

Environment & Planning Committee Reform (Legislative Changes 31 October 2026)

Full Council
30th September 2026

Recommendations

Full Council is recommended to:

1. **NOTE** the introduction of the National Scheme of Delegation of Planning Functions, which comes into force on 31 October 2026.
2. **NOTE** that the national scheme applies to the decision-making arrangements of SBC and does not remove the Parish Council's role as a consultee on planning applications.
3. **NOTE** that reform is likely to affect the practical influence of CSNPC because a greater and nationally prescribed range of applications will be determined by planning officers directly without any SBC members of the Planning Committee.
4. **RETAIN** the Parish Council's Environment & Planning Committee, but review and broaden its role so that it concentrates on applications but primarily on strategic planning, major development, planning conditions, developer contributions and planning enforcement matters as a working group.
5. **REVIEW** the Planning Committee's Terms of Reference and Scheme of Delegation so that routine applications can, where appropriate, be dealt with through an agreed delegated procedure while applications raising significant local or policy issues continue to receive member consideration. CSNPC can also continue to act as advocate to SBC Ward Members on such issues.
6. **APPROVE** the Clerk to prepare revised Planning Committee Terms of Reference for FGP and a proposed parish planning delegation procedure for consideration by Council, with the revised arrangements to take effect from 31 October 2026 or such later date as Council determines.

Summary

The purpose of this report is to advise Council of significant changes to the operation of planning committees in England arising from the Planning and Infrastructure Act 2025 and the Town and Country Planning (Discharge of Local Planning Authority Functions) (England) Regulations 2026.

The National Scheme of Delegation comes into force on 31 October 2026.

The report considers what these changes mean for us and, in particular, whether there remains a useful role for the E&P Committee.

The conclusion of this report is that there remains a strong case for retaining the Committee, but that its role should evolve in response to the changing planning system.

Background

The current Labour Government has introduced a National Scheme of Delegation intended to create greater consistency across England in determining which planning applications are decided by professional planning officers and which may be considered by elected planning committees. It appears to be so that applications are made faster and based on legislation first.

The stated intention is that Local Planning Authority planning committees, in our case SBC, should concentrate on proposals presenting the most significant planning issues, while more minor and technical applications are dealt with by officers.

The new national arrangements replace much of the discretion previously available to individual LPAs when designing their local schemes of delegation.

This is particularly relevant to us because local schemes have historically sometimes allowed an application to be referred to the LPA's

Planning Committee where, for example:

- An SBC ward councillor requested that an application be called in;
- E&P objected;
- the view of E&P conflicted with the planning officer's recommendation; or
- a specified number of public objections had been received, such as we saw in Church Walk South for example.

The new national scheme significantly restricts the continuation of such locally determined referral mechanisms.

The New National Scheme

The new arrangements broadly divide planning functions into three groups.

4.1 Schedule 1: Mandatory officer delegation

Applications falling within Schedule 1 must be determined by planning officers.

SBC does not have discretion simply to refer such an application to its Planning Committee because the application is locally controversial or because we or residents have objected.

This category includes a number of application types which we commonly encounter. This represents an important practical change.

An application can be relatively modest when considered at district or national level but still have considerable significance to a parish.

For example, a small residential development may substantially affect the character of a small settlement, yet its scale or application category may mean that the decision must be delegated to officers. Unlikely to be an issue in CSNPC and more smaller villages but it could impact infill for us.

4.2 Schedule 2: Presumption of officer delegation

Applications falling within Schedule 2 are also presumed to be determined by officers.

However, there is a mechanism under which an application may be referred to SBCs Planning Committee where the statutory criteria are satisfied and the relevant nominated officer and nominated member agree that referral is appropriate.

This is substantially different from our unrestricted local "call-in" system. The existence of local opposition or a parish objection does not, by itself, guarantee that an application will be considered by elected members of SBCs committee.

