STATUTORY INSTRUMENTS

2026 No. 215

TOWN AND COUNTRY PLANNING, ENGLAND

The Town and Country Planning (Development Management Procedure) (England) (Amendment and Transitional Provision) Order 2026

Made - - - -	*4th March 2026*
Laid before Parliament	*5th March 2026*
Coming into force - -	*26th March 2026*

The Secretary of State makes this Order in exercise of the powers conferred by sections 59, 71(1), 74(1)(c) and 333(8) of the Town and Country Planning Act 1990(**a**).

Citation, commencement, extent and application

1.—(1) This Order may be cited as the Town and Country Planning (Development Management Procedure) (England) (Amendment and Transitional Provision) Order 2026.

(2) This Order comes into force on 26th March 2026.

(3) This Order extends to England and Wales.

(4) In this Order "2015 Order" means the Town and Country Planning (Development Management Procedure) (England) Order 2015(**b**).

Amendment to the 2015 Order

2. In the 2015 Order, in article 18 (consultations before the grant of planning permission), in paragraph (5) for "granting planning permission—" substitute "determining an application for planning permission—".

Transitional provision

3.—(1) This article applies where—

(a) an application for planning permission was made to local planning authority before 26th March 2026 but has not been determined by the authority before that date,

(**a**) 1990 c. 8. Section 59(2) was amended by section 1(2) of, and paragraphs 1 and 4 of Schedule 1 to, the Growth and Infrastructure Act 2013 (c. 27) and paragraph 3 of Schedule 4 and paragraph 5 of Schedule 7 to the Planning (Wales) Act 2015 (anaw 4). Section 71(1) was substituted by section 16(2) of, and paragraph 15 of Schedule 7 to, the Planning and Compensation Act 1991 (c. 34) and amended by paragraph 15 of Schedule 12 to the Housing and Planning Act 2016 (c. 22). See section 71(4) as amended by paragraph 15 of Schedule 7 to, the Planning and Compensation Act 1991 for the definition of "prescribed". Section 74(1)(c) was amended by section 216(3) of and paragraph 17(2)(b) of Schedule 12 to the Housing and Planning Act 2016 (c. 22). Section 333(2B) was inserted by section 130(1)(b) of the Levelling-up and Regeneration Act 2023 (c. 55).

(**b**) S.I. 2015/595, amended by S.I. 2021/746; there are other amending instruments but none is relevant.

(b) the local planning authority is subject to a requirement in a direction under article 18(4) of the 2015 Order to consult a person or body before refusing that application, and

(c) the relevant direction was in force before 26th March 2026.

(2) Where this article applies, the amendments made by article 2 do not apply in respect of that requirement.

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

Matthew Pennycook
Minister of State
4th March 2026 Ministry of Housing, Communities and Local Government

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Town and Country (Development Management Procedure) (England) Order 2015 (S.I. 2015/595) ("2015 Order").

Article 18(5) of the 2015 Order currently provides that, where a local planning authority ("LPA") is required by or under article 18 or 20 to consult a person or body before granting planning permission, the LPA (a) must give notice of the application to the consultee (unless an applicant has already served a copy on the consultee); and (b) must not determine the application until at least 21 days after the date of such notice or service (subject to articles 18(6) and (8)). Article 2 of this Order amends article 18(5) so that those requirements apply where an LPA is so required to consult a person or body before determining a planning application (whether by way of grant or refusal). Article 3 of this Order makes transitional provision.

An impact assessment has not been produced for this instrument as no, or no significant on the private, voluntary sector or community bodies is foreseen. An explanatory memorandum is available alongside this instrument on www.legislation.go.uk.

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