

## **Written evidence submitted by CPRE, The Countryside Charity (PIB41)**

### **CPRE, the countryside charity**

CPRE welcomes the opportunity to give both written and oral evidence before the Committee. We believe in countryside and green spaces that are accessible to all, rich in nature and playing a crucial role in responding to the climate emergency. Since our foundation in 1926, CPRE has engaged with government to ensure the planning system is responsive to the needs of rural communities and protects our thriving landscapes. We echo the Better Planning Coalition call for planning reforms to:

1. Be democratic – allow meaningful community engagement and be accountable;
2. Respond to rural affordable housing shortages;
3. Tackle the climate emergency – reduce greenhouse gas emissions;
4. Tackle the biodiversity crisis – support nature recovery;
5. Ensure beautiful places and protect heritage –respect rural landscapes; and
6. Enhance access to local green space for its health and well-being benefits.

We are also signatories to separate submissions to the Committee by the Coalition and by Wildlife and Countryside Link. This submission covers distinct topics and areas of evidence not covered in the other two submissions, specifically around:

- Benefits for homes near electricity transmission projects
- Planning decisions including schemes of delegation to planning officers
- Housing mix requirements in new developments

### **Benefits for homes near electricity transmission projects (Clause 22)**

1. **CPRE believes that Clause 22 should be left out of the Bill or substantially amended to remove any reference to payments to householders.**
2. Rural communities tend to be more affected than their urban counterparts when it comes to the visual impacts of new infrastructure including energy generation sites and overhead lines. CPRE believes that no area should be made to bear a disproportionate volume of new infrastructure to meet the demands of other regions.
3. In order to secure on-going support for new projects, any new networks coming forward must be subject to participatory processes. It is critical that genuine community engagement is embedded into the project programme and enacted at the inception stage.
4. We do not agree with the proposed provision of direct payment, due to concerns around determining eligibility and potential legal challenges from aggrieved parties, which could hold schemes up. Based on views given by our members and local groups, we do not believe such a scheme will reduce local opposition to schemes in the planning process to any significant degree, contrary to what some in government have argued. Moreover, there are also major concerns about the workability and fairness of such a scheme, as Regen and the University of Exeter have pointed out in their separate submission to the Committee on Clause 22.

5. CPRE believes that community benefit packages for electricity transmission can play a role in enhancing the public acceptability of schemes, provided they follow the well-established practice for onshore wind farm schemes and National Grid's Landscape Enhancement Initiative. In both cases:
  - i. there is a clear separation from the planning consent process for new schemes; and
  - ii. funds are dispersed to reflect genuine needs within the local area and as a result of engagement with recognised community-based organisations or other agents working towards public policy or public interest objectives (see for example, DBIS December 2021, *Community Engagement and Benefits from Onshore Wind Developments: Good Practice Guidance for England*, pages 34 and 36).
6. Potential benefits that help to support climate change adaptation and/or nature recovery, reduce local energy demand and at the same time increase social equity, such as insulation schemes for social housing, should be prioritised. This approach was supported by the September 2022 *Independent Review of Net Zero*. Paragraph 833 stated: 'local communities should be directly involved in determining how this benefit is realised, but the starting point should be other net zero or climate positive actions such as retrofit or development of local green space (i.e., provision of new spaces). There should also be an effort to empower and upskill communities to better understand and engage with planning processes so that projects and benefits reflect true local feeling and consent'.

#### **Planning Decisions (clauses 45 and 46)**

7. **CPRE supports Clause 45 of the Bill. We support amendment 5 (tabled by Gideon Amos MP) to remove Clause 46.**
8. Decisions on planning applications are a legal responsibility of local planning authorities, which for most types of application are district, borough or unitary councils. In turn local authorities will set a 'scheme of delegation' allowing for the majority of applications to be decided by council officers under formal delegation from the council. Such schemes can vary significantly between local authorities in terms of how many applications are delegated. A national scheme of delegation is envisaged in Clause 46, setting consistent rules for when local authorities should refer applications to committees or officers.
9. In a letter dated 12 March 2025, Secretary of State Angela Rayner stated: 'Decisions about what to build and where should be shaped by local communities and reflect the views of local residents. However, in exercising local democratic oversight, it is vital that planning committees operate as effectively as possible. The Bill will enable the setting of a national scheme of delegation, which we want to use to target planning committees at the most significant schemes – allowing experienced planning officers to deal with issues like reserved matters, as well as smaller proposals from SME developers that we want to see getting through the system faster. Following extensive engagement on the back of the working paper we published on these proposals last year, including with councillors and

officers as well as the wider sector, we will consult on a final proposed model in parallel with the Bill's passage so that the scheme can be in place next year.'

