STATUTORY INSTRUMENTS

2026 No. 549 (C. 43)

TOWN AND COUNTRY PLANNING, ENGLAND

The Planning and Infrastructure Act 2025 (Commencement No. 3 and Transitional Provisions) Regulations 2026

Made - - - - 20th May 2026

The Secretary of State makes these Regulations in exercise of the powers conferred by section 118(3) and (7) of the Planning and Infrastructure Act 2025(**a**).

Citation

1. These Regulations may be cited as the Planning and Infrastructure Act 2025 (Commencement No. 3 and Transitional Provisions) Regulations 2026.

Interpretation

2. In these Regulations—

(a) "TCPA 1990" means the Town and Country Planning Act 1990(**b**);

(b) "general consent" means a permission which meets the following conditions—

(i) it is granted for development of any description or class specified in an order or scheme (as opposed to for development itself specified in the order or scheme);

(ii) it is granted under, or by virtue of, Part 3 of the TCPA 1990;

(iii) it is granted by, or on the adoption, approval or designation of, an order, scheme or zone (including an alteration or modification to such an order, scheme or zone);

(c) "planning permission" has the same meaning as the TCPA 1990 other than permission granted by a general consent;

(d) "previous permission" means, in relation to a planning permission granted under section 73 of the TCPA 1990, the previous planning permission referred to in section 73(1);

(e) "prior approval development consent" means a general consent which is subject to a requirement for prior approval or a determination as to whether prior approval is required.

Provisions coming into force on the day after the day on which these Regulations are made

3. Part 1 of Schedule 5 to the Planning and Infrastructure Act 2025 (except for paragraph 14(2)), comes into force on the day after the day on which these Regulations are made.

(**a**) 2025 c. 34.
(**b**) 1990 c. 8.

Transitional provisions in relation to Part 1 of Schedule 5 of the Planning and Infrastructure Act 2025

4.—(1) The amendments made to the Conservation of Habitats and Species Regulations 2017(**a**) by Part 1 of Schedule 5 to the Planning and Infrastructure Act 2025 do not apply in relation to any project which was authorised by—

(a) a planning permission granted before 17th August 2020, or

(b) a general consent if the relevant date was before the day that Part 1 of Schedule 5 to the Planning and Infrastructure Act 2025 (except for paragraph 14(2)) comes into force.

(2) For the purpose of paragraph (1)(a), granted means, in relation to a planning permission—

(a) where the planning permission was granted under section 73 of the TCPA 1990, the date the previous permission was granted, or

(b) in any other case, the date planning permission was granted under the TCPA 1990.

(3) For the purpose of paragraph (1)(b), the relevant date, in relation to a general consent, is—

(a) in the case of a prior approval development consent, the date on which—

(i) the prior approval was given,

(ii) the determination that such approval is not required was given, or

(iii) where the consent was given subject to a determination as to whether prior approval is required, the period for giving such a determination expired,

(b) in any other case, the date that the development to which the general consent relates was commenced.

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

Matthew Pennycook
Minister of State
20th May 2026 Ministry of Housing, Communities and Local Government

(**a**) S.I. 2017/1012.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are the third commencement regulations made under the Planning and Infrastructure Act 2025 ("the Act").

Regulation 3 brings into force on the day after which these Regulations are made Part 1 of Schedule 5 to the Act (except paragraph 14(2)). Part 1 of the Schedule amends the Conservation of Habitats and Species Regulations 2017 ("the Habitats Regulations") extending the protection in Part 6 of those Regulations to Ramsar sites in England. Ramsar sites are wetlands of international importance designated under the Convention on Wetlands of International Importance especially as Waterfowl Habitat signed at Ramsar on 2 February 1971. These amendments introduce a statutory requirement for Ramsar sites to be treated in the same manner as European sites when carrying out assessments under those Regulations.

Regulation 4 makes transitional provisions in relation to certain kinds of projects to which the changes made to the Habitats Regulations do not apply.

An impact assessment has been produced in relation to the Act and copies can be obtained at ht tps://publications.parliament.uk/pa/bills/cbill/59-01/0196/IA_annexes.pdf or from the Ministry of Housing, Communities and Local Government at 2 Marsham Street, London, SW1P 4DF, United Kingdom.

NOTE AS TO EARLIER COMMENCEMENT REGULATIONS

(This note is not part of the Regulations)

The following provisions of the Planning and Infrastructure Act 2025 have been brought into force by commencement regulations made before the date of these Regulations.

Provision	Date of Commencement	S.I. No.
Section 1	18.02.2026	2025/1370
Section 2	18.02.2026	2025/1370
Section 13	18.02.2026	2025/1370
Section 49	13.03.2026	2026/292
Section 59	19.12.2025	2025/1370
Section 60	19.12.2025	2025/1370
Section 61	19.12.2025	2025/1370
Section 62	19.12.2025	2025/1370
Section 63	19.12.2025	2025/1370
Section 64(1)	19.12.2025	2025/1370
Section 82	19.12.2025	2025/1370
Section 91	01.04.2026	2025/1370
Section 94	19.12.2025	2025/1370
Section 95	19.12.2025	2025/1370
Section 97	19.12.2025	2025/1370
Section 99	19.12.2025	2025/1370
Section 100	18.02.2026	2025/1370
Section 101(6) to (9)	18.02.2026	2025/1370
Section 102	18.02.2026	2025/1370
Section 103	18.02.2026	2025/1370
Section 106 (partially)	19.12.2025	2025/1370
Section 106 (remainder)	18.02.2026	2025/1370
Section 108 (partially)	19.12.2025	2025/1370
Section 108 (remainder)	18.02.2026	2025/1370

Section 109 (partially)	19.12.2025	2025/1370
Section 109 (remainder)	18.02.2026	2025/1370
Section 113(3) and (4) (partially)	19.12.2025	2025/1370
Section 113(3) and (4) (remainder)	18.02.2026	2025/1370
Part 3 (remainder)	18.02.2026	2025/1370

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ISBN 978-0-34-828349-5

9 780348 283495

£6.40

http://www.legislation.gov.uk/id/uksi/2026/549