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In this issue...

- Changes to planning system introduced as part of the Government's plan to re-start the housing market
- Limits to a landlord's ability to grant consent
- Government announces postponement to business rates revaluation
- What you need to consider when opening a "dark kitchen"
- Any objects like vases, basins, seats or statues on the listed buildings register? Recent Supreme Court decision may entitle their removal
- Landowner applications to divert public rights of way – what are the legal tests?



Changes to planning system introduced as part of the Government's plan to re-start the housing market

The Housing Secretary has published a series of measures to get the country building homes again, including a number of changes to the planning system. The measures are intended to keep the planning system moving as much as possible during the Covid-19 pandemic, so that it is able to play its full part in the economic recovery to come, at both national and local levels. To read more [click here](#).



Limits to a landlord's ability to grant consent

The Supreme Court recently issued a decision ruling that a tenant in a residential building intending to carry out works in breach of a covenant in its lease required the approval of the other tenants in order to carry out the works. The landlord was not entitled to provide unilateral approval to the works as the landlord owed an obligation to the other tenants of the building to enforce the prohibition on carrying out works.

The case serves as a warning to landlords to be careful before granting consents in leases that go against absolute covenants as the landlord may be required to enforce the covenant by other tenants. If they do grant consent the result could well be that a neighbouring tenant brings a claim against the landlord to enforce the covenants. For further information, please [click here](#) to read Ceri Riddell's article 'Landlords be careful when granting consents!'.

Government announces postponement to business rates revaluation

The government has announced that the revaluation of business rates will now take place in 2022 instead of 2021. According to the government, the postponement is aimed at helping "to reduce uncertainty for firms affected by the impacts of coronavirus". The government introduced the Non-Domestic Ratings (List) Bill in the House of Lords on 18 March 2020. The Bill was aimed at bringing forward the revaluation from 2022 to 2021 and moving revaluations from a five-yearly cycle to a three-yearly cycle. However these plans are now on hold and the government's announcement means that next round of rates bill will be based on rental values measured in 2015, pre-dating both Brexit and the coronavirus crisis. To read Ceri's full article on this please [click here](#).

For advice on commercial property issues please contact Ceri Riddell on 01223 532753 or [click here](#) to email her.



What you need to consider when opening a "dark kitchen"

With restaurants and cafés closed some businesses have embraced the increase in demand for home delivery and moved towards producing food in "dark kitchens". The Hewitson team examine what the legal considerations are before opening a dark kitchen. Find out more in [our latest article](#).



Any objects like vases, basins, seats or statues on the listed buildings register? Recent supreme court decision may entitle their removal

Guidance from Historic England has indicated that objects like garden vases, basins, seats and statues can be protected as a listed building whether alone as a freestanding structure or as a structure within the curtilage of a listed building. However, the recent Supreme Court decision in *Dill v Secretary of State for Housing, Communities and Local Government* and another [2020] UKSC 20 has clarified, in contradiction to Historic England's guidance, the legal test for when objects and structures are a 'building' entitling protection on the register of listed buildings. Find out more [here](#)

Landowner applications to divert public rights of way – what are the legal tests?

Landowners affected by a public right of way crossing their land can apply to the local highway authority for its diversion under section 119 of the Highways Act 1980. But what are the legal tests which landowners will need to meet? The High Court in *The Open Spaces Society v Secretary of State for Environment, Food And Rural Affairs* [2020] EWHC 1085 (Admin) has recently provided some useful guidance. Read more in our latest article [here](#).

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