



Planning Bulletin July 2023

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.

Legislation and Matters Arising

Emerging Legislation - England

This section provides a summary of updates to emerging legislation in the last month. Further information on what the emerging legislation covers and its overall progress to date can now be found in [Appendix I](#).

Government Bills

Levelling Up and Regeneration Bill

- The [Levelling Up and Regeneration Bill \(LURB\)](#) has continued to undergo Report stage in the House of Lords. On 19 July, government published a [summary of what has happened to date](#).
- Throughout July, several planning-/heritage-related government [amendments to the LURB](#) have been tabled, including the provision of Parish Council support of local historic religious buildings. To date, key amendments moved include amendments 69-79 which relate to the Infrastructure Levy and should ensure that the levy provides at least as much affordable housing as the existing system of developer contributions; require developers to pay a proportion of their Levy contributions in-kind as onsite affordable housing; allow for the disapplication of the levy; and require reporting on the levy. An amendment to remove a power that is no longer needed in the light of the conclusion of proceedings in Senedd Cymru on the Historic Environment (Wales) Bill was also accepted.
- Sittings took place on 11, 13, 18 and 20 July. The [transcripts of these sittings](#) have been published. There are currently three more report sessions scheduled for 4, 6 and 13 September, at which the primary planning-/heritage-related clauses should be debated. The LURB will then have its third reading and proceed into final stages of consideration by the House of Commons/House of Lords (“ping pong”).



The Energy Bill

- The Public Bill Committee (PBC) has now completed its work and has reported the Bill with amendments to the House. [Transcripts from the PBC meetings](#) have been published. The [Energy Bill](#) is now scheduled to have its report stage and third reading on 5 September.

High Speed Rail (Crewe to Manchester) Bill

- No change.

Private Members' Bills

Countryside and Rights of Way Act 2000 (Amendment) Bill

- On 20 June, the [Countryside and Rights of Way Act 2000 \(Amendment\) Bill](#) had its first reading in the House of Commons. The Bill seeks to amend the [Countryside and Rights of Way Act 2000](#) to extend the right of public access to the countryside, including to woodlands, the Green Belt, waters and more grasslands; and for connected purposes. Its second reading is currently scheduled for 1 December 2023.

Green Belt (Protection) Bill

- The second reading of the [Green Belt \(Protection\) Bill \(GBPB\)](#) has been updated to take place on 15 September. However, the House is currently not expected to sit on this day.

Private Burial Grounds and Cemeteries Bill

- No change.

Ecology Bill

- No change.

Carbon Emissions Bill

- No change.

Private Bills

Bishop's Stortford Cemetery Bill

- No change.



Amended legislation

General Permitted Development etc. (England) (Amendment) Order 2023

- As of 26 July, the [General Permitted Development etc. \(England\) \(Amendment\) Order 2023](#) came into force. The order amends Parts 4, 7 and 12 of the General Permitted Development (England) Order 2015, introducing new permitted development rights (PDRs) that allow:
 - The temporary use of land as a recreational campsite for up to 50 pitches (for tents and motorhomes) for up to 60 days per calendar year. The right will not apply to land within the curtilage of a listed building, sites of special scientific interest or scheduled monuments.
 - The erection, construction, maintenance, improvement or alteration of a prison gate, fence, wall or enclosure up to 5.5 metres above ground level.
- The order also amends the existing PDRs for:
 - the temporary use of land for any purpose for up to 28 days per calendar year so that it will only permit camping when in connection with a festival.
 - allowing local authorities to undertake a range of public infrastructure works, so that bodies acting on behalf of the local authority or urban development corporation can also benefit from the right. National Park authorities and the Broads Authority can also now benefit from this PDR.
 - the temporary use of buildings or land for film-making purposes, which can now be used for 12 months (rather than 9), in any 27 months. It also increases the size of the land that the PDR may apply to from 0.5ha to 3ha, and the maximum height of any temporary structure, works, plant or machinery for filming is also increased from 15m to 20m.
- A further proposal in the original [consultation](#) relating to PDRs for solar equipment has **not** been included in the Order.
- The government response to the PDR consultation is still awaited, but an [explanatory memorandum](#), which includes a summary of the responses, has been published.



