
STATUTORY INSTRUMENTS

1992 No. 2414

**TOWN AND COUNTRY PLANNING
ENGLAND AND WALES**

**The Town and Country Planning (Simplified
Planning Zones) Regulations 1992**

<i>Made</i>	- - - -	<i>12th October 1992</i>
<i>Laid before Parliament</i>		<i>19th October 1992</i>
<i>Coming into force</i>	- -	<i>9th November 1992</i>

The Secretary of State for the Environment as respects England and the Secretary of State for Wales as respects Wales, in exercise of the powers conferred on them by sections 333(1) and 336(1) of, and paragraphs 5(2) and 6(a), (b) and (c) and 13 of Schedule 7 to, the Town and Country Planning Act 1990(1), and all other powers enabling them in that behalf, hereby make the following Regulations:

Citation and commencement

1.—(1) These Regulations may be cited as the Town and Country Planning (Simplified Planning Zones) Regulations 1992 and shall come into force on 9th November 1992.

(2) These Regulations extend throughout England and Wales.

Interpretation

2. In these Regulations—

“by advertisement” means by publication in the London Gazette and by local advertisement;

“by local advertisement” means by publication on at least one occasion in two successive weeks in a local newspaper circulating in the area of the local planning authority;

“duly made” means made in accordance with these Regulations;

“new law” means the Town and Country Planning Act 1990 in the form it is in immediately after the coming into force of these Regulations, and these Regulations;

(1) 1990 c. 8. As to section 336(1), see the definition of “prescribed”. As to Schedule 7, paragraphs 5 and 6 were substituted by paragraph 1 of Schedule 5 to the Planning and Compensation Act 1991 (c. 34); and paragraph 13 was amended by paragraph 10 of that Schedule.

“old law” means the Town and Country Planning Act 1990 in the form it was in force immediately before the coming into force of these Regulations, and the Town and Country Planning (Simplified Planning Zones) Regulations 1987(2);

“owner” means, in relation to any land, any person who—

- (a) is the estate owner in respect of the fee simple; or
- (b) is entitled to a tenancy granted or extended for a term of years certain of which not less than seven years remain unexpired;

“Schedule 7” means that Schedule to the Town and Country Planning Act 1990;

“scheme” means a simplified planning zone scheme; and references to a numbered form are to the form bearing that number in the Schedule hereto.

Consultation and notification before depositing proposals

3.—(1) Where a local planning authority propose to make or alter a scheme, they shall consult—

- (a) where their proposals would permit any development which in their opinion falls within a description mentioned in the Table set out in article 18(1) of the Town and Country Planning General Development Order 1988(3), the person named in that Table as consultee in relation to that development;
- (b) the council of any parish or community within whose area falls any land proposed to be included in the scheme;
- (c) the owners of the land proposed to be included in the scheme, except where the authority have failed to ascertain their names and addresses after taking all reasonable steps to that end; and
- (d) any urban development corporation in respect of an urban development area which is likely to be affected by the scheme.

(2) The local planning authority shall consider any representations made by the consultees before finally determining the content of the proposals.

(3) When the local planning authority begin the consultations mentioned in paragraph (1), they shall at the same time notify the Secretary of State that they are proposing to make or alter a scheme and of the content of their proposals.

Procedure after deposit of proposals

4. Where a local planning authority have prepared a proposed scheme, or proposed alterations of an existing scheme, they shall—

- (a) make copies available for inspection in accordance with paragraph 6 of Schedule 7 at their principal office and such other places within their area as they consider appropriate;
- (b) give notice by advertisement in Form 1;
- (c) serve a notice to the same effect on those persons consulted in accordance with regulation 3(1), and on any other persons whom they consider should be given notice; and
- (d) display a notice to the same effect, on or near the land proposed to be included in the scheme, for a period of at least six weeks beginning with the date on which the notice given pursuant to paragraph (b) is first published in a local newspaper.

(2) S.I. 1987/1750.

