

### Reform of planning committees: technical consultation

The consultation period runs for 8 weeks from 28 May 2025.

#### Introduction

1. Planning is principally a local activity, because decisions about what to build and where should be shaped by local communities and reflect the views of local residents. That is why the government is determined to ensure every area has an up-to-date local plan developed through significant resident engagement, and it is why the government believes that planning committees have an integral role in providing local democratic oversight of planning decisions. It is however vital that in exercising that democratic oversight, planning committees operate as effectively as possible, focusing on those applications which require member input and not revisiting the same decisions.

2. In the King's Speech, the government announced that it would modernise the way planning committees operate to best deliver for communities and support much needed development. In December 2024, we published [Planning Reform Working Paper - Modernising Planning Committees](#) to seek views on 3 proposed actions to reform planning committees:

- introducing a national scheme of delegation so there is greater consistency and certainty about which decisions go to committee;
- requiring separate, smaller committees for strategic development so there is more professional consideration of key developments; and
- introducing a requirement for mandatory training for all planning committee members so they are more informed about key planning principles.

3. Through embarking on these reforms, and as expressed in our working paper, we want to encourage better quality development that is aligned with local development plans, facilitates the speedy delivery of the quality homes and places that our communities need, and gives applicants the reassurance that in more instances their application will be considered by professional officers and determined in a timely manner. This will allow committees and the elected representatives that sit on them to focus their resources on those applications where local democratic oversight is required.

4. Our objectives for these reforms are to:

- a) encourage developers to submit good quality applications which are compliant with plan policies;
- b) allow planning committees to focus their resources on complex or contentious development where local democratic oversight is required and a balanced planning judgement is made;
- c) ensure planning committee members get the training and support they need to fulfil their duties effectively; and
- d) empower planning professionals to make sound planning decisions on those cases aligned with the development plan.

5. As part of our engagement on the working paper we held 8 workshops and meetings with key stakeholders including local planning authorities and chairs of planning committees. We also received over 160 written responses to the working paper. Independently, the Planning Advisory Service undertook a survey on planning committees which attracted over 130 responses. The findings of that survey can be found on its website at [Modernising Planning Committees National Survey 2025](#).

6. This engagement following the publication of the working paper provided us with invaluable insight from those working across the sector as well as views from the general public. Our workshops, facilitated by the Planning Advisory Service, gave us access to a cross section of planning authorities from across the country, including districts, unitaries and counties. We also met with council members, chairs and vice chairs of planning committees and networks representing the development industry and local government. These sessions along with the written responses to the working paper indicated a broad consensus that, while local democratic accountability of planning decisions is important, the decision making of planning committees can be improved significantly and that government intervention would help to drive up performance. The key findings were:

- most respondents could see the case for a scheme of delegation to provide more consistency and certainty, but there were differing views about the structure of such a scheme;
- there was little support for separate strategic development committees, however, there was strong support for smaller committees generally to improve the quality of debate;
- there was strong support for mandatory training of planning committee members to improve their understanding of planning.

7. After careful consideration of the responses, the government has included the following measures in the [Planning and Infrastructure Bill](#) which was introduced into Parliament on 11 March 2025:

- a new power for the Secretary of State to set out which planning functions should be delegated to planning officers for a decision and which should instead go to a planning committee or sub-committee;
- a new power for the Secretary of State to control the size and composition of planning committees; and
- a new requirement for members of planning committees to be trained, and certified, in key elements of planning.

8. The measures in the Bill are enabling powers and the detailed provisions will be set out in regulations to be brought forward following Royal Assent for the Bill. This consultation seeks views on what detailed provisions should be included in the regulations.

9. The Bill measures relate to a local planning authority's development management functions. Schedule 1 of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 sets out a list of such planning functions which must be non-executive (and therefore usually fall under the responsibility of the planning committee). There are however a number of omissions to this Schedule and we intend to update it as part of these reforms. We recognise that some planning committees may discharge certain plan making functions (e.g. the approval of supplementary planning documents) which fall under Schedule 3 of the regulations which covers functions which must not be the sole responsibility of the executive. We do not intend to regulate these functions.

