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13th January 2026

Response submitted by email only to: StatutoryConsulteeReforms@communities.gov.uk

Dear Sir / Madam,

Re: Reforms to the Statutory Consultee System

Introduction

The Land, Planning and Development Federation (LPDF) welcomes the opportunity to respond to this consultation on reforms to the statutory consultee system. The Federation considers this to be a critical area of reform, as the current operation of the statutory consultee system is a significant contributor to protracted delays in the determination of planning applications. As such, meaningful reform is both necessary and significantly overdue.

In this context, the LPDF draws MHCLG's attention to research prepared by Lichfields on behalf of the Federation, *"How long is a piece of string?"*[1], which clearly demonstrates the scale of the challenge facing the planning system. The research highlights the extent to which timescales for securing planning permission have increased in recent years, well beyond statutory determination periods, with statutory consultee engagement identified as a key factor in those delays. The LPDF has recently instructed Lichfield's to undertake a follow up piece of research that will consider how to support the Government's 'laser focus on delivery' by identifying what we have referred to as the 'snagging list' of specific problems encountered by the development industry, with an emphasis on the issues which appear to have had most impact in slowing determination times so significantly over the last ten years. The aim of the research is to work with the grain of the proposals set out in these reforms, focusing on how to enable quicker and more effective decisions. The research is underway, and upon publication, we would welcome the opportunity to present our findings and discuss how the key focus areas we identify might apply to achieving the consultation's aims.

While the LPDF welcomes the consultation and agrees that many of the proposed reforms represent a positive step forward, it is important to recognise the scale and systemic nature of the problem. Incremental change will not be sufficient. The reforms must be ambitious, robust and capable of delivering measurable improvements in efficiency and certainty. Only through such an approach will the planning system be better equipped to shorten transaction periods, improve productivity and, ultimately, support the timely delivery of much-needed housing.

[1] Lichfields (May 2025) – How Long is a piece of string?

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About the LPDF

The LPDF seeks to represent the UK's leading land promoters, home builders and commercial developers. LPDF members support the housebuilding and commercial development sectors by promoting sites through the planning system, providing "shovel ready" land with a planning permission which can facilitate the delivery of infrastructure and serviced land parcels.

The LPDF seeks to actively engage with government on planning, housing and commercial development policy and to educate the wider public on the social, environmental and economic benefits of development through an evidenced based approach.

The LPDF encourages its members to deliver well designed, high quality, sustainable places which deliver a mix of housing types and tenures, commercial spaces and community uses that have a positive social, environmental, and economic impact.

Our key values include:

- Working in a positive and cooperative way with central and local government and key stakeholders, to deliver a planning system capable of supplying the homes and employment space we need.
- Promoting research and an evidence-led approach to policy development.
- Increasing the supply of new homes to meet demand and make home ownership a realistic possibility for all those who aspire to it.
- Ensuring that we build the affordable homes of all types and tenures that this country so desperately needs.
- Delivering new employment space to meet demand from businesses and support economic growth.
- Championing the impact of increased housing delivery on reducing intergenerational unfairness.
- Creating well designed, high quality and sustainable places to live and work.
- Educating and informing about the social, environmental and economic benefits of development.
- Supporting diversity of delivery in the market and championing SME developers.
- Promoting diversity and inclusivity within the sector.

Questions

1. Are there other key areas we should be considering in relation to improving the performance of statutory consultees?

The LPDF considers that reform of the statutory consultee system is essential if the Government's ambitions to improve productivity, accelerate housing delivery and restore confidence in the planning system are to be achieved. Evidence consistently shows that increasing delays in the planning process are undermining the timely delivery of homes and development, with statutory consultee engagement a key contributory factor.

Research by Lichfields, *"How long is a piece of string?"*, highlights the dramatic increase in the time taken to transact planning applications over recent years, with delays occurring well beyond statutory determination periods. Addressing the performance, scope and proportionality of statutory consultee involvement is therefore critical to

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reversing this trend. These delays are impacting dramatically on house builders and in particular SME builders. This is at a time when ensuring plurality in the market by supporting growth in SME builders is necessary, if the government are to get anywhere near their housing delivery targets.

