

# THE TOWN AND COUNTRY PLANNING (CONSULTATION) (ENGLAND) DIRECTION 2026

The Secretary of State for Housing, Communities and Local Government (“the Secretary of State”), in exercise of powers conferred by article 18(4) of the Town and Country Planning (Development Management Procedure) (England) Order 2015<sup>1</sup> (“the Order”) directs as follows:

1. This Direction applies in relation to any application for planning permission which –
  - (a) is for development which includes the provision of 150 or more houses, flats or houses and flats; and
  - (b) has not been determined by a local planning authority before 11th May 2026.
2. Where a local planning authority proposes to refuse an application for planning permission to which this Direction applies, the authority must consult the Secretary of State before determining the application.<sup>2</sup>
3. (1) Where, by virtue of paragraph 2, a local planning authority is required to consult the Secretary of State before determining a PSI application in Greater London, the authority must only consult the Secretary of State if—
  - (a) article 5 of the Mayor of London Order does not restrict, or no longer restricts, determination of the application<sup>3</sup>; or
  - (b) the Mayor of London has directed the authority to refuse the application.<sup>4</sup>(2) In this paragraph—

“Mayor of London Order” means the Town and Country Planning (Mayor of London) Order 2008<sup>5</sup>;

“PSI application” has the same meaning as in the Mayor of London Order.
4. Where, by virtue of paragraph 2, a local planning authority is required to consult the Secretary of State, they must as soon as practicable send to the Ministry for Housing, Communities and Local Government’s Planning Casework Unit at [PCU@communities.gov.uk](mailto:PCU@communities.gov.uk)—

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<sup>1</sup> S.I. 2015/595; relevant amending instruments are S.I. 2021/746 and 2026/215.

<sup>2</sup> Note that article 18(5) of the Order applies to consultations pursuant to this Direction. In relation to this Direction the effect of article 18(5)(b) is that (subject to article 18(6) and (8) of the Order) 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 or, if earlier, 21 days after the date of service of a copy of the application on the Secretary of State by the applicant.

<sup>3</sup> An application for 150 or more houses, flats or houses and flats is a PSI application by virtue of Category 1A in the Schedule to the Mayor of London Order. In respect of such an application, article 5 of the Mayor of London Order requires the local planning authority to send specified information to the Mayor (unless the Mayor does not wish to be consulted in relation to that application and has notified the authority as such). The authority is prevented from determining the application until 14 days have elapsed, or the Mayor is content for the authority to determine the application and notifies the authority as such.

<sup>4</sup> See article 6 of the Mayor of London Order.

<sup>5</sup> S.I. 2008/580

- (a) a copy of the application (including copies of any accompanying plans, drawings and any appropriate flood risk assessment) and supporting information;
  - (b) a copy of the requisite notice;
  - (c) a copy of any representations made to the authority in respect of the application;
  - (d) a copy of any report on the application prepared by an officer of the authority;
  - (e) unless contained in a report supplied pursuant to sub-paragraph (d), a statement of the local planning authority's proposed reason(s) for refusal.
5. This Direction does not vary or amend any other directions under article 18(4) of the Order.

Signed by authority of the Secretary of State

Lewis Thomas, Deputy Director - Planning Casework  
Ministry for Housing, Communities and Local Government

31 March 2026