STATUTORY INSTRUMENTS

2026 No. 169 (C. 16)

TOWN AND COUNTRY PLANNING, ENGLAND

The Levelling-up and Regeneration Act 2023 (Commencement No. 11 and Saving and Transitional Provisions) Regulations 2026

Made - - - - 2nd March 2026

The Secretary of State makes these Regulations in exercise of the powers conferred by section 255(3)(b), (11), (12) and (13) of the Levelling-up and Regeneration Act 2023(**a**).

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Levelling-up and Regeneration Act 2023 (Commencement No. 11 and Saving and Transitional Provisions) Regulations 2026 and come into force in accordance with paragraphs (2) and (3).

(2) This regulation and regulations 2 and 3 come into force on the day after the day on which they are made.

(3) Regulations 4 and 5 and Schedules 1 and 2 come into force on 25th March 2026.

(4) In these Regulations—

"the 2012 Regulations" means the Town and Country Planning (Local Planning) (England) Regulations 2012(**b**);

"the Act" means the Levelling-up and Regeneration Act 2023;

"commencement date" means 25th March 2026;

"the PCPA 2004" means the Planning and Compulsory Purchase Act 2004(**c**).

Provisions coming into force on 3rd March 2026

2.—(1) For the purpose of the exercise of the power to make regulations only, the provisions of the Act listed in paragraph (2) come into force on 3rd March 2026.

(2) The provisions referred to in paragraph (1) are—

(a) section 97 (plan making) and Schedule 7 (plan making), excluding sections 15A to 15AI, 15K and 15LE(2)(a), (b), (c), (k), (l) and (3) of the PCPA 2004, inserted by that Schedule;

(b) section 100 (requirement to assist with certain plan making).

(**a**) 2023 c. 55.
(**b**) S.I. 2012/767, amended by S.I. 2012/2613, 2013/235, 2015/377, 2015/627, 2015/1682, 2016/871, 2017/1011, 2017/1244, 2018/1234, 2019/1103, 2020/731, 2020/1398, 2022/634, 2023/1071.
(**c**) 2004 c. 5.

Provisions coming into force on 25th March 2026

3. The following provisions of the Act come into force on 25th March 2026—

(a) section 92 (development plans: content);

(b) section 97 and Schedule 7, to the extent that they insert the following provisions into the PCPA 2004, so far as those provisions are not already in force—

(i) sections 15B to 15EA, except section 15B(2)(e) and section 15CA(6)(h);

(ii) sections 15G to 15HA;

(iii) sections 15HC to 15JB;

(iv) sections 15L to 15LD;

(v) section 15LE except subsections (2)(a), (b), (c), (k) and (l) and subsection (3);

(vi) sections 15LF to 15LG;

(vii) section 15LH except—

(aa) the definition of joint spatial development strategy in subsection (3);

(bb) the definition of neighbourhood priorities statement in subsection (3);

(cc) paragraph (c) in the definition of spatial development strategy in subsection (3);

(c) section 98 (contents of a neighbourhood development plan);

(d) section 99 (neighbourhood development plans and orders: basic conditions);

(e) section 100, in so far as it is not already in force, except "or Part 2 of this Act" in inserted section 39A(5)(b) of the PCPA 2004;

(f) section 101 (minor and consequential amendments in connection with Chapter 2) in so far as it relates to the following provisions of Schedule 8 (minor and consequential amendments in connection with Chapter 2 of Part 3)—

(i) paragraphs 1 to 6;

(ii) paragraph 7, except—

(aa) sub-paragraph (2)(a);

(bb) "strategy" in sub-paragraph (3)(a)(i);

(cc) sub-paragraph (3)(a)(ii);

(iii) paragraphs 8 and 9;

(iv) paragraphs 11 to 13;

(v) paragraphs 15 to 20;

(vi) paragraph 21, except "joint spatial development strategy,";

(vii) paragraph 22;

(viii) paragraph 23, except—

(aa) in sub-paragraph (3), inserted paragraph (g);

(bb) "and "joint spatial development strategy"" in sub-paragraph (5);

(ix) paragraph 24;

(x) paragraph 25, except—

(aa) in paragraph (a), inserted paragraph (za);

(bb) in paragraph (b), "(za),";

(xi) paragraphs 26 to 32;

(xii) paragraphs 37 and 38;

(xiii) paragraph 39, except "joint spatial development strategy," in sub-paragraph (6);

(xiv) paragraph 40, except—

(aa) in sub-paragraph (2)(a), "joint spatial development strategy,";

(bb) in sub-paragraph (3)(a), inserted sub-paragraph (aa);

(cc) in sub-paragraph (3), paragraph (b).