Improving the performance of statutory consultees will necessitate addressing issues that the development industry currently experiences in navigating the planning system. As outlined above, the LPDF has instructed Lichfields to undertake research that will consider how to support the Government's 'laser focus on delivery' by identifying what we have referred to as the 'snagging list' of specific problems encountered by the development industry, with an emphasis on the issues which appear to have had most impact in slowing determination times so significantly over the last ten years. The aim of the research is to work with the grain of the proposals set out in these reforms, focusing on how to enable quicker and more effective decisions.

Proportionate consultation at outline stage

The LPDF recommends the introduction of a light-touch statutory consultee consultation process for outline planning applications. At outline stage, statutory consultees should be required to limit their comments to the high-level principle of development and matters of fundamental constraint, rather than providing detailed technical responses that are more appropriately addressed at reserved matters stage.

To support this, Government should introduce a shortened and clearly defined list of statutory consultees required to be consulted at outline stage with clear guidance on what comments on an outline application should be limited to. This would reduce unnecessary delay at the point of establishing the principle of development, improve certainty for applicants and LPAs, and better align early-stage decision-making with the Government's objective of speeding up housing delivery.

Ending the use of holding objections

The LPDF is clear that the use of "holding objections" is incompatible with the Government's productivity and performance agenda. Holding objections undermine statutory deadlines and create significant uncertainty for applicants, often resulting in extended determination times or repeated rounds of consultation.

If statutory consultees are to operate within a reformed, performance-led system, they must be required to provide substantive, reasoned responses within agreed timescales. Without this, there is a significant risk that holding objections will be used to circumvent deadlines, further exacerbating the delays identified in the Lichfields' research.

Embedding proportionality across the system

A stronger and more explicit principle of proportionality should be embedded throughout the statutory consultee system. This should apply to:

- The level of information required to support an application, linked to a rationalisation of local and national validation lists;
- Clear guidance on which statutory consultees should be consulted for different types and scales of development; and
- Proportionate expectations regarding the depth and detail of statutory consultee responses.

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Currently, smaller and medium-sized sites are frequently subject to the same consultee requirements as large strategic developments, contributing to delay, increased costs and reduced developer capacity. Applying proportionality would support faster decision-making and better align the system with housing delivery objectives. This principle of proportionality should be clearly defined in Government guidance.

Targeted use of Planning Performance Agreements (PPAs)

The LPDF suggests the introduction of two distinct PPA models:

- A light-touch PPA for small and medium-sized sites (up to 49 homes) focused on key principles and high-level matters; and
- A standard PPA for developments of 50 homes and above, allowing more detailed engagement on complex issues.

This two-tier approach aligns with our wider recommendation for proportionality throughout the system, including light-touch statutory consultee engagement at outline stage and encouraging earlier and more focussed engagement across the board. It ensures that smaller schemes benefit from structured support without imposing disproportionate costs or delay, while larger developments receive the level of scrutiny appropriate to their scale and complexity.

Government should also define a threshold below which PPAs are not expected to be used, to prevent small-scale development being burdened unnecessarily.

Strengthening the role of the case officer

Improving statutory consultee performance must be accompanied by a strengthened and more empowered role for local authority case officers. Case officers should be supported to exercise professional judgment in determining:

- Which statutory consultees are genuinely relevant to a proposal; and
- Whether consultee responses are material, proportionate and necessary to address.

This requires investment in skills, training and confidence-building for planning officers, enabling them to assess consultee advice critically rather than defaulting to risk-averse decision-making. Empowering case officers in this way would reduce unnecessary delay, improve efficiency, and directly support the Government's ambitions to speed up planning decisions and unlock housing delivery.

Clarity of scope, fees, and timescales

Consistent with the emphasis on case officer discretion and efficient decision-making, PPAs, whether light-touch or standard, must be supported by clear guidance on:

- The scope of work covered, the stage at which it applies, and the parties to be involved;
- Fees and when they are payable; and
- Statutory and agreed timescales for responses from all parties, including statutory consultees.

