



## Planning Bulletin: February 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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### Government Departments

*Department for Digital, Culture, Media and Sport*

- Oliver Dowden CBE MP (Hertsmere) has been appointed as Secretary of State for Digital, Culture, Media and Sport, replacing Baroness Nicky Morgan. The Secretary of State has overall responsibility for strategy and policy across the department and management of Brexit for the department.

- Nigel Huddleston MP (Mid Worcestershire) has been appointed as Parliamentary Under Secretary of State for Sport, Tourism and Heritage.
- Caroline Dinenage MP (Gosport, Stubbington, Lee-on-the-Solent and Hill Head) has been appointed as Minister of State for Digital and Culture, with responsibility for, amongst other things: Creative Industries, Arts and Libraries, and Museums and Cultural Property. This post replaces that of Nigel Adams MP, whose previous brief was Sport and Civil Society.
- John Whittingdale OBE MP (Maldon) has been appointed as Minister of State for Media and Data, with responsibility for, amongst other things, Data and the National Archives.
- Matt Warman MP (Boston and Skegness) has been appointed as Parliamentary Under Secretary of State for Digital Infrastructure, with responsibility for, amongst other things: Gigabit Delivery programme and Mobile coverage

#### *Ministry of Housing, Communities & Local Government*

- Robert Jenrick MP (Newark) has been reappointed as Secretary of State for Housing, Communities and Local Government.
- Christopher Pincher MP (Tamworth) has been appointed Minister for Housing, replacing Esther McVey MP.
- Luke Hall MP (Thornbury & Yate) has been reappointed as Parliamentary Under Secretary of State (Minister for Local Government and Homelessness).
- Simon Clarke MP (Middlesbrough South and East Cleveland) has been appointed Minister of State.
- Kelly Tolhurst MP (Rochester and Strood) has been appointed Parliamentary Under Secretary of State, with responsibility for: aviation, maritime, security and civil contingencies, and Commons shadow roads.

#### *Department for Environment, Food and Rural Affairs*

- George Eustice MP (Camborne and Redruth) has been appointed as Secretary of State for Environment, Food and Rural Affairs, replacing Theresa Villiers MP.
- Lord Zac Goldsmith of Richmond Park has been appointed as Minister of State (Minister for Pacific and the Environment).
- Rebecca Pow MP (Taunton Deane) has been reappointed as Parliamentary Under Secretary of State, with responsibility for, amongst other things: domestic natural environment, the Environment Bill, climate change adaptation, floods and water, and resource and environmental management (including waste, air quality, chemicals, litter).
- Lord Gardiner of Kimble has been reappointed Parliamentary Under Secretary of State for Rural Affairs and Biosecurity.
- Victoria Prentis MP (Banbury) has been appointed Parliamentary Under Secretary of State.

#### *Department for Transport*

- Grant Shapps MP (Welwyn Hatfield) has been reappointed as Secretary of State for Transport.

- Andrew Stephenson MP (Pendle) has been appointed Minister of State, with responsibility for HS2, Northern Powerhouse Rail and the Trans-Pennine route upgrade.
- Chris Heaton-Harris MP (Daventry) has been reappointed as a Minister of State, with responsibility for, amongst other things: rail, East West Rail, cycling and walking, Crossrail and Crossrail 2.
- Baroness Vere of Norbiton has been reappointed as a Parliamentary Under Secretary of State, with responsibility for: roads and motoring, buses and taxis, devolution, housing, and light rail.
- Rachel Maclean MP (Redditch) has been reappointed Parliamentary Under Secretary of State, with responsibility for: EU transition and future relationship, future of transport, transport decarbonisation and environment, and secondary legislation.

## 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 Monday 3 February 2020 and is now being considered by a Public Bill Committee which will scrutinise the Bill and is expected to report to the House by 10 March.
- *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.

#### *Private Bills*

- *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.

## Case Update

- *Heathrow Expansion*: - The Court of Appeal has just released their judgment on the challenge made by Plan B Earth and others in relation to the Airports National Policy Statement.

