



Planning Bulletin July 2024

This monthly note highlights some of the recent and forthcoming developments in the world of planning, from a heritage perspective. 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.

Historic England did not publish the Planning Bulletin in May or June due to restrictions on communication activity within the pre-election period. This July Bulletin covers updates since the last bulletin was published in April.

Legislation and Matters Arising

Ministerial Appointments

Ministry of Housing, Communities and Local Government

The Department for Levelling-Up, Housing and Communities has been renamed the Ministry of Housing, Communities and Local Government.

- [Angela Rayner](#) MP (Ashton-under-Lyne) appointed as Secretary of State and Deputy Prime Minister.
- [Jim McMahon](#) MP (Oldham West, Chadderton and Royton) appointed as Minister of State for Local Government and [Matthew Pennycook](#) MP (Greenwich and Woolwich) appointed as Minister of State for Housing and Planning.
- [Rushanara Ali](#) MP (Bethnal Green and Stepney), [Lord Khan of Burnley](#), [Baroness Taylor of Stevenage](#) and [Alex Norris](#) MP (Nottingham North and Kimberley) appointed as Parliamentary Under-Secretaries of State.

Department for Culture, Media and Sport

- [Lisa Nandy](#) MP (Wigan) appointed as Secretary of State.
- [Sir Chris Bryant](#) MP (Rhondda and Ogmore) appointed as Minister of State in the Department for Science, Innovation and Technology and the Department for Culture, Media and Sport (with responsibility for heritage amongst other portfolios).
- [Stephanie Peacock](#) MP (Barnsley East) and [Baron Twycross](#) appointed as Parliamentary Under-Secretaries of State.



Department for Energy Security and Net Zero

- [Ed Miliband](#) MP (Doncaster North) appointed as Secretary of State.
- [Lord Hunt of Kings Heath](#) appointed as Minister of State and [Sarah Jones](#) MP (Croydon West) appointed as Minister of State in the Department for Energy Security and Net Zero and the Department for Business and Trade.
- [Miatta Fahnbulleh](#) MP (Peckham), [Kerry McCarthy](#) MP (Bristol East) and [Michael Shanks](#) MP (Rutherglen) appointed as Parliamentary Under-Secretaries of State.

Other Ministerial Appointments

- The [full list of ministerial appointments](#) is available online. [Details of the Interim Shadow Cabinet](#) are also available online.

Emerging Legislation

King's Speech

- On 17 July, King Charles delivered the [King's Speech](#) at the State Opening of Parliament, which set out the legislation the new government intends to introduce in the following session. The Speech included 40 bills with further information on each bill provided by the [King's Speech 2024: background briefing notes](#). The proposed legislation includes:
 - [Planning and Infrastructure Bill](#), which will:
 - Streamline the delivery process for critical infrastructure, including simplifying the consenting process for major infrastructure projects.
 - Enable relevant, new and improved National Policy Statements to come forward, establishing a review process that provides the opportunity for them to be updated every five years.
 - Further reform compulsory purchase compensation rules to ensure that compensation paid to landowners is fair but not excessive where important social and physical infrastructure and affordable housing are being delivered.
 - Improve local planning decision making by modernising planning committees.
 - Increase local planning authorities' capacity, to improve performance and decision making, providing a more predictable service to developers and investors.
 - Use development to fund nature recovery where currently both are stalled.