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, and searches can also be carried out by address, date, or decision reference.

Policy

Written Ministerial Statements

Local Nature Recovery Strategies

- On 3 July, DEFRA released a [written statement on Nature Recovery](#) in which the 48 responsible authorities for Local Nature Recovery Strategies (LNRS) were announced. The Responsible Authorities are to be supported by £14 million government funding and will now begin to engage across their areas to prepare the strategies.
- In addition to the LNRS, it was announced that the first round of the [Species Survival Fund](#) was also open, with an initial £25 million available to projects that will help drive the action we need to halt the decline in species.

Committees

Built Environment Committee

- On 10 July, the [Built Environment Committee](#) published [The Impact of Environmental Regulations on Development - Private Roundtable with Volume Housebuilders](#) which covers the planning system, government bodies, local authorities and challenges to meet environmental regulations.
- The 4 and 11 July oral session [transcripts from the Impact of Environmental Regulations on Development Inquiry](#) have also been published. In these sessions evidence was provided by the Office for Environmental Protection, with whom the transition to Environmental Outcome Reports was discussed.
- The second session included evidence from, amongst others, [Rachel Maclean](#) (Minister of State (Housing and Planning) at Department for Levelling Up, Housing and Communities)



and [Trudy Harrison MP](#) (Parliamentary Under Secretary of State (Minister for Natural Environment and Land Use) at Department for Environment Food and Rural Affairs).

- At present, no further inquiry sessions are scheduled.

Climate Change Committee

- On 28 June, the [Climate Change Committee](#) published their report [Progress in Reducing Emissions](#). Amongst other things, the report calls for radical planning policy reform to support Net Zero. It also makes several recommendations, including:
 - Publication of a land use framework.
 - Implementation of a delivery mechanism to restore degraded peatlands.
 - Funding and support for afforestation.
 - Finalise and implement plans to require privately rented homes to have an EPC C rating.
- Publication of the report was accompanied by a [letter from Lord Deben](#), Chairman of the Climate Change Committee, to the Rt Hon Prime Minister. In the letter Lord Deben highlighted:
 - The failure to act decisively in response to the energy crisis and build on the success of hosting COP26 means that the UK has lost its clear global climate leadership.
 - Inaction has been compounded by continuing support for further unnecessary investment in fossil fuels.
 - The Government must act urgently to correct the failures of the past year and reclaim the UK's clear climate leadership role.
- On June 29, the Climate Change Committee published their [Mitigation Monitoring Framework](#).
- On 19 July, the Climate Change Committee published a research report entitled [Spatial Planning for Climate Resilience and Net Zero](#). Prepared by the Centre for Sustainable Energy and the Town and Country Planning Association the research found that the planning system has the potential to be a key tool for Net Zero and climate resilience at the local level but is not delivering on this. To rectify this, it puts forward over 20 recommendations including:
 - Consistent alignment of planning policy with mitigation and adaptation actions in the Climate Change Act. In particular, the NPPF must make clear the primacy to be afforded to climate change in plan-making and decision-making.
 - Embedding climate change and spatial planning across decision-making levels.



Energy Security and Net Zero Committee

- On 7 July, the [Energy Security and Net Zero Committee](#) launched a number of new Inquiries, including two with a planning dimension: [A Flexible Grid for the Future](#) and [Heating Our Homes](#). More information on these is available in the ‘Consultations’ section below

Environmental Audit Committee

- Evidence submitted in the [Inquiry into Enabling Sustainable Electrification of the UK Economy](#) has been published. The inquiry is examining issues and opportunities for low carbon grid connections, and to date oral evidence has been given by the Commissioner and Assistant Director of the National Infrastructure Commission.
- On July 3, the [Environmental Audit Committee](#) launched an [Inquiry into Heat Resilience and Sustainable Cooling](#), more information on which is available in the ‘Consultations’ section below.
- On 19 July, the Environmental Audit Committee published [Seeing the Wood for the Trees: the Contribution of the Forestry and Timber Sectors to Biodiversity and Net Zero Goals](#). The report presents the findings of the [Sustainable Timber and Deforestation Inquiry](#). It concludes that the targets for tree planting are unlikely to be met and recommends that a single holistic tree planting strategy is developed.