## 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

- The House of Lords Economic Affairs Select Committee has heard evidence as a follow-up on its 2016 Report *Building More Homes*. It examined the demand for housing in England, the Government's response and possible solutions via planning reform, building more homes on public land, and increasing house building by local authorities and housing associations.
- The Chairs of Select Committees have now been selected, including:
  - Environmental Audit: Philip Dunne MP (Con., Ludlow)
  - Environment, Food & Rural Affairs: Neil Parish MP (Con., Tiverton and Honiton)
  - Treasury: Mel Stride MP (Con., Central Devon)
  - Digital, Culture, Media and Sport - Julian Knight MP (Con., Solihull)
  - Public Accounts: Meg Hillier MP (Lab./Co-op, Hackney South and Shoreditch)
  - HCLG: Clive Betts MP (Lab., Sheffield South East)

## Guidance

### *Planning Inspectorate Guidance*

- The Planning Inspectorate has published guidance on the *Procedural Practice in the Examination of Spatial Development Strategies*. Spatial Development Strategies are prepared by an elected Mayor or a Combined Authority (e.g. the London Plan). They provide strategic policies for the development and use of land in the area they cover. The legislation and process for preparing, examining and adopting a Spatial Development Strategy is different from that relating to local plans. Detailed procedural guidance on all aspects of the examination can be found in the new guidance.

## Advice

### *Historic England Guidance*

- Historic England has published new guidance on *Deposit Modelling in Archaeology*. This guidance is written to help archaeologists working within the context of development-led projects to understand what deposit models are and the benefits that can be gained by using them. It is also relevant to any archaeological work where the intention is to characterise deep sequences of deposits.

### *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.

### *Forthcoming Historic England Advice*

- Historic England will shortly be consulting on a revised version of its Advice Note on *Tall Buildings* (HEAN 4). The revised text will be available here. The updated Advice Note reflects changes in the National Planning Policy Framework and recent good practice. It offers useful guidance to those involved with the planning and design of tall buildings.
- 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. For booking information and our full course programme please visit our webpages. New courses include:
    - *Making a Future for Industrial Heritage* focuses on understanding of industrial heritage assets, to better assess their significance, and identify good practice in securing a future for such assets including their re-use and adaptation.
    - *Practical Building Conservation Update: Concrete Glass and Metal* focuses on concrete, glass and metals across all periods. An emphasis on repair, maintenance and minor alterations will be framed by policy developments that encompass value-led decision making, but the focus will be on Historic England's research developments in technical conservation.
  - Upcoming HELM events include:
    - *Making a Future for Industrial Heritage* (The Docks Academy, Grimsby, 25 March)

- Practical Building Conservation Update: Concrete Glass and Metal (The King's Centre, Norwich. [5 March](#))
- Practical Building Conservation Update: Concrete Glass and Metal (University of York. [19 March](#))
- Statements of Heritage Significance (Somerset Cricket Club, Taunton. [12 March](#))
- 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 current courses.
- 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. In January we presented sessions on the theory and practice of protecting historic buildings against damp and on our heritage statements Advice Note. You can view recordings on our [webpage](#) and also book for our future webinars.
- All courses, and further information, can be accessed on the Historic England [website](#).
- *Traditional Roofs Conference*: Historic England is running a [conference](#) on the repair and conservation of traditional roofs and the challenge facing them in the 21st century. This major one-day conference reports on Historic England's latest technical research into the deterioration and conservation of traditional roof coverings including lead, slate and thatch, and discusses recent developments in conservation, repair and energy efficiency of traditional roofs. It will take place on 3 March in London.
- 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](mailto:helmbookings@historicengland.org.uk).

## Historic England Research

### *Historic England Research Issue 14*

- Historic England has [published](#) the *Winter 2019-20 Research Issue*, which reports on a range of recent place-based research projects, situating them in the context of [Historic England's 2018 Places Strategy](#), which emphasises the important role played by research in successful place-making, and in the continuing development, deployment and evaluation of characterisation and Historic Area Assessment approaches.

## Marine Planning

- The Marine Management Organisation (MMO) is [consulting](#) on the [draft North East, draft North West, draft South East and draft South West Marine Plans](#). (See Current Consultations)

## Infrastructure

### *Design Principles for National Infrastructure.*

- The National Infrastructure Commission has published *Design Principles for National Infrastructure*. It has been developed by the Commission's Design Group in consultation with all infrastructure sectors, sets out four principles to guide the planning and delivery of major infrastructure projects: climate, people, places and value. These should guide the projects which will upgrade and renew the UK's infrastructure system. They should be applied to all economic infrastructure: digital communications, energy, transport, flood management, water and waste.

### *HS2*

- The Government has confirmed that HS2 will go ahead, alongside improvements to local transport networks across the country.

### *Cycle and Bus Fund*

- As part of the announcement on HS2, the Government has pledged £5 billion, for a five-year bus and cycling fund to support simpler fares, thousands of new buses, higher service frequencies, and 250 miles of new cycle paths.

### *Historic Rail Lines*

- Secretary of State for Transport, Grant Shapps has announced £500m to re-open historic rail lines. The fund will be used to develop proposals to re-open certain services, and 'accelerate the delivery of schemes that are already being considered for restoration, making possible the rapid reopening of certain stations and lines.'

