

**Changes to legislation:** Localism Act 2011, Cross Heading: Town and Country Planning Act 1990 is up to date with all changes known to be in force on or before 26 April 2018. 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)

## SCHEDULES

### SCHEDULE 12

#### NEIGHBOURHOOD PLANNING: CONSEQUENTIAL AMENDMENTS

##### *Town and Country Planning Act 1990*

1 The Town and Country Planning Act 1990 is amended as follows.

#### Annotations:

##### Commencement Information

- I1** Sch. 12 in force at Royal Assent for specified purposes see s. 240(5)(j)
- I2** Sch. 12 para. 1 in force at 15.1.2012 for specified purposes by [S.I. 2012/57](#), [art. 4\(1\)\(h\)](#) (with [arts. 6, 7](#), [arts. 9-11](#))
- I3** Sch. 12 para. 1 in force at 6.4.2012 for specified purposes by [S.I. 2012/628](#), [art. 8\(a\)](#) (with [arts. 9, 12, 13, 16](#), [arts. 18-20](#)) (as amended (3.8.2012) by [S.I. 2012/2029](#), [arts. 2, 4](#))
- I4** Sch. 12 para. 1 in force at 3.8.2012 for specified purposes by [S.I. 2012/2029](#), [arts. 2, 3\(a\)](#) (with [art. 5](#)) (as amended (6.4.2013) by [S.I. 2013/797](#), [art. 4](#))
- I5** Sch. 12 para. 1 in force at 6.4.2013 in so far as not already in force by [S.I. 2013/797](#), [arts. 1\(2\), 2](#)

- 2 In section 56(3) (time when development begun)—
- (a) after “sections” insert “ 61L(5) and (7), ”, and
  - (b) for “and 94” substitute “ , 94 and 108(3E)(c)(i) ”.

#### Annotations:

##### Commencement Information

- I6** Sch. 12 in force at Royal Assent for specified purposes see s. 240(5)(j)
- I7** Sch. 12 para. 2 in force at 15.1.2012 for specified purposes by [S.I. 2012/57](#), [art. 4\(1\)\(h\)](#) (with [arts. 6, 7](#), [arts. 9-11](#))
- I8** Sch. 12 para. 2 in force at 6.4.2012 for specified purposes by [S.I. 2012/628](#), [art. 8\(a\)](#) (with [arts. 9, 12, 13, 16](#), [arts. 18-20](#)) (as amended (3.8.2012) by [S.I. 2012/2029](#), [arts. 2, 4](#))
- I9** Sch. 12 para. 2 in force at 3.8.2012 for specified purposes by [S.I. 2012/2029](#), [arts. 2, 3\(a\)](#) (with [art. 5](#)) (as amended (6.4.2013) by [S.I. 2013/797](#), [art. 4](#))
- I10** Sch. 12 para. 2 in force at 6.4.2013 in so far as not already in force by [S.I. 2013/797](#), [arts. 1\(2\), 2](#)

- 3 In section 57(3) (extent of permission granted by development order), for “or a local development order” substitute “ , a local development order or a neighbourhood development order ”.

#### Annotations:

##### Commencement Information

- I11** Sch. 12 in force at Royal Assent for specified purposes see s. 240(5)(j)

**Changes to legislation:** Localism Act 2011, Cross Heading: Town and Country Planning Act 1990 is up to date with all changes known to be in force on or before 26 April 2018. 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)

- I12** Sch. 12 para. 3 in force at 15.1.2012 for specified purposes by [S.I. 2012/57](#), **art. 4(1)(h)** (with [arts. 6, 7, arts. 9-11](#))
- I13** Sch. 12 para. 3 in force at 6.4.2012 for specified purposes by [S.I. 2012/628](#), **art. 8(a)** (with [arts. 9, 12, 13, 16, arts. 18-20](#)) (as amended (3.8.2012) by [S.I. 2012/2029](#), arts. 2, 4)
- I14** Sch. 12 para. 3 in force at 3.8.2012 for specified purposes by [S.I. 2012/2029](#), **arts. 2, 3(a)** (with [art. 5](#)) (as amended (6.4.2013) by [S.I. 2013/797](#), art. 4)
- I15** Sch. 12 para. 3 in force at 6.4.2013 in so far as not already in force by [S.I. 2013/797](#), **arts. 1(2), 2**

- 4 In section 58(1)(a) (grant of planning permission by development order), for “or a local development order” substitute “, a local development order or a neighbourhood development order”.

