



Planning Bulletin: September 2017

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.

Legislation and Matters Arising

Emerging Legislation

- *Government Bills*

- *European Union (Withdrawal) Bill*: the Bill seeks to repeal the European Communities Act 1972 and make other provision in connection with the withdrawal of the United Kingdom from the EU. First reading took place on 13 July, and second reading began on 7 September. Explanatory notes are available [here](#), and a research briefing [here](#).
- *High Speed Rail (West Midlands - Crewe) Bill*: the hybrid Bill makes provision for a railway between a junction with Phase One of High Speed 2, near Fradley Wood in Staffordshire, and a junction with the West Coast Main Line near Crewe in Cheshire. First reading took place on 17 July; a date for second reading has not yet been scheduled. Explanatory notes are available [here](#).
- *Telecommunications Infrastructure (Relief from Non-Domestic Rates) Bill*: the Bill provides powers for the Secretary of State to award relief from business rates to providers of telecommunications infrastructure (its provisions were previously found in the Local Government Finance Bill, which had completed Committee Stage in the House of Commons when the 2017 General Election was called). Second reading took place on 10 July 2017, and Report stage, Committee and third reading took place on 5 September: the Bill will now be considered by the House of Lords. A briefing paper on the Bill is available [here](#).
- Other Bills of potential interest are:
 - Agriculture Bill (to support UK farmers and protect the natural environment)
 - Automated and Electric Vehicles Bill (amongst other things, to provide for the installation of charging points for electric and hydrogen vehicles)

The Queen's Speech also confirmed that the Government will bring forward proposals to help ensure that more homes are built. The associated briefing confirmed that the Government will deliver the reforms proposed in the Housing White Paper 'to increase transparency around the control of land, to "free up more land for new homes in the right places, speed up build-out by encouraging modern methods of construction and diversify who builds homes in the country"'. The background briefing notes are available [here](#).

- *Private Members' Bills*
 - *Bat Habitats Regulation Bill*: the Bill makes provision to enhance the protection available for bat habitats in the vicinity of a building site, and to limit the protection for bat habitats in buildings used for public worship. First reading took place on 3 July; second reading is scheduled for 6 July 2018.
 - *Equality Act 2010 (Amendment) (Disabled Access) Bill*: the Bill amends the Equality Act 2010 to improve access to public buildings by introducing six- and twelve-inch rules for step-free access. First reading took place on 27 June, and second reading has yet to be scheduled.
 - *Kew Gardens (Leases) Bill*: the Bill provides that the Secretary of State's powers in relation to the management of the Royal Botanic Gardens, Kew, include the power to grant a lease in respect of land for a period of up to 150 years. First reading took place on 13 July, and second reading has yet to be scheduled. Explanatory notes are available [here](#).
- *Private Bills*
 - *New Southgate Cemetery Bill*: the Bill confers powers upon New Southgate Cemetery and Crematorium Limited and the National Spiritual Assembly of the Bahá'is of the United Kingdom to extinguish rights of burial and disturb human remains in respect of New Southgate Cemetery for the purpose of increasing the space for interments. The Bill did not complete its passage through Parliament in the last Session, and has been revived. The Bill was reintroduced in the Lords on 19 July; a date for third reading in the Commons has yet to be scheduled.

Heritage Planning Case Database

- Historic England maintains 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.

Advice

Historic England Advice

- Historic England Advice notes (HEANs) 1-8 have all now been published on the Historic England website:
 - *HEAN 1: Conservation Areas: Designation, Appraisal and Review* (February 2016)
 - *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).
- Historic England has also produced advice on the installation of telecommunications equipment, including broadband and mobile, in churches and other listed places of worship. Intended for congregations and installers, it provides advice on Historic England's involvement with proposals to install telecommunications equipment, explaining Historic England's role, the information needed before informed advice can be offered, and the key issues which might be raised.

Infrastructure

Growth and Housing Fund

- Further allocations have been made from the £100M Growth and Housing Fund, which provides an element of match funding for highways schemes that are needed to unlock stalled development sites. The allocations are to the following schemes:
 - M27 junction 9 Whitley Way, Hampshire: up to 3,500 homes and up to 250 jobs (£9.9 million Growth and Housing Fund, and £3 million Highways England Congestion Relief Fund).
 - Anstey Lane (A46/A560), Leicestershire: up to 2,378 homes and around 260 jobs (£5 million Growth and Housing Fund, and £2.8 million private developers).
 - M1 junction 23, Leicestershire: up to 4,000 homes and 5,600 jobs (£5 million Growth and Housing Fund, £10 million private funding, and £3.2 million local growth fund).

Transport Accessibility Action Plan

- The Department for Transport is seeking feedback on a draft accessibility action plan which sets out proposals to improve the travel experience for people with disabilities. The action plan covers a range of transport modes (including aviation, rail, buses and taxis), and also considers ways that public space can be improved to make it more accessible for people with disabilities (closing date 15 November).

Other Initiatives

Heritage Online Debate: 70th Anniversary of the 1947 Town and Country Planning Act

- Historic England's current edition of Heritage Online Debate marks the seventieth anniversary of the Town and Country Planning Act of 1947, which was of course the basis for planning and listing as they are known today. This edition of *Heritage Online Debate* includes contributions on the origins of the Act, the relationship between conservation and planning, the parallels between the challenges of the 1940s and today, why the 1947 Act is still relevant, and much more. Comments on and responses to the articles are very much welcomed.

New Housing Design

- The House of Commons library has produced a debate pack on new housing design. It explores existing design in the UK, the roles of various bodies, and how the public can have their say in the planning process.

House Building Statistics

- DCLG has issued a statistical release confirming that:
 - Annual new build dwelling starts totalled 164,960 in the year to June 2017, up by 13 per cent compared with the year to June 2016. During the same period, completions totalled 153,330, an increase of 11 per cent compared with last year.
 - All starts are now 141 per cent above the trough in the March quarter 2009 and 16 per cent below the March quarter 2007 peak. All completions are 60 per cent above the trough in the March quarter 2013 and 17 per cent below their March quarter 2007 peak.

Current Consultations

- The Committee on the Natural Environment and Rural Communities Act 2006's call for evidence on rural and environmental matters (closing date 11 September).
- The Office of Rail and Road's consultation on rail network renewals (closing date 13 September).
- The Office of Rail and Road's consultation on how to regulate Network Rail in railway control period 6 (closing date 21 September).
- The Department for Transport's consultation on the next East Midlands rail franchise (closing date 11 October).
- The Department for Transport's call for evidence on a new aviation strategy for the UK (closing date 13 October).
- Various consultations on HS2-related matters:
 - HS2 Phase 2b draft Equality Impact Assessment Scope and Methodology Report (closing date 29 September)
 - HS2 Phase 2b draft Environmental Impact Assessment Scope and Methodology Report (closing date 29 September)
 - HS2 Phase 2a Equality Impact Assessment report (closing date 30 September)
 - HS2 Phase 2a (West Midlands – Crewe) hybrid Bill environmental statement (closing date 30 September)
 - Crewe Hub: options for building on existing connectivity (closing date 12 October)
 - HS2 Phase 2b: Eastern leg rolling stock depot (closing date 12 October)
- The Department for Transport's consultation on a draft accessibility action plan (closing date 15 November).

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