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Planning Reform Working Paper: Modernising planning committees

Response from The Housing Forum

Response submitted by:

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About The Housing Forum

The Housing Forum is the UK's cross-sector, industry-wide organisation that represents the entire housing supply chain. Our growing membership drawn from over 150 organisations across the public and private sectors and includes local authorities, housing associations, housebuilders, architects and manufacturers. All share our determination to drive quality in the design, construction and decarbonisation of UK homes. They have a commitment to partnership working and share in our vision of 'A Quality Home for All'.

In order to achieve this, we have advocate for policy change needed for everyone to live in a good quality, sustainable and affordable home. Our key [Housing Solutions](#) set out how we think this can be achieved.

The Housing Forum Ltd
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Introduction

The Housing Forum's cross sector membership means that we are uniquely placed to bring together those who work within local authority planning departments (officers, and also local councillors), with those who put in planning applications – housebuilders, housing associations and architects.

During 2023, we ran a working group on planning which produced two reports on planning ([Streamlining-planning](#) and [Planning validation requirements](#)). More recently, we have brought our members together to discuss the government's proposals for planning reform, including the modernisation of planning committees and proposed scheme for national delegation.

Housing Forum members from across the sector appreciate the rationale behind the proposed reforms – all agree that planning can become politicised in a way that does not serve the greater good, and that councillors can have pressure put upon them by local residents to block applications for reasons that are not, on balance, in the best interests of current and future populations.

Reducing the number of applications that go to committee would also have a (modest) beneficial impact on the resourcing demands placed on local planning departments, and could help improve the job-satisfaction and staff retention of professional planners, as they are being trusted to make more decisions.

There are, however some concerns about the proposals to remove powers from local authorities to determine individual planning applications – noting that planning is a key area in which many people do try to engage with local government and democracy. There are also concerns with the practicality of using compliance with development plans and local policies as a factor for determining which applications go to committee, when this is rarely black and white.

We see strong and widespread support for the proposals for a separate strategic planning group and for compulsory training of councillors sitting on planning committees.

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Response to questions

Question 1 Do you think this package of reforms would help to improve decision making by planning committees?

Housing Forum members from across the sector appreciate the rationale behind the proposed reforms – all agree that planning can become politicised in a way that does not serve the greater good, and that councillors can have pressure put upon them by local residents to block applications for reasons that are no, on balance, in the best interests of current and future populations.

Reducing the number of applications that go to committee would also have a (modest) beneficial impact on the resourcing demands placed on local planning departments, and could help improve the job-satisfaction and staff retention of professional planners, as they are being trusted to make more decisions.

There are, however, some concerns about the proposals to remove powers from local authorities to determine individual planning applications.

Particular areas of concern around the proposed national scheme of delegation relate to:

- The sense that the powers of democratically elected councils are being diminished, and at a time when district councils in two tier authorities are also facing losing powers to a higher tier of government.
- Concern that this comes at the same time as a lot of other planning reform (a new NPPF, changes to CPOs, etc), and of local government reform, which may be difficult on a practical level for local authorities to adjust to, and making it hard to know what the impact of each part has been.
- How to deal with situations where political control has changed in an area and the councillors do not feel that the local plan in place is “theirs”.
- How to deal with areas that do not have a local plan. The Government should be careful not introduce a perverse incentive on councillors to avoid or delay in adopting a local plan, because doing so will reduce their rights to determine individual planning applications.

Developers would appreciate and benefit from a system that improves the speed and consistency of decision-making, but there is no strong need for consistency between areas in terms of whether or not an application will go to committee. The requirements for a planning application are determined by its size, and the local authority validation requirements, rather than whether or not it will go to committee. However, once a decision to delegate an application to officers has been made, this should be honoured. Allowing councillors to call-in applications at a late stage is unhelpful and results in unnecessary delays.

We see strong and widespread support for the proposals for a separate strategic planning group and for compulsory training of councillors sitting on planning committees and believe that these two reforms will improve decision-making by planning committees.

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b. Do you have views on which of the options we have set out in regards to national schemes of delegation would be most effective? Are there any aspects which could be improved?

Options 1 and 2 differ only slightly. Option 2 would be somewhat more streamlined in that applications that are refused by officers would not have to go to committee. However, with both these options there is widespread concern that automatic delegation for applications that are in line with the development plan is not something that can be easily determined, and that if it is done strictly, almost no applications would be delegated – thus rendering the national scheme largely redundant. One organisation working in London has told us that every single one of their applications would be non-compliant with at least one policy – because policies may be out of date, or it may be impossible to comply with them, or because a scheme that is – on balance – better can be achieved by non-compliance.

Sites may 'already have approval through the local plan process' – but committees may still want to scrutinise the quality of the proposals, which will include whether or not they comply with a large number of local policies.

Option 3 is probably the more nuanced of the three, but our members feel that it would be difficult for Government to set this out in a way that works for all types of area, and is also sufficiently proscriptive. Without the detail of exactly what criteria are proposed, it is difficult to offer a clear response.

c. We could take a hybrid approach to any of the options listed. Do you think, for instance, we should introduce a size threshold for applications to go to committees, or delegate all reserved matters applications?