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Providing this clarity helps case officers manage engagement effectively, ensures applicants know what to expect, and prevents delays caused by uncertainty or prolonged consultee input.

Staged payments linked to process milestones

In addition to the suggestions above, the LPDF would recommend the introduction of a staged payment structure for PPAs, linked to the following milestones:

- Pre-application engagement;
- Processing of the application;
- Preparation of S106 agreements; and
- Discharge of planning conditions.

The LPDF recommends that the easiest way for PPA fees to be calculated would be based on an hourly rate for officers time, with published schedules and time sheets available to the applicant at each of the stages outlined above. This approach ensures that fees are proportionate to the work undertaken and tied to tangible progress, providing transparency for applicants and local authorities alike.

Preventing double-charging by statutory consultees

Statutory consultees must not be permitted to levy fees in addition to any locally set planning fees. This safeguard is particularly important for small and medium-sized sites, where cumulative costs can threaten viability and slow delivery.

Clear and enforceable performance criteria

To support meaningful improvements in statutory consultee performance, the LPDF considers it essential that a clearly defined national performance framework is established and overseen by Government (see our response to Q.26 in relation to this). Without transparent and enforceable performance criteria, the reforms risk lacking the accountability necessary to drive behavioural change.

The performance framework should:

- Be clearly defined and consistently applied across all statutory consultees;
- Be reported on a quarterly basis;
- Be publicly accessible in a standardised digital format to allow meaningful scrutiny and comparison; and
- Be capable of triggering proportionate intervention where performance falls short of agreed standards.

Such a framework would align with the Government's wider productivity and planning performance agenda, creating greater transparency around where delays occur and providing incentives for statutory consultees to engage in a timely and proportionate manner. It would also support LPAs and applicants in managing risk and expectations, reducing the uncertainty that currently contributes to extended determination times, as highlighted by the Lichfields research.

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Crucially, the LPDF considers that performance monitoring must focus not only on response times, but also on the quality and relevance of responses, including the avoidance of holding objections and the provision of clear, actionable advice. Where persistent underperformance is identified, Government should be empowered to intervene, whether through targeted support, resourcing, process reform or, where necessary, changes to statutory requirements.

2. In exploring reforms to the system, we have so far focussed more on key national statutory consultees. Is there more that government should do in relation to smaller scale and local statutory consultees?

Yes. While the LPDF supports the Government's focus on reforming the role and performance of key national statutory consultees, it is essential that equal attention is given to the role of local statutory consultees, non-statutory consultees, and internal local authority and county council consultees. In practice, these consultees frequently have a significant influence on determination times, costs and outcomes.

A central issue is the limited discretion currently exercised by case officers when managing local and internal consultee responses. Internal departments (such as highways, drainage, ecology and environmental health) and non-statutory consultees are often treated as determinative, despite not being subject to statutory deadlines or performance standards. This can result in open-ended consultation periods, repeated requests for further information and unnecessary delay.

The LPDF considers that Government should:

- Introduce clear response timescales for local statutory consultees, internal consultees and key non-statutory consultees;
- Provide explicit policy support for case officers to proceed to determination where consultees fail to respond within agreed timescales;
- Clarify the status and weight of non-statutory consultee responses; and
- Reinforce the expectation that case officers exercise professional planning judgment in assessing whether consultee comments are relevant, proportionate and material to the decision.

Empowering case officers in this way is critical to improving productivity and restoring balance within the planning system. Case officers should be supported to challenge unnecessary or disproportionate requests, to distinguish between technical advice and planning judgment, and to avoid deferring decisions solely due to late or overly risk-averse consultee input.

Without a stronger and more clearly defined role for the case officer, there is a risk that reforms focused solely on national statutory consultees will simply displace delay elsewhere in the system. A whole-system approach, one that places the case officer at the centre of decision-making, is therefore essential if the Government's objectives of improving efficiency, reducing transaction times and accelerating housing delivery are to be achieved.

