

Culture and the draft National Planning Policy Framework

Responding to the Government's consultation

Culture and the draft National Planning Policy Framework

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Why cultural organisations should respond

The draft National Planning Policy Framework (NPPF) was published in July 2011. The consultation will close on the 17 October 2011. It is important for cultural organisations to respond. This paper provides a summary of our concerns and changes we would like to see in the NPPF.

In his introduction to the draft NPPF Greg Clark Minister for Planning states “The purpose of planning is to achieve sustainable development and that “sustainable development is about change for the better”. It states that the natural environment is essential to our wellbeing, that our historic environment can better be cherished, that our standards of design can be so much higher and that planning should be a creative exercise to enhance and improve the places in which we live.

The NPPF stresses the contribution planning can make to the economy, community wellbeing and the environment. It also highlights the contributions to wellbeing made by sport, leisure, recreation and open spaces, the natural environment, and design.

The NPPF however does not make any specific reference to the contribution culture, the arts, theatres, galleries, museums or libraries make to ensuring that communities thrive.

The failure to make explicit mention of culture means that the NPPF's treatment of the types of provision which are championed by the DCMS is unequal.

In the past cultural facilities such as theatres, galleries, libraries, museums and archives have been viewed by the planning system as public services, education facilities and community provision. The prominence and clarity given to sport and the historic environment in the draft NPPF and the failure to explicitly mention and define culture means that in relation to the DCMS sectors the definition of sustainable development used in the framework is unbalanced. This could mean that at the local level planners may over look the need to consider the contribution culture, the arts, theatres, galleries, museums and libraries make to the vibrancy of communities.

Why this matters

Cultural provision is clearly valued and contributes to vibrant and sustainable communities. The closure of a theatre, library or arts centre will always elicit a strong response from the public. Cultural facilities contribute to the type of vibrant communities the NPPF wishes to encourage. With the slimming down of planning policy, failure to identify the contribution of culture in the NPPF appears illogical given that sport, leisure, recreation and heritage have specific policies.

Local authorities will have no guidance on including cultural policies in local plans. Cultural facilities such as theatres, libraries and museums rarely generate a commercial return, however they occupy valuable sites. If the importance of these facilities is not identified by local authorities and their plans are ‘silent’ on culture, they could become subject to development pressures and be demolished or converted into restaurants, shops, or housing.

Also if cultural policies are not articulated in the NPPF it is unlikely that new developments will include cultural provision. The lack of cultural provision within these developments may reduce opportunities for social activity and hinder social cohesion.

Enhanced cultural provision is frequently identified in local plans to support sustainable development. The failure of the NPPF to identify the ways development can enrich the cultural life of a community may make it harder to sell the benefits of development to existing residents.

How to respond

The following paper provides background and specific changes we would like to see made to the NPPF and the evidence for amending the NPPF. The more people respond, the better. It will also be good to use local examples to shape your response.

Details of the NPPF consultation can be found [here](#) (Click on link)

Responses should be sent to planningframework@communities.gsi.gov.uk by 17 October 2011.

1. Main points

- The House of Commons Report on funding for the arts [2011] accepts that culture is an essential component of an improved quality of life;
- in its response to the Committee, the DCMS acknowledges the economic contribution that provision for the arts can make to local areas;
- the existing PPS 4 accepts specifically that the arts and culture are important elements of town centre development and encourages the use of policies encouraging a diverse night time economy, making reference to cultural activities and theatres;
- the Community Infrastructure Levy Overview [May 2011 from DCLG] acknowledges that cultural infrastructure is an important element of the local infrastructure that can be funded by the levy;
- The Theatres Trust is an important actor within the planning process, being a statutory consultee on applications related to theatres;
- Despite the above the draft NPPF makes no reference to culture, the arts or theatres.

2. Need to refer to culture

Planning for culture is, by implication, clearly within the remit of planning as defined in the draft National Planning Policy Framework.

For example, the definition of sustainable development in the draft NPPF includes '...the need to create a good quality built environment with accessible local services that reflect the community's needs and supports its health and wellbeing' [para 10, bullet 3].