**Annotations:**

**Commencement Information**

- I16** Sch. 12 in force at Royal Assent for specified purposes see s. 240(5)(j)
- I17** Sch. 12 para. 4 in force at 15.1.2012 for specified purposes by [S.I. 2012/57](#), **art. 4(1)(h)** (with [arts. 6, 7, arts. 9-11](#))
- I18** Sch. 12 para. 4 in force at 6.4.2012 for specified purposes by [S.I. 2012/628](#), **art. 8(a)** (with [arts. 9, 12, 13, 16, arts. 18-20](#)) (as amended (3.8.2012) by [S.I. 2012/2029](#), arts. 2, 4)
- I19** Sch. 12 para. 4 in force at 3.8.2012 for specified purposes by [S.I. 2012/2029](#), **arts. 2, 3(a)** (with [art. 5](#)) (as amended (6.4.2013) by [S.I. 2013/797](#), art. 4)
- I20** Sch. 12 para. 4 in force at 6.4.2013 in so far as not already in force by [S.I. 2013/797](#), **arts. 1(2), 2**

- 5 In section 62 (applications for planning permission), after subsection (2) insert—  
 “(2A) In subsections (1) and (2) references to applications for planning permission include references to applications for approval under section 61L(2).”

**Annotations:**

**Commencement Information**

- I21** Sch. 12 in force at Royal Assent for specified purposes see s. 240(5)(j)
- I22** Sch. 12 para. 5 in force at 15.1.2012 for specified purposes by [S.I. 2012/57](#), **art. 4(1)(h)** (with [arts. 6, 7, arts. 9-11](#))
- I23** Sch. 12 para. 5 in force at 6.4.2012 for specified purposes by [S.I. 2012/628](#), **art. 8(a)** (with [arts. 9, 12, 13, 16, arts. 18-20](#)) (as amended (3.8.2012) by [S.I. 2012/2029](#), arts. 2, 4)
- I24** Sch. 12 para. 5 in force at 3.8.2012 for specified purposes by [S.I. 2012/2029](#), **arts. 2, 3(a)** (with [art. 5](#)) (as amended (6.4.2013) by [S.I. 2013/797](#), art. 4)
- I25** Sch. 12 para. 5 in force at 6.4.2013 in so far as not already in force by [S.I. 2013/797](#), **arts. 1(2), 2**

- 6 In section 65 (notice etc of applications for planning permission), after subsection (3) insert—  
 “(3A) In subsections (1) and (3) references to any application for planning permission or any applicant for such permission include references to any application for approval under section 61L(2) or any applicant for such approval.”

**Changes to legislation:** Localism Act 2011, Cross Heading: Town and Country Planning Act 1990 is up to date with all changes known to be in force on or before 26 April 2018. 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)

**Annotations:**

**Commencement Information**

- I26** Sch. 12 in force at Royal Assent for specified purposes see s. 240(5)(j)
- I27** Sch. 12 para. 6 in force at 15.1.2012 for specified purposes by S.I. 2012/57, **art. 4(1)(h)** (with **arts. 6, 7, arts. 9-11**)
- I28** Sch. 12 para. 6 in force at 6.4.2012 for specified purposes by S.I. 2012/628, **art. 8(a)** (with **arts. 9, 12, 13, 16, arts. 18-20**) (as amended (3.8.2012) by S.I. 2012/2029, arts. 2, 4)
- I29** Sch. 12 para. 6 in force at 3.8.2012 for specified purposes by S.I. 2012/2029, **arts. 2, 3(a)** (with **art. 5**) (as amended (6.4.2013) by S.I. 2013/797, art. 4)
- I30** Sch. 12 para. 6 in force at 6.4.2013 in so far as not already in force by S.I. 2013/797, **arts. 1(2), 2**

- 7 (1) Section 69 (register of applications etc) is amended as follows.
- (2) In subsection (1), after paragraph (c) insert—
- “(ca) neighbourhood planning matters;”.
- (3) In subsection (2)(b), after “order” insert “, neighbourhood planning matter”.
- (4) After subsection (2) insert—
- “(2A) For the purposes of subsections (1) and (2) “neighbourhood planning matters” means—
- (a) neighbourhood development orders;
- (b) neighbourhood development plans (made under section 38A of the Planning and Compulsory Purchase Act 2004); and
- (c) proposals for such orders or plans.”