Levelling Up, Housing and Communities Committee

- On 26 June, the [Levelling Up, Housing and Communities Committee \(LUHCC\)](#) published a [letter to Rachel McLean MP](#), Minister of State (Housing and Planning). The letter asks the government if they intend to act on the recommendation made in the LUHCC’s 2021 [report on Permitted Development Rights \(PDRs\)](#) that a review of PDRs is undertaken. It also follows up on their recommendations regarding the faster application of Article 4 Directions, and the conflict in practice between the NPPF’s requirement for a sequential test for retail development and the ability of PDR development to bypass this requirement.
- On 14 July, the LUHCC published a [report on Reforms to national planning policy](#), following their inquiry into the topic. The report includes a series of recommendations to Government:
 - **Proposed Reforms and their Impact:**
 - Pause plans for further planning reform to implement and learn from existing changes.
 - Undertake an impact assessment on future NPPF reforms and adopt a strategic approach to future reforms.



- **The National Housing Target:**
 - Publish the evidence base for changes to the NPPF, as well as analysis of how those changes will facilitate delivering 300,000 new homes per year.
 - Set annual housing targets to ensure that 300,000 homes are built each year and to ensure that action is taken if it becomes apparent that NPPF changes do not deliver this.
 - Set targets for the different types of housing tenure that will make up the 300,000 homes each year, with a target of 90,000 Social Rent homes per annum.
- **Green Belt:**
 - Undertake a national review of the purpose of Green Belt and assess where brownfield sites may be considered for development.
 - Green Belt boundary reviews by Local Planning Authorities should continue as part of their Local Plan-making process.
- **Calculating Local Housing Need:**
 - Abolish urban uplift and review the standard method for calculating local housing need.
 - Delay the abolition of the Duty to Cooperate until its review of the NPPF, in order to define, consult on and publish the new alignment policy before the Duty to Cooperate is abolished.
- **Local Planning Authority Resourcing:**
 - Publish a comprehensive resource and skills strategy for the planning sector, in line with its commitment to the LUHCC.
- **The Infrastructure Levy:**
 - Outline how the test and learn approach will work and its timeline.
- **National Development Management Policies:**
 - Adjust the Infrastructure Levy as necessary, if it falls short on delivering affordable houses.
 - Ensure that National Development Management Policies are subject to parliamentary scrutiny via an amendment to the LURB.



The Public Accounts Committee

- The [Public Accounts Committee](#) is holding an [Inquiry into Support for Innovation to Deliver Net Zero](#). The [transcript from the 15 June oral evidence session](#), which involved representatives from the Department for Energy Security and Net Zero, Department for Science, Innovation and Technology, HM Treasury, and Department for Energy Security and Net Zero, has now been published.

Government Planning Letters

Letters to Chief Planning Officers

The Department for Levelling Up, Housing and Communities (DLUHC) regularly writes [letters to Chief Planning Officers](#) of Local Planning Authorities (LPAs) in England, providing guidance on planning.

Letter about support for prison build applications

- On 13 July, a [DLUHC letter about prison applications](#) was shared with both Chief Planning Officers and LPAs. The letter advises that they work proactively on prison related planning applications and consider entering into planning performance agreements (PPAs) with the applicant as part of the pre-application process. It also highlighted the new PDR in relation to prison fences up to 5.5m in height.

Letter about financial support for neighbourhood planning in 2023/24

- On 25 July, a [DLUHC letter about neighbourhood planning](#) was shared with Chief Planning Officers. The letter announces the arrangements for funding Local Planning Authorities for the financial year beginning April 2023. Arrangements for claiming funding are included in Annex A and related frequently asked questions are in Annex B.

Planning Newsletter: 26 July

- On 26 July, a [Planning Newsletter](#) was published. The newsletter highlighted:
 - The Secretary of State's housing speech, given on 24 July (see 'Other Items' below).
 - Planning fee increases (see 'Other Items' below).
 - Launch of the Planning Skills Delivery Fund (see 'Other Items' below).



