



Planning Bulletin: October 2019

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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Legislation and Matters Arising

- The Queen's Speech, on 14 October, contained details of 26 bills and a number of non-legislative changes the government plans to make. Of note was the intention to publish a National Infrastructure Strategy in autumn and the intention to take forward the *Environment Bill* (see below).

Legislation

- *Parliamentary Buildings (Restoration and Renewal) Act 2019*: provides for the establishment of a Sponsor Body and a Delivery Authority to oversee and manage the restoration of the Houses of Parliament. The Bill was introduced into the House of Commons on 8 May 2019. Following agreement by both Houses on the text, it received Royal Assent on 8 October 2019.

Emerging Legislation

Government Bills

- *Environment Bill 2019-20*: introduced in the Queen's Speech, the Bill sets out a framework to ensure that the UK maintains and improves its environmental protections after Brexit. This includes the creation of a new public body called the Office for Environmental Protection that will act as an independent watchdog, ensuring that Government and other public bodies fulfil their obligations to the environment. The Bill was introduced to the House of Commons and given its First Reading on 15 October and its Second reading on 28 October. It has now passed to a Public Bill Committee (membership to be announced shortly) which will scrutinise the Bill. The Committee is expected to report back to the House of Commons by 19 December.

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.

Committees

Department for Digital, Culture, Media and Sport Committee: Garden Design and Tourism

- The Select Committee has published the government's response to the Committee's report on Garden Design and Tourism:
 - Government has agreed to lead a roundtable with representatives from leading garden attractions across the UK to examine how to market the country's wider garden offer and attract more international visitors.
 - The central recommendation for a Garden City initiative has been rejected. The Government said a 'UK Garden City' initiative would risk confusion with City of Culture and other schemes including Britain in Bloom resulting in the positive impact of these schemes being reduced.
 - The Government accepted the recommendation to build on advice offered to Local Enterprise Partnerships (LEPs) about tourism, Former Minister for the Arts, Heritage and Tourism Rebecca Pow wrote to the LEPs that contain each of the top twenty most visited garden attractions outside London, in order to highlight and champion garden tourism while encouraging these LEPs to keep the visitor economy in mind when developing their Local Industrial Strategies.

Environment, Food and Rural Affairs Committee

- The Committee has announced an inquiry into the Environment Bill, and is seeking written evidence on a number of questions, including possible amendments to the Bill (closing date 3 November).

Guidance

Planning Practice Guidance (PPG)

- The PPG on *Design: Process and Tools* has been updated. It now makes reference to the National Design Guide (see below) and, among other things, it encourages councils to prepare strategic design policies, as well as non-strategic policies and local design guides. Greater emphasis is placed on the use of Design Review Panels. Greater proactive engagement with communities in guiding development is encouraged. Councils can also use strategies such as 'encouraging the retention of key design consultants from the planning application team... to ensure that the quality of approved development is not diminished between permission and completion'.

National Design Guide

- MHCLG has published the *National Design Guide* (NDG) which 'sets out the characteristics of well-designed places and demonstrates what good design means in practice.' It forms part of the Government's collection of planning practice guidance and should be read alongside the separate PPG on *Design Process and Tools*.
- Good design is set out in the NDG under the following 10 characteristics:
 - Context – the guide says that good design 'enhances the surroundings'
 - Identity – good design is 'attractive and distinctive'
 - Built form – good design delivers 'a coherent pattern of development'
 - Movement – well-designed places should be 'accessible and easy to move around'
 - Nature – good design should see nature 'enhanced and optimised'
 - Public spaces – such places should be 'safe, social and inclusive'
 - Uses – developments should be 'mixed and integrated'
 - Homes and buildings – housing should be 'functional, healthy and sustainable'
 - Resources – well-designed places and buildings are 'efficient and resilient', and 'conserve natural resources including land, water, energy and materials'
 - Lifespan – developments should be 'made to last'.

MHCLG Letter to Chief Planning Officers

- MHCLG has sent a *Planning Update Newsletter* to local planning authorities setting out updates on the Government's programme of planning reform. It covers:
 - Guidance on design
 - Design workshops with local authorities
 - EU Exit preparedness
 - Community Infrastructure Levy regulations and planning practice guidance
 - District level licensing for great crested newts
 - New joint guidance on flood risk emergency plans for new development
 - Neighbourhood planning research
 - Digital: permitted development rights for 5G infrastructure
 - Advice for local authorities on non-mains drainage from non-major development
 - Airport Noise Guidance
 - The Environment Bill
 - 2019 Housing Delivery Test Results

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.
- HEAN 12 entitled *Statements of Heritage Significance: Analysing Significance in Heritage Assets* has been [published](#). It offers guidance on how applicants might describe heritage significance to help decision makers assess the impact of proposals for change to heritage assets. Understanding the significance of heritage assets, in advance of developing proposals for their buildings and sites, enables owners and applicants to receive effective, consistent and timely decisions. Publication of HEAN 12: *Statements of Heritage Significance: Analysing Significance in Heritage Assets* is being accompanied by a series of HELM Training events on the subject (see below).