Also, the NPPF states the need to '...plan positively for the provision and integration of community facilities', referring to local meeting places and public houses [but not cultural facilities such as theatres; para 126, bullet 1].

We believe there is a need to strengthen the guidance by making explicit reference to culture at appropriate points in the text. At present leisure, sport and heritage are explicitly recognised in the draft NPPF. Culture, the arts and theatres are not. The reduction of policy guidance, particularly in relation to PPS4 in the new NPPF has meant that there is a lack of clarity surrounding culture and the role it has to play in achieving sustainable development.

If culture is not included local development frameworks and local plans may not take account of cultural needs in forward planning to the detriment of the wellbeing of future communities.

Culture currently has its own policies distinct from leisure and sport in existing local planning policies and other national and regional plans. For coherence, clarity and to ensure that by its omission this does not lead to further complexity, culture must be included in the NPPF.

To achieve a less complex and accessible planning system and one which promotes economic development and wellbeing, culture, the arts and theatre have to be recognised. This will provide clarity within local and neighbourhood planning and ensure there is sufficient guidance for the allocation and protection of land, buildings and facilities for cultural uses for those involved in development management.

3. Context

3.1 Introduction

Greg Clark states in his introduction to the draft NPPF that 'the purpose of planning is to achieve sustainable development'. He says it requires a system that is based upon:

- national policies which set out the Government's requirements for the planning system and how these are expected to be addressed;
- local and neighbourhood plans, which empower local people to shape their surroundings; and
- development management, which allows planning applications to be considered on their merits, within this national and local policy framework.

The influence of the NPPF should not be underestimated. It states that the NPPF policies 'should be interpreted and applied locally' and 'the policies set out in this Framework apply to the preparation of local and neighbourhood plans, and to development management decisions.'

As there are no policies within the draft NPPF on culture and as a consequence, the arts or theatres, then there is no requirement for local authorities to include them in their local plans.

The draft NPPF further advises that local authorities should grant permission [to developments] where the plan is absent, silent, indeterminate or where relevant policies are out of date. If a local plan ends up with no culture, arts or theatre policies, because it is not guided to include them, planning decisions could be made without regard to the long term impact on the provision of cultural buildings including theatres, and viability of the cultural organisations in those buildings.

3.2 Sustainable development, wellbeing and culture

The draft NPPF states 'Decision-takers at every level should assume that the default answer to development proposals is "yes", except where this would compromise the key sustainable development principles set out in this Framework'. Culture is not currently considered as a key sustainable development principle in the NPPF.

Globally local authorities recognise that culture is the fourth pillar of sustainable development. The 'United Cities and Local Governments' (UCLG), which represent over 1000 cities across 95 countries, and includes the Local Government Group in England, approved in 2010 a policy statement recognising culture as the fourth pillar of sustainable development, next to economic growth, social inclusion and environmental balance.

However, the NPPF only focuses upon economic, social and environmental actions to deliver sustainable development. The social action in the draft policy, namely 'Planning for people (a social role)' states that this will take place 'by creating a good quality built environment, with accessible local services that reflect the community's needs and supports its health and wellbeing'. At present the draft NPPF chapter on 'Sustainable communities' which elaborates on policies in this area does not recognise culture.

But it is by others. In the Welsh Assembly Government's Sustainable Development Scheme, 'One Wales: One Planet' published in 2009, it states 'We have a legal duty to sustainable development'. In its chapter on 'The Wellbeing of Wales', it says that it wants to ensure "Wales' rich culture, values and traditions are celebrated, particularly through encouraging diversity, distinctiveness and promoting the Welsh language". The strategy promotes 'A rich and diverse culture' which has as one of its aims to ensure that the "cultural environment of Wales is protected and sustained for all to enjoy".

In the Scottish Government's, Scottish Planning Policy published in 2010, the chapter on 'Sustainable Economic Growth' which covers Town Centres and Retailing, states 'Town centres should be the focus for a mix of uses including retail, leisure, entertainment, recreation, cultural and community facilities, as well as homes and businesses.'

