



Planning Bulletin: September 2022

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.

Previous editions of Planning Bulletin (back to September 2017) are available [on-line](#).

Contents

- Jobs
- Government Departments
 - *Prime Minister's Office, 10 Downing Street*
 - *Cabinet Office*
 - *Department for Digital, Culture, Media and Sport*
 - *Department for Levelling Up, Housing and Communities*
 - *Department for Business, Energy and Industrial Strategy*
 - *Department for Environment, Food and Rural Affairs*
 - *Department for Transport*
 - *HM Treasury*
- Legislation and Matters Arising
 - *Emerging Legislation*
 - *Heritage Planning Case Database*
- Committees
 - *Land Use in England Committee*
 - *Levelling Up, Housing and Communities Committee*
 - *Digital, Culture, Media and Sport Committee*
- Guidance
 - *UNESCO Guidance and Toolkit for Impact Assessments in a World Heritage Context*
- DLUHC Planning Newsletter
- Advice
 - *Historic England Advice*
 - *Forthcoming Historic England Advice*
- Training
 - *Historic England*
- Other Initiatives
- Current Consultations
- Recent Consultation Responses
- Calendar

- Appendix I: Historic England Planning Advice

Jobs

Vacancy of Senior Policy Adviser National Planning

Historic England is currently recruiting for a Senior Policy Adviser- National Planning within the National Strategy team. The deadline for applications is 8 October. More details can be found [here](#).

Government Departments

Prime Minister's Office, 10 Downing Street

- The Queen appointed [The Rt Hon Elizabeth Truss MP](#) (South West Norfolk) as Prime Minister, First Lord of the Treasury, Minister for the Civil Service, and Minister for the Union on 6 September. The Prime Minister then gave a [statement](#) on the steps of Downing Street. This followed the Queen accepting [the Rt Hon Boris Johnson's \(Uxbridge and South Ruislip\)](#) resignation.
- [The Rt Hon Thérèse Coffey MP](#) (Suffolk Coastal) was appointed Secretary of State for Health and Social Care, and Deputy Prime Minister, on 6 September.

Cabinet Office

- [The Rt Hon Nadim Zahawi MP](#) (Stratford-on-Avon) was appointed Chancellor of the Duchy of Lancaster, Minister for Intergovernmental Relations and Minister for Equalities on 6 September. Also, on 6 September [the Rt Hon Penny Mordaunt MP](#) (Portsmouth North) was appointed Lord President of the Council, and Leader of the House of Commons.
- [Brendan Clarke-Smith MP](#) (Bassetlaw) was appointed as Parliamentary Secretary on 8 September.
- [Baroness Neville-Rolfe DBE](#) was appointed Parliamentary Under Secretary of State on 20 September. Also on 20 September, [Katherine Fletcher MP](#) (South Ribble) was appointed as a Parliamentary Under Secretary of State in the Department for Transport and a Parliamentary Secretary (Minister for Women) in the Cabinet Office.

Department for Digital, Culture, Media and Sport

- [The Rt Hon Michelle Donelan MP](#) (Chippenham) took office as Secretary of State for Digital, Culture, Media and Sport, on 6 September.
- [Julia Lopez MP](#) (Hornchurch and Upminster) was appointed Minister of State, on 7 September.
- [Lord Kamall](#) (Minister for Civil Society, Heritage, Tourism and Growth) and [the Rt Hon Stuart Andrew MP](#) (Pudsey, Horsforth and Aireborough) were both appointed as Parliamentary Under Secretaries of State, on 20 September.

Department for Levelling Up, Housing and Communities

- [The Rt Hon Simon Clarke MP](#) (Middlesbrough South and East Cleveland) was appointed Secretary of State for Levelling Up, Housing and Communities on 6 September.

- Dehenna Davison MP (Bishop Auckland) and Lee Rowley MP (North East Derbyshire) were appointed as Parliamentary Under Secretaries of State on 7 September. Lee Rowley MP was also appointed as Planning and Housing Minister.
- Baroness Scott of Bybrook OBE and the Rt Hon Andrew Stephenson MP (Pendle) were appointed Parliamentary Under Secretaries of State on 20 September.