3. In light of the proposed mitigations, do you support the removal of Sport England as a statutory consultee?

Yes, the LPDF support the removal of Sport England as a statutory consultee.

4. In relation to notification requirements, should substantial loss of an existing playing field be defined as:

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- **20%**
- **a figure below 20%**
- **a figure above 20%**
- **an alternative approach**

The LPDF query whether, instead of being based on the percentage size of loss, whether this could instead be linked to the amount of activity of the existing playing field.

5. Are there impacts of the removal of Sport England as a statutory consultee, or the proposed mitigations, that you think the government should take into account in making a final decision?

No.

6. In light of the proposed mitigations, do you support the proposals to remove The Gardens Trust as a statutory consultee?

Yes, the LPDF support the proposal to remove The Gardens Trust as a statutory consultee.

7. Are there impacts of the removal of The Gardens Trust as a statutory consultee, or the proposed mitigations, that you think the government should take into account in making a final decision?

No.

8. In light of the proposed mitigations, do you support the removal of Theatres Trust as a statutory consultee?

Yes, the LPDF support the removal of Theatres Trust as a statutory consultee.

9. Are there impacts of the removal of Theatres Trust as a statutory consultee, or the proposed mitigations, that you think the government should take into account in making a final decision?

No.

10. Are there other statutory consultees for which we should consider removal? What evidence would support this approach?

The LPDF have no comments to make in response to this question.

11. Do you support the proposed changes to National Highways' referral criteria?

Yes, the LPDF support the proposed changes to the National Highways' referral criteria.

12. Is there anything else we should consider in relation to National Highways as a statutory consultee?

The LPDF have no comments to make in response to this question.

13. Do you support the changes to Active Travel England's proposed referral criteria?

Yes, the LPDF support the proposed changes to Active Travel England's proposed referral criteria.

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14. Is there anything else we should consider in relation to the role of Active Travel England as a statutory consultee?

No.

15. Are there other actions that the government and/or Natural England should be taking, to support their role as a statutory consultee?

The LPDF have no comments to make in response to this question.

16. Are there other actions that the government and/or the Environment Agency should be taking in relation to the Environment Agency's role as a statutory consultee?

The LPDF have no comments to make in response to this question.

17. Do you support the changes to Historic England's proposed notification criteria?

Yes, the LPDF support the changes to Historic England's proposed notification criteria.

18. Do you support changes to align the listed building consent process in London with the process that applies elsewhere?

Yes, the LPDF support these changes.

19. Is there anything else we should consider in relation to the role of Historic England as a statutory consultee?

The LPDF have no comments to make in relation to this question.

20. Do you support the changes to the Mining Remediation Authority's proposed referral criteria?

The LPDF have no comments to make in relation to this question.

21. Do you support the proposed changes in relation to the Mining Remediation Authority commenting on the discharge of conditions?

The LPDF have no comments to make in relation to this question.

22. Is there anything else we should consider in relation to the MRA as a statutory consultee?

The LPDF have no comments to make in relation to this question.

23. Are there other statutory consultee referral criteria we should consider amending? What evidence supports this?

The LPDF have no comments to make in relation to this question.

24. Is there anything further government should consider in relation to voluntary pre-application engagement and for any statutory consultees in particular? What evidence supports this?

Where voluntary pre-application engagement is used, our members have experienced mixed results. A good statutory consultee service is one that is engaged and pro-active; where all parties are familiar with the proposed development,

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knowledgeable about the applicable policies and proportionate in how they are applied. However, timeliness and clear communication are the most frequent challenges that explain why this system does not always work effectively. Although the focus on meeting statutory timescales in the 2025 draft NPPF (DM3 (d)) are encouraging, the statutory consultee system must also balance timeliness with the need for quality engagement at an appropriate stage, to ensure that detailed advice enables the best quality developments.

