STATUTORY INSTRUMENTS

1972 No. 1154

TOWN AND COUNTRY PLANNING, ENGLAND AND WALES

The Town and Country Planning (Structure and Local Plans) Regulations 1972

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The Secretary of State for the Environment (as respects England, except Monmouthshire) and the Secretary of State for Wales (as respects Wales and Monmouthshire) in exercise of their powers under sections 7(3) and (6), 8(1), (2) and (3), 9(3)(*a*), 11(3), (5) and (9), 12(1), (2) and (3), 18(1) and (2) and 287 of the Town and Country Planning Act 1971(**a**), and of all other powers enabling them in that behalf, hereby make the following regulations:—

(**a**) 1971 c. 78.

PART I

APPLICATION, CITATION, COMMENCEMENT AND INTERPRETATION

Application

1. These regulations shall apply to England (except Greater London) and Wales.

Citation and commencement

2. These regulations may be cited as the Town and Country Planning (Structure and Local Plans) Regulations 1972, and shall come into operation on 22nd August 1972.

Interpretation

3.—(1) In these regulations—

"the Act" means the Town and Country Planning Act 1971;

"action area" has the meaning assigned to it by section 7(5) of the Act;

"an area of a new town" means an area designated by an order made or having effect as if made under section 1 of the New Towns Act 1965(**a**);

"an area of town development" means an area (comprising one or more parts defined on one occasion) in the whole of which town development within the meaning of the Town Development Act 1952(**b**) is to be carried out;

"certified copy" means a copy certified by the clerk of the local planning authority or, in the case of a structure plan for a combined area, by the clerk of any of the local planning authorities concerned as being a true copy;

"county" means an administrative county;

"document" includes a map, diagram, illustration or other descriptive matter in any form, and also includes, where appropriate, a copy of a document;

"duly made", in relation to objections, means duly made in accordance with a notice given or served under these regulations;

"examination in public" means an examination in public within the meaning of section 9(3)(*b*) of the Act;

"local plan" means a local plan within the meaning of section 11 of the Act;

"notice by advertisement" means a notice published in the London Gazette and in each of two successive weeks in at least one local newspaper circulating in the locality in which the land to which the notice relates is situated;

"structure plan" means a structure plan within the meaning of section 7 of the Act;

"written statement" means, as respects a structure plan, the written statement required by section 7(3) of the Act, and, as respects a local plan, the written statement required by section 11(3) of the Act.

(a) 1965 c. 59. (b) 1952 c. 54.

(2) In relation to a structure plan for a combined area, references in these regulations (except in this regulation and in regulations 7, 23, 39 and 40) to a local planning authority shall be read as references to the local planning authorities concerned.

(3) A regulation or schedule referred to in these regulations only by number means the regulation or schedule so numbered in these regulations.

(4) The Interpretation Act 1889(a) shall apply for the interpretation of these regulations as it applies for the interpretation of an Act of Parliament.

PART II

PUBLICITY IN CONNECTION WITH THE PREPARATION OF STRUCTURE OR LOCAL PLANS: SALE OF DOCUMENTS AND PRESCRIBED PERIOD FOR MAKING REPRESENTATIONS

Sale of copies of documents made public for the purpose mentioned in section 8(1)(a) or 12(1)(a) of the Act

4. The local planning authority shall, in such particular cases as the Secretary of State may direct, provide persons making a request in that behalf with copies of any plan or other document which has been made public for the purpose mentioned in section 8(1)(*a*) or 12(1)(*a*) of the Act, subject to the payment of a reasonable charge therefor.

Prescribed period for making representations

5. The prescribed period for the purposes of section 8(1) or 12(1) of the Act shall be such period (not being less than six weeks) as shall be specified by an authority when giving publicity thereunder to the matters proposed to be included in a structure or local plan.

PART III

CONSULTATION

Consultation

6.—(1) Before finally determining the content of a structure or local plan, the local planning authority shall consult with respect to the matters they propose to include in the plan the following authorities or bodies, namely:—

(*a*) where the plan relates to any land in a county district, the council of that district;

(*b*) where the area of land to which the plan relates includes land within the area of a new town, the new town development corporation;

(*c*) such other authorities or bodies as the local planning authority think appropriate or the Secretary of State may direct.

(2) The local planning authority shall give to any authority or body whom they consult under paragraph (1) above an adequate opportunity of expressing views with respect to the matters proposed to be included in the plan and shall consider any such views before finally determining the content of the plan.

(a) 1889 c. 63.

PART IV

FORM AND CONTENT OF STRUCTURE PLANS

Title

7. A structure plan shall be given a title which shall include the name of the local planning authority or, in the case of a structure plan for a combined area, the names of the local planning authorities concerned, and, where the plan relates to part only of the authority's area, or, as the case may be, to a combined area, an indication of the area to which the plan relates; and each document contained in or accompanying a structure plan shall bear the title of the plan.

Treatment of certain urban or proposed urban areas

8.—(1) As respects any part of the area to which a structure plan (other than a structure plan relating only to the whole or any part of a county borough) relates, being a part which is, or which it is proposed should become, urban or predominantly urban, the local planning authority may with the consent of the Secretary of State, and shall, if the Secretary of State so directs, as well as formulating their policy and general proposals for that part as part of the whole area to which the plan relates, formulate policy and general proposals for that part in a separate part of the plan.

(2) A separate part of a structure plan prepared under paragraph (1) above shall be prepared as if it were itself a structure plan.

Policy and general proposals

9.—(1) The policy formulated in a structure plan written statement shall relate to such of the matters specified in Part I of Schedule 1 as the local planning authority may think appropriate.

