



Planning Bulletin: August 2020

This monthly note highlights some of the recent and forthcoming developments in the world of planning from a heritage perspective. For further information about any of the items, please follow the links provided or use the contact information on the last page. Please note that this is not necessarily a complete review of matters and is not intended to provide any legal advice on the issues raised. Unless otherwise stated, it does not comprise the formal position of Historic England on these matters.

Current and previous editions of Planning Bulletin (back to September 2017) are now available on-line [here](#).

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Historic England

In this challenging and difficult time, we are committed to continuing to provide our services and support to everyone as best we can. We are also working closely with heritage sector organisations to ensure that we all offer support for any queries you may have or practical issues that need to be addressed.

Following the latest advice from Government in relation to Coronavirus (Covid-19), we have closed all our sites and offices until further notice.

Our staff are working from home and we will continue to provide advice and process grant payments as usual. We are doing what we can to maintain our level of response to planning and listing applications and general enquiries, but please do bear with us if responses are a little slower than usual.

Our local teams remain the best first point of call so if you need to contact us, please email your region as normal:

- northwest@HistoricEngland.org.uk
- northeast@HistoricEngland.org.uk
- yorkshire@HistoricEngland.org.uk
- midlands@HistoricEngland.org.uk
- eastofengland@HistoricEngland.org.uk
- southwest@HistoricEngland.org.uk
- londonseast@HistoricEngland.org.uk

For further information, advices, and updates on current Historic England services, please refer to our [website](#).

Planning White Paper

Planning for the Future

- The government is consulting on the Planning White Paper, entitled *Planning for the Future*. Its stated aim is ‘to streamline and modernise the planning process, bring a new focus to design and sustainability, improve the system of developer contributions to infrastructure, and ensure more land is available for development where it is needed’.
- The document is structured around three ‘pillars’:
 - *Pillar One: Planning for Development*. This includes, amongst other things, proposals for:
 - Simplified local plans, with land allocated into one of three categories: *Growth Areas*, *Renewal Areas*, or *Protected Areas*
 - A standard method for establishing housing requirement figures
 - A streamlined development management process with automatic planning permission for schemes in line with plans in *Growth Areas*.
 - *Pillar Two: Planning for Beautiful and Sustainable Places*. This includes, amongst other things, proposals for:
 - The use of local design guidance and codes, and a national body to support their delivery
 - A ‘fast-track for beauty’ for applications which comply with pre-established design principles
 - An intention to ‘review and update the planning framework for listed buildings and conservation areas, to ensure their significance is preserved...’, such as new ways of securing consent for routine works
 - Improvements in energy efficiency standards for buildings
 - *Pillar Three: Planning for Infrastructure and Connected Places*. This includes, amongst other things, proposals for:
 - A consolidated Infrastructure Levy, expanded to capture changes through *Permitted Development Rights*
 - A reformed Infrastructure Levy to deliver affordable housing

- The consultation closing date is 29 October.
- MCHLG is also consulting on Changes to the Current Planning System (see *Current Consultations* section). The consultation sets out proposals for measures to improve the effectiveness of the current planning system (closing date 1 October).

Legislation and Matters Arising

Emerging Legislation

Government Bills

- *Agriculture Bill*: amongst other things the Bill authorises expenditure for certain agricultural and other purposes; to make provision about direct payments following the United Kingdom's departure from the European Union and about payments in response to exceptional market conditions affecting agricultural markets; to confer power to modify retained direct EU legislation relating to agricultural and rural development payments and public market intervention and private storage aid. The Bill was introduced to the House of Commons and given its First Reading on 16 January. The Bill passed its Second Reading on 3 February and has been considered by a Public Bill Committee which reported to the House on 6 March. The Bill has passed its Third Reading in the Commons on 13 May and has now passed its Second Reading in the House of Lords on 10 June. The Committee stage took place on 7 July, and the date of the Report stage is yet to be announced.
- *Clean Air (Human Rights) Bill 2019-20*: amongst other things the Bill establishes the right to breathe clean air; requires the Secretary of State to achieve and maintain clean air in England and Wales; and to enhance the powers, duties and functions of the Environment Agency, the Committee on Climate Change, local authorities (including port authorities), the Civil Aviation Authority, Highways England, Historic England and Natural England in relation to air pollution. The Bill was introduced to the House of Commons and given its First Reading on 13 January. The Second Reading is yet to be scheduled.
- *Environment Bill 2019-21*: amongst other things the Bill aims to A make provision about targets, plans and policies for improving the natural environment, for statements and reports about environmental protection, conservation covenants, and about air quality. The Government have reintroduced the Bill and have said that it demonstrates a 'commitment to tackling climate change and to protecting and restoring our natural environment for future generations'. The Bill had its Second Reading in the House of Commons on 26 February. This Bill was being considered by a Public Bill Committee but due to current circumstances the sittings of the Committee have been suspended until further notice. The Committee is now scheduled to report by 29 September.

