



Localism Act 2011

2011 CHAPTER 20

PART 6

PLANNING

CHAPTER 6

NATIONALLY SIGNIFICANT INFRASTRUCTURE PROJECTS

133 Pre-application consultation with local authorities

- (1) Section 43 of the Planning Act 2008 (local authorities for the purposes of the consultation requirements in section 42) is amended as follows.
- (2) In subsection (2) (provision requiring consultation with local authorities that share a boundary with the local authority (“B”) in whose area the development is to take place) before the “and” at the end of paragraph (a) insert—
 - “(aa) B is a unitary council or a lower-tier district council.”.
- (3) After subsection (2) insert—
 - “(2A) If the land is in the area of an upper-tier county council (“C”), a local authority (“D”) is within this section if—
 - (a) D is not a lower-tier district council, and
 - (b) any part of the boundary of D’s area is also part of the boundary of C’s area.”
- (4) For subsection (3) (definition of local authority) substitute—
 - “(3) In this section—
 - “local authority” means—
 - (a) a county council, or district council, in England;
 - (b) a London borough council;
 - (c) the Common Council of the City of London;

Changes to legislation: Localism Act 2011, Section 133 is up to date with all changes known to be in force on or before 19 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

- (d) the Council of the Isles of Scilly;
- (e) a county council, or county borough council, in Wales;
- (f) a council constituted under section 2 of the Local Government etc (Scotland) Act 1994;
- (g) a National Park authority;
- (h) the Broads Authority;

“lower-tier district council” means a district council in England for an area for which there is a county council;

“unitary council” means a local authority that is not an upper-tier county council, a lower-tier district council, a National Park authority or the Broads Authority;

“upper-tier county council” means a county council in England for each part of whose area there is a district council.”

Commencement Information

II S. 133 in force at 1.4.2012 by S.I. 2012/628, art. 7(a)

Changes to legislation:

Localism Act 2011, Section 133 is up to date with all changes known to be in force on or before 19 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 the whole Act associated Parts and Chapters:

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

- s. 158(8)-(9B) substituted for s. 158(8)(9) by [2016 c. 22 s. 121\(2\)\(e\)](#)
- s. 202(3A) inserted by [2023 c. 55 s. 176\(2\)](#)