

Planning and Infrastructure Bill

AMENDMENTS

TO BE MOVED

IN COMMITTEE OF THE WHOLE HOUSE

[Supplementary to the Third Marshalled List]

Clause 50

LORD MOYNIHAN

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

- “(1A) Training for all members of local planning authorities must include an emphasis on healthy placemaking, which includes planning adequate provision of sport and physical activity spaces and facilities to meet communities’ needs.”

After Clause 51

BARONESS MCINTOSH OF PICKERING

After Clause 51, insert the following new Clause –

“Local planning authorities: meetings

- (1) The Secretary of State may, by regulations made by statutory instrument, establish arrangements where, in circumstances specified in those regulations, a planning meeting is not limited to a meeting of persons who are all present in the same place.
- (2) 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”).
- (3) A statutory instrument containing regulations under subsection (1) may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament.”

Member's explanatory statement

This amendment seeks to make provision for the authorisation of hybrid planning meetings for planning authorities.

BARONESS SCOTT OF BYBROOK

After Clause 51, insert the following new Clause —

“Use of hotels as accommodation for asylum seekers: requirement for planning permission

- (1) Section 55 of the Town and Country Planning Act 1990 (meaning of “development” and “new development”) is amended as follows.
- (2) After subsection (1), insert —
 - “(1ZA) For the purposes of this section, “the making of any material change in the use of any buildings or other land” includes —
 - (a) the repurposing of a hotel as accommodation for asylum seekers, and
 - (b) where a hotel has already been repurposed as accommodation for asylum seekers, the continuation of its use as such accommodation beyond the date on which the Planning and Infrastructure Act 2025 comes into force.”
- (3) At the end of subsection (2)(f), insert “unless the building is a hotel proposed for use as accommodation for asylum seekers”.
- (4) After section 106C of that Act insert —

“106D Use of hotels as accommodation for asylum seekers

Any existing or future development order under Part 3 of this Act does not have the effect of granting planning permission for the use of a hotel as accommodation for asylum seekers.”

Member's explanatory statement

This amendment aims to ensure that an application for planning permission is required in all cases of repurposing of a hotel as accommodation for asylum seekers, together with the associated requirement for consultation of affected local communities.

BARONESS SCOTT OF BYBROOK

After Clause 51, insert the following new Clause —

“Use of houses in multiple occupation as accommodation for asylum seekers: requirement for planning permission

- (1) Section 55 of the Town and Country Planning Act 1990 (meaning of “development” and “new development”) is amended as follows.

(2) After subsection (1), insert –

“(1ZA) For the purposes of this section, “the making of any material change in the use of any buildings or other land” includes –

- (a) the repurposing of a house in multiple occupation as accommodation for asylum seekers, and
- (b) where a house in multiple occupation has already been repurposed as accommodation for asylum seekers, the continuation of its use as such accommodation beyond the date on which the Planning and Infrastructure Act 2025 comes into force.”

(3) At the end of subsection (2)(f), insert “unless the building is proposed for use as a house in multiple occupation as accommodation for asylum seekers”.

(4) After section 106C of that Act insert –

“106D Use of houses in multiple occupation as accommodation for asylum seekers

Any existing or future development order under Part 3 of this Act does not have the effect of granting planning permission for the use of a house in multiple occupation as accommodation for asylum seekers.”.

Member's explanatory statement

This amendment aims to ensure that an application for planning permission is required in all cases of repurposing a house in multiple occupation as accommodation for asylum seekers, together with the associated requirement for consultation of affected local communities.

BARONESS SCOTT OF BYBROOK

After Clause 51, insert the following new Clause –

“Stop notices: disapplication of time limit in asylum hotel and asylum HMO cases

In section 183 of the Town and Country Planning Act 1990 (stop notices), after subsection (5A) insert –

“(5B) Subsection (5) does not prevent a stop notice prohibiting the use of –

- (a) a hotel as accommodation for asylum seekers, or
- (b) a house in multiple occupation as accommodation for asylum seekers.”.