(3) S.I. 1988/1813. Article 18 was amended by S.I. 1989/1590, S.I. 1991/2805 and S.I. 1992/658. There are further amendments to the Order not relevant to these Regulations.

Objections and representations

5.—(1) Objections to a proposed scheme or to proposed alterations of an existing scheme and representations about such a scheme or alterations, shall be made in writing and sent to the principal office of the local planning authority in accordance with the details given in the notice by advertisement in Form 1 within a period of six weeks beginning with the date on which the notice given pursuant to regulation 4(b) is first published in a local newspaper.

(2) Representations complying with paragraph (1) which indicate that matters relating to those specified in paragraph 1(2) of Schedule 7 are not included in the proposed scheme and ought to have been so included, shall be treated for all purposes of Schedule 7 as objections made in accordance with these Regulations.

(3) The local planning authority shall also consider all representations not falling within paragraph (2) which comply with paragraph (1) and have not been withdrawn.

Advertisement of the withdrawal of proposals

6. If a local planning authority decide not to proceed with a proposal to make or alter a scheme, they shall give notice by advertisement in Form 2, and shall also notify any person who has duly made and not withdrawn an objection or representation with respect to the proposal and any other person whom they consider should be notified.

Procedure for consideration of objections

7.—(1) Where the local planning authority decide to consider objections to their proposed scheme or to proposed alterations to an existing scheme, without causing a local inquiry or other hearing to be held, they shall give notice to this effect to every person who has duly made, and has not withdrawn, an objection or representation.

(2) Where the local planning authority decide to cause a local inquiry or other hearing to be held to consider objections to their proposed scheme or to proposed alterations to an existing scheme, they shall, at least six weeks before it is due to open—

- (a) give written notice of its purpose and of the time and place at which it is to be held, and of the name of the person appointed to hold it, to every person who has duly made, and has not withdrawn, an objection or representation; and
- (b) in the case of a local inquiry, also give notice of the matters mentioned in sub-paragraph (a) by local advertisement.

(3) A local inquiry for the purpose mentioned in paragraph (1) shall be held in public.

8. Following a local inquiry or other hearing held for the purpose mentioned in regulation 7, the local planning authority shall, after considering the report of the person appointed to hold the inquiry or hearing, prepare a statement of—

- (a) the decisions they have reached in the light of the report and any recommendations as to the action to be taken (or not to be taken) contained in the report; and
- (b) the reasons for those decisions.

9.—(1) Where objections to proposals to make or alter a scheme have been considered by a person appointed for that purpose pursuant to paragraph 8(1)(b) of Schedule 7(4), the local planning authority shall, after considering his report, prepare a statement as mentioned in regulation 8.

(4) Sub-paragraph (1) of paragraph 8 was substituted by paragraph 2(1) of Schedule 5 to the Planning and Compensation Act 1991.

(2) Where the local planning authority themselves consider such objections, they shall prepare a statement of the decisions they have reached with respect to every objection made and not withdrawn, and of their reasons for those decisions.

10.—(1) A copy of the report and of the statement of decisions and reasons mentioned in regulation 8 or 9(1), or a copy of the statement of decisions and reasons mentioned in regulation 9(2), as the case may be, shall be made available by the local planning authority for inspection together with, where applicable, a list of proposed modifications and reasons as mentioned in regulation 12(1) (a).

(2) In cases where the local planning authority intend to adopt proposals without material modifications they shall make the documents specified in paragraph (1) available for inspection from the date on which notice by local advertisement in Form 3 is given pursuant to regulation 11 and at any place where the proposals were made available for inspection pursuant to regulation 4(a).

(3) In cases where the local planning authority intend to adopt proposals with material modifications they shall make the documents specified in paragraph (1) available for inspection from the date on which and at the places at which the list of proposed modifications is made available for inspection pursuant to regulation 12(1).

Notice of intention to adopt without material modifications

11. Where after considering all objections and representations duly made and not withdrawn a local planning authority intend to adopt proposals to make or alter a scheme without material modifications, when they comply with regulation 10 they shall at the same time—

- (a) give notice by local advertisement in Form 3 that they intend to adopt their proposals; and
- (b) serve a notice to the same effect on any person who has duly made and not withdrawn an objection or representation with respect to the proposals, and on any other person whom they consider should be notified.