Plan making saving and transitional provisions

4. Schedule 1 contains saving and transitional provisions in relation to plan making.

Savings for Orders made under the PCPA 2004

5. Schedule 2 contains savings for certain Orders made under the PCPA 2004.

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

Matthew Pennycook
Minister of State
2nd March 2026 Ministry of Housing, Communities and Local Government

SCHEDULE 1

Regulation 4

PLAN MAKING SAVING AND TRANSITIONAL PROVISIONS

Interpretation

1. In this Schedule—

"adopted policies map" means a document of the description referred to in regulation 9 of the 2012 Regulations (form and content of the adopted policies map), as that provision had effect immediately before the commencement date;

"authority" means—

(a) a local planning authority;

(b) a minerals and waste planning authority;

"authority's area" means—

(a) in relation to a local planning authority, the area for which the authority are the local planning authority under section 15LF(11) of the PCPA 2004(**a**);

(b) in relation to a minerals and waste planning authority, the area for which the authority are the minerals and waste planning authority under section 15LG(6) of the PCPA 2004(**b**);

"development plan" has the same meaning as in section 38 of the PCPA 2004(**c**);

"development plan document" has the same meaning as in section 37(3) of the PCPA 2004, as that provision had effect immediately before the commencement date, and includes a development plan document prepared jointly by two or more authorities in accordance with section 28 or 28A of the PCPA 2004, as those provisions had effect immediately before the commencement date(**d**);

"local plan" means a local plan prepared in accordance with section 15C of the PCPA 2004 and includes a local plan prepared jointly by two or more local planning authorities under section 15I of the PCPA 2004(**e**);

"local planning authority" has the same meaning as in section 15LF of the PCPA 2004;

"local planning development plan document" means a development plan document which contains provision of a kind that could be included in a local plan on or after the commencement date;

(**a**) Section 15LF was inserted by section 97 of, and Schedule 7 to, the Levelling-up and Regeneration Act 2023.

(**b**) Section 15LG was inserted by section 97 of, and Schedule 7 to, the Levelling-up and Regeneration Act 2023.

(**c**) Section 38 was amended by section 92 of, and paragraph 19 of Schedule 8 to, the Levelling-up and Regeneration Act 2023.

(**d**) Section 37(3) was substituted by section 180(6)(b) of the Planning Act 2008 (c. 29). Section 37(3) is saved by paragraph 2(1) of Schedule 1 to these Regulations, for the purposes set out in paragraphs 4, 5 and 6. Section 28(4) was amended by section 85(1) of, and paragraphs 12 and 16 of Schedule 5 to, the Local Democracy, Economic Development and Construction Act 2009 (c. 20). Sections 28(9) and (11) were amended by section 9(1), (5), (6) and (7) of the Neighbourhood Planning Act 2017 (c. 20) ("the 2017 Act"). Section 28A was inserted by section 9(1) and (2) of the 2017 Act.

(**e**) Sections 15C and 15I were inserted by section 97 of, and Schedule 7 to, the Levelling-up and Regeneration Act 2023.

"minerals and waste development plan document" means a development plan document which contains provision of a kind that could be included in a minerals and waste plan on or after the commencement date;

"minerals and waste plan" means a minerals and waste plan prepared in accordance with section 15CB of the PCPA 2004 and includes a minerals and waste plan prepared jointly by two or more minerals and waste planning authorities under section 15I as applied by section 15CB(8) of the PCPA 2004(**a**);

"minerals and waste planning authority" has the same meaning as in section 15LG of the PCPA 2004;

"regional strategy" means a regional strategy under Part 5 of the Local Democracy, Economic Development and Construction Act 2009(**b**);

"specified examination" means—

(a) an examination under section 20(1) of the PCPA 2004, as saved in accordance with paragraph 2(1) of this Schedule, or

(b) an examination under section 21(5)(b) or 27(3)(a) of the PCPA 2004, as saved in accordance with paragraph 2(1) of this Schedule;

"statement of community involvement" means a document prepared in accordance with section 18 of the PCPA 2004, as that provision had effect immediately before the commencement date;

"supplementary planning document" means any document of a description referred to in regulation 5(1)(a)(iii) or (b) of the 2012 Regulations (local development documents), as that provision had effect immediately before the commencement date, except an adopted policies map or a statement of community involvement;

"the TCPA 1990" means the Town and Country Planning Act 1990(**c**).