Member's explanatory statement

This amendment removes the four year time limit for stop notices under section 183 of the Town and Country Planning Act 1990 for cases involving the use of hotels or houses in multiple occupation by asylum seekers.

LORD JAMIESON

After Clause 51, insert the following new Clause —

“Planning decisions: determination by committee

When objections to a planning application are submitted to a local planning authority and its chair of the planning committee and the head of planning (or those in equivalent roles) confirm that the objections are on valid grounds, they may allow that planning application to be determined by committee.”

Member's explanatory statement

This amendment aims to enable local democracy in the determination of planning applications provided they are on valid planning ground.

LORD JAMIESON

After Clause 51, insert the following new Clause —

“Planning decisions: disapplication of committee requirement

Where —

- (a) a council that is also the local planning authority makes a planning application, or
 - (b) a council employee or councillor makes a planning application,
- and there are no objections to that application, it is not a requirement for it to be determined by committee.”

Member's explanatory statement

This amendment aims to remove a bureaucratic step in certain situations where there are no objections to a planning application.

LORD JAMIESON

After Clause 51, insert the following new Clause —

“Planning decisions: prohibition on reconsideration

Where planning permission has already been approved and is current, decisions on subsequent planning applications on more detailed matters or outstanding items, whether by an officer or committee, cannot revisit those items which have already been determined in the existing permission.”

Member's explanatory statement

This amendment aims to reduce cost and potential delays in the planning system by making case law clear in legislation.

Clause 52

LORD JAMIESON

Clause 52, page 71, line 37, at end insert –

- “(2A) Regulations making provision in accordance with subsection (2) must ensure that the composition of the strategic planning board and any sub-committees shall be representative of the constituent authorities and their population.””

Member's explanatory statement

This amendment seeks to ensure that the composition of the board and its committees reflects the constituent authorities and the populations they serve, in order to guarantee fair representation.

LORD MOYNIHAN

Clause 52, page 73, line 13, at end insert –

- “(d) securing the use and development of land in the strategy area which supports the delivery of local strategies to improve health and wellbeing, including those which seek to ensure adequate provision for sport and physical activity in the form of –
- (i) access to green space,
 - (ii) active travel infrastructure, and
 - (iii) sport and physical activity facilities.”

LORD JAMIESON

Clause 52, page 73, line 13, at end insert –

- “(4A) The spatial development strategy must indicate how the infrastructure specified or described in accordance with subsection (4) is to be funded, and any impact on the spatial development strategy of the infrastructure not being available, including which development areas would not be feasible without it.”

Member's explanatory statement

This amendment would require a spatial development strategy to explain how essential infrastructure will be funded and to assess the consequences of such infrastructure not being available, in order to ensure that necessary infrastructure is delivered as part of the strategic plan.

LORD JAMIESON

Clause 52, page 73, line 31, at end insert –

- “(9A) A spatial development strategy must prioritise development on brownfield land and urban densification.

- (9B) A spatial development strategy must seek to increase sustainability and community building by minimising travel distances between places of employment, residence and commercial or leisure activities.”

Member's explanatory statement

This amendment would require spatial development strategies to prioritise brownfield and urban densification, and to promote sustainable, mixed communities by reducing travel distances between homes, jobs, and services.

LORD JAMIESON

Clause 52, page 74, line 14, at end insert –

- “(12A) Any local plan prepared after the spatial development strategy is in place must not be inconsistent with, or (in substance) repeat, any policies in the strategy.
- (12B) Where any local plan is subject to representations under Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (S.I. 2012/767) (preparation of a local plan), or a subsequent stage of preparation process, it may continue on the basis existing at the time of that stage of the preparation process.”

Member's explanatory statement

This amendment seeks to probe the principle of finality. This amendment seeks to ensure that local plans are aligned with spatial development strategies, while allowing transitional arrangements for local plans already at an advanced stage of preparation.

