



The countryside charity
Hertfordshire

31a Church Street
Welwyn
HERTS AL6 9LW
www.cpreherts.org.uk
planning@cpreherts.org.uk
01438 717587

Standing up for Hertfordshire's countryside

Reform of planning committees: technical consultation July 2025

CPRE Hertfordshire responses to questions are in red text

<https://www.gov.uk/government/consultations/reform-of-planning-committees-technical-consultation/reform-of-planning-committees-technical-consultation>

Scope of the consultation

Topic of this consultation

This consultation seeks views on reform of planning committees.

Scope of this consultation:

This consultation seeks views on proposals around the delegation of planning functions, the size and composition of planning committees and mandatory training for members of planning committees.

Geographical scope

These proposals relate to England only.

Impact assessment

An impact assessment has been completed for the enabling powers relating to these proposals. It can be found online at: [Planning and Infrastructure Bill publications](#)

Basic information

Body/bodies responsible for the consultation:

Ministry of Housing, Communities and Local Government

Duration

This consultation will last for 8 weeks from 28 May 2025.

Enquiries

For any enquiries about the consultation please contact: planningcommittees@communities.gov.uk

How to respond

You may respond by completing an [online survey](#).

We strongly encourage responses via the online survey, particularly from organisations with access to online facilities such as local authorities, representative bodies, and businesses. Consultations on planning policy receive a high level of interest across many sectors. Using the online survey greatly assists our analysis of the responses, enabling more efficient and effective consideration of the issues raised for each question.

Alternatively you can email your response to the questions in this consultation to planningcommittees@communities.gov.uk

If you are responding in writing, please make it clear which questions you are responding to.

Written responses should be sent to:

Planning Committees Consultation
Planning Development Management
Ministry of Housing, Communities and Local Government
Planning Directorate
3rd Floor, North East
Fry Building
2 Marsham Street
London
SW1P 4DF

When you reply it would be very useful if you confirm whether you are replying as an individual or submitting an official response on behalf of an organisation and include:

- your name
- your position (if applicable)
- the name of organisation (if applicable)
- an address (including post-code)
- an email address
- a contact telephone number

Mr Chris Berry
Planning Manager
CPRE Hertfordshire – the countryside charity
31a Church Street
Welwyn, Hertfordshire
AL6 9LW
planning@cpreherts.org.uk
01438 717587

1. 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^{[\[footnote 1\]](#)}.

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?

CPRE Hertfordshire response:

No, the two tier national scheme of delegation being proposed is a severe erosion of the local democratic basis of the development management process and disenfranchises locally elected Councillors.

The Government has made it clear that it wants to speed up the delivery of development, both residential and commercial and has identified the planning decision-making process as the major impediment to achieving development. This is entirely inappropriate and trying to impose a one-size-fits-all nationwide scheme of delegation on Local Planning Authority (LPA) planning committees is aiming at the wrong target.

Research shows that:

- Most planning applications are already decided by planning officers under delegated authority from the Council and this has increased over time – around 96% of applications in 2023-24;
- Most planning applications are approved – 86% of all applications in 2023-24; and
- Just 2.7% of major cases and 1% of minor cases were refused by the LPA and then overturned by the Planning Inspectorate at appeal. (Source: [CPRE the Countryside Charity, May 2025](#))

Given that LPAs are already delegating over 90% of decisions to their planning officers, the imposition of a nationwide scheme of delegation is not only unwarranted but also unnecessary. The Government already has the tools and processes it needs to sanction any LPAs that are not deciding planning applications in a timely manner, or whose planning decisions are not of high quality, or both. No further Government interventions are needed.

In the first section of this consultation, it is repeatedly stated that the intent is to ensure that planning committees can focus on ‘applications where local democratic oversight is required’ (paras 3, 4, 14 et al) and that ‘we need to ensure that there remains an opportunity for locally important schemes to have appropriate democratic oversight’ (para 17). But a mandatory nationwide scheme of delegation as proposed in this consultation runs completely contrary to that stated intent, in that it would remove the ability for democratically-elected local Councillors to apply their knowledge and experience of local context and local concerns.