In the Government's own recently published 'Measuring National Wellbeing – Measuring what matters: National Statistician's reflections on the National Debate on Measuring National Wellbeing', it identifies the importance of work/life balance, stating 'The 'Taking Part' survey (by the Department for Culture, Media and Sport) showed links between partaking in cultural and sporting activities and improving wellbeing'.

The Select Committee Report on Funding of Arts and Heritage in June 2011, stated that 'We are encouraged by what we have heard from some local authorities who value the role arts and culture play in their local areas and who understand the social and economic benefits that the arts can provide'. In its response the DCMS said 'Many enlightened councils realise not only the economic contribution the arts can make to an area, but also the way they can make places more enjoyable environments in which to live'.

3.3 Making the case for Culture, Leisure and Sport in the NPPF

Taking Part's full title is 'Taking Part: The National Survey of Culture, Leisure and Sport'. In this survey the DCMS explicitly defines 'Culture, Leisure and Sport' through sector definitions which include 'arts', 'museums, galleries or archives', 'libraries', and 'active sport'. Theatres are included in the 'arts'. Both participation and attendance are covered and for further clarity the 'historic environment' is also explicitly defined.

The draft NPPF does not define Leisure. It would be much more helpful and much less complex for those defining and making decisions on local plans and development proposals if it were to do so, given that these definitions exist from the DCMS and can be used to great effect to measure impact.

To have 'Culture and Leisure' acknowledged as such in national planning policy would mean that there was clarity in the area of culture, rather than complexity, as without definition local authorities would be left with uncertainty on national policy relating to culture.

Many local authorities define culture as distinct from leisure. Leisure is synonymous with sport, and culture with arts, theatres, museums and galleries, libraries, and archives (even though this may not necessarily tie into the ways in which these are defined by use classes).

This is reflected currently in their Local Development Frameworks. Under examination local authorities core strategies policies on cultural uses are being further strengthened.

For example the London Borough of Islington Core Strategy Policy 14 had a sentence stating that 'Existing cultural facilities will be promoted and protected'. During the Core Strategy Examination the Inspector decided to make a number of changes including replacing this sentence with stronger guidance 'The council

will protect and enhance the existing arts and cultural uses and encourage new arts and cultural uses, particularly within town centres'. The justification for the change was to clarify the approach to arts and culture. The Inspector also said that 'A key issue for the Core Strategy is building on the Borough's strengths as a cultural and arts destination. ... This change reinforces the relevant special objective ... to provide a clear strategic policy framework for protecting and developing such uses throughout Islington. It is endorsed to ensure effectiveness.'

Another example, Tonbridge & Malling Borough Council's adopted Core Strategy lists its community services as including schools and other education provision, social services, adult education, libraries, community and youth services, health, culture, places of worship, police and emergency services, recreation and amenity space, sport, local shopping, public utilities and transport. Paragraph 6.4.16 of its Core Strategy advises that 'In addition to the Open Space Strategy the Council will identify and seek to meet local cultural and leisure needs as necessary, particularly in the regeneration of Tonbridge Town Centre. Policies relating to leisure and cultural developments are included in the South East Plan. Matters relating to Leisure and Culture have been integrated generally into the policies contained throughout this Core Strategy.' The Council's general policies relating to culture and leisure are set out in the Borough Leisure Strategy and Local Cultural Strategy, notably two separate documents.'

Sheffield's Core Strategy has a policy specifically for leisure and culture – CS15 Locations for Large Leisure and Cultural Developments. It also has a separate policy (CS19) for Cultural Facilities in the City Centre which states 'The retention of arts and cultural facilities will be supported and new uses that relate to cultural activity will be encouraged, particularly in the Cultural Hub area around Tudor Square.' The accompanying text says 'The City Centre is the primary location in the city for leisure and cultural facilities. In particular, theatres, centres for the arts and other cultural facilities play an important part in the life of an attractive and thriving city region.' The Core Strategy has separate policies for leisure facilities and sports related activities.

