

# Planning and Infrastructure Bill

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## AMENDMENTS

### TO BE MOVED

#### IN COMMITTEE OF THE WHOLE HOUSE

*[Supplementary to the Second Marshalled List]*

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#### **After Clause 17**

LORD SWIRE

After Clause 17, insert the following new Clause—

#### **“Powerlines: presumption of burial**

- (1) In section 37(3) of Electricity Act 1989 (consent required for overhead lines), at end insert—
  - “(d) may not be granted unless the Secretary of State is satisfied that the burial of the powerlines—
    - (i) was the developer’s preferred and initial form of installation, and
    - (ii) is infeasible on grounds of either cost or engineering practicality.”
- (2) The Planning Act 2008 is amended as follows.
- (3) In section 104 (decisions in cases where national policy statement has effect), after subsection (2), insert—
  - “(2A) For a development under section 16, the Secretary of State may not approve an application unless they are satisfied that the burial of the powerlines—
    - (a) was the developer’s preferred and initial form of installation, and
    - (b) is infeasible on grounds of either cost or engineering practicality.”
- (4) In section 105 (decisions in cases where no national policy statement has effect), at end insert—
  - “(3) For a development under section 16, the Secretary of State may not approve an application unless they are satisfied that the burial of the powerlines—
    - (a) was the developer’s preferred and initial form of installation, and
    - (b) is infeasible on grounds of either cost or engineering practicality.””

***Member's explanatory statement***

*This probing amendment seeks to explore how changes to the planning process could encourage the use of buried cabling as an alternative to overhead powerlines.*

**Clause 48**

BARONESS THORNHILL

Clause 48, page 61, line 13, at end insert —

- “(ba) the requirement for proportionality in the level of the fee or charge, based on the nature and size of the development to which the fee or charge will apply;”

***Member's explanatory statement***

*This amendment would require that any fee or charge set out in regulations is proportionate to the nature and size of the development it applies to.*

**Clause 50**

LORD THURLOW

Clause 50, page 64, line 26, at end insert —

- “(1A) Training for all members of local planning authorities must include specific training on the role of design for the external appearance of developments as it relates to their exercise of relevant planning functions.”

***Member's explanatory statement***

*This amendment seeks to ensure that mandatory training for all members of local planning authorities in England includes training on design as it relates to their role in determining planning applications, particularly in the context of the built environment, character of the area, local materials, and variety of styles to break up monotony within larger housing developments.*

**After Clause 51**

BARONESS THORNHILL

After Clause 51, insert the following new Clause —

**“Meetings of local planning authorities to be available for participation online**

- (1) This section applies to any meeting of a local authority held to discharge the authority’s planning functions, including a committee or a sub-committee of the authority held under section 101(1)(a) of the Local Government Act 1972 (a “planning meeting”).
- (2) A local authority must make arrangements for the proceedings of a planning meeting to be available over the internet both in real time and for five years after

the meeting, and those arrangements must include the ability for members of the public observing a planning meeting over the internet in real time to address the meeting where permitted by the person chairing the meeting.

- (3) Subsection (2) applies despite any prohibition or other restriction contained in the standing orders or any other rules of the authority governing a planning meeting and any such prohibition or restriction has no effect.
- (4) A local authority may make standing orders and any other rules governing participation by a member of the public in a planning meeting over the internet, which may include provision for access to documents.”

***Member's explanatory statement***

*This new clause would require local planning authorities to make their meetings available for observation and participation online.*

**Clause 52**

BARONESS THORNHILL

Clause 52, page 73, line 21, at end insert—

- “(5A) A spatial development strategy must contain a design vision for the strategy area, developed with the local community and stakeholders, including provision to ensure design quality—
- (a) which means development that is proactively planned to meet the needs of residents and communities in practice, and
  - (b) which adheres to principles of safety, sustainability and accessibility.”

***Member's explanatory statement***

*This amendment requires spatial development strategies to include a design vision for the strategy area that meets the practical needs of residents and communities, and reflects the principles of safety, sustainability and accessibility.*

**After Clause 52**

LORD MAWSON  
LORD YOUNG OF COOKHAM  
LORD HUNT OF KINGS HEATH

After Clause 52, insert the following new Clause—

**“Duty and guidance for public authorities: cooperation and coordination during development of community infrastructure**

- (1) The Secretary of State, after consulting such persons as they consider appropriate, must publish best practice guidance for public authorities to follow during the development of community infrastructure.
- (2) The Secretary of State must publish guidance under subsection (1) within six months of the day on which this Act is passed.

- (3) Guidance issued under subsection (1) must include best practice for ensuring coordination and cooperation between public authorities and –
  - (a) schools,
  - (b) cultural organisations,
  - (c) local businesses,
  - (d) local communities,
  - (e) the social sector, including charities,
  - (f) Integrated Care Boards (ICB),
  - (g) NHS trusts, and
  - (h) any such person or organisation as the Secretary of State considers appropriate,
 in the development of community infrastructure.
- (4) Public authorities have a duty to follow guidance issued under subsection (1).
- (5) Within one year of the guidance under subsection (1) being issued, and annually thereafter, public authorities must publish a report assessing their compliance with the best practice guidance during the development of community infrastructure.
- (6) For the purposes of this section, “community infrastructure” includes –
  - (a) housing,
  - (b) hospitals,
  - (c) schools,
  - (d) parks and recreation areas, and
  - (e) any such infrastructure or development as the Secretary of State considers appropriate.”

***Member's explanatory statement***

*This amendment would place a duty on public authorities to follow best practice guidance for cooperation and coordination with local communities, issued by the Secretary of State, during the development of community infrastructure.*

LORD TEVERSON

After Clause 52, insert the following new clause –

**“Planning procedures and GDPR obligations**

- (1) The Secretary of State must, within six months of the day on which this Act is passed –
  - (a) publish statutory guidance to planning authorities determining how they must balance the demands of the General Data Protection Regulation and the need to maintain transparency for the public of the planning process and its decisions;
  - (b) ensure that the guidance under this subsection prevents planning authorities from unduly reducing transparency of the planning process.

- (2) The Secretary of State must also consult with following bodies before issuing statutory guidance—
- (a) the Local Government Association,
  - (b) the Planning Inspectorate,
  - (c) the Information Commissioner’s Office,
  - (d) the Royal Town Planning Institute, and
  - (e) any other body the Secretary of State deems appropriate.”

***Member's explanatory statement***

*This probing amendment would ensure that the application of the GDPR regime to planning decisions and processes is uniform across planning authorities, and promotes transparency for the public.*

**Clause 57**

LORD SWIRE

Clause 57, page 93, line 27, at end insert—

- “(8A) An EDP must be prepared in respect of any development involving the construction of overhead powerlines which have been given planning consent under section 37 of the Electricity Act 1989 (consent required for overhead lines) or the Planning Act 2008.”

**Clause 58**

LORD BLENCATHRA

Clause 58, page 94, line 9, at end insert—

- “(3A) Natural England may not be expected to prepare more than four EDPs within the period of one year from the day on which this section comes into force.
- (3B) Natural England may not be expected to prepare more than 12 EDPs within the period of two years from the day on which this section comes into force.
- (3C) Natural England may produce more than four EDPs in the first year of this section coming into force and eight in the second year of this section coming into force if Natural England has the capacity to do so.”

**Clause 59**

LORD BLENCATHRA

Clause 59, page 95, line 16, leave out “28” and insert “40”

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*24 July 2025*

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