



Ministry of Housing,
Communities &
Local Government

PLANNING NEWSLETTER

By Email Only

Message from Chief Planner

5 March 2026

The Chief Planner Newsletter provides updates on the latest announcements from the Ministry of Housing, Communities and Local Government (MHCLG), other government departments and agencies relating to planning policy and practice. Please see overleaf for the list of contents.

This week Mathew Pennycook MP, Minister of State for Housing and Planning, has signed into law the regulations to commence the new plan-making system for England. These procedural requirements have been prepared with the help of consultation responses and in-depth sector engagement, for which we are very grateful.

There are also important updates regarding the duty to cooperate, changes to planning appeal through written representations and planning fee increases.

Finally, over the next few weeks local authorities across England will be receiving confirmation of MHCLG grants to support development management services, local plan preparation and strategic planning. The next round of digital innovation grants is also open through the Prop-tech fund. To support making the case for future investment **every local authority is asked to sign up for and participate in the Planning Skills and Capacity Survey.**

With kind regards,

Joanna Averley
Chief Planner

All previous Chief Planner Letters and Newsletters are available on GOV.UK [here](#).



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Policy and Guidance Updates

New Plan-Making System

In November 2025, it was announced that regulations to implement the new plan making system, provided by the Levelling-up and Regeneration Act 2023, would come into force early this year. A package of regulations to implement the new system was laid in Parliament earlier this week. This package includes the new Town and Country Planning (Local Planning) (England) Regulations 2026, which have a commencement date of 25 March, and will replace the existing 2012 plan-making regulations. Links to all the new plan-making regulations signed this week are provided below:

[The Town and Country Planning \(Local Planning\) \(England\) Regulations 2026](#)

[The Requirement to Assist with certain plan making \(Prescribed Public Bodies\) \(England\) Regulations 2026](#)

[The Town and Country Planning \(Costs of Independent Examinations for Local Planning Etc.\) \(Standard Daily Amount\) \(England\) Regulations 2026](#)

[The Levelling-Up and Regeneration Act 2023 \(Commencement No. 11 and Saving and Transitional Provisions\) Regulations 2026](#)

[The Planning and Compulsory Purchase Act 2004 \(Local Planning\) \(Modification and consequential amendments\) \(England\) Regulations 2026](#)

A detailed explanation of the content of all these regulations can be viewed in the combined Explanatory Memorandum, here: [The Town and Country Planning \(Local Planning\) \(England\) Regulations 2026 - Explanatory Memorandum](#)

To allow plan-makers and other key stakeholders to familiarise themselves with the expected contents, a Regulations Explainer was published in November 2025. The content of that Explainer document has been carried forward into regulations.



As previously announced, when these regulations come into force, local plans will enter a period of dual-running. The legacy plan-making system will remain in place for authorities to adopt plans submitted no later than December 31st 2026, while the new system will be available for other authorities.

Given the government's ambition to achieve full coverage of up-to-date local plans across the country as soon as possible, the key regulations for new plan-making system have been issued, to enable authorities to commence plan preparation from March 2026. Within the next few weeks further regulations will be brought forward on plan-making data standards, relating to plan timetables and housing requirements.

Further regulations are expected to be laid later this year covering: the later stages of the preparation process for local plans which incorporate minerals and waste content; details of post-adoption monitoring requirements; procedural matters in relation to plan intervention powers; and updates to plan-making components of local government legislation.

Create of Update a Local Plan – online guidance

Following on from the publication of various guidance content for the new system in November 2025, updates are provided on the dedicated government website pages (CULP). Latest updates include the expected release programme for further guidance, including plan timetables, data standards and community engagement. Further details are available here: <https://www.gov.uk/government/publications/roadmap-of-resources-and-support-new-local-plan-making-system- GOV.UK>

Relationship to the NPPF

The [consultation on the national planning policy framework](#) to support the new plan-making system closes at 11:45pm on 10 March 2026. Following analysis of the responses received to the consultation, the final version is planned for publication in Summer 2026.



Funding to support Local Plan implementation

In November government announced a minimum of £14 million of funding to support local authorities with local plan-making in both the legacy and new plan-making systems. Successful authorities will be notified that they will receive funding by mid-March, with payments by 31 March 2026 at the latest.