Saved old local planning provisions and saved old miscellaneous provisions

2.—(1) The following provisions, as they had effect immediately before the commencement date (together, the "saved old local planning provisions"), continue to have effect for the purposes referred to in paragraphs 4, 5 and 6—

(a) Part 2 of the PCPA 2004 (local development) except section 33A (duty to co-operate in relation to planning of sustainable development);

(b) the saved old miscellaneous provisions;

(c) any regulations made under Part 2 of the PCPA 2004, except regulation 4 of the 2012 Regulations, and subject to any amendments made to those regulations on or after the commencement date;

(d) any regulations made under the saved old miscellaneous provisions, and subject to any amendments made to those regulations on or after the commencement date.

(2) In sub-paragraphs (1)(b) and (d), the saved old miscellaneous provisions means—

(a) sections 303A and 324 of, and Schedule 13 to, the TCPA 1990(**d**);

(**a**) Section 15CB was inserted by section 97 of, and Schedule 7 to, the Levelling-up and Regeneration Act 2023.
(**b**) 2009 c. 20.
(**c**) 1990 c. 8.
(**d**) Section 303A was inserted by section 1(1) of the Town and Country Planning (Costs of Inquiries etc.) Act 1995 (repealed) (c. 49) and amended by paragraph 11(2), (3), (4), (5)(c) and (6) of Schedule 6 and by Schedule 9, to the Planning and Compulsory Purchase Act 2004 (c. 5) and section 148(2) and (3) of the Housing and Planning Act 2016 (c. 22). There

(b) section 347 of the Greater London Authority Act 1999(**a**);

(c) the Local Authorities (Functions and Responsibilities) (England) Regulations 2000(**b**);

(d) Schedule 1A to the Commons Act 2006(**c**);

(e) sections 1 and 2 of the Planning and Energy Act 2008(**d**);

(f) the Local Government (Structural Changes) (Transitional Arrangements) (No.2) Regulations 2008(**e**);

(g) the Community Infrastructure Levy Regulations 2010(**f**);

(h) the Local Authorities (Committee System) (England) Regulations 2012(**g**);

(i) the Greater Manchester Combined Authority (Functions and Amendment) Order 2016(**h**);

(j) the West of England Combined Authority Order 2017(**i**);

(k) the Tees Valley Combined Authority (Functions) Order 2017(**j**);

(l) the Liverpool City Region Combined Authority (Functions and Amendment) Order 2017(**k**);

(m) the West Midlands Combined Authority (Functions and Amendment) Order 2017(**l**);

(n) the Greater Manchester Combined Authority (Functions and Amendment) Order 2017(**m**);

(o) regulation 41 (nature conservation policy in planning contexts) of the Conservation of Habitats and Species Regulations 2017(**n**);

(p) the Local Government (Boundary Changes) Regulations 2018(**o**);

(q) the Barnsley, Doncaster, Rotherham and Sheffield Combined Authority (Functions and Amendment) Order 2020(**p**);

(r) the West Yorkshire Combined Authority (Election of Mayor and Functions) Order 2021(**q**);

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are other amendments which are not relevant to these Regulations. Section 324 was amended by section 23(8) of, and Parts I and II of Schedule 19 to, the Planning and Compensation Act 1991 (c. 34), paragraph 13 of Schedule 6 to the Planning and Compulsory Purchase Act 2004, section 34(6) of, and Part 3 of Schedule 5 to, the Clean Neighbourhoods and Environment Act 2005 (c. 16), paragraph 19 of Schedule 14 to the Housing and Planning Act 2016 (c. 22), section 127(3) of, and paragraph 21(2) and (3) of Schedule 12 to, the Localism Act 2011 (c. 20) and paragraph 12 of Schedule 11 to the Levelling-up and Regeneration Act 2023. There are other amendments which are not relevant to these Regulations. Schedule 13 was amended by the paragraph 32(16) of Schedule 10 to the Environment Act 1995 (c. 25), paragraph 18 of Schedule 6 to the Planning and Compulsory Purchase Act 2004, paragraph 23 of Schedule 12 and paragraph 37 of Schedule 22 to the Localism Act 2011. There are other amendments which are not relevant to these Regulations.