## Other Initiatives

### *Air Quality: Using Cleaner Fuels for Domestic Burning*

- Defra has published a summary of responses to recent consultation on change to cleaner fuels for domestic burning of wood and solid fuels. In response to the consultation, the Government plans to introduce the following, one year from now:
  - a ban on all pre-packaged traditional bituminous house coal (a ban will apply on loose sales via coal merchants at a later date)
  - wood sold in single units under 2m<sup>3</sup> (loose stacked) must have a moisture content of 20% or less
  - a national requirement for certified controlled sulphur content and a smoke emission limit on manufactured solid fuels (currently applies in Smoke Control Areas).

### *Heritage Counts: Carbon and the Built Environment*

- Historic England has published the 2019 Edition of *Heritage Counts*, highlighting the importance of the built historic environment and explaining why it has a vital role to play in the journey towards a low carbon future. Heritage Counts includes:
  - An annual research report for 2019: 'There's No Place Like Old Homes'
  - Heritage Indicators
  - Heritage and the Economy
  - Heritage and Society
  - The Historic Environment: An Overview

- Research undertaken for *Heritage Counts* uses data from two historic building case studies; developing a life cycle assessment model to estimate the whole life carbon emissions before and after different energy efficient refurbishment scenarios. The research shows that carbon emissions are reduced by more than 60% by 2050 as a result of the refurbishment and retrofit options.
- Heritage Counts also includes a short paper, *Valuing carbon in pre-1919 residential buildings* which compares the carbon emissions of pre-1919 residential buildings in England – and their consequent monetary value under a range of retrofitting scenarios

#### *Local Government Settlement*

- The Government has confirmed an increase in the settlement to local councils of £49.2 billion in 2020 to 2021, an increase of £2.9 billion or 4.4% in real-terms. The Government has committed £907 million to continue the New Homes Bonus scheme in 2020 to 2021, and maintaining the Rural Services Delivery Grant at £81 million.

#### *Urban Tree Challenge Fund*

- The Government has announced that thirteen projects in urban communities across England have been awarded a share of the £10m in the first round of the Urban Tree Challenge Fund. Over 22,000 large trees and 28,000 small trees will be planted across the country, to help areas improve health and wellbeing, as well as contributing to the fight against climate change. Expressions of interest are being invited for Year 2 of the fund.

## **Current Consultations**

- The Marine Management Organisation (MMO) is consulting on the draft North East, draft North West, draft South East and draft South West Marine Plans. The draft Marine Plans are prepared under the policy framework provided by the Marine Policy Statement, and together they underpin the marine planning system for England. A recording of the National Webinar for the draft Marine Plans consultation exercise has now been published by the MMO together with a record of the National Webinar Q&A session. Historic England is planning to deliver a Webinar focusing on the heritage aspects of the draft Marine Plans on 19 March at 13:00 (closing date 6 April).
- The Department for International Trade is consulting on the UK's Freeport Policy. The proposals include tariff flexibility, customs facilitations and tax measures, as well as planning reforms, additional targeted funding for infrastructure improvements and measures to incentivise innovation (closing date 20 April).
- The Environment Agency is consulting on River Basin Planning: Challenges and Choices (closing date 24 April). 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)
- Historic England will shortly be consulting on a revised version of its Advice Note on Tall Buildings (HEAN 4). The revised text will be available here.



## Calendar

### March 2020

- 3 Historic England Conference: Repair and conservation of traditional roofs: facing the challenge in the 21st century (Church House, Dean's Yard, Westminster, London)
- 5 HELM training course: Practical Building Conservation Update: Concrete Glass and Metal (The King's Centre, Norwich)
- 12 HELM training course: Statements of Heritage Significance (Somerset Cricket Club, Taunton)
- 19 HELM training course: Practical Building Conservation Update: Concrete Glass and Metal (University of York)
- 19 Historic England Webinar focusing on the heritage aspects of the MMO draft Marine Plans consultation (13:00)
- 25 HELM training course: Making a Future for Industrial Heritage (The Docks Academy, Grimsby)

### April 2020

- 1 The Faculty Jurisdiction (Amendment) Rules 2019 comes into force
- 6 The MMO consultation on the draft North East, draft North West, draft South East and draft South West Marine Plans closes.
- 20 The Department for International Trade's consultation on the UK's Freeport Policy closes.
- 24 Environment Agency consultation on River Basin Planning: Challenges and Choices closes

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27 February 2020

*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](mailto: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)
  - *HEAN 13: Minerals Extraction and Archaeology* (January 2020)