4.3 Other planning functions

Where a planning function is not contained within either Schedule 1 or Schedule 2, SBC retains greater discretion through its own constitution to determine whether the matter should be delegated or considered by committee.

5. Effect on CSNPC & E&P

The reforms do not abolish the role of parish and town councils in the planning system, but I think it diminishes our influence in the interests of speed.

The Parish Council will continue to receive planning consultations and may continue to make representations to SBC. The reforms do, however, dilute the environment in which those representations are considered.

Currently, one source of influence available to us has been the possibility that an objection could contribute to an application being brought before elected members of the Planning Committee.

That opportunity will be reduced for applications which the national scheme requires or presumes should be determined by officers.

The practical emphasis therefore shifts from: "Can the Parish Council get this application before the Planning Committee?" to:

"Can the Parish Council make a sufficiently strong planning case to influence the officer's assessment and decision?"

This makes the quality of the Parish Council's planning representations increasingly important, something historically I think we've excelled at.

6. Policy-Based Representations

As now we should distinguish between general local concern and material planning considerations. Again, something the current Committee has exceeded in defining.

Where CSNPC objects to an application, we should identify wherever possible in our potentially revised form:

- the relevant Local Plan policy;
- relevant national planning policy;
- adopted design guidance or design codes;
- highways and access considerations;
- drainage, flooding or environmental issues;
- infrastructure implications.

The Committee's role should therefore increasingly be one of planning analysis rather than simply recording local support or opposition.

7. Is there still a need for an E&P Committee?

Officers consider that there is.

However, the rationale for maintaining the Committee needs to change.

Planning is, however, considerably wider than determining individual planning applications. CSNPC has an important role in influencing how the area develops over the longer term.

It is therefore recommended that the Council retains E&P but develops it into a broader **Planning and Development Committee**, it is worth noting the committee still retains responsibility for bins, flowers, meadows and tree planting. All financial functions so a devolution into a Working Group may not be suitable.

8. Proposed Future Role of the Committee

The Committee could have responsibility for the following areas.

8.1 Planning applications

Continue considering applications which raise meaningful local planning issues and those responses.

The Council should consider whether every routine householder application needs formal committee consideration. The Clerk would recommend a triage before all matters are brought to the Committee unless the Chairman 'calls one in' as he/she feels it to be of interest.

8.2 Neighbourhood Plan

The Committee should continue to monitor whether this will be of any use to CSNPC given the high cost of setting up and the ability for developers to avoid CIL on converted premises.

8.3 Local Plan and strategic planning

The Committee should take a leading role in considering:

- Local Plan consultations;
- proposed site allocations;
- housing and employment land;
- infrastructure requirements;
- design codes;
- transport proposals;
- environmental policies; and
- other strategic planning documents.

The SBC Local Plan can be found here: [Swindon Borough Local Plan 2026 | Swindon Borough Council](#)

8.4 Major developments

Major or strategically significant proposals should continue to receive detailed member scrutiny.

8.5 Planning conditions and obligations

The Committee could monitor significant permissions after determination, including relevant:

- planning conditions;
- landscaping requirements;
- highways works;
- construction management arrangements;
- Section 106 obligations; and
- other mitigation measures.

8.6 Planning enforcement

SBC now has enforcement officers in post. The Committee could provide greater oversight of possible breaches of planning control and monitor significant enforcement cases affecting the parish or act as advocate as we do now to navigate the SBC system.

9. Proposed Triage of Planning Applications

As mentioned earlier, Council may wish to move away from a system under which every application automatically requires the same level of committee consideration and Officers filter out applications where there is little merit in commenting.

This could be:

Type of matter	Proposed approach
Routine householder application with no apparent policy or neighbour impact	Delegated review / no comment where appropriate
Minor application raising a material planning issue	E&P
Development generating significant local concern	E&P
Significant or major development	E&P
Local Plan/site allocation consultation	E&P
Significant enforcement matter	E&P