

# Planning Bulletin February 2026

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.

## Contents

In this edition you will find:

### Government Updates

- [Legislation](#): including progress of the English Devolution Bill, and commencement of regulations relating to planning appeals, compulsory purchase, NSIPs, nature and development corporations.
- [Parliamentary Committees](#): including continuation of the Protecting Built Heritage Inquiry and launch of an inquiry into unlocking housing land.
- [Government Research](#): including DCMS research into the repair and maintenance backlog in the cultural sector.
- [Government Letters](#): including the February Chief Planners Newsletter.

### Policy Areas

- [Local Government](#): including government consultations on spatial development strategies, as well as unitarization.
- [Digital Planning](#): including updates to the Planning Inspectorate guidance on AI and the digital appeals service.
- [Infrastructure Planning](#): including publication of government policy papers on local power schemes and a nuclear framework, as well as NESO regional energy strategies.
- [Planning Appeals](#): including new guidance on the appeals process considering legislative changes.
- [Good Design](#): including the Housing Design Awards, which Historic England are supporting with launch of a creative reuse category.

## Historic England Updates

- [Historic England Advice](#): including minor revisions to advice on energy efficiency.
- [Historic England Consultations](#): including response to a call for evidence on permitted development rights for telecoms infrastructure.

## Additional Information

- [Calender](#): key upcoming dates.
- [Appendix I](#): further information on emerging legislation
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## Abbreviations

- DCMS: [Department for Culture, Media and Sport](#)
- DESNZ: [Department for Energy Security and Net Zero](#)
- DSIT: [Department for Science, Innovations & Technology](#)
- MHCLG: [Ministry of Housing, Communities and Local Government](#)
- NESO: [National Energy System Operator](#)
- PAS: [Planning Advisory Service](#)

## Legislation and Matters Arising

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

### Emerging legislation

- The [English Devolution and Community Empowerment Bill](#) has been in the House of Lords Committee Stage since 20 January. Potential amendments include:
  - **National Parks:** requiring a strategic planning authority to include the relevant National Park Authority as a statutory participant in development of a spatial development strategy where relevant ([amendment to the devolution bill #241E](#)), and creation of a ‘General Power of Competence’ to National Parks ([amendment to the devolution bill #262](#)) which would give them greater powers to act independently.
  - **Permitted Development:** provision to remove permitted development rights for the demolition of a building that is designated as an Asset of Community Value ([amendment to the devolution bill #222D](#)).

### Regulations

- [The Town and Country Planning \(Appeals\) \(Written Representations Procedure\) \(England\) \(Amendment and Saving Provision\) Regulations 2026](#) were made on 10 February and come into force on April 1.
  - The Planning Inspectorate have concurrently published [guidance on appeals submitted on or after 1 April 2026](#). The regulations expand the expedited (part 1) written representations appeals procedure, which will now be used to determine most appeals under s.78(1) of the Town and Country Planning Act 1990.
  - As part of the changes, inspectors for part 1 appeals will use only material considered by the local planning authority in determining the application, meaning appellants cannot submit new evidence at the appeal stage.
- The [Levelling-up and Regeneration Act 2023 \(Commencement No. 9\) and Planning and Infrastructure Act 2025 \(Commencement No. 1 and Transitional Provisions\) Regulations 2025](#) were made 18 December 2025. On 18 February, provisions came into force:
  - In the [Levelling Up and Regeneration Act 2023](#) relating to compulsory purchase orders.
  - In the [Planning and Infrastructure Act 2025](#) relating to NSIPs, development corporations, compulsory purchase, and nature recovery.

## Parliamentary Committees

- **Built Heritage:** Baroness Twycross, heritage minister, gave evidence on 10 February to the [Protecting Built Heritage Inquiry](#), led by the [Culture, Media and Sport Committee](#). The inquiry is examining a range of issues and opportunities around skills, funding and regulations. A [record of Baroness Twycross' evidence to the Protecting Built Heritage inquiry](#) is available online.
- **Housing Land:** In February, the [Public Accounts Committee](#) launched a call for evidence as part of the [Unlocking Land for Housing Inquiry](#), exploring the approach of MHCLG in making land available for housing when the market fails to do so. [Responses can be made to the Unlocking Land for Housing Inquiry](#) until 30 March.

## Government Research

- **Repair and Maintenance:** On 29 January, DCMS published [research into the size of the repair and maintenance backlog within the cultural sector](#), estimating there is **£2 billion** unfunded repair and maintenance requirements.

## Government Planning Letters

- **Chief Planners Newsletter:** the regular [Chief Planner Newsletter was published on 6 February](#) and includes, amongst other things:
  - Launch of the **consultation on revised Design and Placemaking Planning Practice Guidance**, and intention to publish Model Design Codes.
  - Launch of a policy paper and **roadmap for reform of s.106 agreements**.
  - Call for applications to the **2026 Housing Design Awards**, supported by Historic England with a new creative reuse category.
  - Launch of PAS **guidance on Infrastructure Delivery Plans**.
  - Publication of a **Local Plan brochure by National Highways**, bringing together key policies and priorities.
- **Consultations:** MHCLG have issued letters concerning consultations on [Spatial Development Strategies](#) and [reorganisation](#) (see '[Local Government](#)').