10. Clause 45 contains powers to set a maximum size for planning committees, and for the mandatory training of committee members. CPRE is supportive of mandatory training for councillors if it helps them apply their local knowledge effectively, and we have no issue with setting limits to the overall size of planning committees provided there are sufficient trained councillors to carry out the scrutiny function of the committee effectively.
11. The main rationale for Clause 46 appears to be that planning committee interventions frequently prevent beneficial development from going ahead, and that the costs and delays to such schemes unacceptably increase as a result.. We believe that this is a distortion of the true picture and unsupported by the weight of evidence as to how the local planning system actually works. Planning committees decide only a small number of planning applications, but the public right to appear before them is now established, and most decisions made by local authorities are upheld. Therefore to set national limits on committee decision making is, in CPRE's view, to compromise an important component of local democracy and public participation in the system.
12. The government justification for changing the role of planning committees is set out in the 2024 planning reform working paper. Three case studies are provided in the working paper, although no supporting evidence is given as to how representative of the planning system, or of the contribution of committees, they are. An April 2025 report in the trade publication Planning Resource also found that payouts for appeal costs made by local planning authorities were approximately £13 million in total over the six years between 2018 and 2024 inclusive. It also found 61 per cent of these costs (equalling £7.95 million) related to refusals made against officer advice. The same article also quoted a senior director at planning consultancy Lichfields, as saying that there appears to be 'an increasing number – or at least increasing salience – of egregious planning decisions made by committees, often, although not always, against officer recommendations, which lead to an award of costs'.
13. The vast majority of planning applications are decided by local authority planning officers operating under delegated authority from the council. In the year ending September 2024, government figures found that 96% of applications (the total number of applications being 321,392) in England were delegated to officers, an increase from an average of around 70% (of 504,000 decisions) in 2000-2001. 86% of all applications in the year ending September 2024 were approved. Rates of delegation and approval were consistent with these percentages in the two previous years.
14. In the two years to the end of December 2023, 22,604 planning decisions for major development were made, with 649,301 decisions for smaller or 'minor' developments. Of these, in 2.7% of major cases and 1% of minors, a decision by a local authority to refuse planning permission was overturned by the Planning Inspectorate at appeal. (Figures had not yet been provided for 2024 at the time of writing).

15. Consideration of applications before committee is therefore now the exception rather than the rule, but it is also the case that where it happens, members of the public will have the right to speak before the committee. This has only been established practice relatively recently, and is due in significant part to CPRE's ongoing work including the Planning for People campaign in 1999. At that time CPRE called for an end to the then common practice of holding committee meetings privately and a general right 'for those who have made representations on a planning proposal, to be heard at the committee meeting where the issue is discussed and voted on'. In 1990 only about one in seven local authorities allowed the public to speak at planning committees. In 1999, it was estimated that half of local authorities did so. Following Planning for People, remaining local authorities have changed their practices and the Local Government Association's Planning Advisory Service, in a 2024 survey, found that all local authorities surveyed now allowed speaking rights. Alongside this, since 2000, it is now universally the case that committee agendas and officer reports will be made publicly available on local authority websites.

### **Why is local scrutiny by planning committees important?**

16. CPRE collected and collated local committee decision examples using our local network to identify cases where a planning committee has played a particularly important role in holding a developer to account or reinforcing undertakings made at the local plan stage. Alongside this, a key-word search of recent appeal decisions was undertaken using the COMPASS Appeals Search database.
17. The research focused upon committee decisions taken within the last five years. Crucially, in all these examples, no full costs were awarded against the council at appeal, indicating that the Inspector did not consider the committee's refusal to be unreasonable. In multiple cases, the appeal decisions demonstrate that inspectors explicitly addressed the council committee members' reasons for refusal. Often, references to local character, traffic impacts, and cumulative harm in sensitive landscapes feature prominently. These show that committees' stances went beyond pure policy calculation and into local observational knowledge, which inspectors found to be material.
18. A recurring theme in these examples is that had a national scheme of delegation been in effect preventing scrutiny of schemes of 100 houses or less, schemes would have been approved at officer level, and local committees would not have had the opportunity to refuse, and important local issues would not have been aired through them. Three key case studies, with Planning Inspectorate appeal references, are provided below.