**Annotations:**

**Commencement Information**

- I31** Sch. 12 in force at Royal Assent for specified purposes see s. 240(5)(j)
- I32** Sch. 12 para. 7 in force at 15.1.2012 for specified purposes by S.I. 2012/57, **art. 4(1)(h)** (with **arts. 6, 7, arts. 9-11**)
- I33** Sch. 12 para. 7 in force at 6.4.2012 for specified purposes by S.I. 2012/628, **art. 8(a)** (with **arts. 9, 12, 13, 16, arts. 18-20**) (as amended (3.8.2012) by S.I. 2012/2029, arts. 2, 4)
- I34** Sch. 12 para. 7 in force at 3.8.2012 for specified purposes by S.I. 2012/2029, **arts. 2, 3(a)** (with **art. 5**) (as amended (6.4.2013) by S.I. 2013/797, art. 4)
- I35** Sch. 12 para. 7 in force at 6.4.2013 in so far as not already in force by S.I. 2013/797, **arts. 1(2), 2**

- 8 (1) Section 71 (consultations in connection with determinations under s.70) is amended as follows.
- (2) After subsection (2) insert—
- “(2ZA) In subsections (1) and (2) references to an application for planning permission include references to an application for approval under section 61L(2).”
- (3) After subsection (3) insert—
- “(3A) Subsection (3) does not apply in relation to planning permission granted by a neighbourhood development order.”

*Changes to legislation: Localism Act 2011, Cross Heading: Town and Country Planning Act 1990 is up to date with all changes known to be in force on or before 26 April 2018. 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)*

**Annotations:**

**Commencement Information**

- I36** Sch. 12 in force at Royal Assent for specified purposes see s. 240(5)(j)
- I37** Sch. 12 para. 8 in force at 15.1.2012 for specified purposes by [S.I. 2012/57](#), **art. 4(1)(h)** (with [arts. 6, 7](#), [arts. 9-11](#))
- I38** Sch. 12 para. 8 in force at 6.4.2012 for specified purposes by [S.I. 2012/628](#), **art. 8(a)** (with [arts. 9, 12, 13, 16](#), [arts. 18-20](#)) (as amended (3.8.2012) by [S.I. 2012/2029](#), arts. 2, 4)
- I39** Sch. 12 para. 8 in force at 3.8.2012 for specified purposes by [S.I. 2012/2029](#), **arts. 2, 3(a)** (with [art. 5](#)) (as amended (6.4.2013) by [S.I. 2013/797](#), art. 4)
- I40** Sch. 12 para. 8 in force at 6.4.2013 in so far as not already in force by [S.I. 2013/797](#), **arts. 1(2), 2**

9 In section 74 (directions etc as to method of dealing with applications), after subsection (1) insert—

“(1ZA) In subsection (1)—

- (a) in paragraph (c) the reference to planning permission for any development includes a reference to an approval under section 61L(2), and
- (b) in paragraph (f) references to applications for planning permission include references to applications for approvals under section 61L(2).”

**Annotations:**

**Commencement Information**

- I41** Sch. 12 in force at Royal Assent for specified purposes see s. 240(5)(j)
- I42** Sch. 12 para. 9 in force at 15.1.2012 for specified purposes by [S.I. 2012/57](#), **art. 4(1)(h)** (with [arts. 6, 7](#), [arts. 9-11](#))
- I43** Sch. 12 para. 9 in force at 6.4.2012 for specified purposes by [S.I. 2012/628](#), **art. 8(a)** (with [arts. 9, 12, 13, 16](#), [arts. 18-20](#)) (as amended (3.8.2012) by [S.I. 2012/2029](#), arts. 2, 4)
- I44** Sch. 12 para. 9 in force at 3.8.2012 for specified purposes by [S.I. 2012/2029](#), **arts. 2, 3(a)** (with [art. 5](#)) (as amended (6.4.2013) by [S.I. 2013/797](#), art. 4)
- I45** Sch. 12 para. 9 in force at 6.4.2013 in so far as not already in force by [S.I. 2013/797](#), **arts. 1(2), 2**

10 In section 77(1) (certain applications to be referred to the Secretary of State), for “or a local development order” substitute “, a local development order or a neighbourhood development order”.