Explainer: why less “Duty” will mean more action on local plans

The Government has now laid the legislation required to implement the new local plan making system. As part of these changes, the removal of the Duty to Cooperate from the current plan making system is confirmed. Some have questioned whether this could see weaker plans being adopted – so this article explains what the Duty is, why it is being removed, and how in doing so robust examinations will ensure more and better local plans.

Why the Duty to Cooperate is being removed

The Government is committed to requiring more cross-boundary cooperation. That is why, through the Planning and Infrastructure Act 2025, the government have created the new system of spatial development strategies (SDSs). This will completely overhaul how cooperation works. New SDSs will be used to distribute the housing and other strategic planning needs for an entire area between local authorities. The government intends to commence the duty to prepare an SDS in summer 2026 and many areas are already preparing for the duty.

In parallel, the Government has also pressed ahead with the new system of local plans, for which the previous government legislated in the Levelling Up and Regeneration Act 2023, and the Duty will no longer apply in the new system. That makes sense because housing need will in future be distributed at the level of the SDS.

So, the only question was whether to continue with the Duty for the remaining set of local plans going through the current system – which have to be submitted by the end of 2026.

The decision to remove the Duty for those plans too reflects the updates in the NPPF in December 2024 to strengthen the section on “maintaining



effective cooperation", which has been carried forward in the draft updated NPPF, as part of the transition to the new system.

How poor plans will be avoided

Councils still have to plan on the basis of local housing need, assessed using the standard method, and importantly they still have to consider meeting the needs of other neighbouring authorities where they have unmet needs, which forms part of the tests of soundness.

The advantage of having the cooperation requirement in policy rather than legislation is that deficiencies in applying it can potentially be rectified by the inspector during the examination, paving the way for more sites to be added, and plans which otherwise may have failed to be adopted. A point made by PINS' then CEO Paul Morrison in his letter to the Minister on 15 December 2025 available here:

[Paul Morrison to Minister Pennycook 15 12 25.pdf](#)

Government are clear that these steps will cumulatively result in a planning system which is more positively aimed at delivering the housing and other development that we need in a planned and predictable way.

Spatial Development Strategies

On 12 February, the government published a non-statutory consultation on the proposed geographies over which spatial development strategies (SDSs) should be produced.

There are three broad types of geography indicated on the map that government are consulting on. Firstly, where mayoral devolution arrangements already exist, or will be implemented from April 2026, it is proposed these are the most appropriate footprints on which to prepare spatial development strategies. Secondly, where the government believe that there is general agreement for strategic working which reflects the sensible geography criteria in the English Devolution White Paper published in December 2024, these areas are shown as proposed SDS geographies. Thirdly, where no such arrangement or proposals exist, propose that SDSs should still be developed over footprints



that reflect the same sensible geography criteria in the White Paper, and government are inviting proposals and views.

The consultation is open until **26 March** and welcome comments on the proposals. The consultation document can be found [here](#).

Expansion of the expedited written representations appeal procedure

[The Town and Country Planning \(Appeals\) \(Written Representations Procedure\) \(England\) \(Amendment and Saving Provision\) Regulations 2026](#) were laid on 12 February 2026. These regulations extend the expedited written representations appeals procedure to all s78(1) planning appeals, i.e. appeals against a decision of the local planning authority. This includes appeals relating to the refusal of planning permission, appeals relating to the refusal of prior approval and appeals relating to planning conditions (including where permission has been granted).

The regulations do not apply to appeals against non-determination, appeals relating to an application for listed building consent or appeals in relation to a discontinuation notice.

The expedited procedure does not allow for the submission of new information or further representations at the appeal stage by any party, including from third parties. The regulations include associated amendments to the Development Management Procedure Order 2015 and new template notification letters.

Where the Planning Inspectorate consider that the expedited procedure is not appropriate for an appeal, it will be transferred to an alternative procedure. Further guidance on the expanded expedited appeals process can be viewed on the Inspectorate website at:

<https://www.gov.uk/guidance/planning-appeals-procedural-guide-for-appeals-relating-to-applications-dated-on-or-after-1-april-2026>.

The above changes will apply to applications made on or after **1 April 2026**.



