



Town and Country Planning Act 1968

CHAPTER 72

TOWN AND COUNTRY PLANNING ACT 1968

PART I

NEW PROVISIONS AS TO DEVELOPMENT PLANS

Survey and structure plan

- 1 Survey of planning areas.
- 2 Preparation of structure plans.
- 3 Publicity in connection with preparation of structure plan.
- 4 Approval or rejection of structure plan by Minister.
- 5 Alteration of structure plans.

Local plans

- 6 Preparation of local plans.
- 7 Publicity in connection with preparation of local plans.
- 8 Inquiries etc. with respect to local plans.
- 9 Adoption and approval of local plans.
- 10 Alteration of local plans.

Supplementary provisions

- 11 Disregarding of representations with respect to development authorised by or under other enactments.
- 12 Default powers of Minister.
- 13 Supplementary provisions as to structure and local plans.
- 14 Application to Greater London.

PART II

ENFORCEMENT OF PLANNING CONTROL

Status: This is the original version (as it was originally enacted).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

Enforcement notices

- 15 New provision as to enforcement notices.
- 16 Appeal against enforcement notice.

Established use

- 17 Certification of established use.
- 18 Grant of certificate by Minister on referred application or appeal against refusal.

Stop notices

- 19 Power to stop further development pending proceedings on enforcement notice.
- 20 Compensation for loss due to stop notice.

PART III

APPEALS

- 21 Determination of planning and similar appeals by persons appointed by the Minister.
- 22 Determination of appeals by the Minister.
- 23 Appointment of another person to determine an appeal.
- 24 Local inquiries and hearings.
- 25 Stopping of appeals.
- 26 Supplementary.

PART IV

ACQUISITION AND DISPOSAL OF LAND

Land acquisition by government departments and local authorities

- 27 Repeal of existing provisions for compulsory acquisition of land.
- 28 Compulsory acquisition of land in connection with development and for other planning purposes.
- 29 Compulsory acquisition of land by certain Ministers.
- 30 Power of authorities possessing compulsory purchase powers to make general vesting declarations.
- 31 Compulsory purchase or appropriation of open spaces.
- 32 Grounds on which Minister may refuse to confirm purchase notice.

Planning blight

- 33 New descriptions of land qualifying for protection.
- 34 Power of mortgagee to serve blight notice.
- 35 Extension of grounds of objection to blight notice.
- 36 Compensation for compulsory purchase of land in clearance areas and of historic buildings.
- 37 Miscellaneous amendments of Part VIII of principal Act.
- 38 Consequential amendments of ss.138 to 150 of principal Act.

Disposal of land by public authorities

- 39 Restriction on exercise by public authorities of power of disposing of land.

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PART V

BUILDINGS OF ARCHITECTURAL OR HISTORIC INTEREST

Restriction on demolition and other works

- 40 New provisions restricting demolition etc. of listed buildings.
- 41 Provisions supplementary to s.40.

Owner's rights on refusal of consent to works

- 42 Purchase notice on refusal or conditional grant of listed building consent.
- 43 Compensation for refusal of consent to alterations etc.

Enforcement

- 44 Notice to enforce s. 40 control.
- 45 Penalties for non-compliance with notice under s.44.
- 46 Execution and cost of works required under enforcement procedure.
- 47 Enforcement by, or by direction of, the Minister.

Other measures open to local planning authority and the Minister

- 48 Building preservation notice in respect of building not listed.
- 49 Compensation for loss or damage caused by service of building preservation notice.
- 50 Compulsory acquisition of listed building in need of repair.
- 51 Repairs notice as preliminary to compulsory acquisition.
- 52 Compensation on compulsory acquisition.
- 53 Minimum compensation in case of building deliberately left derelict.

Miscellaneous

- 54 Matters which may be taken into account by Minister in listing buildings.
- 55 Application of control to local planning authorities.
- 56 Directions by Minister to local planning authorities with respect to development affecting Conservation Areas.
- 57 Additional requirement of notice for development affecting Conservation Area.
- 58 Removal of need for Minister's consent to certain local authority grants.
- 59 Compulsory purchase affecting ancient monuments, etc.
- 60 Crown land.