**Annotations:**

**Commencement Information**

- I46** Sch. 12 in force at Royal Assent for specified purposes see s. 240(5)(j)
- I47** Sch. 12 para. 10 in force at 15.1.2012 for specified purposes by [S.I. 2012/57](#), **art. 4(1)(h)** (with [arts. 6, 7](#), [arts. 9-11](#))
- I48** Sch. 12 para. 10 in force at 6.4.2012 for specified purposes by [S.I. 2012/628](#), **art. 8(a)** (with [arts. 9, 12, 13, 16](#), [arts. 18-20](#)) (as amended (3.8.2012) by [S.I. 2012/2029](#), arts. 2, 4)
- I49** Sch. 12 para. 10 in force at 3.8.2012 for specified purposes by [S.I. 2012/2029](#), **arts. 2, 3(a)** (with [art. 5](#)) (as amended (6.4.2013) by [S.I. 2013/797](#), art. 4)
- I50** Sch. 12 para. 10 in force at 6.4.2013 in so far as not already in force by [S.I. 2013/797](#), **arts. 1(2), 2**

**Changes to legislation:** Localism Act 2011, Cross Heading: Town and Country Planning Act 1990 is up to date with all changes known to be in force on or before 26 April 2018. 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)

- 11 In section 78(1)(c) (right of appeal in relation to certain planning directions), for “or a local development order” substitute “, a local development order or a neighbourhood development order”.

**Annotations:**

**Commencement Information**

- I51** Sch. 12 in force at Royal Assent for specified purposes see s. 240(5)(j)  
**I52** Sch. 12 para. 11 in force at 15.1.2012 for specified purposes by [S.I. 2012/57](#), **art. 4(1)(h)** (with [arts. 6, 7](#), [arts. 9-11](#))  
**I53** Sch. 12 para. 11 in force at 6.4.2012 for specified purposes by [S.I. 2012/628](#), **art. 8(a)** (with [arts. 9, 12, 13, 16](#), [arts. 18-20](#)) (as amended (3.8.2012) by [S.I. 2012/2029](#), [arts. 2, 4](#))  
**I54** Sch. 12 para. 11 in force at 3.8.2012 for specified purposes by [S.I. 2012/2029](#), **arts. 2, 3(a)** (with [art. 5](#)) (as amended (6.4.2013) by [S.I. 2013/797](#), [art. 4](#))  
**I55** Sch. 12 para. 11 in force at 6.4.2013 in so far as not already in force by [S.I. 2013/797](#), **arts. 1(2), 2**

- 12 In section 88(9) (grant of planning permission in enterprise zone), for “or a local development order” substitute “, a local development order or a neighbourhood development order”.

**Annotations:**

**Commencement Information**

- I56** Sch. 12 in force at Royal Assent for specified purposes see s. 240(5)(j)  
**I57** Sch. 12 para. 12 in force at 15.1.2012 for specified purposes by [S.I. 2012/57](#), **art. 4(1)(h)** (with [arts. 6, 7](#), [arts. 9-11](#))  
**I58** Sch. 12 para. 12 in force at 6.4.2012 for specified purposes by [S.I. 2012/628](#), **art. 8(a)** (with [arts. 9, 12, 13, 16](#), [arts. 18-20](#)) (as amended (3.8.2012) by [S.I. 2012/2029](#), [arts. 2, 4](#))  
**I59** Sch. 12 para. 12 in force at 3.8.2012 for specified purposes by [S.I. 2012/2029](#), **arts. 2, 3(a)** (with [art. 5](#)) (as amended (6.4.2013) by [S.I. 2013/797](#), [art. 4](#))  
**I60** Sch. 12 para. 12 in force at 6.4.2013 in so far as not already in force by [S.I. 2013/797](#), **arts. 1(2), 2**

- 13 In section 91(4)(a) (no limit to duration of planning permission granted by development order), for “or a local development order” substitute “, a local development order or a neighbourhood development order”.

