



Planning Bulletin October 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

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

Emerging Legislation

The Terrorism (Protection of Premises) Bill

- The [Terrorism \(Protection of Premises\) Bill](#) was debated at second reading on 14 October and has now been sent to a Public Bill Committee, which is expected to report to the House by Tuesday 19 November 2024.

Great British Energy Bill

- The [Great British Energy Bill](#) passed the report stage and third reading in the House of Commons on Tuesday 29 October. First reading in the House of Lords took place on 30 October and the second reading is due on 18 November.

Holocaust Memorial Bill

- The [Holocaust Memorial Bill](#) passed second reading in the House of Lords on 4 September. A date for committee stage is awaited.

High Speed Rail (Manchester to Crewe) Bill

- The [High Speed Rail \(Manchester to Crewe\) Bill](#) has passed both reading stages in the House of Commons and is currently awaiting a committee stage date.

Crown Estate Bill

- The [Crown Estate Bill](#) committee stage took place on 14 October in the House of Lords. The report stage is due on 5 November.



Private Members Bills

Environmental Targets (Public Authorities) Bill

- The [Environmental Targets \(Public Authorities\) Bill](#) passed second reading on 18 October. Committee stage is due to take place on 11 November.

Permitted Development Rights (Extension) Bill

- The [Permitted Development Rights \(Extension\) Bill](#) had its first reading on 9 September a date for the Second Reading has yet to be announced.

Policy and Guidance

Written Ministerial Statements

- On 8 October, Matthew Pennycook (Minister for Housing and Planning) delivered a [Written Statement on the Government's vision for a new generation of new towns](#).

Guidance

- On 3 October, MHCLG updated its [Compulsory Purchase Guidance](#). The changes include updated guidance on the compulsory purchase process and an updated model compensation claim form. The guidance on the Cichel Down Rules and Purchase Notices are now published separately and there is new guidance on the power to remove hope value.
- On 2 October, The Planning Inspectorate updated the [Guidance on How to Complete a Planning Appeal Form](#) to reflect the expectation that a Section 106 agreement should be submitted at the point of making an appeal rather than 7 weeks from the start date.

Committees

Following the Dissolution of Parliament on 30 May, all House of Commons committees (except some statutory committees) ceased to exist. New committees are in the process of being set up and further confirmed appointments have been made this month.

Built Environment Committee

- The [Built Environment Committee](#), in the House of Lords, has two inquiries open:
 - The [High Street in Towns and Small Cities Inquiry](#) is looking at how high streets can be regenerated and become more resilient and attractive. [Baroness Taylor of Stevenage OBE and Alex Norris MP gave oral evidence](#) on 8 October.



- The [Grey Belt Inquiry](#) is looking at what Grey Belt land is, how it can contribute to housing targets and what sustainable Grey Belt development looks like. All [oral and written evidence](#) submitted can be viewed online. On 15 October, Victoria Hills, Chief Executive at Royal Town Planning Institute (RTPI), and Dr Hugh Ellis Policy Director at Town and Country Planning Association (TCPA) gave evidence to the Inquiry in person. The meeting can be viewed on [ParliamentLive.tv](#).

Energy Security and Net Zero Committee

- The [Energy Security and Net Zero Committee](#) has eleven confirmed committee members and no inquiries open.

Environment, Food and Rural Affairs Committee

- The [Environment, Food and Rural Affairs Committee](#) has eleven confirmed committee members and no inquiries open.

Environmental Audit Committee

- The [Environmental Audit Committee](#) has thirteen confirmed members and no inquiries open.

Housing, Communities and Local Government Committee

- The [Housing, Communities and Local Government Committee](#) has eleven confirmed committee members and no inquiries open.

Public Accounts Committee

- The [Public Accounts Committee](#) has fifteen confirmed committee members and no inquiries open.

Advice

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



Infrastructure Planning

Nationally Significant Infrastructure Guidance

- On 10 October, the Planning Inspectorate updated guidance on [Nationally Significant Infrastructure Projects – Advice on working with public bodies in the infrastructure planning process, Annex E: Historic England](#).
- On 23 October, the Planning Inspectorate published advice on [Nationally Significant Infrastructure Projects: Advice on Good Design](#). This advice explains why good design is important and how it might be delivered in applications for Nationally Significant Infrastructure Projects (NSIPs).
- The third set of advice updates (phase 3) is expected to follow next year. The Planning Inspectorate have previously indicated this will include a separate advice on environmental statements, updated advice on the environmental impact assessment process and revised advice on the drafting of development consent orders.

