



# Planning Bulletin March 2024

This monthly note highlights some of the recent and forthcoming developments in the world of planning, from a heritage perspective. Please note that this is not necessarily a complete review of matters and is not intended to provide any legal advice on the issues raised. Unless otherwise stated, it does not comprise the formal position of Historic England on these matters.

## Legislation and Matters Arising

### Emerging Legislation

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

##### High Speed Rail (Crewe to Manchester) Bill

- The [High Speed Rail \(Crewe to Manchester\) Bill](#) is currently awaiting a date for Committee Stage. On 25 March, the Government [indicated that it intends to seek permission from Parliament to adapt the Bill deliver Northern Powerhouse Rail only and remove HS2 from the scope](#). This follows the [Government's announcement that it will not to deliver the Birmingham to Manchester section of HS2](#).

##### Holocaust Memorial Bill

- The [Holocaust Memorial Bill](#) is currently awaiting a date for Committee Stage.
- On 11 January, the [Holocaust Memorial Bill Select Committee](#) announced a [programme of public hearings](#) to consider petitions against the Bill. To date, there have been two oral evidence sessions with the most recent on 6 February. [Transcripts of the Holocaust Memorial Bill petition hearings](#) held to date have been published online.

##### The Offshore Petroleum Licensing Bill

- The [Offshore Petroleum Licensing Bill](#) Second Reading took place on 26 March in the Lords and Committee Stage is due 23 April.

##### The Rail Reform Bill

- [The Draft Rail Reform Bill](#) was published by the Government on 20 February for pre-legislative scrutiny.



## Private Members' Bills

### Heritage Trees Bill

- A date for the Second Reading of the [Heritage Trees Bill](#) is awaited.

### High Street (Designation, Review and Improvement Plan) Bill

- The [High Street \(Designation, Review and Improvement Plan\) Bill](#) passed Committee Stage on 13 March. The Report Stage is due to take place on 26 April.

## Secondary legislation

### Levelling-Up and Regeneration Act Regulations

- On 18 March, [The Levelling-up and Regeneration Act 2023 \(Commencement No. 3 and Transitional and Savings Provision\) Regulations 2024](#) were made. These are the third commencement regulations under the [Levelling-up and Regeneration Act 2023](#). Regulation 2 brings various provisions of the Act into force on 31 March. These include provisions relating to planning data. Regulation 3 brings other provisions into force on 30 April. These relate to requirements to publish documents and notices issued as part of the Compulsory Purchase Order process online. The two previous commencement regulations are:
  - [The Elections Act 2022 \(Commencement No. 11, Transitional Provisions and Specified Day\) and Levelling-up and Regeneration Act 2023 \(Commencement No. 1\) Regulations 2023](#) (made on 18 December 2023).
  - [The Levelling-up and Regeneration Act 2023 \(Commencement No. 2 and Transitional Provisions\) Regulations 2024](#) (made on 25 January).

### Infrastructure Planning Regulations

- On 8 March, three statutory instruments were laid before parliament relating to the Nationally Significant Infrastructure Projects (NSIP) regime.
  - [The Infrastructure Planning \(Examination Procedure\) \(Amendment\) Rules 2024](#)
  - [The Infrastructure Planning \(Miscellaneous Provisions\) Regulations 2024](#)
  - [The Infrastructure Planning \(Fees\) \(Amendment\) Regulations 2024](#)
- The changes include alterations to the examination procedure and changes to the statutory consultee list (including removing a number of organisations). These come into force on 30 April.



- The final set of regulations introduces fees for pre-application advice and allows eight public bodies (including Historic England) to charge for relevant services. These regulations come into force on 1 April. The government has published accompanying [Infrastructure Planning \(Fees\) Regulations Guidance](#).

## Committees

### Built Environment Committee

- The [Built Environment Committee](#) has three inquiries open, including:
  - The [High Street in Towns and Small Cities Inquiry](#) looking at how high streets can be regenerated and become more resilient and attractive. The Inquiry opened on 14 February. There have been five oral evidence sessions to date, the most recent on 26 March. All [evidence submitted to the High Streets in towns and small cities Inquiry](#) is available online.

