

## SCHEDULE 1

### Consultation Bodies

#### Neighbourhood development orders and community right to build orders

- 2.—(1) For the purposes of regulations 21 and 23, a “consultation body” means—
- (a) any person referred to in paragraph 1(k) and (l);
  - (b) where the neighbourhood area to which the neighbourhood development order or community right to build order relates consists of or includes the whole or any part of the area of a parish council, that parish council;
  - (c) any parish council or, in the case of a neighbourhood development order (but not a community right to build order), a neighbourhood forum for an area which adjoins the neighbourhood area; and
  - (d) where the development to be authorised under the proposed neighbourhood development order or community right to build order falls within any category set out in the following Table, the person mentioned in the Table in relation to each of those categories.

**Table**

<i>Paragraph</i>	<i>Development</i>	<i>Consultation body</i>
(a)	Any development.	The Historic Buildings and Monument Commission for England (known as English Heritage)
(b)	Development which falls within a category specified in Schedule 5 to the Town and Country Planning (Development Management Procedure) (England) Order 2010 <sup>(1)</sup> .	The person mentioned in relation to that category of development in Schedule 5 to that Order
(c)	Development of land— <ul style="list-style-type: none"> <li>(i) forming the site of or in the neighbourhood of a civil aerodrome or technical site; or</li> <li>(ii) involving the construction of any building or works extending 91.4 metres or more above ground level.</li> </ul>	The Civil Aviation Authority and NATS Holdings Limited
(d)	Development of land— <ul style="list-style-type: none"> <li>(i) forming the site of or in the neighbourhood of a military aerodrome, technical site or explosives storage area; or</li> <li>(ii) involving the construction of any highway or formation, laying out or alteration of any means of access to a highway, which is planned to run within 300 metres of the perimeter of a military aerodrome.</li> </ul>	Secretary of State for Defence

(1) [S.I. 2010/2184](#).

(2) [1953 c.49](#).

(3) London Protected Vista Directions were made by the Secretary of State under section 74(1)(c) of the 1990 Act.

*Status: This is the original version (as it was originally made).*

<i>Paragraph</i>	<i>Development</i>	<i>Consultation body</i>
(e)	Development which, in the qualifying body’s opinion, is likely to affect any garden or park of special historic interest which is registered in accordance with section 8C of the Historic Buildings and Ancient Monuments Act 1953 <sup>(2)</sup> .	The Garden History Society
(f)	Development in the area of a London borough council to which any of Protected Vista Directions issued by the Secretary of State for Communities and Local Government in July 2010 apply <sup>(3)</sup> .	Mayor of London and, in relation to the protected vista of the Tower of London from outside City Hall on Queen’s Walk, the Historic Royal Palaces Trust
(g)	Development described in article 26(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2010 (development affecting existing or proposed highways).	The Highways Agency

(1) [S.I. 2010/2184](#).

(2) [1953 c.49](#).

(3) London Protected Vista Directions were made by the Secretary of State under section 74(1)(c) of the 1990 Act.

(2) In the above Table—

- (a) in paragraphs (c) and (d) “aerodrome” means any area of land or water designed, equipped, set apart, commonly used or in prospective use for affording facilities for the landing and departure of aircraft and includes any area of space, whether on the ground, on the roof of a building or elsewhere, which is designed, equipped or set apart for affording facilities for the landing or departure of aircraft capable of descending or climbing vertically, particulars of which have been furnished by the Civil Aviation Authority or the Secretary of State to the local planning authority or authorities for the area in which it is situated;
- (b) in paragraph (c) “technical site” means any area within which is sited or is proposed to be sited equipment operated by or on behalf of NATS Holdings Limited, any of its subsidiaries or such other person who holds a licence under Chapter 1 of Part 1 of the Transport Act 2000(1) for the provision of air traffic services, particulars of which have been furnished by the Civil Aviation Authority to the planning authority or authorities for the area in which it is situated;
- (c) in paragraph (d) “technical site” means any area within which is sited or is proposed to be sited equipment operated by or on behalf of the Secretary of State for Defence for the provision of air traffic services, particulars of which have been furnished by the Secretary of State for Defence to the planning authority or authorities for the area in which it is situated; and
- (d) in paragraph (g) “trunk road” and “special road” have the meanings given in section 329 of the Highways Act 1980(2).

(1) [2000 c.38](#).

(2) [1980 c.66](#).