(2) The policy and general proposals formulated in a structure plan written statement shall be set out so as to be readily distinguishable from the other contents thereof.

(3) A structure plan written statement shall include a reasoned justification of the policy and general proposals formulated therein.

Matters to be contained in written statement

10. In addition to the other matters required to be contained therein by the Act and by these regulations, a structure plan written statement shall contain the following matters, namely, such indications as the local planning authority may think appropriate of the items set out in Part II of Schedule 1.

Action areas: prescribed period

11. The prescribed period for the purposes of section 7(5) of the Act (indication of an action area in the general proposals in a structure plan) shall be ten years from the date on which the particular structure plan is submitted to the Secretary of State.

Diagrams and insets

12.—(1) A structure plan shall contain or be accompanied by a diagram, called the key diagram, showing, so far as the local planning authority may think practicable, the policy and general proposals formulated in the written statement:

Provided that the policy and general proposals for any part of the area to which a structure plan relates may, instead of being shown on the key diagram, be shown on an inset; and the location of any inset shall be shown on the key diagram.

(2) No diagram or inset contained in, or accompanying, a structure plan shall be on a map base.

Explanation of notation on diagrams

13. Any diagram contained in, or accompanying, a structure plan shall include an explanation of the notation used thereon.

PART V

FORM AND CONTENT OF LOCAL PLANS

Title

14. A local plan shall be given a title which shall include the name of the local planning authority, the name given to the particular plan by or under regulation 15, and an indication of the area to which the plan relates; and each document contained in or accompanying a local plan shall bear the title of the plan.

District, action area and subject plans

15.—(1) A local plan based on a comprehensive consideration of matters affecting the development and other use of land in the area to which it relates shall, unless it is a local plan for an action area, be called a district plan.

(2) A local plan for an action area shall be called an action area plan.

(3) A local plan which is based on a consideration of a particular description or descriptions of development or other use of land in the area to which it relates shall be called by the name of the subject or subjects to which it relates.

Proposals

16.—(1) The proposals formulated in a local plan written statement shall relate to such of the matters specified in Part I of Schedule 2 as the local planning authority may think appropriate.

(2) The proposals formulated in a local plan written statement shall be set out so as to be readily distinguishable from the other contents thereof.

(3) A local plan written statement shall contain a reasoned justification of the proposals formulated therein.

Matters to be contained in written statement

17. In addition to the other matters required to be contained therein by the Act and by these regulations, a local plan written statement shall contain the following matters, namely, such indications as the local planning authority may think appropriate of the items set out in Part II of Schedule 2.

Maps, insets and diagrams

18.—(1) The map comprised in a local plan in compliance with section 11(3) of the Act shall be called the proposals map, and shall—

(*a*) be prepared on a map base reproduced from, or based on, the Ordnance Survey map, and showing National Grid lines and numbers;

(*b*) subject as hereinafter mentioned, be prepared to such scale as the local planning authority may think appropriate, or the Secretary of State may direct:

Provided that the proposals for any part of the area to which a local plan relates may be shown to a larger scale on an inset prepared in accordance with sub-paragraph (*a*) above; and the proposals shown on an inset may be shown on the proposals map by showing thereon the boundary of the inset.

(2) A proposals map or inset which defines land as the site of a proposed road for the purposes of section 21 of the Highways Act 1959(**a**), or which defines land as the site of a proposed road or as land required for the widening of an existing road and designates that land as land to which section 206 of the Highways Act 1959 applies, shall be to a scale of not less than 1/2500.

(3) Any map forming part of a local plan shall show the scale to which it has been prepared; and any map or diagram contained in, or accompanying, a local plan shall include such explanation as the local planning authority may think necessary of the notation used thereon.

(4) In addition to the other matters shown thereon, a proposals map shall show the boundary of any area of town development.

PART VI

PROCEDURE FOR THE APPROVAL, WITHDRAWAL OR REJECTION OF STRUCTURE PLANS

Submission of structure plan to the Secretary of State

19. A structure plan shall be prepared in duplicate. One duplicate shall be submitted to the Secretary of State, together with two certified copies thereof and a statement giving particulars of the matters specified in section 8(3)(*a*) and (*b*) of the Act.

Notice of submission of structure plan

20. On the submission of a structure plan to the Secretary of State the local planning authority shall give notice by advertisement in the appropriate form (Form 1) specified in Schedule 3, or a form substantially to the like effect.

(a) 1959 c. 25.

Notice of return of structure plan

21. Where, under section 8(4) of the Act, the Secretary of State returns a structure plan to the local planning authority, the authority shall give notice by advertisement in the appropriate form (Form 2) specified in Schedule 3, or a form substantially to the like effect.

Notice of resubmission of structure plan

22. On the resubmission of a structure plan to the Secretary of State the local planning authority shall give notice by advertisement in the appropriate form (Form 3) specified in Schedule 3, or a form substantially to the like effect, and shall serve a notice in the same terms on any person who made objections to the plan to the Secretary of State when it was originally submitted to him.

Notice of withdrawal of structure plan

23. Where a local planning authority, or in relation to a structure plan for a combined area all or any of the local planning authorities concerned, has or have given notice to the Secretary of State of withdrawal of a structure plan in accordance with section 10B of the Act the local planning authority, or in relation to a structure plan for a combined area the local planning authority or authorities, withdrawing the structure plan shall give notice of such withdrawal, and of the withdrawal of the copies of the plan made available for inspection as required by section 8(2) of the Act, by advertisement in the appropriate form (Form 4) specified in Schedule 3, or a form substantially to the like effect, and for the purpose of complying with section 10B(2) of the Act shall serve a notice in the same terms on any person by whom objections to the plan have been duly made and not withdrawn.