- Launch of a new [Planning Capacity and Capability Programme webpage](#).
- Information on how to engage with [Active Travel England \(ATE\)](#), including:
 - A [Development Management Procedural Note](#) with information on how to consult ATE, including contact information and the approach that ATE will take to development management.
 - A Standing Advice Note on [Active Travel & Sustainable Development](#) (and a [separate note for London developed in collaboration with Transport for London](#)).
 - The [ATE Planning Application Assessment Toolkit](#), along with guidance on how the toolkit works.
- DEFRA's announcement on [Local Nature Recovery Strategy responsible authorities](#) (again see 'Other Items' below).
- Several new planning related consultations which are detailed below in the 'Consultations' section.

Advice

Historic England Advice

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

Heritage Crime Impact Statements

- On June 8, Historic England published updated guidance on [Heritage Crime Impact Statements](#). The guidance is aimed at those responsible for the prevention and enforcement of heritage crime, including police officers, local authority officials, the Crown Prosecution Service and Historic England staff and covers the use of heritage crime impact statements, who should provide them and what information they should contain. Updated guidance on [Heritage Crime Risk Assessment](#) has also been published.

Forthcoming Historic England Advice

- A new Historic Environment Advice Note (HEAN) on Managing Change Affecting World Heritage Sites in England is being drafted. Public consultation on the guidance will be announced in the coming months.
- A new HEAN on Climate Change and Historic Environment is being drafted. Public consultation on the guidance will be announced soon.



Training

Webinars

- Webinars on a wide variety of topics continue and will sit alongside longer form e-learning courses. Visit [Historic England's training webpages](#) for more information and booking.

Infrastructure Planning

Great British Nuclear

- On 18 July, government launched [Great British Nuclear \(GBN\)](#) a new arm's length body led by Simon Bowen, as Chair, and Gwen Parry-Jones, as CEO. GBN is designed to drive the rapid expansion of nuclear power in Britain and will initially be looking at small modular reactor technologies and finding suitable sites for these.
- Following on from this, measures to speed up preparations for the [construction of Sizewell C Power Station](#) were announced on 24 July. The measures include a further £170 million of funding.

National Infrastructure Planning Reform: Innovation and Capacity Fund (Round 2)

- On 25 July, DLUHC announced that they had launched a second round of [Innovation and Capacity Fund](#) to support the ability of local authorities to engage in the Development Consent Order process for Nationally Significant Infrastructure Projects (NSIPs). To that end, local authorities acting as a statutory consultee can apply for funding up to £100,000 (or £350,000 for projects relating to transport NSIPs) to help them deal with NSIP applications. Applications **close on 25 August**.



Marine Planning

Highly Protected Marine Areas

- On 5 July, DEFRA published policy papers providing further information on the new Highly Protected Marine Areas, which include [Allonby Bay](#), [North East of Farnes Deep](#), and [Dolphin Head](#).

Other Items

25 Year Environment Plan Progress Report

- On July 19, DEFRA published the [25 Year Environment Plan Annual Progress Report April 2022 to March 2023](#) which reviews the progress made in relation to the plan, over the last year. In it they announced that they will publish the response to the [Landscapes Review](#) before the end of 2023.

Culture and Heritage Capital

- In June, DCMS added new reports to their suite of documents on the [Culture and Heritage Capital Portal](#), including [The Impact of Conservation, Repair and Maintenance on Culture and Heritage Capital Assets](#).

Developer Contributions: Inquiry

- The All-Party Parliamentary Group (APPG) on Housing and Planning has launched an [Inquiry into Developer Contributions](#). The objectives of the inquiry are:
 - To assess the opportunities and challenges facing England's developer contributions systems today.
 - To collect evidence and the experiences of organisations, professions and people using Section 106 and CIL to enable development.
 - To assemble and review proposals made to improve the performance of England's developer contributions mechanisms in recent years.
 - To help parliamentarians understand the nature of responses submitted to the Department for Levelling Up, Housing and Communities' recent technical consultation on the Infrastructure Levy.
 - To make recommendations to Government on the future direction of its planning reforms.



- Evidence is to be submitted by **5 September**.

Historic Environment Overview 2022-23

- Produced by the Historic Environment Forum with support from Historic England and the National Trust, the [Historic Environment Overview 22-23](#) provides headline updates on key changes to the sector, including legislation and policy, as well as participation and capacity building. Part of Heritage Counts, this collaborative report showcases key activity across the sector during the last financial year.