10. These reforms apply to England only.

11. These reforms will not affect the statutory framework for the ability of members of the public to make representations on planning applications. Local planning authorities must still consult and consider representations when determining planning applications regardless of whether the decision is made by committees or officers.

## 2. Delegation of planning functions

12. The Planning and Infrastructure Bill will, subject to parliamentary approval, give the Secretary of State the power, through regulations, to set out which planning functions should be delegated to planning officers for a decision and which should go instead to a planning committee or subcommittee<sup>[\[footnote 1\]](#)</sup>.

13. It is currently the case that all local planning authorities have their own scheme of delegation, but these vary widely across the country with a lack of consistency on the types of applications going to committee. In particular we see some committees unnecessarily considering large numbers of applications consisting of largely minor and technical details. This creates uncertainty and confusion for applicants, particularly those businesses and developers who deal with local planning authorities across the country. We are seeking to change this approach and build on the good practice of many councils in introducing a national scheme of delegation.

14. The measure is intended to ensure that planning committees can work as effectively as possible and focus on those applications for complex or contentious development where local democratic oversight is required. It is also intended to give greater clarity and consistency about who in a local planning authority will make planning decisions.

15. While the responses to the working paper indicated broad support for greater clarity and consistency on the delegation of planning functions, there were differing views on the structure of such a scheme. The key points were:

- many respondents were concerned about it creating new legal risks, being inflexible to deal with local circumstances, and leading inadvertently to more applications going to committee;
- concern that there would be reduced political oversight of locally important applications;
- the option of a scheme based on compliance with the development plan was felt to be too subjective and would not therefore achieve the objective of providing greater certainty;
- there was strong support to remove objection-based delegation criteria on the basis that they artificially encourage objections, lead to non-planning based decisions and create delays to otherwise acceptable development.

16. Having taken account of the responses, the government is proposing to introduce a scheme of delegation which categorises planning applications into two tiers:

- **Tier A** which would include types of applications which must be delegated to officers in all cases; and
- **Tier B** which would include types of applications which must be delegated to officers unless the Chief Planner and Chair of Committee agree it should go to Committee based on a gateway test.

17. The principle of a two-tier categorisation reflects common practice in existing schemes of delegation operated by individual local planning authorities. We think it is appropriate to have this triage process to ensure the scheme of delegation can operate in all areas and for varying scales and types of development. Large unitary authorities will deal with a significantly higher number of applications than smaller district authorities, and county councils deal with different types of application and we need to ensure that there remains an opportunity for locally important schemes to have appropriate democratic oversight. This approach will replace the many different approaches

across the country, including where individual councillors can call in any application to be considered by committee.

18. We have proposed a power in the Planning and Infrastructure Bill to publish statutory guidance to support local planning authorities in implementing the regulations on the scheme of delegation.

**Question 1:** Do you agree with the principle of having a two-tier structure for the national scheme of delegation?

In principle, this approach achieves the shared aim of streamlining decision making in Planning and giving more certainty on timescales for smaller applications, albeit this is only able to be the case where Local Planning Authorities are able to properly resource themselves and therefore TMBC eagerly awaits the proposed approach to locally set planning fees being published.

Our Members have some concerns about the immediately local impact that some minor residential development can inevitably have on communities and their ability to engage in the planning process in those instances given that this type of development would not be referable to planning committee. Whilst TMBC is adept at seeking ways to engage with elected members throughout the Planning process, some best practice guidance on this to ensure consistency would be welcomed.

The blanket inclusion of reserved matter approvals in Tier A is also a source of concern, given the need to ensure that principles set at outline application stage become reality during delivery. An alternative could be that reserved matter approvals for major residential development could be part of Tier B, allowing for that 'gateway check' to be undertaken.

The potential creation of a medium development category that is being proposed in a separate technical discussion paper would give greater scope for delegation whilst retaining the ability for Members to become involved in more significant schemes.