Notice of examination in public

24. When the Secretary of State causes an examination in public to be held into matters affecting his consideration of a structure plan he shall at least six weeks before the date of the examination give notice by advertisement of his intention to hold such an examination.

Proposed modifications

25. Where the Secretary of State proposes to modify a structure plan he shall, except as respects any modification which he is satisfied will not materially affect the content of the plan—

(*a*) notify the local planning authority of the proposed modifications, and the authority shall give notice by advertisement in the appropriate form (Form 5) specified in Schedule 3, or a form substantially to the like effect, and shall serve a notice in the same terms on such persons as the Secretary of State may direct; and

(*b*) consider any objections duly made to the proposed modifications.

Notification of the Secretary of State's decision

26. The Secretary of State shall notify the local planning authority in writing of his decision on a structure plan and the authority shall forthwith give notice

by advertisement in the appropriate form (Form 6) specified in Schedule 3, or a form substantially to the like effect, and shall serve a notice in the same terms on any person who, in accordance with a notice given or served under this part of these regulations, has requested the authority to notify him of the decision on the plan and on such other persons as the Secretary of State may direct.

Copies of notices and certificates as to notices to be sent to the Secretary of State

27. On first giving notice by advertisement in accordance with any provision in this part of these regulations, the local planning authority shall send the Secretary of State a certified copy of the notice; and, after complying with the requirements of any provision in this part of these regulations relating to the giving or giving and serving of notices, the authority shall send the Secretary of State a certificate to that effect.

PART VII

PROCEDURE FOR THE ADOPTION, ABANDONMENT, APPROVAL OR REJECTION OF LOCAL PLANS

Preparation of local plan

28. A local plan shall be prepared in duplicate.

Notice of preparation of local plan

29. A local planning authority who have prepared and deposited a local plan shall give notice by advertisement in the appropriate form (Form 7) specified in Schedule 3, or a form substantially to the like effect.

Notice of withdrawal of copies of local plan and subsequent action

30.—(1) A local planning authority who are given directions by the Secretary of State under section 12(4) of the Act and who, in accordance with section 12(5)(*a*) of the Act, withdraw the copies of a local plan made available for inspection as required by section 12(2) of the Act, shall give notice by advertisement in the appropriate form (Form 8) specified in Schedule 3, or a form substantially to the like effect, and, for the purpose of complying with section 12(5)(*b*) of the Act, shall serve a notice in the same terms on any person by whom objections to the plan have been made to the authority.

(2) After satisfying the Secretary of State as mentioned in section 12(4) of the Act and before taking any further steps for the adoption of the plan, the authority shall again make copies of the plan available for inspection at the places where they were previously available for inspection, and shall give notice by advertisement in the appropriate form (Form 9) specified in Schedule 3, or a form substantially to the like effect, and shall serve a notice in the same terms on any person who made objections to the plan to the authority when copies were previously available for inspection.

Local inquiry to be a public local inquiry

31. A local inquiry held for the purpose of considering objections made to a local plan shall be a public local inquiry.

Notice of local inquiry or other hearing

32. Where a local planning authority cause a local inquiry to be held for the purpose of considering objections made to a local plan, they shall, at least six weeks before the date of the inquiry, give notice by advertisement in the appropriate form (Form 10) specified in Schedule 3, or a form substantially to the like effect, and shall serve a notice in the same terms on any person whose objections have been duly made and are not withdrawn and on such other persons as they think fit; and, where the authority cause a hearing (other than a local inquiry) to be held for the said purpose, they shall, at least six weeks before the date of the hearing, serve a notice in the appropriate form (Form 10) specified in Schedule 3, or a form substantially to the like effect, on any person whose objections have been duly made and are not withdrawn and on such other persons as they think fit.

Report of local inquiry or other hearing

33.—(1) Where, for the purpose of considering objections made to a local plan, a local inquiry or other hearing is held, the local planning authority shall, as part of the consideration of those objections, consider the report of the person appointed to hold the inquiry or other hearing and decide whether or not to take any action as respects the plan in the light of the report and each recommendation, if any, contained therein; and the authority shall prepare a statement of their decisions, giving their reasons therefor.

(2) The authority shall make certified copies of the report, and of the statement prepared under paragraph (1) above, available for inspection not later than the date on which notice is first given under regulation 35.

Proposed modifications

34.—(1) Where the local planning authority propose to modify a local plan, they shall—

(*a*) prepare a list of the proposed modifications, giving their reasons for proposing them;

(*b*) give notice by advertisement in the appropriate form (Form 11) specified in Schedule 3, or a form substantially to the like effect, and shall serve a notice in the same terms on any person whose objections to the plan have been duly made and are not withdrawn and on such other persons as they think fit;

(*c*) consider any objections duly made to the proposed modifications;

(*d*) decide whether or not to afford to persons whose objections so made are not withdrawn, or to any of them, an opportunity of appearing before, and being heard by, a person appointed by the Secretary of State for the purpose; and

(*e*) if a local inquiry or other hearing is held, also afford the like opportunity to such other persons as they think fit;

Provided that, unless the Secretary of State directs them to do so, the authority shall not be obliged to cause a local inquiry or other hearing to be held for the purpose of considering objections made to proposed modifications; but, if a local inquiry is held, it shall be a public local inquiry.

(2) Regulations 32 and 33 shall apply in relation to proposed modifications as they apply in relation to a local plan.

Action following decision to adopt local plan

35.—(1) Where a local planning authority decide to adopt a local plan, they shall, before adopting the plan, give notice by advertisement in the appropriate form (Form 12) specified in Schedule 3, or a form substantially to the like effect, and shall serve a notice in the same terms on any person whose objections to the plan have been duly made and are not withdrawn, and on such other persons as they think fit.

