
STATUTORY INSTRUMENTS

1988 No. 139

**TOWN AND COUNTRY PLANNING,
ENGLAND AND WALES**

**The Town and Country Planning (Unitary
Development Plans) Regulations 1988**

<i>Made</i>	- - - -	<i>1st February 1988</i>
<i>Laid before Parliament</i>		<i>8th February 1988</i>
<i>Coming into force</i>	- -	<i>29th February 1988</i>

The Secretary of State in exercise of the powers conferred upon him by section 4(3) of, and paragraphs 2(2)(b), (3) and (6), 3(1), 10(2), 10A(4), 12(2), 13(2) and 14(1) of Schedule 1 to, the Local Government Act 1985(1) and sections 287(1) and 290(2) of the Town and Country Planning Act 1971(3) and of all other powers enabling him in that behalf hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Town and Country Planning (Unitary Development Plans) Regulations 1988 and shall come into force on 29th February 1988.

Interpretation

2. In these Regulations,—

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

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

“Schedule 1” means Schedule 1 to the Local Government Act 1985; and

references to a numbered form are references to the form so numbered in the Schedule hereto.

Application

3. These regulations apply—

(1) 1985 c. 51: paragraph 10A is inserted by Part II of Schedule 10 to the Housing and Planning Act 1986 (c. 63) and paragraph 12 is amended by paragraph 26 of Schedule 11 to that Act.
(2) See the definition of “prescribed”.
(3) 1971 c. 78.

- (a) as respects the making of unitary development plans by local planning authorities for London boroughs and metropolitan districts;
- (b) in accordance with regulation 22, as respects the making of such plans by such authorities jointly;
- (c) in accordance with regulation 23, as respects the alteration or replacement of such plans; and
- (d) as respects the approval by the Secretary of State of such plans or their alteration or replacement and, in accordance with regulation 25, as respects the making, alteration or replacement of such plans by him.

Prescribed period for making representations

4. The period prescribed pursuant to paragraph 3(1) of Schedule 1 as the period for making representations about the matters proposed to be included in a unitary development plan is a period of six weeks beginning with such later date as the local planning authority specify when first giving publicity to those matters.

Action Areas: prescribed period

5. The period prescribed pursuant to paragraph 2(6) of Schedule 1 (period for the commencement of comprehensive treatment of an action area) is a period of 10 years beginning with the date on which the relevant plan is first made available for inspection in accordance with paragraph 3(2) of Schedule 1.

Unitary development plans: title

6.—(1) A unitary development plan shall be given a title which comprises the name of the area of the local planning authority followed by the words “unitary development plan”.

(2) The title of the plan shall be set out on all documents forming part of, or annexed to, a unitary development plan.

Maps

7.—(1) Subject to paragraph (2) below, the map required by paragraph 2(2)(b)(ii) of Schedule 1 to be included in Part II of a unitary development plan (“the proposals map”) shall be a map of the authority’s area reproduced from, or based upon, an Ordnance Survey map and shall show National Grid lines and reference numbers.

(2) Proposals for any part of the authority’s area may be shown on a separate map (an “inset map”) to a larger scale.

(3) Where an inset map is included in a plan, the area covered by that map shall be delineated on the proposals map and the proposals for that area shown only on the inset map.

(4) All maps forming part of a unitary development plan shall bear an indication of their scale and all maps and diagrams forming part of such a plan or made available for inspection in connection with such a plan to indicate or explain the proposals in the plan shall carry an explanation of any symbols or notation used in them.

Explanations of policy

8. The reasoned justification of the general policies in Part I and of the proposals in Part II of a unitary development plan shall itself include—

- (a) a statement of the regard which the authority have had in formulating the general policies in Part I to—
 - (i) any strategic guidance which the Secretary of State has given the authority to assist them in preparing the plan;
 - (ii) current national and regional policies;
 - (iii) the resources likely to be available to carry out the general policies set out in the plan;
 - (iv) social considerations;
 - (v) any policies and proposals of an urban development corporation which may, or may be expected to, affect their area; and
- (b) a statement of the account which the authority have taken of any enterprise zone scheme in their area.