'The London Plan' published in July 2011, which covers greater London presents clear guidance on the 'Support for and enhancement of arts, culture, sport and entertainment provision'. With guidance on planning decisions including 'address deficiencies in facilities and provide a cultural focus to foster more sustainable local communities' and on plan preparation 'enhance and protect creative work and performance spaces and related facilities in particular in areas of defined need'.

With no reference to culture in the NPPF where are local authorities to incorporate cultural policies into their local plans? The risk is that the lack of guidance will lead to challenges and delays to sustainable growth rather than promoting it.

3.4 What could happen if culture is not included in the NPPF

With no policies for culture in the NPPF, a local authority need not include it in their local plan. An arts facility that does not fall easily into existing use classes or a theatre that's not in a listed building which is used to deliver a valuable range of services (for example, supporting young people in productive cultural activities that deters them from crime), could be demolished to make way for shops, offices and housing, leisure or sports facilities. Campaigners could try to argue a case for the building as an 'asset of community value' (which will come in with the new Localism Bill), but this would be a hard argument to make as currently assets of community value are not explicitly referenced in the policies relating to 'Sustainable communities' nor is there yet any definition of an asset of community value that makes reference to cultural assets.

And because the NPPF does not define cultural uses as explicitly promoting sustainable development, other uses that the NPPF does promote will have a far stronger policy basis upon which to argue their case.

Within the currently proposed NPPF structure, there are two sections within which culture can and should be recognised 'Business and economic development' and Sustainable communities'.

The policies which 'promote the vitality and viability of town centres' make reference to allocation of suitable sites to meet the scale and type of cultural developments in town centres. At present it recognises the need for retail, leisure, commercial, community services and residential development. But not culture.

The policies on creating 'sustainable communities' should recognise that the planning system needs to deliver the right cultural facilities to meet local needs. As stated in the ambition of the NPPF we believe that it is through culture that we facilitate social interaction and inclusive communities.

3.5 Theatres, culture, PPS4 and planning policy

The chapter within the NPPF on 'Business and Economic Development' incorporates the current policies within PPS4. PPS4 importantly makes a distinction between leisure, and arts and culture. However the NPPF has lost all references to arts and culture. PPS4 contains important policies that help to promote and protect theatres in towns and cities. We consider that these should be retained.

Planning Policy Statement 4: Planning for Sustainable Economic Growth states:

'The main uses to which the town centre policies in this PPS apply are:

1. retail development (including warehouse clubs and factory outlet centres);
2. leisure, entertainment facilities, and the more intensive sport and recreation uses (including cinemas, restaurants, drive-through restaurants, bars and pubs, nightclubs, casinos, health and fitness centres, indoor bowling centres, and bingo halls);
3. offices; and
4. arts, culture and tourism development (including theatres, museums, galleries and concert halls, hotels and conference facilities)'.

More explicitly Policy EC4.2 states:

'Local planning authorities should manage the evening and night-time economy in centres. Policies should: 'encourage a diverse range of complementary evening and night-time uses which appeal to a wide range of age and social groups, making provision, where appropriate, for leisure, cultural and tourism activities such as cinemas, theatres, restaurants, public houses, bars, nightclubs and cafes'.

The NPPF draft makes no reference to the cultural uses.

3.6 Planning Use Classes: Theatres are *sui generis*

Theatres are *sui generis* and are therefore distinctive from use classes for leisure facilities (D2 Assembly and Leisure) or community/local facilities (D1 Non Residential Institutions).

Within the cultural sector definitions of the DCMS, theatre sits within the arts.

In recognition of the complex nature of the building type and the value that theatres make to the economic, social and environmental life of towns and cities they are afforded special status within the planning system.

Any application for development of land upon which there is a theatre has by law to be referred to The Theatres Trust. In its role as a statutory consultee in the planning system this ensures that advice can be provided to local authorities on any development that might threaten, promote or protect theatre use.