Procedure for modification of proposals

12.—(1) Where after considering objections and representations with respect to their proposals, the local planning authority propose to modify their proposals to make or alter a scheme (whether to comply with a direction by the Secretary of State under paragraph 9(3) of Schedule 7(5) or on their own initiative), unless they are satisfied that the proposed modifications will not materially affect the content of the scheme or the alterations, they shall—

- (a) prepare a list of the proposed modifications, which shall include their reasons for proposing them;
- (b) make copies of that list available for inspection at all places where the original proposals were made available pursuant to regulation 4(a);
- (c) give notice by local advertisement in Form 4; and
- (d) serve a notice to the same effect on any person who has duly made objections or representations with respect to the proposed scheme or alterations, and not withdrawn them, and on any other person whom they consider should be notified.

(2) Objections or representations with respect to proposed modifications considered by the local planning authority (or, in a case to which regulation 16(1) applies, the Secretary of State) materially to affect the content of the scheme or alterations as earlier proposed, shall be made in writing and sent to the principal office of the local planning authority in accordance with the details given in the

(5) Paragraph 9(3) was amended by paragraph 7(2) of Schedule 5 to the Planning and Compensation Act 1991.

notice by local advertisement in Form 4 within a period of six weeks beginning with the date on which the notice mentioned in paragraph (1)(c) is first published in a local newspaper.

(3) The local planning authority shall consider all objections or representations with respect to proposed modifications, made in accordance with paragraph (2), which have not been withdrawn.

(4) The local planning authority shall make a copy of every direction given by the Secretary of State under paragraph 9(3) of Schedule 7 available for inspection at the places mentioned in sub-paragraph (b) of paragraph (1), together with the list there mentioned (if any); and where there is such a list it shall identify the modifications proposed in response to the direction, and, if they do not comply with the direction in any respect, shall include a statement of the authority's reasons for not proposing full compliance.

13. Regulations 7 to 10 shall apply in relation to objections to proposals to modify a proposed scheme or proposed alterations of an existing scheme, as they applied in relation to objections to the proposed scheme or alterations.

Notice of intention to adopt

14. Proposals for a scheme or for the alteration of a scheme shall not be adopted by a local planning authority until the period given by the authority in their notice of intention to adopt in Form 1, or where the authority have also given notice of their intention to adopt in Form 3 or Form 4, the period in the last such notice to be given by the authority, has expired.

Notice of adoption of scheme or alterations

15.—(1) Where a local planning authority adopt proposals for the making or alteration of a scheme, they shall give notice by advertisement in Form 5, and serve a notice to the same effect on any person who has asked the authority to notify him.

(2) A copy of the notice mentioned in paragraph (1) and of the adopted scheme or alterations shall be made available for inspection for at least six weeks beginning with the date of first publication of the notice, at every place at which a copy of the proposed scheme or alterations was made available pursuant to regulation 4(a).

(3) Where the Secretary of State has given a direction to the local planning authority under paragraph 9(3) of Schedule 7 any notice of adoption of the proposals given pursuant to paragraph (1) shall state that the local planning authority have satisfied the Secretary of State that they have made the modifications necessary to conform with the direction to modify or that the direction has been withdrawn, as the case may be.

(4) A copy of any notification by the Secretary of State that he is satisfied with the modifications made or that the direction is withdrawn shall be made available for inspection from the date on which and at the places at which the adopted proposals are made available for inspection.

Called-in proposals

16.—(1) The Secretary of State shall send to the local planning authority a list of any modifications he may propose to a proposed scheme or alterations submitted for his approval by virtue of paragraph 10 of Schedule 7(6), unless he is satisfied that his proposed modifications will not materially affect the content of their proposals; and the authority shall comply with sub-paragraphs (a) to (d) of regulation 12(1) as if they were proposing the modifications themselves, except that the notice to be published by local advertisement shall be in Form 6.