(**a**) 1999 c. 29. Section 347 was amended by paragraph 50 of Schedule 22 to the Localism Act 2011 (c. 20).

(**b**) S.I. 2000/2853, amended by S.I. 2001/2212, 2001/2831, 2002/1916, 2004/1158, 2004/2211, 2004/2748, 2004/3168, 2005/714, 2005/929, 2006/886, 2007/1557, 2007/1950, 2008/516, 2008/744, 2008/1419, 2008/2787, and modified by S.I. 2008/2113 and 2018/1128. It was also amended by paragraph 15 of Schedule 22 to the Levelling-up and Regeneration Act 2023.

(**c**) 2006 c. 26. Schedule 1A was inserted by Schedule 4 to the Growth and Infrastructure Act 2013 (c. 27) and amended by S.I. 2014/257, paragraphs 44(2) and (3) of Schedule 12 to the Housing and Planning Act 2016 (c. 22), S.I. 2017/276, S.I. 2025/418.

(**d**) 2008 c. 21. There are amendments to these sections which are not relevant to these Regulations.

(**e**) S.I. 2008/2867, amended by S.I. 2009/276, 2009/486, 2010/1172, 2018/930, 2018/1296, 2019/703, 2020/809.

(**f**) S.I. 2010/948, amended by S.I. 2011/987, 2012/2975, 2013/982, 2014/385, 2019/1103, 2020/1226, 2020/1470, 2023/909, 2024/958, 2025/433 and modified by S.I. 2024/393, 2024/807, 2025/1105.

(**g**) S.I. 2012/1020, amended by S.I. 2013/218, 2013/235, 2022/634, 2023/1071.

(**h**) S.I. 2016/1267.

(**i**) S.I. 2017/126, amended by S.I. 2018/879 and 2024/430.

(**j**) S.I. 2017/250.

(**k**) S.I. 2017/430, amended by S.I. 2018/878.

(**l**) S.I. 2017/510, amended by S.I. 2018/880, 2022/71, 2022/576.

(**m**) S.I. 2017/612.

(**n**) S.I. 2017/1012. Regulations 41(1) and (2) were amended by section 101 of, and Schedule 8 to, the Levelling-up and Regeneration Act 2023.

(**o**) S.I. 2018/1128.

(**p**) S.I. 2020/806, amended by S.I. 2025/879.

(**q**) S.I. 2021/112, amended by S.I. 2022/71, 2022/576, 2022/871, 2025/879.

(s) the North East Mayoral Combined Authority (Establishment and Functions) Order 2024(**a**).

Saved old local development document provisions

3. The following provisions, as they had effect immediately before the commencement date (together the "saved old local development document provisions"), continue to have effect for the purposes referred to in paragraphs 4(3) and 5(2)(a)—

(a) sections 2A, 59A and 74 of the TCPA 1990(**b**);

(b) section 346 of the Greater London Authority Act 1999(**c**).

Saving and transitional provisions for local planning authorities in relation to the development plan and development plan documents

4.—(1) For the purposes of an authority outside Greater London, in relation to which a regional strategy has effect as part of the development plan for an authority's area immediately before the commencement date, under section 38 of the PCPA 2004, as it had effect immediately before the commencement date, the regional strategy continues to have effect as part of the development plan for the authority's area on and after that date.

(2) A local planning development plan document which has effect as part of the development plan for an authority's area immediately before the commencement date, under section 38 of the PCPA 2004, as it had effect immediately before the commencement date, continues to have effect as part of the development plan for the authority's area on and after that date.

(3) Despite the commencement of Schedules 7 and 8 to the Act to the extent specified in regulations 2 and 3, the saved old local development document provisions continue to have effect, in relation to a local planning authority's area, until the day on which a local plan is adopted or approved in relation to that area under Part 2 of the PCPA 2004, as amended by section 97 of, and Schedule 7 to, the Act.

(4) On or after the commencement date, a local planning authority may continue to prepare and make arrangements for a specified examination in relation to a proposed local planning development plan document, provided that the document is submitted for examination or the specified examination is proposed to begin no later than 31st December 2026.

(5) The Secretary of State may direct that for such a local planning development plan document as is specified in the direction, a date, which is later than the date specified in sub-paragraph (4), applies to that document.

