense of place.
 - Local Landmark: assets which are described as local landmarks, symbols or icons
 - Local rarity: assets described as e.g. 'the last remaining ...'

3. **Assumed continued/future use:** Recorded as 'yes' if the application refers to designation ensuring that the asset will remain open, will have to re-open, or would become a community asset etc.
4. **Thematic Content Analysis:** Discourse within the correspondence was recorded and analysed according to a number of themes which emerged. These included themes related to the contested nature of the decisions such as a 'them and us' rhetoric, objections to local views not being considered, comparisons with previously contested planning decisions, and the use of campaigning vocabulary such as 'fight', 'rescue' and 'petition'. As more than one theme was often mentioned in each piece of correspondence, these have all be recorded separately.

APPENDIX THREE: LOCAL HERITAGE LIST DATA

This appendix is an Excel spreadsheet which can be found on the CD at the end of this thesis, or at the following link: <https://doi.org/10.5284/1045777>

The information below is provided to aid interpretation and understanding of the data. The numbered notes correspond to numbers within the spreadsheet column titles.

Key Data Source(s): Local Authority websites

Date of collection: Autumn 2014 (Oct/Nov)

Notes:

1. **Region:** This field has only been filled in if the Local Authority has a Local List or another means of identifying non-designated local heritage assets. No analysis has been undertaken of those that do not.
2. **Local List:** Recorded as Yes if a local list is available on the Local Authority's website, or 'in development' if information about the development of a local list is provided. In some cases locally significant heritage assets are identified by other means, and these are recorded as 'other'.
3. **Policy Type:** If a Local List, or the management of assets on the local list, is included within local policy this is recorded here. As they may be included in more than one policy type, or only in the appendices of a policy type, these have all be recorded separately.
4. **Policy Type - SPD/SPG:**
 - Supplementary Planning Document (SPD)
 - Supplementary Planning Guidance (SPG)Both of these are supplementary the Local Plan or Local Development Framework.
5. **Policy Type - Local Plan/UDP/DPD/LDF:**
 - Unitary Development Plan (UDP)
 - Development Plan Document (DPD)
 - Local Development Framework (LDF)

6. **Policy Type - Core Strategy:** The Planning and Compulsory Purchase Act 2004 (as amended) requires Local Authorities to prepare a Core Strategy as part of their Local Plan or LDF. The Core Strategy is intended to set out the vision, objectives, strategy and core policies for Spatial Planning.
7. **Policy Type – National Only:** No specific plan, protection relies on the NPPF
8. **Asset Types Included within a List:** These are largely the terms in use within the definitions provided for each list, very little cleansing has been undertaken.
9. **Values / Criteria for Selection:** Each criterion has been derived from a combination of both initial analysis of local list criteria, and those set out in the various statutory principles of selection, Local Listing Good Practice Guide (HE, 2012) and the value categories used within Conservation Principles (HE. 2008). Some interpretation has been necessary, as noted in Chapter Four (p. 102), because there are often a number of terms that can be used to mean the same thing.
10. **Decision-Making – LPA general or delegated decisions:** If the decision is general/delegated, it is made by the planning or conservation team rather than the executive committee of the council or the cabinet.
11. **Decision-Making – Councillors/Executive Committee:** The decision on additions, usually in the form of a revised list, is made by councillors or an executive committee/cabinet as a formal council decision.
12. **Decision-Making – Selection Panel:** A selection panel of local or other 'experts' prepares the final list, usually after consideration of the nominations. The final list will usually then need to be signed off as a general/delegated decision or an executive committee decision.
13. **Decision-Making – Consultation:** This is not decision-making itself, but forms part of the process so has been recorded here where it was highlighted. However, most lists will be subject to consultation, especially if they are an SPD or SPG, or form part of a local plan.

APPENDIX FOUR: SOUTH TYNESIDE LOCAL LIST NOMINATIONS

This appendix is an Excel spreadsheet which can be found on the CD at the end of this thesis, or at the following link: <https://doi.org/10.5284/1045777>

n.b. Columns A-G of the spreadsheet were provided by the Local Authority Conservation Officer

The information below is provided to aid interpretation and understanding of the data. The numbered notes correspond to numbers within the spreadsheet column titles.

