

Planning and Infrastructure Bill

AMENDMENTS TO BE MOVED IN COMMITTEE OF THE WHOLE HOUSE

[Supplementary to the Third Marshalled List]

Amendment
No.

After Clause 28

BARONESS COFFEY

94FA★ After Clause 28, insert the following new Clause —

“Electrical or communications cables under land in active agricultural use

- (1) Where a development involves the laying of electrical or communications cables under land currently in active agricultural use, such cables must be buried to a minimum depth of 2 metres from the surface level and deeper if required to avoid any watering system or network required for agricultural use.
- (2) For the purposes of this section, “active agricultural use” includes any land used for planting trees that are to be used as commercial resource.”

Clause 48

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

94FB★ Clause 48, page 61, line 3, leave out “or require”

Member's explanatory statement

This amendment seeks to probe the Government's intentions in seeking the power to require a local planning authority to set the level of fees for planning decisions.

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

94FC★ Clause 48, page 61, line 5, leave out “or require”

Member's explanatory statement

This amendment seeks to probe the Government's intentions in seeking the power to require the Mayor of London to set the level of fees for planning decisions.

Clause 49

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

99ZA★ Clause 49, page 63, leave out lines 36 to 39

Member's explanatory statement

This amendment seeks to probe the imposition of surcharges and the process by which the Secretary of State will calculate them to ensure the income from the surcharge does not exceed the relevant costs incurred by the listed person.

Clause 51

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

103A★ Clause 51, page 68, leave out lines 31 to 33

Member's explanatory statement

This amendment probes the rationale for making guidance on the scope, size and composition of the national scheme of delegation subject to regulation, rather than setting it out in primary legislation.

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

103B★ Clause 51, page 68, line 34, leave out lines 34 to 37

Member's explanatory statement

This amendment probes the rationale for making guidance on the scope, size and composition of the national scheme of delegation subject to regulation, rather than setting it out in primary legislation.

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

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The above-named Lords give notice of their intention to oppose the Question that Clause 51 stand part of the Bill.

Member's explanatory statement

This would remove the provision allowing for the delegation of planning decisions in England. Specifically, it would prevent the Secretary of State from making regulations that would specify which planning functions may be delegated to planning officers.

Clause 52

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

135HA★ Clause 52, page 69, leave out lines 34 and 35

Member's explanatory statement

This amendment seeks to probe the move from an optional approach to a mandatory requirement for designated strategic authorities to prepare Spatial Development Strategies.

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

135HB★ Clause 52, page 70, leave out lines 15 to 26

Member's explanatory statement

This amendment seeks to probe the definition of a “strategy area” in relation to a Spatial Development Strategy, to clarify its geographic scope, the criteria for its designation, and how it interacts with existing local and regional planning boundaries.

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

136A★ Clause 52, page 72, leave out lines 8 to 12

Member's explanatory statement

This amendment seeks to probe the uncertainty facing local authorities about the geographical scope of Spatial Development Strategies (SDSs), particularly during periods of local government reorganisation. It probes whether authorities should continue progressing local plans or prepare SDSs, and the risk of duplication or delay in plan-making.

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

136B★ Clause 52, page 72, leave out line 11

Member's explanatory statement

This amendment seeks to probe how principal authorities will secure sufficient planning staff to prepare SDSs, given existing workforce shortages. It raises concerns about reliance on secondments from lower-tier councils, which could undermine plan-making capacity in those areas and create wider resource pressures.

BARONESS WARWICK OF UNDERCLIFFE

- 139A★** Clause 52, page 73, line 14, leave out “may” and insert “must”

BARONESS WARWICK OF UNDERCLIFFE

- 140A★** Clause 52, page 73, leave out lines 15 to 21 and insert—
- “(a) the amount or distribution of housing (of any kind), the provision of which the strategic planning authority calculates is needed by the population of the strategy area, including those people who are recorded as statutorily homeless, sleeping rough, overcrowded, on housing waiting lists and those who are homeless but not statutorily recorded within their area;
 - (b) the amount or distribution of affordable and supported housing or any other kind of housing, the provision of which the strategic planning authority calculates is needed by the population of the strategy area, using the same assessment of housing need as in paragraph (a).”

BARONESS WARWICK OF UNDERCLIFFE

- 150A★** Clause 52, page 74, line 21, leave out from “2008” to the end of line 22 and insert “which is to be let as social rent housing, where “social rent housing” has the meaning given in paragraph 7 of the Direction on the Rent Standard 2019 together with paragraph 4 of the Direction on the Rent Standard 2023, as modified by paragraph 8 of the Direction on the Rent Standard 2023.”