Banner Review

- On 28 October, [Lord Banner's Independent review into legal challenges against Nationally Significant Infrastructure Projects](#) was published. The report sets out ten recommendations to streamline the process for judicial review of Development Consent Orders.

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

Autumn Budget

- On 30 October, the Chancellor Rachel Reeves, delivered her [Autumn Budget](#). Amongst other measures, the Budget confirmed:
 - The response to the recent consultation on the NPPF will be delivered before the end of the year.
 - The Planning and Infrastructure Bill will be published early next year.



- £50 million will be made available to expedite the planning process, including for Nationally Significant Infrastructure Projects. This will include 300 new graduate and apprentice planners and funding to help unlock large housing sites.
- A commitment to update relevant National Policy Statements within 12 months to provide certainty to industry on the objectives for nationally significant infrastructure.

Brownfield Passports Policy Paper

- On 22 September, MHCLG published [the Brownfield Passport: Making the most of Urban Land Policy Paper](#). The paper sets out several proposals including:
 - Amending national policy to explicitly state that development on brownfield land within urban settlements is acceptable unless specified exclusions apply.
 - Amending national policy to set minimum expectations for certain types of location where a particular scale of development may be appropriate. Or alternatively encouraging those parameters to be set at a local level via local development plans / design codes.
 - Using design guides and codes to identify opportunities for redevelopment.
 - Giving greater support for the use of Local Development Orders to grant consent for development at a specified scale and/or form.
- Although not a formal consultation, MHCLG welcomes views on the options set out in the paper and provide several questions to guide responses. There is no formal deadline, and MHCLG intend to confirm next steps in due course.

Strategic Spatial Energy Plan

- On 22 October, The UK, Scottish and Welsh governments [jointly commissioned the National Energy System Operator \(NESO\) to create a Strategic Spatial Energy Plan \(SSEP\) for the energy system, land and sea, across Great Britain \(GB\)](#). NESO was established by the Energy Act 2023 to be an independent system planner and operator to help accelerate Great Britain's energy transition. The SSEP is due to be published in 2026. Further details are available on [NESO's website](#).

Current Consultations

Government Consultations

- On 14 October, the Department for Business and Trade published a [consultation on the UK Government's Industrial Strategy](#) titled, [Invest 2035: the UK's modern industrial strategy](#). The document proposes, amongst other things, the introduction of a new planning triage service to provide support for investors navigating the planning system.



This is to be implemented jointly between the expanded Office for Investment and MHCLG. Responses should be made via the [consultation portal](#). The consultation closes on 24 November.

- On 24 October, MHCLG published a consultation [Enabling remote attendance and proxy voting at local authority meetings](#) in England. The consultation will last 8 weeks.
- On 30 October, the Offshore Petroleum Regulator for Environment and Decommissioning published [a consultation on draft supplementary EIA guidance for assessing the effects of scope 3 emissions on climate from offshore oil and gas projects](#). The consultation closes on 8 January.

Other Consultations

- On 8 October, Natural England published a [consultation on the Yorkshire Wolds Proposed Area of Outstanding Natural Beauty \(AONB\) Project](#), which proposes to designate a new Yorkshire Wolds AONB. The consultation ends on 13 January.

Government Consultation Responses

- On 22 October, MHCLG published the [Government's response to the Competition and Markets Authority's \(CMA\) market study into housebuilding](#). The CMA completed a year-long market study into housebuilding in England, Wales, and Scotland with the publication of their [final report](#) on 26 February, which set out 11 recommendations.

Historic England Consultation Responses

- Historic England [responses to recent consultations](#) are available on our website. These include:
 - [Historic England's response to the Regional Energy Strategic Plan policy framework consultation.](#)
 - [Historic England's response to the first call for evidence to inform CCRA4-IA technical report.](#)

Calendar

October

24 November - [Invest 2035: the UK's modern industrial strategy](#) consultation closes.

19 December - [Enabling remote attendance and proxy voting at local authority meetings](#) consultation closes.



Historic England

8 January - [Draft supplementary EIA guidance for assessing the effects of scope 3 emissions on climate from offshore oil and gas projects](#) consultation closes.

13 January - [Yorkshire Wolds Proposed Area of Outstanding Natural Beauty \(AONB\)](#) consultation closes.

Planning Bulletin Notifications

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Appendix I: Progress of Emerging Legislation

Government Bills

The [King's Speech](#) (17 July) introduced 40 bills, including the **Planning and Infrastructure Bill** and **English Devolution Bill**. More information on the proposed contents of these and other bills can be found in the [King's Speech 2024: background briefing notes](#) (summarised below).

