

Harborough District Council

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Dear Parish Councils / Meetings,

Harborough District Council, as the Local Planning Authority would like to update you on changes anticipated to be introduced from the 31st October 2026 with regards to how planning decisions will be made. The Government are yet to confirm final regulatory arrangements, but they have informed councils that these changes are to be given effect to and we wanted to inform you as soon as possible. We will follow up with more information as soon as it becomes available.

Currently, the Council's Constitution delegates most planning applications to Planning Officers, with more controversial / major applications or those that have been 'Called-In' by a Councillor to the Planning Committee.

Following a government consultation earlier this year, the Government published guidance and draft regulations on the 1st June 2026 which introduces a National Scheme of Delegation.

The National Scheme of Delegation creates two new categories:

Schedule 1 (list attached at Appendix A)

Applications **must** be decided under delegated powers by planning officers in all cases and cannot go to the planning committee (except some council "own-interest" cases (i.e. an application made by or on behalf of the Council, or member or officer of that authority or an entity owned or controlled by the Council, or any of its members or officers).

Schedule 2 (list attached at Appendix A)

The overriding presumption is that the functions listed in Schedule 2 will also be delegated to planning officers. A function can be referred to a planning committee only where:

--at least one of the criteria* is met or it is an application made by or on behalf of a local authority, a member or officer of that local authority or an entity owned or controlled (whether wholly or partly) by that authority or any of its members or officers (regulation 6); **and**

--the nominated officer (Head of Development Management and/or Team Leader) and nominated member of the planning committee (Chair and/or Deputy Chair of the Planning Committee) agree to the referral

*At a minimum, at least one of the following statutory criteria must be met for a referral to planning committee to be considered to meet that threshold:

A. where the application raises a significant planning matter having regard to the development plan and any other material considerations

B. where the application raises an economic, social or environmental issue of significance to the local area

The new guidance, as currently set out, says cases are unlikely to justify referral to planning committee if they broadly comply with an adopted local plan and technical concerns (e.g. highways or flooding) have been resolved.

The guidance warns that if councils are sending applications to committee contrary to the regulations after they take effect, decisions made by the planning committee may be vulnerable to judicial review and potentially quashed.

Where a planning function is not listed in either Schedule 1 or 2, it is for the local planning authority to decide whether it should be delegated to an officer or referred to planning committee for a decision (as part of its local constitution).

Whilst writing, we would also like to make you aware of some other recent changes/updates:

New Government call-in powers

Where a local planning authority proposes to refuse an application for development which includes the provision of 150 or more houses, flats, or houses and flats, the authority must consult the Secretary of State before determining the application. Further to the new call-in powers for certain residential schemes, the Government has published a consultation on new requirements to consult the Secretary of State where local planning authorities are minded to refuse planning permission for commercial development with a floorspace of 15,000m² or more. Consultation closed 4 May 2026

Permitted Development Right Consultation – Onshore wind turbine

The Government ran a recent consultation exploring changes to Permitted Development Rights that would allow small-scale, non-domestic onshore wind turbines up to 30m high to be installed without the need for a planning application subject to a set of conditions and limitations. The consultation closed on 10 June 2026.

National Planning Policy Framework

The Government published an updated draft version of the National Planning Policy Framework (NPPF) in December 2025. The consultation closed on 10 March 2026. The final, revised NPPF is expected to be published this summer.

The draft document increases the length of the current NPPF, raising it from 69 pages to 100, with a further 25 pages of annexes.

It also restructures the current NPPF around a series of policies within thematic chapters.

The draft proposes that as soon as it is live, local development plan policies that are “in any way inconsistent with the national decision-making policies” outlined in the NPPF should be given “very limited weight” in decision-making.

Key Draft Policies:

Policy S3 takes forward the presumption in favour of sustainable development. It retains the existing principle that proposals which accord with the various development plans should be approved without delay.

Policy S4 says development proposals within settlements should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects, which includes impacts in relation to other policies in the framework.

Policy S5 proposes a new “tilted balance” to assessing development proposals outside settlements. It says only certain forms of development should be approved outside settlements. These include:

- Rural business and services that need to be located outside settlements.
- Development within reasonable walking distance of a railway station that provides a high level of connectivity to jobs and services.
- Development that would address “an evidenced unmet need” (including where the council cannot demonstrate a five-year housing land supply) and where development would be well related to an existing settlement or would comprise major development for storage and distribution purposes that accord with policy E3.

These developments, it says, should be approved, unless the benefits of doing so would be substantially outweighed by any adverse effects.

We hope the above is a helpful update. If you have any questions, please contact Nicola Parry, Development Management Team Leader - n.parry@harborough.gov.uk

Yours sincerely,

Cllr Rosita Page (Planning Portfolio Holder) and David Atkinson (Director of Planning)

3rd July 2026

Appendix A – Schedule 1 and Schedule 2

Schedule 1 applications, **which must be delegated to officers**, include the following key types of applications:

- householder development
- minor commercial development
- minor residential development (which includes development of up to nine dwellings on sites below 0.5 hectares)
- section 73 applications where the related planning permission was a Schedule 1 planning permission
- reserved matters approval where the outline planning permission is for fewer than 500 dwellings or less than 50,000 square metres of floorspace
- discharge of conditions
- prior approval applications
- permission in principle
- non-material amendments
- section 106A applications where a planning obligation is connected to a Schedule 1 planning permission
- Biodiversity Gain Plans
- Certificates of Appropriate Alternative Development
- Certificates of lawfulness of existing/proposed use or development, and certificates of lawfulness for proposed works to listed buildings

Schedule 2 captures the larger, strategic and more sensitive categories of application, including:

- planning applications which are not householder, minor commercial or minor residential applications
- section 73 applications where the related planning permission was a Schedule 2 planning permission
- reserved matters applications relating to large outline permissions (500+ dwellings or 50,000+ square metres of floorspace)
- section 106A applications where a planning obligation is connected to a Schedule 2 planning permission
- listed building consent (LBC) applications (including variation or discharge of conditions on an LBC, and S73 applications on planning applications connected to LBC applications)
- advertisement consents
- tree preservation order consents

However, even in these cases, the guidance makes clear that the overriding presumption is that such applications will be delegated to officers. **Referral to planning committee should be the exception rather than the rule**