(2) After complying with paragraph (1) above, the authority shall send the Secretary of State by recorded delivery service a certificate that they have complied therewith; and, subject as mentioned in section 14(3) of the Act, the authority shall not adopt the plan until the expiration of twenty-eight days from the date on which the certificate is sent:

Provided that, if, before the plan is adopted, the Secretary of State directs the authority not to adopt the plan until he notifies them that he has decided not to give a direction under section 14(3) of the Act, the authority shall not adopt the plan until they receive such notification.

Notice of adoption or abandonment of local plan

36. Where the local planning authority adopt or abandon a local plan, they shall give notice by advertisement in the appropriate form (Form 13) specified in Schedule 3, or a form substantially to the like effect, and shall serve a notice in the same terms on any person who, in accordance with a notice given or served under this part of these regulations, has requested the authority to notify him of the adoption, abandonment, approval or rejection of the plan, and on such other persons as they think fit.

Documents to be sent to the Secretary of State

37. In addition to the document mentioned in regulation 35(2), the local planning authority shall send to the Secretary of State—

(*a*) not later than the date on which notice is first given under regulation 29, two certified copies of the local plan prepared by them and a statement giving particulars of the matters specified in section 12(3)(*a*) and (*b*) of the Act;

(*b*) not later than the date on which notice of the adoption of a local plan is first given under regulation 36, two certified copies of the plan adopted;

(*c*) not later than the date on which notice is first given or served under any provision in this part of these regulations, a copy of each document (other than a document mentioned in paragraph (*a*) or (*b*) above) referred to in the notice as having been deposited;

(*d*) on first giving or serving notice under any provision in this part of these regulations, a certified copy of the notice; and

(*e*) any other relevant document the Secretary of State may at any time require.

Notice of approval, modification or rejection of local plan by the Secretary of State

38.—(1) Where a local planning authority are required by a direction under section 14(3) of the Act to submit a local plan to the Secretary of State for his approval and the Secretary of State causes a local inquiry to be held for the purpose of considering objections duly made to the local plan, he shall, at least six weeks before the date of the inquiry, give notice by advertisement in the appropriate form (Form 10) specified in Schedule 3, or a form substantially to the like effect, and shall serve a notice in the same terms on any person whose objections have been duly made and are not withdrawn and on such other persons as he thinks fit; and when the Secretary of State causes a hearing (other than a local inquiry) to be held for the said purpose, he shall, at least six weeks before the date of the hearing, serve a notice in the appropriate form (Form 10) specified in Schedule 3, or a form substantially to the like effect, on any person whose objections have been duly made and are not withdrawn and on such other persons as he thinks fit.

(2) A local inquiry held for the purposes of paragraph (1) above shall be a public local inquiry.

(3) Where the Secretary of State proposes to modify a local plan he shall, except as respects any modification which he is satisfied will not materially affect the content of the plan—

(*a*) notify the local planning authority of the proposed modifications, and the authority shall give notice by advertisement in the appropriate form (Form 5) specified in Schedule 3, or a form substantially to the like effect, and shall serve a notice in the same terms on such persons as the Secretary of State may direct;

(*b*) consider any objections duly made to the proposed modifications;

(*c*) decide whether or not to afford to persons whose objections so made are not withdrawn, or to any of them, an opportunity of appearing before, and being heard by, a person appointed by him for the purpose; and

(*d*) if a local inquiry or other hearing is held, also afford the like opportunity to the local planning authority and to such other persons as he thinks fit:

Provided that the Secretary of State shall not be obliged to cause a local inquiry or other hearing to be held for the purpose of considering objections made to proposed modifications; but if a local inquiry is held it shall be a public local inquiry.

(4) Regulations 26 and 27 shall apply in relation to a local plan as they apply in relation to a structure plan.

PART VIII

STRUCTURE AND LOCAL PLANS: AVAILABILITY AND SALE OF DOCUMENTS, REGISTER AND INDEX MAP

Availability of documents referred to in notices

39.—(1) Where a notice given or served under these regulations refers to a deposited document, the local planning authority, or, in the case of a structure plan for a combined area, each of the local planning authorities concerned

shall make the document available for inspection at their office, at a place in each county district which is within their area and is wholly or partly comprised in the area to which the relevant plan relates, and at such other places as the authority think convenient to the public having regard to the area to which the plan relates.

(2) Any document made available for inspection under paragraph (1) above shall, unless it is withdrawn in accordance with section 8(6) or 12(5)(*a*) of the Act, or unless the relevant plan is rejected or abandoned, be available for inspection free of charge at all reasonable hours from a date not later than the date on which the notice is given or served until the expiration of six weeks from the date of the publication of the first notice of the approval or adoption of the plan required by these regulations.

Availability of operative structure and local plans

40.—(1) Except in the case of a structure plan for a combined area, the local planning authority shall make any operative structure or local plan available for inspection at their office: and, in the case of an operative structure plan for a combined area, the local planning authorities concerned shall make the plan available for inspection at the office of one of them and shall make certified copies of the plan available for inspection at the office of each of the others.

(2) The local planning authority, or in the case of a structure plan for a combined area each of the local planning authorities concerned, shall make certified copies of any operative structure or local plan available for inspection at a place in each county district which is within their area and is wholly or partly comprised in the area to which the plan relates.

(3) Any document made available for inspection under paragraph (1) or (2) above shall be accompanied by a statement setting out the provisions of section 244(1) and (2) of the Act, and that statement shall remain on deposit until the expiration of the period specified in the said section 244(1).

