



Town and Country Planning Act 1990

1990 CHAPTER 8

PART III

CONTROL OVER DEVELOPMENT

[^{F1}Neighbourhood development orders

[^{F1}61L Permission granted by neighbourhood development orders

- (1) Planning permission granted by a neighbourhood development order may be granted—
 - (a) unconditionally, or
 - (b) subject to such conditions or limitations as are specified in the order.
- (2) The conditions that may be specified include—
 - (a) obtaining the approval of the local planning authority who made the order but not of anyone else, and
 - (b) provision specifying the period within which applications must be made to a local planning authority for the approval of the authority of any matter specified in the order.
- (3) Regulations may make provision entitling a parish council in prescribed circumstances to require any application for approval under subsection (2) of a prescribed description to be determined by them instead of by a local planning authority.
- (4) The regulations may in particular make provision—
 - (a) as to the procedure to be followed by parish councils in deciding whether to determine applications for approvals (including the time by which the decisions must be made),
 - (b) requiring parish councils in prescribed circumstances to cease determining applications for approvals,
 - (c) conferring powers or imposing duties on local planning authorities,

Status: Point in time view as at 03/08/2012. This version of this provision has been superseded.

Changes to legislation: Town and Country Planning Act 1990, Section 61L is up to date with all changes known to be in force on or before 25 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (d) treating parish councils as local planning authorities (instead of, or in addition to, the authorities) for the purposes of the determination of applications for approvals (subject to such exceptions or modifications in the application of any enactment as may be prescribed),
 - (e) applying any enactment relating to principal councils within the meaning of section 270 of the Local Government Act 1972 for those purposes (with or without modifications), and
 - (f) disapplying, or modifying the application of, any enactment relating to parish councils for those purposes.
- (5) A neighbourhood development order may provide for the granting of planning permission to be subject to the condition that the development begins before the end of the period specified in the order.
- (6) Regulations may make provision as to the periods that may be specified in neighbourhood development orders under subsection (5).
- (7) If—
- (a) planning permission granted by a neighbourhood development order for any development is withdrawn by the revocation of the order under section 61M, and
 - (b) the revocation is made after the development has begun but before it has been completed,
- the development may, despite the withdrawal of the permission, be completed.
- (8) But an order under section 61M revoking a neighbourhood development order may provide that subsection (7) is not to apply in relation to development specified in the order under that section.]

Textual Amendments

- F1** Ss. 61E-61Q and cross-heading inserted (15.11.2011 for specified purposes, 6.4.2012 for specified purposes) by [Localism Act 2011 \(c. 20\)](#), s. 240(2)(5)(j), [Sch. 9 para. 2](#); 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)

Status:

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