The LPDF considers that voluntary pre-application engagement is a vital tool for improving certainty, reducing delays, and accelerating housing delivery. However, as highlighted in our response to Question 1, the current system often lacks proportionality, clarity, and consistency, particularly for smaller and medium-sized sites. Meaningful reform must address these issues to ensure pre-application engagement delivers tangible benefits.

By aligning voluntary pre-application engagement with a tiered, proportional PPA framework, clear scope and fees, staged payments, and robust case officer discretion, Government can ensure that pre-application engagement contributes meaningfully to faster, more predictable decision-making. These measures would directly support the wider objectives outlined in our response to Q1; improving efficiency, reducing transaction times, and accelerating housing delivery.

The LPDF believe that it would be beneficial for key statutory consultees to play a more active role in the pre-application process led by the local authority. Currently, it is rare for statutory consultees to attend pre-application meetings or to contribute meaningfully to the LPA's written advice. Similarly, very few statutory consultees offer their own pre-application services. The Federation consider this a necessary step to improve the quality, timeliness, and effectiveness of pre-application advice, and ultimately to support faster and more predictable decision-making.

25. Is there anything further government should consider in relation to statutory consultee engagement in post-approval processes, such as agreeing that planning conditions have been fulfilled? What evidence supports this?

LPDF members find that in discharging conditions, there are times when the interaction with statutory consultees (agreeing that conditions have been fulfilled) is too slow and delays are rarely explained and justified with evidence. Statutory Consultees and local planning authorities need to be cognisant of the commercial realities and the real-world impacts that delays have on the financial viability and deliverability of individual projects and indeed corporate entities. Although in some cases the time taken may be justified or reasonable, it is more often the case that there is an overwhelming lack of appreciation that a delayed response has very significant impacts that may lead to a development not being able to proceed at the time envisaged, with consequential impacts for the wider economy.

26. Do you have suggestions for how government can effectively incorporate appropriate developer and local authority feedback into consideration of statutory consultee performance?

A new performance framework should be created and prioritised over simple metrics on statutory timelines which can be either manipulated or lead to unintended outcomes. We are encouraged that "qualitative feedback from industry bodies" such as the LPDF and others is suggested as part of this performance framework. Government could use surveys of applicants and LPAs (with dissemination facilitated via industry bodies and those like the LGA) to gather longitudinal data on how different undertakers perform across different aspects of their performance and, crucially, what impact that performance has on the functioning of the planning system as a whole so there is a clearer evidential link between wider planning and development goals are met, and how statutory consultees perform.

Lessons should be learnt from the (often ignored) statutory timescales for determining planning applications: the outcome should be timely but also meaningful and positive consultation, rather than more holding or equivocal

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objections sent out to meet timescale targets. As it stands, delays are often suffered by applicants without receiving any explanation from consultees as to the reason; if delays do occur, they should be recorded and an evidenced reasoning should be offered. In this way a more accurate measure of delays, and the reasons, can be monitored and responded to accordingly.

The LPDF notes the proposal for annual meetings between Treasury, MHCLG Ministers, and the chief executives of key statutory consultees to discuss performance and develop metrics. While the Federation broadly supports the involvement of these stakeholders, we do not consider annual meetings alone to be sufficient. The proposals are currently high-level, and a single annual forum would be unlikely to identify emerging issues or ensure the effective operation of the statutory consultee system.

The LPDF considers that performance management should be more frequent, with quarterly monitoring meetings in addition to the proposed annual meeting. There should also be the ability to convene additional meetings if quarterly monitoring indicates that performance has fallen significantly below expected levels. The Government should seek to prepare key performance indicators for all statutory consultees as part of the monitoring framework. The LPDF would be happy to engage further with Government regarding this.

The performance framework must be publicly accessible, presented in a standardised digital format capable of analysis, and integrated into the Annual Monitoring Reports of LPAs. This transparency would provide greater accountability and enable timely, evidence-based action to address performance issues.

Crucially, there should also be a mechanism for developers and applicants to provide feedback on statutory consultee performance. This could take the form of structured surveys or digital reporting, allowing those directly affected by delays or uncoordinated consultee input to contribute evidence of issues and inform improvements to the system. This should happen on a quarterly basis to align with quarterly performance monitoring. Incorporating the perspective of applicants and developers will help ensure that the performance framework reflects real-world operational experience, not just internal reporting.