(4) Any document made available for inspection under this regulation shall be available for inspection free of charge at all reasonable hours.

Sale of documents

41.—(1) The local planning authority shall provide persons making a request in that behalf with copies of any plan or other document which has been made available for inspection under section 8(2) or 12(2) of the Act, subject to the payment of a reasonable charge therefor.

(2) As soon as possible after a structure or local plan becomes operative the local planning authority shall arrange for the printing of the plan, and thereafter at such times as the authority think fit, or the Secretary of State may direct, shall arrange for the reprinting of the plan; and printed copies of the plan shall be made available for sale to the public at a reasonable charge:

Provided that, unless the Secretary of State otherwise directs, it shall suffice in relation to the application of this paragraph to any operative alteration, repeal or replacement of a structure or local plan, if the alteration, repeal or replacement is taken into account when the plan is next reprinted.

Register and index map

42.—(1) The local planning authority shall prepare and keep up-to-date a register containing the following information in respect of their area, namely—

(*a*) brief particulars of any structure or local plan copies of which have been made available for inspection under section 8(2) or 12(2) of the Act, and of any action taken in connection with any such plan, including, in the case of an operative plan, the date on which the plan became operative and a reference to the boundary of the plan as shown on the index map prepared under paragraph (2) below;

(*b*) brief particulars of any proposals for the alteration, repeal or replacement of any structure or local plan copies of which have been made available for inspection under section 8(2) of the Act as applied by section 10(2) or section 12(2) of the Act as applied by section 15(3) and of any action taken in connection with any such proposals, including, in the case of an operative alteration, repeal or replacement, the date on which it became operative.

(2) The authority shall also prepare and keep up-to-date an index map for their area showing the boundary of any operative structure or local plan, together with a reference to the appropriate entry in the register prepared under paragraph (1) above.

(3) The authority shall make the register and index map available for inspection with any operative structure or local plan made available for inspection under regulation 40, and shall make certified copies of the register and index map available for inspection with copies of any structure or local plan made available for inspection under the provisions of the Act or of these regulations; and documents made available for inspection under this paragraph shall be available for inspection free of charge at all reasonable hours.

PART IX

ALTERATION OF STRUCTURE PLANS AND ALTERATION, REPEAL OR REPLACEMENT OF LOCAL PLANS

Alteration of structure plans

43. The provisions of these regulations relating to structure plans shall apply, with any necessary modifications, in relation to proposals for alterations to a structure plan as they apply in relation to a structure plan.

Alteration, repeal or replacement of local plans

44. The provisions of these regulations relating to local plans shall apply, with any necessary modifications, in relation to proposals for the alteration, repeal or replacement of a local plan as they apply in relation to a local plan.

PART X

PREPARATION AND MAKING, ETC., OF STRUCTURE OR LOCAL PLANS BY THE SECRETARY OF STATE

Preparation and making, etc., of structure or local plans by the Secretary of State

45. The provisions of these regulations shall apply, with any necessary modifications, in relation to the preparation and making of a structure plan

or local plan or, as the case may be, the alteration, repeal or replacement of a structure or local plan, by the Secretary of State under section 17 of the Act:

Provided that the local planning authority shall, unless the Secretary of State otherwise directs, give and serve such notices as are required by these regulations and comply with Part VIII hereof.

PART XI

STRUCTURE AND LOCAL PLANS: RECONCILIATION OF CONTRADICTIONS

Reconciliation of contradictions in structure plans

46.—(1) In the case of any contradiction in a structure plan between a separate part prepared under regulation 8 and the rest of the plan, the provisions of the separate part shall prevail.

(2) Subject to paragraph (1) above, in the case of any contradiction in a structure plan between the written statement and any other document forming part of the plan, the provisions of the written statement shall prevail.

Reconciliation of contradictions in local plans

47. In the case of any contradiction between the written statement and any other document forming part of a local plan, the provisions of the written statement shall prevail.

Reconciliation of contradictions between local plans

48. In the case of any contradiction between local plans for the same part of any area, the provisions which are more recently adopted, approved or made shall prevail.

Revocation and Savings

49. The Town and Country Planning (Structure and Local Plans) Regulations 1971(**a**) are hereby revoked: provided that in so far as these regulations contain a corresponding provision anything done under the regulations hereby revoked shall be deemed to have been done under the corresponding provision of these regulations.

(**a**) S.I. 1971/1109 (1971 II, p. 3291).

SCHEDULE 1

STRUCTURE PLANS

PART I

MATTERS TO WHICH POLICY IS REQUIRED TO RELATE BY REGULATION 9(1)

The matters to which the policy formulated in a structure plan written statement is required to relate by regulation 9(1) are such of the following matters as the local planning authority may think appropriate:

(i) Population.
(ii) Employment.
(iii) Housing.
(iv) Industry and commerce.
(v) Transportation.
(vi) Shopping.
(vii) Education.
(viii) Other social and community services.
(ix) Recreation and leisure.
(x) Conservation, townscape and landscape.
(xi) Utility services.
(xii) Any other relevant matters.

PART II

MATTERS REQUIRED BY REGULATION 10 TO BE CONTAINED IN WRITTEN STATEMENT

The matters required by regulation 10 to be contained in a structure plan written statement are such indications as the local planning authority may think appropriate of the following:

(i) The existing structure of the area to which the plan relates and the present needs and opportunities for change.

(ii) Any changes already projected, or likely to occur, which may materially affect matters dealt with in the plan, and the effect those changes are likely to have.

(iii) The effect (if any) on the area of the plan of any proposal to make an order under section 1 of the New Towns Act 1965 (designation of sites of new towns) or of any order made or having effect as if made under section 1 of the New Towns Act 1965 or of any known intentions of a development corporation established in pursuance of such an order.