#### **Tier A applications (must be delegated in all cases)**

19. In all cases Tier A applications must be delegated to officers. We think that these types of applications should generally be technical in matter, or about minor developments. These types of applications consist of the majority of applications, where a very high proportion would be delegated to officers under the current system – however there are examples of all types being considered by committees.

20. We propose the following types of applications would be in Tier A. This is in recognition that they are either about technical matters beyond the principle of the development or about minor developments which are best handled by professional planning officers:

- applications for planning permission for:
  - Householder development
  - Minor commercial development
  - Minor residential development
- applications for reserved matter approvals
- applications for s96A non-material amendments to planning permissions
- applications for the approval of conditions

- applications for approval of the BNG Plan
- applications for approval of prior approval (for permitted development rights)
- applications for Lawful Development Certificates
- applications for a Certificate of Appropriate Alternative Development

21. The definition of minor residential development above covers, broadly, residential development for up to 9 dwellings. We are exploring the idea of creating a new category of medium residential development which could cover developments between 10 and 50 dwellings and we have [published a working paper on this](#). Our intention is not to include all applications for medium residential development in Tier A. We recognise that the inclusion of these applications within Tier A would mean very few residential development applications in some areas could be scrutinised by committee.

22. However, we are keen for views whether there are certain circumstances where medium residential developments could be included in Tier A. For instance, given the scale and nature of residential development in large conurbations such as London, we could specify medium residential development in these conurbations should be included in Tier A (as well as minor residential development), while in other areas, only minor residential development would fall within Tier A.

**Question 2:** Do you agree the following application types should fall within Tier A?

- applications for planning permission for:
  - Householder development
  - Minor commercial development
  - Minor residential development
- applications for reserved matter approvals
- applications for non-material amendments to planning permissions
- applications for the approval of conditions including Schedule 5 mineral planning conditions
- applications for approval of the BNG Plan
- applications for approval of prior approval (for permitted development rights)
- applications for lawful development certificates
- applications for a Certificate of Appropriate Alternative Development

**Yes, with the exception of reserved matter approvals for major residential development, using the new proposed development categories.**

**Question 3:** Do you think, further to the working paper on revising development thresholds, we should consider including some applications for medium residential development (10-50 dwellings) within Tier A? If so, what types of application?

**In smaller LPA areas, medium residential development should be in Tier B. However, it is understood that including these applications in Tier A in larger LPA areas would likely be preferable. Further clarity on how the definition for a 'larger LPA' would be useful in this regard. This could perhaps be based on the metric of percentage of applications falling into this category.**

**Question 4:** Are there further types of application which should fall within Tier A?

None

**Question 5:** Do you think there should be a mechanism to bring a Tier A application to committee in exceptional circumstances? If so, what would those circumstances be and how would the mechanism operate?

There should always be an exceptional circumstances option, however this would have to be applied consistently. Those circumstances could include extreme potential impacts in an immediately local area. There should be proposed wording for such a provision that LPAs are able to include in their constitution.

### Tier B applications

23. The starting point for Tier B is that all applications should be delegated to officers, subject to a gateway test through which the chief planning officer (or equivalent officer in LPAs without a chief planning officer) and chair of planning committee must mutually agree that they should go to committee if they are to depart from the assumed delegation.

24. In many instances, for example, applications for large-scale development that would have a lasting impact on the community, it will be self-evident that an application would benefit from democratic debate and scrutiny by way of committee. For other applications it may not be so clear and we consider that the triage process will be an effective tool to ensure that planning committee members are able to spend appropriate time on development that most impacts their communities. It will also ensure that objections which are not based on planning matters can be handled appropriately and not automatically trigger committee consideration as is the case in a number of areas.

25. We propose that the following types of applications should be in Tier B in recognition that it may be appropriate, in some circumstances, for these applications to be subject to committee scrutiny.