### Energy Security and Net Zero Committee

- The [Energy Security and Net Zero Committee](#) has eight inquiries open, including:
  - The [Flexible Grid for the Future Inquiry](#) looking at how the grid develops including in terms of planning and devolution of decision-making. There have been four oral evidence sessions to date, the most recent on 20 March. [Transcripts from the oral evidence sessions](#) are available online, along with the written evidence statements.
  - The [Heating our Homes Inquiry](#) looking at the challenges to heating homes including issues of energy efficiency (including insulation), heat pumps and other technologies that might replace gas boilers, new build/renovated houses heat standards, and the infrastructure and workforce problems surrounding delivery of retrofit. There have been four oral evidence sessions to date. Historic England gave evidence at the session held on 10 January. All [evidence submitted to the Heating our Homes Inquiry](#) is available online, including [written evidence submitted by Historic England](#).

### Environment, Food and Rural Affairs Committee

- The [Environment, Food and Rural Affairs Committee](#) has seven inquiries open, including:
  - An [Inquiry into Urban Green Spaces](#) exploring the ecological, environmental and other benefits of green space. To date, two oral evidence sessions have been held with the most recent on 30 January. [Transcripts from the oral sessions](#) are available online, along with the written evidence statements. The [written evidence submitted by Historic England](#) is also available online.

## Environmental Audit Committee

- The [Environmental Audit Committee](#) currently has eleven inquiries open, including:
  - An inquiry into [the Role of Natural Capital in the Green Economy](#). To date, three oral evidence sessions have been with the most recent on 20 March. All [evidence submitted to the Role of Natural Capital in the Green Economy Inquiry](#), which includes a [submission by Historic England](#), is available online.
  - An inquiry into [Heat Resilience and Sustainable Cooling](#). On 31 January, the [Fifth Report – Heat Resilience and Sustainable Cooling](#) was published. All [evidence submitted to the Heat Resilience and Sustainable Cooling Inquiry](#), which includes a [submission by Historic England](#), is available online.
  - An inquiry into [Climate Change and Security](#). A [call for evidence](#) has been published. Evidence must be submitted by 29 April.

## Levelling Up, Housing and Communities Committee

- The [Levelling Up, Housing and Communities Committee](#) (LUHCC) currently has seven inquiries open, including:
  - An [inquiry into Children, Young People and the Built Environment](#). The inquiry is looking at how better planning, building and urban design in England could enhance the health and well-being of children and young people, while also benefitting the wider population. To date, there have been three oral sessions with the most recent on 25 March. All [evidence submitted to the inquiry into Children, Young People and the Built Environment](#), which includes a [submission by Historic England](#), is available online.

## Public Accounts Committee

- The [Public Accounts Committee](#) (PAC) currently has 51 inquiries open, including:
  - The [Flood Defences Inquiry](#), which is looking into current risk management arrangements; flood protection achievements between 2015 and 2021; and the government's preparedness to manage and reduce flood risk in the future. All [evidence submitted to the Flood Defences Inquiry](#) is available online. On 27 January, the Committee published the [Resilience to Flooding Report](#). A government response was due by 17 March.
  - The [HS2 Euston: Recall Inquiry](#), which is looking into progress on the project since April 2023. On February 7, the Committee published the [Tenth Report of Session 2023-2024](#). All [evidence submitted to the HS2 Euston Inquiry](#) is available online.



- The [Restoration and Renewal Recall Inquiry](#), which is looking into progress on the restoration of the Palace of Westminster, a World Heritage Site. All [evidence submitted to the Restoration and Renewal Inquiry](#) is available online.
- The [Levelling Up Funding to Local Government Inquiry](#), which is looking at the progress of levelling up projects to date, DLUHC's plans for evaluating levelling up funds, and what action DLUHC is taking to tackle delays and support local delivery. The first oral evidence session was held on 15 January. All [evidence submitted to the Levelling Up Funding to Local Government Inquiry](#) is available online.
- The [Government Resilience: Extreme Weather Inquiry](#), which is looking at the risks from extreme weather, the development of resilience to it and the rate of climate adaptation. The first oral evidence session took place on 21 February. All [evidence submitted to the Government Resilience: Extreme Weather Inquiry](#) is available online.
- The [Decarbonising Home Heating Inquiry](#), which is looking at how government intends to deliver emission reductions in home heating. Evidence must be submitted by 10 April.

## Government Planning Letters

### Letters to Chief Planning Officers

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

### Planning Newsletter: 29 February 2024

- The [February Planning Newsletter](#) included:
  - Signposts to the [consultation on changes to various permitted development rights](#) (PDR) (see the Current Government Consultation section below for details).
  - Details of a [change to the existing permitted development right relating to the change of use of commercial, business and service uses \(Class E\) to dwellinghouses \(Class C3\)](#) that removes the 1,500 sqm maximum floorspace limit and the three-month vacancy requirement, and came into force on 5 March.
  - A summary of future measures on short term lets, including the introduction of a new planning use class for short term lets (Class C5) and associated PDRs, a mandatory national register for short term lets, along with clarification that homeowners will be able to let out their main home for 90 days without the needing planning permission. The changes will be introduced through secondary legislation from the summer.
  - A signpost for councils interested in taking part in the second cohort of the [Pathways to Planning Graduate Scheme](#).



