

*These notes refer to the Localism Act 2011 (c.20)  
which received Royal Assent on 15 November 2011*

# LOCALISM ACT 2011

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## EXPLANATORY NOTES

### COMMENTARY

#### **Part 6: Planning**

#### *Chapter 4: Consultation*

#### *Section 122: Consultation before applying for planning permission*

306. *Subsection (1)* amends the Town and Country Planning Act 1990 by inserting new sections to require prospective developers to consult local communities before submitting planning applications for certain developments.
307. New section 61W requires any person who intends to apply for planning permission for development of a prescribed description first to consult the local community and any specified persons, so that they may collaborate or comment. The prospective developer must have regard to any advice that the local planning authority may have provided.
308. New section 61X requires the developer to have regard to any comments or responses generated by the consultation undertaken in accordance with section 61W, when deciding whether to make any changes to their proposals before submitting their planning applications.
309. New section 61Y enables the Secretary of State to set out further provisions as to how the consultation required under new section 61W should be undertaken in practice.
310. *Subsection (2)* amends section 62 of the Town and Country Planning Act 1990 so that an account of the consultation undertaken in accordance with new section 61W must accompany any planning application for development to which the new duty applies, in order to make it valid.