Private Bills

- *Desecration of War Memorials Bill 2019-21*. The Bill aims to create the offence of desecrating a war memorial. It was introduced to Parliament on 23 June under the *Ten Minute Rule*. Its Second Reading is scheduled to take place on Friday 25 September.
- *Highgate Cemetery Bill*: was deposited with Parliament on 27 November 2019. The Examination took place on 18 December and the Bill was found to be compliant with Private Business Standing Orders. The Bill was introduced to the House of Lords and

had its First Reading on 22 January. The Second reading took place on 12 February and was unopposed, so there was no debate. The Bill needed a 'Wharnclyff' Examination to comply with certain standing orders concerning the consents of owners, members and directors of companies. The Examination was on 9 March and the Bill was found compliant. The bill now proceeds to an Opposed Bill Committee to consider the petitions. No date has yet been set.

Circulars

The Application of Building Regulations Where Additional Storeys are Provided to Existing Buildings

- MHCLG has issued a circular:
 - To provide additional information and links further to the introduction of new permitted development rights which are intended to encourage the provision of new homes through the construction of additional storeys on existing buildings
 - To draw attention to the MHCLG's publication, Manual to the Building Regulations, which provides detailed advice on many of the matters set out in the circular

Heritage Planning Case Database

- Historic England tweets planning decisions of heritage interest, via @HeritageAdvice, and these are then collated into the Heritage Planning Case Database. This is a searchable online database of appeal and call-in decisions relating to planning permission (that affects a heritage asset) and listed building consent. Cases have been summarised using a standard list of search terms, for ease of use; searches can also be carried out by address, date or decision reference.

MHCLG Letters to Chief Planning Officers

- MHCLG has written to Chief Planning Officers with details of the launch of consultation on the Planning White Paper and on other matters.

Advice

Historic England Advice

- Good Practice Advice notes (GPAs) and Historic England Advice Notes (HEANs) are all available on the Historic England website, and are listed in Appendix I to this Bulletin for ease of reference.
- As noted last month, a new GPA on Enabling Development and Heritage Assets has been published (30 June 2020). A related webinar is now available to view on-line.
- A new HEAN on Energy Efficiency and Historic Buildings was published on 29 June.

Forthcoming Historic England Advice

- Following public consultation, publication of a HEAN on *Commercial Renewable Energy and the Historic Environment* is expected shortly.
- Following public consultation, publication of a revised HEAN on *Tall Buildings* (HEAN4) is expected shortly.

- A HEAN on *Permission in Principle* is being currently being drafted and should be consulted on soon.
- A HEAN on *Listed Building Consent* is being currently being drafted.

Training

Historic England Training

- In response to Covid-19 restrictions, Historic England is increasing its e-learning and remote CPD provision. HE will be launching new e-learning courses in June, based on previously delivered *NPPF Decoded* HELM events, and have almost tripled the planned programme of Webinars.
- Some topics are tailored to respond, in part, to Covid-19 and how it is affecting the heritage sector. Topics include *Wellbeing and Heritage* and *Heritage Crime During Lock Down*. HE has turned the HELM courses planned for 2020 into webinars, including topics such as *Enabling Development*, *Industrial Heritage* and *Design and Place-shaping*. They can be accessed [here](#).
- Historic England has completed its new *Technical Tuesdays*; a series of webinars delivered by its Technical Conservation Team. *Technical Tuesday* webinars are made available online, generally about a week after the event. Webinars addressed the following themes, but the offer will be expanded later in the year:
 - *Beneath the Surface*
 - Earthen Mortars and Plasters
 - Fibrous Plaster
 - Concealed Decoration
 - *Survey and Inspection*
 - Infrared Thermography
 - Geospatial Survey
 - Damp
 - *Buildings at Risk*
 - Fire in Thatched Buildings
 - Graffiti
 - Lightning Protection
 - *Building Services*
 - Principles and Decision Making
 - Installation
 - Inspection and Maintenance)
- More details about HE online training are available [here](#), and for webinar booking please visit [here](#).
- To be added to the mailing list for training events and webinars, or if you would like to suggest topics for courses, webinars or online training please email helmbookings@historicengland.org.uk.

