



Planning Bulletin: December 2019

This monthly note highlights some of the recent and forthcoming developments in the world of planning from a heritage perspective. For further information about any of the items, please follow the links provided or use the contact information on the last page. Please note that this is not necessarily a complete review of matters and is not intended to provide any legal advice on the issues raised. Unless otherwise stated, it does not comprise the formal position of Historic England on these matters.

Current and previous editions of Planning Bulletin (back to September 2017) are now available on-line [here](#).

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Government Departments

Following the formation of the new Government, senior post-holders have remained largely unchanged.

Department for Digital, Culture, Media and Sport

- Nicky Morgan has been reappointed as Secretary of State for Digital, Culture, Media and Sport.
- Helen Whately MP (Faversham and Mid Kent) has been reappointed as Parliamentary Under Secretary of State (Minister for Arts, Heritage and Tourism).

Department for Environment, Food and Rural Affairs

- Theresa Villiers MP (Chipping Barnet) has been reappointed as Secretary of State for Environment, Food and Rural Affairs.
- Zac Goldsmith has been reappointed as Minister of State at Defra and at the Department for International Development.
- Rebecca Pow MP (Taunton Deane) has been reappointed as Parliamentary Under Secretary of State.

Department for Transport

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

Ministry of Housing, Communities & Local Government

- Robert Jenrick MP (Newark) has been reappointed as Secretary of State for Housing, Communities and Local Government.
- Esther McVey MP (Tatton) has been reappointed as Minister of State.
- Luke Hall MP (Thornbury & Yate) has been reappointed as Parliamentary Under Secretary of State (Minister for Local Government and Homelessness).

Legislation and Matters Arising

Queen's Speech

- In her speech delivered on 19 December, the Queen announced the Bills and policies that the Government intends to introduce over the next parliamentary session. It includes a number of Bills from the October Queen's Speech; including the EU Withdrawal Bill, Agriculture Bill, Environment Bill and Fisheries Bill. The commentary in the full briefing includes plans for the *Planning White Paper* that 'will make the planning process clearer, more accessible and more certain for all users, including homeowners and small businesses.'

Emerging Legislation

Private Bills

- Highgate Cemetery Trust has published the *Highgate Cemetery Bill*. The purpose of this Bill is to authorise the Trust to extinguish rights of burial in grave spaces, and to disturb and reinter human remains in graves in order to increase the space for further interments in such graves and improve Highgate Cemetery ("the cemetery"), as well as powers to use appropriately or remove altogether from the cemetery any memorials on such graves. It would provide the Trust with equivalent powers to those that are already available to local authority run burial grounds and certain private burial authorities in London.

Secondary Legislation

- The Faculty Jurisdiction (Amendment) Rules 2019 will come into force on 1 April 2020. These will make a number of changes, such as the need to have advice from statutory consultees before reports are made to a Chancellor (Part 4). Other changes include the revision and expansion of Lists A and B, and the extension of the Archdeacon's jurisdiction for temporary minor re-ordering.

Heritage Planning Case Database

- Historic England tweets planning decisions of heritage interest, via @HeritageAdvice, and these are then collated into the Heritage Planning Case Database. This is a searchable online database of appeal and call-in decisions relating to planning permission (that affects a heritage asset) and listed building consent. Cases have been summarised using a standard list of search terms, for ease of use; searches can also be carried out by address, date or decision reference.

Guidance

Planning Practice Guidance (PPG)

- The PPG section on health and safe communities has been updated to include reference to the recently-published National Design Guide.
- The section on hazardous substances has been updated to reflect the circumstances in which the Health and Safety Executive, Environment Agency and Office for Nuclear Regulation will advise on applications for hazardous substances consent.

Advice

Historic England Guidance

- Historic England has published a new edition of its *Technical Conservation Guidance and Research Brochure*. It is a quick guide to the range of technical advice available, including:
 - Lightning protection for historic buildings
 - Fire fighting in thatched buildings
 - Church roof replacement using terne-coated stainless steel
 - The conservation of fibrous plaster
 - Research report on environmental deterioration of stained glass
 - A nine-year research project into the role of soft capping for ruins
 - A pilot study on mapping pests and disease to trees in historic parks and gardens
 - A catalogue of Capability Brown's architectural drawings, and 2nd edition of the report on Brown's plans.

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

- The HEAN on *Minerals Extraction and Archaeology* should soon be published and will be available to download from the Historic England website.
- A HEAN on *Permission in Principle* is being currently being drafted and should be consulted on soon.