When The Theatres Trust provides its advice it makes reference to existing planning policies at local and national level to ensure that decision makers are fully aware of the policy framework in which they are making their decisions. At national level this advice is currently provided in the context of PPS4. The new 'Business and economic development' chapter in the NPPF only makes reference to Leisure.

3.7 Call to action

The NPPF does not contain as much detail as previous planning policy guidance and is more concise. It is easier to read and digest, but in so doing the lack of any reference to culture, the arts or theatres means that planning policy is not providing any guidance on any of these areas. Rather than making the system less complex, for those concerned with culturally-related developments it becomes more complex, is less accessible and leaves the system open to legal challenge.

It does provide guidance on sport, heritage, leisure and recreation. But not culture. And what there once was is now being lost.

Culture keeps the spirit of places alive and is essential to our wellbeing. It enhances and improves the places in which we live and the quality of the lives of communities.

There is a real danger that one of the most important Government planning policies for England is going to ignore culture. At present the only references it makes to culture are in relation to heritage conservation and veteran trees.

Those who care about culture and who are responsible for the provision of cultural services and facilities including theatres, arts centres, galleries and museums must respond to the draft National Planning Policy Framework (NPPF) and ensure that culture is afforded the same status as sports, heritage and leisure.

It is important to act now to ensure that there are policies to protect and plan for the cultural places and spaces that we need today and in the future. The National Planning Policy Framework needs to contain explicit references to culture.

The CLG Select Committee stated in its report on arts and heritage funding that 'It is the mark of a civilised society that its citizens all have access to arts, culture and heritage' to which the response from the DCMS was 'The Department agrees fully with the Committee' and 'The Government is wholly committed to arts and culture'.

If we are to provide for the wellbeing of communities and ensure that 'citizens have access to arts and culture' and have a part in people's lives we need to act and ensure that this commitment is also enshrined in national planning policy.

4. Proposed textual changes in the NPPF

4.1 Key changes

We believe that reference should also be made to culture where community facilities or infrastructure are referred to in the NPPF. We would like to see the following list of textual changes incorporated into the NPPF.

In particular we propose that Para 23, bullet 4 should be amended to read 'Local Plans should..... include strategic policies to deliver cultural and community infrastructure'; and

Also para 31; bullet 1 should be amended to refer to working with other authorities to '...assess the quality and capacity of cultural and community infrastructure'.

4.2 Other Proposed Textual Changes in the NPPF

Para 19, bullet 9; should include reference to '...taking account of and supporting local strategies for cultural provision', as part of attempts to improve health and well being;

Para 23, bullet 2; should read '...retail, leisure, cultural and other commercial development';

Para 30, bullet 1; should read '...retail, leisure and cultural development';

Para 38; cultural provision is an important part of provision for wellbeing, and this could be referred to here;

Para 73, bullet 4; reference should be made to clusters of cultural as well as creative industries in this section;

Para 73, bullet 6; affordable artists workspace/studios are an example of live/work provision that could be given here;

Para 76, bullet 1; this should refer to policies to support the viability, vitality and cultural vigour of town centres;

Para 76, bullet 5; this should refer to '...retail, leisure, cultural, commercial and community services thereby allocating suitable numbers of sites for cultural uses, including theatres;

Para 76, bullet 7; this section should refer '...retail, leisure and cultural proposals' thereby ensuring there is provision for cultural uses;

Para 77; this section should refer to '...retail, leisure and cultural uses';

Para 78; this section should refer to '...retail, leisure and cultural uses';

Para 79; this section should refer to '...retail, leisure and cultural development';

Para 80; this section should refer to '...the impact of retail, leisure and cultural proposals';

Para 91; this section should refer to '...employment, shopping, leisure, cultural, educational and other activities';

Para 124, bullet 2; this section should refer to delivering '...the right cultural and community facilities...' etc;

Para 126; bullet 1; this section could refer to 'cultural facilities' as one of the examples within the brackets;

Para 126, bullet 2; this section could include reference to theatres as an example of a facility which should not be lost;

Para 126; bullet 4; this section should refer to '...suitable locations which offer a range of cultural and community facilities'.

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