Other Initiatives

Getting Building Fund

- The government has announced a £900 million *Getting Building Fund* to deliver jobs, skills and infrastructure across the country. This investment is being targeted in areas facing the biggest economic challenges as a result of the pandemic. Neighbourhood Planning Funding
- The government has announced increased funding to help neighbourhood planning groups in urban and deprived areas develop local neighbourhood plans.

Current Consultations

- MHCLG is consulting on the *Planning White Paper* (see above). Consultation on *Planning for the Future* closes on 29 October.
- MCHLG is consulting on *Changes to the Current Planning System*. The consultation sets out proposals for measures to improve the effectiveness of the current planning system (closing date 1 October). The four main proposals are:
 - Changes to the standard method for assessing local housing need
 - securing of First Homes through developer contributions in the short term until the transition to a new system
 - Supporting small and medium-sized builders by temporarily lifting the small sites threshold below which developers do not need to contribute to affordable housing
 - Extending the current Permission in Principle to major development
- The Department for the Environment & Rural Affairs is consulting on a new *England Tree Strategy* which will be published later this year. The strategy will focus on expanding, protecting and improving woodlands, and how trees and woodlands can connect people to nature, support the economy, combat climate change and recover biodiversity (closing date 11 September).
- The Department for the Environment & Rural Affairs is consulting on a revised draft *Waste Management Plan for England*. The Plan provides an analysis of the current waste management situation in England. It is primarily about the quantity of waste there is in England and how that waste is managed. The Plan sets out a summary of current policies, not new policies or announcements. It reflects the policies included in the Government's Resources and Waste Strategy, published in 2018 (closing date 15 October).
- The Environment Agency is consulting on *River Basin Planning: Challenges and Choices* (extended closing date 24 September). It is seeking views on:
 - The challenges that limit the benefits society obtains from the water environment in the river basin districts in England (the challenges)
 - The best way to address these issues (the choices)
- The UK Environmental Audit Committee has launched the *Technological Innovation and Climate Change Inquiry*, with its first focus on offshore wind power, is inviting written submissions to inform its first session (see *Committees* section, above).

Calendar

September

- 11 The Department for the Environment & Rural Affairs consultation on a new [England Tree Strategy](#) closes.
- 24 Environment Agency consultation on [River Basin Planning: Challenges and Choices](#) closes

October

- 1 MCHLG consultation on [Changes to the Current Planning System](#) closes
- 15 DEFRA consultation on a revised [Waste Management Plan for England](#) closes
- 29 MHCLG consultation on [Planning for the Future](#) closes.

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If you did not receive this edition of Planning Bulletin direct from Historic England, you may find the current edition online [here](#). If you would like to sign up for notifications when a new edition is issued, please contact governmentadvice@HistoricEngland.org.uk.

APPENDIX I: HISTORIC ENGLAND PLANNING ADVICE

Good Practice Advice Notes (GPAs)

- The GPAs provide information on good practice, particularly looking at the principles of how national policy and guidance can be applied. They are the result of collaborative working with the heritage and property sectors in the Historic Environment Forum, and have been prepared following public consultation:
 - *GPA1: The Historic Environment in Local Plans* (March 2015)
 - *GPA2: Managing Significance in Decision-Taking in the Historic Environment* (March 2015)
 - *GPA3: The Setting of Heritage Assets* (December 2017)
 - *GPA4: Enabling Development and Heritage Assets* (June 2020)

Historic England Advice Notes (HEANs)

- The HEANs include detailed, practical advice on how to implement national planning policy and guidance. They have been prepared by Historic England following public consultation:
 - *HEAN 1: Conservation Areas: Designation, Appraisal and Review (Second Edition)* (February 2019)
 - *HEAN 2: Making Changes to Heritage Assets* (February 2016)
 - *HEAN 3: Site Allocations* (October 2015)
 - *HEAN 4: Tall Buildings* (December 2015)
 - *HEAN 5: Setting up a Listed Building Heritage Partnership Agreement* (November 2015)
 - *HEAN 6: Drawing up a Local Listed Building Consent Order* (November 2015)
 - *HEAN 7: Local Heritage Listing* (May 2016)
 - *HEAN 8: Sustainability Appraisal and Strategic Environmental Assessment* (December 2016)
 - *HEAN 9: The Adaptive Reuse of Traditional Farm Buildings* (October 2017)
 - *HEAN 10: Listed Buildings and Curtilage* (February 2018)
 - *HEAN 11: Neighbourhood Planning and the Historic Environment* (October 2018)
 - *HEAN 12: Statements of Heritage Significance* (October 2019)
 - *HEAN 13: Minerals Extraction and Archaeology* (January 2020)
 - *HEAN 14: Energy Efficiency and Historic Buildings: How to Improve Energy Efficiency* (June 2020)