Investment Zones

- On 14 July, South Yorkshire – covering Sheffield, Rotherham, Doncaster and Barnsley - was announced as the government's [first Investment Zone](#). It is one of twelve Investment Zones that will be established across the UK; two others having recently been [announced in Scotland](#).
- Investment Zones had been discussed since the 2020 [Planning White Paper](#) but the policy was refocussed as per the [Investment Zones Policy Prospectus](#). They are now envisaged as clusters of high growth industries like Advanced Manufacturing, life sciences or green industries, centred around universities.
- The South Yorkshire Investment Zone is focused on Advanced Manufacturing and includes the University of Sheffield and Sheffield Hallam University. In addition to private investment, it will receive up to £80 million in government funding for a range of interventions which could include skills, infrastructure and tax reliefs.

Long Term Plan for Housing

- On 24 July, Levelling Up, Housing and Communities Secretary, Michael Gove, gave a [speech on housing and planning reform](#), supported by a [government press release](#). Key points include:
 - A £24 million [Planning Skills Delivery Fund](#). Local authorities can bid for up to £100k to fill skills gaps in particular areas of expertise, of which heritage is one. The fund is available for 2 years at £12m per year; applications **close on 11 September**.
 - £13.5 million in funding to establish a new “super-squad” team of leading planners and other experts to tackle planning backlogs.
 - Regeneration of 20 cities, with a focus on the Midlands, North of England and Cambridge.
 - Planning application fee increases.



- New homes are to be focused in cities on brownfield sites, rather than in the countryside.
- That the updated NPPF would be published “later this year”.
- The launch of the [Office for Place](#).
- Consultations on new permitted development rights (PDRs) and local plans (see the ‘Consultations’ below).

New Office for Local Government

- On 4 July, DLUHC announced that it is establishing the [Office for Local Government \(Oflog\)](#) in order to provide data and analysis for the performance of local government. To this end Oflog has launched the [Local Authority Data Explorer](#), an online tool that currently holds data on waste management, adult social care, adult skills and finance.
- The creation of Oflog was accompanied by the publication of a policy paper - [Office for Local Government: Understanding and supporting local government performance](#).

Planning Fee Increases

- On 25 July, DLUHC published its [Planning Fees Consultation Outcome](#). The consultation was generally supportive of the proposed fee increases and draft regulations have been laid for a national planning application fee increase of 35% for major applications and 25% for all other applications, along with annual increases.
- Other confirmed changes include scrapping an option for applicants to submit a repeat planning application free of charge if their first attempt is withdrawn or refused. However, the government has decided that income from planning fees will not be ringfenced. Proposals for the doubling of fees for retrospective applications is also to be delayed.

Third National Adaptation Programme

- On 17 July, DEFRA published its [Third National Adaptation Programme \(NAP3\)](#), in line with the requirements of the [Climate Change Act 2008](#). NAP3 sets out the key actions that government and others will take to adapt to the impacts of climate change in the UK for 2023 to 2028. These commitments include to: “Develop capacity and capability for Historic England to model long-term impacts of climate change on cultural heritage caused by increased temperatures, increased rainfall, sea level rise and extreme weather.”

UNESCO World Heritage Sites - UK Tentative List Review

- DCMS recently published the [government response to the UNESCO World Heritage Sites - UK Tentative List Review Consultation](#), which ran from 9 March 2022 to 15 July 2022. It



identifies seven sites have been included on the UK's Tentative List of World Heritage Sites:

- Birkenhead the People's Park (Cultural site)
 - East Atlantic Flyway – England East Coast Wetlands (Natural site)
 - The Flow Country (Natural site)
 - Gracehill Moravian Church Settlements (Cultural, Transnational site)
 - Little Cayman Marine Parks and Protected Areas (Natural site)
 - York (Cultural site)
 - The Zenith of Iron Age Shetland (Cultural site)
- The outcome also includes information on the UK's future approach to World Heritage and guidance to prospective sites.