It is absolutely imperative that LPA planning committees continue to have the ability to exercise local discretion in all cases when deciding which cases to determine in committee.

There can be many variables involved in even very small development proposals, based on unique local context and constraints, sometimes in conjunction with the cumulative impact of other pending

local changes. To maintain trust and confidence in planning decisions, it is imperative that locally elected Councillors sitting on LPA planning committees have the opportunity to consider and determine locally significant development proposals regardless of the size or type of those proposals.

It is equally imperative that local people continue to have the opportunity not only to make written representations on planning applications in their community, but also that they retain the opportunity to attend LPA planning committees and voice their concerns

The Government's proposed changes in this consultation amount to a severe erosion of local democracy by reducing the opportunity for input from democratically-elected local Councillors and from local people, in decisions that have significant and often permanent impact on their communities and on their quality of life.

By concentrating on introducing a national scheme of delegation the government is severely jeopardising a basic characteristic of the statutory development management process which provides a clear and vital link between decision-making and local democratic participation. This is a simplistic solution to a complex situation which debases considerably a crucial element of the planning process and is likely to have a minimal effect on timescale for decision-making.

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

CPRE Hertfordshire response:

No, local context is crucially important in local planning decisions, and therefore there should be no mandatory Tier A. For example, a proposed 'minor residential development' of nine dwellings may be of huge local significance in a hamlet of only a dozen existing dwellings. Or for another example, applications for reserved matters approvals may be highly complex and locally contentious in a proposed development of thousands of new homes and/or large amounts of commercial space situated next to a locally important landscape or heritage site. For this reason it is essential that LPA planning committees continue to have the ability to exercise local discretion in deciding which cases to consider and decide in committee, and which cases to delegate to Council planning officers.

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?

CPRE Hertfordshire response: No

If so, what types of application?

CPRE Hertfordshire response: None

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

CPRE Hertfordshire response: No

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?

CPRE Hertfordshire response:

Yes. Notwithstanding our opposition to the principle of a mandatory Tier A, in the event of a Tier A, it is essential that LPA elected members continue to have the ability to exercise local discretion in deciding which applications should be determined in committee. Guidelines may be published for more consistent schemes of delegation between LPAs which should include all levels of application, including existing major and minor application categories. Nationally determined thresholds cannot take account of locally significant issues, concerns and constraints.

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.

Type of decision	Rationale
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 which would alert the principle of development which require committee scrutiny. Significant changes to mineral developments are, for instance, made through section 73 applications ^{[footnote 2]} .
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?

CPRE Hertfordshire response:

No, a gateway test administered by the chief planner and chair of the planning committee is not suitable. It would place enormous and inappropriate pressures on the two individuals, and in the case of the planning committee chair, could make him/her the focused target of immense amounts of lobbying and campaigning by local people who would have no other means of getting their voices heard on locally-contentious proposals but to persuade the planning committee chair to ensure the case is not delegated to officers.

The proposed gateway process would also place inappropriate pressure on the chief planner and potentially planning staff involved in determining applications where participation and consultation would be limited. A key link between local communities and their elected representatives would be lost on a range of environmental issues which are of increasing concern.

If not, what other mechanism would you suggest?

CPRE Hertfordshire response:

The introduction of government advisory guidelines for a scheme of delegation common to all LPAs but which nevertheless maintains the capability for local elected members to refer decisions to committee would reduce inconsistencies in practice between LPAs.

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

CPRE Hertfordshire response:

No. Government advisory guidelines for a scheme of delegation, as noted in our response to Q. 6 above, would obviate the need for Tiers A and B as presently proposed and provide for greater consistency between LPAs in the treatment of planning applications and enable local democratic involvement where appropriate. The present proposed tier system is a simplistic potential solution to often complex issues, even at a small spatial scale.

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

CPRE Hertfordshire response:

The introduction of Government advisory guidelines as noted in the response to Q.6 above would remove the need for Tiers A and B.

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?

CPRE Hertfordshire response:

Tier B, LPA planning committee discretion

See our response to Q.6 above recommending the introduction of Government advisory guidelines for local schemes of delegation which maintains the capability of locally elected Members to refer decisions to planning committee. This would clearly include the consideration of special control applications.