LORD JAMIESON

Clause 52, page 74, line 14, at end insert –

- “(12A) Any neighbourhood plan prepared more than 12 months after the spatial development strategy is in place must not be inconsistent with, or (in substance) repeat, any policies in the spatial development strategy.”

Member's explanatory statement

This amendment would ensure that neighbourhood plans are aligned with strategic plans, while allowing for adequate transition.

LORD JAMIESON

Clause 52, page 75, line 4, at end insert –

- “(1A) The Secretary of State must provide detailed guidance on the expected timetable for preparing a spatial development strategy.”

Member's explanatory statement

This amendment would require the Secretary of State to provide a clear timetable for the preparation of spatial development strategies, ensuring clarity for all participants and realistic expectations of delivery.

LORD JAMIESON

Clause 52, page 76, line 17, at end insert –

- “(2A) The Secretary of State must provide clear guidance on the prioritisation of considerations in determining a spatial development strategy, and identify those matters which are at the discretion of the strategic planning authority.”

Member's explanatory statement

This is a probing amendment which seeks to gain clarity as to how competing objectives, aspirations, regulations and legislation are to be prioritised when preparing a spatial development strategy.

After Clause 52

LORD HUNT OF KINGS HEATH

After Clause 52, insert the following new Clause –

“Conflicting consents

- (1) Where a planning permission and development consent order relate to some or all of the same land –
 - (a) the lawfulness of development carried out pursuant to the development consent order will not be affected by the carrying out of development pursuant to the planning permission; and
 - (b) the lawfulness of development carried out pursuant to the planning permission will not be affected by the carrying out of development pursuant to the development consent order.
- (2) In this section “planning permission” means –
 - (a) permission under Part 3 of the Town and Country Planning Act 1990 (control over development), and
 - (b) permission granted by article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (S.I. 2015/596) (permitted development).”

Member's explanatory statement

This amendment seeks to address the risk of conflict between planning permission and Development Consent Orders, leading to the invalidation of either consent (an issue highlighted by the decision in the Hillside case in relation to conflicting planning permissions). The amendment proposed would ensure that a Development Consent Order will not invalidate a planning permission over the same land or vice versa, so that a developer may elect to rely on the most suitable consent.

LORD MOYNIHAN

After Clause 52, insert the following new Clause —

“Development plans: provision of facilities for physical activity

- (1) Any national or local plan or strategy relating to the planning or development of an area must be designed to meet communities’ needs for sport and physical activity facilities for the health and wellbeing of the community.
- (2) In subsection (1), sport and physical activity facilities include —
 - (a) gyms,
 - (b) swimming pools,
 - (c) leisure centres,
 - (d) parks, and
 - (e) other community sports facilities.
- (3) The Secretary of State must issue guidance to local planning authorities on how local plans and strategies can be designed to achieve the aims outlined in subsection (1).”

Member's explanatory statement

This amendment seeks to ensure that national or local development plans include adequate provision of facilities for sport and physical activity.

LORD MOYNIHAN

After Clause 52, insert the following new Clause —

“Development plans and planning decisions: physical activity

- (1) Any national or local plan or strategy relating to the planning or development of an area must ensure that new residential development plans include adequate provision for sport and physical activity facilities to meet the needs of the new residents.
- (2) When interpreting the National Planning Policy Framework, the local planning authority must have due regard to the need for access to a network of high-quality open spaces and opportunities for sport and physical activity.
- (3) When considering planning applications for developments which provide facilities for sport and physical activity, there shall be a presumption in favour of approval.”

Member's explanatory statement

This amendment seeks to strengthen the commitments within the National Planning Policy Framework relating to the reduction in health inequality through the provision of places for physical activity.

LORD JAMIESON

After Clause 52, insert the following new Clause –

“Planning permission: implications of changes required by legislation

Where legislative changes necessitate modifications to an existing, approved planning permission, those modifications must be deemed to have planning permission.”

