Amendments to the Planning and Infrastructure Bill

To: Local authorities in England
For information: Local authorities in Northern Ireland, Scotland, and Wales.

1 Overview

On 11 March 2025 the UK government published the Planning and Infrastructure Bill and this was followed on 6 May 2025 by the Planning and infrastructure Bill: Impact Assessment, that provided an assessment of the impact that the measures set out in the Bill have on business and wider society.

The Bill has now passed through the House of Commons, has progressed through the Committee stage in the House of Lords and is due to enter the Report stage in the House of Lords on Monday 20 October 2025, with further hearings scheduled up to 29 October 2025. As the Bill has progressed through the legislative process 67 new amendments have been proposed.

The briefing provides a summary of the key amendments that have been proposed to the Bill.

2 Introduction

The government state that the measures set out in the Planning and Infrastructure Bill will: -

- Deliver a faster and more certain consenting process for critical infrastructure, including the energy infrastructure needed to deliver the government's Clean Power 2030 target:
- Introduce a more strategic approach to nature recovery.
- Improve certainty and decision-making in the planning system.

- Unlock land and secure public value for large scale investment.
- Introduce effective new mechanisms for cross-boundary strategic planning.

The government advise that the analysis set out in the document and accompanying annexes indicates that the Bill will achieve the aims and be a boost to businesses and households in the UK.

It is commented that many of the measures in the Bill have been informed by extensive stakeholder engagement via responses to the government's series of working papers on planning reforms, various consultations and calls for evidence.

The reforms set out in the Bill come alongside wider action that is aimed to get Britain building again, including: -

- Ending the de facto ban on new onshore wind in England
- Pro-growth changes to the National Planning Policy Framework implemented in December 2024
- Supporting local authorities with 300 additional planning officers across the country.
- Greater intervention in the planning system with the benefit of development as a central consideration
- Identifying and building the next generation of new towns, including major urban extensions
- Providing councils and housing associations with the long-term rent certainty and capital investment they need to deliver the biggest boost to new social and affordable homes for a generation
- Updating relevant National Policy Statements within a year and establishing a ten-year infrastructure strategy to give investors and the supply chain the long-term certainty needed to underpin investment. Alongside this, it is stated that the government will establish the National Infrastructure and Service Transformation Authority as an authoritative voice at the centre of Government to drive forward delivery.

3 Latest amendments to the Planning and Infrastructure Bill

3.1 Restriction on local authorities' ability to refuse applications.

Under the new proposals Ministers will be able to issue 'holding directions' to stop councils refusing planning permission whilst they consider using their 'call-in' powers.

Under existing rules, they can only issue these holds when a council are set to approve applications. It is stated that this amendment will ensure Ministers can safely use their call-in powers where necessary to boost growth and build more homes.

3.2 Review of Water Infrastructure / Nationally Significant Infrastructure Projects

An amendment looks to expand the definition of Nationally Significant Infrastructure Projects under the Planning Act 2008 with an aim to speed up the approvals for large reservoirs by enabling non-water sector companies to build certain water-related infrastructure.

3.3 Onshore wind projects

The Bill seeks to unlock more onshore windfarms by securing around 3GW of onshore wind and up to £2 billion extra investment for UK based businesses.

However, an amendment has been put forward that would allow the Secretary of State to make regulations for planning permissions for windfarms that risk interfering with UK defence and seismic detection capabilities. This could include the creation of exclusion zones and in certain circumstances allow the Secretary of State to block an application.

3.4 Stopping planning permission from timing out

An amendment is being sought to the Town and Country Planning Act 1990 which would allow for extensions of the implementation period for planning permissions when a challenge has been made against the granting of planning permission.

It is proposed that the extension would be dependent on the Court in which the legal

challenge is made in. The extension would only apply where a challenge proceeds to a full hearing, and in circumstances where the permission is refused an extension would not be trigged.

The government state that the aim of the amendment is to stop planning permissions from being timed out for approved major housing schemes facing lengthy judicial reviews, which builds on existing measures to cut back meritless legal challenges for major infrastructure projects from three to one and slashing a year off the statutory pre-consultation period.

3.5 Natural England's role In the Planning System.

It is reported by government that Natural England is currently wasting precious resources because they are required by law to respond to every query from local authorities that relates to nature.

There is a new amendment which would allow Natural England to decline requests for advice from local authorities (but not from Ministers) on specific planning matters.

The aim of this amendment to streamline Natural England's role and speed up approvals for new homes and infrastructure by reducing unnecessary duplication and allowing greater discretion to focus on applications that pose higher risks or present stronger opportunities for nature recovery, with standard guidance provided to local authorities for straightforward cases.

A further amendment would require Natural England to consult with its Welsh or Scottish Counterparts where a draft Environmental Delivery Plan covers development in England but may have an impact on sites in Wales and Scotland.

3.6 Climate change mitigation

A new clause is proposed that would place a legal duty on the Secretary of State and planning authorities to give special regard to climate change mitigation, including the target of net-zero as set out in the Climate Change Act 2008, and adaption when preparing national planning policy, local plan making and planning decisions

3.7 Health in planning

New clauses in the Bill have been proposed with the aim of embedding a statutory duty for health promotion and inequality reduction into planning law.

This will align with the provisions in the English Devolution and Community Empowerment Bill

APSE Comment

APSE supports the governments ambitions to deliver 1.5m homes and accelerate the speed that decisions on major infrastructure projects are made. However, there is a risk that in a bid to speed up the planning process and giving ministers additional powers to override local authority refusals it has the potential to further heighten tensions between central and local government, and the community.

The environment in which we live has a direct impact on the health and wellbeing of communities, and there needs to be a balance struck between the need for development and protecting and enhancing the environment. Therefore, careful consideration needs to be given that the amendments do not limit statutory environmental inputs and undermine the protection of nature and the wider environment.

The proposal for the Secretary of State and planning authorities to give special regard to climate change mitigation is a positive step forward and demonstrates an acknowledgment that this Bill needs to be aligned with other government policies to achieve the desired outcomes.

On a final point, APSE welcomes the proposal of clauses that embed a statutory duty for health promotion and inequality reduction into planning law, as the lessons of the past have demonstrated, where considerations such as this have been overlooked, communities often fail to thrive.

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