Proposed plan open to inspection: notice

9. A local planning authority making a proposed unitary development plan available for inspection in accordance with paragraph 3(2) of Schedule 1 shall—

- (a) make available for inspection with the plan a copy of the statement mentioned in paragraph 3(3) of Schedule 1; and
- (b) give notice by advertisement in Form 1.

Objections

10.—(1) The period afforded for making objections to a unitary development plan shall be six weeks beginning with the date on which a notice given pursuant to regulation 9 (or, in the case of modifications, regulation 12 or 19) is first published in a local newspaper.

(2) Objections shall be made in writing and addressed to the relevant local planning authority at their principal office.

Notice of withdrawal of a proposed plan

11.—(1) A local planning authority withdrawing a unitary development plan before it is adopted by them or approved by the Secretary of State (whether doing so pursuant to a direction given by him or otherwise) shall give notice by advertisement in Form 2.

(2) The notice required by paragraph 3(5) or 4(2) of Schedule 1 to be served on persons who have objected to a plan which is being withdrawn shall be in substantially the same form as the notice required to be given by paragraph (1) above.

(3) A copy of a notice withdrawing a unitary development plan shall be sent to the Secretary of State.

Modification of a proposed plan by the local planning authority

12. A local planning authority intending to modify a proposed unitary development plan (whether to comply with a direction given by the Secretary of State under paragraph 6A(4) of Schedule 1 or on their own initiative) shall, unless they are satisfied that the modifications they intend to make will not materially affect the content of the plan,—

- (a) prepare a list of the modifications with their reasons for proposing them;
- (b) publish a notice by local advertisement in Form 3; and

(4) Paragraph 6A is inserted by Part II of Schedule 10 to the Housing and Planning Act 1986 (c. 63).

- (c) serve a notice in similar form on any person who has duly objected to the plan and not withdrawn his objection and on any other person whom they consider should be given notice.

Notice of a local inquiry or other hearing

13. A local planning authority shall at least six weeks before the opening of any local inquiry or other hearing which they cause to be held to consider objections to a proposed unitary development plan or to proposed modifications to such a plan—

- (a) give any person who has duly objected to the plan or proposed modifications and not withdrawn his objection and such other persons as they consider should be so advised, notice of the time and place at which the inquiry or other hearing is to be held and of its purpose; and
- (b) in the case of an inquiry, give notice by local advertisement of the matters mentioned in head (a).

Local inquiry to be held in public

14. A local inquiry held to consider objections to a proposed unitary development plan or to proposed modifications to such a plan shall be held in public.

Consideration of the report of a local inquiry or other hearing

15.—(1) Where a local planning authority cause a local inquiry or other hearing to be held for a purpose mentioned in regulation 13, the 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) of the reasons for those decisions.

(2) The local planning authority shall make a copy of any such report and statement of decisions and reasons available for inspection from the date on which notice is first given under regulation 17(1) or, where a list of proposed modifications or further proposed modifications to the plan is made available for inspection after the statement has been prepared, from the date on which that list is so made available.

Consideration of objections without an inquiry or other hearing

16.—(1) If objections have been duly made to a proposed unitary development plan and not withdrawn, but no local inquiry or other hearing is held because the persons making those objections have indicated in writing that they do not wish to appear, the local planning authority shall prepare a statement of their decisions as respects all the objections and their reason for each decision.

(2) Regulation 15(2) shall apply to a statement prepared pursuant to paragraph (1) of this regulation as it applies to a statement prepared pursuant to regulation 15(1).

Action prior to adopting a unitary development plan

17.—(1) Where a local planning authority are disposed to adopt a unitary development plan, they shall before doing so—

- (a) publish a notice by local advertisement in Form 4;