(iv) The extent (if any) to which town development within the meaning of the Town Development Act 1952 is being, or is to be, carried out in the area to which the plan relates.

(v) The size, composition and distribution of population, and the state of employment and industry (and the assumptions on which estimates are based) in the area to which the plan relates, both at the time the plan is prepared and at such future times as the local planning authority think appropriate for the purposes of the plan.

(vi) The regard the local planning authority have had to the current policies with respect to the economic planning and development of the region as a whole.

(vii) The regard the local planning authority have had to social policies and considerations.

(viii) The regard the local planning authority have had to the resources likely to be available for carrying out the policy and general proposals formulated in the plan.

(ix) The broad criteria to be applied as respects the control of development in the area, or any part of the area, to which the plan relates.

(x) The extent and nature of the relationship between the policies formulated in the plan.

(xi) The considerations underlying any major items of policy formulated in the plan as respects matters of common interest to the local planning authority by whom the plan is prepared and the local planning authorities for neighbouring areas, and the extent to which those major items have been agreed by the authorities concerned.

(xii) Any other relevant matters.

SCHEDULE 2

Local Plans

Part I

Matters to which Proposals are Required to Relate by Regulation 16(1)

The matters to which the proposals formulated in a local plan written statement are required to relate by regulation 16(1) are such of the following matters as the local planning authority may think appropriate:

(i) Population.

(ii) Employment.

(iii) Housing.

(iv) Industry and commerce.

(v) Transportation.

(vi) Shopping.

(vii) Education.

(viii) Other social and community services.

(ix) Recreation and leisure.

(x) Conservation, townscape and landscape.

(xi) Utility services.

(xii) Any other relevant matters.

Part II

Matters required by Regulation 17 to be Contained in Written Statement

The matters required by regulation 17 to be contained in a local plan written statement are such indications as the local planning authority may think appropriate of the following:

(i) The character, pattern and function of the existing development and other use of land in the area to which the plan relates and the present needs and opportunities for change.

(ii) Any changes already projected, or likely to occur, which may materially affect matters dealt with in the plan, and the effect those changes are likely to have, including when the area to which the plan relates is within the area of a new town, the effect of any development proposed by the new town development corporation;

(iii) The regard the local planning authority have had to social policies and considerations.

(iv) The regard the local planning authority have had to the resources likely to be available for carrying out the proposals formulated in the plan.

(v) The criteria to be applied as respects the control of development in the area, or any part of the area, to which the plan relates.

(vi) The extent and nature of the relationship between the proposals formulated in the plan.

(vii) Any other relevant matters.

SCHEDULE 3

Regulation 20

FORMS OF NOTICES

Form 1: Form of notice of submission of structure plan

NOTICE OF SUBMISSION OF STRUCTURE PLAN

Town and Country Planning Act 1971
(Title of structure plan)

(1) submitted the above-named structure plan to the Secretary of State [for the Environment] [for Wales] (2) on 19 for his approval. [The plan relates to land in the following county district(s): (3)](2)

Certified copies of the plan, of the report of survey and of the statement mentioned in section 8(3) of the Act have been deposited at (4).

The deposited documents are available for inspection free of charge (5).

Objections to the plan should be sent in writing to the Secretary, [Department of the Environment, 2 Marsham Street, London, SWIP 3EB][Welsh Office, Summit House, Windsor Place, Cardiff, CF1 3BX] (2) before (6). Objections should state the matters to which they relate and the grounds on which they are made*. A person making objections may send a written request (stating his name and the address to which notice is to be sent) to (7) to be notified of the decision on the plan.

19 .

(Signature)

*Forms for making objections are obtainable at the places where documents have been deposited.

Regulation 21

Form 2: Form of notice of return of structure plan

NOTICE OF RETURN OF STRUCTURE PLAN

Town and Country Planning Act 1971
(Title of structure plan)

The above-named structure plan has been returned to (1) by the Secretary of State [for the Environment] [for Wales] (2) and the council have been directed to take certain further action as respects publicity in connection with the plan, and, after doing so, to resubmit the plan to the Secretary of State with such modifications, if any, as the authority then consider appropriate [within (8)] (2).

When the plan is resubmitted objections made to the plan as originally submitted will be considered, and there will be an opportunity to make objections to the plan as resubmitted.

19

(Signature)

Regulation 22

Form 3: Form of notice of resubmission of structure plan

NOTICE OF RESUBMISSION OF STRUCTURE PLAN

Town and County Planning Act 1971
(Title of structure plan)

[To:] (9)

(1) resubmitted the above-named structure plan [with modifications] [without modification] (2) to the Secretary of State [for the Environment] [for Wales] (2) on 19 for his approval. [The plan relates to land in the following county district(s): (3)] (2).

Certified copies of the plan, of the report of survey and of the statement mentioned in section 8(3) of the Act have been deposited at (4).

The deposited documents are available for inspection free of charge (5).

Objections to the plan should be sent in writing to the Secretary, [Department of the Environment, 2 Marsham Street, London, SWIP 3EB] [Welsh Office, Summit House, Windsor Place, Cardiff, CF1 3BX] (2) before (6). Objections should state the matters to which they relate and the grounds on which they are made*. A person making objections may send a written request (stating his name and the address to which notice is to be sent) to (7) to be notified of the decision on the plan. Objections made to the plan when it was originally submitted to the Secretary of State will be considered by him.

19 .

(Signature)

*Forms for making objections are obtainable at the places where documents have been deposited.