## Local Government

- **Spatial Development Strategies:** As part of reintroducing the regional tier of planning, MHCLG have published a [working paper and open consultation on the proposed geographic areas over which Spatial Development Strategies \(SDSs\) should be produced](#). SDSs are high-level spatial plans looking ahead at least 20 years, and which will set the framework for local plans. The deadline for responses is **26 March**.
- **Devolution and Reorganisation:** As part of the government's ambition to end the two-tier system of authorities, a [consultation has been launched on proposals for unitarization in 14 areas \(totalling 52 submissions\)](#). Responses can be made on current reorganisation proposals until **26 March**.
- **Local Priorities:** On 9 February, MHCLG published the [Local Outcomes Framework policy paper](#), which outlines **16 national priority outcomes** that local and national government will work in partnership to deliver. This includes, for example, **supporting a healthier and more resilient natural and built environment**.

## Digital Planning

- **Artificial Intelligence:** On 20 February, the [Planning Inspectorate updated their guidance on the use of artificial intelligence in casework evidence](#).
- **Digital Appeals:** The [Planning Inspectorate is expanding their new digital appeals service](#). Between 26 February and 9 March, they will be adding Enforcement, Enforcement Listed Buildings and Lawful Development Certificate appeals.

## Infrastructure Planning

- **Regional Energy Strategic Plans:** On 30 January, NESO published the [first Regional Energy Strategic Plan](#) which will **inform network investments by electricity distribution network operators** between 2028-2033.
- **Local Power:** On 9 February, DESNZ and Great British Energy published the [Local Power Plan policy paper](#), which sets out how they will **enable community-owned clean energy across the UK**, this includes funding, support and reform to policy and regulation.
- **Nuclear Energy:** On 4 February, DESNZ published the [Advanced Nuclear Framework policy paper](#), which lays out how they will create an 'enabling policy environment' to **secure private sector investment in advanced nuclear projects**, as part of the broader deployment of nuclear projects in the UK energy system.

## Planning Appeals

- **Appeals procedure:** Following the laying of new regulations (see [Legislation](#)), the [Planning Inspectorate have published new guidance on appeals submitted on or after 1 April](#) (when the regulations come into force).

## Good Design

- **Housing Design Awards:** In 2026, Historic England is supporting the [Housing Design Awards](#), a long-standing programme since 1948, and has launched a creative reuse category. [Submissions for the Housing Design Awards can be made until 10 March.](#)

## Historic England 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). These are amended from time to time to reflect changes in legislation, policy, case law interpretation etc.

- **Energy and Carbon Efficiency:** On 16 February, Historic England published minor revisions to [Historic England Advice Note 18 Adapting Historic Buildings for Energy and Carbon Efficiency](#), based on feedback from the sector since its publication in 2024. This includes:
  - Addition of links to case studies and information on building regulations.
  - Clarity on the potential role of conservation area management plans in outlining energy efficiency policies.
  - Minor clarifications on relevant legislation, such as relevant sections, and the application of NPPF policy to avoiding and minimizing harm.
  - Minor technical clarifications to the approach and consideration of risks for floor insulation, external wall insulation, cavity wall insulation, and rainwater goods.

## Historic England Consultations

[Historic England responses to recent consultations](#) are available on our website. In February, this included

- Permitted Development: [Historic England submitted a response to a call for evidence by MHCLG and DSIT on potential reforms to permitted development rights for telecoms infrastructure](#), including requirements relating to Article 2(3) land (e.g. conservation areas and World Heritage Sites).

## Calendar

### March

10 March – Government [consultation on a revised National Planning Policy Framework](#) closes.

10 March – Government [consultation on the Design and Placemaking Planning Practice Guidance](#) closes.

10 March – [Submissions for the Housing Design Awards](#) closes

26 March – Government [consultation on Areas for Producing Spatial Development Strategies](#) closes

26 March – Government [consultation on 14 unitarization proposals](#) closes

30 March – Public Accounts Committee [call for evidence as part of the Unlocking Land for Housing Inquiry](#) closes

## Planning Bulletin Notifications

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## Appendix I: Emerging Legislation

### English Devolution and Community Empowerment Bill

The government states that the [English Devolution and Community Empowerment Bill](#) falls under three broad sections:

- **Devolution:** describing devolution structures, outlining and expanding powers for mayors and authorities through the new Devolution Framework and explaining routes to devolution for places that do not have it.
- **Local government:** ensuring the process for local government reorganisation supports the ambition in the [English Devolution White Paper](#), outlining changes to local authority governance, reforming accountability and introducing effective neighbourhood governance structures to amplify local voices.
- **Communities:** giving more power to local communities to purchase Assets of Community Value (ACV) and making reforms to commercial leases.
- More information can be found in the following:
  - [Explanatory notes to the English Devolution and Community Empowerment Bill](#).
  - [Guidance on the purpose of the English Devolution and Community Empowerment Bill](#).
  - [Devolution Framework Explainers, setting out the statutory functions of Strategic Authorities](#).
  - [House of Commons Library Research briefing on the English Devolution and Community Empowerment Bill](#).
  - [House of Commons Library Research Briefing on Progress of the English Devolution and Community Empowerment Bill \(20 November\)](#).

## Appendix II: Historic England Planning Advice

All [Historic England planning advice](#) is available on our website. Below is a list of all Good Practice Advice notes (GPAs) and Historic England Advice Notes (HEANs). These are amended from time to time to reflect changes in legislation, policy, case law interpretation etc.

### 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 \(December 2025\)](#)
- [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 \(December 2025\)](#)
- [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 \(June 2025\)](#)

# Historic England

- [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 \(February 2026\)](#)