This Statutory Instrument has been made in consequence of defects in S.I. 2009/2264 and S.I. 2017/572 and is being issued free of charge to all known recipients of those Statutory Instruments.

STATUTORY INSTRUMENTS

2026 No. 735

INFRASTRUCTURE PLANNING

The Infrastructure Planning (Development Consent) (Miscellaneous Amendments) Regulations 2026

Made - - - -	*30th June 2026*
Laid before Parliament	*3rd July 2026*
Coming into force - -	*24th July 2026*

The Secretary of State makes these Regulations in exercise of the powers conferred by sections 37(3)(b) and (d), 48(1), 56(2), (3) and (7), 58(2), 59(2) and (3) and 232(3)(b) of, and paragraphs 4(1), (4) and (6) of Schedule 6 to, the Planning Act 2008(**a**).

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Infrastructure Planning (Development Consent) (Miscellaneous Amendments) Regulations 2026.

(2) These Regulations come into force on 24th July 2026.

(3) Any amendment made by these Regulations has the same extent as the provision amended.

Amendment of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

2.—(1) The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009(**b**) are amended as follows.

(2) In regulation 2 (interpretation), in paragraph (1), omit the definition of "preliminary environmental information".

(3) In regulation 4 (publicising a proposed application), in paragraph (3)—

(a) in sub-paragraph (f), omit "(being a date not earlier than the deadline in sub-paragraph (i))";

(b) at the end of sub-paragraph (f), after the semicolon insert "and";

(**a**) 2008 c. 29. Section 48 is amended by section 6(6) of the Planning and Infrastructure Act 2025 (c. 34) ("the 2025 Act") so as to remove the requirement in section 48(2) that regulations under section 48(1) must make provision for publicity to include a deadline for receipt by the applicant of responses to the publicity. Section 6 of the 2025 Act is brought into force on 24th July 2026 by the Planning and Infrastructure Act 2025 (Commencement No. 4 and Transitional Provisions) Regulations 2026 (S.I. 2026/641 (C. 52)).

(**b**) S.I. 2009/2264. Relevant amendments were made by S.I. 2010/439, 602, 2012/635, 2654, 2732, 2013/522, 755, 2014/469, 2381, 2015/377, 1682, 2017/524, 572, 2018/378, 2019/734, 2020/1534, 2021/978, 2022/634, 2023/1071 and 2024/332.

(c) omit sub-paragraph (h) and the "and" following that sub-paragraph;

(d) omit sub-paragraph (i).

(4) In regulation 5 (applications for orders granting development consent), omit paragraph (5).

(5) In regulation 8 (notice of accepted application), in paragraph (2)(j), omit "if the notice is given on or after the 1st of March 2010,".

(6) In regulation 9 (publicising an accepted application), in paragraph (4)(i), omit "if the notice is published on or after the 1st March 2010,".

(7) Omit regulation 12 (transitional matters).

(8) In Schedule 1, in the title of column 1 of the table, for "Consultee" substitute "Persons to be notified".

(9) In Schedule 2, for the application form headed "Application for development consent for nationally significant infrastructure under the Planning Act 2008" substitute the application form set out in Schedule 1 to these Regulations.

(10) In Schedule 3, for the form headed "Certificate of compliance with section 56 of the Planning Act 2008" substitute the form set out in Schedule 2 to these Regulations.

(11) In Schedule 4, for the form headed "Certificate of compliance with section 59 of the Planning Act 2008" substitute the form set in out Schedule 3 to these Regulations.

Amendment of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011

3.—(1) The Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011(**a**) are amended as follows.

(2) In regulation 2 (interpretation), in paragraph (1)—

(a) in the definition of "EIA development", for "2(1) of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009(**b**)" substitute "3(1) of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017(**c**)";

(b) in the definition of "interested party", in sub-paragraph (c), for "43" substitute "56A";

(c) in the definition of "relevant local authority"—

(i) for "43" substitute "56A";

(ii) for "section 42(1)(b)" substitute "sections 56(2)(b) and 60(2)(a)".

(3) In regulation 10 (duty to consult), in paragraph (1)(c)(iii), for "44" substitute "57".

(4) In regulation 17 (EIA development)—

(a) in paragraph (1)—

(i) in the words before sub-paragraph (a), for "Infrastructure Planning (Environmental Impact Assessment) Regulations 2009(**d**)" substitute "Infrastructure Planning (Environmental Impact Assessment) Regulations 2017(**e**)";

(ii) in sub-paragraph (a), for "3" substitute "4";

(iii) in sub-paragraph (b), for "6" substitute "8";

(**a**) S.I. 2011/2055. Relevant amendments were made by S.I. 2012/635 and 2015/760.
(**b**) S.I. 2009/2263.
(**c**) S.I. 2017/572. Regulation 3 is amended by section 6(10)(a) of the Planning and Infrastructure Act 2025 (c. 34) and S.I. 2018/695, 1232 and 2025/82.
(**d**) S.I. 2009/2263.
(**e**) S.I. 2017/572. Regulation 8 is amended by section 6(10)(b) of the Planning and Infrastructure Act 2025 (c. 34) and S.I. 2018/695.