(6) Paragraph 10 was amended by paragraph 8 of Schedule 5 to the Planning and Compensation Act 1991.

(2) Where under paragraph 11(4)(a) of Schedule 7(7) the Secretary of State causes a local inquiry or other hearing to be held for the purpose of considering objections to proposals submitted as mentioned in paragraph (1), or to modifications he proposes, and the views of the local planning authority and of such other persons as he thinks fit, he shall give such notice and notification as is mentioned in regulation 7(2)(a) and (b), as appropriate.

(3) Regulations 8 to 10 shall apply, with any necessary modifications, in relation to proposals submitted to the Secretary of State as mentioned in paragraph (1) as they apply in relation to proposals being dealt with by the local planning authority.

(4) The local planning authority shall, on being notified by the Secretary of State of his decision on proposals submitted to him for approval—

- (a) give notice by advertisement in Form 7;
- (b) serve a notice in similar form on any person who has asked to be notified of the decision reached on the proposals and on any other person on whom the Secretary of State directs them to serve such a notice; and
- (c) make a copy of the Secretary of State's notification and of the approved or rejected proposals available for inspection at any place at which the proposals were made available for inspection pursuant to regulation 4(a).

Direction by the Secretary of State not to adopt proposals

17. If before the local planning authority have adopted proposals for the making or alteration of a scheme, the Secretary of State directs them not to adopt those proposals until he has decided whether to give them a direction under paragraph 10(1) of Schedule 7 in relation to the proposals, they shall not adopt the proposals until he has notified them of his decision.

Documents to be sent to the Secretary of State

18.—(1) A local planning authority shall send to the Secretary of State a copy of every notice published by the authority in accordance with these Regulations at the same time as the notice is first published together with copies of documents specified in paragraph (2).

- (a) (2) (a) in the case of documents made available for inspection pursuant to regulation 4(a) or 15(2), four copies of each; and
- (b) in all other cases, one copy of each document made available for inspection.

Preparation of proposed scheme etc by the Secretary of State

19.—(1) These Regulations apply, so far as practicable and with any necessary modifications, to action taken by the Secretary of State in connection with the making or alteration of a scheme by him under paragraph 12 of Schedule 7(8) as they apply to the making or alteration of a scheme by a local planning authority.

(2) The Secretary of State may require the local planning authority concerned to give in relation to any proposals by him to make or alter a scheme, or in relation to any scheme or alterations made by him, any notice or notification required to be given by these Regulations in their application by virtue of paragraph (1).

(7) Sub-paragraph (4) of paragraph 11 was substituted by paragraph 2(2) of Schedule 5 to the Planning and Compensation Act 1991.

(8) Paragraph 12 was amended by paragraph 9 of Schedule 5 to the Planning and Compensation Act 1991.

Availability of schemes for inspection after adoption or approval

20.—(1) Adopted proposals made available for inspection under regulation 15(2) and approved proposals made available for inspection under regulation 16(4)(c) shall remain so available until printed copies of the proposals are made available for inspection under paragraph (2).

(2) As soon as practicable after proposals for a scheme or for the alteration of a scheme have been adopted or approved, the local planning authority which prepared the proposals shall secure that printed copies of the adopted or approved scheme are made available for inspection at every place at which a copy of the adopted or approved scheme or alterations was made available pursuant to regulation 15(2) or 16(4)(c).

Availability of documents for purchase

21.—(1) A local planning authority shall, on payment of a reasonable charge, provide a person making a request, as soon as practicable, with a copy of any document made available for inspection pursuant to Part III of the 1990 Act or these Regulations.

(2) A local planning authority shall continue to make copies of any scheme adopted or approved and made available for inspection or purchase under these Regulations so available until the scheme is altered or revoked.

Assessment of environmental effects

22. A local planning authority shall not include in a scheme any development which is within a description mentioned in—

- (a) Schedule 1 to the Town and Country Planning (Assessment of Environmental Effects) Regulations 1988⁽⁹⁾; or
- (b) Schedule 2 to those Regulations where the development is likely to have significant effects on the environment by virtue of such factors as its nature, size or location.

