



Department for Levelling Up,
Housing & Communities

Chief Planning Officers
Local Planning Authorities

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By email only

13 July 2023

Dear Chief Planning Officer,

SUPPORT FOR PRISON BUILD APPLICATIONS

The Government recognises the importance of the current and future prison build portfolios, as led by the Ministry of Justice (MoJ), and the role planning can play in supporting the objective of increasing prison capacity by 20,000 places by the mid 2020's. However, meeting this objective is reliant on expedient planning decisions.

To this end, local planning authorities (LPAs) are asked to work proactively on immediate planning applications related to the current prison expansion portfolio. In order to reduce the chances of an application being rejected, or delayed, LPAs should consider entering into planning performance agreements (PPAs) with the applicant as part of the pre-application process. PPAs are an effective way of ensuring adequate support from LPAs and other statutory bodies up front. By establishing a clear roadmap and promoting ongoing dialogue, PPAs help streamline the planning process and enhance transparency.

Officials at DLUHC will continue to work collaboratively with the MoJ to further assess how improvements can be made to the way they submit applications to reduce the chances of rejection. LPAs will be updated should further advice be forthcoming.

PERMITTED DEVELOPMENT RIGHTS – PRISON FENCES

Ministers have introduced a new PDR to allow for prison fence heights up to 5.5 metres in height.

Further details on the new right can be found at:
<https://www.legislation.gov.uk/ukxi/2023/747/contents/made>

I look forward to your ongoing cooperation on these matters.

Yours faithfully,

Joanna Averley
Chief Planner