- An update on Environmental Outcome Reports (EORs), reiterating the Government's commitment to EORs and notifying that the response to the public consultation on EORs that closed in June 2023 will be published shortly.
- A summary of the [first tranche of Compulsory Purchase Reforms](#) that came into force on 31 January.
- Signposts to the [National Highways Planning Guide](#), [Active Travel England's Design Assistance](#) and [Scheme Review Tools](#), [new advice for Habitat Regulations considerations for grant funded slurry stores](#) and an Environment Agency research project on Environmental Equity and Urban Planning.
- Details on [DLUHC's funding for innovative digital planning services](#).

## 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).

### Forthcoming Historic England Advice

#### Climate Change and Historic Building Adaptation

- The draft Historic England Advice Note on Climate Change and Historic Building Adaptation is now pending revision in light of consultation feedback.

#### Managing Change to World Heritage Sites in England

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

## Infrastructure Planning

### Revised National Networks National Policy Statement

- On 6 March, the [revised National Networks National Policy Statement](#) (NNNPS) was laid before Parliament. The NNNPS provides guidance for nationally significant road, rail and strategic rail freight interchange projects. The review was undertaken to ensure the NNNPS remains fit-for-purpose and reflects the government's environmental commitments, including those on net zero that were made since the designation of the existing NNNPS in 2014. Parliament has 21 sitting days to debate the revised NNNPS after

which it will come into force subject to Parliamentary approval and formal designation by government. The [existing NNNPS](#) remains in forces until the revised version has been designated.

## Review of National Infrastructure Projects

- On 7 March, the Government announced an [independent review on national infrastructure](#). The review will explore speeding up the delivery of major infrastructure projects and will be led by Lord Banner (KC). The review will consider whether Nationally Significant Infrastructure Projects (NSIPs) are unduly held up by inappropriate legal challenges and, if so, it will assess the main reasons for this and what solutions can be put in place. The review is expected to take three months and will result in a written report with recommendations.

## Find a National Infrastructure Project

- On 26 March, The Planning Inspectorate launched the [Find a National Infrastructure Project](#), which is a new online resource for national infrastructure planning. The service allows people to; submit representations and register to become an interested party in the examination, search and access documents related to each project and view submissions from other participants.

## Training

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

## Other Items

### The Budget

- On 6 March, the Chancellor Jeremy Hunt delivered the [Spring Budget](#). Planning and heritage related measures not covered elsewhere in this month's bulletin include:
  - £3 million to match industry-led funding for a skills and education programme to attract more people to take up roles as local planners in planning authorities.
  - £6 million to pilot how community led regeneration projects anchored around heritage assets and sustainability considerations can complement the government's wider place-based initiatives for levelling up (with the King's Foundation).
  - £15 million of funding for the West Midlands Combined Authority to support culture, heritage and investment projects in the region.



- A new pilot using Artificial Intelligence to help speed up development of local plans and streamline key processes for planning officers.

### UNESCO Convention: Intangible Cultural Heritage

- On 7 March, [Lord Parkinson gave a speech to members of the heritage sector at the annual Heritage Day](#). The speech confirmed that the government intend to ratify the [Convention on Safeguarding Intangible Cultural Heritage](#) next month. This follows a recent government [consultation on the initial implementation stage of the Convention on the Safeguarding of the Intangible Cultural Heritage](#) that closed on 29 February. See the Consultation section below for a link to Historic England's response.

### London Plan: Review of Industrial Land and Opportunity Areas

- On 18 March, the Secretary of State for Levelling Up, Housing and Communities wrote a [Letter to the Mayor of London](#) directing him to undertake a review of Industrial Land and Opportunity Areas policies in the London Plan. The letter states the review should conclude by 30 September 2024. The letter also sets out £500,000 worth of specialist planning support for the London Boroughs of Greenwich and Newham to accelerate housing delivery.

### Local Nutrient Mitigation Fund

- On 6 March, [Round 2 of the Local Nutrient Mitigation Fund](#) opened. The government provides direct grant funding to LPAs to deliver locally-led mitigation schemes to address the issue of nutrient pollution and support housing delivery in affected areas.