Annual planning fees indexation – new fees from 1 April 2026

All planning fees will be increased from 1 April 2026 by 3.8%, in line with the Consumer Prices Index for September 2025. All local planning authorities are requested to update their online information regarding planning fees to reflect these upcoming increases, to ensure that applicants are informed about the new fees that will be effective from 1 April 2026. Further information on planning fees from 1 April 2026 is available on our website at <https://www.gov.uk/government/publications/planning-fees-annual-indexation-from-1-april>.

Compulsory purchase update

On 18 February 2026, sections 35, 105 - 111 and 113 – 114 of the [Planning and Infrastructure Act 2025](#) (PIA) were commenced and brought into force reforms of the compulsory purchase process and compensation rules.

[Section 183 of the Levelling-up and Regeneration Act 2023](#) (LURA) was also commenced which introduced a power for CPOs to be conditionally confirmed.

The PIA and LURA reforms were supported by the coming into force of the following statutory instruments:

- [The Compulsory Purchase of Land \(Prescribed Forms\) \(Ministers\) \(Amendment\) Regulations 2026](#)
- [The Compulsory Purchase of Land \(Prescribed Forms\) \(Ministers\) \(Amendment\) \(No. 2\) Regulations 2026](#)
- [The Compulsory Purchase of Land \(Vesting Declarations\) \(England\) \(Amendment\) Regulations 2026](#)

The compulsory purchase guidance will be updated in the spring to reflect these changes.

On 3 February the quarterly update to the MHCLG's [register of CPO decisions](#) was also published.



Using AI to summarise consultation responses

MHCLG is exploring how AI could help local planning authorities to summarise consultation responses faster and support greater citizen engagement.

Greater Cambridge Shared Planning Service and the University of Liverpool are stress-testing an AI tool - developed with PropTech Innovation funding - with 5 local planning authorities. [To learn more about the pilot and hear about the progress so far, read the MHCLG Digital blog post and watch this show and tell featuring presentations from the teams involved in the project.](#)

Supporting developers to comply with tree felling regulations and avoid costly delays

Local authorities can play a crucial role in preventing costly setbacks by reminding applicants to confirm whether a felling licence is required before any trees are felled. Under s9 of the Forestry Act 1967, a felling licence is required to fell trees unless an exemption applies. Breaching these regulations can result in the Forestry Commission serving a Restocking Notice, typically requiring trees to be replanted and maintenance for ten years. Appeals often take over a year to conclude and can significantly disrupt development, with no guarantee that appellants will succeed.

One exemption applies where felling is *immediately required for the purpose of carrying out development authorised by planning permission granted or deemed to be granted under the Town and Country Planning Acts*. Recent court judgements have clarified this only applies once full planning permission has been granted, or, in limited circumstances, relevant reserved matters have been approved.

In a growing number of cases developers have wrongly assumed this exemption applies before full permission is granted, leading to unlawful felling. These errors have caused significant delays and placed the delivery of much needed housing at risk. When properly followed, the regulations should not prevent development, but developers must still consider protections such as Tree and Woodland Preservation Orders or ancient or veteran tree status. Full planning permission does not need to specify every tree to be removed, but where trees lie outside the footprint of approved works, their removal



must be explicitly referenced in the planning application to ensure lawful felling.

If full planning permission is not yet in place, developers must not fell trees without a licence unless a clear exemption applies. The *Tree felling: getting permission* guidance explains how exemptions operate, but if in doubt developers should consult the Forestry Commission. Premature felling risks lengthy, expensive delays that are avoidable if the regulations are correctly followed.

See links to all the relevant guidance here:

[Tree Felling: Getting Permission](#)

[Planning applications affecting trees and woodland](#)

[Ancient woodland, ancient trees and veteran trees: advice for making planning decisions](#)

[Felling licences and Tree Preservation Orders: operations note 52](#)

Adapting Historic Buildings for Energy and Carbon Efficiency

Historic England has revised [Historic England Advice Note 18: Adapting Historic Buildings for Energy and Carbon Efficiency](#) following its publication in 2024. A key aim of the HEAN is to provide local planning authorities with information to support greater consistency in decision-making for proposals seeking to improve the energy and carbon efficiency of historic buildings in relation to their significance, enabling positive climate action. The 2026 update has focused on targeted improvements to provide greater clarity in areas such as applying relevant legislation and policy, the positive role of tools such as conservation area management plans in outlining and supporting energy efficiency policies, and technical considerations for works such as insulation. The landing page also provides links to six case climate change historic building adaptation case studies.