Type of decision	Rationale
Applications for planning permission not in Tier A	Planning permission is the key consent and there will be examples of applications in most categories of different development where committee scrutiny is warranted as the issue will be about the principle of development. This will include all significant new housing and commercial developments. It will enable controversial or complex applications to be considered by committee.
Notwithstanding Tier A, any application for planning permission where the applicant is the local authority, a councillor or officer	This type of application is included to ensure that there can be open scrutiny of applications closely linked to the local authority itself.
Section 73 applications to vary conditions	This type of application is included as, although there will be many instances where officers should consider the variation, there will be some applications

Type of decision	Rationale
	which would alert the principle of development which require committee scrutiny. Significant changes to mineral developments are, for instance, made through section 73 applications <sup><a href="#">[footnote 2]</a></sup> .
Review of mineral planning conditions	Certain categories of mineral sites are subject to a review of their conditions to ensure these are still.

26. We are also interested in whether we should set criteria by which decisions to take applications to committee should be considered. In triaging applications in Tier B, the following options could apply:

- where the application raises an economic, social or environmental issue of significance to the local area
- where the application raises a significant planning matter having regard to the development plan

**Question 6:** Do you think the gateway test which requires agreement between the chief planner and the chair of the planning committee is suitable? If not, what other mechanism would you suggest?

Yes, a gateway test is a suitable mechanism. However, it is unclear from the consultation whether this would be a nationally or locally decided approach. Given that the Local Government Act 1972 does not allow functions to be delegated to a single member, our assumption is that the gateway would need to be delegated to the Chief Planner in consultation with the Planning Committee Chair? Provision needs to be made to determine who will make the final decision about referring an application to Committee in the event that the Chief Planner and Chair of the Planning Committee are unable to agree.

**Question 7:** Do you agree that the following types of application should fall within Tier B?

a) Applications for planning permission aside from:

- Householder applications
- Minor commercial applications
- Minor residential development applications

b) notwithstanding a), any application for planning permission where the applicant is the local authority, a councillor or officer

c) applications for s73 applications to vary conditions/s73B applications to vary permissions

Yes, where the original application would have fallen into this tier.

**Question 8:** Are there further types of application which should fall within Tier B?

As above, TMBC considers that reserved matter approvals for applications that would generally fall into Tier B should be included in this tier also.

**Special control applications**

27. We would welcome views on whether special control applications (e.g. relating to tree preservation orders, listed building consent, advertisement control) should fall within Tier A or Tier B. In most cases these applications can – and do – get delegated to planning officers, but where they are sensitive or are linked to more substantive applications for planning permissions there may be a case for them to be considered at committee.

**Question 9:** Do you consider that special control applications should be included in:

- Tier A or
- Tier B?

**Tier A**

### **Section 106 and planning enforcement**

28. Section 106 functions are not executive functions and therefore fall into the remit of planning committees. We propose that section 106 decisions should follow the treatment of its associated planning applications (for example where the application is in Tier A, so too should the exercise of judgement as to which section 106 obligations to require be delegated to officers).

29. Planning enforcement functions (including enforcement of section 106 obligations) are in practice largely delegated to officers however there are some large scale, high profile and locally contentious enforcement cases which may warrant additional democratic oversight through the planning committee.

**Question 10:** Do you think that all section 106 decisions should follow the treatment of the associated planning applications? For section 106 decisions not linked to a planning application should they be in Tier A or Tier B, or treated in some other way?

**TMBC agrees with this approach. For 106 decisions not linked to a planning application, they should be in Tier A.**

**Question 11:** Do you think that enforcement decisions should be in Tier A or Tier B, or treated in some other way?

**Enforcement decisions should be dealt with in Tier A given the often technical and legal nature of those decisions. However, this is an area where the exceptional circumstances provision and the judgement of officers in consultation with Members is key, as some cases may warrant the oversight mentioned in para 29.**

### **3. Size and composition of committees**

30. The working paper sought views on whether it would be beneficial to introduce a requirement for local planning authorities to have smaller, dedicated committees to deal with strategic development applications.

31. Most respondents to the working paper felt that such a requirement was unnecessary as local planning authorities already had the power to form such committees and were doing so where it was needed. There was, however, strong support for having smaller committees generally to improve the quality of debate while recognising the need for political balance.

