



Planning and Compulsory Purchase Act 2004

2004 CHAPTER 5

PART 4

DEVELOPMENT CONTROL

Simplified planning zones

45 Simplified planning zones

- (1) In section 83 of the principal Act (making simplified planning zone schemes) subsection (1) is omitted.
- (2) Before section 83(2) of that Act there are inserted the following subsections—

“(1A) This section applies if—

- (a) the regional spatial strategy for the region in which the area of a local planning authority in England is situated identifies the need for a simplified planning zone in that area (or any part of it);
- (b) the criteria prescribed by the National Assembly for Wales for the need for a simplified planning zone are satisfied in relation to the area (or any part of the area) of a local planning authority in Wales.

(1B) The local planning authority must consider the question for which part or parts of their area a simplified planning zone scheme is desirable.

(1C) The local planning authority must keep under review the question mentioned in subsection (1B).”

- (3) For section 83(2) of that Act there are substituted the following subsections—

“(2) A local planning authority must make a simplified planning zone scheme for all or any part of their area—

- (a) if as a result of the consideration mentioned in subsection (1B) or the review mentioned in subsection (1C) they decide that it is desirable to do so;
 - (b) if they are directed to do so by the Secretary of State or the National Assembly for Wales (as the case may be).
- (2A) A local planning authority may at any time—
- (a) alter a scheme adopted by them;
 - (b) with the consent of the Secretary of State alter a scheme made or altered by him under paragraph 12 of Schedule 7 or approved by him under paragraph 11 of that Schedule;
 - (c) with the consent of the National Assembly for Wales alter a scheme made or altered by it under paragraph 12 of Schedule 7 or approved by it under paragraph 11 of that Schedule.
- (2B) A simplified planning zone scheme for an area in England must be in conformity with the regional spatial strategy.”
- (4) In section 83 of that Act after subsection (3) there is inserted the following subsection—
- “(4) In this section and in Schedule 7—
- (a) a reference to the regional spatial strategy must be construed in relation to any area in Greater London as a reference to the spatial development strategy;
 - (b) a reference to a region must be construed in relation to such an area as a reference to Greater London.”
- (5) In section 85(1) of that Act (duration of simplified planning zone scheme) for the words from “period” to the end there is substituted “specified period”.
- (6) After section 85(1) of that Act there is inserted the following subsection—
- “(1A) The specified period is the period not exceeding 10 years—
- (a) beginning with the date when the scheme is adopted or approved, and
 - (b) which is specified in the scheme.”
- (7) In Schedule 7 of that Act in paragraph 2 (notification of proposal to make scheme) for “decide under section 83(2) to make or” there is substituted “are required under section 83(2) to make or decide under section 83(2A) to”.
- (8) In Schedule 7 of that Act paragraphs 3 and 4 are omitted.
- (9) In Schedule 7 of that Act in paragraph 12 (default powers of Secretary of State) for sub-paragraph (1) there are substituted the following sub-paragraphs—
- “(1) This paragraph applies if each of the following conditions is satisfied.
- (1A) The first condition is that—
- (a) the regional spatial strategy for the region in which the area of a local planning authority is situated identifies the need for a simplified planning zone in any part of their area, or
 - (b) the criteria prescribed by the National Assembly for Wales for the need for a simplified planning zone are satisfied in relation to the area of a local planning authority in Wales.

- (1B) The second condition is that the Secretary of State or the National Assembly for Wales (as the case may be) is satisfied after holding a local inquiry or other hearing that the authority are not taking within a reasonable period the steps required by this Schedule for the adoption of proposals for the making or alteration of a scheme.
- (1C) The Secretary of State or the National Assembly for Wales (as the case may be) may make or alter the scheme.”