- [English Devolution Bill](#), which will:
 - Put a standardised devolution framework into legislation that gives local leaders powers over strategic planning, local transport networks, skills, and employment support.
 - Provide new powers and duties for local leaders to produce Local Growth Plans.
 - Allow local leaders to formally request additional powers according to the framework and the Government will be required to consider the request and either devolve them or publicly explain their reasons for not doing so.
 - Establishing a simpler process for creating new Combined and Combined County Authorities.
 - Establish a legislative foundation upon which to widen and deepen devolution, with a weighting towards creating advanced mayoral settlements where there is the capacity and ambition to do so.
 - Improve and unblock local decision making through more effective governance arrangements for mayors and Combined Authorities.
 - Introduce a new ‘right to buy’ for valued community assets.
- Other relevant bills announced in the King’s Speech include:
 - [Great British Energy Bill](#), which establishes Great British Energy – a new, publicly-owned energy production company which will own, manage and operate clean power projects.
 - [Holocaust Memorial Bill](#) – Carried over from the previous session, the bill will enable the Government to deliver on the longstanding commitment to build the planned Holocaust Memorial and Learning Centre, located next to the Houses of Parliament.

Secondary legislation

Agricultural Permitted Development Rights

- On 30 April, prior to the calling of the General Election, the Conservative Government made [The Town and Country Planning \(General Permitted Development etc.\) \(England\) \(Amendment\) Order 2024](#). The Order made changes extending Permitted Development Rights (PDRs) relating to changes of use of agricultural buildings to residential (Class Q) and flexible commercial uses (Class R) as well as other agricultural PDRs (Part 6, Class A and Class B). These changes took effect on 21 May.



- The changes follow a [public consultation](#) that ran between July-September last year. The government sought views on a wide range of possible changes to PDRs. One of these included extending the right to convert agricultural buildings to residential (under Class Q) to protected areas such as Conservation Areas and Protected Landscapes (National Parks and National Landscapes). This proposal was not taken forward in the Order.

Policy and Guidance

Written Ministerial Statement

- On 30 July, Deputy Prime Minister, Angela Raynor, published a [Written Ministerial Statement entitled building the homes we need](#). The Statement provided further details of the Government's planning reform agenda, including a summary of the proposals set out in the consultation on reforms to the NPPF and other changes to the planning system (see the Current Government Consultations section below for more details).

National Planning Policy Framework

Onshore Wind

- On 8 July, MHCLG published a [Policy Statement on Onshore Wind](#) making immediate changes to the NPPF in relation to onshore wind development. The Statement removes the planning policy tests set out in footnotes 57 and 58 to [paragraph 163 of the NPPF](#) that relate specifically to onshore wind development.
- Footnotes 57 and 58 required onshore wind development to be in an area identified as suitable in the Development Plan (or supplementary planning document) or brought forward via a Local Development Order, Neighbourhood Development Order and Community Right to Build Order. The policy also required a demonstration that the proposal had community support (except when brought forward by a Neighbourhood Development Order and Community Right to Build Order).
- The policy statement also confirms that the Government intends to:
 - Bring large onshore wind proposals into the Nationally Significant Infrastructure Projects regime
 - Revise the [National Policy Statement](#), and
 - Update the [Community Benefits Protocol for Onshore Wind](#).



Planning Practice Guidance Updates

- On 1 May, an update was made to the [Biodiversity Net Gain Planning Practice Guidance \(PPG\)](#). The update added suggested paragraphs for Biodiversity Gain Information.
- On 12 July, an update was made to the [Enforcement and Post-Permission PPG](#). The update removed outdated guidance following the changes introduced through [section 118 of the Levelling-up and Regeneration Act 2023](#).

Committees

Following the Dissolution of Parliament on 30 May, all committees (except some statutory committees) ceased to exist. New committees are in the process of being set up following the General Election on 4 July 2024. The Bulletin will report on these new committees once the Chair and members are appointed or elected, and the committee is established.

Government Planning Letters

Letters to Chief Planning Officers

MHCLG regularly writes [letters to Chief Planning Officers](#) of local planning authorities in England, providing guidance on planning.

Planning Newsletter: 10 May

- The [May Planning Newsletter](#) included, amongst other things:
 - An update on revisions to building regulations covering fire safety ([Approved Document B](#)) published in March.
 - A signpost to the consultation on [Locally-Led Development Corporations](#) (now closed).
 - A signpost to [National Infrastructure Planning Guidance Portal](#) where you can access National Infrastructure Planning Guidance (NIPG).
 - A summary of changes to the NSIP examination process that came into force on 30 April.
 - A summary of the Implementation of Compulsory Purchase Reforms in the Levelling-up and Regeneration Act 2023.