Revocation and savings

23.—(1) Subject to paragraphs (2) and (3), the Town and Country Planning (Simplified Planning Zones) Regulations 1987⁽¹⁰⁾ are hereby revoked.

(2) The old law shall continue to apply for the purpose of the adoption or approval of a scheme, in respect of which proposals are or have been made available for inspection under the old law, before the coming into force of these Regulations but the scheme had not yet come into operation on that date.

(3) Any consultation undertaken before the coming into force of these Regulations for the purposes of any provision contained in the old law shall be as effective for the purposes of any similar provision contained in the new law as if undertaken after the coming into force of these Regulations.

12th October 1992

Michael Howard
Secretary of State for the Environment

⁽⁹⁾ S.I. 1988/1199, amended by S.I. 1990/367 and S.I. 1992/1494.

⁽¹⁰⁾ S.I. 1987/1750.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

9th October 1992

David Hunt
Secretary of State for Wales

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

SCHEDULE

PRESCRIBED FORMS

FORM 1: NOTICE OF PROPOSALS FOR A SCHEME OR FOR THE ALTERATION OF A SCHEME

Regulations 4 and 5

Town and Country Planning Act 1990
Notice of Deposit of Proposals for [making] [the alteration of] a [Simplified Planning Zone Scheme]
(Title of scheme)

(1) have prepared proposals for [making] [the alteration of] the above scheme.

Copies of the proposals are available for public inspection at (2) free of charge on (3).

Objections and representations with respect to the proposals should be sent in writing to (4) before (5). Objections and representations should specify the matters to which they relate and the grounds on which they are made, and may be accompanied by a request to be notified at a specified address of the withdrawal, adoption, approval or rejection of the proposals.

Only persons whose objections or representations are made in writing and sent to the address specified above within the six week period ending on (5) will have a right to have their objections or representations considered.

Notice of Intention to Adopt Proposals

If no objections are received during the period given for making objections (1) intend to adopt the proposals on the expiry of that period.

Notes

1. Omit any expression within square brackets which is inappropriate.
2. Insert:
 - (1) the name of the local planning authority;
 - (2) the address of the local planning authority's principal office and of any other places at which the documents are available for inspection;
 - (3) the days on which, and hours between which, the documents are available for inspection;
 - (4) the name or title of the officer to whom objections and representations should be sent and the address to which they are to be sent;
 - (5) the date which provides a period of six weeks beginning with the date on which the notice is first published in a local newspaper for the making of objections and representations.

FORM 2: NOTICE OF WITHDRAWAL OF PROPOSALS FOR A SCHEME OR FOR THE ALTERATION OF A SCHEME

Regulation 6

Town and Country Planning Act 1990
Notice of Withdrawal of Proposals for [making] [the alteration of] a [Simplified Planning Zone Scheme]
(Title of scheme)

Copies of these proposals made available for inspection by (1) have been withdrawn because (2)

Notes

1. Omit any expression within square brackets which is inappropriate.
2. Insert:
 - (1) the name of the local planning authority;
 - (2) the reasons why the proposals have been withdrawn.

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FORM 3:NOTICE OF INTENTION TO ADOPT PROPOSALS FOR A SCHEME OR FOR THE ALTERATION OF A SCHEME WITHOUT MATERIAL MODIFICATIONS

Regulation 11

*Town and Country Planning Act 1990
Notice of Intention to Adopt Proposals for [making] [the alteration of] a [Simplified Planning Zone Scheme]
(Title of scheme)*

(1) propose to adopt these scheme proposals without material modifications. Copies of the scheme proposals [, the report of [the person who held the [local inquiry] [hearing]] [the person appointed to consider the objections] and the authority's statement of reasons and decisions in the light of the report] [and the local planning authority's statement of reasons and decisions as respects objections to the scheme proposals] are available for inspection at (2) on (3).

(1) will adopt the proposals after (4).