Training

Current Training

- Historic England provides training and guidance to help local authorities, heritage professionals, owners and voluntary organisations look after England's heritage. Training that is currently available covers a wide range of topics, many directly linked to planning matters and Historic England advice. Our training programmes are:
 - Historic Environment Local Management (HELM): training on managing the historic environment for local authorities, regional agencies and national organisations. Visit

the [webpages](#) for course dates and booking. New courses include *Finding New Uses for Former Military Land*, which aims to prepare local authorities for dealing with commonly encountered issues around the conservation of heritage assets during the development of former military sites focusing on large-scale, landscape assets. HELM courses include:

- Statements of Heritage Significance (St Barnabas Church, Cambridge. [16 January 2020](#))
 - Finding New Uses for Former Military Land (Chatham Historic Dockyard, Chatham. [6 February 2020](#))
 - Statements of Heritage Significance (venue TBC, Liverpool. [27 February 2020](#))
 - Statements of Heritage Significance (Somerset Cricket Club, Taunton. [12 March 2020](#))
- [Heritage Practice](#): training courses for heritage specialists in technical subjects and techniques. Visit the [webpages](#) for details of courses.
 - [Essentials Training](#): training course on fundamental heritage skills for local authority planners and early entrants into historic environment services. Visit the [webpages](#) for details of current courses.
 - [Online training](#): webinars and other resources to help supplement the short course training opportunities and make them more widely available. The online training includes recordings of webinars and other, longer courses to work through.
 - All courses, and further information, can be accessed on the Historic England [website](#).
- To be added to the mailing list for training events and webinars, or if you would like to suggest topics for courses, webinars or online training please email helmbookings@historicengland.org.uk.

Infrastructure

High Speed Two (HS2)

- HS2 has [published](#) an updated Environmental Policy setting out high-level environmental objectives.

Current Consultations

- MHCLG is consulting on [The Future Homes Standard: Changes to Part L and Part F of the Building Regulations for New Dwellings](#), including proposed options to increase the energy efficiency requirements for new homes in 2020. The Future Homes Standard will require new build homes to be future-proofed with low carbon heating and world-leading levels of energy efficiency (the closing date has been extended to 7 February 2020).
- The Environment Agency is consulting on [River Basin Planning: Challenges and Choices](#) (closing date 24 April 2020). It is seeking views on:
 - the challenges that limit the benefits society obtains from the water environment in the river basin districts in England (the challenges)
 - the best way to address these issues (the choices).

Recent Consultation Responses

- Historic England's response to the MHCLG technical consultation on *Development Corporation Reform* will be available [here](#) shortly.

Calendar

January 2020

- 16 HELM training course: Statements of Heritage Significance (St Barnabas Church, Cambridge)

February 2020

- 6 HELM training course: Finding New Uses for Former Military Land (Chatham Historic Dockyard, Chatham)
- 7 Consultation on *The Future Homes Standard: Changes to Part L and Part F of the Building Regulations for New Dwellings* closes
- 27 HELM training course: Statements of Heritage Significance (venue TBC, Liverpool)

March 2020

- 12 HELM training course: Statements of Heritage Significance (Somerset Cricket Club, Taunton)

April 2020

- 1 The Faculty Jurisdiction (Amendment) Rules 2019 comes into force
- 24 Consultation on *River Basin Planning: Challenges and Choices* closes

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*If you did not receive this edition of *Planning Bulletin* direct from Historic England, you may find the current edition online [here](#). If you would like to sign up for notifications when a new edition is issued, please contact governmentadvice@HistoricEngland.org.uk.*

APPENDIX I: HISTORIC ENGLAND PLANNING ADVICE

Good Practice Advice notes (GPAs)

- The GPAs provide information on good practice, particularly looking at the principles of how national policy and guidance can be applied. They are the result of collaborative working with the heritage and property sectors in the Historic Environment Forum, and have been prepared following public consultation:
 - *GPA1: The Historic Environment in Local Plans* (March 2015)
 - *GPA2: Managing Significance in Decision-Taking in the Historic Environment* (March 2015)
 - *GPA3: The Setting of Heritage Assets* (December 2017)
 - *GPA4: Enabling Development (forthcoming)*

Historic England Advice Notes (HEANs)

- The HEANs include detailed, practical advice on how to implement national planning policy and guidance. They have been prepared by Historic England following public consultation:
 - *HEAN 1: Conservation Areas: Designation, Appraisal and Review (Second Edition)* (February 2019)
 - *HEAN 2: Making Changes to Heritage Assets* (February 2016)
 - *HEAN 3: Site Allocations* (October 2015)
 - *HEAN 4: Tall Buildings* (December 2015)
 - *HEAN 5: Setting up a Listed Building Heritage Partnership Agreement* (November 2015)
 - *HEAN 6: Drawing up a Local Listed Building Consent Order* (November 2015)
 - *HEAN 7: Local Heritage Listing* (May 2016)
 - *HEAN 8: Sustainability Appraisal and Strategic Environmental Assessment* (December 2016)
 - *HEAN 9: The Adaptive Reuse of Traditional Farm Buildings* (October 2017)
 - *HEAN 10: Listed Buildings and Curtilage* (February 2018)
 - *HEAN 11: Neighbourhood Planning and the Historic Environment* (October 2018)
 - *HEAN 12: Statements of Heritage Significance* (October 2019)