Department for Business, Energy and Industrial Strategy

- The Rt Hon Jacob Rees-Mogg MP (North East Somerset) was appointed Secretary of State for Business, Energy and Industrial Strategy, on 6 September. Also, on 6 September Graham Stuart MP (Beverley and Holderness) was appointed Minister of State (Minister for Climate).
- Jackie Doyle-Price MP (Thurrock) and Nusrat Ghani MP (Wealden) were both appointed Ministers of State, on 7 September.
- Dean Russell MP (Watford) was appointed as a Parliamentary Under Secretary of State, on 20 September.

Department for Environment, Food and Rural Affairs

- Ranil Jayawardena MP (North East Hampshire) was appointed Secretary of State for Environment, Food and Rural Affairs, on 6 September.
- The Rt Hon Mark Spencer MP (Sherwood) was appointed as Minister of State and Trudy Harrison MP (Copeland) was appointed as a Parliamentary Under Secretary of State, on 7 September.
- Scott Mann MP (North Cornwall) was appointed as a Parliamentary Under Secretary of State, on 20 September.

Department for Transport

- The Rt Hon Anne-Marie Trevelyan MP (Berwick-upon-Tweed) was appointed Secretary of State for Transport, on 6 September.
- Kevin Foster MP (Torbay) and The Rt Hon Lucy Frazer KC MP (South East Cambridgeshire) were both appointed as Ministers of State, on 7 September.

HM Treasury

- The Rt Hon Kwasi Kwarteng MP (Spelthorne) was appointed Chancellor of the Exchequer, on 6 September. Also on 6 September, Chris Philp MP (Croydon South) was appointed as Chief Secretary to the Treasury.

Legislation and Matters Arising

Emerging Legislation

Government Bills

- *Levelling Up and Regeneration Bill*: The Bill makes provisions for a wide range of matters, including aspects of planning, local democracy and devolution, and levelling up measures. Amongst other things the Bill makes provision for:
 - national development management policies to sit alongside local development plan policies;
 - a replacement for the Community Infrastructure Levy;

- Environmental Outcome Reports to replace Environmental Impact Assessments;
 - 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 Bill contains five clauses relating to the historic environment:
 - a 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 92);
 - enforcement powers introducing Temporary Stop Notices for listed building works, aligning them with general planning enforcement powers. (Clause 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 94);
 - removal of compensation for local authorities when they serve a Building Preservation Notice on a historic building under threat of damage whilst it is considered for listing. (Clause 95);
 - a statutory underpinning for Historic Environment Records, enabling them to be a strong evidence base for the new planning system. (Clause 185).
 - The Bill was accompanied by an Explanatory Note and a Policy Paper giving further information on its contents and future consultations on aspects of the Bill. The Bill had its second reading in the House of Commons on 8 June and proceeded to Committee stage sitting on 21, 22, 23, 28 and 30 June, 5, 7, 12, 14 and 19 July, and 6 and 8 September. Committee will sit again on 13 October.
 - On 30 August DLUHC announced that amendments would be made to the Bill to introduce powers which will enable Nationally Significant Infrastructure Projects (NSIPs) to be determined faster. The amendments also propose powers which would allow smaller changes to NSIPs that already have approval to be made more quickly. As part of the announcement, funding of £750,000 has been awarded to ten council-led projects to support innovation in community engagement on infrastructure projects. The announcement included publication of a policy statement, Improving Performance of the NSIP Planning Process and Supporting Local Authorities, which will be subject to a future consultation. A full Action-Plan is also due to be published.
 - A Research Briefing on the *Levelling Up and Regeneration Bill 2022-23*, was also published as part of the House of Commons Library on 1 June.
 - UK Infrastructure Bank Bill 2022-23: The Bill has been introduced in the House of Lords to give statute to the UK Infrastructure Bank. Its purposes are to contribute to addressing climate change and to support regional and local economic growth through investment in infrastructure. The Bill received its first reading in the House of Lords on 11 May, and its second reading on 24 May. The Bill reached Reporting stage on 4 July, had its Third reading in the House of Lords on 11 July and has now passed to the House of Commons having its First reading on 11 July, a date for the Second reading is awaited. A Research Briefing was published by the House of Lords Library on 19 May.
 - High Speed Rail (Crewe-Manchester) Bill: This legislation 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 has been carried over from the previous session of Parliament and received its first reading in the current Session of Parliament on 11 May. The Bill received its second reading on 20 June in the House of Commons and has now passed to Committee stage, a date for sitting has yet to be announced. A Research Briefing was published by the House of Commons Library on 16 June.
- Energy Bill: The Bill has been introduced through the House of Lords. The aim of the Bill is 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 Bill has three key pillars:
 - 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.
- The Bill had its First Reading in the House of Lords on 6 July, its Second reading on 19 July and is now at Committee Stage. Committee sat on 5 and 7 September. A Library Briefing for the Energy Bill was published by the House of Lords Library on 14 July.