Notes

1. Omit any expression within square brackets which is inappropriate.
2. Insert–
 - (1) the name of the local planning authority;
 - (2) the address of the local planning authority's principal office and of any other places at which the documents are available for inspection;
 - (3) the days on which, and hours between which, the documents are available for inspection;
 - (4) the date which is 28 days after the date on which the notice is first published in a local newspaper.

FORM 4:NOTICE OF PROPOSED MODIFICATIONS TO PROPOSALS FOR MAKING A SCHEME OR THE ALTERATION OF A SCHEME

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

*Town and Country Planning Act 1990
Notice of Proposed Modifications to Proposals for [making]
[the alteration of] a [Simplified Planning Zone Scheme]
(Title of scheme)*

(1) propose to modify these scheme proposals.

A list of the proposed modifications (other than modifications which the authority are satisfied will not materially affect the content of the scheme proposals) with the authority's reasons for proposing them are available for inspection at (2) on (3). Copies of the scheme proposals [, a direction from the Secretary of State directing the authority to modify the scheme proposals,] [, the report of [the person who held the [local inquiry] [hearing]] [the person appointed to consider the objections] and the authority's statement of reasons and decisions in the light of the report] [and the authority's statement of reasons and decisions as respects objections to the scheme proposals] are similarly available for inspection.

Objections and representations with respect to the proposed modifications should be sent in writing to (4) before (5). Objections and representations should specify the matters to which they relate and the grounds on which they are made, and may be accompanied by a request to be notified at a specified address of the withdrawal, adoption, approval or rejection of the scheme proposals.

Notice of Intention to Adopt Proposals

If no objections are received during the period given for making objections [and the Secretary of State is satisfied that the modifications proposed conform with his direction or the direction is withdrawn] (1) intend to adopt the proposals on the expiry of that period.

Notes

1. Omit any expression within square brackets which is inappropriate.
2. Insert—
 - (1) the name of the local planning authority;
 - (2) the address of the local planning authority's principal office and of any other places at which the documents are available for inspection;
 - (3) the days on which, and the hours between which, the documents are available for inspection;
 - (4) the name or title of the officer to whom objections and representations should be sent and the address to which they are to be sent;
 - (5) the date which provides a period of six weeks beginning with the date on which the notice is first published in a local newspaper for the making of objections and representations.

FORM 5:NOTICE OF PROPOSED ADOPTION OF PROPOSALS FOR A SCHEME OR FOR THE ALTERATION OF A SCHEME

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Regulation 15

*Town and Country Planning Act 1990
Notice of Proposed Adoption of Proposals for [making]
[the alteration of] a [Simplified Planning Zone Scheme]
(Title of scheme)*

On (1) (2) adopted these scheme proposals [with modifications]. [The Secretary of State [was satisfied that the necessary modifications had been made to comply with] [withdrew] his direction to the authority to modify the proposals].

Copies of the adopted proposals [and of the Secretary of State's notification [that he was satisfied with the modifications made to comply with] [withdrawing] [his direction]] are available for inspection at (3) on (4).

The proposals became operative on their adoption, but any person aggrieved by the proposals who desires to question their validity on the ground that they are not within the powers conferred by Part III of the Town and Country Planning Act 1990 or that any requirement of that Act or of any regulation made under it has not been complied with in relation to the adoption of the proposals, may, six weeks from (5), make an application to the High Court under section 287 of the 1990 Act.

Notes

1. Omit any expression within square brackets which is inappropriate.
2. Insert—
 - (1) the date on which the proposals were adopted;
 - (2) the name of the local planning authority;
 - (3) the address of the local planning authority's principal office and of any other places at which the documents are available for inspection;
 - (4) the days on which, and hours between which, the documents are available for inspection;
 - (5) the date on which this notice is first published.