Regulation 23

Form 4: Form of notice of withdrawal of structure plan and of copies thereof made available for public inspection

NOTICE OF WITHDRAWAL OF STRUCTURE PLAN AND OF COPIES THEREOF MADE AVAILABLE FOR PUBLIC INSPECTION

Town and Country Planning Act 1971
(Title of structure plan)

Notice is hereby given that the above-named structure plan submitted to the Secretary of State for approval on (16) together with copies thereof made available for public inspection has been withdrawn by (1).

19 .

Signature.

Regulations 25 and 38

Form 5: Form of notice of proposed modifications to [structure] [local] plan

NOTICE OF PROPOSED MODIFICATIONS TO [STRUCTURE] [LOCAL] (2) PLAN

Town and County Planning Act 1971
(Title of [structure] [local] plan)

[To:] (9)

The Secretary of State [for the Environment] [for Wales] (2) proposes to modify the above-named plan.

Certified copies of the plan and of the list of proposed modifications (other than modifications which the Secretary of State is satisfied will not materially affect the content of the plan) have been deposited at (4).

The deposited documents are available for inspection free of charge (5).

Objections to the proposed modifications should be sent in writing to the Secretary, [Department of the Environment, 2 Marsham Street, London, SWIP 3EB] [Welsh Office, Summit House, Windsor Place, Cardiff, CFI 3BX] (2) before (6). Objections should state the matters to which they relate and the grounds on which they are made*. A person making objections may send a written request (stating his name and the address to which notice is to be sent) to (7) to be notified of the decision on the plan.

19 .

(Signature)

*Forms for making objections are obtainable at the places where documents have been deposited.

Regulation 26

Form 6: Form of notice of approval or rejection of structure plan

NOTICE OF [APPROVAL] [REJECTION] (2) OF STRUCTURE PLAN

Town and Country Planning Act 1971
(Title of structure plan)

[To:] (9)

On 19 the Secretary of State [for the Environment] [for Wales] [approved] [rejected](2) the above-named structure plan [so far as it relates to (12)] [with modifications] [and] [with reservations] (2).

Certified copies of the plan and of the Secretary of State's letter notifying his decision have been deposited at (4).

The deposited documents are available for inspection free of charge (5).

[The plan became operative on (13), but if any person aggrieved by the plan desires to question its validity on the ground that it is not within the powers conferred by Part II of the Town and Country Planning Act 1971, or that any requirement of the said Part II or of any regulations made thereunder has not been complied with in relation to the approval of the plan, he may, within six weeks from (14) make an application to the High Court under section 244 of the Town and Country Planning Act 1971] (15).

19 .

(Signature)

Footnotes to forms 1 to 6

1. Insert name of local planning authority or authorities.
2. Insert as appropriate.
3. Insert name(s) of county district(s).
4. Insert address of local planning authority's office and addresses of other places at which documents deposited.
5. Specify days and hours during which deposited documents are available for inspection.
6. Specify date not less than six weeks after date on which notice first published in local newspaper.
7. State appropriate officer and name and address of local planning authority.
8. State period specified in directions.
9. Insert, together with name and address of addressee, in personal notice.
10. State name of person appointed to hold local inquiry or hearing.
11. State time and date of local inquiry or other hearing and address at which it is to be held.
12. Give indication of area.
13. Insert date appointed in Secretary of State's letter.
14. Insert date of first publication of the notice.
15. Insert paragraph only if the plan is approved.
16. Insert date of submission of plan.

Regulation 29

Form 7: Form of notice of preparation of local plan

NOTICE OF PREPARATION OF LOCAL PLAN

Town and Country Planning Act 1971
(Title of local plan)

(1) have prepared the above-named local plan. [The plan relates to land in the following county district(s):—(2)] (3).

Certified copies of the plan, of the report of survey and of the statement mentioned in section 12(3) of the Act have been deposited at (4).

The deposited documents are available for inspection free of charge (5).

Objections to the plan should be sent in writing to (6) before (7). Objections should state the matters to which they relate and the grounds on which they are made*, and may include a request (stating the address to which notice is to be sent) to be notified of the decision on the plan.

19 .

(Signature)

*Forms for making objections are obtainable at the places where documents have been deposited.

Regulation 30(1)

Form 8: Form of notice of withdrawal of copies of local plan

NOTICE OF WITHDRAWAL OF COPIES OF LOCAL PLAN

Town and Country Planning Act 1971
(Title of local plan)

[To:](8)

The Secretary of State [for the Environment] [for Wales] (3) has directed (1) not to take any further steps for the adoption of the above-named local plan without taking certain further action as respects publicity in connection with the plan and satisfying him that they have done so.

The copies of the plan made available for inspection have been withdrawn. Before (1) take further steps for the adoption of the plan, copies of the plan will again be made available for inspection at the places where they were previously available for inspection. Objections made to the plan when copies were previously available for inspection will be considered, and there will be a further opportunity to make objections to the plan.

19 .

(Signature)

Regulation 30(2)

Form 9: Form of notice of re-deposit of copies of local plan

NOTICE OF RE-DEPOSIT OF COPIES OF LOCAL PLAN

Town and Country Planning Act 1971
(Title of local plan)

[To:](8)

(1) have decided to take further steps for the adoption of the above-named local plan. [The plan relates to land in the following county district(s):—(2)](3).

Certified copies of the plan, of the report of survey and of the statement mentioned in section 12(3) of the Act have been deposited at (4).

The deposited documents are available for inspection free of charge (5).

Objections to the plan should be sent in writing to (6) before (7). Objections should state the matters to which they relate and the grounds on which they are made*, and may include a request (stating the address to which notice is to be sent) to be notified of the decision on the plan. Objections made to the plan when copies were previously available for inspection will be considered.

19 .

