

Status: This version of this provision is prospective.

Changes to legislation: Levelling-up and Regeneration Act 2023, Section 124 is up to date with all changes known to be in force on or before 23 April 2024. 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



Levelling-up and Regeneration Act 2023

2023 CHAPTER 55

PART 3

PLANNING

CHAPTER 6

OTHER PROVISION

PROSPECTIVE

124 Powers as to form and content of planning applications

(1) Before section 327A of TCPA 1990 insert—

“327ZA Planning applications in England: powers as to form and content

- (1) Subsections (2) to (3) apply to a relevant power to make provision about—
 - (a) the form or manner in which a planning application is to be made, or
 - (b) the form or manner in which an associated document is to be provided.
- (2) The power includes power to make provision requiring or allowing the application to be made, or the associated document to be provided—
 - (a) by particular electronic means, or
 - (b) by electronic means that satisfy particular technical standards or specifications.
- (3) The power includes power to make provision requiring or allowing the authority to which a planning application is (or is to be) made to waive a requirement of a sort described in subsection (2).

Status: This version of this provision is prospective.

Changes to legislation: Levelling-up and Regeneration Act 2023, Section 124 is up to date with all changes known to be in force on or before 23 April 2024. 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

- (4) Subsection (5) applies to a relevant power to make provision about the content of a planning application or associated document.
- (5) The power includes power to make provision requiring the application or associated document, or any particular content of it, to be prepared or endorsed by a person with particular qualifications or experience.
- (6) Subsection (7) applies to any power within subsection (1) or (4).
- (7) The power may be exercised by making provision referring (and giving effect) to such material of a particular description as is published from time to time by the Secretary of State on a government website together with a statement that it has effect for the purposes of the provision in question.
- (8) Provision that may be made by virtue of subsection (7) includes, for example, provision requiring or allowing a planning application to be made (or an associated document to be provided) using such a form, or in accordance with such specifications, as are published from time to time as mentioned in that subsection.
- (9) In this section, a “relevant power to make provision” about a certain matter is a power of the Secretary of State under this Act to make subordinate provision about that matter, if and so far as the power is exercisable in relation to England.
- (10) It is irrelevant for the purposes of subsection (9) in what terms a power is conferred (and, in particular, whether it relates specifically to the matter in question or is a more general power capable of exercise in relation to that matter).
- (11) In this section—
- “associated document” means any document or other material that—
- (a) accompanies, relates to, or is or is to be subject of, a planning application, and
- (b) is required by or under this Act to be provided by or on behalf of the person making the application;
- “planning application” means—
- (a) an application under, or for the purposes of, any provision of Part 3 or 8 of this Act or any subordinate provision made under that Part, or
- (b) an application under section 191 or 192,
- but does not include an application made in legal proceedings;
- “provided” includes prepared, submitted, issued, served, notified and published;
- “subordinate provision” means provision in an order or in regulations.”
- (2) In section 62(2A) of TCPA 1990 (powers relating to applications for planning permission to include certain applications under conditions), before paragraph (a) insert—
- “(za) applications for any consent, agreement or approval required by a condition under section 61C(1)(b).”

Status: This version of this provision is prospective.

Changes to legislation: Levelling-up and Regeneration Act 2023, Section 124 is up to date with all changes known to be in force on or before 23 April 2024. 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

(3) In paragraph 14 of Schedule 7A to TCPA 1990 (biodiversity gain plans) at the end insert—

“(4) Section 327ZA applies to the power conferred by sub-paragraph (3) as if a biodiversity gain plan were an “associated document” within the meaning of that section.”

(4) In section 17 of the Listed Buildings Act (conditions of listed building consent), after subsection (3) insert—

“(4) Regulations under this Act in relation to England may, in relation to applications made pursuant to a condition attached to listed building consent, make any provision corresponding to provision that may be made in relation to applications for such consent under section 10(3).”

(5) In section 89 of the Listed Buildings Act (application of general provisions of TCPA 1990)—

(a) in subsection (1), after the entry for section 323A insert—

“section 327ZA (powers as to form and content of applications in England);”;

(b) before subsection (1A) insert—

“(1ZC) In section 327ZA of the principal Act as applied by this section, references to a planning application are to be read as references to an application under, or for the purposes of, any provision of Chapter 2 of Part 1 of this Act or any subordinate provision made under that Chapter (but are not to be read as including an application made in legal proceedings).”

(6) In section 10 of the Hazardous Substances Act (conditions of hazardous substance consent), after subsection (3) insert—

“(4) Regulations in relation to England may, in relation to applications made pursuant to a condition attached to hazardous substance consent, make any provision corresponding to provision that may be made in relation to applications for such consent under section 7.”

(7) In section 37 of the Hazardous Substances Act (application of general provisions of TCPA 1990)—

(a) in subsection (2), after the entry for section 323A insert—

“section 327ZA (powers as to form and content of applications in England);”;

(b) at the end insert—

“(5) In section 327ZA of the principal Act as applied by this section, references to a planning application are to be read as references to an application under, or for the purposes of, any provision of this Act or any subordinate provision made under this Act (but are not to be read as including an application made in legal proceedings).”

Commencement Information

II S. 124 not in force at Royal Assent, see [s. 255\(3\)\(b\)](#)

Status:

This version of this provision is prospective.

Changes to legislation:

Levelling-up and Regeneration Act 2023, Section 124 is up to date with all changes known to be in force on or before 23 April 2024. 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.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- s. 124 coming into force by [S.I. 2024/452 reg. 3\(i\)](#)