



# Housing and Planning Act 2016

## 2016 CHAPTER 22

### PART 6

#### PLANNING IN ENGLAND

##### *Planning permission etc*

#### **154 Planning freedoms: right for local areas to request alterations to planning system**

- (1) If the following conditions are met, the Secretary of State may by regulations make a planning freedoms scheme, having effect for a specified period, in relation to a specified planning area in England.

A “planning freedoms scheme” is a scheme that disapplies or modifies specified planning provisions in order to facilitate an increase in the amount of housing in the planning area concerned.

- (2) The first condition is that the relevant planning authority or authorities have requested the Secretary of State to make a planning freedoms scheme for their area.
- (3) The second condition is that the Secretary of State is satisfied—
- (a) that there is a need for a significant increase in the amount of housing in the planning area concerned,
  - (b) that the planning freedoms scheme will contribute to such an increase, and
  - (c) that adequate consultation has been carried out.
- (4) The third condition is that—
- (a) the relevant planning authority or authorities have prepared a summary of the views expressed in the consultation referred to in subsection (3)(c), and
  - (b) the Secretary of State has considered that summary.
- (5) For the purposes of subsection (3)(c) consultation is “adequate” only if—

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*Changes to legislation: Housing and Planning Act 2016, Section 154 is up to date with all changes known to be in force on or before 04 July 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*

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- (a) the relevant authority or authorities publish an explanation of what the proposed planning freedoms scheme is expected to involve, and
  - (b) persons in the planning area concerned, and other persons likely to be affected, have a reasonable opportunity to communicate their views about the proposed scheme.
- (6) The Secretary of State may decide to restrict the number of planning freedoms schemes in force at any one time (and accordingly is not required to make a scheme merely because the conditions in this section are met).
- (7) The Secretary of State may by regulations bring a planning freedoms scheme to an end, and must do so if the relevant planning authority or, as the case may be, any of the relevant planning authorities so request.
- (8) In this section—
- “planning area” means the area of a local planning authority, or an area comprising two or more adjoining areas of local planning authorities;
  - “planning provision” means a provision to do with planning that is contained in or made under any Act;
  - “relevant planning authority” means the local planning authority for an area that is or forms part of a planning area;
  - “specified” means specified in regulations under subsection (1).

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**Commencement Information**

**II** S. 154 in force at 13.7.2016 by S.I. 2016/733, reg. 3(f)

**Changes to legislation:**

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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. 95(1)(ia) inserted by [2023 c. 36 Sch. 1 para. 2](#)
- s. 100(7)(aa) inserted by [2023 c. 36 Sch. 1 para. 3](#)
- 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\(8\)\(a\)\(ii\)](#)