(iv) in sub-paragraph (c), for "8" substitute "10";

(v) in sub-paragraph (d), for "18" substitute "22";

(vi) in sub-paragraph (e), for "19" substitute "24";

(b) in paragraph (2)(c), for "the ""consultation under section 42"" substitute ""publicising the proposed application under section 48"".

Signed by authority of the Secretary of State for Housing, Communities and Local Government

Matthew Pennycook
Minister of State
30th June 2026 Ministry of Housing, Communities and Local Government

SCHEDULES

SCHEDULE 1

Regulation 2(9)

Substitution of application form in Schedule 2 to the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

APPLICATION FORM

Application for development consent for nationally significant infrastructure under the Planning Act 2008

(Please read this form's guidance before completing the form).

1. Applicant	
Organisation:	
Address:	
Postcode:	
Name of contact:	
Telephone no.:	
Email:	
2. Agent (if any)	
Organisation:	
Address:	
Postcode:	
Name of contact:	
Telephone no.:	
Email:	
3. Fee	
State the arrangement for the application fee payment: i.e.: cheque, electronic transfer or other:	
4. Brief explanation as to why the application is, or is to be treated as, development for which development consent is required under the Planning Act 2008	

5. Brief non-technical description of the development proposal	
6. Description of location of application site(s), or route of development (reference appropriate plans)	
Document reference(s):	
7. Associated development	
Associated development is included within this application:	☐ Yes ☐ No
Document reference(s):	
8. Copies of newspaper notices	
Document reference(s):	
9. Draft Order	

Document reference(s):	
10. Explanatory Memorandum	
Document reference(s):	
11. Land plan	
Document reference(s):	
12. Works plan	
Document reference(s):	
13. Compulsory acquisition of land or an interest in land or right over land	
Issues are relevant for this application:	☐ Yes ☐ No
Statement of Reasons document reference(s):	
Funding Statement document reference(s):	
Book of Reference document reference(s):	
14(a). Environmental Impact Assessment (EIA)	
Environmental Statement (ES) required:	☐ Yes ☐ No
ES document reference(s) :	
14(b). Screening opinion / direction and scoping opinion / direction	

Screening opinion sought, or direction received:	☐ Yes ☐ No
Document reference(s):	
Scoping opinion sought:	☐ Yes ☐ No
Document reference(s):	
14(c). Publicity required under regulation 13 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017	
In addition to publishing the notice, a copy of the notice was sent to:	The consultation bodies: ☐ Yes
The persons notified to the applicant in accordance with regulation 11(1)(c) of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017:	☐ Yes ☐ No, not applicable
15. European sites (to which regulation 48 of the Conservation (Natural Habitats, & c.) Regulations 1994 applies) or a Ramsar site	
Report required for this application:	☐ Yes ☐ No
Document reference(s):	
16. A plan, with accompanying information, identifying any statutory or non statutory sites or features of nature conservation, geological or landscape	

importance; habitats of protected species, important habitats or other diversity features; and water bodies in a river basin management plan – together with an assessment of any effects likely to be caused by the development.	
Issues are relevant for this application:	☐ Yes ☐ No
Document reference(s):	
17. A plan, with accompanying information, identifying any statutory or non-statutory sites or features of the historic environment such as scheduled monuments, World Heritage sites, listed buildings and other historic structures, archaeological sites and registered battlefields, together with an assessment of any effects likely to be caused by the proposed development	
Issues are relevant for this application:	☐ Yes ☐ No
Document reference(s):	
18. Flood risk assessment	
Flood Risk Assessment required:	☐ Yes ☐ No
Document reference(s):	
19. Matters set out in section 79(1) (statutory nuisances etc) of the Environmental Protection Act 1990	
Statement required for this application:	☐ Yes ☐ No
Document reference(s):	
20. A plan with any accompanying information identifying any Crown land	

Issues are relevant for this application:	☐ Yes ☐ No
Document reference(s):	
21. A plan identifying new or altered means of access, stopping up of streets or any diversions, extinguishments or creation of rights of way or public rights of navigation	
Issues are relevant for this application:	☐ Yes ☐ No
Document reference(s):	
22. Additional information for specific types of infrastructure	
Additional information is required to be submitted in accordance with regulation 6 of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009:	
Provide a brief description and list the document reference(s):	
23. Any other plans, drawings and sections necessary to describe the proposals for which development consent is sought, and any other documents, reports or information to support the application	
Provide brief description, and state document reference(s):	
24. Other consents / licenses required under other legislation	

Other consents / licenses are required:	☐ Yes ☐ No
List of consents / licenses (citing document reference(s) as appropriate):	
25 Declaration:	
I declare to the best of my knowledge that the information given in this form and enclosed maps, plans and other documents is true.	
Signature (For and on behalf of the applicant)	
Date:	
Name (in block letters):	
Organisation:	
Position within organisation:	

SCHEDULE 2

Regulation 2(10)

Substitution of form in Schedule 3 to the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

Planning Act 2008

Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

Certificate of compliance with section 56 of the Planning Act 2008

I hereby certify that, in compliance with the requirements of section 56 of the Planning Act 2008 -

a) notice of the accepted application was given to the required persons identified in accordance with section 56;

b) a copy of the accepted application and accompanying documents was made available to the required persons; and

c) the accepted application was published in the required manner.