By incorporating feedback from developers in this manner, would assist with the monitoring process, whilst also providing evidence on whether the reforms brought forward have been effective and achieved the desired outcomes.

27. Do you agree with this approach?

The LPDF strongly agree with the intention to ensure local planning authorities are empowered to confidently make decisions, exercising their planning judgement. Similarly supporting the “engagement to be impactful and providing constructive advice” speaks to both the quality of advice and the culture changes required. Further, effective resourcing of consultees and empowering local and strategic authorities will be key to the quality of advice given; the WMS of 10 March 2025 is noted but in practice the industry has not yet felt the impact to be significant.

To do this effectively, working practices within LPAs (and strategic authorities) need to ensure that officers can quickly access (formally and informally) the support, expertise and tacit knowledge of specialists and/or senior colleagues to help them exercise proportionate judgement in interpreting the responses of statutory consultees and help them to determine what is necessary evidence in making/recommending a decision. For example, some statutory consultees seek applications to address issues or request planning conditions that in reality duplicate or address the requirements of other regulatory regimes and thus do not meet the tests of NPPF Para 57. LPA officers do not always have the confidence to exercise their judgement and exclude them. Training should also cover the commercial realities so that

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officers are aware of the costs and risk implications associated with a lack of flexibility in permissions – being beholden to too much detail within the early stages of preparing a permission can risk viability at the development stage.

'Detail creep' is a particular issue when the applicant is establishing the principle of development at the outline application stage. This is often the reason for a lack of proportionality in evidence required. Statutory consultees should also be tasked with seeking collaborative and enabling approaches working towards a positive outcome, it is therefore welcomed that the consultation targets a "statutory consultation system [that] supports economic growth".

The LPDF does not support proposals to introduce a surcharge in planning fees for statutory consultees. The Federation believe that any costs relating to statutory consultee involvement would be more appropriately incorporated within Planning Performance Agreements (PPAs), rather than as an additional, standalone charge. This approach would allow the LPA to allocate an appropriate proportion of the fee to statutory consultees based on the scale and complexity of their input, with payments linked to clear milestones in the process, as discussed in our response above.

Notwithstanding our views on surcharges, if such a mechanism were to be introduced, the LPDF considers it fundamental that all fees are ringfenced for planning services, including the funding of statutory consultees. Additionally, further detail is required on how "cost recovery" would be defined and quantified, and how it would be standardised across LPAs to ensure fairness, transparency, and consistency.

28. Is there anything else the government should be doing to support local planning authorities in their engagement with statutory consultees?

The LPDF believes that supporting LPAs in their engagement with statutory consultees requires more than procedural reform; it also demands sufficient funding, resources, and capacity-building to ensure the system functions effectively. LPAs must have the necessary financial and staff resources to manage statutory consultee engagement efficiently. This includes funding for dedicated case officers, training, and technology to track and coordinate consultee responses. Without sufficient resourcing, even the best reforms to statutory consultee processes will be undermined by capacity constraints.

Planning officers must be equipped to exercise discretion in assessing which consultee input is material, how to manage disproportionate or irrelevant responses, and how to prioritise engagement based on the scale and complexity of proposals. Upskilling officers in these areas will improve efficiency, reduce unnecessary delays, and ensure that statutory consultee input is focused where it adds value.

Government should support LPAs in adopting digital systems and standardised formats for consultations, tracking responses, and integrating performance monitoring. This will reduce administrative burden, improve transparency, and make engagement with statutory consultees more manageable and effective.

Statutory consultees should be informed by local planning authorities on the exact nature of expertise that they are being asked to provide. This should help inform what is the role of a statutory consultee and where their expertise is most helpfully deployed. Just as the proposed draft NPPF sets out information requirements in DM2; the LPA should be asked to direct statutory consultees to assess applications against specific decision-making policies or clear implications for the statutory consultees concerns.