- (b) serve a notice in similar form on any person who has duly objected to the plan or to any proposed modifications thereto and not withdrawn his objection and on any other person whom they consider should be given notice; and
 - (c) where the Secretary of State has given a direction to the authority under paragraph 6A(1) of Schedule 1 to consider modifying the plan, make available for public inspection—
 - (i) a copy of the direction;
 - (ii) particulars of any modifications made to comply with the direction and of the manner in which and extent to which they do so;
 - (iii) where modifications have not been made, a statement of the reasons for not doing so; and
 - (iv) a copy of any notification by the Secretary of State that he is satisfied with the modifications made or that the direction is withdrawn.
- (2) The local planning authority shall after complying with paragraph (1) send the Secretary of State—
- (a) a certificate that they have so complied;
 - (b) particulars of any modifications that have been made to the plan otherwise than in consequence of the giving by him of a direction.
- (3) Without prejudice to paragraphs 5(3) and 6A(2) of Schedule 1 and paragraph (4) of this regulation, a local planning authority shall not adopt a unitary development plan until at least 28 days after complying with paragraph (2).
- (4) If before the local planning authority have adopted a unitary development plan, the Secretary of State directs them not to adopt it until he has decided whether to give them a direction under paragraph 7(1) of Schedule 1 in relation to the plan, they shall not adopt the plan until he has notified them of his decision.
- (5) Where, after the local planning authority have complied with paragraph (1), the Secretary of State gives the authority a direction under paragraph 6A(1) of Schedule 1, the authority shall again comply with paragraphs (1) and (2) above before adopting the plan.

Notice of adoption of a unitary development plan

18.—(1) When a local planning authority adopt a unitary development plan they shall give notice by advertisement in Form 5 and shall serve a notice in similar form on any person who has duly requested to be notified of the decision reached about the plan and such other persons as they consider appropriate; and a copy of the notice given by advertisement and of the plan adopted and of a statement of the effect of section 244(1) and (2) of the Town and Country Planning Act 1971⁽⁵⁾ in its application to unitary development plans shall be made available for inspection at all reasonable hours at their office and such other places as they consider appropriate.

(2) The local planning authority shall, not later than the date on which notice is first given by advertisement in accordance with paragraph (1), send two copies of the adopted plan to the Secretary of State.

Modification of a proposed plan by the Secretary of State

19. Where the Secretary of State is minded to approve with modifications a unitary development plan (or part of a plan) submitted to him in accordance with paragraph 7(1) of Schedule 1, he shall

(5) 1971 c. 78. The subsections mentioned apply to unitary development plans by virtue of section 244(6) which was inserted by paragraph 16(4) of Schedule 1 to the Local Government Act 1985.

send a list of the modifications to the local planning authority and the authority shall upon receipt of the list—

- (a) publish a notice by local advertisement in Form 6; and
- (b) serve a notice in similar form on any person who has duly objected to the plan and not withdrawn his objection and on any other person on whom the Secretary of State directs them to serve such a notice:

Provided that nothing in this regulation shall require a local planning authority to take any action as respects any modification if the Secretary of State has informed the authority that in his opinion the modification in question does not materially affect the content of the plan.

Notice of an examination, inquiry or other hearing on behalf of the Secretary of State

20.—(1) Where the Secretary of State causes a local inquiry or other hearing to be held for the purpose of considering objections to a unitary development plan or part of a plan submitted to him under paragraph 7 of Schedule 1, or to modifications which he proposes to make to such a plan, he shall give such notice as the local authority would be required to give by regulation 13 if they were proposing to hold an inquiry or other hearing.

(2) Paragraph (1) applies where the Secretary of State causes an examination in public to be held under paragraph 9(4) of Schedule 1 as if that examination were a local inquiry.

Notification of a decision by the Secretary of State

21. The local planning authority shall on being notified by the Secretary of State whether he has approved or rejected in accordance with paragraph 8 of Schedule 1 the whole, or any part, of a unitary development plan submitted to him for his approval, give notice by advertisement in Form 7 of the Secretary of State's decision; and shall serve a notice in similar terms on anyone who, in response to an invitation in a notice given or served in accordance with these regulations, has asked to be informed of the decision reached about the plan and on any other person on whom the Secretary of State directs that such a notice shall be served.

Joint plans

22. In relation to joint plans prepared pursuant to paragraph 12(6) of Schedule 1,—

- (i) regulation 4 shall have effect as if it referred to paragraph 12(2) (and not paragraph 3(1)) of Schedule 1 and to the relevant authorities;
- (ii) regulation 26 shall have effect as if it referred to paragraph 12(2)(a) (and not paragraph 3(1)(a)); and
- (iii) these Regulations shall otherwise apply subject to any necessary modifications.