- in relation to the application for an order to grant development consent for

_____

at the location of/or along the route of (please delete as applicable)

_____

The deadline date for all representation to be received by the Secretary of State under section 56 was_____

(Completed certificate to be received by the Secretary of State no later than 10 working days after the deadline date stating the applicant has fulfilled all the requirements at (a), (b) and (c) above)

This certificate is to be returned to the Secretary of State no later than 10 days after the deadline date for receipt of relevant representations stated in the notice.

Case Reference No: _____

Applicant: _____

Signed: _____

Name in capitals: _____

Date: _____

Warning

Section 127 of the Magistrates' Court Act 1980 (c.43) has effect under section 58 of the Planning Act 2008 subject to section 58(6). In Scotland section 136 of Criminal Procedure (Scotland) Act 1995 (c.46) has effect.

It is an offence if a person issues this certificate as a certificate under section 58 of the Planning Act 2008, if it contains a statement which the person knows to be false or misleading in a material particular.

It is an offence if a person recklessly issues the certificate under section 58 of the Planning Act 2008, if it contains a statement which is false or misleading in a material particular.

SCHEDULE 3

Regulation 2(11)

Substitution of form in Schedule 4 to the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

Planning Act 2008

Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

Certificate of compliance with section 59 of the Planning Act 2008

The names, addresses for service and contact details of the affected persons are -

EITHER

(a) as described in Part 1 of the book of reference (persons within Category 1 as set out in section 57(1) of the Planning Act 2008 and persons within Category 2 as set out in section 57(2) of the Act):

YES/NO *(please delete as applicable)*:

OR

(b) as described in Part 1 of the book of reference (persons within Category 1 as set out in section 57(1) of the Planning Act 2008 and persons within Category 2 as set out in section 57(2) of that Act), subject to the changes described in documentation attached to this notice:

YES/NO *(please delete as appropriate)*

OR

(c) as described in the documentation attached to this Notice:

YES/NO *(please delete as appropriate)*

- in relation to the application for an order to grant development consent for

_____

_____

_____at the location of / or along the route of (*please delete as applicable*)

_____

_____

(Completed notice and, where applicable, revised documentation, to be sent to the Secretary of State at the same time as the applicant, in accordance with section 58 of the Planning Act 2008, certifies compliance with its commitments under section 56 of that Act).

Case Reference No: _____

Applicant: _____

Signed: _____

On behalf of: _____

Date: _____

Notes:

(A) Section 56 of the Planning Act 2008 requires the applicant to have; (a) given notice of an accepted application to the required persons; (b) made available to the required persons a copy of the application and accompanying document and information; and (c) publicised the application in the prescribed manner.

(B) Section 57 of the Planning Act 2008 defines a person as being within Categories 1 and 2 as follows:

(1) A person within Category 1 if the applicant, after making diligent inquiry, knows that the person is an owner, lessee, tenant (whatever the tenancy period) or occupier of the land.

(2) A person is within Category 2 if the applicant, after making diligent inquiry, knows that the person; (a) is interested in the land, or (b) has power to either sell or convey the land or to release the land.

(C) Section 58 of the Planning Act 2008 requires the applicant to certify to the Secretary of State that the applicant has complied with the requirements of section 56 of the Act.

(D) The book of reference is defined in regulation 7 of the Infrastructure (Applications: Prescribed Forms and Procedure) Regulations 2009.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (S.I. 2009/2264) ("the 2009 Regulations") and the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011 (S.I. 2011/2055) ("the 2011 Regulations").

Regulation 2 amends the 2009 Regulations and regulation 3 amends the 2011 Regulations. Several of the amendments are consequential on changes to the pre-application consultation requirements for nationally significant infrastructure projects under the Planning Act 2008 (c. 29) ("the 2008 Act"), as amended by the Planning and Infrastructure Act 2025 (c. 34) ("the 2025 Act"). The Regulations also make changes to update cross-references to related statutory instruments, along with other minor and correctional amendments.

An impact assessment has not been published for these Regulations as no significant impact on the private, voluntary or public sector is foreseen arising from the provisions these Regulations amend. An impact assessment has been published in relation to the 2025 Act, which considers the impact of changes to the pre-application consultation requirements for nationally significant infrastructure projects under the 2008 Act. Copies of that impact assessment can be obtained from the Ministry of Housing, Communities and Local Government, Home Office Building, 2 Marsham Street, London SW1P 4DF, or from: https://assets.publishing.service.gov.uk/media/6819bf013c3bba3526f03b99/Overarching_IA_-_Planning_and_Infrastructure_Bill.pdf.

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