### Planning Performance Designations

- On 6 March, the Minister of State for Housing, Planning and Building Safety, Lee Rowley, designated [St Albans City and District Council](#) and [Bristol City Council](#) for the speed of decision making in determining non-major planning applications, having considered data over a two year period.

## Current Government Consultations

### Changes to Various Permitted Development Rights

- On 13 February, DLUHC opened a [consultation on changes to various permitted development rights \(PDRs\)](#). The consultation closes on 9 April. The consultation seeks views on:
  - Changes to PDRs which enable householders to improve and enlarge their homes.



- Changes PDRs which enable the upward extension of a range of existing buildings.
- Changes to the PDR which allows for the demolition of certain buildings and rebuild as homes.
- Changes to the PDRs which enable the installation of electrical outlets and upstands for recharging electric vehicles.
- Changes to the PDR for the installation of air source heat pumps.

### **An Accelerated Planning System**

- On 6 March, DLUHC opened a [consultation on an accelerated planning system](#). The consultation runs for eight weeks and closes on 1 May. The consultation seeks views on:
  - A new Accelerated Planning Service for major commercial applications with a 10 week timescale and fee refunds if this is not met.
  - An end to the use of extension of time agreements for householder applications.
  - Allowing only one extension of time for other developments, which links to a proposed new performance measure for LPA speed of decision-making against statutory time limits.
  - An expansion of the current simplified written representations appeals process for householder and minor commercial appeals to more appeals.
  - Implementing section 73B for applications to vary planning permissions and the treatment of overlapping permissions.

### **Government Consultation Responses**

#### **Protecting Hedgerows in England**

- On 4 March, the [Government's response to Protecting Hedgerows in England](#) was published. The consultation sought views on the government's proposals to replicate the hedgerow management rules in the EU's cross compliance framework into domestic legislation. The Government's response explains their intention is to replicate the requirements from cross compliance but with 'a simpler, fairer and more proportionate approach to enforcement'. New legislation will be brought forward as soon as Parliamentary time allows. There will be further consultation on the proposed enforcement measures. [Historic England's response to the consultation on protecting hedgerows](#) is available on our website.



## Operational Reforms to the Nationally Significant Infrastructure Projects Consenting Process

- On 6 March, the [Government's response to Operational reforms to the Nationally Significant Infrastructure Projects consenting process](#) was published. The response sets out several measures they intend to take forward. These include introducing a new fast-track route to consents for those able to meet a quality standard and improved pre-applications services and advice for all projects from the Planning Inspectorate. Other measures include allowing statutory consultees, including Historic England, to recover costs associated with the provision of relevant services on NSIP projects (see Secondary Legislation section above for more details). [Historic England's response to the Operational reforms to the Nationally Significant Infrastructure Project \(NSIP\) consenting process consultation](#) is available on our website.

## Permitted Development Rights: Supporting Temporary Recreational Campsites, Renewable Energy and Film-making

- On 11 March, the [Government's response to the consultation on permitted development rights: supporting temporary recreational campsites, renewable energy and film-making](#) was published. The original consultation closed on 25 April 2023. The Government made changes to the [General Permitted Development Order](#) to bring forward some of the measures set out in the consultation last year. These changes came forward on 5 July in relation to temporary recreational campsites, local authority led development and temporary film-making. Changes relating to PDRs for solar equipment were introduced on 30 November. The Government's response published this month sets out a summary of the responses received and the changes to permitted development rights the Government has made since. [Historic England's response to the Permitted Development Rights: Supporting Temporary Recreational Campsites, Renewable Energy and Film Making consultation](#) is available on our website.

## Draft Revised National Networks National Policy Statement

- On 14 March, the [Government's response to a Draft revised National Networks National Policy Statement](#) (NNNPS) was published. The document provides a summary of the responses received and the revisions subsequently made to the draft revised NNNPS. On 6 March, the Government also published a [response to the Transport Select Committee's Report on the draft revised NNNPS](#). The [revised National Networks National Policy Statement](#) was laid before Parliament on the same day (see Infrastructure Planning Section above).



## Historic England Consultation Responses

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

- [Historic England's response to Approach to Siting Nuclear Power Stations Beyond 2025.](#)
- [Historic England's response to the initial implementation of 2003 Convention for the Safeguarding of the Intangible Cultural Heritage.](#)
- [Historic England's response to the Revised National Policy Statement for Ports Appraisal of Sustainability \(AoS\) Draft Scoping Report.](#)
- [Historic England's response to Strengthening Planning Policy for Brownfield Development.](#)

## Calendar

### April 2024

April 9 – DLUHC's [consultation on Changes to various permitted development rights](#) closes.