- A signpost to a [Summary on the progress of implementing build-out measures of the Levelling Up and Regeneration Act 2023 \(LURA\)](#).
- A signpost to Changes to Permitted Development Rights relating to barn conversions, farm diversification and agricultural development.
- A signpost to the new [Neighbourhood Planning Design Coding Guidance](#) produced by Locality.
- Signposts to the [Future Homes Hub Water Efficiency in New Homes Report](#).
- A signpost to free [Planning for Flood Risk training](#) delivered by the Town and County Planning Association and the Environment Agency.

Advice

New Historic England Advice

Adapting Historic Buildings for Energy and Carbon Efficiency

- On 23 July, Historic England published new advice on [Adapting Historic Buildings for Energy and Carbon Efficiency: Historic England Advice Note 18](#). The Advice Note aims to support consistent decision-making for proposals to reduce carbon emissions and improve the energy efficiency of historic buildings whilst conserving their significance and ensuring they remain viable places to live in the future.
- The Advice Notes includes:
 - Advice on what permissions, such as listed building consent, are needed for some of the common changes required to decarbonise and improve the energy efficiency of historic buildings.
 - Advice to assist local planning authorities – and other parties involved in the planning process – in determining proposals to decarbonise and improve the energy efficiency of historic buildings to enable positive climate action. Some typical building adaptations in response to climate change impacts are also included.
 - Signposting to other relevant information, advice, and guidance.
- HEAN 14 Energy Efficiency and Traditional Homes (June 2020) has been superseded by HEAN 18 and has been withdrawn.



Forthcoming Historic England Advice

Managing Change to World Heritage Sites in England

- A new HEAN on Managing Change to World Heritage Sites in England is being drafted. Public consultation on the Advice Note will be announced in the coming months.

Historic England Advice

- All [Historic England planning advice](#) is available on our website and [Appendix I](#), below, includes a list of all Good Practice Advice notes (GPAs) and Historic England Advice Notes (HEANs).

Infrastructure Planning

National Networks National Policy Statement

- On 24 May, the revised [National Networks National Policy Statement](#) (NNNPS) was designated. The NNNPS provides guidance for nationally significant road, rail and strategic rail freight interchange projects. The revised NNNPS has effect for any applications for development consent accepted for examination after 24 May 2024. The [2015 NNNPS](#) has effect for any applications for development consent accepted for examination prior to 24 May 2024.

Nationally Significant Infrastructure Projects: Pre-application Prospectus

- On 16 May, the Planning Inspectorate published the [Nationally Significant Infrastructure Projects: 2024 Pre-application Prospectus](#) establishing the Planning Inspectorate's new tiered pre-application service for Nationally Significant Infrastructure Projects (NSIPs). The service consists of 3 different tiers: Basic, Standard and Enhanced. Every NSIP will receive at least a statutory minimum service and is invited to subscribe to one of the tiers at the pre-application stage of the process. The Planning Inspectorate has also published [Pre-applications Prospectus: Frequently Asked Questions](#) that provides further information on the new pre-application service.



National Infrastructure Commission: Infrastructure Progress Review

- On 16 May, The National Infrastructure Commission published the [Infrastructure Progress Review 2024](#). The Review is the National Infrastructure Commission's annual assessment of the government's progress on implementing its commitments on infrastructure.

Training

- Historic England provide webinars and e-learning courses. Visit [Historic England's training webpages](#) for information and booking, or keep up-to-date on new courses and training news by signing up to receive [Historic England's bi-monthly Training Newsletter](#).