Forthcoming Historic England Advice

- The HEAN on Minerals Extraction and Archaeology should soon be published and will be available to download from the Historic England [website](#).
- A HEAN on Permission in Principle is being currently being drafted and should be consulted on soon.

Training

Current Training

- Historic England provides [training](#) and [guidance](#) to help local authorities, heritage professionals, owners and voluntary organisations look after England's heritage. Training that is currently available covers a wide range of topics, many directly linked to planning matters and Historic England advice. Our training programmes are:
 - [Historic Environment Local Management \(HELM\)](#): training on managing the historic environment for local authorities, regional agencies and national organisations. Visit the [webpages](#) for course dates and booking. New courses for the autumn will include Practical Building Conservation: Porous Building Materials, Industrial Heritage, Heritage Statements, and Design and Place-making in Historic Areas. Courses include:
 - Statements of Heritage Significance (Crook Hall, Durham. [7 November 2019](#))
 - Statements of Heritage Significance (St Nicholas' Place, Kings Norton. [5 December 2019](#))
 - Statements of Heritage Significance (St Barnabas Church, Cambridge. [16 January 2020](#))
 - Statements of Heritage Significance (venue TBC, Liverpool. [27 February 2020](#))
 - Statements of Heritage Significance (Somerset Cricket Club, Taunton. [12 March 2020](#))
 - [Heritage Practice](#): training courses for heritage specialists in technical subjects and techniques. Visit the [webpages](#) for details of courses'

- Essentials Training: training course on fundamental heritage skills for local authority planners and early entrants into historic environment services. Visit the webpages for details of courses on (amongst others):
 - Setting in Practice (Birmingham, 10 October; Leeds, 31 October).
 - Constructive Conservation (Drill Hall Lincoln, 14 November 2019).
- Online training: webinars and other resources to help supplement the short course training opportunities and make them more widely available. The online training includes recordings of webinars and other, longer courses to work through.
- All courses, and further information, can be accessed on the Historic England website.
- Proposed training in autumn/winter will include more training on industrial heritage, and new courses on the disposal of military assets, and statements of heritage significance.
- 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.

Infrastructure

National Policy Statement for Geological Disposal Infrastructure

- The Department for Business, Energy & Industrial Strategy has published the policy framework providing the basis for planning decisions on geological disposal infrastructure for the long-term management of higher activity radioactive waste.

Other Initiatives

Air Quality Grants

- The Government has announced the latest round of funding to help local authorities improve air quality. Local authorities can bid for a portion of at least £2 million to support for a wide range of projects. Previous grants have funded installation of electric vehicle charging points, improvements to cycling infrastructure and development of local online air quality resources.

Biodiversity Net Gain: Updating Planning Requirements

- DEFRA has published a summary of responses and the Government's response on proposals to make biodiversity net gain necessary for developments when granting planning permission. Biodiversity net gain is an approach which aims to leave the natural environment in a measurably better state than beforehand.

Campaign to Protect Local Heritage

- MHCLG has announced a campaign to encourage more local authorities to draw up 'local lists' of historic buildings. A fund of £700,000 will be used to help ten English counties draw up local lists, with members of the public (supported by a team of heritage experts) encouraged to nominate heritage assets which are important to them

and reflect their local area. Historic England will help with delivery of this national campaign. The Secretary of State for Housing, Communities and Local Government, Robert Jenrick MP, confirmed that 'protecting the historic environment must be a key function of the planning system'. The full Ministerial statement is available [here](#).

Cultural Investment Fund

- DCMS have [announced](#) a new £250 million Culture Investment Fund for the cultural and creative sector. The funding will benefit innovative cultural projects, libraries, museums and creative industries, with over £125m invested in regional museums and libraries around the country. The funding will be delivered by DCMS, with Arts Council England (ACE) having a key role in distributing it. Historic England will also play an important role, along with the National Lottery Heritage Fund, particularly in delivering the museums maintenance fund.

Digital Revolution in the Property Sector

- Housing Minister, Esther McVey MP, has [announced](#) plans to open up access to Compulsory Purchase Order data and introduce a national index of all brownfield data, simplifying and improving the quality of Brownfield Land Registers.