(6) The saved old local planning provisions continue to apply for the purposes of—

(a) a local planning authority preparing a local planning development plan document to be submitted for examination in accordance with sub-paragraph (4) or (5);

(b) a specified examination in accordance with sub-paragraph (4) or (5);

(c) following a specified examination as referred to in paragraph (b), a local planning authority progressing a local planning development plan document to adoption under Part 2 of the PCPA 2004, as saved in accordance with paragraph 2(1) of this Schedule;

(**a**) S.I. 2024/402, amended by S.I. 2025/879.

(**b**) Section 2A was inserted by section 31(2) of the Greater London Authority Act 2007 (c. 24). Section 2A(6)(aa) was substituted by section 149(1) of the Housing and Planning Act 2016 (c. 22). Section 2A was also amended by paragraph 21 of Schedule 22 to the Localism Act 2011 (c. 20), paragraph 2(1) and (2)(a) of Schedule 1 to the Growth and Infrastructure Act 2013 (c. 27) and paragraph 2 of Schedule 12 to the Housing and Planning Act 2016. Section 59A was inserted by section 150(2) of the Housing and Planning Act 2016 and was amended by S.I. 2025/418. Section 74(1BB) was inserted by section 149(3) of the Housing and Planning Act 2016. There are other amendments to section 74 which are not relevant to these Regulations.

(**c**) Section 346 was amended by paragraph 22(4) of Schedule 7 to the Planning and Compulsory Purchase Act 2004.

(d) the Secretary of State taking any action in relation to a local planning development plan document or proposed local planning development plan document to which this paragraph applies;

(e) the monitoring of a local planning development plan document which has effect in accordance with this paragraph, under Part 2 of the PCPA 2004, as saved in accordance with paragraph 2(1) of this Schedule.

(7) Subject to sub-paragraph (8), a local planning development plan document adopted or approved in relation to an authority's area on or after the commencement date, in accordance with the saved old local planning provisions, has effect as part of the development plan for the authority's area from the date of its adoption or approval.

(8) A local planning development plan document and a regional strategy, where one has effect for an authority's area in accordance with sub-paragraph (1), cease to have effect as part of the development plan for an authority's area on the date that a local plan for the authority's area is adopted or approved under Part 2 of the PCPA 2004, as amended by section 97 of, and Schedule 7 to, the Act.

Saving and transitional provisions for minerals and waste planning authorities in relation to development plan documents

5.—(1) A minerals and waste development plan document which has effect as part of the development plan for an authority's area immediately before the commencement date under section 38 of the PCPA 2004, as it had effect immediately before the commencement date, continues to have effect as part of the development plan for the authority's area on and after that date.

(2) Despite the commencement of Schedules 7 and 8 to the Act to the extent specified in regulations 2 and 3—

(a) subject to paragraph (c), the saved old local development document provisions continue to have effect in relation to a mineral and waste planning authority's area, until the day on which a document which is or forms part of the authority's minerals and waste plan is adopted or approved in relation to that area under Part 2 of the PCPA 2004, as amended by section 97 of, and Schedule 7 to, the Act;

(b) subject to paragraph (c), the saved old minerals and waste planning provisions continue to have effect in relation to a mineral and waste planning authority's area, until the day on which a document which is or forms part of a minerals and waste plan for the authority's area is submitted for examination in accordance with section 15D of the PCPA 2004(**a**) or the day on which the Secretary of State determines to hold an examination in relation to a document which is or forms part of the authority's minerals and waste plan under section 15H(3)(b) or section 15HA(6)(a) of the PCPA 2004(**b**);

(c) where a minerals and waste development plan document has effect as part of the development plan in accordance with paragraph 5(1) or 5(7), the saved old local development document provisions and the saved old minerals and waste planning provisions continue to apply to a minerals and waste planning authority's area in so far as they relate to that document, until—

(i) the document is revoked in accordance with section 25 of the PCPA 2004, as saved in accordance with paragraph 2(1) of this Schedule, or

(**a**) Section 15D is applied in relation to a minerals and waste plan by section 15CB(8) of the Planning and Compulsory Purchase Act 2004.

(**b**) Sections 15H and 15HA are applied in relation to a minerals and waste plan by section 15CB(8) of the Planning and Compulsory Purchase Act 2004.

(ii) the Secretary of State directs that paragraph 5(1) or 5(7) cease to have effect in relation to the document, in accordance with sub-paragraph (8).