Other Items

Local Plan Examinations: letter to the Chief Executive of the Planning Inspectorate

- On 30 July, the Minister of State, Matthew Pennycook MP, wrote [a letter to the Planning Inspectorate](#) setting out the government's position on how examinations should be conducted in regard to 'pragmatism'. The letter notes that "pragmatism should be used only where it is likely a plan is capable of being found sound with limited additional work". The letter goes on to state that deficient plans that cannot be easily fixed at examination will be sent back to allow the local authority in partnership with their local communities to bring forward a new plan. The new approach applies to all plans with immediate effect. A [response to the letter](#) was published on 1 August from the Planning Inspectorate.

Policy Statement on New Towns

- On 31 July, MHCLG published [a policy statement setting out the government's vision for a new generation of new towns](#), with further details on the New Towns Task Force, which will be chaired by Sir Michael Lyons.

Ministerial Correspondence

- On 30 July, the Deputy Prime Minister, Angela Rayner, wrote [a letter to all the local authority Leaders in England](#) and another [letter to metro mayors](#) entitled 'Playing your Part in Building the Homes we Need'. The letters set out the Government's planning



reform agenda and the role of local authorities and mayors. On the same day, the Housing Minister, Matthew Pennycook, wrote [a letter to Housing Industry Stakeholders](#) that summarised the Government's planning reform agenda.

National Character Area Profiles

- On 14 May, Natural England published a new [interactive website for National Character Areas](#) (NCAs). The website contains interactive profiles which describe each of England's 159 NCAs. Each NCA represents an area of distinct and recognisable character at the national scale. Their boundaries follow natural lines in the landscape, not county or district boundaries. The previous PDF NCA publications from 2012-2014 are still available on [Natural England's Access to Evidence](#) site.

National Audit Office: Implementing Statutory Biodiversity Net Gain

- On 17 May, the National Audit Office published a [Report into Implementing Statutory Biodiversity Net Gain](#) (BNG). The report covers:
 - Government's approach to implementing statutory BNG, and how it expects the policy to contribute to its biodiversity objectives;
 - How the government designed and launched statutory BNG;
 - Key risks the government will need to manage as it seeks to maximise the value statutory BNG can provide;
 - Recommendations aimed at supporting Defra and Natural England to maximise value and manage risks to statutory BNG as policy implementation becomes business as usual.

Historic Places Panel

- Historic England's [Historic Places Panel \(HPP\) is recruiting a new member to assist with advice on climate change mitigation and adaptation](#), specifically on climate change resilience and carbon reduction. The HPP undertakes visits at the invitation of local authorities to provide a broad spectrum of independent expertise and advice on the regeneration and revitalisation of historic places in towns and cities across England. [More information on the HPP](#), including previous HPP reports, is available online.



Current Government Consultations

Proposed reforms to the National Planning Policy Framework and other changes to the planning system

- On 30 July, the MHCLG opened a consultation on [Proposed reforms to the National Planning Policy Framework and other changes to the planning system](#). The consultation seeks views on the Government's proposed approach to revising the NPPF as well as a series of wider policy proposals in relation to increasing planning fees, local plan intervention criteria and appropriate thresholds for certain Nationally Significant Infrastructure Projects.
- In relation to the NPPF, the consultation proposes to:
 - make the standard method for assessing housing needs mandatory, requiring local authorities to plan for the resulting housing need figure, planning for a lower figure only when they can demonstrate hard constraints and that they have exhausted all other options;
 - reverse other changes to the NPPF made in December 2023 which were detrimental to housing supply;
 - implement a new standard method and calculation to ensure local plans are ambitious enough to support the Government's manifesto commitment of 1.5 million new homes in this Parliament;
 - broaden the existing definition of brownfield land, set a strengthened expectation that applications on brownfield land will be approved and that plans should promote an uplift in density in urban areas;
 - identify grey belt land within the Green Belt, to be brought forward into the planning system through both plan and decision-making to meet development needs;
 - improve the operation of 'the presumption' in favour of sustainable development, to ensure it acts an effective failsafe to support housing supply, by clarifying the circumstances in which it applies; and, introducing new safeguards, to make clear that its application cannot justify poor quality development;
 - deliver affordable, well-designed homes, with new "golden rules" for land released in the Green Belt to ensure it delivers in the public interest;
 - make wider changes to ensure that local planning authorities are able to prioritise the types of affordable homes their communities need on all housing development and that the planning system supports a more diverse housebuilding sector;

