

Report to Planning Committee

Subject: The Town and Country Planning (Consultation) (England) Direction 2026

Date: 3rd June 2026

Author: Assistant Director - Development

Purpose To brief Planning Committee Members on the recent legislative changes introduced by the Town and Country Planning (Consultation) (England) Direction 2026

Recommendation(s)

THAT:

1) That Members of Planning Committee note the content of this report and that of the Town and Country Planning (Consultation) (England) Direction 2026.

1 Background

1.1 The Town and Country Planning (Consultation) (England) Direction 2026 came into effect on 31st March 2026, following a Written Ministerial Statement that was issued on 23rd March 2026. Planning Practice Guidance 'Determining a planning application' was amended on 8th April 2026 at paragraphs 22 and 24 to reflect the direction coming into force.

1.2 The Direction applies to any planning application which:

- includes the provision of 150 or more houses, flats or houses and flats;
- and
- hasn't been determined by 11 May 2026

1.3 Any Local Planning Authority which proposes to refuse an application to which the direction applies must first consult the Secretary of State before

determining the application. The Local Planning Authority must not determine the application until at least 21 days after the date on which notice of the application is given to the Secretary of State.

- 1.4 Planning Practice Guidance states that 'In considering whether to call in a planning application, the Secretary of State is generally concerned with whether the application involves planning issues of more than local importance that warrant the decision being made by him rather than the local planning authority. However, each case will be considered on its merits.'
- 1.5 The effect of the direction is that, should the Local Planning Authority resolve to refuse planning permission for a development proposing 150 or more dwellinghouses, it must first notify the Secretary of State and cannot issue the decision notice until a period of at least 21 days has elapsed.
- 1.6 During this period, the Secretary of State will consider whether the application should be 'called in' for determination at national level. If the Secretary of State decides to call in the application, the decision will no longer be taken by the Local Planning Authority and will instead be determined by the Secretary of State,
- 1.7 Should the application not be called in within the 21 day period, the Local Planning Authority may then proceed to issue the refusal decision in accordance with the Committee's resolution.

2 Proposal

- 2.1 That Members of Planning Committee note the content of this report and that of the Town and Country Planning (Consultation) (England) Direction 2026.

3 Alternative Options

- 3.1 There are no alternative options, this is legislation that is now in force.

4 Financial Implications

- 4.1 None, any work arising from the requirement to consult the Secretary of State will be met from existing budgets.

5 Legal Implications

- 5.1 The Local Planning Authority will be required to consult the Secretary of State for a period of 21 days should it be resolved to refuse a planning application proposing 150 or more dwellings.

6 Local Government Reorganisation Implications

- 6.1 The Direction applies to every Local Planning Authority in England, therefore a consistent approach will be being taken by authorities ahead of Local Government Reorganisation.

7 Equalities Implications

- 7.1 None, the direction is now in force and is applied across Local Planning Authorities in England. Any implications have been considered by the government.

8 Carbon Reduction/Environmental Sustainability Implications

- 8.1 None, any carbon reduction and sustainability implications will be considered in the determination of individual planning applications by both the Local Planning Authority and Secretary of State should they decide to call in an application.

10 Background Papers

- 10.1 The Town and Country Planning (Consultation) (England) Direction 2026 – <https://www.gov.uk/government/publications/the-town-and-country-planning-consultation-england-direction-2026>
- 10.2 Written Ministerial Statement - <https://questions-statements.parliament.uk/written-statements/detail/2026-03-23/hcws1431>
- 10.3 Planning Practice Guidance – Determining an Application - <https://www.gov.uk/guidance/determining-a-planning-application>

Statutory Officer approval

Approved by:

Date:
On behalf of the Chief Financial Officer

Approved by:
Date:
On behalf of the Monitoring Officer