32. In light of the responses, the government does not intend to take a power to require strategic development committees at this time. We will instead use guidance to encourage local planning authorities to adopt such an approach where it would be beneficial.

33. We are, however, seeking a power in the Planning and Infrastructure Bill for the Secretary of State to set out requirements on the size and composition of committees<sup>[\[footnote 3\]](#)</sup>.

34. Engagement and best practice indicate a committee of 8-11 members is optimal for informed debate on applications<sup>[\[footnote 4\]](#)</sup>. We recognise that there is a need for some local flexibility to take account of political balance requirements and meeting abstentions. We are therefore, proposing to set a maximum of 11 members in the regulations. We will use the statutory guidance to provide a steer on best practice so that 11 members does not unintentionally become to be seen as the requirement. Committees may be smaller if that works best locally.

**Question 12:** Do you agree that the regulations should set a maximum for planning committees of 11 members?

TMBC currently operates an area planning committee system, which enables all Members to be involved in planning decisions in their most immediate local area. This has some significant local benefits with regards to understanding of key issues, albeit the Council acknowledges that we are an outlier in this regard. The size of these committees is an acknowledged issue, in that their size can mean that in order for all Members to fully engage in debate can mean that meetings are lengthy. TMBC understands the drive for national consistency, but in principle our Members are opposed to these restrictions. Should they be mandated, the Council will comprehensively review how ward Members can continue to play an integral role in the determination of planning applications in their area.

**Question 13:** If you do not agree, what if any alternative size restrictions should be placed on committees?

TMBC Members consider that individual LPAs are best placed to determine how committee structures should operate to meet the needs of their community and in this case the development profile and pipeline of an area.

**Question 14:** Do you think the regulations should additionally set a minimum size requirement?

Any fewer than 7 Members on a committee would be too small to ensure that those Members could meet the requirements of their roles in a sustainable way. There would also need to be provisions for alternates in such circumstances.

#### **4. Mandatory training for planning committee members**

35. The government recognises that many local planning authorities in England already train their members, and there is good take-up of the membership training offered by the Planning Advisory Service. However, the approach to training is inconsistent and varies across the country. A recent survey by the Planning Advisory Service shows that 45% of respondents indicate they do not have a good understanding of planning and planning processes following a form of training, which indicates that there is scope for a more consistent and qualitative approach to training.

36. Our working paper therefore, sought views on introducing mandatory training for committee members. The proposal was strongly supported and we are taking this forward, subject to Parliamentary approval, in the Planning and Infrastructure Bill.

37. In terms of content, industry engagement showed broad support for a combination of national content (e.g. National Planning Policy Framework, other statutory guidance and regulations) and content driven by local context (including the local development plan). The local planning authority will have a role to play in the training process, as many do already. We will use best practices of these for further guidance.

38. Industry engagement was supportive of a hybrid form of training: a mixture of online and face-to-face elements to reflect committee members' circumstances. There was a strong emphasis on ensuring the training demystified planning jargon as far as possible, recognising that members have other responsibilities and are not expected to be planning experts.

39. We will work with local government and the wider planning sector to develop a national planning committee package which seeks to meet these ambitions following the outcome of the Spending review.

40. One key feature (which is incorporated into the Bill's provisions) is the need for a member to have some form of training certification to ensure they can only make committee decisions if they have been trained. There are two basic options:

- a national certification scheme which would be procured by MHCLG and involve an online test for certification; or
- a local based approach where the local planning authority provides certification

41. Our preference is for a national certification scheme as it ensures independence and reduces the burden on individual local planning authorities, however it is likely to mean that the certification is based on national content only. We are aware of different views on this matter and would like to hear views before developing the training package with the sector.

**Question 15:** Do you agree that certification of planning committee members, and of other relevant decisions makers, should be administered at a national level?

Yes, as this would ensure consistency. However, LPAs should also have the ability to add a proportionate local requirement to this, subject to approval by MHCLG.