**Annotations:**

**Commencement Information**

- I61** Sch. 12 in force at Royal Assent for specified purposes see s. 240(5)(j)  
**I62** Sch. 12 para. 13 in force at 15.1.2012 for specified purposes by [S.I. 2012/57](#), **art. 4(1)(h)** (with [arts. 6, 7](#), [arts. 9-11](#))  
**I63** Sch. 12 para. 13 in force at 6.4.2012 for specified purposes by [S.I. 2012/628](#), **art. 8(a)** (with [arts. 9, 12, 13, 16](#), [arts. 18-20](#)) (as amended (3.8.2012) by [S.I. 2012/2029](#), [arts. 2, 4](#))  
**I64** Sch. 12 para. 13 in force at 3.8.2012 for specified purposes by [S.I. 2012/2029](#), **arts. 2, 3(a)** (with [art. 5](#)) (as amended (6.4.2013) by [S.I. 2013/797](#), [art. 4](#))  
**I65** Sch. 12 para. 13 in force at 6.4.2013 in so far as not already in force by [S.I. 2013/797](#), **arts. 1(2), 2**

- 14 In section 94(1) (termination of planning permission by reference to time limit: completion notices), at the end of paragraph (c) insert “; or  
(d) a planning permission under a neighbourhood development order is subject to a condition that the development to which the permission

*Changes to legislation: Localism Act 2011, Cross Heading: Town and Country Planning Act 1990 is up to date with all changes known to be in force on or before 26 April 2018. 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)*

relates must be begun before the expiration of a particular period, that development has been begun within that period, but that period has elapsed without the development having been completed.”

**Annotations:**

**Commencement Information**

- I66** Sch. 12 in force at Royal Assent for specified purposes see s. 240(5)(j)
- I67** Sch. 12 para. 14 in force at 15.1.2012 for specified purposes by [S.I. 2012/57](#), [art. 4\(1\)\(h\)](#) (with [arts. 6, 7](#), [arts. 9-11](#))
- I68** Sch. 12 para. 14 in force at 6.4.2012 for specified purposes by [S.I. 2012/628](#), [art. 8\(a\)](#) (with [arts. 9, 12, 13, 16](#), [arts. 18-20](#)) (as amended (3.8.2012) by [S.I. 2012/2029](#), arts. 2, 4)
- I69** Sch. 12 para. 14 in force at 3.8.2012 for specified purposes by [S.I. 2012/2029](#), [arts. 2, 3\(a\)](#) (with [art. 5](#)) (as amended (6.4.2013) by [S.I. 2013/797](#), art. 4)
- I70** Sch. 12 para. 14 in force at 6.4.2013 in so far as not already in force by [S.I. 2013/797](#), [arts. 1\(2\), 2](#)

- 15 (1) Section 108 (compensation for refusal or conditional grant of planning permission formerly granted by development order or local development order) is amended as follows.
- (2) In subsection (1)—
- (a) in paragraph (a), for “or a local development order” substitute “, a local development order or a neighbourhood development order”, and
- (b) in the words after paragraph (b), for “or a local development order” substitute “, the local development order or the neighbourhood development order”.
- (3) In subsection (2), for “or a local development order” substitute “, a local development order or a neighbourhood development order”.
- (4) In subsection (3B), at the end insert—
- “(c) in the case of planning permission granted by a neighbourhood development order, the condition in subsection (3E) is met.”
- (5) After subsection (3D) insert—
- “(3E) The condition referred to in subsection (3B)(c) is that—
- (a) the planning permission is withdrawn by the revocation of the neighbourhood development order,
- (b) notice of the revocation was published in the prescribed manner not less than 12 months or more than the prescribed period before the revocation took effect, and
- (c) either—
- (i) the development authorised by the neighbourhood development order had not begun before the notice was published, or
- (ii) section 61L(7) applies in relation to the development.”
- (6) In the title, for “or a local development order” substitute “, local development order or neighbourhood development order”.