Consultations

Heat Resilience and Sustainable Cooling

- On July 3, the [Environmental Audit Committee](#) launched an [Inquiry into Heat Resilience and Sustainable Cooling](#). The committee have invited written submissions of evidence and, amongst other things, they are interested in:
 - Does the current planning framework do enough to encourage heat resilience measures such as cooling shelters, water bodies, green infrastructure and shading to be integrated into urban planning? Where such measures are incorporated, how accessible and successful are they?
 - What can be done to protect the UK's existing public and private sector housing stock from the impacts of extreme heat while ensuring that homes are sufficiently warm in the winter months?
 - The call for evidence **closes on 17 August**.

Flexible Grid for the Future

- On 7 July, the Energy Security and Net Zero Committee launched an inquiry: [A Flexible Grid for the Future](#), which has a call for evidence with questions including:



- What changes should be made to the planning system to enable it to increase the use of renewable energy?
- Is our planning system able to deliver more rapid development of new local infrastructure?

- The call for evidence closes on August 25.

Heating our Homes

- On 7 July, the Energy Security and Net Zero Committee launched an inquiry: [Heating Our Homes](#), which has a call for evidence with questions including:
 - What policy changes are needed to deliver energy efficient homes across the UK?
 - What are the key factors contributing to the under-delivery of the UK's government-backed retrofit schemes?
 - Do the current EPC frameworks help consumers make informed decisions on transition?
 - Do standards need to differ for different types of housing?

- The call for evidence closes on August 25.

Local Landscape Designations

- Natural England have launched a [consultation on Local Landscape Designations](#) and are seeking input from local authorities to understand their use in development plans. This consultation closes on 8 September.

Operational reforms to the Nationally Significant Infrastructure Project (NSIP) Consenting Process

- On 25 July, DLUHC opened a consultation on [Operational reforms to the Nationally Significant Infrastructure Project \(NSIP\) Consenting Process](#). The consultation follows on from the recent publication of the [Nationally Significant Infrastructure Projects Action Plan](#) and includes proposals to:
 - Operational reform to support a faster consenting process
 - Recognising the role of local communities and strengthening engagement
 - System capability - building a more diverse and resilient resourcing model
- The consultation closes on 19 September.



Protecting Hedgerows

- DEFRA is currently consulting on proposals to amend the [Hedgerow Regulations 1997](#), which recognise both the natural and historical/archaeological importance of hedgerows. The [consultation on Protecting Hedgerows](#) considers proposals to replicate existing hedgerow requirements derived from EU directives by amending the Hedgerow Regulations, or alternatively developing new legal protections for hedgerows.
- The consultation closes on September 20.

Permitted Development Rights

- On 24 July, DLUHC launched a [consultation on Permitted Development Rights](#). The consultation covers:
 - changes to certain permitted development rights that allow for the change of use to dwellinghouses;
 - changes to certain permitted development rights that allow agricultural diversification and development on agricultural units;
 - changes to certain permitted development rights that allow for non-domestic extensions and the erection of new industrial and warehouse buildings;
 - changes to the permitted development right that allows for the temporary use of land to allow markets to operate for more days;
 - changes to the existing permitted development right that allows for the erection, extension or alteration of schools, colleges, universities, hospitals, and closed prisons to also apply to open prisons;
 - the application of local design codes to certain permitted development rights.
- It also contains a call for evidence led by DEFRA seeking views on nature-based solutions, farm efficiency projects and diversification.
- The consultation closes on 25 September.

Freight and Logistics and the Planning System: Call for Evidence

- DFT and DLUHC have announced a consultation which seeks views on the interaction between freight and logistics and the planning system in England. [Freight and logistics and the Planning System: Call for Evidence](#).
- The consultation closes on 6 October 2023.



Plan-making Reforms: Consultation on Implementation

- On 25 July, DLUHC launched a [consultation on Plan-making Reforms](#) aimed at making plans simpler, shorter and more accessible. It is proposed that any policy changes – and accompanying guidance - will be in place by autumn 2024.
- The consultation also includes proposals for piloting Community Land Auctions (CLA) an alternative approach for identifying land for allocation for development that seeks to improve land value capture for the benefit of local communities.
- The consultation also contains proposals for new Supplementary Plans, which will enable planning authorities react quickly to changes in their areas, or to establish authority-wide design policies, by producing a plan that has the same ‘weight’ as local plans or minerals and waste plans. These Supplementary Plans will be subject to consultation and independent examination.
- The consultation closes on 18 October.