FORM 6:NOTICE OF PROPOSED MODIFICATIONS BY THE SECRETARY OF STATE TO PROPOSALS FOR MAKING A SCHEME OR THE ALTERATION OF A SCHEME SUBMITTED TO HIM FOR HIS APPROVAL

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Regulation 16(1)

*Town and Country Planning Act 1990
Notice of Proposed Modifications to Proposals for [making]
[the alteration of] a [Simplified Planning Zone Scheme]
(Title of scheme)*

The Secretary of State for [the Environment] [Wales] proposes to modify these scheme proposals prepared by (1) and submitted to the Secretary of State for his approval.

Copies of the scheme proposals and a list of the proposed modifications (other than modifications which the Secretary of State is satisfied will not materially affect the content of the scheme proposals) are available for inspection at (2) on (3).

Objections and representations with respect to the proposed modifications should be sent in writing to (4) before (5) and may be accompanied by a request to be notified at a specified address of the approval or rejection of the scheme proposals.

Notes

1. Omit any expression within square brackets which is inappropriate.
2. Insert–
 - (1) the name of the local planning authority;
 - (2) the address of the local planning authority's principal office and of any other places at which the documents are available for inspection.
 - (3) the days on which, and hours between which, the documents are available for inspection;
 - (4) the name and address of the appropriate Regional Director of the Department of the Environment or the Welsh Office to whom such objections and representations should be sent;
 - (5) the date which provides a period of six weeks beginning with the date on which the notice is first published in a local newspaper for the making of objections and representations.

FORM 7:NOTICE OF APPROVAL OR REJECTION BY THE SECRETARY OF STATE OF PROPOSALS FOR MAKING A SCHEME OR THE ALTERATION OF A SCHEME SUBMITTED TO HIM FOR HIS APPROVAL

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Regulation 16(4)

*Town and Country Planning Act 1990
Notice of [Approval] [Rejection] by the Secretary of State of
Proposals for [making] [the alteration of] a
[Simplified Planning Zone Scheme]
(Title of scheme)*

The Secretary of State for [the Environment] [Wales] [approved] [rejected] these scheme proposals prepared by (1) [in part] [and with modifications].

Copies of the proposals and of the Secretary of State's letter notifying his decision are available for inspection at (2) on (3).

[The proposals [became] [become] operative on (4), but any person aggrieved by the proposals who desires to question their validity on the ground that they are not within the powers conferred by Part III of the Town and Country Planning Act 1990 or that any requirement of that Act or of any regulation made under it has not been complied with in relation to the approval of the proposals, may, within six weeks from (5), make an application to the High Court under section 287 of the 1990 Act.]

Notes

1. Omit any expression within square brackets which is inappropriate.
2. Insert—
 - (1) the name of the local planning authority;
 - (2) the address of the local planning authority's principal office and of any other places at which the documents are available for inspection;
 - (3) the days on which, and hours between which, the documents are available for inspection;
 - (4) the appropriate date;
 - (5) the date on which this notice is first published.

EXPLANATORY NOTE

(This note is not part of the Regulations)

The Town and Country Planning Act 1990 empowers local planning authorities to make simplified planning zone schemes. Such a scheme provides planning permission within the area covered by the scheme for development in accordance with the scheme without the need for specific application.

These Regulations, which apply throughout England and Wales, are concerned with the procedure for making and altering such schemes. They are made under, and supplement the provision made by, Schedule 7 to the 1990 Act (which has been amended by Schedule 5 to the Planning and Compensation Act 1991).

They make provision in respect of consultation and notification before depositing proposals (regulation 3), procedure after deposit of proposals (regulation 4), for making objections and representations (regulation 5), for consideration of objections by local planning authorities (regulations 7, 8, 9 and 10) and for modification of proposals (regulations 12 and 13).

They also specify the content or form of certain notices to be given by the authority (regulations 4, 5, 6, 10, 11, 12, 14 and 15) and by the Secretary of State (regulation 16).

They also make provision for the Secretary of State to call-in proposals (regulation 16), to give certain directions (regulation 17) and to make or alter a scheme (regulation 19).

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The Regulations supersede the Town and Country Planning (Simplified Planning Zones) Regulations 1987 (S.I.1987/1750), which are revoked, subject to a limited savings provision which provides for the transition to the new procedures (regulation 23).