

4 April 2012

The Chief Planning Officer
Local Planning Authorities in England

Dear Colleague

Neighbourhood Planning (General) Regulations 2012

**The Town and Country Planning (General Permitted Development)
(Amendment) (England) Order 2012**

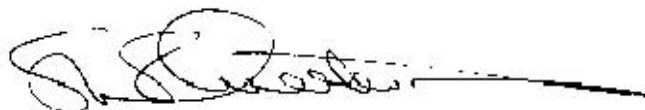
**The Town and Country Planning (Development Management Procedure)
(England) (Amendment) Order 2012**

I am writing to inform you of new provisions that will come into force on **6 April 2012** on the following:

- Neighbourhood planning - detailed requirements for preparing neighbourhood plans and development orders
- Permitted development rights – new measures for non domestic microgeneration
- Development Management Procedure Order – new measures for statutory planning registers and consultation.

Further details of the new provisions are attached to this letter, including contact details of Officials to address any queries to.

Yours faithfully



Steve Quartermain
Chief Planner

NEW PROVISIONS COMING INTO FORCE ON 6 APRIL 2012

Neighbourhood Planning (General) Regulations 2012

These new regulations outline detailed requirements for neighbourhood planning, including the procedures for designating a neighbourhood area and forum, and making neighbourhood development plans, neighbourhood development orders and Community Right to Build Orders. Further regulations on neighbourhood planning referendums and guidance on neighbourhood planning will follow later this year. More information on neighbourhood planning can be found at (<http://www.communities.gov.uk/planningandbuilding/planningsystem/neighbourhoodplanningvanguards/>).

The full text of the regulations can be found at http://www.legislation.gov.uk/ukxi/2012/637/pdfs/ukxi_20120637_en.pdf. Please address any queries to Gareth Bradford in DCLG in the first instance (Gareth.Bradford@communities.gsi.gov.uk).

The Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2012

This Order amends the Town and Country Planning (General Permitted Development) Order 1995 to provide

- A new Part 43 introducing permitted development rights for installations of solar panels, ground and water source heat pumps, and flues for biomass and combined heat and power systems on non-domestic premises; and
- Additional paragraphs for Parts 6 and 7 to clarify that structures to house biomass boilers, anaerobic digestion systems and associated waste and fuel stores, and hydro turbines may be installed as permitted development on agricultural and forestry land. This is subject to meeting the existing conditions and limitations in Parts 6 and 7, in addition to new requirements for biomass, anaerobic digestion and hydro turbine developments.

Provisions relating to the payment of compensation where permitted development rights are the subject of Article 4 directions are contained within The Town and Country Planning (Compensation) (England) Regulations 2012.

The full text can be found at <http://www.legislation.gov.uk/ukxi/2012/748/made> & <http://www.legislation.gov.uk/ukxi/2012/749/made>. Please address any queries to Darren McCreery in DCLG in the first instance (Darren.McCreery@communities.gsi.gov.uk).

The Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2012

This Order amends the Development Management Procedure Order to require local planning authorities to include details of neighbourhood development orders and planning enforcement orders on their statutory planning registers, maintained under Sections 69 and 188 of the Town and Country Planning Act 1990. These amendments have been introduced as a consequence of provisions in the Localism Act 2011.

Paragraph (x) of the table in Schedule 5 to the Order is also amended to substitute “Natural England” for “The Secretary of State for the Environment, Food and Rural Affairs” in the case of consultation on certain types of planning application involving the loss of more than 20 hectares of agricultural land. In line with the recent abolition of the Regional Development Agencies, it also revokes the requirement to consult such bodies under paragraph (zd) of the table in Schedule 5 to the Order, and on local development orders under article 34.

The full text can be found at

<http://www.legislation.gov.uk/uksi/2012/636/memorandum/contents>. Please address any queries to Neil Holdsworth in DCLG in the first instance (Neil.Holdsworth@communities.gsi.gov.uk).