Calendar

August

August 17 – The Environmental Audit Committee’s [Heat Resilience and Sustainable Cooling](#) call for evidence closes.

August 25 – The Energy Security and Net Zero Committee’s [Flexible Grid for the Future](#) call for evidence closes.

August 25 – The Energy Security and Net Zero Committee’s [Heating Our Homes](#) call for evidence closes.

August 25 – Applications for the NSIP [Innovation and Capacity Fund](#) close.

September

September 5 – The APPG’s [call for evidence on Developer Contributions](#) closes.

September 8 – Natural England’s [consultation on Local Landscape Designations](#) closes.

September 11 – Applications for the [Planning Skills Delivery Fund](#) close.

September 19 – DLUHC’s consultation on [Operational reforms to the Nationally Significant Infrastructure Project \(NSIP\) Consenting Process](#) closes.



Historic England

September 20 – DEFRA’s [consultation on Protecting Hedgerows](#) closes.

September 25 – DLUHC’s [consultation on Permitted Development Rights](#) (including a DEFRA call for evidence on nature-based solutions, farm efficiency projects and diversification) closes.

October

October 6 - The [Freight and logistics and the Planning System: Call for Evidence](#) closes.

October 18 – DLUHC’s [consultation on Plan-making Reforms](#) closes.

Planning Bulletin Notifications

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Appendix I: Progress of Legislation to Date

This appendix contains background information on emerging legislation that has the potential to influence the management and protection of the historic environment. The latest progress for any bills is reported in the main 'Emerging Legislation' section of the newsletter above.

Government Bills

Levelling Up and Regeneration Bill

- The [Levelling Up and Regeneration Bill \(LURB\)](#) makes provisions for a wide range of matters, including aspects of planning, local democracy and devolution, and levelling up measures. Amongst other things, LURB makes provision for:
 - National development management policies, which will sit alongside local development plan policies.
 - A replacement for the Community Infrastructure Levy.
 - Environmental Outcome Reports to replace Environmental Impact Assessments/ Strategic Environmental Assessment.
 - Changes to compulsory purchase and enforcement powers.
 - Powers in relation to planning data.
 - A requirement for local authorities to have design codes for their area.
- The LURB contains five key clauses relating to the historic environment:
 - The duty to have special regard to the preservation or enhancement of heritage assets, and their settings, will apply to a wider range of designated heritage assets (Clause 95, previously 92);
 - It introduces Temporary Stop Notices for listed building works, increasing enforcement powers (Clause 96, previously 93);
 - New powers to enable Urgent Works Notices to be served on occupied buildings and any costs to be entered as a land charge (Clause 97, previously 94);
 - It removes the requirement for local authorities to provide compensation when they serve a Building Preservation Notice on a historic building under threat of damage whilst it is considered for listing (Clause 98, previously 95);



- A statutory underpinning for Historic Environment Records, to facilitate a strong evidence base for the new planning system (Clause 212, previously 185).
- A series of [publications related to the LURB](#) are available. These include a Policy Paper, explanatory notes and research briefings.
- The LURB has passed through the House of Commons and is making its way through the House of Lords.

The Energy Bill

- [The Energy Bill](#) was introduced to increase resilience and reliability of energy systems across the UK, support the delivery of the UK's climate change commitments, and reform the UK's energy system while minimising costs to consumers and protecting them from unfair pricing. The Energy Bill has three key drivers:
 - Leveraging investment in clean technologies.
 - Reforming the UK's energy system and protecting consumers.
 - Maintaining the safety, security and resilience of the energy systems across the UK.
- [Briefings for the Energy Bill](#) were published on 14 July and 9 December 2022.
- Introduced in the House of Lords on 6 July 2022, it completed its passage through that House on 24 April and immediately passed to the Commons where following its second reading on 9 May, it was sent to a Public Bill Committee.