(3) In sub-paragraph (2), the saved old minerals and waste planning provisions means paragraph 7 of Schedule 1 to the TCPA 1990, as it had effect immediately before the commencement date(**a**).

(4) On or after the commencement date, a minerals and waste planning authority may continue to prepare and make arrangements for a specified examination in relation to a proposed minerals and waste development plan document, provided that the document is submitted for examination or the specified examination is proposed to begin no later than 31st December 2026.

(5) The Secretary of State may direct that for such a minerals and waste development plan document as is specified in the direction, a date, which is later than the date specified in sub-paragraph (4), applies to that document.

(6) The saved old local planning provisions continue to apply for the purposes of—

(a) a minerals and waste planning authority preparing a minerals and waste development plan document to be submitted for examination in accordance with sub-paragraph (4) or (5);

(b) a specified examination in accordance with sub-paragraph (4) or (5);

(c) following a specified examination as referred to in paragraph (b), a minerals and waste planning authority progressing a minerals and waste development plan document to adoption under Part 2 of the PCPA 2004, as saved in accordance with paragraph 2(1) of this Schedule;

(d) a minerals and waste planning authority revoking a minerals and waste development plan document in accordance with section 25 of the PCPA 2004, as saved in accordance with paragraph 2(1) of this Schedule;

(e) the Secretary of State taking any action in relation to a minerals and waste development plan document or a proposed minerals and waste development plan document to which this paragraph applies;

(f) the monitoring of a minerals and waste development plan document which has effect in accordance with this paragraph, under Part 2 of the PCPA 2004, as saved in accordance with paragraph 2(1) of this Schedule.

(7) A minerals and waste development plan document adopted or approved in relation to an authority's area on or after the commencement date, in accordance with the saved old local planning provisions, has effect as part of the development plan for the authority's area from the date of its adoption or approval.

(8) The Secretary of State may direct that sub-paragraphs (1) and (7) cease to have effect on a date and to the extent specified in the direction in relation to—

(a) a minerals and waste development plan document;

(b) an authority.

(**a**) Paragraph 7 of Schedule 1 was substituted by paragraph 16(4) of Schedule 6 to the Planning and Compulsory Purchase Act 2004. Paragraph 7(10) of Schedule 1 was amended by Part 15 of Schedule 25 to the Localism Act 2011 (c. 20).

Supplementary planning documents

6.—(1) A supplementary planning document which has effect for an authority's area immediately before the commencement date, continues to have effect on and after that date.

(2) On and after the commencement date, an authority may continue to prepare and make arrangements for the adoption of a proposed supplementary planning document, provided that the document is adopted no later than 30th June 2026.

(3) The saved old local planning provisions continue to apply for the purposes of—

(a) an authority preparing a supplementary planning document for adoption in accordance with sub-paragraph (2), under Part 2 of the PCPA 2004, as saved in accordance with paragraph 2(1) of this Schedule;

(b) the Secretary of State taking any action in relation to a supplementary planning document or a proposed supplementary planning document to which this paragraph applies;

(c) the monitoring of a supplementary planning document which has effect in accordance with this paragraph, under Part 2 of the PCPA 2004, as saved in accordance with paragraph 2(1) of this Schedule.

(4) Subject to sub-paragraph (5), a supplementary planning document adopted in relation to an authority's area on or after the commencement date, in accordance with the saved old local planning provisions, has effect for the authority's area from the date of its adoption.

(5) A supplementary planning document ceases to have effect when—

(a) the document is revoked in accordance with section 25 of the PCPA 2004, as saved in accordance with paragraph 2(1) of this Schedule, or

(b) the development plan document to which the supplementary planning document relates no longer has effect as part of the development plan for the authority's area, in accordance with paragraph 4 or paragraph 5 of this Schedule.

(6) For the purpose of sub-paragraph (5), the development plan document to which the supplementary planning document relates is the development plan document which contains the policy which is the subject of the supplementary planning document.

Proceedings under section 113 of the PCPA 2004

7. Despite the amendments made to section 113 of the PCPA 2004 by paragraph 23 of Schedule 8 to the Act, any proceedings under section 113(1)(c) of the PCPA 2004 brought in relation to a development plan document to which this Schedule applies, continue in effect as if those amendments had not been made.