PART VI

MISCELLANEOUS CHANGES IN PLANNING LAW

Planning Inquiry Commissions

- 61 Constitution of Planning Inquiry Commissions.
- 62 References to a Planning Inquiry Commission.
- 63 Procedure on a reference to a Planning Inquiry Commission.

Delegation of planning functions

- 64 Delegation of planning functions to officers of local authorities.

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Duration of planning permission

- 65 Limit of duration of planning permissions past and future.
- 66 Outline planning permissions.
- 67 Provisions supplementary to ss.65 and 66.
- 68 Termination of planning permission by reference to time limit.

Statutory undertakers

- 69 New provision as to what is " operational land " of statutory undertakers.
- 70 Planning applications and appeals by statutory undertakers.
- 71 Restriction on entitlement of statutory undertakers to compensation for adverse planning decisions.
- 72 Modifications of s.164 of principal Act.
- 73 Notice for same purposes as s. 164, but given by statutory undertakers to developing authority.

General planning control

- 74 Expansion of building below ground to constitute development.
- 75 Modification of transitory exemptions based on pre-1948 use.
- 76 Posting of site notice prior to planning application.
- 77 Extension of s.19 of principal Act with respect to development affecting trunk and special roads.
- 78 Local register of planning applications.
- 79 Reference to Minister of application for approval under outline planning permission.
- 80 Unopposed revocation or modification of planning permission.
- 81 Procedure in connection with making and confirmation of tree preservation orders.
- 82 Notice by Minister to planning authority when exercising default powers.

Control of office development

- 83 Partial abrogation of dual control of office development.
- 84 Modifications of section 7 of 1965 Act.
- 85 Restriction on creation of office premises in building altered or extended.
- 86 Corresponding restriction on planning permission for erection of several buildings.
- 87 Provisions supplementary to ss. 83 to 86.
- 88 Transfer of Minister's functions in relation to Location of Offices Bureau.

Stopping-up and diversion of highways

- 89 Transfer of Ministerial functions as to stopping-up etc. of footpaths and bridleways.
- 90 Procedure for making orders for stopping-up and diverting highways.
- 91 New powers to authorise stopping-up and diversion of highways.
- 92 Conversion of highway into footpath or bridleway.
- 93 Provision of amenity for highway reserved to pedestrians.
- 94 Powers for local authorities analogous to s.153 of principal Act.

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- 95 Extinguishment of footpaths etc. over land held for planning purposes.
- 96 Confirmation, validity, etc. of orders under ss.94 and 95.
- 97 Miscellaneous amendments of Part IX of principal Act.

Exchequer and Treasury matters

- 98 Grants for research, etc.
- 99 Exchequer contributions in connection with town development.
- 100 Agreements of Crown Estate Commissioners.

Punishment of offences

- 101 Increase of certain penalties under principal Act.
- 102 Offences by corporations.

PART VII

GENERAL

- 103 Expenses.
- 104 Interpretation.
- 105 Commencement.
- 106 Adaptation, amendment and modification of enactments.
- 107 Transitional provisions and savings.
- 108 Repeals.
- 109 Short title, citation and extent.

SCHEDULES

SCHEDULE 1 — Special Provisions as to Development Plans in Greater London.

Survey of planning areas

- 1 The matters to be examined and kept under review under...
- 2 The matters to be so examined or kept under review...
- 3 Any survey by a London borough council under section 1...

Structure plans

- 4 The Greater London development plan shall be treated for the...
- 5 The structure plan required by section 2 of this Act...
- 6 A London borough council shall send any report and structure...
- 7 The information on which a London borough council's policy and...
- 8 The inclusion in the Greater London development plan of an...
- 9 Before giving a direction to a London borough council under...

Alterations to structure plans

- 10 A direction under section 5(1) of this Act to a...
- 11 Before giving such a direction the Minister or Greater London...
- 12 The report required by section 5 of this Act to...
- 13 Paragraphs 5, 6 and 7 of this Schedule shall apply...

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Local plans

- 14 Notwithstanding anything in section 24 of the London Government Act...
- 15 The council of a London borough any part of which...
- 16 References in section 6(6) and (9) of this Act to...
- 17 The duty of the Minister under section 6(10) of this...
- 18 On sending a copy of a local plan to the...
- 19 Section 10(3) of this Act shall, in its application to...

