
STATUTORY INSTRUMENTS

2012 No. 637

The Neighbourhood Planning (General) Regulations 2012

PART 6

Neighbourhood development orders and community right to build orders

Order proposals

22.—(1) Where a qualifying body submits an order proposal to the local planning authority it must include—

- (a) a map which identifies the land to which the order proposal relates;
- (b) a consultation statement;
- (c) the proposed neighbourhood development order or community right to build order;
- (d) where the qualifying body considers it appropriate, following consultation with the Historic Buildings and Monument Commission for England (known as English Heritage), an archaeology statement;
- (e) a statement explaining how the proposed neighbourhood development order or a community right to build order meets the basic conditions in paragraph 8(2) of Schedule 4B to the 1990 Act; and
- (f) in the case of a proposal for a community right to build order, details of the enfranchisement rights⁽¹⁾, if any, which the qualifying body proposes are not exercisable and the properties, or types of properties, in relation to which the enfranchisement rights are not exercisable.

(2) In this regulation—

“archaeology statement” means a document which—

- (a) confirms that the information in relation to archaeology contained in the historic environment record for the neighbourhood area has been reviewed;
- (b) sets out the findings from that review for the area to which the order proposal relates; and
- (c) explains how the findings have been taken into account in preparing the order proposal, but where no findings relevant to the neighbourhood area were identified in the review the archaeology statement need only—
 - (i) confirm that the review mentioned in sub-paragraph (a) took place; and
 - (ii) explain there were no findings relevant to the neighbourhood area; and

“consultation statement” means a document which—

- (a) contains details of the persons and bodies who were consulted about the proposed neighbourhood development order or community right to build order;
- (b) explains how they were consulted;

(1) “Enfranchisement rights” are defined in paragraph 11 of Schedule 4C to the 1990 Act.

- (c) summarises the main issues and concerns raised by the persons consulted; and
- (d) describes how these issues and concerns have been considered and, where relevant, addressed in the proposed neighbourhood development order or community right to build order.