### May 2024

May 1 – DLUHC's [consultation on An accelerated planning system](#) closes

## Planning Bulletin Notifications

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

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



# Appendix I: Progress of Emerging Legislation

## Government Bills

### High Speed Rail (Crewe to Manchester) Bill

- The [High Speed Rail \(Crewe to Manchester\) Bill](#) is a hybrid bill authorising the building of HS2 between Crewe and Manchester. Following the [Government's announcement that it will not to deliver the Birmingham to Manchester section of HS2](#), covered by the Bill, the Government is seeking the permission of Parliament to adapt the Bill to deliver [Northern Powerhouse Rail](#).

### Holocaust Memorial Bill

- The [Holocaust Memorial Bill](#) aims to facilitate the building of the Holocaust Memorial next to the Houses of Parliament by enabling the Secretary of State to remove restrictions that prevent the construction of new buildings in Victoria Tower Gardens, Westminster. Since the 'carry-over motion' was agreed by Commons and Lords, the Bill has had its first and second reading in the Commons, and Committee stage is yet to be announced.

### The Offshore Petroleum Licensing Bill

- The [Offshore Petroleum Licensing Bill](#) will require the North Sea Transition Authority to invite applications for licences annually rather than the current discretionary basis. The Second Reading in the Lords took place on 26 March.

### The Rail Reform Bill

- The [Draft Rail Reform Bill](#) will make the necessary legislative changes to bring about reform of the rail sector, revising the role and functions of the Secretary of State and enabling the new Integrated Rail Body to be established. This delivers key element of the rail reform envisaged by the [Plan for Rail](#). The Bill was published for pre-legislative scrutiny on 20 February.

## Private Members' Bills

### Heritage Trees Bill

- On 5 December, Baroness Young of Old Scone introduced the [Heritage Trees Bill](#) in the House of Lords. The Bill seeks to enable Natural England to create and maintain a register of 'heritage trees' and to promote and protect trees on the list. A date for the Second Reading of the Bill is awaited.



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## High Street (Designation, Review and Improvement Plan) Bill

- The [High Street \(Designation, Review and Improvement Plan\) Bill](#) will require local authorities to designate high streets in their area and develop action plans to improve them. The Bill passed Committee Stage on 13 March. The Report Stage is due to take place on 26 April.



## 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 planning policy and guidance can be applied. They are the result of collaborative working with the heritage and property sectors in the [Historic Environment Forum](#), and have been prepared following public consultation:

- [GPA1: The Historic Environment in Local Plans \(March 2015\)](#)
- [GPA2: Managing Significance in Decision-Taking in the Historic Environment \(March 2015\)](#)
- [GPA3: The Setting of Heritage Assets \(December 2017\)](#)
- [GPA4: Enabling Development and Heritage Assets \(June 2020\)](#)

### Historic England Advice Notes (HEANs)

The HEANs include detailed, practical advice on how to implement national planning policy and guidance. They have been prepared by Historic England following public consultation:

- [HEAN 1: Conservation Areas: Designation, Appraisal and Review \(Second Edition\) \(February 2019\)](#)
- [HEAN 2: Making Changes to Heritage Assets \(February 2016\)](#)
- [HEAN 3: The Historic Environment and Site Allocations in Local Plans \(October 2015\)](#)
- [HEAN 4: Tall Buildings \(Second Edition\) \(March 2022\)](#)
- [HEAN 5: Setting up a Listed Building Heritage Partnership Agreement \(November 2015\)](#)
- [HEAN 6: Drawing up a Local Listed Building Consent Order \(November 2015\)](#)
- [HEAN 7: Local Heritage Listing \(Second edition\) \(January 2021\)](#)
- [HEAN 8: Sustainability Appraisal and Strategic Environmental Assessment \(December 2016\)](#)
- [HEAN 9: The Adaptive Reuse of Traditional Farm Buildings \(October 2017\)](#)
- [HEAN 10: Listed Buildings and Curtilage \(February 2018\)](#)



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- [HEAN 11: Neighbourhood Planning and the Historic Environment \(Second Edition\) \(April 2022\)](#)
- [HEAN 12: Statements of Heritage Significance \(October 2019\)](#)
- [HEAN 13: Minerals Extraction and Archaeology \(January 2020\)](#)
- [HEAN 14: 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 \(November 2022\)](#)