

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Town and Country Planning Act 1990. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

S C H E D U L E S

^{F1}SCHEDULE 4B

PROCESS FOR MAKING OF NEIGHBOURHOOD DEVELOPMENT ORDERS

Textual Amendments

- F1** Sch. 4B inserted (15.11.2011 for specified purposes, 15.1.2012 for specified purposes, 6.4.2012 for specified purposes, 3.8.2012 for specified purposes, 6.4.2013 in so far as not already in force) by [Localism Act 2011 \(c. 20\)](#), ss. 116(2), 240(5)(j), [Sch. 10](#); [S.I. 2012/57](#), art. 4(1)(h) (with arts. 6, 7, 9-11); [S.I. 2012/628](#), art. 8(a) (with arts. 9, 12, 13, 16, 18-20) (as amended (3.8.2012) by [S.I. 2012/2029](#), arts. 2, 4); [S.I. 2012/2029](#), arts. 2, 3(a) (with art. 5) (as amended (6.4.2013) by [S.I. 2013/797](#), art. 4); [S.I. 2013/797](#), arts. 1(2), 2

Modifications etc. (not altering text)

- C1** Sch. 4B applied (with modifications) by 2004 c. 5, s. 38A(3) 38C(5) (as inserted (15.11.2011 for specified purposes, 6.4.2012 for specified purposes, 3.8.2012 for specified purposes, 6.4.2013 in so far as not already in force) by [Localism Act 2011 \(c. 20\)](#), s. 240(5)(j), [Sch. 9 para. 7](#); [S.I. 2012/628](#), art. 8(a) (with arts. 9, 12, 13, 16, 18-20) (as amended (3.8.2012) by [S.I. 2012/2029](#), arts. 2, 4); [S.I. 2012/2029](#), arts. 2, 3(a) (with art. 5) (as amended (6.4.2013) by [S.I. 2013/797](#), art. 4); [S.I. 2013/797](#), arts. 1(2), 2)

Referendum

Intervention powers of Secretary of State

- [
^{F2}13C] Regulations may make provision supplementing that made by paragraph 13B; and the regulations may in particular—
- (a) prescribe the form and content of a request by the qualifying body under paragraph 13B(1) and the date by which it must be made;
 - (b) confer power on the Secretary of State to direct a local planning authority to refrain from taking any action specified in the direction that they would otherwise be required or entitled to take under paragraph 12 or 13;
 - (c) make provision under which decisions falling to be made by the Secretary of State under paragraph 13B may be made instead by a person appointed by the Secretary of State for the purpose (an “inspector”);
 - (d) prescribe matters that the Secretary of State or an inspector must take into account in making a decision;
 - (e) require a local planning authority to provide prescribed information to the Secretary of State or to an inspector;
 - (f) make provision about examinations carried out by virtue of paragraph 13B(4)(b) (including any provision of a kind mentioned in paragraph 11(2));

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- (g) make provision (in addition to that made by paragraph 13B(4)(b)) for the holding of an examination, and for the payment by a local planning authority of remuneration and expenses of the examiner;
- (h) provide for the Secretary of State, or a local planning authority on the direction of the Secretary of State, to notify to prescribed persons and to publish—
 - (i) prescribed decisions made by the Secretary of State under paragraph 13B,
 - (ii) the reasons for making those decisions, and
 - (iii) other prescribed matters relating to those decisions.]]

Textual Amendments

F2 Sch. 4B paras. 13B, 13C and cross-heading inserted (1.10.2016) by [Housing and Planning Act 2016 \(c. 22\), ss. 141\(1\), 216\(3\); S.I. 2016/733, reg. 4\(1\)\(b\)](#)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act applied by [2023 asc 3 s. 79\(2\)](#)
- Act applied by [2023 asc 3 s. 83\(4\)](#)
- Act excluded by [2023 asc 3 s. 140\(4\)\(b\)](#)

