

Meeting	Full Council
Date	23 rd June 2026
Report Title	Changes to national planning rules and the impact on the Parish Council's Planning & Highways Committee
Agenda Reference	15
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Officer's Recommendations:

- To note the report.
- To recommend to Full Council replacing the Planning & Highways Committee with an Environmental & Planning Working Party from November 2026, or sooner if deemed appropriate.

Background

- New national planning rules are being introduced through the *Town and Country Planning (Discharge of Local Planning Authority Functions) (England) Regulations 2026*.
- The Government intends these Regulations to take effect from 31 October 2026 (currently still in draft form but laid before Parliament).
- A National Scheme of Delegation will replace all local planning delegation schemes currently used by councils.
- The purpose is to ensure that only planning applications involving significant planning issues are determined by planning committees; most applications will be decided by the local authority's planning officers (at Swindon Borough Council).
- **Schedule 1 applications** will always be determined by planning officers. These are expected to include:
 - Householder applications.
 - Minor commercial applications.
 - Minor residential developments (up to 9 dwellings on sites under 0.5 hectares).
- **Schedule 2 applications** will normally be determined by planning officers unless:
 - The Chief Planning Officer and Planning Committee Chair both agree the application should go to committee; and
 - The application raises a significant economic, social, environmental, or planning issue affecting the local area.
- If the Chief Planning Officer and Committee Chair cannot agree, the application will automatically be determined by officers.
- **Current call-in arrangements will end.**
 - Ward councillors will no longer be able to require applications to be referred to committee.
 - Parish Councils will no longer have the ability to call in applications for committee determination.
 - Referral triggers based on a certain number of objections will also cease.
- Swindon Borough Council will be required to amend its Constitution to comply with the National Scheme, including changes to:
 - Planning Committee procedures.
 - The role of the Planning Committee Chair.



- Delegation arrangements and officer responsibilities.
- The changes are being brought to the attention of Parish Councils now so that they can prepare for the loss of call-in powers and the new decision-making process before implementation in October 2026.

Overall conclusion

The reforms are designed to:

- Speed up and streamline planning decisions by removing committees from routine cases
- Concentrate committee involvement on high-impact applications only.

Society of Local Council Clerks (SLCC) View

SLCC's general position has, and continues, to be oppose the proposed national scheme of delegation. In particular as *"It represents a severe erosion of local democratic decision making and associated transparency and accountability, especially as it will significantly reduce the opportunity for input and participation for local communities and people in planning decisions – decisions that often will have a significant impact on their communities and quality of life"*. A view shared by many of our members.

For more information, see below and their 2025 consultation response.

What is the impact on HWPC's Planning Committees?

- It is recommended that the Parish Council considers replacing the Planning & Highways Committee with an Environmental & Planning Working Party from November 2026, or sooner if deemed appropriate.
- The introduction of the National Scheme of Delegation means that formal call-in powers will end and routine planning matters will increasingly be determined by planning officers.
- A Working Party would provide a more flexible and proportionate approach for reviewing local planning, highways and environmental matters affecting the parish.
- The Working Party could support the wider work of Haydon Wick Parish Council by providing advice, local knowledge and practical recommendations to relevant committees or Full Council.
- This would allow councillor involvement to continue where matters affect residents, open spaces, highways, drainage, biodiversity or the overall character of the parish.

The Environmental & Planning Working Party could focus on the following areas:

1. **Planning applications** – reviewing applications of local interest and identifying any significant concerns for the Parish Council to consider.
2. **Highways matters** – considering issues affecting roads, traffic, access, safety and local movement.
3. **Footpaths and pavements** – identifying concerns relating to accessibility, maintenance and safe pedestrian routes.
4. **Flooding matters** – considering drainage, surface water and local flooding concerns where these affect residents, roads or public spaces.
5. **Community Emergency Plan (CEP)** – progressing the work of the existing CEP working party.
6. **Street furniture** – reviewing matters such as benches, bins, noticeboards, signage and related local facilities.
7. **Wildflower projects** – supporting biodiversity, pollinator-friendly planting and environmental enhancement projects.
8. **Bats, newts and wildlife** – helping ensure that biodiversity and protected species considerations are recognised in relevant local matters.
9. **Items for information** – receiving updates on environmental, planning and infrastructure issues affecting the parish.

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23 July 2025

Sent by email to planningcommittees@communities.gov.uk

Society of Local Council Clerks – Reform of planning committees: technical consultation

Thank you for giving the Society of Local Council Clerks the opportunity to comment on this important consultation document.

The Society of Local Council Clerks is the professional body representing town and parish council clerks in England and Wales. More than 4,000 local council clerks are in membership serving over 6,000 town and parish councils throughout England and Wales. Influencing, shaping and guiding the planning system is a high priority for many of our members. This issue is, therefore, of special significance and importance to the society and its members.

In formulating this response, we have consulted widely with our members. We have also urged them to respond individually.

We have concentrated on those questions that are of the greatest relevance and significance to the sector. Taking each question in turn.