SCHEDULE 2

Regulation 5

SAVINGS

Joint Committee Orders

1. The following Orders continue to have effect despite the substitution of section 29 of the PCPA 2004 by Schedule 7 to the Act—

(a) the Central Lincolnshire Joint Strategic Planning Committee Order 2009(**a**);

(b) the South East Lincolnshire Joint Strategic Planning Committee Order 2011(**b**).

(**a**) S.I. 2009/2467.
(**b**) S.I. 2011/1455.

2. A joint committee constituted under an Order saved by paragraph 1 is to be treated as if it were a joint committee constituted by Regulations made by the Secretary of State under section 15J of the PCPA 2004.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are the eleventh commencement regulations under the Levelling-up and Regeneration Act 2023 (c. 55) ("the Act").

Regulation 2 brings into force sections 97 and 100 of, and parts of Schedule 7 to, the Act on 3rd March 2026 for the purpose of the exercise of the power to make regulations only.

Regulation 3 sets out the provisions of the Act which come into force on 25th March 2026. In particular, exclusions are made for parts of Schedule 7 and Schedule 8 to the Act which refer to joint spatial development strategies.

Regulation 4 introduces Schedule 1, which provides transitional provisions between the Planning and Compulsory Act 2004 ("PCPA 2004") plan making system and the new plan making system introduced by the Act. Much of Part 2 of the PCPA 2004, as it had effect before the commencement date in regulation 3, and of the Town and Country Planning (Local Planning) (England) Regulations 2012, are saved for the purposes of existing development plan documents proceeding through examination and adoption in accordance with these provisions, including where the Secretary of State may wish to take intervention action in relation to such a document. Schedule 1 provides that local planning development plan documents which have effect as part of the development plan for an authority's area before the commencement date continue to have effect as part of the development plan until a new local plan is adopted. In the case of development plan documents containing provision relating to minerals and waste, these continue to have effect until such time as the Secretary of State directs that the saving for these documents no longer has effect. A saving is provided for a regional strategy where it has effect as part of the development plan, until a new local plan is adopted for the area. There is also a saving for supplementary planning documents until such time as the development plan document to which the supplementary planning document relates no longer has effect. No further supplementary planning documents can be adopted after 30th June 2026. The last date for submitting a development plan document for examination under Part 2 of the PCPA 2004, as saved, is 31st December 2026, although the Secretary of State has discretion to direct a later date. Schedule 1 also provides that some of the minor and consequential amendments in relation to the coming into force of the new plan making system, made by Schedule 8 to the Act, do not apply for the purposes of an authority preparing a local development document under Part 2 of the PCPA 2004 as saved.

Regulation 5 introduces Schedule 2, which makes savings for certain joint committee Orders which were constituted under section 29 of the PCPA 2004, so that these continue to have effect.

A Regulatory Impact Assessment under the Better Regulation Framework has not been produced for this instrument. The Regulatory Impact Assessment for the Levelling-up and Regeneration Act 2023 provides analysis of the primary legislative measures from which the measures set out in this instrument derive. Copies can be obtained at https://publications.parliament.uk/pa/bills/cbill/58-03/0169/LevellingUpandRegenerationBillImpactAssessment.pdf or from the Ministry of Housing, Communities and Local Government at 2 Marsham Street, London, SW1P 4DF. The Annexes to that document can be obtained at https://publications.parliament.uk/pa/bills/cbill/58-03/0169/LevellingUpandRegenerationBillImpactAssessmentAnnexes.pdf or from the Ministry of Housing, Communities and Local Government at 2 Marsham Street, London, SW1P 4DF.

NOTE AS TO EARLIER COMMENCEMENT REGULATIONS

(This note is not part of the Regulations)

The following provisions of the Levelling-up and Regeneration Act 2023 have been brought into force by commencement Regulations made before the date of these Regulations.

Provision	*Date of Commencement*	*S.I. No.*
Section 78	31.01.2024	2024/92
Section 81	31.01.2024	2024/92
Sections 84 to 86	31.03.2024	2024/389
Sections 89 to 91	31.03.2024	2024/389
Section 94	31.01.2024	2024/92
Section 103	25.04.2024	2024/452
Section 105	25.07.2024	2024/452
Sections 106 and 107 (partially)	31.01.2024	2024/92
Section 109 (partially)	01.05.2025	2025/430
Section 111 (partially)	31.03.2024	2024/389
Sections 115 to 120	25.04.2024	2024/452
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ISBN 978-0-34-828018-0

£8.90

http://www.legislation.gov.uk/id/uksi/2026/169