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

- s. 7(3) inserted by [2023 c. 55 Sch. 17 para. 2\(2\)](#)
- s. 7A(6) inserted by [2023 c. 55 Sch. 17 para. 2\(4\)](#)
- s. 7ZA inserted by [2023 c. 55 Sch. 17 para. 2\(3\)](#)
- s. 58B and cross-heading inserted by [2023 c. 55 s. 102\(1\)](#)
- s. 59A(3)(ba) inserted by [2023 c. 55 Sch. 8 para. 4\(b\)](#)
- s. 62(2A)(za) inserted by [2023 c. 55 s. 124\(2\)](#)
- s. 62B(5)(ca) inserted by [2023 c. 55 Sch. 17 para. 2\(5\)](#)
- s. 69(1)(g) inserted by [2023 c. 55 s. 111\(4\)\(a\)](#)
- s. 69(2)(d) inserted by [2023 c. 55 s. 111\(4\)\(b\)](#)
- s. 70(2)(azb) inserted by [2023 c. 55 Sch. 6 para. 3\(a\)](#)
- s. 70(3)(ca) inserted in earlier affecting provision 2016 c. 22, s. 5(8) by [2023 asc 3 Sch. 13 para. 194](#)
- s. 70(3A) inserted by [2017 c. 20 Sch. 3 para. 2](#)
- s. 70A(5A) inserted by [2023 c. 55 Sch. 6 para. 4\(a\)](#)
- s. 70A(10)(11) inserted by [2023 c. 55 s. 110\(4\)\(b\)](#)
- s. 70B(5A)(5B) inserted by [2023 c. 55 s. 110\(5\)\(b\)](#)
- s. 73B inserted by [2023 c. 55 s. 110\(2\)](#)
- s. 74(1C)(aa) inserted by [2023 c. 55 Sch. 6 para. 5\(b\)](#)
- s. 75ZA and cross-heading inserted by [2016 c. 22 s. 155](#)
- s. 83(1A)-(1C) amendment to earlier affecting provision 2004 c. 5, s. 45(2) by [2011 c. 20 Sch. 8 para. 14\(4\)\(5\)Sch. 25 Pt. 16](#)
- s. 83(1A)-(1C) inserted by [2004 c. 5 s. 45\(2\)](#)
- s. 83(2)-(2B) amendment to earlier affecting provision 2004 c. 5, s. 45(3) by [2011 c. 20 Sch. 8 para. 14\(4\)\(5\)Sch. 25 Pt. 16](#)
- s. 83(2)-(2B) substituted for s. 83(2) by [2004 c. 5 s. 45\(3\)](#)
- s. 83(4) inserted by [2004 c. 5 s. 45\(4\)](#)
- s. 85(1A) inserted by [2004 c. 5 s. 45\(6\)](#)
- s. 93(5)(6) inserted by [2017 c. 20 Sch. 3 para. 6](#)
- s. 93G and cross-heading inserted by [2023 c. 55 s. 111\(2\)](#)
- s. 94(1)(e) and word inserted by [2023 c. 55 Sch. 9 para. 1\(15\)](#)
- s. 102(1A) inserted by [2023 c. 55 Sch. 6 para. 9\(b\)](#)
- s. 106A(9A) inserted by [2023 c. 55 s. 125](#)
- s. 106ZA inserted by [2016 c. 22 s. 158\(1\)](#)
- s. 106ZB inserted by [2016 c. 22 s. 159\(1\)](#)
- s. 106ZB(2)(a) omitted by [2023 c. 55 s. 130\(3\)\(b\)](#)
- s. 108(1A)(1B) inserted by [2015 c. 7 Sch. 4 para. 15\(4\)](#)
- s. 108(3A) inserted by [2004 c. 5 Sch. 6 para. 6](#)
- s. 108(3B)(ba) inserted by [2015 c. 7 Sch. 4 para. 15\(6\)](#)
- s. 108(3B)(ba) word omitted by [2023 c. 55 Sch. 9 para. 1\(16\)\(d\)\(i\)](#)
- s. 108(3B)(bb) inserted by [2023 c. 55 Sch. 9 para. 1\(16\)\(d\)\(ii\)](#)
- s. 108(3DA) inserted by [2015 c. 7 Sch. 4 para. 15\(7\)](#)
- s. 108(3DB) inserted by [2023 c. 55 Sch. 9 para. 1\(16\)\(e\)](#)
- s. 141(6) inserted by [2017 c. 20 Sch. 3 para. 7](#)
- s. 153(4A)(c) excluded by [S.I. 2024/393 art. 34\(3\)](#)