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

No. We fundamentally disagree with the principle. It represents a severe erosion of local democratic decision making and associated transparency and accountability, especially as it will significantly reduce the opportunity for input and participation for local communities and people in planning decisions – decisions that often will have a significant impact on their communities and quality of life.

We are especially concerned that it would severely limit the influence of local councils, who are often best placed to understand the very local impact of proposed developments and reflect the views and aspirations of residents in the planning decision making process.

Can we say that we are not convinced that the proposals are required, especially given that over 90% (and a growing proportion) of planning applications already are determined under delegated authority from the local planning authority, the vast majority of which are approved and a decision made in the agreed timescale. In addition, the Government already has processes in place to sanction any local planning authority it considers is not determining planning applications quickly enough.

We are particularly concerned by the proposal to remove the ability of local councils and others to refer/request planning applications to planning committee through a 'call in' process. It is established practice that a local council and others have the right to request that certain applications of local importance be considered by the planning committee where there are sound planning reasons for doing so. This is an essential and effective mechanism that ensures local concerns — especially on controversial or sensitive applications — are given proper scrutiny in a transparent, public setting. It is imperative that the 'call-in' mechanism is retained, not only



to maintain trust and confidence in the planning system, but also as a vital safeguard for local democratic accountability.

If such applications are delegated, without a means of referral to committee, communities will lose their ability to influence, be involved and be a part of decisions. This would, therefore, erode local oversight and confidence in planning decision making and could further increase resistance to new development as a result.

We are also deeply concerned that the focus on delegating planning decisions and, in turn, reducing the number of planning applications that go to planning committee will reduce and erode the right of local councils and others to attend planning committees and have the opportunity to speak at them.

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

No, we do not agree with the principle. Should the Government be minded to introduce such guidance, it should be in the form of guidelines rather than mandatory. Local planning authorities should have the discretion to determine which applications should fall within Tier A. We do not consider that a one size fits all approach is necessary nor workable. While a minor development of nine homes may not be complex or controversial in one geographic area, it may be in another, for example, in a very small village, or where it is in or close to a Listed Building or other sensitive location. It is critical that local authorities have the ability to exercise local discretion in determining which types of applications are dealt with under delegated powers and which go to planning committee.

Notwithstanding our objections, should it be considered necessary to introduce such a scheme, it is imperative that it includes a call in mechanism for the reasons stated above.

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?

We have no strong views on this question.

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

We have no strong views on this question.



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?

Yes, it is critical that there is a mechanism to bring a Tier A application to committee in exceptional circumstances – through a ‘call-in’ system or similar. This is to ensure that planning continues to be seen as part of the democratic process, and to ensure residents and communities have the opportunity to be involved in the decision making process.

In terms of what circumstances, we do not consider this should be based on a number of objections, especially as often this will be seen as a target to be achieved. A much more considered approach is required. Any such guidance should make specific reference to the role and contribution of parish councils.

Parish councils have a key role to play in the planning system, are statutory consultees in the planning process and must be informed of all planning applications and any amendments to those applications, within the parish. They are the forefront of the preparation of neighbourhood plans, which form part of the statutory development plan system. They are the grass roots of local community democracy and the first tier of local government, who are often best placed to understand the local impact of proposed developments and reflect the views of residents. Their key role should be reflected, and recognised, in the mechanism. This should include a presumption that, were the affected parish council requests based on solid planning grounds, a Tier A application be brought to a planning committee so that this happens. Many local authorities successfully operate such a model to some success.

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?

We have no strong views on this question.

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

We have no strong views on this question.

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

We have no strong views on this question.

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

- **Tier A or**
- **Tier B?**



We have no strong views on this question.

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?

Yes, in principle subject to our earlier point (see answer to question 2) about retaining local discretions to respond to local needs and circumstances.

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

We have no strong views on this question.

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

No, we do not consider this as necessary nor appropriate. Similar to our early points we consider that this is best determined at the local level.

In particular, we are concerned, especially in larger unitary authorities, that such a small size of planning committee members would mean that the committee and its members are viewed as not representative, democratically accountable and generally not attuned to the views and needs of the various communities within it. This would then reduce confidence and accountability in the planning system.

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

We do not consider that any national restrictions should be placed on the size of planning committees, especially the small numbers proposed. We consider this is best determined at the local level having regard to local priorities and circumstances.

Government may wish to publish advisory guidance on planning committee size, but we do not consider it necessary nor desirable to make this mandatory.

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

No, see our answer to 13.

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. The training and certification of planning committee members is supported, in principle, at a national level for the reasons stated. We see some value in this. This should not be limited to national policy and planning law, but must also include comprehensive briefings on local development documents, especially neighbourhood plans.



This requirement should be ongoing in the form of continuous professional development or similar.

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?

We have no strong views on this question.

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?

We have no strong views on this question.

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.

We have no strong views on this question.

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

We have no strong views on this question.

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?

We have no strong views on this question.

Thank you again for the opportunity to comment upon this important consultation. If it would be helpful, the Society will be pleased to meet with or speak to officials to explain in more detail its points and observations over this issue.

Andrew Towlerton MRTPI, National Planning Advisor

Society of Local Council Clerks