



Housing and Planning Act 2016

2016 CHAPTER 22

PART 6

PLANNING IN ENGLAND

Nationally significant infrastructure projects

160 Development consent for projects that involve housing

- (1) Section 115 of the Planning Act 2008 (development for which development consent may be granted) is amended as follows.
- (2) At the end of subsection (1) insert “, or
(c) related housing development.”
- (3) In subsection (2)(b), for “is not” substitute “ does not consist of or include ”.
- (4) Before subsection (5) insert—

“(4B) Related housing development” means development which—

 - (a) consists of or includes the construction or extension of one or more dwellings,
 - (b) is on the same site as, or is next to or close to, any part of the development within subsection (1)(a), or is otherwise associated with that development (or any part of it),
 - (c) is to be carried out wholly in England, and
 - (d) meets the condition in subsection (4C).
- (4C) Development meets the condition in this subsection if the development within subsection (1)(a) to which it is related is to be carried out in one or more of the following areas—
 - (a) England;
 - (b) waters adjacent to England up to the seaward limits of the territorial sea.”

Changes to legislation: Housing and Planning Act 2016, Cross Heading: Nationally significant infrastructure projects is up to date with all changes known to be in force on or before 29 July 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

(5) In subsection (5), after “associated development” insert “ or related housing development ”.

(6) At the end insert—

“(7) The Secretary of State, in deciding an application for an order granting development consent for development that includes related housing development, must take into account any matters set out in guidance published by the Secretary of State.”

Commencement Information

II [S. 160](#) in force at 6.4.2017 by [S.I. 2017/281](#), [reg. 4\(i\)](#) (with [reg. 7](#))

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 172(1)(a) words renumbered as s. 172(1)(a) by [2017 c. 20 s. 26\(8\)\(a\)\(i\)](#)
- s. 172(1)(b) inserted by [2017 c. 20 s. 26\(8\)\(a\)\(ii\)](#)