Private Member's Bills

- Carbon Emissions (Buildings) Bill: This Private Member Bill has been introduced with proposals to require the whole-life carbon emissions of buildings to be reported; to set limits on embodied carbon emissions in the construction of buildings; and for connected purposes. The Bill had its first reading in the House of Commons on 2 February in the previous session of Parliament and had its first reading in this current session on 20 June, the second reading is due on 25 November.
- Green Belt (Protection) Bill: This Private Member Bill seeks to establish a national register of Green Belt land in England, to restrict the ability of local authorities to de-designate Green Belt land and to make provision about future development of de-designated Green Belt land. The Bill had been introduced in the previous session of Parliament but had not progressed beyond the first reading and was reintroduced in the current 2022-2023 session in the House of Commons on 20 June 2022. A date for the second reading of the Bill is awaited.
- Climate and Ecology Bill: The Bill was introduced through the House of Lords. The Bill would impose a duty on the government to achieve defined climate and nature targets. This would also include introducing a strategy for reducing the UK's overall contribution to global greenhouse gas emissions to net zero. The bill would also impose a similar requirement on targets designed to halt and reverse the UK's overall contribution to the degradation and loss of nature. The Bill had its First reading in the House of Lords on 25 May, its Second reading on 15 July and has now passed to Committee Stage for which a date is awaited. A Library Briefing for the Climate and Ecology Bill was published by the House of Lords Library on 11 July.
- Local Authority (Housing Allocation) Bill: The Bill has been introduced through the House of Lords and is intended to make provision for local authorities to determine their short-term housing needs and housing allocation numbers; and for connected purposes. The Bill had its first reading in the House of Lords on 24 May, its second reading on 8 July and has now reached Committee Stage, a date for which is awaited.

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.

Committees

Land Use in England Committee

- The Committee is holding an Inquiry to consider [Land Use in England](#). To date a call for written evidence has been undertaken alongside oral evidence sessions. The Inquiry is looking into a range of issues including:
 - Current and potential demands on land use in England;
 - The impact of these demands on the environment and climate change;
 - The current systems for deciding land use and the effectiveness of these systems;
 - How the decision-making process surrounding land use can be improved.

Levelling Up, Housing and Communities Committee

- A formal meeting (oral evidence session) is planned for the [Levelling Up, Housing and Communities Committee](#) for 12 October, no details are available as yet. The Committee scrutinises the policy, administration and spending of the Department for Levelling Up, Housing and Communities and is comprised of MPs from across the House of Commons.

Digital, Culture, Media and Sport Committee

- The Committee is holding an Inquiry titled [Reimagining Where We Live: Cultural Placemaking and the Levelling Up Agenda](#), looking into the role that culture might play in delivering a government commitment to level up the country. As part of the Inquiry consideration will be given to funding for cultural initiatives and how well the current model ensures that distribution goes to areas that might be missing out.

Guidance

UNESCO Guidance and Toolkit for Impact Assessments in a World Heritage Context

- UNESCO and the Advisory Bodies to the World Heritage Committee have issued the *Guidance and Toolkit for Impact Assessments in a World Heritage Context*. The [guidance](#) is part of the UNESCO Resource Manual series, and has been prepared as a framework for assessing impacts from projects that could potentially affect World Heritage Sites.
- The new guidance incorporates and replaces ICOMOS' *Guidance on Impact Assessment for Cultural World Heritage Properties* (2011) and IUCN's *World Heritage Advice Note on Environmental Assessment* (2013). It now represents the most up-to-date reference on conducting and reviewing impact assessments for all World Heritage properties.

- The guidance explains how impact assessments can be used to protect the Outstanding Universal Value of World Heritage properties. The guidance covers the management of continuity and change to inform good decision-making and so support implementation of the 1972 World Heritage Convention, along with the Operational Guidelines.

