



Consultation Direction
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Consulting the Secretary of State on planning decisions consultation

Historic England response

Historic England is the Government's statutory adviser on the historic environment in England. We provide expert advice to local planning authorities, developers and government on the conservation and sustainable management of the historic environment, including designated and non-designated heritage assets and their settings.

Historic England has a strong interest in the operation of consultation and call-in arrangements, as these mechanisms can have significant implications for the protection of heritage assets, the consistency of decision-making, and the efficient functioning of the planning system.

We have responded only to those questions where the proposals intersect with heritage, place-making, and the effective operation of the planning system. We would welcome continued engagement with MHCLG officials as these proposals are developed and implemented.

Section 1: Commercial development of 15,000m² or more

Question 1: Do you agree with the proposed consultation requirement for applications for large-scale, strategic commercial development where an LPA is minded to refuse?

Historic England recognises the Government's objective of ensuring that large-scale, strategically significant commercial developments are appropriately considered for potential call-in where an LPA is minded to refuse permission.

While noting that scale alone should not be treated as a proxy for strategic importance, we highlight that commercial developments of this scale can have irreversible impacts on the significance of designated and non-designated heritage assets (including within their settings), and the character and appreciation of historic townscapes and landscapes of historic interest.

Historic England, therefore, supports the principle of additional scrutiny where it is clear that heritage considerations remain central to decision-making. While mindful of economic objectives, we underscore the importance of fulfilling statutory duties under the Planning (Listed Buildings and Conservation Areas) Act 1990. This position is consistent with Historic England's previous responses to reforms of call-in and consultation directions, including:

- Historic England's response to the 2023–24 reforms of the Consultation Direction, where we emphasised the importance of maintaining heritage safeguards alongside measures to promote growth.

Question 2: Do you consider the proposed area threshold of 15,000m² or more to be appropriate?

Historic England recognises the Government's rationale for selecting a 15,000m² threshold as a means of limiting the number of cases decided by the Secretary of State while capturing developments of potential strategic importance. However, from a heritage perspective, significance is context-specific rather than size-dependent.

In historic city centres, market towns, World Heritage Sites, and sensitive historic landscapes, developments below this threshold can still give rise to significant heritage impacts with potentially national resonance. Conversely, very large developments in less sensitive locations may have limited heritage implications.

Historic England therefore recommends that consideration is given, in guidance, to the role of heritage sensitivity and place-based context alongside floorspace thresholds when determining whether consultation is appropriate.

Section 2: Applications relating to nuclear facilities

Question 3: Do you agree with the proposed consultation requirement for applications relating to land owned or leased by the Nuclear Decommissioning Authority (NDA) or its subsidiaries where the LPA is minded to refuse?

Historic England acknowledges the national importance of nuclear decommissioning and clean-up activities and recognises the need to reduce delays that could result in increased costs to the taxpayer.

NDA sites can contain heritage assets of high heritage significance, including:

- Structures associated with the early civil and defence nuclear programme;
- Archaeological remains within extensive, sensitive landscapes;
- Historic industrial sites that contribute to local and national narratives.

Historic England welcomes the proposed consultation requirement provided that heritage considerations remain fully integrated into any call-in decision. In addition, consultation should

not undermine the established role of expert heritage advice or the application of statutory heritage duties.

Question 4: Do you agree with the proposed consultation requirement for applications relating to nuclear fuel cycle facilities where the LPA is minded to refuse?

Historic England agrees that applications for nuclear fuel cycle facilities may merit referral in appropriate circumstances due to their strategic and national importance.

We note that such facilities can involve:

- Extensive groundworks with archaeological implications;
- Development within or adjacent to heritage assets;
- Tall or visually dominant structures with impacts on historic landscapes or heritage assets that derive an important contribution to their significance from their setting.

We therefore recommend that any associated guidance explicitly confirms:

- The continuing weight to be given to heritage impacts in call-in decisions;
- The importance of early consultation with Historic England at the pre-application stage.

Section 3: Defence Detailed Emergency Planning Zones (DEPZs)

Question 5: Do you agree with the proposed consultation requirement for residential development within a Defence DEPZ where the LPA is minded to grant permission and an objection is maintained?

Historic England does not object to the proposed consultation requirement in Defence DEPZs, noting the limited geographical scope and the overriding public safety considerations.

From a heritage perspective, Historic England emphasises that:

- Defence DEPZs may overlap with historic settlements and landscapes;
- Additional scrutiny may help to ensure that residential development is appropriately designed, located and justified in sensitive historic contexts.

Question 6: Do you agree that one dwelling is the correct threshold for referral?

No comment.