- support economic growth in key sectors, aligned with the Government’s industrial strategy and future local growth plans, including laboratories, gigafactories, datacentres, digital economies and freight and logistics – given their importance to our economic future;
 - deliver community needs to support society and the creation of healthy places; and
 - support clean energy and the environment, including through support for onshore wind and renewables.
- The consultation also seeks views on:
- whether to reform the way that the Nationally Significant Infrastructure Projects (NSIP) regime applies to onshore wind, solar, data centres, laboratories, gigafactories and water projects, as the first step of the Government’s NSIP reform plans;
 - whether the local plan intervention policy criteria should be updated or removed, so the Government can intervene where necessary to ensure housing delivery; and
 - proposals to increase some planning fees, including for householder applications, so that local planning authorities are properly resourced to support a sustained increase in development and improve performance.
- The proposed reforms to the NPPF are set out in tracked changes in the [National Planning Policy Framework: Draft text for consultation document](#). The [Outcomes of the proposed revised method](#) sets out the local housing needs figure for each local planning authority when calculated via the proposed new standard method.

Government Consultation Responses

- On 14 May, the previous Conservative [Government’s response to the High Street Rental Auctions consultation](#) was published. The consultation sought views on the detailed implementation of High Street Retail Auctions, which is a new power for local authorities to require landlords to rent out persistently vacant commercial properties to new tenants such as local businesses or community groups. High Street Rental Auctions are a power that was introduced via the [Levelling Up and Regeneration Act](#) but is not yet brought into force.
- On 30 July, the Government provided an [initial response to the Office for Environmental Protection’s \(OEP\) report on the implementation of the water framework directive regulations and river basin management planning](#). A full response will follow after the Parliamentary recess.

Historic England Consultation Responses

- Historic England has recently submitted several [responses to recent consultations](#), which are now available on our website. These include:



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- [Locally-Led Development Corporation: Consultation Response – June 2024](#)
- [Response to National Policy Statement for Fusion Energy and Appraisal of Sustainability Scoping Report - June 2024](#)

Calendar

September

24 September – Proposed reforms to the National Planning Policy Framework and other changes to the planning system consultation closes.

Planning Bulletin Notifications

If you did not receive this edition of Planning Bulletin direct from Historic England, you can sign up for notifications when a new edition is issued by emailing: governmentadvice@HistoricEngland.org.uk

If you no longer wish to receive Planning Bulletin, or have received this in error, please email governmentadvice@HistoricEngland.org.uk and we will remove you from the mailing list.



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 planning 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: The Historic Environment and Site Allocations in Local Plans \(October 2015\)](#)
- [HEAN 4: Tall Buildings \(Second Edition\) \(March 2022\)](#)
- [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 \(Second edition\) \(January 2021\)](#)
- [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 \(February 2018\)](#)



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- [HEAN 11: Neighbourhood Planning and the Historic Environment \(Second Edition\) \(April 2022\)](#)
- [HEAN 12: Statements of Heritage Significance \(October 2019\)](#)
- [HEAN 13: Minerals Extraction and Archaeology \(January 2020\)](#)
- HEAN 14 has been superseded by HEAN 18 and has been withdrawn
- [HEAN 15: Commercial Renewable Energy Development and the Historic Environment \(February 2021\)](#)
- [HEAN 16: Listed Building Consent \(June 2021\)](#)
- [HEAN 17: Planning and Archaeology \(November 2022\)](#)
- [HEAN 18: Adapting Historic Buildings for Energy and Carbon Efficiency \(July 2024\)](#)