Planning and Infrastructure Bill

- The [Planning and Infrastructure Bill](#), not yet laid before Parliament, proposes to:
 - Streamline the delivery process for critical infrastructure, including simplifying the consenting process for major infrastructure projects.
 - Enable relevant, new, and improved National Policy Statements to come forward, establishing a review process that provides the opportunity for them to be updated every five years.
 - Further reform compulsory purchase compensation rules to ensure that compensation paid to landowners is fair but not excessive where important social and physical infrastructure and affordable housing are being delivered.
 - Improve local planning decision making by modernising planning committees.
 - Increase local planning authorities' capacity, to improve performance and decision making, providing a more predictable service to developers and investors.
 - Use development to fund nature recovery where currently both are stalled.

English Devolution Bill

- The [English Devolution Bill](#), not yet laid before Parliament, proposes to:
 - Put a standardised devolution framework into legislation that gives local leaders powers over strategic planning, local transport networks, skills, and employment support.
 - Provide new powers and duties for local leaders to produce Local Growth Plans.
 - Allow local leaders to formally request additional powers according to the framework and the Government will be required to consider the request and either devolve them or publicly explain their reasons for not doing so.



- Establishing a simpler process for creating new Combined and Combined County Authorities.
- Establish a legislative foundation upon which to widen and deepen devolution, with a weighting towards creating advanced mayoral settlements where there is the capacity and ambition to do so.
- Improve and unblock local decision making through more effective governance arrangements for mayors and Combined Authorities.
- Introduce a new 'right to buy' for valued community assets.

Great British Energy Bill

- The [Great British Energy Bill](#) establishes Great British Energy, a new, publicly owned energy production company which will own, manage, and operate clean power projects.

Holocaust Memorial Bill

- The [Holocaust Memorial Bill](#) was carried over from the previous Parliamentary session and has already passed the House of Commons and its first reading in the House of Lords. The Bill will enable the Government to deliver on a long-term commitment to build a Holocaust Memorial and Learning Centre next to the Houses of Parliament by allocating funding and removing restrictions on development in Victoria Tower Gardens.

High Speed Rail (Manchester to Crewe) Bill

- The [High Speed Rail \(Manchester to Crewe\) Bill](#) was carried over from the previous Parliamentary session. The Bill enables powers to deliver rail infrastructure in the north of England.

Crown Estate Bill

- The [Crown Estate Bill](#) seeks to change aspects of how the Crown Estate operates including widening investment powers and granting the power to borrow. This will support delivery of offshore energy, as the Crown Estate is the owner of the seabed, as well as regeneration and housebuilding given its extensive property portfolio.

Terrorism (Protection of Premises) Bill

- The [Terrorism \(Protection of Premises\) Bill](#) require persons with control of certain premises or events to take steps to reduce the vulnerability of the premises or event to, and the risk of physical harm to individuals arising from, acts of terrorism; to confer related functions on the Security Industry Authority; to limit the disclosure of information about licensed premises that is likely to be useful to a person committing or preparing an act of terrorism; and for connected purposes. On 3 September, DESNZ published the



[Great British Energy Bill Overarching Factsheet](#). The House of Commons Library has also published on 3 September a [Research Briefing on the Great British Energy Bill](#).

Private Members Bills

Environmental Targets (Public Authorities) Bill

- The [Environmental Targets \(Public Authorities\) Bill](#) makes provision for a statutory objective requiring public bodies to contribute to delivery of targets set under the Environment Act 2021 and Climate Change Act 2008; to place a duty on public bodies to meet this objective in the exercise of their functions; and for connected purposes. The Bill started in the House of Lords and is sponsored by Lord Krebs.

Permitted Development Rights (Extension) Bill

- The [Permitted Development Rights \(Extension\) Bill](#) makes provision to extend permitted development rights to allow householders to improve and extend their residential properties; and for connected purposes. The Bill started in the House of Lords and is sponsored by Lord Lucas.



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 has been superseded by HEAN 18 and has been withdrawn
- [HEAN 15: Commercial Renewable Energy Development and the Historic Environment \(February 2021\)](#)
- [HEAN 16: Listed Building Consent \(June 2021\)](#)
- [HEAN 17: Planning and Archaeology \(November 2022\)](#)
- [HEAN 18: Adapting Historic Buildings for Energy and Carbon Efficiency \(July 2024\)](#)