DLUHC Planning Newsletter

Message from Chief Planner

- A Planning Newsletter was published on 2 September by the DLUHC Chief Planner. The letter covered the following topics:
 - Planning Practice Guidance update: Flood risk and coastal change
 - Planning Practice Guidance update: Healthy and safe communities
 - New user-centred services for planning applications are now live on council websites
 - Consultation on the Strategic Road Network
 - Planning Inspectorate launch recruitment campaign for new Chief Executive
 - Call for Participation: User Research and Planning

Advice

Historic England Advice

- Good Practice Advice notes (GPAs) and Historic England Advice Notes (HEANs) are all available on the Historic England [website](#), and are listed in Appendix I to this Bulletin for ease of reference.

Forthcoming Historic England Advice

- A consultation was held on the draft *Planning and Archaeology Historic England Advice Note* earlier in 2022. Responses have been reviewed and a final revised HEAN will be published shortly.
- A new HEAN on *Managing Change Affecting World Heritage Sites in England* is being drafted. Further updates will be provided in subsequent Planning Bulletins in advance of public consultation in the coming months.
- Drafting has begun on a new HEAN on *Climate Change and Historic Environment*. Consultation is expected later in the year.

Training

Historic England

- A new Historic Environment Management (HEM) e-learning programme is being prepared. This will include priority topics and will launch in 2023. In due course this will consist of new blended models of training to include online 'self-study' elements, live webinars and, hopefully, a return to small group courses and site visits.

- 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.
- There are two upcoming [Technical Tuesday webinars](#) being held during October, these will be presented by Historic England's Technical Conservation Team. These webinars are:
 - *Net Zero and the Decarbonisation of National Grid Distribution Network* to be held on 11 October 2022, register [here](#).
 - *Updates to the Building Regulations Approved Documents Part F and Part L* to be held on 25 October 2022, register [here](#).

Other Initiatives

Growth Plan 2022

- HM Treasury announced [The Growth Plan 2022](#), on September. In addition to the fiscal measures the Plan also set out a series of proposals which will impact on the planning system in England. Amongst other things, these included:
 - The creation of Investment Zones across the UK. These areas will be subject to a number of fiscal incentives as well as planning relaxations.
 - The introduction of a new *Planning and Infrastructure Bill* with the objective of speeding up the planning process for nationally significant infrastructure projects.
 - A non-exhaustive list of 138 infrastructure projects that will be prioritised for acceleration (at Annex B).
- *The Growth Plan 2022* was accompanied by a number of factsheets, including a [Factsheet on Investment Zones](#).
- It is expected that more detail on the proposals will be announced shortly.

Landscape Recovery Funding

- On 2 September the Environment Minister [announced](#) that funding bids have been successful for 22 projects as part of the Landscape Recovery scheme. The projects are intended to improve the rural landscape and reverse a decline in nature. Hands on assistance will also be available for the successful projects from Natural England and the Environment Agency.

New Interim Chief Executive of the Planning Inspectorate

- The Planning Inspectorate has [appointed](#) Navees Rahman as Interim Chief Executive. The Planning Inspectorate are looking to make a permanent appointment shortly.

Current Consultations

Net Zero Review: Call for evidence

- BEIS published an [open consultation](#) titled *Net Zero Review: Call for evidence* on 29 September.
- The consultation for four weeks runs from 29 September until 27 October. The main purpose of the consultation is to undertake an independent review of the government's

approach to delivering net zero ensuring that it is pro-business and pro-growth, including consideration of the current planning system.

- The consultation comprises of 30 open questions aimed at different target audiences including the public, local government, communities and other organisations delivering net zero locally and academia and innovators.

Recent Consultation Responses

Strategic Road Network and the Delivery of Sustainable Development

- Historic England responded to a consultation held by DfT on the updating of *Strategic Road Network and the Delivery of Sustainable Development (Circular 02/13)*. The consultation started on 21 July and closed on 15 September. Our response can be found here.

Calendar

October

- 8 Applications for post of Senior Policy Adviser (National Planning) at Historic England closes.
- 11 Historic England webinar - Net zero and the decarbonisation of National Grid distribution network.
- 25 Historic England webinar - Updates to the Building Regulations Approved Documents Part F and Part L.
- 27 BEIS open consultation on Net Zero Review: Call for evidence closes.

Historic England

Email: governmentadvice@historicengland.org.uk

30 September 2022

If you did not receive this edition of Planning Bulletin direct from Historic England, you may wish to sign up for notifications when a new edition is issued, by emailing 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 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: Site Allocations (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)*
 - *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)*