(Signature)

*Forms for making objections are obtainable at the places where documents have been deposited.

Regulation 32

Form 10: *Form of notice of local inquiry or other hearing*

NOTICE OF [PUBLIC LOCAL INQUIRY] [HEARING] (3)

Town and Country Planning Act 1971
(Title of local plan)

(9) WILL HOLD A [PUBLIC LOCAL INQUIRY] [HEARING] (3) AT (10) INTO OBJECTIONS MADE [TO PROPOSED MODIFICATIONS] (3) TO THE ABOVE-NAMED LOCAL PLAN.

19 .

(Signature)

Regulation 34

Form 11: *Form of notice of proposal to modify local plan*

NOTICE OF PROPOSAL TO MODIFY LOCAL PLAN

Town and Country Planning Act 1971
(Title of local plan)

[To:](8)

(1) propose to modify the above-named local plan.

Certified copies of the plan, of the report of the [inquiry into] [hearing of](3) objections, of the council's statement prepared following the consideration of the report and of the list of proposed modifications have been deposited at (4).

The deposited documents are available for inspection free of charge (5).

Objections to the proposed modifications should be sent in writing to (6) before (7). Objections should state the matters to which they relate and the grounds on which they are made*, and may include a request (stating the address to which notice is to be sent) to be notified of the decision on the plan.

19 .

(Signature)

*Forms for making objections are obtainable at the places where documents have been deposited.

Regulation 35

Form 12: *Form of notice of decision to adopt local plan*

NOTICE OF DECISION TO ADOPT LOCAL PLAN

Town and Country Planning Act 1971
(Title of local plan)

[To:] (8)

(1) have decided to adopt the above-named local plan [as modified by them] (3) on or after (11), unless, before the plan has been adopted, the Secretary of State [for the Environment] [for Wales] (3) directs that the plan shall not be adopted until further notice or shall not have effect unless approved by him.

Certified copies of the plan [together with certified copies of the reports of all local inquiries or other hearings held and of the council's statements prepared following the consideration of such reports] (12) have been deposited at (4).

The deposited documents are available for inspection free of charge (5).

19 .

(Signature)

Regulation 36

Form 13*: Form of notice of adoption or abondonment of local plan*

NOTICE OF [ADOPTION] [ABANDONMENT] (3) OF LOCAL PLAN

Town and Country Planning Act 1971
(Title of local plan)

[To:] (8)

On 19 (1) by resolution [adopted] [abandoned] (3) the above-named local plan [as modified by the council] (3).

Certified copies of the plan and of the resolution [together with certified copies of the reports of all local inquiries or other hearings held and of the council's statements prepared following the consideration of such reports] (12) have been deposited at (4).

The deposited documents are available for inspection free of charge (5).

[The plan became operative on (13), but if any person aggrieved by the plan desires to question its validity on the ground that it is not within the powers conferred by Part II of the Town and Country Planning Act 1971, or that any requirement of the said Part II or of any regulations made thereunder has not been complied with in relation to the adoption of the plan, he may, within six weeks from (14), make an application to the High Court under section 244 of the Town and Country Planning Act 1971] (15).

19 .

(Signature)

Footnotes to forms 7 *to* 13

1. Insert name of local planning authority.
2. Insert name(s) of county district(s).
3. Insert as appropriate.
4. Insert address of local planning authority's office and addresses of other places at which documents deposited.
5. Specify days and hours during which deposited documents are available for inspection by public.
6. State appropriate officer and name and address of local planning authority.
7. Specify date not less than six weeks after date on which notice first published in local newspaper.
8. Insert, together with name and address of addressee, in personal notice.
9. Insert name of person appointed to hold local inquiry or hearing.
10. State time and date of local inquiry or other hearing and address at which it is to be held.
11. Specify date taking account of the period of 28 days specified in regulation 35(2).
12. Modify as necessary or omit where inappropriate.
13. Insert date appointed in the resolution.
14. Insert date of first publication of the notice.
15. Insert paragraph only if plan is adopted.

Peter Walker,
Secretary of State for the Environment.

31st July 1972.

Peter Thomas,
Secretary of State for Wales.

28th July 1972.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These regulations revoke and re-enact the Town and Country Planning (Structure and Local Plans) Regulations 1971, with the substitution of references to the provisions of the Town and Country Planning Act 1971 for references to the provisions of the enactments consolidated by that Act and with amendments which take into account the provisions of the Town and Country Planning (Amendment) Act 1972 (c.42). They make provision with respect to the form and content of structure and local plans prepared under Part II of the Town and Country Planning Act 1971 and with respect to the procedure to be followed in connection with their preparation, submission and approval or adoption, as the case may be. There is also provision for the procedure to be followed in connection with the withdrawal of structure plans, with the alteration of structure plans and with the alteration, repeal or replacement of local plans.

The substance of the former regulations is reproduced, with the following differences:

(*a*) the provisions relating to the procedure to be followed in connection with structure plans include provisions relating to joint structure plans made under section 10A of the Act of 1971 in respect of combined areas;

(*b*) there are additional provisions (regulation 23) relating to the procedure to be followed in connection with the withdrawal of structure plans;

(*c*) the former provisions relating to the holding of local inquiries for the purpose of considering objections made to a structure plan have been replaced by a provision (regulation 24) referring to the examination in public which the Secretary of State is now required to hold by virtue of the provisions of section 9(3) of the Act of 1971 (as amended by section 3 of the Act of 1972);

(*d*) there is a new requirement (regulation 6(1)(*b*)) for the local planning authority to consult with the New Town Development Corporation before finally determining the content of a structure or local plan where any land to which the plan relates is included in the area of a new town.

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