Key Data Source(s): Local Authority Conservation Officer, Lucy Routledge

Date of collection: Spreadsheet of nominations emailed to the author on 15-Oct-2014

Notes:

1. **Nomination Category:** The nomination form asked for details of assets falling within these 4 distinct categories, with a box to tick for the category type. This was not provided by the Conservation Officer so has been included here for analysis.
2. **Asset Type:** Assets have been categorised according the Historic England Listing Selection Guides, which use the same macro-level categories as the thesauri used within all Historic England databases, as well as Historic Environment Records and databases managed by the Archaeology Data Service (ADS).
3. **Local Interest Type:** The local significance referred to in the applications has been categorised here according to a number of values which became evident during the analysis of National designation applications (Appendix 1). Where more than one value was referred to, the application was categorised according to what appeared to be most prominent within the reasons for applying section.

Where no specific mention is made, e.g. of the site as a landmark, and the information provided by the Conservation Officer only includes details of the form and function of the asset, architecture/history has been chosen.

4. **Future/Continued Use:** Recorded as 'yes' if the application refers to designation ensuring that the asset will remain open, will have to re-open, or would become a community asset etc.

APPENDIX FIVE: ASSETS OF COMMUNITY VALUE (ACV) LISTINGS

This appendix is an Excel spreadsheet which can be found on the CD at the end of this thesis, or at the following link: <https://doi.org/10.5284/1045777>

The information below is provided to aid interpretation and understanding of the data. The numbered notes correspond to numbers within the spreadsheet column titles.

Key Data Source(s): This appendix has been adapted from data provided the Decentralisation Team at DCLG

Date of collection: PDF table of ACV listings emailed to the author on 25-Feb-2016 (Lock, 2016)

Notes:

1. **Asset Type:** These asset types were included within the data provided, but have been cleansed by the author to reduce their number and allow for better analysis. Similar asset types have thus been combined into one category, such as village/town/church halls.
2. **Selection Guide Asset Types:** Assets have also been categorised according the Historic England Listing Selection Guides to allow for comparison with other data sets. The Selection Guides use the same macro-level categories as the thesauri used within all Historic England databases, as well as Historic Environment Records and databases managed by the Archaeology Data Service (ADS).
3. **Nominating Group:** These group types were also provided within the data provided, but again have been cleansed by the author to combine similar categories, thus allowing for more statistically viable data.

APPENDIX SIX: NEIGHBOURHOOD DEVELOPMENT PLAN (NDP) DATA

This appendix is an Excel spreadsheet which can be found on the CD at the end of this thesis, or at the following link: <https://doi.org/10.5284/1045777>

The information below is provided to aid interpretation and understanding of the data. The numbered notes correspond to numbers within the spreadsheet column titles.

Key Data Source(s): This appendix has been adapted from data provided by the Decentralisation Team at DCLG

n.b. The original DCLG data has grey column headers in the spreadsheet.

Date of collection: Spreadsheet of data emailed to the author on 07-Jan-2016 (Green, 2016)

Notes:

1. **Plan Progress:** The stages used by the DCLG are as follows:
 0. Plan Made
 1. Passed Referendum
 2. Referendum
 3. Passed Examination
 4. Submitted for Examination
 5. Pre-submission Consultation
 6. Designated
 7. Designating
 - Failed Examination
2. **Analysis:** A sample of 50% of made plans was analysed for this research
3. **Plan Preparation:** Plans can be prepared by Parish Councils, Town Councils or a Neighbourhood Forum
4. **Plan Made:** A plan is classed as 'made' once it has passed referendum and has been made part of the local authority's local plan.
5. **Heritage Type:** It became clear during analysis that only certain 'types' of heritage were included within NDPs, ranging from all forms of heritage to just listed buildings or

conservation areas. Alternatively, if locally listed assets were included it may be limited to simply 'built heritage' rather than also including designed landscapes and archaeology.

6. **Heritage in the Vision or Objectives:** Recorded as yes if there was a specific mention of heritage within these sections

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