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STATUTORY INSTRUMENTS

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**2016 No. 873**

**The Neighbourhood Planning (General) and Development Management Procedure (Amendment) Regulations 2016**

**Transitional provisions**

4.—(1) The amendments made by regulation 2(2) to (4) do not apply in relation to an area application first publicised by the local planning authority in accordance with regulation 6 of the 2012 Regulations before the commencement date.

(2) Where a neighbourhood forum application was first publicised by the local planning authority in accordance with regulation 9 of the 2012 Regulations before the commencement date, the amendments made by regulation 2(5) apply in relation to that application as if it was first publicised on the commencement date.

(3) Where the report made by the examiner of an order proposal or a plan proposal under paragraph 10 of Schedule 4B to the 1990 Act was received by the local planning authority before the commencement date, the amendments made by regulation 2(6) and (8) apply in relation to that proposal as if the report was received on the commencement date.

(4) The amendments made by regulation 2(7) and (9) do not apply in relation to the making of a neighbourhood development plan or neighbourhood development order where the last applicable referendum was held before the commencement date.

(5) The amendments made by regulation 2(10) do not apply where—

- (a) in relation to a plan proposal, the local planning authority first publish their decision in relation to that proposal in accordance with regulation 18(2) of the 2012 Regulations before the commencement date; and
- (b) in relation to an order proposal, the local planning authority first publish their decision in relation to that proposal in accordance with regulation 25(2) of the 2012 Regulations before the commencement date.

(6) The amendments made by regulation 3(2) do not apply in relation to any relevant planning application(1) received by the local planning authority before the commencement date.

(7) The amendments made by regulation 3(3) do not apply in relation to a local development order where the consultation period mentioned in article 38(5)(b) of the 2015 Order began before the commencement date.

(8) The amendments made by regulation 3(4) do not apply in relation to any application made under section 293A of the 1990 Act(2) before the commencement date.

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(1) For the meaning of “relevant planning application” see paragraph 8A(2) of Schedule 1 to the 1990 Act, inserted by section 142 of the Housing and Planning Act 2016 (c. 22).

(2) Section 293A was inserted by section 82(1) of the Planning and Compulsory Purchase Act 2004 (c. 5).