STATUTORY INSTRUMENTS

2017 No. 1243

TOWN AND COUNTRY PLANNING, ENGLAND

The Neighbourhood Planning (General) and Development Management Procedure (Amendment) Regulations 2017

Made - - - -	*11th December 2017*
Laid before Parliament	*13th December 2017*
Coming into force - -	*31st January 2018*

The Secretary of State, in exercise of the powers conferred by sections 59(1), (2)(b) and (3)(a) and 333(7) of and paragraph 8(6) of Schedule 1 (as applied by paragraph 8A(3) of that Schedule) and paragraph 13A of Schedule 4B to the Town and Country Planning Act 1990(**1**) and by section 122(3) of and paragraphs 1(4) and (5), 4, 9(2), 13(7), 14(7) and 16 of Schedule A2 to the Planning and Compulsory Purchase Act 2004(**2**) makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Neighbourhood Planning (General) and Development Management Procedure (Amendment) Regulations 2017 and come into force on 31st January 2018.

Amendment of the Neighbourhood Planning (General) Regulations 2012

2. The Neighbourhood Planning (General) Regulations 2012(**3**) are amended in accordance with the following provisions.

Amendment of regulation 3

3. In regulation 3 (interpretation), after the definition of "inspection" insert —

> ""modification proposal" means a proposal submitted by a qualifying body under paragraph 1 of Schedule A2 to the 2004 Act;".

(**1**) 1990 c.8. Section 59(2)(b) was amended by paragraphs 1 and 3 of Schedule 4 to the Planning (Wales) Act 2015 (anaw 4) and by paragraphs 1 and 4 of Schedule 1 to the Growth and Infrastructure Act 2013 (c.27). Paragraph 8 of Schedule 1 was substituted by paragraph 53 of Schedule 7 to the 1991 Act. Paragraph 13A of Schedule 4B was inserted by the Housing and Planning Act 2016 c.22.
(**2**) 2004 c.5. Schedule A2 was inserted by section 4 of the Neighbourhood Planning Act 2017 c.20.
(**3**) S.I. 2012/637. Regulations 15(1)(c) and (e) were amended by S.I. 2015/20 and regulations 17A and 18A were inserted by S.I. 2016/873

Amendment of regulation 14

4.—(1) Regulation 14 (pre-submission consultation and publicity) is amended as follows.

(2) After "plan proposal" insert "or a modification proposal".

(3) After each occurrence of "neighbourhood development plan" insert "or modification proposal".

(4) Omit "and" at the end of regulation 14(a)(iii).

(5) At the end of regulation 14(a)(iv) insert—

"and

(v) in relation to a modification proposal, a statement setting out whether or not the qualifying body consider that the modifications contained in the modification proposal are so significant or substantial as to change the nature of the neighbourhood development plan which the modification proposal would modify, giving reasons for why the qualifying body is of this opinion;".

Amendment of regulation 15

5.—(1) Regulation 15 (plan proposals) is amended as follows.

(2) In the heading to regulation 15, after "Plan proposals" insert "and modification proposals".

(3) After the first occurrence of "plan proposal" insert "or a modification proposal" and after the subsequent occurrence of "plan proposal" insert "or the modification proposal".

(4) In regulation 15(1)(a), after "proposed neighbourhood development plan" insert "or neighbourhood development plan as proposed to be modified".

(5) In regulation 15(1)(c), after "proposed neighbourhood development plan" insert "or neighbourhood development plan as proposed to be modified".

(6) In regulation 15(1)(d), after "paragraph 8 of Schedule 4B to the 1990 Act" insert "or in the case of a modification proposal, how the neighbourhood development plan as proposed to be modified meets the requirements of paragraph 11 of Schedule A2 to the 2004 Act" and omit "and" at the end of the line.

(7) After regulation 15(1)(e), insert—

"and

(f) in relation to a modification proposal, a statement setting out the whether or not the qualifying body consider that the modifications contained in the modification proposal are so significant or substantial as to change the nature of the neighbourhood development plan which the modification proposal would modify, giving reasons for why the qualifying body is of this opinion."

(8) In regulation 15(2)(a) and (d), after "proposed neighbourhood development plan" insert "or neighbourhood development plan as proposed to be modified."

Amendment of regulation 16

6.—(1) Regulation 16 (publicising a plan proposal) is amended as follows.

(2) In the heading to regulation 16, after "plan proposal" insert "or a modification proposal".

(3) After the first occurrence of "plan proposal" insert "or a modification proposal" and after each subsequent occurrence of "plan proposal" insert "or the modification proposal".

(4) In regulation 16(a)(iv) before "a statement" insert "in the case of a plan proposal,".