#### *Case Study 1: (APP/E2340/W/23/3330350, land at Trawden, Lancashire BB8 8PJ)*

19. In this appeal, the proposal sought planning permission for five detached dwellings on a site within the Trawden Forest Conservation Area in Pendle. Planning officers had recommended approval, concluding that the design of the dwellings would be acceptable despite the site's location in a designated heritage setting. However, the planning committee refused permission, questioning the scheme's compatibility with local plan policies—particularly the requirement to preserve or enhance the Conservation Area.

20. The Inspector specifically noted that while officers had found the design acceptable, the committee was entitled to take a more cautious approach, mindful of the Conservation Area's finely balanced policy considerations. No costs were awarded against the local authority. The committee's focus on local heritage factors proved decisive, validating the principle that where heritage concerns are delicately balanced, committee oversight remains indispensable.

*Case Study 2: (APP/L3245/W/21/3269206, Bridgnorth, Shropshire WV16 5AA)*

21. Here, the proposed development comprised the demolition of disused offices and construction of thirty new homes on a brownfield site close to Bridgnorth town centre. Contrary to the planning officer's recommendation, the committee refused permission, expressing concerns about the layout creating an unacceptable highway safety risk.
22. On appeal, the Inspector upheld the committee's refusal, agreeing that the scheme would generate hazardous vehicle movements near a main junction. The appellants' application for costs was refused.
23. The application was subsequently resubmitted, and planning permission granted, but with the highways issues raised by the committee addressed in the permitted proposal with an improved road access arrangement.

*Case Study 3: (APP/M2840/W/21/3287516, Irthlingborough, North Northants NN9 5UR)*

24. In this appeal, the applicant sought planning permission for fifty-four dwellings on a parcel of land close to the Irthlingborough Conservation Area, with a Grade II listed building (Manor House) and a Non-Designated Heritage Asset (Manor Mews) nearby. In an earlier application for this site, planning officers had recommended approval, but the planning committee refused permission, forcing the applicant to come back with a revised scheme. That revised proposal contained improvements addressing local heritage concerns—particularly regarding impacts on the setting of Manor House and Manor Mews.
25. Despite officer support for the improved application, the committee again refused permission. Whilst this appeal was subsequently allowed, the cost application was refused, as the Inspector was satisfied that Committee Members properly assessed this matter objectively on the basis of the evidence provided to them. The allowed scheme incorporated design and layout improvements that were not part of the original application.
26. CPRE draws the following conclusions from these case studies:
- Planning committees frequently serve as a sounding board for local communities, bridging the gap between planning officers' professional analysis and the lived reality experienced by local residents. Elected councillors can bring local expertise to the decision. Where that local expertise highlights a valid material consideration, and that in turn convinces a planning inspector on appeal, it is a powerful confirmation of how essential the democratic element is.

- A crucial overarching point—where planning committees went against officer recommendations—would have been approved at delegated level, eliminating the committees’ capacity to weigh factors that are significant in the local context.

**CPRE’s recommended solution: a national scheme that supports local expertise and decision-making**

27. Given that, overall, local planning authorities are already delegating over 90% of decisions to officers, and that the public increasingly expects to have a right to be heard before their elected representatives on the most controversial cases, CPRE believes that the best solution is to take forward a scheme of delegation that already achieves best practice in terms of the government’s objectives of delegating the vast majority of decisions to officers and allowing most planning applications to be approved within a 13-week time limit, but which critically makes it a local decision as to whether to scrutinise cases where there are particular local concerns.
28. Local CPRE representatives have drawn attention to three specific local authorities which we recommend the government should draw on for any national scheme of delegation. Two of the local authorities (North Northamptonshire and Shropshire) also provide case study material mentioned above. The characteristics of each, and their current performance against government targets for speed and quality of planning decisions, are set out in the table below.

	<b>Delegation rate (year ending Sep 2024)</b>	<b>Planning application approval rate (year ending September 2024)</b>	<b>Major developments refused and refusal overturned at appeal (24 months to December 2023)</b>	<b>Percentage of applications decided within 13 weeks or as agreed with applicant (24 months to December 2023)</b>	<b>Criteria for referring to planning committee (published delegation scheme)</b>
Bromsgrove	98%	86%	3 (7.7% of all major decisions, 3 other major appeal decisions were refusals)	81.2%	<ul style="list-style-type: none"> <li>• 10 or more houses</li> <li>• for 1000 square metres or more of floor space</li> <li>• call ins by councillors for the area covering the application site</li> <li>• the local authority applying to itself</li> <li>• referrals by the chief planning officer</li> </ul>
North Northants	98%	82%	5 (2.7% of all major decisions; 13 major appeal decisions)	82.7%	<ul style="list-style-type: none"> <li>• Referred by the chief planner, based on the chief planner's judgement of specified factors including novel issues of national or local planning policy, officer recommendation is finely balanced, or a clear departure from the local plan</li> <li>• Objected to by the relevant parish council and officers are unable to resolve the objection</li> </ul>
Shropshire	97%	87%	3 (1.4% of all major decisions, 3	82.4%	<ul style="list-style-type: none"> <li>• Made by the local authority applying to itself</li> </ul>