SCHEDULE 2 — Provisions as to Established use Certificates.

Application for certificate and appeal against refusal thereof

- 1 An application for an established use certificate shall be made...
- 2 Provision may be made by a development order for regulating...
- 3 (1) A development order may provide that an application for...

Provisions with respect to grant of certificate

- 4 An established use certificate shall be in such form as...
- 5 Where the Minister grants an established use certificate, he shall...
- 6 In section 19(4) of the principal Act (register of decisions...

SCHEDULE 3 — General Vesting Declarations for Land Compulsorily Acquired.

Execution of general vesting declarations

- 1 Where a compulsory purchase order authorising an acquiring authority to...
- 2 (1) Before making a general vesting declaration with respect to...
- 3 A general vesting declaration shall not be executed before the...
- 4 As soon as may be after executing a general vesting...
- 5 For the purposes of this Schedule, a certificate by the...

Effect of general vesting declaration

- 6 At the end of the period specified in a general...
- 7 At the end of the period specified in a general...
- 8 Where any land specified in a general vesting declaration is...
- 9 (1) Subject to the following sub-paragraph, the supplementary provisions contained...

Recovery of compensation overpaid

- 10 The provisions of paragraphs 11 to 15 below shall have...
- 11 If, in a case falling within paragraph 10 above, it...
- 12 If, in a case falling within paragraph 10 above, it...
- 13 Any question arising under paragraph 11 or 12 above—
- 14 Subject to paragraph 13 above, any amount recoverable by the...
- 15 Any sum recovered under paragraph 11 or 12 above in...

Supplemental

- 16 (1) In this Schedule " minor tenancy " means a...
- 17 In this Schedule— " relevant enactments ", in relation to...

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SCHEDULE 4 — Consequential Amendments of Planning Blight Provisions of 1962 Act.

Section 138
Section 139
Section 140
Section 141
Section 142
Section 144
Section 145
Section 146
Section 149
Section 150

SCHEDULE 5 — Control of Works for Demolition, Alteration or Extension of Listed Buildings.

PART I — APPLICATIONS FOR LISTED BUILDING CONSENT

- 1 (1) Provision may be made by regulations under this Act...
- 2 (1) Regulations under this Act may provide that an application...
- 3 (1) The Minister may give directions requiring applications for listed...
- 4 (1) Subject to the following provisions, a local planning authority...
- 5 (1) Subject to the following provisions, where application for listed...
- 6 (1) The Minister may give directions that, in the case...
- 7 (1) Where an application is made to the local planning...
- 8 Where an application is made to the local planning authority...

PART II — REVOCATION OF LISTED BUILDING CONSENT

- 9 (1) If it appears to the local planning authority, having...
- 10 (1) If it appears to the Minister, after consultation with...
- 11 (1) Where listed building consent is revoked or modified by...
- 12 (1) The following provisions shall have effect where the local...

PART III — PROCEEDINGS ON LISTED BUILDING PURCHASE NOTICE

- 13 (1) The council on whom a listed building purchase notice...
- 14 (1) Subject to the following provisions of this paragraph, if...
- 15 (1) Where the Minister confirms a listed building purchase notice,...
- 16 Where in consequence of listed building consent being revoked or...

PART IV — PROVISIONS ABOUT LISTED BUILDING ENFORCEMENT NOTICES

- 17 (1) A listed building enforcement notice shall be served on...
- 18 (1) A person on whom a listed building enforcement notice...

PART V — PROVISIONS APPLICABLE ON LAPSE OF BUILDING PRESERVATION NOTICE

- 19 The provisions of this Part of this Schedule apply where...
- 20 The fact that the building preservation notice has ceased to...
- 21 Any proceedings on or arising out of an application for...
- 22 Any listed building enforcement notice served by the local planning...

SCHEDULE 6 — Construction of References in Sections 62 and 63 to " the responsible minister or ministers ".

- 1 In relation to matters specified in the first column of...
- 2 Where an entry in the second, third or fourth columns...