## **5. Delegated decision making**

42. Alongside our reforms to modernise planning committees we are committed to ensuring that delegated decision making is effective and as consistent as possible across the country. That is why we are taking steps to:

- introduce an overhaul of the local plans system to ensure that each area has an up to date local plan in place, making them simpler to understand and use so that communities can more easily shape them and will allow for an easier application of local plans to decision making
- consult on a set of National Decision Making Policies and a revised National Planning Policy Framework later this year that will create a clearer policy framework for decision making
- to support skills and resourcing by empowering local planning authorities to set their own planning fees to cover costs of delivering a good planning applications service

43. We also have an existing framework to measure the decision making performance of local planning authorities. The planning performance regime covers decision making by both committees

and delegated officer, looking at quality of decision making by measuring the proportion of total decisions overturns at appeal (as well as speed of decision-making). As part of our work to modernise the planning system and ensure it is delivering the outcomes communities want, we could consider reviewing the thresholds in the performance regime to support high quality decision making across both committee and officer decisions.

**Question 16:** Do you think we should consider reviewing the thresholds for quality of decision making in the performance regime to ensure the highest standards of decision making are maintained?

Performance measures should be reviewed on a cyclical basis. However, with the level of change currently being injected into the planning system and given that the current measures seem to be enabling the Government to successfully monitor, TMBC would not support a review at this time.

**Question 17:** For quality of decision making the current threshold is 10% for major and non-major applications. We are proposing that in the future the threshold could be lowered to 5% for both. Do you agree?

See above.

## 6. Public Sector Equality Duty and Environmental Principles

44. We would like to hear about any potential impacts of the proposals in the consultation on businesses, or of any differential impacts on persons with a relevant protected characteristic as defined by the Equality Act 2010 compared to persons without that protected characteristic, together with any appropriate mitigation measures, which may assist in deciding the final policy approach in due course.

45. Similarly we would like to hear about any impacts identified under the 5 environmental principles set out in the Environment Act 2021.

**Question 18:** Do you have any views on the implications of the proposals in this consultation for you, or the group or business you represent, and on anyone with a relevant protected characteristic? If so, please explain who, which groups, including those with protected characteristics, or which businesses may be impacted and how.

No

**Question 19:** Is there anything that could be done to mitigate any impact identified?

**Question 20:** Do you have any views on the implications of these proposals for the considerations of the 5 environmental principles identified in the Environment Act 2021?

No

## 7. Glossary

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| 1. Application for Householder Development | This refers to applications for planning permission for works or extensions to a single dwelling, such as extensions, loft conversions, or garden buildings. |
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2.	Application for Minor Commercial Development	These applications involve small-scale commercial projects, less than 1,000 square meters of floor space or a site of less than 1 hectare.
3.	Application for Minor Residential Development	This includes applications for small-scale residential projects less than 10 dwellings.
4.	Applications for Reserved Matter Approvals	These are applications submitted following an outline planning permission, where details such as layout, scale, appearance, access, and landscaping are provided for approval.
5.	Applications for s96A Non-Material Amendments to Planning Permissions	These applications are for minor changes to an existing planning permission that do not materially affect the permission, such as slight alterations to the design or layout.
6.	Applications for the Approval of Conditions	These are applications to discharge or comply with conditions attached to a planning permission, ensuring that specific requirements are met before development proceeds.
7.	Applications for Approval of the BNG Plan	These involve the approval of a Biodiversity Net Gain (BNG) Plan, which outlines measures to enhance biodiversity as part of a development project.
8.	Applications for Approval of Prior Approval (for Permitted Development Rights)	These applications are for developments that fall under permitted development rights but still require prior approval from the local planning authority for certain aspects, such as impact on transport or flooding.
9.	Applications for Lawful Development Certificates	These are applications to confirm that an existing or proposed use of land or development is lawful and does not require planning permission.
10.	Applications for a Certificate of Appropriate Alternative Development	These certificates are issued to confirm that alternative development would have been appropriate for land that is subject to compulsory purchase.
11.	Applications for Section 73	These applications are to vary or remove conditions attached to an existing planning permission, allowing for changes to the approved development without submitting a new planning application.

1. [Modernising Planning Committees National Survey 2025.](#) ↩