**Changes to legislation:** Localism Act 2011, Cross Heading: Town and Country Planning Act 1990 is up to date with all changes known to be in force on or before 26 April 2018. 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)

**Annotations:**

**Commencement Information**

- I71** Sch. 12 in force at Royal Assent for specified purposes see s. 240(5)(j)
- I72** Sch. 12 para. 15 in force at 15.1.2012 for specified purposes by [S.I. 2012/57](#), [art. 4\(1\)\(h\)](#) (with [arts. 6, 7](#), [arts. 9-11](#))
- I73** Sch. 12 para. 15 in force at 6.4.2012 for specified purposes by [S.I. 2012/628](#), [art. 8\(a\)](#) (with [arts. 9, 12, 13, 16](#), [arts. 18-20](#)) (as amended (3.8.2012) by [S.I. 2012/2029](#), arts. 2, 4)
- I74** Sch. 12 para. 15 in force at 3.8.2012 for specified purposes by [S.I. 2012/2029](#), [arts. 2, 3\(a\)](#) (with [art. 5](#)) (as amended (6.4.2013) by [S.I. 2013/797](#), art. 4)
- I75** Sch. 12 para. 15 in force at 6.4.2013 in so far as not already in force by [S.I. 2013/797](#), [arts. 1\(2\), 2](#)

- 16 In section 109(6) (apportionment of compensation for depreciation), in the definition of “relevant planning permission”, for “or a local development order” substitute “, the local development order or the neighbourhood development order”.

**Annotations:**

**Commencement Information**

- I76** Sch. 12 in force at Royal Assent for specified purposes see s. 240(5)(j)
- I77** Sch. 12 para. 16 in force at 15.1.2012 for specified purposes by [S.I. 2012/57](#), [art. 4\(1\)\(h\)](#) (with [arts. 6, 7](#), [arts. 9-11](#))
- I78** Sch. 12 para. 16 in force at 6.4.2012 for specified purposes by [S.I. 2012/628](#), [art. 8\(a\)](#) (with [arts. 9, 12, 13, 16](#), [arts. 18-20](#)) (as amended (3.8.2012) by [S.I. 2012/2029](#), arts. 2, 4)
- I79** Sch. 12 para. 16 in force at 3.8.2012 for specified purposes by [S.I. 2012/2029](#), [arts. 2, 3\(a\)](#) (with [art. 5](#)) (as amended (6.4.2013) by [S.I. 2013/797](#), art. 4)
- I80** Sch. 12 para. 16 in force at 6.4.2013 in so far as not already in force by [S.I. 2013/797](#), [arts. 1\(2\), 2](#)

- 17 In section 171H(1)(a) (temporary stop notice: compensation), for “a development order or local development order” substitute “ by a development order, a local development order or a neighbourhood development order ”.

**Annotations:**

**Commencement Information**

- I81** Sch. 12 in force at Royal Assent for specified purposes see s. 240(5)(j)
- I82** Sch. 12 para. 17 in force at 15.1.2012 for specified purposes by [S.I. 2012/57](#), [art. 4\(1\)\(h\)](#) (with [arts. 6, 7](#), [arts. 9-11](#))
- I83** Sch. 12 para. 17 in force at 6.4.2012 for specified purposes by [S.I. 2012/628](#), [art. 8\(a\)](#) (with [arts. 9, 12, 13, 16](#), [arts. 18-20](#)) (as amended (3.8.2012) by [S.I. 2012/2029](#), arts. 2, 4)
- I84** Sch. 12 para. 17 in force at 3.8.2012 for specified purposes by [S.I. 2012/2029](#), [arts. 2, 3\(a\)](#) (with [art. 5](#)) (as amended (6.4.2013) by [S.I. 2013/797](#), art. 4)
- I85** Sch. 12 para. 17 in force at 6.4.2013 in so far as not already in force by [S.I. 2013/797](#), [arts. 1\(2\), 2](#)

- 18 In section 197 (planning permission to include appropriate provision for preservation and planting of trees), at the end insert—

“Nothing in this section applies in relation to neighbourhood development orders.”