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?

CPRE Hertfordshire response:

The proportion of S106 decisions not linked to planning applications is so minimal that such matters are most appropriately dealt with by planning committees, and are most unlikely to make an appreciable difference to speed of delivery.

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

CPRE Hertfordshire response:

Similarly with regard to our response to Q.10 above, the diminution of planning enforcement action due to its discretionary nature and lack of staff means that this is most unlikely to be affecting delivery in any meaningful sense. Initial stages of enforcement can be carried out by officers as presently, and main decisions regarding prosecution should be made by committee as presently.

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^{[\[footnote 3\]](#)}.

34. Engagement and best practice indicate a committee of 8-11 members is optimal for informed debate on applications^{[\[footnote 4\]](#)}. 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?

CPRE Hertfordshire response:

No. Para 34 recognises the ‘need for some local flexibility’ and there is no need for micro-management in this area.

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

CPRE Hertfordshire response:

Government may publish advisory guidance on planning committee size but it is not necessary to make this mandatory.

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

CPRE Hertfordshire response:

No, same answer as Q. 13 above.

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?

CPRE Hertfordshire response:

No. This is neither necessary nor appropriate. Training for planning committee members to an appropriate level by the LPA should be mandatory, as should the requirement for ongoing continuing professional development (CPD) for Councillors to stay up to date. Government should provide guidelines for LPAs who do not follow present best practice in Councillor training and this can be reported as appropriate.

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 overturned 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?

CPRE Hertfordshire response:

No. Constant performance review should be an automatic requirement for LPAs, and Government which can already sanction LPAs if they have too many decisions overturned on appeal or take too long to make determinations on applications.

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?

CPRE Hertfordshire response:

No. There is no need to vary thresholds and it is unlikely to make a noticeable difference to delivery.

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.

CPRE Hertfordshire response:

No

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

CPRE Hertfordshire response:

Not applicable

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?

CPRE Hertfordshire response:

The five principles identified in the Environment Act 2021 should have wide-ranging and significant impacts on planning decisions and plan-making, and the implications of the legislation require much more detailed attention by government and LPAs alike. It is not appropriate to attempt to indicate the implications with regard to the operation of planning committees at this stage.

7. Glossary

- | | |
|--|--|
| 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. |
|--|--|

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.

About this consultation

This consultation document and consultation process have been planned to adhere to the Consultation Principles issued by the Cabinet Office.

Representative groups are asked to give a summary of the people and organisations they represent, and where relevant who else they have consulted in reaching their conclusions when they respond.

Information provided in response to this consultation may be published or disclosed in accordance with the access to information regimes (these are primarily the Freedom of Information Act 2000 (FOIA), the Environmental Information Regulations 2004 and UK data protection legislation. In certain circumstances this may therefore include personal data when required by law.

If you want the information that you provide to be treated as confidential, please be aware that, as a public authority, the Department is bound by the information access regimes and may therefore be obliged to disclose all or some of the information you provide. In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Department.

The Ministry of Housing, Communities and Local Government will at all times process your personal data in accordance with UK data protection legislation and in the majority of circumstances this will mean that your personal data will not be disclosed to third parties. A full privacy notice is included below.

Individual responses will not be acknowledged unless specifically requested.

Your opinions are valuable to us. Thank you for taking the time to read this document and respond.

Are you satisfied that this consultation has followed the Consultation Principles? If not or you have any other observations about how we can improve the process please contact us via the [complaints procedure](#).

Personal data

The following is to explain your rights and give you the information you are entitled to under UK data protection legislation.

Note that this section only refers to personal data (your name, contact details and any other information that relates to you or another identified or identifiable individual personally) not the content otherwise of your response to the consultation.

1. The identity of the data controller and contact details of our Data Protection Officer

The Ministry of Housing, Communities and Local Government (MHCLG) is the data controller. The Data Protection Officer can be contacted at dataprotection@communities.gov.uk or by writing to the following address:

Data Protection Officer
Ministry of Housing, Communities and Local Government
Fry Building
2 Marsham Street
London
SW1P 4DF

2. Why we are collecting your personal data

Your personal data is being collected as an essential part of the consultation process, so that we can contact you regarding your response and for statistical purposes. We may also use it to contact you about related matters.

