STATUTORY INSTRUMENTS

2026 No. 728

INFRASTRUCTURE PLANNING

The Infrastructure Planning (Timetable for Deciding Request for Direction) 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 section 35D of the Planning Act 2008(**a**).

Citation, commencement, extent and interpretation

1.—(1) These Regulations may be cited as the Infrastructure Planning (Timetable for Deciding Request for Direction) Regulations 2026.

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

(3) These Regulations extend to England and Wales and (subject to paragraph (4)) to Scotland.

(4) These Regulations extend to Scotland only so far as required for the purpose of the construction (other than by a gas transporter) of an oil or gas cross-country pipe-line(**b**)—

(a) one end of which is in England or Wales, and

(b) the other end of which is in Scotland.

(5) In these Regulations—

"the primary deadline" means the end of the period of 35 days beginning with the day on which the Secretary of State receives the qualifying request(**c**);

"the requestor" means the person making the qualifying request;

"the secondary deadline" means the end of the period of 21 days beginning with the day on which the requestor is asked to provide the information under regulation 3.

(**a**) 2008 c. 29. Section 35D is inserted into the Planning Act 2008 by section 4 of the Planning and Infrastructure Act 2025 (c. 34) ("the 2025 Act"). Section 4 of the 2025 Act is brought into force on 24th July 2026 (see the Planning and Infrastructure Act 2025 (Commencement No. 4 and Transitional Provisions) Regulations 2026 (S.I. 2026/641)).
(**b**) "Gas transporter" and "cross-country pipe-line" have the meaning given in section 235 of the Planning Act 2008.
(**c**) "Qualifying request" has the meaning given in section 35D(2) of the Planning Act 2008.

Time limit for decision

2. Subject to regulation 3, where the Secretary of State receives a qualifying request for a direction under section 35B(1) of the Planning Act 2008, the Secretary of State must make a decision on the request before the primary deadline.

Provision of information

3. If, before the primary deadline, the Secretary of State asks the requestor to provide information for the purposes of making a decision on the qualifying request—

(a) any information must be provided to the Secretary of State before the secondary deadline, and

(b) the Secretary of State must make a decision on the request before the end of the period of 35 days beginning with the day after—

(i) the secondary deadline, or

(ii) the day on which the Secretary of State receives any information,

whichever is sooner.

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

EXPLANATORY NOTE

(This note is not part of the Regulations)

The Planning Act 2008 (c. 29) ("the 2008 Act") provides for the granting of development consent for certain types of nationally significant infrastructure projects.

These Regulations set out the timetable for deciding a qualifying request for a direction given under section 35B(1) of the 2008 Act, which disapplies the requirement for development consent.

Regulation 2 requires the Secretary of State to make a decision on a qualifying request before the end of the period of 35 days beginning with the day on which the request is received, subject to regulation 3.

Regulation 3 provides that if the Secretary of State requests information for the purposes of making their decision, any information must be provided before the secondary deadline and the Secretary of State must make a decision on the request within 35 days, beginning with the day after the secondary deadline or the day after any information is received, whichever is sooner.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary, or public sector is foreseen.

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