



The countryside charity
Sussex

CPRE Sussex
Brownings Farm
Blackboys
East Sussex TN22 5HG
Telephone 01825 890975
info@cpresussex.org.uk
www.cpresussex.org.uk

10 November 2025

Dear MP

Re: Planning and Infrastructure Bill

With the Planning and Infrastructure Bill returning to the Commons this week, **I am writing to urge you to back four key changes proposed by the Lords: Amendments 63, 94, 96 and 130.**

These amendments are critical to:

- safeguard local democratic accountability and community voice in decision-making;
- make excellent, sustainable, places for people to live and to protect our precious countryside through prioritising brownfield land and urban densification;
- provide crucial safeguards to stop development from destroying legally protected wildlife and wild places; and
- protect our globally-important chalk stream habitats.

The Bill as originally proposed would strip away critical protections for nature and local people's ability to shape the places where they live. In doing so, it would tip the delicate balance of a planning system that should consider economic, social and environmental issues in the round, decisively in favour of major developers, and against communities and wildlife – and without doing anything to tackle the crisis in housing affordability that has blighted Sussex and the country.

The Bill exemplifies the poisonous rhetoric which has falsely pitted nature against growth and 'builders' against 'blockers', contemptuously treating much-treasured rare wildlife and local environment-lovers as enemies of people and communities struggling economically.

CPRE Sussex is a major advocate for truly affordable housing – especially for social rent – that meets local needs. But 'build, baby, build' is not a serious policy solution to the

crisis in housing affordability. Making the planning system the scapegoat, and throwing local democracy and nature to the wolves, will not fix a broken housing market.

Amendments 63, 94, 96 and 130 will go some way to mitigating the most misguided elements of the Bill, as detailed in the following briefing note.

CPRE Sussex's thousands of members and supporters - and our friends in the Better Planning Coalition and Wildlife and Countryside Link - are counting on you to stand up for nature, local communities and the countryside, by voting to retain these amendments.

Yours sincerely,



Paul Steedman

Director, CPRE Sussex

The Amendments in Detail

Amendment 63 to clause 55 requires the affirmative procedure for the first set of regulations approved to implement National Scheme of Delegation for planning decisions. This means that Parliament would have to explicitly back the rules set out by the Government when they introduce the National Scheme of Delegation.

The legally binding national scheme of delegation risks undermining local democratic accountability and public trust in the planning system. Democratic accountability is particularly important for the planning system given that the planning system limits the rights of individuals to the use of their property, restricting (without compensation) what they can do with that property on the basis of the wider public interest. Many local planning decisions will be ones involving interpretation of national policy, Local Plans and other material considerations. **It is important that sufficient democratic accountability is maintained in the local planning system for the most significant and complex applications.**

Additionally, **delegating decisions solely to officers will remove the public's ability to speak before a committee on key planning decisions.** This has only been established practice relatively recently. In 1990 only about one in seven local authorities allowed the public to speak at planning committees. Now, in a 2024 survey all local authorities surveyed allowed speaking rights. **The Bill risks removing a public right to speak on planning applications.**

The new consultation paper on a national scheme of delegation suggests that all minor applications must be delegated to officers (as "Tier A") and would not be able to be referred to committees for decision. The Government is also proposing a new intermediary category in a separate working paper. This new proposed intermediary category of 10 to 49 homes might come under Tier A in some circumstances and would be set by regulations from MHCLG. **Some local areas could see virtually all developments coming under the minor and intermediary categories, with councillors removed from any role in deciding on potentially controversial applications** if these were allowed to come under Tier A.

Given these concerns, we ask MPs to retain Lord Lansley's amendment to the Bill to ensure that there is democratic oversight over these regulations, given the implications of the National Scheme of Delegation.

Amendment 94 amends what is now clause 60 (on sub-regional spatial development strategies) to add **a requirement that these new strategies must list chalk streams in the strategy area, outline measures to protect them from environmental harm,**

and impose responsibility on strategic planning authorities to protect and enhance chalk stream environments.

The amendment would create a new mechanism to allow development impacts on chalk streams to be appropriately considered within the planning system. It would require spatial development strategies to list chalk streams in their area and implement planning measures to protect them.

In Sussex we have over 140 km of chalk streams spread throughout the South Downs National Park and Chichester Coastal Plain, a habitat globally rare outside South and East England.

Amendment 96 also amends what is now clause 60 on spatial development strategies. It **requires spatial development strategies to prioritise brownfield and urban densification, and to promote sustainable, mixed communities** by reducing travel distances between homes, jobs, and services.

The National Planning Policy Framework says that “strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously developed or ‘brownfield’ land”. The reality on the ground is that the percentage of new homes on brownfield land fell from 71% in 2010 to 54% in 2021/22.

To address this, this Bill should be amended to reinforce brownfield first or the Government should, if it rejects these amendments, commit to introduce a comprehensive ‘brownfield first’ planning policy in the NPPF and forthcoming National Development Management Policies (NDMPs). This should allow for the true prioritisation and harnessing of the full potential of brownfield land development before any undeveloped greenfield land is considered.

Local authorities should also have increased control of the order in which development land is built so that suitable brownfield sites are developed first and speculative greenfield proposals are rejected in all but exceptional cases.

CPRE calculations show that **there is enough brownfield land to build 1.41 million homes in England (over 26,000 of them in Sussex)**, based on data from Local Planning Authorities’ own updated brownfield land registers up to 2024. More than half (55%) of these sites already have planning permission (either outline permission or better) meaning 770,000 new homes could be built rapidly.

Densification also has a key role to play in reducing the land take of greenfield sites, supporting sustainable development. England has lower density development compared to most European countries, and the last MHCLG land use change statistics showed a fall in the number of dwellings per hectare in new development from 42 in 2020/21 to 31 in 2021/22.

We ask MPs to retain this amendment to the Bill.

Amendment 130 limits the issues that environmental delivery (EDPs) can cover. What is now clause 63 has a new sub-clause limiting EDPs to environmental impacts affecting nutrient neutrality, water quality, water resource or air quality.

This is critical to avoiding a situation where nature, including protected species, can simply be disregarded in return for developer contributions to a strategic fund.

The amendment would allow EDPs to be developed for those aspects where there is stronger evidence that they could provide benefits, building confidence in the system. While this amendment does not include a mechanism for varying the environmental impacts, Ministers could come back with a government amendment that would limit the list of impacts covered by an EDP but with a way to vary this list through regulations, provided there was confidence in the EDP process. There is still a lack of clarity about what issues and impacts would be covered by future EDPs, beyond newt licensing and nutrient neutrality mentioned by Ministers.

We ask MPs to retain this amendment in the absence of either a Government amendment to set a process for varying the list of environmental issues that an EDP can cover beyond these four issues (e.g. through Parliamentary approval for regulations to extend EDPs beyond the four issues in amendment 130) or much clearer commitments about the timeline for EDPs and what issues they will be used for and when.