SCHEDULE 7 — Procedure in connection with Orders relating to Footpaths and Bridleways.

PART I — CONFIRMATION OF ORDERS

- 1 (1) Before an order under section 94 or 95 of...

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- 2 If no representations or objections are duly made, or if...
- 3 (1) If any representation duly made is not withdrawn, the...
- 4 (1) The Minister shall not confirm an order under section...
- 5 Regulations under this Act may, subject to this Part of...
PART II — PUBLICITY FOR ORDERS AFTER CONFIRMATION
- 6 As soon as may be after an order under section...

SCHEDULE 8 — Increase of Penalties under Principal Act.

Section 16 (Notification of application for planning permission to owners of the land and others)

Section 47 (Penalties for non-compliance with enforcement notice)

Section 51 (Effect of enforcement notice on subsequent development)

Section 56 (Non-compliance with notice requiring proper maintenance of unoccupied or waste land)

Section 61 (Enforcement of orders requiring discontinuance of use or alteration or removal of buildings or works)

Section 63 (Enforcement of control of advertisements)

Section 212 (Supplementary provisions as to rights of entry)

Section 215 (Power to require information as to interests in land)

SCHEDULE 9 — Adaptation and Interpretation of Enactments, etc.

PART I — GENERAL PROVISIONS FOR ADAPTATION AND INTERPRETATION

- 1 For the purposes of the principal Act, this Act, any...
- 2 For the said purposes the development plan for any district...
- 3 References in paragraphs 1 and 2 above to the provisions...
- 4 References in paragraphs 1 to 3 above to notices of...
- 5 Any reference in the principal Act to the carrying out...
- 6 References in any Act to the acquisition of land under...
- 7 Any reference in the Land Compensation Act 1961 to an...
- 8 The foregoing provisions of this Schedule shall have effect subject...

PART II — SPECIFIC ADAPTATIONS, AMENDMENTS AND MODIFICATIONS

The Highways Act 1959 (c. 25)

- 9 In section 38(2) (specification of highways which are to be...

The Public Health Act 1961 (c. 64)

- 10 In Schedule 4 (attachment of street lighting equipment to buildings),...

The Town and Country Planning Act 1962 (c. 38)

- 11 Any reference to section 68 of the Act shall be...
- 12 In section 3(1) (delegation of functions of local planning authorities)...
- 13 In section 15(1)(b) (certain planning applications not to be determined)...

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- 14 In section 16(1) (application for planning permission to be accompanied...
- 15 In section 17 (determination of planning applications),—
- 16 In section 19 (provision which can be made by regulations...
- 17 In section 32(4) (duty of Minister to notify the owner...
- 18 So much of section 34(4) (definition of areas of special...
- 19 In section 37(1) (power of local planning authority to make...
- 20 In section 49(1) (supplementary provisions as to enforcement notices) for...
- 21 In section 63 (enforcement of control of advertising) in subsection...
- 22 In section 64 (supplementary provisions as to appeals under Part...
- 23 In section 65 (recovery by local planning authority of expenses...
- 24 In section 66 (local authority land),— (a) in subsection (1),...
- 25 In section 71(1) (acquisition of land by agreement), for paragraph...
- 26 In section 73(1) (appropriation of land for planning purposes), the...
- 27 In section 78(2) (cases where the Minister's consent is needed...
- 28 In section 78(7) (special provisions as to land comprised in...
- 29 In section 86(1) of the principal Act (objections to compulsory...
- 30 In section 126 (compensation for restrictions on advertising), in paragraph...
- 31 In section 127 (general provisions as to compensation for depreciation...
- 32 In section 128(1) (determination of claims for compensation) after the...
- 33 In section 159 (determination of applications etc. by statutory undertakers...
- 34 In section 160(2) (Ministers responsible for dealing with planning application...
- 35 In section 176 (validity of development plans, and of certain...
- 36 In section 177 (validity of enforcement notices and similar notices)...
- 37 For section 178 (proceedings for questioning validity of development plans...
- 38 In section 179(6) (construction of references in that section to...
- 39 In section 180 (appeals to High Court relating to enforcement...
- 40 In section 183 (orders subject to special parliamentary procedure), after...
- 41 In section 188 (contributions by Ministers towards compensation paid by...
- 42 In section 189 (contribution by local authorities and statutory undertakers)—...
- 43 In section 196 (expenses of county councils), after the word...
- 44 In section 197(1) (power to modify Act in relation to...
- 45 In section 199 (exercise of powers in relation to Crown...
- 46 In section 203(1) (Scilly Isles) after the words " Eighth...
- 47 In section 204(1) (application to the National Coal Board of...
- 48 In section 205 (ecclesiastical property)— (a) in subsection (1), the...
- 49 Section 207 (default powers of Minister) shall be amended as...
- 50 Section 211 (general powers of entry) shall be amended as...
- 51 In section 215(1) (power to require information as to interests...
- 52 In section 217 (regulations and orders)— (a) in subsection (1)(a)...
- 53 Section 221(1) (interpretation) shall be amended as follows:—
- 54 In paragraph 5 of Schedule 2 (joint advisory committees for...
- 55 In Schedule 8 (provisions of principal Act listed for the...
- 56 In Schedule 13 (savings and transitional provisions) in paragraph 6(2),...