Alteration or replacement

23.—(1) These Regulations apply in relation to the alteration or replacement of a unitary development plan as they apply in relation to the making of such a plan: but subject to paragraphs (2) to (6) below and to any necessary modifications.

(2) Where the short procedure set out in paragraph 10A of Schedule 1(7) is employed, the reasoned justification for the alteration or replacement of the existing plan shall include a statement of the reasons for employing that procedure.

(6) Amended by paragraph 26 of Schedule 11 to the Housing and Planning Act 1986 (c. 63).

(7) Amended by paragraph 4 of Schedule 10 to the Housing and Planning Act 1986 (c. 63).

(3) The period prescribed pursuant to paragraph 10A(4) for making representations about proposals is a period of six weeks beginning from the date when the authority first give notice in accordance with paragraph (4) below.

(4) A local planning authority making documents available for inspection in accordance with paragraph 10A(2) shall give notice by advertisement in Form 8.

(5) Regulation 10(1) shall apply in a case where the short procedure is employed as if it referred to paragraph (4) above (and not regulation 9).

(6) Notification of withdrawal pursuant to paragraph 10A(7)(b) shall be substantially in Form 2.

Availability of documents for inspection

24. Documents made available for inspection pursuant to Schedule 1 or to these Regulations shall be so available at the place and times specified by the authority when giving notice by advertisement of their availability for inspection: and, unless the plan is withdrawn, shall remain so available until the expiration of six weeks from the date of publication of the notice of adoption, approval or rejection of the plan.

Making of unitary development plans by the Secretary of State

25.—(1) Subject to paragraph (2), the preceding Regulations apply, so far as practicable and with any necessary modifications, to the making, alteration or replacement of a unitary development plan by the Secretary of State as they apply to the making, alteration or replacement of such a plan by the local planning authority.

(2) Except when the Secretary of State otherwise directs, any notice or notification required to be given in connection with the making, alteration or replacement of a unitary development plan by him shall be given by the local planning authority.

Availability of copy documents

26. A local planning authority preparing a unitary development plan shall on request and on payment of a reasonable fee provide a copy of any plan or other document made public or available for inspection pursuant to paragraphs 3(1)(a) or (2) of Schedule 1.

Printing of unitary development plans

27.—(1) As soon as practicable after a unitary development plan becomes operative, the local planning authority shall secure that printed copies of the plan, as adopted or approved, are available for inspection and, on payment of a reasonable charge, for purchase.

(2) Paragraph (1) does not apply to any alteration to a unitary development plan unless the Secretary of State otherwise directs: but any reprint of a plan shall incorporate all subsisting alterations.

1st February 1988

Nicholas Ridley
Secretary of State for the Environment

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

SCHEDULE

(Forms of Notice)

Form 1: Form of notice of preparation and deposit of a unitary development plan or of alterations to such a plan or of a replacement plan (otherwise than by the short procedure).

Regulations 9 and 23

NOTICE OF PREPARATION AND DEPOSIT OF A UNITARY DEVELOPMENT PLAN (1)

Town and Country Planning Act 1971

Local Government Act 1985

(Title of plan)

(2) have prepared this unitary development plan (1) for their area.

Copies of the plan (1) and the statement about publicity and consultation prepared for the Secretary of State are available for public inspection at (3) free of charge on (4).

Objections to the plan (1) should be sent in writing to (5) before (6). Objections should specify the matters to which they relate and the grounds on which they are made*, and may include a request to be notified of the decision reached about the plan (1) at the address the objector gives.

19

(Signature)

*Appropriate forms are obtainable at the places where documents have been deposited.

Notes

- (1) Adapt the form as necessary for alterations to a plan or for a replacement plan.
- (2) Insert the name of the local planning authority.
- (3) Insert the address of the local planning authority's office and of any other places at which the documents are available for inspection.
- (4) Specify the days on which, and hours between which, the documents are available for public inspection.
- (5) State the name or title of the officer to whom objections should be sent and the address of the office to which they are to be sent.
- (6) Specify a date which provides a period of six weeks beginning with the date on which this notice is first published in a local newspaper for the making of objections.

Form 2: Form of notice of withdrawal of copies of a unitary development plan or of alterations to such a plan or of a replacement plan.