We see stronger support for automatic delegation of very small applications and for reserved matters applications where the application is in line with the outline application and policy. This would be a hybrid of Options 1 and 3. Though would also note that professional planners are a better means to determine design quality since they are professionally trained, whilst 'what and where' is more a question for the council. This does not sit very well with the model we are presented with which leans towards size being the factor which determines who is responsible for what level of decision making.

d. Are there advantages in giving further consideration to a model based on objections?

There is some support for planning committees to focus on the decisions where there is most controversy, but also a risk that numerically counting objections focuses only on one side of the equation and would incentivise organised opposition – when the most valuable aspect of consultation may be a more nuanced approach. The number of objections is always going to be a poor measure - since a large proportion of objections are spurious. A better consideration might be to look at where those objections are consistent and significant, but that would ultimately come down to a judgement call by someone rather than a prescribed metric and would involve officers judgement that the objections are significant or relate to material matters (and these could be listed generically - not exhaustive).

Allowing ward councillors to escalate to planning committee might be one possible alternative.

e. Do you agree that targeted planning committees for strategic development could facilitate better decision making?

Yes – we see strong support for this measure. It would allow an established committee to build up expertise and take decisions that need to be made in reference to one another. A strategic committee could also focus on the issue of build-out rates, to try to improve them, as they can be very long on some larger sites.

Some authorities already operate more than one planning committee and doing so can reduce delays and allow applications to be considered more frequently.

f. Do you have a view on the size of these targeted committees?

The overall view, from both local authorities and planning applicants is that planning committees are often larger than is ideal. A larger committee tends to take longer to make decisions and is more likely to be derailed by one member fixating on one particular issue. Planning committees sometimes end up larger than they should be because of concerns to ensure that the makeup of the committee reflects the political makeup of the council – especially if there are multiple parties with seats on the council (as is happening more frequently with the growth in some of the smaller political parties).

Ensuring that both the strategic committee and the other planning committee are kept to a manageable size would be helpful. Committees of five can function very effectively, with the chair having the casting vote. Ensuring political representation across the two committees taken together (with as close as possible within each) may be one way forward here.

g. How should we define strategic developments?

There are several factors that would influence whether a development ought to be considered as strategic:

- Size, in absolute terms
- Size, relative to the scale of other development happening locally and density of existing population (rural areas may need a somewhat lower threshold)
- Proximity to other (larger) developments, which between them have an impact on infrastructure.
- Expected impact on infrastructure requirements
- Timespan of delivery – strategic sites typically deliver across a large number of years (and may therefore contribute little to the 5 year land supply or current local plan)
- Any cross-boundary working needed to deliver both the site and the infrastructure.
- Complex sites, involving CPOs, major infrastructure works etc.
- Key locations in the townscape – affecting views, gateway sites, etc

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Some sites may be identified as strategic in local plans, via a threshold size based on local factors such as where S106 will deliver on-site or off-site strategic infrastructure, whereas non-strategic sites will be subject to CIL and an assumed standard S106 on-site contribution.

It should be possible for government to set out some criteria for strategic sites – but local authorities should be able to identify specific sites as strategic that meet other (locally defined) criteria.

h. Do you think the approach to mandatory training is the right one?

Yes. We see widespread support for mandatory training of councillors from all parts of the housing sector, including local councillors themselves and officers working in local authorities. Planning is complex, and has become more so in recent years, and if councillors do not fully understand it this slows things down and results in poor-decision making. Decisions are too often overruled at appeal – costing both councils and planning applicants (which can include housing associations and other not for profits) a lot of money, and lost time (which also means additional costs, because of the interest on money borrowed to buy sites and apply for planning permission).

There are two aspects to training that should be included:

- The technical aspects of planning. This should include the appeals process and reasons why a councillor might want to approve something that they don't like, because refusing it will likely result in a lost appeal.
- How to make decisions that balance different priorities, place-making and urban design.

Councillors should be encouraged to sit in on committees before they have completed their training, so that they can understand how the committee works in practice. There may also be a need for some local training on locally-specific policies – this should be led by local authorities.

Planning committees have a dual role – representing the will of the residents, and ensuring that applications come forward in line with the local plan, and are built to achieve the local authority's wider objectives around growth and prosperity.

Councillors need to be trained in how to explain a positive reason for building new homes – saying that there isn't a legitimate planning reason to oppose them is insufficient. Councillors find it easier to justify social housing – because allocation schemes will ensure that it is allocated to local residents, and find it harder to explain to local people why market housing is necessary in their area, because it will not necessarily be bought by people already living there.

Conclusion

The Housing Forum welcomes this opportunity to engage with government on its reforms to planning committees. We would be happy to facilitate further discussions bringing together planners and planning applicants, to discuss how best to reform the system to help deliver on the Government's ambition of 1.5 million new homes, and work towards our own ambition of a **Quality Home for All**.

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