29. Are there best practice examples from local authorities that help support statutory consultees and developers, for example, checklists/proformas for environmental issues?

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The LPDF have no comments to make in response to this question.

30. How might best practice be expanded to support statutory consultees, including through reducing the volume of material which developers have to produce?

The LPDF believes that best practice to support statutory consultees should focus on proportionality, clarity, and efficiency, ensuring that consultees can provide meaningful input without unnecessary burden on applicants or LPAs.

The most effective statutory consultees are those that run efficient and targeted services, providing their expertise in areas where it is applicable. The ambition to "reduce blanket and unnecessary referrals" is welcomed; in combination with Draft NPPF DM2, the reduction in information requirements is a laudable aim. The key will be in ensuring, as the consultation suggests, that LPA are sufficiently empowered and confident to make these decisions, and limit the information required to make an effective and timely decision. To ensure these aims are met, there should also be a clearer and more accountable system so developers 'know what they will get' from a statutory consultee, especially if there is an additional cost. This extends to the time taken for a response, the type of engagement that is offered and the quality of the engagement/ advice. We welcome the suggestion of qualitative feedback and would suggest that this performance feedback is linked to the ability to charge or recoup fees.

Streamlined and standardised validation requirements

Validation requirements are currently inconsistent and often overly onerous, leading to the production of excessive documentation for both statutory consultees and LPAs. The LPDF urges the Government to introduce a clear, national validation checklist that sets out the information required for different types of applications, with no local deviations. In particular, outline applications should only require high-level information relevant to the principles of development. A standardised national approach will reduce the volume of material that statutory consultees must review, improve consistency in decision-making, and remove unnecessary delay.

Proportional consultation and light-touch engagement

As outlined in our response to Question 1, statutory consultees should adopt a light-touch approach for outline applications, limited to high-level principles and a shortened list of relevant consultees. This ensures that engagement is proportionate to the stage and scale of development.

Pre-application engagement and tiered Planning Performance Agreements (PPAs)

Structured pre-application discussions and tiered PPAs would allow statutory consultees to focus on the issues most likely to influence the decision, reducing the need for developers to submit repetitive or excessive material. Clear thresholds for when PPAs are required, staged payment structures, and transparency on scope and timescales would further support efficiency.

Case officer discretion

Case officers should have the discretion to determine which statutory consultee input is material and relevant, ensuring developers are not required to produce unnecessary material for consultees whose input will not materially influence the decision.

31. How best can government and statutory consultees support the increase in capacity and expertise of local and strategic authorities?

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Although the consultation does not discuss detailed proposals for the planning fee surcharge, the wider aim of 'effective resourcing' provides an opportunity to feedback on statutory consultee charges. Many of our members are aware that there is a layering of fees and charges that developments are facing that compound to a significant total, potentially affecting viability. While a fee for effective and improved engagement with a statutory consultee could be welcomed, it would need to be linked to an improved service in terms of both quality and efficiency of advice measured through the performance framework and feedback.

32. Do you agree that these criteria clearly set a framework for decisions on future statutory consultees?

Yes, the LPDF agree with the proposed framework for decisions on future statutory consultees.

33. Should the government maintain the moratorium, subject to periodic review, or adopt criteria for consideration of new statutory consultees?

A moratorium as suggested is understandable, however our members are also aware that a proactive, engaged and constructive consultation can enhance developments and is a key part of a successful scheme. We therefore suggest that while a high bar is required for any new statutory consultee to be incorporated, the focus is on the quality and timeliness of advice rather than a moratorium on the number of consultees per se.

The LPDF believes that the Government should adopt clear criteria for the consideration of new statutory consultees, rather than relying solely on a moratorium subject to periodic review. While a moratorium provides short-term stability, it does not address the underlying challenge of ensuring that only consultees who add genuine, material value to the planning process are involved.

Introducing new statutory consultees without clear, evidence-based criteria risks further delays, increased cost, and unnecessary complexity, undermining the objectives of improving efficiency and supporting housing delivery.

