

NEWSLETTER



Planning and Politics

Planning & Infrastructure Bill:

A momentous day - the new planning and infrastructure bill was heard in parliament on the 11th of March. The Bill is an ambitious piece of legislation which will aim to streamline and speed up the delivery of new homes and critical infrastructure in England.

The Labour government's flagship Planning and infrastructure bill has five overarching objectives:

- **Delivering a faster and more certain consenting process for critical infrastructure** - The Bill will make it quicker and easier to deliver critical infrastructure projects including through streamlining NSIP consultation requirements, ensuring National Policy Statements are kept up to date, and reducing opportunities for judicial review.
- **Introducing a more strategic approach to nature recovery** - The Bill will introduce a new Nature Restoration Fund that will unlock and accelerate development, while going beyond simply offsetting harm to unlock the positive impact development can have in driving nature recovery.
- **Improving certainty and decision-making in the planning system** - The Bill will ensure that planning committees operate as effectively as possible ensuring that they play their proper role of scrutinising development without obstructing it.
- **Unlocking land and securing public value for large scale investment** - To unlock more sites for development, the Bill will ensure that compensation paid to landowners through the compulsory purchase order process is fair but not excessive.
- **Introducing effective new mechanisms for cross-boundary strategic planning** - The Bill will implement strategic planning at a sub-regional level through the production of Spatial Development Strategies to facilitate effective cross-boundary working to address development and infrastructure needs.



The Bill includes numerous planning reforms which aim to improve planning efficiency, ensure sustainable development, and support housing and infrastructure growth across England:

- **Sub-Delegation of Planning fees** - LPAs will be allowed to set their own planning application fees to ensure full cost recovery. However, these fees must not exceed actual processing costs and the secretary of state can intervene to prevent excessive fee increases.
- **Planning Committee reforms** - Introducing mandatory training for committee members to ensure legal and procedural competence. Also, a national delegation scheme will decide if an application is to be decided by planning officers or committees.
- **Spatial Development Strategies (SDSs)** - A new system for cross-boundary strategic planning, modelled on London's system will be introduced. Combined authorities, county councils and unitary authorities will be required to prepare SDSs that provide strategic direction on housing, infrastructure, and economic growth but will not replace local plans.

"The Planning and Infrastructure Bill is central to the government's plan to get Britain building again and deliver economic growth. The Bill will speed up and streamline the delivery of new homes and critical infrastructure, supporting delivery of the government's Plan for Change milestones of building 1.5 million safe and decent homes in England and fast-tracking 150 planning decisions on major economic infrastructure projects by the end of this Parliament. It will also support delivery of the government's Clean Power 2030 target by ensuring that key clean energy projects are built as quickly as possible."

UK Government



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The bill includes reforms on infrastructure which aim to accelerate infrastructure development, improve energy efficiency, and support economic growth while ensuring environmental and community considerations are addressed:

- **Nationally Significant Infrastructure Projects -** Requires national policy statements to be updated every five years with a streamlined amendment process and places limits on judicial review, reducing the JR process from three to two and removing the right to appeal against consent orders in instances where the grounds are judged to be without merit.
- **Electricity network -** Moving to a “first ready, first connected” system to prioritize viable projects with temporary powers being given to Ofgem and the Secretary of State to adjust queue prioritization.
- **Scottish electricity infrastructure consenting -** Implementing mandatory pre-application consultation to improve community engagement.
- **Long duration electricity storage -** Ofgem to implement a revenue protection scheme for LDES, supporting investment into energy storage.
- **Homes near transmission projects -** Introducing consumer benefits such as bill discounts to households near new or upgraded infrastructure.
- **Offshore electricity transmission -** Extending the generator commissioning period from 18 to 27 months, reducing the risk of shutdown due to technical delays.
- **Electricity generation on forested land -** Forestry authorities granted power to use and lease land for renewable energy projects.
- **Highways Act 1980 -** Promoting faster decision making by setting deadlines for objections and decisions as well as introducing temporary land possession powers.
- **Harbour order fees -** Introducing flexible cost-recovery fees for harbour orders.
- **Transport and works act 1992 -** Streamlining the approval process for rail, tram and guided transport projects.
- **EV charge point installation -** Simplifying the approval process by replacing licenses with permits that will take 2-5 days for approval as opposed to months.

The bill includes reforms on development and nature recovery which aim to reduce development delays, lower administrative burdens and deliver stronger environmental protection:

- **Nature Restoration Fund (NRF) and Environmental Delivery Plans (EDPs) -** A new strategic approach to fulfilling environmental obligations related to protected habitats and species. Natural England will create EDPs to outline actions that go beyond current mitigation efforts and support nature recovery. Developers using an EDP will no longer need to conduct individual assessments or deliver site-specific mitigations and will make payments directly to the NRF. This will help to streamline approvals and accelerate housing delivery. Natural England will oversee implementation with a £14m budget, operating on a full cost recovery system to sustain its long term function.

Reforms for development corporations are also included in the bill aiming to boost economic growth and ensure well connected, sustainable new communities:

- **Strengthening development corporations -** The government will legislate to enhance their role in delivering large-scale housing and regeneration projects by providing more flexibility in the types of developments they can oversee. Development corporations will be closely monitored through statutory consultation and regulatory approval.
- **Improving transport integration -** Introducing a duty for development corporations to cooperate with local transport authorities with development corporations receiving transport planning powers if cooperation fails.

Compulsory purchase reforms were also included in the bill:

- **Streamlining the compulsory purchase order process -** Simplifying land acquisition for projects by introducing the electronic delivery of statutory notices and simplifying newspaper notice requirements.
- **Land value compensation rules -** Limiting “hope value” compensation to reduce landowner overcompensation.

The bill has completed its first reading in the House of Commons, with the date for the second reading yet to be announced. You can view the full timeline of upcoming stages [here](#). If you'd like to receive updates on the bill's progress, please contact one of the team to be added to our mailing list.

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