- s. 157(A1) inserted by [2023 c. 55 s. 190\(5\)](#)
- s. 169(1)(a) words renumbered as s. 169(1)(a) by [2017 c. 20 s. 26\(5\)\(a\)](#)
- s. 169(1)(b) inserted by [2017 c. 20 s. 26\(5\)\(b\)](#)
- s. 170(8BA) inserted by [2017 c. 20 s. 26\(6\)](#)
- s. 171A(2)(za) inserted by [2023 c. 55 s. 117\(2\)\(a\)](#)
- s. 171B(1)(a)(b) substituted for words by [2023 c. 55 s. 115\(1\)](#)
- s. 171B(2)(a)(b) substituted for words by [2023 c. 55 s. 115\(2\)](#)
- s. 171E(8) inserted by [2023 c. 55 s. 116\(3\)](#)
- s. 172ZA inserted by [2023 c. 55 s. 117\(3\)](#)
- s. 174(2AA)(b) words substituted by [2023 c. 55 s. 113\(6\)](#)
- s. 176(6) inserted by [2023 c. 55 s. 119\(2\)](#)
- s. 188(1)(zb) inserted by [2023 c. 55 s. 117\(4\)\(a\)](#)
- s. 195(3A) inserted by [2023 c. 55 s. 119\(3\)](#)
- s. 196(1A) inserted by [2008 c. 29 Sch. 10 para. 8\(2\)](#)
- s. 208(5A) inserted by [2008 c. 29 Sch. 10 para. 9\(2\)](#)
- s. 216(2)(a)(b) substituted for words by [2023 c. 55 s. 120\(2\)\(a\)](#)
- s. 216(6A) inserted by [2023 c. 55 s. 120\(2\)\(c\)](#)
- s. 303(1ZZA) inserted by [2023 asc 3 Sch. 13 para. 87](#)
- s. 303(10A) inserted by [2015 c. 7 Sch. 4 para. 19\(3\)](#)
- s. 303(12) inserted by [2015 c. 7 Sch. 4 para. 19\(4\)](#)
- s. 303A(1A)(za) inserted by [2023 c. 55 Sch. 8 para. 7\(2\)\(a\)](#)
- s. 303A(9B) inserted by [2023 c. 55 Sch. 8 para. 7\(4\)](#)
- s. 303A(10)(za) inserted by [2023 c. 55 Sch. 8 para. 7\(5\)](#)
- s. 303A(12) inserted by [2023 c. 55 Sch. 8 para. 7\(6\)](#)
- s. 303ZB inserted by [2023 c. 55 s. 134](#)
- s. 314A inserted by [2023 asc 3 Sch. 13 para. 90](#)
- s. 324(1A)(a) words in s. 324(1A) renumbered as s. 324(1A)(a) by [2023 c. 55 Sch. 9 para. 1\(20\)\(a\)](#)
- s. 324(1A)(b) and word inserted by [2023 c. 55 Sch. 9 para. 1\(20\)\(b\)](#)
- s. 327ZA applied (with modifications) by 1990 c. 10, s. 37 (as amended) by [2023 c. 55 s. 124\(7\)\(a\)](#)
- s. 327ZA applied by 1990 c. 9, s. 89(1) (as amended) by [2023 c. 55 s. 124\(5\)\(a\)](#)
- s. 327ZA inserted by [2023 c. 55 s. 124\(1\)](#)
- s. 327ZA modified by 1990 c. 9, s. 89(1ZC) (as inserted) by [2023 c. 55 s. 124\(5\)\(b\)](#)
- s. 333(3ZZAA) inserted by [2023 c. 55 Sch. 9 para. 1\(21\)\(b\)](#)
- s. 333(3ZB) inserted by [2016 c. 22 s. 159\(2\)](#)
- s. 333(3ZZA) inserted by [2023 c. 55 Sch. 9 para. 1\(21\)\(a\)](#)
- Sch. 1 para. 5(4) inserted by [2023 c. 55 Sch. 17 para. 2\(7\)\(c\)](#)
- Sch. 1 para. 7(10)(10A) substituted for Sch. 1 para. 7(10) by [2023 c. 55 Sch. 8 para. 11\(2\)](#)
- Sch. 4B para. 11(3)-(5) inserted by [2017 c. 20 s. 7](#)
- Sch. 4B para. 8(2)(fa) inserted by [2023 c. 55 s. 99\(1\)\(b\)](#)
- Sch. 4B para. 8(2)(ca) inserted by [2023 c. 55 s. 102\(2\)\(a\)\(ii\)](#)
- Sch. 4B para. 8(4A)(4B) inserted by [2023 c. 55 s. 102\(2\)\(b\)](#)
- Sch. 4B para. 5(5)(za) inserted by [2023 c. 55 Sch. 6 para. 12\(a\)](#)
- Sch. 4B para. 8(2)(da) inserted by [2023 c. 55 Sch. 6 para. 12\(b\)](#)
- Sch. 4B para. 8(2)(ea) substituted for Sch. 4B para. 8(2)(e) by [2023 c. 55 s. 99\(1\)\(a\)](#)
- Sch. 7 para. 12(1)-(1C) amendment to earlier affecting provision 2004 c. 5 s. 45(9) by [2011 c. 20 Sch. 8 para. 14\(7\)](#)
- Sch. 7 para. 12(1)-(1C) substituted for Sch. 7 para. 12(1) by [2004 c. 5 s. 45\(9\)](#)
- Sch. 7A para. 14(4) inserted by [2023 c. 55 s. 124\(3\)](#)
- Sch. 9 para. 1(1A) inserted by [2023 c. 55 Sch. 6 para. 13\(b\)](#)
- Sch. 9A inserted by [2016 c. 22 Sch. 13](#)
- Sch. 13 para. 24A inserted by [2017 c. 20 s. 26\(7\)](#)