High Speed Rail (Crewe to Manchester) Bill

- The [High Speed Rail \(Crewe to Manchester\) Bill](#) has been introduced to make provision for a railway between a junction with Phase 2a of High Speed 2 south of Crewe in Cheshire and Manchester Piccadilly Station; for a railway between Hoo Green in Cheshire; and a junction with the West Coast Main Line at Bamfurlong, south of Wigan.
- The Bill received its first reading in the House of Commons on 11 May. On 16 June a High-Speed Rail (Crewe to Manchester) Bill Research Briefing was published to inform the Bill's Second reading on 20 June 2022. Following its second reading, a petitioning period was started. This allowed individuals, groups and organisations 'directly and specially' affected by the Bill to submit a petition against the Bill.
- Between 6 July and 1 September 2022, the Supplementary Environmental Statement 1 (SES1) and the Additional Provision 1 Environmental Statement (AP1 ES) for the proposed High Speed Two (HS2) railway between Crewe and Manchester was open to public consultation. The findings of the HS2 Environmental Statement consultation were reported on 26 October 2022. It includes comments on the value of a historic canal corridor and potential effects to it.



- On 13 December 2022, the House of Commons agreed a motion to appoint Members to the [High-Speed Rail \(Crewe to Manchester\) Bill Select Committee](#) who will commence work considering petitions against the Bill. A date for the Committee stage has yet to be announced.

Private Member's Bills

Green Belt (Protection) Bill

- The [Green Belt \(Protection\) Bill \(GBP\)](#) seeks to establish a national register of Green Belt land in England. The Bill would also restrict the ability of local authorities to de-designate Green Belt land and make provision about future development of de-designated Green Belt land.
- The GBP is currently passing through the House of Commons, where it was introduced in the 2021-2022 session of Parliament.

Private Burial Grounds and Cemeteries Bill

- The [Private Burial Grounds and Cemeteries Bill](#) aims to make provision for the regulation of private burial grounds and cemeteries. It was introduced to the House of Lords on 15 June 2022. The Second reading (i.e. general debate on all aspects of the Bill) is yet to be scheduled.

Ecology Bill

- The [Ecology Bill](#) (previously the [Climate and Ecology Bill](#)) was introduced through the House of Lords in the 2021-22 parliamentary session. The Bill would impose a duty on the Government to achieve defined nature targets, to halt and reverse the UK's overall contribution to the degradation and loss of nature. A [Library Briefing for the Climate and Ecology Bill](#) was published by the House of Lords Library on 11 July 2022. The Bill underwent Committee Stage in November 2022, and Report Stage in January this year; no changes were made.
- The [Ecology Bill](#) had its third reading in the House of Lords on 21 April. The Bill passed (with the removal of clause 3: Financial Provisions) and was sent to the House of Commons, where it had its first reading on 24 April. The Bill's second reading is scheduled for 24 November.

Carbon Emissions (Buildings) Bill

- The [Carbon Emissions Bill \(CEB\)](#) proposes that the whole-life carbon emissions of buildings be reported with a buildings application and that limits are set on embodied carbon emissions in the construction of buildings.



- The CEB was introduced in the House of Commons in February 2022 and had its second reading on 25 November 2022. It was scheduled to be debated again on 24 February, but this has been delayed.

Private Bills

Bishop's Stortford Cemetery Bill

- The [Bishop's Stortford Cemetery Bill](#) aims to confer powers upon Bishop's Stortford Town Council to extinguish rights of burial, and allow the disturbance of human remains in Bishop Stortford's New Cemetery and Old Cemetery in order to increase space for interments. The Bill, which includes explanatory notes at its start, was introduced to the House of Lords on 23 January.
- From 24 January to 6 February the Bill was open to petition by those "specially and directly affected" by it. The Bill had its second reading in the House of Lords on 28 February and has proceeded to an Opposed Bill Committee (Select Committee) to consider the petition against it.



Appendix II: 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: 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 \(February 2018\)](#)



Historic England

- [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: Energy Efficiency and Traditional Homes \(June 2020\)](#)
- [HEAN 15: Commercial Renewable Energy Development and the Historic Environment \(February 2021\)](#)
- [HEAN 16: Listed Building Consent \(June 2021\)](#)
- [HEAN 17: Planning and Archaeology \(November 2022\)](#)