We will collect your IP address if you complete a consultation online. We may use this to ensure that each person only completes a survey once. We will not use this data for any other purpose.

Sensitive types of personal data

Please do not share [special category](#) personal data or criminal offence data if we have not asked for this unless absolutely necessary for the purposes of your consultation response. By 'special category personal data', we mean information about a living individual's:

- race
- ethnic origin
- political opinions
- religious or philosophical beliefs
- trade union membership
- genetics
- biometrics
- health (including disability-related information)
- sex life; or
- sexual orientation.

By 'criminal offence data', we mean information relating to a living individual's criminal convictions or offences or related security measures.

3. Our legal basis for processing your personal data

The collection of your personal data is lawful under article 6(1)(e) of the UK General Data Protection Regulation as it is necessary for the performance by MHCLG of a task in the public interest/in the exercise of official authority vested in the data controller. Section 8(d) of the Data Protection Act 2018 states that this will include processing of personal data that is necessary for the exercise of a function of the Crown, a Minister of the Crown or a government department i.e. in this case a consultation.

Where necessary for the purposes of this consultation, our lawful basis for the processing of any special category personal data or 'criminal offence' data (terms explained under 'Sensitive Types of Data') which you submit in response to this consultation is as follows. The relevant lawful basis for the processing of special category personal data is Article 9(2)(g) UK GDPR ('substantial public interest'), and Schedule 1 paragraph 6 of the Data Protection Act 2018 ('statutory etc and government purposes'). The relevant lawful basis in relation to personal data relating to criminal convictions and offences data is likewise provided by Schedule 1 paragraph 6 of the Data Protection Act 2018.

4. With whom we will be sharing your personal data

MHCLG may appoint a 'data processor', acting on behalf of the Department and under our instruction, to help analyse the responses to this consultation. Where we do we will ensure that the processing of your personal data remains in strict accordance with the requirements of the data protection legislation.

5. For how long we will keep your personal data, or criteria used to determine the retention period

Your personal data will be held for two years from the closure of the consultation, unless we identify that its continued retention is unnecessary before that point.

6. Your rights, e.g. access, rectification, restriction, objection

The data we are collecting is your personal data, and you have considerable say over what happens to it. You have the right:

- a. to see what data we have about you
- b. to ask us to stop using your data, but keep it on record
- c. to ask to have your data corrected if it is incorrect or incomplete
- d. to object to our use of your personal data in certain circumstances
- e. to lodge a complaint with the independent Information Commissioner (ICO) if you think we are not handling your data fairly or in accordance with the law. You can contact the ICO at <https://ico.org.uk/>, or telephone 0303 123 1113.

Please contact us at the following address if you wish to exercise the rights listed above, except the right to lodge a complaint with the ICO: dataprotection@communities.gov.uk or

Knowledge and Information Access Team
Ministry of Housing, Communities and Local Government
Fry Building
2 Marsham Street
London
SW1P 4DF

7. Your personal data will not be sent overseas

8. Your personal data will not be used for any automated decision making

9. Your personal data will be stored in a secure government IT system

We use a third-party system, Citizen Space, to collect consultation responses. In the first instance your personal data will be stored on their secure UK-based server. Your personal data will be transferred to our secure government IT system as soon as possible, and it will be stored there for two years before it is deleted.

-
1. Note that these reforms do not apply to national park authorities and development corporation planning committees due to the different structure of their committees and the types of applications they deal with. [↩](#)

2. This approach would also apply to Section 73B applications if the reforms in the Levelling Up and Regeneration Act 2023 are implemented. [↵](#)
3. Note that these reforms do not apply to mayoral combined authorities, the Greater London Authority, national park authorities and development corporation planning committees due to the different structure of their committees and the types of applications they deal with. [↵](#)
4. The Planning Advisory Service recently undertook a survey of planning committees, noting that majority of committees are between 9 and 12 members: [Modernising Planning Committees National Survey 2025](#). [↵](#)