*Changes to legislation: Localism Act 2011, Cross Heading: Town and Country Planning Act 1990 is up to date with all changes known to be in force on or before 26 April 2018. 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)*

**Annotations:**

**Commencement Information**

- I86** Sch. 12 in force at Royal Assent for specified purposes see s. 240(5)(j)
- I87** Sch. 12 para. 18 in force at 15.1.2012 for specified purposes by [S.I. 2012/57](#), **art. 4(1)(h)** (with [arts. 6, 7](#), [arts. 9-11](#))
- I88** Sch. 12 para. 18 in force at 6.4.2012 for specified purposes by [S.I. 2012/628](#), **art. 8(a)** (with [arts. 9, 12, 13, 16](#), [arts. 18-20](#)) (as amended (3.8.2012) by [S.I. 2012/2029](#), arts. 2, 4)
- I89** Sch. 12 para. 18 in force at 3.8.2012 for specified purposes by [S.I. 2012/2029](#), **arts. 2, 3(a)** (with [art. 5](#)) (as amended (6.4.2013) by [S.I. 2013/797](#), art. 4)
- I90** Sch. 12 para. 18 in force at 6.4.2013 in so far as not already in force by [S.I. 2013/797](#), **arts. 1(2), 2**

- 19 In section 253(2)(c) (cases in which certain procedures may be carried out in anticipation of planning permission), for “or a local development order” substitute “, a local development order or a neighbourhood development order”.

**Annotations:**

**Commencement Information**

- I91** Sch. 12 in force at Royal Assent for specified purposes see s. 240(5)(j)
- I92** Sch. 12 para. 19 in force at 15.1.2012 for specified purposes by [S.I. 2012/57](#), **art. 4(1)(h)** (with [arts. 6, 7](#), [arts. 9-11](#))
- I93** Sch. 12 para. 19 in force at 6.4.2012 for specified purposes by [S.I. 2012/628](#), **art. 8(a)** (with [arts. 9, 12, 13, 16](#), [arts. 18-20](#)) (as amended (3.8.2012) by [S.I. 2012/2029](#), arts. 2, 4)
- I94** Sch. 12 para. 19 in force at 3.8.2012 for specified purposes by [S.I. 2012/2029](#), **arts. 2, 3(a)** (with [art. 5](#)) (as amended (6.4.2013) by [S.I. 2013/797](#), art. 4)
- I95** Sch. 12 para. 19 in force at 6.4.2013 in so far as not already in force by [S.I. 2013/797](#), **arts. 1(2), 2**

- 20 In section 264(5) (land treated not as operational land)—
- (a) in paragraph (b), omit “or a local development order”, and
  - (b) after paragraph (c) (but before the “or” at the end of the paragraph) insert—
    - “(ca) granted by a local development order or a neighbourhood development order;”.

**Annotations:**

**Commencement Information**

- I96** Sch. 12 in force at Royal Assent for specified purposes see s. 240(5)(j)
- I97** Sch. 12 para. 20 in force at 15.1.2012 for specified purposes by [S.I. 2012/57](#), **art. 4(1)(h)** (with [arts. 6, 7](#), [arts. 9-11](#))
- I98** Sch. 12 para. 20 in force at 6.4.2012 for specified purposes by [S.I. 2012/628](#), **art. 8(a)** (with [arts. 9, 12, 13, 16](#), [arts. 18-20](#)) (as amended (3.8.2012) by [S.I. 2012/2029](#), arts. 2, 4)
- I99** Sch. 12 para. 20 in force at 3.8.2012 for specified purposes by [S.I. 2012/2029](#), **arts. 2, 3(a)** (with [art. 5](#)) (as amended (6.4.2013) by [S.I. 2013/797](#), art. 4)
- I100** Sch. 12 para. 20 in force at 6.4.2013 in so far as not already in force by [S.I. 2013/797](#), **arts. 1(2), 2**

- 21 (1) Section 324 (rights of entry) is amended as follows.
- (2) In subsection (1), after paragraph (a) insert—
- “(aa) the preparation, making, modification or revocation of a neighbourhood development plan under Part 3 of that Act;”.



**Changes to legislation:** Localism Act 2011, Cross Heading: Town and Country Planning Act 1990 is up to date with all changes known to be in force on or before 26 April 2018. 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)

(3) After that subsection insert—

“(1A) For the purposes of subsection (1)(c) the reference to a proposal by the local planning authority to make any order under Part 3 includes a reference to a proposal submitted (or to be submitted) to the authority for the making by them of a neighbourhood development order.”