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The London Government Act 1963 (c. 33)

- 57 In section 21 (housing powers) the reference to an area...
- 58 For section 24(3) (local planning authorities) there shall be substituted...
- 59 In section 24(4),— (a) after the words " Planning Act...
- 60 After the said section 24(4) there shall be inserted the...
- 61 In section 24(5) and (9) the references to sections 24...

The Control of Office and Industrial Development Act 1965 (c. 33)

- 62 In section 8 (provisions as to conditions to be attached...
- 63 Section 9 (enforcement notices relating to land in Greater London)...
- 64 In section 16 (interpretation of Part I), in subsection (7),...

The Industrial Development Act 1966 (c. 34)

- 65 In section 22 (requirement of industrial development certificate in certain...
- 66 In section 24 (provisions as to conditions of industrial development...

The Land Commission Act 1967 (c. 1)

- 67 In section 6(3) (conditions precedent to the compulsory purchase of...

The General Rate Act 1967 (c. 9)

- 68 In Schedule 1 (rating of unoccupied property), in paragraph 2(c)...

The Civic Amenities Act 1967 (c. 69)

- 69 In section 1 (preservation of character of areas of special...
- 70 In section 3 (acts causing or likely to result in...
- 71 Section 8 (management of buildings acquired under section 69 of...
- 72 In section 14 (default powers and appeals in relation to...
- 73 In section 16 (power of local planning authority to make...
- 74 In section 30 (interpretation), in subsection (1), after the definition...

The Leasehold Reform Act 1967 (c. 88)

- 75 In section 28(6) (description of development which, if proposed to...

SCHEDULE 10 — Transitional Provisions and Savings.

Development plans

- 1 Until the repeal of Part II of the principal Act...
- 2 On the repeal of the said Part II and, where...
- 3 Subject to the following provisions of this Schedule, where by...
- 4 Where a structure plan is in force in any district,...
- 5 Where a structure plan is in force in any district,...
- 6 Subject to paragraph 7 below, the Minister may by order...
- 7 Before making an order with respect to a development plan...
- 8 Any reference in the foregoing provisions of this Schedule to...
- 9 Any reference in paragraphs 1 and 2 above to the...

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Enforcement of planning control

- 10 (1) References in this Act to an enforcement notice shall...
- 11 Section 9 of the Control of Offices and Industrial Development...
- 12 The amendment of section 14 of the Civic Amenities Act...

Acquisition of land

- 13 Sections 27 to 29 of this Act shall not apply...
- 14 Section 30 of this Act shall not apply to the...
- 15 In relation to a notice served under section 139 of...
- 16 (1) Notwithstanding any amendment by this Act of sections 138...
- 17 The validity of a compulsory purchase order made under section...

Buildings of architectural or historic interest

- 18 (1) Where, before the commencement of Part V of this...
- 19 Where, before the commencement of Part V of this Act...
- 20 The repeal by this Act of section 30 of the...

The National Coal Board

- 21 The provisions of Part X of the principal Act applied...

SCHEDULE 11 — Enactments Repealed.