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

- 153A★** Clause 52, page 81, line 24, leave out “from time to time”

Member's explanatory statement

This amendment seeks to probe the meaning of the phrase “from time to time” and how frequently updates are expected.

After Clause 52

BARONESS LEVITT

- 185SA★** After Clause 52, insert the following new Clause—

“Codes of practice: architectural design

- (1) Within six months of the day on which this Act is passed, the Secretary of State must designate a Code of Practice aimed at embedding good architectural design in all relevant developments prior to the granting of planning permission.
- (2) The Code of Practice must include—

- (a) Core Design Standards (CDS) to be applied to typical development situations, with a view to such CDS being reflected through the National Planning Policy Framework in relation to planning applications at a local level;
- (b) requirements that applications for outline planning permission should be supported by site-specific masterplans and design codes complying with the CDS;
- (c) requirements that, in order to achieve good design, design codes should be consulted upon and agreed in two stages, namely urban design and building design;
- (d) a preferred approach to consideration of architectural style, founded upon good placemaking principles, and appropriate locally distinctive framework for building designs where appropriate;
- (e) requirements that new housing developments meet national standards set out in a revised edition of Manual for Streets, including a stronger focus on provision for children, active travel, public transport and pedestrian priority;
- (f) the creation by all planning authorities of multidisciplinary expert panels for pre-application review of sites for 50 homes or more which must be funded by applicants and will assess how schemes meet NMDC core quality standards, as well as local design policies, and whether departures are justified.”

Clause 93

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

★ *The above-named Lords give notice of their intention to oppose the Question that Clause 93 stand part of the Bill.*

Member's explanatory statement

This seeks to probe the necessity and implications of Clause 93.

Clause 94

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

187A★ Clause 94, page 123, line 2, leave out subsection (1)

Member's explanatory statement

This amendment seeks to probe the practical meaning of the new definitions, specifically the achievement of sustainable development and the mitigation of climate change.

Clause 95

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

- 195A★** Clause 95, page 123, line 36, leave out “and generally to do anything necessary or expedient for the purposes or incidental purposes of the new town”

Member's explanatory statement

This amendment seeks to probe the scope of the general power for a development corporation to “do anything necessary” for the purposes, or incidental purposes, of the new town, and to consider whether such a broad provision is proportionate, clearly defined, and subject to appropriate safeguards.

After Clause 106

LORD BANNER

This amendment is intended to replace Amendment 227D

- 227E★** After Clause 106, insert the following new Clause –

“Amendment to the Local Government Act 1972 to enhance provisions for protection of purchasers of land from local authorities

For section 128(2) of the Local Government Act 1972 (Consents to land transactions by local authorities and protection of purchasers), substitute –

- “(2) Where under the foregoing provisions of this Part of this Act or under any other enactment, whether passed before, at the same time as, or after, this Act, a local authority purport to acquire, appropriate or dispose of land by any method whatsoever after 13 November 1980, then –
- (a) in favour of any person claiming under the authority, the acquisition, appropriation or disposal so purporting to be made shall not be invalid by reason that any consent of a Minister which is required thereto has not been given or that any requirement as to advertisement or consideration of objections has not been complied with, and
 - (b) a person dealing with the authority or a person claiming under the authority shall not be concerned to see or enquire whether any such consent has been given or whether any such requirement has been complied with.

And any such person who acquires land to which this subsection applies shall take such land free of any trusts arising solely by virtue of its being land held in trust for enjoyment by the public in accordance with section 164 of the Public Health Act 1875 or section 10 of the Open Spaces Act 1906 notwithstanding any failure by the relevant authority to comply with the requirements of section 122(2A) or section 123(2A) of this Act.”

Member's explanatory statement

This amendment seeks to clarify purchasers' protection machinery in the Local Government Act 1972 following the Supreme Court's decision in R (Shropshire) v Day [2023] AC 955 for persons who acquire land from local authorities.

After Clause 87

LORD LUCAS

346DC★ After Clause 87, insert the following new Clause—

“Exemption of lawful demolition and construction from sections 1 and 3 of the Wildlife and Countryside Act 1981

In section 4 of the Wildlife and Countryside Act 1981 (exceptions to ss. 1 and 3), after subsection (3)(a), insert—

“(ab) lawful demolition and construction;”.

Member's explanatory statement

This amendment seeks to remove potential obstacles to development caused by provisions made under sections 1 or 3 of the Wildlife and Countryside Act 1981.

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29 August 2025