34. Is there anything else the government should consider in relation to the criteria?

The LPDF have no comments to make in response to this question.

35. Are there any equality impacts in relation to the proposals in this consultation that the government should consider?

The LPDF have no comments to make in response to this question.

36. The government considers that these measures would have a deregulatory impact. Do you have evidence from engagement with statutory consultees under the current system of the impact this may have?

The LPDF have no comments to make in response to this question.

37. Based on the proposed changes to referral criteria, would statutory consultees expect to see performance improvements? Please explain your reasoning.

If outcomes are measured effectively, then we would expect to see some performance improvements under these proposed changes. It is important to note that what is measured is important and to avoid unintended consequences. In determining planning applications, statutory timescales for determining planning applications are too often ignored, with extensions of time common place. This means that although timescales might be 'met' after an extension of time, the underlying determination period remains far too long. It is therefore key to measure what

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matters; while reducing the time taken to get responses is crucial that we do not simply get more holding objections in order to meet difficult timescales targets.

Improving the quality and reliability of engagement is also important and needs not to be sacrificed. These are best measured through qualitative feedback from the industry and other stakeholders. Government might also wish to consider what alternatives might be pursued in situations where statutory consultees are not performing effectively as measured by this feedback, but where some form of statutory feedback is nevertheless important for the effective functioning of the planning system; for example, it might be possible to introduce some competitive tension through an arrangement by which if the statutory consultee is not performing its role effectively, Government creates a panel of equivalent technical experts (perhaps via commercial organisations on the Homes England multi-disciplinary panel) who it empowers to provide technical advice on behalf of the statutory consultee, and under the same terms of reference. This would offer an alternative route for applicants and LPAs to directly access the advice and specialist knowledge of statutory consultees to unlock timely responses and facilitate timely decision making on development.

Conclusions

The LPDF welcomes this consultation and the proposed reforms to the statutory consultee system. Many of the proposals are sensible and, if implemented effectively, have the potential to improve efficiency, reduce unnecessary delays, and support the Government's housing delivery and productivity ambitions. However, it is crucial to recognise the scale of the challenge. Evidence from the LPDF's research, including the recent Lichfields work *"How long is a piece of string?"*, clearly demonstrates the extent to which delays in statutory and non-statutory consultee engagement can extend planning transactions, sometimes by years. Government must fully understand the benefits of speeding up the system and the costs of inaction.

In summary, the LPDF recommends that reforms should focus on:

- **Proportional, light-touch engagement at outline stage**, limiting statutory consultee input to high-level principles, supported by a shortened, clearly defined list of consultees.
- **Recognising the role of non-statutory and internal consultees**, with clear timescales for response to avoid hidden delays and costs.
- **A robust performance framework**, reported quarterly and publicly accessible in a standardised, digitally analysable format, with the ability to call additional meetings if performance falls below expectations.
- **Ending the use of holding objections**, which currently undermine statutory deadlines.
- **Embedding proportionality throughout the process**, including the level of information required, which statutory consultees are consulted on, and the detail of their responses, linked to rationalised local and national validation lists.
- **Clarity and transparency in Planning Performance Agreements (PPAs)**, including:
    - A threshold below which PPAs are not required;
    - Two types of PPA—a light-touch PPA for small/medium sites (up to 49 units) and a standard PPA for larger sites (50+ units);

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- Staged payments linked to key milestones:
- Clear guidance on scope, fees, timing of payment, and expected timescales; and
- Assurance that statutory consultees cannot charge fees in addition to locally set PPA charges.

- **Empowering case officers** to exercise discretion in determining which consultees are relevant and how responses are considered, supported by upskilling where necessary to make informed judgments.

The LPDF believes that only a comprehensive, proportionate, and performance-driven approach, covering statutory and non-statutory consultees, PPAs, case officer discretion, and transparent monitoring, will meaningfully reduce delays, improve efficiency, and accelerate housing delivery. Reform must be ambitious, practical, and capable of achieving the measurable improvements that Government, applicants, and local communities all need.

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