STATUTORY INSTRUMENTS

2026 No. 1157 (C. 98)

TOWN AND COUNTRY PLANNING, ENGLAND

The Planning and Infrastructure Act 2025 (Commencement No. 5) and English Devolution and Community Empowerment Act 2026 (Commencement No. 5) Regulations 2026

Made - - - - 3rd November 2026

The Secretary of State makes these Regulations in exercise of the powers conferred by section 118(2)(g) and (8) of the Planning and Infrastructure Act 2025(**a**) and section 108(6) and (8) of the English Devolution and Community Empowerment Act 2026(**b**).

Citation and interpretation

1.—(1) These Regulations may be cited as the Planning and Infrastructure Act 2025 (Commencement No. 5) and English Devolution and Community Empowerment Act 2026 (Commencement No. 5) Regulations 2026.

(2) In these Regulations—

"the 2025 Act" means the Planning and Infrastructure Act 2025;

"the 2026 Act" means the English Devolution and Community Empowerment Act 2026.

Provisions of the 2025 Act coming into force on the day after the day on which these Regulations are made

2. The following provisions of the 2025 Act come into force on the day after the day on which these Regulations are made—

(a) section 58(3) (spatial development strategies), so far as it relates to the provision of Schedule 2 brought into force by paragraph (b);

(b) paragraph 1 of Schedule 2 (section 58: minor and consequential amendments).

Provisions of the 2025 Act coming into force on 26th November 2026

3. The following provisions of the 2025 Act, so far as not already commenced, come into force on 26th November 2026—

(a) section 58 (spatial development strategies);

(b) Schedule 2 (section 58: minor and consequential amendments).

(**a**) 2025 c. 34.
(**b**) 2026 c. 23.

Provision of the 2026 Act coming into force on the day after the day on which these Regulations are made

4. Section 39 of the English Devolution and Community Empowerment Act 2026 (prioritisation of development of brownfield land), so far as not already commenced, comes into force on the day after the day on which these Regulations are made.

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

Matthew Pennycook
Minister of State
3rd November 2026 Ministry of Housing, Communities and Local Government

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are the fifth commencement regulations made under the Planning and Infrastructure Act 2025 (c. 34) ("the 2025 Act") and the fifth commencement regulations made under the English Devolution and Community Empowerment Act 2026 (c. 23) ("the 2026 Act"). These Regulations bring into force provisions relating to spatial development strategies.

Regulation 2 brings into force on the day after the day on which these Regulations are made paragraph 1 of Schedule 2 to the 2025 Act. Paragraph 1 amends section 303A of the Town and Country Planning Act 1990 so that it applies to the public examination of a spatial development strategy under section 12I or 12P(6)(a) of the Planning and Compulsory Purchase Act 2004 (c. 5) ("the 2004 Act").

Regulation 3 brings into force on 26th November 2026 the remainder of section 58 of, and Schedule 2 to, the 2025 Act. Section 58 inserts new Part 1A into the 2004 Act. New Part 1A of the 2004 Act places a requirement on strategic planning authorities to prepare a spatial development strategy. Schedule 2 makes amendments to primary and secondary legislation that are consequential on new Part 1A of the 2004 Act.

Regulation 4 brings into force on the day after the day on which these Regulations are made section 39 of the 2026 Act. Section 39 amends section 12G of the 2004 Act to require the Secretary of State to make regulations prescribing the desirability of prioritising development on land that has been previously developed as a matter to which a strategic planning authority must have regard when preparing a draft spatial development strategy.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

An impact assessment was prepared for the 2025 Act and can be found at https://bills.parliament.uk/bills/3946/publications and can be inspected at the Ministry of Housing, Communities and Local Government, 2 Marsham Street, London, SW1P 4DF.

An impact assessment was prepared for the 2026 Act and can be found at https://bills.parliament.uk/bills/4002/publications and can be inspected at the Ministry of Housing, Communities and Local Government, 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 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.*
Sections 1 and 2	18.02.2026	2025/1370
Sections 4 to 9	24.07.2026	2026/641
Section 11	24.07.2026	2026/641
Section 13	18.02.2026	2025/1370
Section 33	01.09.2026	2026/641
Section 36	01.09.2026	2026/641
Section 49	13.03.2026	2026/292
Section 54(2)	31.10.2026	2026/641
Section 57	17.06.2026	2026/641
Sections 59 to 63	19.12.2025	2025/1370
Section 64 (partially)	19.12.2025	2025/1370
Section 64 (remainder)	18.02.2026	2025/1370
Sections 65 to 81	18.02.2026	2025/1370
Section 82	19.12.2025	2025/1370
Sections 83 to 90	18.02.2026	2025/1370
Section 91	01.04.2026	2025/1370
Sections 92 and 93	18.02.2026	2025/1370
Sections 94 and 95	19.12.2025	2025/1370
Section 96	18.02.2026	2025/1370
Section 97	19.12.2025	2025/1370
Section 98	18.02.2026	2025/1370
Section 99	19.12.2025	2025/1370
Section 100	18.02.2026	2025/1370
Section 101 (partially)	18.02.2026	2025/1370
Sections 102 and 103	18.02.2026	2025/1370
Section 104	17.06.2026	2026/641
Section 106 (partially)	19.12.2025	2025/1370
Section 106 (partially)	18.02.2026	2025/1370
Section 108 (partially)	19.12.2025	2025/1370
Section 108 (partially)	18.02.2026	2025/1370
Section 109 (partially)	19.12.2025	2025/1370
Section 109 (partially)	18.02.2026	2025/1370
Section 113 (partially)	19.12.2025	2025/1370
Section 113 (partially)	18.02.2026	2025/1370
Schedules 3 and 4	18.02.2026	2025/1370
In Schedule 5—		
Part 1 (partially)	21.05.2026	2026/549
Part 2	18.02.2026	2025/1370

NOTE AS TO EARLIER COMMENCEMENT REGULATIONS

(This note is not part of the Regulations)

The following provisions of the English Devolution and Community Empowerment Act 2026 have been brought into force by commencement regulations made before the date of these Regulations.

Provision	*Date of Commencement*	*S.I. No.*
Section 12	13.11.2026	2026/1141
Section 26 (partially)	29.10.2026	2026/1127
Section 43	15.07.2026	2026/812
Section 63 (partially)	18.06.2026	2026/656
Section 89	15.07.2026	2026/812

Section 94 (partially)	15.07.2026	2026/812
Sections 96 to 98	15.07.2026	2026/812
In Schedule 9—		
paragraphs 1 (partially) and 2	29.10.2026	2026/1127
In Schedule 30—		
paragraphs 12 to 19	18.06.2026	2026/656
Schedule 34 (partially)	15.07.2026	2026/812

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