STATUTORY INSTRUMENTS

2012 No. 637

The Neighbourhood Planning (General) Regulations 2012

PART 5

Neighbourhood development plans

Pre-submission consultation and publicity

14. Before submitting a plan proposal to the local planning authority, a qualifying body must—

(a) publicise, in a manner that is likely to bring it to the attention of people who live, work or carry on business in the neighbourhood area—

(i) details of the proposals for a neighbourhood development plan;

(ii) details of where and when the proposals for a neighbourhood development plan may be inspected;

(iii) details of how to make representations; and

(iv) the date by which those representations must be received, being not less than 6 weeks from the date on which the draft proposal is first publicised;

(b) consult any consultation body referred to in paragraph 1 of Schedule 1 whose interests the qualifying body considers may be affected by the proposals for a neighbourhood development plan; and

(c) send a copy of the proposals for a neighbourhood development plan to the local planning authority.

Plan proposals

15.—(1) Where a qualifying body submits a plan proposal to the local planning authority, it must include—

(a) a map or statement which identifies the area to which the proposed neighbourhood development plan relates;

(b) a consultation statement;

(c) the proposed neighbourhood development plan; and

(d) a statement explaining how the proposed neighbourhood development plan meets the requirements of paragraph 8 of Schedule 4B to the 1990 Act.

(2) In this regulation "consultation statement" means a document which—

(a) contains details of the persons and bodies who were consulted about the proposed neighbourhood development plan;

(b) explains how they were consulted;

(c) summarises the main issues and concerns raised by the persons consulted; and

(d) describes how these issues and concerns have been considered and, where relevant, addressed in the proposed neighbourhood development plan.

Publicising a plan proposal

16. As soon as possible after receiving a plan proposal which includes each of the documents referred to in regulation 15(1), a local planning authority must—

(a) publicise the following on their website and in such other manner as they consider is likely to bring the proposal to the attention of people who live, work or carry on business in the neighbourhood area—

(i) details of the plan proposal;

(ii) details of where and when the plan proposal may be inspected;

(iii) details of how to make representations;

(iv) a statement that any representations may include a request to be notified of the local planning authority's decision under regulation 19 in relation to the neighbourhood development plan; and

(v) the date by which those representations must be received, being not less than 6 weeks from the date on which the plan proposal is first publicised; and

(b) notify any consultation body which is referred to in the consultation statement submitted in accordance with regulation 15, that the plan proposal has been received.

Submission of plan proposal to examination

17. As soon as possible after the appointment of a person to carry out an examination under paragraph 7 of Schedule 4B to the 1990 Act (as applied by section 38A of the 2004 Act), a local planning authority must send the following to the person appointed—

(a) the plan proposal;

(b) the documents referred to in regulation 15(1) and any other document submitted to the local planning authority by the qualifying body in relation to the plan proposal;

(c) if the order proposal is one to which the Conservation of Habitats and Species Regulations 2010(**1**) applies, the information submitted in accordance with regulation 102A of those Regulations; and

(d) a copy of any representations which have been made in accordance with regulation 16.

Publication of the examiner's report and plan proposal decisions

18.—(1) Paragraph (2) applies where a local planning authority decide—

(a) to decline to consider a plan proposal under paragraph 5 of Schedule 4B to the 1990 Act (as applied by section 38A of the 2004 Act);

(b) to refuse a plan proposal under paragraph 6 of Schedule 4B to the 1990 Act (as applied by section 38A of the 2004 Act);

(c) what action to take in response to the recommendations of an examiner made in a report under paragraph 10 of Schedule 4B to the 1990 Act (as applied by section 38A of the 2004 Act) in relation to a neighbourhood development plan;

(d) what modifications, if any, they are to make to the draft plan under paragraph 12(6) of Schedule 4B to the 1990 Act (as applied by section 38A of the 2004 Act);

(**1**) S.I. 2010/490. Regulation 102A is inserted by Schedule 2 to these regulations.

(e) whether to extend the area to which the referendum is (or referendums are) to take place; or

(f) that they are not satisfied with the plan proposal under paragraph 12(10) of Schedule 4B to the 1990 Act (as applied by section 38A of the 2004 Act).

(2) As soon as possible after making a decision referred to in paragraph (1), a local planning authority must publish—

(a) the decision and their reasons for it ("the decision statement"),

(b) details of where and when the decision statement may be inspected; and

(c) in the case of a decision mentioned in paragraph (1)(c), the report made by the examiner under paragraph 10 of Schedule 4B to the 1990 Act (as applied by section 38A of the 2004 Act),

on their website and in such other manner as they consider is likely to bring the decision statement and, as the case may be, the report to the attention of people who live, work or carry on business in the neighbourhood area.

Decision on a plan proposal

19. As soon as possible after deciding to make a neighbourhood development plan under section 38A(4) of the 2004 Act or refusing to make a plan under section 38A(6) of the 2004 Act, a local planning authority must—

(a) publish on their website and in such other manner as they consider is likely to bring the decision to the attention of people who live, work or carry on business in the neighbourhood area—

(i) a statement setting out the decision and their reasons for making that decision ("the decision statement");

(ii) details of where and when the decision statement may be inspected; and

(b) send a copy of the decision statement to—

(i) the qualifying body; and

(ii) any person who asked to be notified of the decision.

Publicising a neighbourhood development plan

20. As soon as possible after making a neighbourhood development plan under section 38A(4) of the 2004 Act, a local planning authority must—

(a) publish on their website and in such other manner as they consider is likely to bring the decision to the attention of people who live, work or carry on business in the neighbourhood area—

(i) the neighbourhood development plan; and

(ii) details of where and when the neighbourhood development plan may be inspected; and

(b) notify any person who asked to be notified of the making of the neighbourhood development plan that it has been made and where and when it may be inspected.