Member's explanatory statement

This amendment aims to provide clarity to the planning system such that project delays are kept to a minimum as a result of changes to legislation.

After Clause 106

LORD HUNT OF KINGS HEATH

After Clause 106, insert the following new Clause –

“Providing set timeframes for determination of compulsory purchase orders relying on the powers set out in the Electricity Act 1989.

- (1) Schedule 3 to the Electricity Act 1989 (compulsory acquisition of land by licence holders) is amended as follows.
- (2) In paragraph 5, in sub-paragraph (1), after “sub-paragraph (2)” insert “and (3)”.
- (3) After sub-paragraph (2) of paragraph 5 insert –
 - “(3) This paragraph applies where the confirming authority is exercising the functions conferred by paragraphs 13, 13A, 13BA and 13C of Part II of the Acquisition of Land Act 1981.
- (4) When exercising its functions the confirming authority must –
 - (a) decide to confirm the proposed order,
 - (b) decide not to confirm the proposed order,
 - (c) in a case to which section 13C Acquisition of Land Act 1981 applies (confirmation in stages), decide to confirm or not confirm the first stage of the proposed order, or
 - (d) notify the acquiring authority that it may confirm the order, within the period of 10 weeks beginning with the relevant day;
- (5) The relevant day in relation to the proposed order in sub-paragraph (4) is where –
 - (a) no qualifying objections have been received, the day after the final day for making objections as described at section 12A of the Acquisition of Land Act 1981;
 - (b) a qualifying objection is withdrawn with the result that no qualifying objections remain live, that date of withdrawal;

- (c) there are outstanding qualifying objections, and the confirming authority adopts the written representations procedure, the deadline set for final receipt of the written representations;
 - (d) there are outstanding qualifying objections, and the confirming authority adopts the representations procedure, the deadline set for final receipt of representations, or as the case may be, any report provided to the confirming authority by a person appointed to consider the representations;
 - (e) there are outstanding qualifying objections, and the confirming authority adopts the public local inquiry procedure, the day on which the confirming authority receives the report of the person appointed to conduct that inquiry.
- (6) The confirming authority may in any particular case, if considered appropriate, extend a period that applies under this paragraph.
- (7) The power to extend under sub-paragraph (6) –
- (a) may be exercised more than once in relation to the same period;
 - (b) may be exercised after the expiry of the period;
 - (c) requires written notice to be given to the authority that has made the order and to each person who has made a qualifying objection and not withdrawn it.”

Member's explanatory statement

This amendment seeks to improve certainty and timeliness in consenting electricity network infrastructure by introducing a statutory deadline of 10 weeks into the Acquisition of Land Act 1981 as it applies to decisions on Compulsory Purchase Orders (CPOs) made under the Electricity Act 1989. The amendment also clarifies the definition of the “relevant day” to ensure consistency across objection-handling procedures and allows for extensions where appropriate.

Clause 110

BARONESS SCOTT OF BYBROOK

Clause 110, page 152, line 18, at end insert –

“(ca) section (Use of hotels as accommodation for asylum seekers: requirement for planning permission) comes into force on the day on which this Act is passed;”

Member's explanatory statement

This ensures that the new clause ‘Use of hotels as accommodation for asylum seekers: requirement for planning permission’ (inserted by an amendment in the name of Baroness Scott of Bybrook) takes effect immediately when the Bill is passed.

BARONESS SCOTT OF BYBROOK

Clause 110, page 152, line 18, at end insert –

“(ca) section (Use of houses in multiple occupation as accommodation for asylum seekers: requirement for planning permission) comes into force on the day on which this Act is passed;”

Member's explanatory statement

This ensures that the new clause 'Use of houses in multiple occupation as accommodation for asylum seekers: requirement for planning permission' (inserted by an amendment in the name of Baroness Scott of Bybrook) takes effect immediately when the Bill is passed.

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1 September 2025

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