

SCHEDULE 1

Regulation 3

Consultation Bodies

Neighbourhood development plans

1. For the purposes of regulations 14 and 16, a “consultation body” means—
- (a) where the local planning authority is a London borough council, the Mayor of London;
 - (b) a local planning authority, county council or parish council any part of whose area is in or adjoins the area of the local planning authority;
 - (c) the Coal Authority ^{M1};
 - (d) the Homes and Communities Agency ^{M2};
 - (e) Natural England ^{M3};
 - (f) the Environment Agency ^{M4};
 - (g) the Historic Buildings and Monuments Commission for England (known as English Heritage) ^{M5};
 - (h) Network Rail Infrastructure Limited (company number 2904587);
 - [^{F1}(i) a strategic highways company any part of whose area is in or adjoins the neighbourhood area;
 - (ia) where the Secretary of State is the highway authority for any road in the area of a local planning authority any part of whose area is in or adjoins the neighbourhood area, the Secretary of State for Transport;]
 - (j) the Marine Management Organisation ^{M6};
 - (k) any person—
 - (i) to whom the electronic communications code applies by virtue of a direction given under section 106(3)(a) of the Communications Act 2003; and
 - (ii) who owns or controls electronic communications apparatus situated in any part of the area of the local planning authority;
 - (l) where it exercises functions in any part of the neighbourhood area—
 - [^{F2}(i) [^{F3}an integrated care board established under Chapter A3 of Part 2 of the National Health Service Act 2006];
 - (ia) [^{F4}NHS England];]
 - (ii) a person to whom a licence has been granted under section 6(1)(b) and (c) of the Electricity Act 1989 ^{M7};
 - (iii) a person to whom a licence has been granted under section 7(2) of the Gas Act 1986 ^{M8};
 - (iv) a sewerage undertaker; and
 - (v) a water undertaker;
 - (m) voluntary bodies some or all of whose activities benefit all or any part of the neighbourhood area;
 - (n) bodies which represent the interests of different racial, ethnic or national groups in the neighbourhood area;
 - (o) bodies which represent the interests of different religious groups in the neighbourhood area;

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- (p) bodies which represent the interests of persons carrying on business in the neighbourhood area; and
- (q) bodies which represent the interests of disabled persons in the neighbourhood area.

Textual Amendments

- F1** Sch. 1 para. 1(i)(ia) substituted for Sch. 1 para. 1(i) (1.4.2015) by [The Infrastructure Act 2015 \(Strategic Highways Companies\) \(Consequential, Transitional and Savings Provisions\) Regulations 2015 \(S.I. 2015/377\), reg. 1\(2\), Sch. para. 53\(2\)](#)
- F2** Sch. 1 para. 1(l)(i)(ia) substituted for Sch. 1 para. 1(l)(i) (1.4.2013) by [The National Treatment Agency \(Abolition\) and the Health and Social Care Act 2012 \(Consequential, Transitional and Saving Provisions\) Order 2013 \(S.I. 2013/235\), art. 1\(2\), Sch. 2 para. 168](#)
- F3** Words in Regulations substituted (1.7.2022) by [The Health and Care Act 2022 \(Consequential and Related Amendments and Transitional Provisions\) Regulations 2022 \(S.I. 2022/634\), reg. 1\(2\), Sch. para. 1](#)
- F4** Words in Regulations substituted (6.11.2023) by [The Health and Care Act 2022 \(Further Consequential Amendments\) \(No. 2\) Regulations 2023 \(S.I. 2023/1071\), reg. 1\(1\), Sch. para. 1](#)

Marginal Citations

- M1** See section 1 of the [Coal Industry Act 1994 \(c.21\)](#).
- M2** See section 2 of the [Housing and Regeneration Act 2008 \(c.17\)](#).
- M3** See section 1 of the [Natural Environment and Rural Communities Act 2006 \(c.16\)](#).
- M4** See section 1(1) of the [Environment Act 1995 \(c.25\)](#).
- M5** See section 32 of the [National Heritage Act 1983 \(c.47\)](#).
- M6** See section 1 of the [Marine and Coastal Access Act 2009 \(c.23\)](#).
- M7** [1989 c.29](#). Section 6 was substituted by section 30 of the [Utilities Act 2000 \(c.27\)](#).
- M8** [1986 c.44](#). Section 7 was amended sections 3(2), 76(1) and (3) of, and paragraphs 1 and 4 of Schedule 6 to, the [Utilities Act 2000](#).

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>
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.		

(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 ¹ .	The person mentioned in relation to that category of development in Schedule 5 to that Order
(c)	Development of land— (i) forming the site of or in the neighbourhood of a civil aerodrome or technical site; or (ii) involving the construction of any building or works extending 91.4 metres or more above ground level.	The Civil Aviation Authority and NATS Holdings Limited
(d)	Development of land— (i) forming the site of or in the neighbourhood of a military aerodrome, technical site or explosives storage area; or (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.	Secretary of State for Defence
(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 ² .	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 ³ .	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
(^{F5} g)	Development which consists of or includes the construction, formation or laying out of access to or from a trunk road.]	[^{F5} The highway authority for the trunk road.]

¹S.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

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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 ^{M9} 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 ^{M10}.

Textual Amendments

F5 Sch. 1 para. 2(1)(g) substituted (1.4.2015) by [The Infrastructure Act 2015 \(Strategic Highways Companies\) \(Consequential, Transitional and Savings Provisions\) Regulations 2015 \(S.I. 2015/377\)](#), reg. 1(2), [Sch. para. 53\(3\)](#)

Marginal Citations

M9 2000 c.38.

M10 1980 c.66.

Changes to legislation:

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