**Annotations:**

**Commencement Information**

- I101** Sch. 12 in force at Royal Assent for specified purposes see s. 240(5)(j)  
**I102** Sch. 12 para. 21 in force at 15.1.2012 for specified purposes by [S.I. 2012/57](#), [art. 4\(1\)\(h\)](#) (with [arts. 6, 7](#), [arts. 9-11](#))  
**I103** Sch. 12 para. 21 in force at 6.4.2012 for specified purposes by [S.I. 2012/628](#), [art. 8\(a\)](#) (with [arts. 9, 12, 13, 16](#), [arts. 18-20](#)) (as amended (3.8.2012) by [S.I. 2012/2029](#), [arts. 2, 4](#))  
**I104** Sch. 12 para. 21 in force at 3.8.2012 for specified purposes by [S.I. 2012/2029](#), [arts. 2, 3\(a\)](#) (with [art. 5](#)) (as amended (6.4.2013) by [S.I. 2013/797](#), [art. 4](#))  
**I105** Sch. 12 para. 21 in force at 6.4.2013 in so far as not already in force by [S.I. 2013/797](#), [arts. 1\(2\), 2](#)

22 (1) Section 333 (regulations and orders) is amended as follows.

(2) In subsection (3) (regulations to be subject to annulment) after “except regulations under section 88” insert “ or paragraph 15(5) or 16 of Schedule 4B ”.

(3) After that subsection insert—

“(3A) No regulations may be made under paragraph 15(5) or 16 of Schedule 4B unless a draft of the instrument containing the regulations has been laid before, and approved by a resolution of, each House of Parliament.”

**Annotations:**

**Commencement Information**

- I106** Sch. 12 in force at Royal Assent for specified purposes see s. 240(5)(j)  
**I107** Sch. 12 para. 22 in force at 15.1.2012 in so far as not already in force by [S.I. 2012/57](#), [art. 4\(1\)\(h\)](#) (with [arts. 6, 7](#), [arts. 9-11](#))

23 In paragraph 1A of Schedule 13 (blighted land: land allocated for public authority functions in development plans etc)—

(a) after “for the area in which the land is situated” insert “ or by a neighbourhood development plan for the area in which the land is situated ”,

(b) after Note (2) insert—

“(2A) For the purposes of this paragraph a neighbourhood development plan includes a draft of a neighbourhood development plan which has been submitted for examination under paragraph 7(2) of Schedule 4B (as applied by section 38A(3) of the 2004 Act).”, and

(c) after Note (5) insert—

“(6) Note (2A) does not apply if the proposal for the draft plan is withdrawn under paragraph 2 of Schedule 4B (as applied by

---

**Changes to legislation:** *Localism Act 2011, Cross Heading: Town and Country Planning Act 1990 is up to date with all changes known to be in force on or before 26 April 2018. 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)*

---

section 38A(3) of the 2004 Act) at any time after the draft plan has been submitted for examination.”

**Annotations:**

**Commencement Information**

- I108** Sch. 12 in force at Royal Assent for specified purposes see s. 240(5)(j)
- I109** Sch. 12 para. 23 in force at 15.1.2012 for specified purposes by [S.I. 2012/57](#), **art. 4(1)(h)** (with [arts. 6, 7](#), [arts. 9-11](#))
- I110** Sch. 12 para. 23 in force at 6.4.2012 for specified purposes by [S.I. 2012/628](#), **art. 8(a)** (with [arts. 9, 12, 13, 16](#), [arts. 18-20](#)) (as amended (3.8.2012) by [S.I. 2012/2029](#), arts. 2, 4)
- I111** Sch. 12 para. 23 in force at 3.8.2012 for specified purposes by [S.I. 2012/2029](#), **arts. 2, 3(a)** (with [art. 5](#)) (as amended (6.4.2013) by [S.I. 2013/797](#), art. 4)
- I112** Sch. 12 para. 23 in force at 6.4.2013 in so far as not already in force by [S.I. 2013/797](#), **arts. 1(2), 2**

**Changes to legislation:**

Localism Act 2011, Cross Heading: Town and Country Planning Act 1990 is up to date with all changes known to be in force on or before 26 April 2018. 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.

**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)