Funding Opportunities, Research and Events

MHCLG's 2026 Planning Skills and Capacity Survey is now LIVE!

Do you need more resource in your planning teams, want to access more training opportunities or are missing expertise?

The 2026 Planning Skills and Capacity Survey is now live on DELTA and will remain open until **Wednesday 15 April**.

Participation from every local authority in England is essential to create a robust, credible picture of planning capacity and capability. Inputs will directly inform how workforce support, investment, and wider planning reform policies are targeted to address both current and emerging challenges.

This year's survey builds on the same core question set used in 2025, enabling a consistent annual update of the national evidence base. Future surveys will evolve to reflect emerging priorities across the planning system, ensuring the data remains relevant and forward-looking.

Participation can also provide local authorities will valuable insight into your organisations workforce capacity and skills gaps compare with national averages, helping identify priorities for future development and support.

It is not too late to sign up. To access and complete the survey, you must ensure a representative from your authority is registered on the DELTA system. Please register as soon as possible by emailing MHCLG via LPA.SkillsSurvey@communities.gov.uk.

LPA and applicant volunteers sought for research on design codes

MHCLG are conducting research on how local planning authority-led design codes are being adopted and working in practice. This work is being supported by Verian, an independent social research agency. MHCLG are seeking volunteers to complete a short online survey from either:



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- Local planning authorities who have adopted their codes or who are in the final stages of adoption (e.g. consultation)
- Applicants, including developers, architects and consultants, who have used design codes to inform their planning submissions.

The survey will form part of long-term evidence on whether design codes are speeding up decision-making, improving the quality of planning applications and providing greater certainty for applicants and confidence for decision-makers.

Participating in the survey is an opportunity to share feedback with MHCLG and help shape future policy development in this area. The research wants to hear from all staff who use design codes, including policy and development management officers, and would welcome as many respondents from each organisation as possible to get a wide range of views.

If interested in taking part in this research, please respond via this [webform](#) by 10th April. Details will be shared with Verian Group be in touch about taking part, including sharing a link to the survey once live in the next few months. Please also share this webform with any colleagues who have experience using design codes and may be interested. All participation is voluntary.

PropTech Innovation Fund Round 6 is now open

Round 6 of the PropTech Innovation Fund is now live, and local planning authorities (LPAs) are invited to join as funded partners. Working in partnership with PUBLIC, MHCLG are aiming to support up to 12 pilots across two challenge areas:

- How can scalable digital approaches help align evidence and policies across different plan-making boundaries and tiers?
- How can digital interventions reduce delays caused by Section 106 negotiations (e.g. viability) to accelerate local authority decision-making on applications?

Consortiums are encouraged to apply that bring together technology companies, local planning authorities, the development industry, community organisations, and academia, to test solutions in real places, from



summer 2026 to spring 2027. All consortiums must include LPAs, with dedicated funding available for LPAs who take part.

Register to join here [matchmaking event in London, on 17 March](#). This is an opportunity to find out more about the challenges and take part in facilitated, tailored sessions designed to connect you with the right technology partner.

Applications close on **29 April 2026**. [Visit the website for more information](#). If you have any questions, email proptechinnovation@communities.gov.uk

Share your digital planning case study

Some of the most valuable digital improvements in planning are small and practical – and we want to make sure they get seen.

Local authorities across England are making changes that save time, improve engagement or make better use of existing tools and data. MHCLG are continuing to [build our collection of digital planning case studies](#) and are particularly keen to hear about smaller or lower-cost projects. Contributors do not need to have had MHCLG or Digital Planning funding to share your example. If it has helped the work and for teams to work differently or more effectively, it is worth sharing. Local authorities are invited [Submit a short outline through our online form](#) and MHCLG will follow up.

Volunteer to take part in our research

MHCLG are always looking for local planning authorities to take part in research sessions – to inform the work of our Digital Planning programme, Planning Inspectorate, the Chief Planners Office, the Incubator for AI and other government departments. To get involved please [register your interest](#).