			other major appeal decisions were refusals)		<ul style="list-style-type: none"> <li>• Certain kinds of large-scale developments with significant environmental effects (or 'Schedule 1' developments)</li> <li>• Complex or major applications referred up by the chief planner in consultation with the planning committee chair or vice chair</li> <li>• Referrals by local members or parish councils, but requiring agreement by the Chief Planner and committee chair that the referral is based on relevant ('material') planning reasons</li> </ul>
Govt target (MHCLG: <i>Improving planning performance Criteria for designation</i> , December 2024.)	n/a (but national average is 96%)	n/a	maximum 10%	minimum 60%	

29. The recent performance of Shropshire and the other two councils considered, shows that planning committees can operate to a scheme underpinned by local democratic accountability and expertise, and the local authority can still deliver government targets around speed and quality of decision making. CPRE recommends wider use of the Shropshire scheme of delegation, as it retains the discretion of the committee chair and chief planning officer to refer applications based on important planning policy reasons and avoids arbitrary thresholds on size without reference to local concerns.

30. Should there still be any cases where planning committee members are refusing for irrelevant reasons schemes on sites allocated in plans, then the government should revise its call in and appeal recovery policies to allow for the Secretary of State to decide such cases through a fast track process, making clear that costs will normally be awarded



against the local authority if the Secretary of State in turn fails to find any relevant grounds for refusal.

### **Spatial development strategies ( Clause 47)**

#### **31. CPRE supports Clause 47 introducing spatial development strategies.**

32. We have long been supporters of strategic planning, as embodied through county structure plans before 2004 and then regional spatial strategies until 2010, as the most effective way of reconciling necessary housing and infrastructure growth with effective management and protection of the countryside. The former government abolished regional planning outside London without effective provision for replacement, and this has led to a glut of poor quality and unsustainable development across much of England as evidenced by our joint *Housing Design Audit* for England with the Place Alliance in 2020.
33. We believe that for spatial development strategies to succeed, robust arrangements for overview and scrutiny, and public involvement, are essential. There is provision already in the Bill for strategic planning boards to help preparation, but there should also be separate provision for scrutiny and challenge, as is already provided for the London Plan by the London Assembly.

### **Other issues**

#### **34. CPRE supports New Clause 3 tabled by Chris Hinchliff MP on housing plans including a quota for affordable and social housing in new developments.**

35. Given manifesto and Ministerial commitments, we are surprised that as yet the government has not yet sought in planning policy to achieve consistently higher levels of affordable housing, especially social housing, and a wider mix of housing types and tenures in all large new developments. Such a policy was recommended by Sir Oliver Letwin in his *Independent Review of Build Out* in 2018. In the passage of the Levelling Up and Regeneration Act, Ministers of the former Conservative Government pledged to introduce a National Development Management Policy (NDMP), using powers that were to be provided by the Act, to address Letwin's recommendations (Baroness Scott of Bybrook, House of Lords Hansard 24 April 2023, columns 983/984).
36. In the new National Planning Policy Framework (NPPF) introduced in December 2024, Ministers in the new Labour government introduced policies to give greater weight to the provision of socially rented housing in new developments. There also appears to have been moves to prioritise social rent provision in schemes that have since come forward under the government's Affordable Homes Programme, which is due to run in its current form until 2026. CPRE welcomes both changes, as we believe that more socially rented housing is critical to meeting the affordable housing crisis in rural areas.
37. The government has also introduced in the NPPF a set of 'golden rules' to increase affordable provision on sites within designated Green Belt that are now classed as 'grey belt' and thereby deemed suitable for development. We have major concerns about the

'grey belt' policy which we have recorded elsewhere. But the move towards increasing affordable provision is a welcome acknowledgement of issues CPRE has highlighted with the relatively low proportions of affordable housing being secured in developments allowed in the Green Belt in recent years. The need for affordable housing is, moreover, critical across the country. Letwin demonstrated clearly that requiring a more diverse mix of housing types and tenures would in turn help to speed up housing provision. We therefore urge the government to amend the Bill to set a clear expectation that all large new housing developments in future will consist of a far wider mix of housing types and tenures, including increased provision of social rented housing.

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