Environment Agency: Zero Emissions

- The Environment Agency has set itself the [aim](#) of becoming a net zero organisation by 2030 – ensuring that its own activities and its supply chain are taking as much carbon out of the atmosphere as it is putting into it.

Heritage at Risk

- Historic England published details of the 2019 *Heritage at Risk Register* on 17 October. The Register identifies sites most at risk of being lost as a result of neglect, decay or inappropriate development. There are 5,073 entries on the *Heritage at Risk Register* in 2019, 87 fewer than in 2018. A summary of the changes to the Register is available [here](#).

Raynsford Review of Planning: Councillors' Guide

- The Town & Country Planning Association has [published](#) a Councillors' Guide to Implementing the Raynsford Review of Planning in England. The guide is designed to support councillors in going further towards putting the Raynsford Review into practice, and support best practice in leadership, plan-making, place-making and delivering good outcomes for communities.

Town Deals

- MHCLG have [announced](#) that 100 places across England are being supported to develop a new generation of Town Deals, each worth up to £25M.

Tree and Woodlands

- DEFRA and the Forestry Commission have [published](#) a summary of responses and the Government's response on plans to introduce new measures for felling street trees and strengthening the Forestry Commission's power to deal with illegal tree felling.

Current Consultations

- DEFRA is calling for evidence for the *Highly Protected Marine Areas Review*. It is seeking views on whether and how to introduce such areas in English inshore and offshore waters and Northern Irish offshore waters (closing date 31 October).
- The Environment, Food and Rural Affairs Committee has announced an inquiry into the Environment Bill, and is seeking written evidence on a number of questions, including possible amendments to the Bill (closing date 3 November).
- MHCLG and DCMS are consulting on *Proposed Reforms to Permitted Development Rights to Support the Deployment of 5G and Extend Mobile Coverage* (closing date 4 November).
- The Office of Road & Rail is consulting on the draft conclusions to the HS1 Ltd periodic review 2019 which is the process through which HS1 Ltd concludes its 5 year asset management statement (closing date 11 November).
- The Department for Business, Energy & Industrial Strategy is seeking views on *Amendments to the Treatment of Electricity Storage within the Planning System*. This follow up consultation also provides the Government's response to the original consultation (closing date 10 December).
- MHCLG is seeking views on the effectiveness of the legislation governing development corporations (closing 21 December).
- MHCLG is consulting on *The Future Homes Standard: Changes to Part L and Part F of the Building Regulations for New Dwellings*, including proposed options to increase the energy efficiency requirements for new homes in 2020. The Future Homes Standard will require new build homes to be future-proofed with low carbon heating and world-leading levels of energy efficiency (closing date 10 January 2020).
- The Environment Agency is consulting on *River Basin Planning: Challenges and Choices*. 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)

Recent Consultation Responses

- Historic England's response to the DEFRA consultation on *Updating the UK marine strategy Part One* is available [here](#).
- Historic England's response to the MHCLG consultation on *Advancing our Health: Prevention in the 2020s* is available [here](#).
- Historic England's response to the MHCLG consultation on *Electric Vehicle Chargepoints in Residential and Non-Residential Buildings* is available [here](#).

Calendar

October

- 31 Essentials Training: training course: Setting in Practice (Leeds)
- 31 Call for evidence for the Highly Protected Marine Areas Review closes

November

- 3 Call for evidence on the Environment Bill closes
- 4 Consultation on Proposed Reforms to Permitted Development Rights to Support the Deployment of 5G and Extend Mobile Coverage closes
- 7 HELM training course: Statements of Heritage Significance (Crook Hall, Durham)
- 11 Consultation on HS1 Ltd periodic review 2019 (PR19): Draft Determination closes
- 14 Essentials Training: training course: Constructive Conservation (Drill Hall, Lincoln)

December

- 5 HELM training course: Statements of Heritage Significance (St Nicholas' Place, Kings Norton)
- 10 Follow up consultation on The Planning System for Electricity Storage closes
- 21 Consultation on Development Corporation Reform closes

January 2020

- 10 Consultation on The Future Homes Standard: Changes to Part L and Part F of the Building Regulations for New Dwellings closes
- 16 HELM training course: Statements of Heritage Significance (St Barnabas Church, Cambridge)

February 2020

- 27 HELM training course: Statements of Heritage Significance (venue TBC, Liverpool)

March 2020

- 12 HELM training course: Statements of Heritage Significance (Somerset Cricket Club, Taunton)

Strategy and Listing Department, Historic England
Email: governmentadvice@HistoricEngland.org.uk
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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 (forthcoming)*

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)