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

Regulations 11 and 23

NOTICE OF WITHDRAWAL OF A PROPOSED UNITARY DEVELOPMENT PLAN (1)

Town and Country Planning Act 1971

Local Government Act 1985

(Title of plan)

Copies of this unitary development plan (1) made available for public inspection by the (2) have been withdrawn.

[They have been withdrawn at the direction of the Secretary of State for the Environment [who has directed the authority to take no further steps to adopt the plan (1) without taking certain further action as respects publicity specified in the direction; and satisfying him that they have done so.]] (3)

[Before the authority take further steps for the adoption of [a new] [the] plan (1), copies will [again] be made available for inspection at the places where the withdrawn copies were available for inspection and there will be a further opportunity to make objections.] (4)

[Objections made to the [withdrawn] plan (1) prior to its withdrawal will be considered [when further steps are taken towards its adoption] [in relation to any substitute plan made available for inspection] at a future date] (4) (5).

19

(Signature)

Notes

- (1) Adapt the form as necessary for the withdrawal of alterations to a plan or of a replacement plan. Where the short procedure set out in paragraph 10A(2) of Schedule 1 has been followed, modify or extend the references to objections to include representations as appropriate.
- (2) Insert the name of the local planning authority and the date on which the plan was first made available for inspection.
- (3) Omit the paragraph if the plan is being withdrawn by the authority on its initiative. Include the second part of the paragraph where withdrawal is in consequence of a direction under paragraph 3(4) or 10A(6) of Schedule 1.
- (4) Employ such of the words of this paragraph (if any) as are consistent with any direction given by the Secretary of State and with the intentions of the authority.
- (5) Omit this paragraph if inappropriate.

Form 3: Form of notice of local planning authority's proposal to modify a unitary development plan or to modify alterations to such a plan or a replacement plan.

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

Regulations 12 and 23

NOTICE OF PROPOSAL TO MODIFY A UNITARY DEVELOPMENT PLAN (1)

Town and Country Planning Act 1971

Local Government Act 1985

(Title of plan)

(2) propose to modify this unitary development plan. (1)

Copies of the plan (1) [of the report of the [inquiry into] [hearing of] objections] [of the council's statement prepared following the consideration of the [report] [objections]] [of the direction of the Secretary of State which has occasioned [certain of] the proposed modifications] (3) and of a list of proposed modifications (other than modifications which the council are satisfied will not materially affect the content of the plan (1)) are available for public inspection at (4) on (5).

Objections to the proposed modifications should be sent in writing to (6) before (7). Objections should specify the matters to which they relate and the grounds on which they are made*, and may include a request to be notified of the decision reached about the modifications and the plan (1) at the address the objector gives.

19

(Signature)

* Appropriate forms are obtainable at the places where documents have been deposited.

Notes

- (1) Adapt the form as necessary for modifications to alterations or to a replacement plan.
- (2) Insert the name of the local planning authority.
- (3) Omit any bracketed passage which is irrelevant.
- (4) Insert the address of the local planning authority's office and of any other places at which the documents are available for inspection.
- (5) Specify the days on which, and hours between which, the documents are available for public inspection.
- (6) State the name or title of the officer to whom objections should be sent and the address of the office to which they are to be sent.
- (7) Specify a date which provides a period of six weeks beginning with the date on which this notice is first published in a local newspaper for the making of objections.

Form 4:Form of notice of intention to adopt a unitary development plan, alterations to such a plan or a replacement plan.

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

NOTICE OF INTENTION TO ADOPT A UNITARY DEVELOPMENT PLAN (1)

Town and Country Planning Act 1971

Local Government Act 1985

(Title of plan)

(2) are disposed to adopt this plan (1) [as modified by them] (3) on or after (4), unless, before the plan (1) has been adopted, the Secretary of State for the Environment directs that the plan (1) shall not be adopted until further notice, or that the whole or part of the plan (1) shall be submitted to him for his approval, or he directs the council to consider modifying the proposals in the plan.

Copies of the plan [together with copies of the report of the [local inquiry] [hearing] held] [and of the council's statements prepared following the consideration of [the report] [objections]] (5) are available for public inspection free of charge at (6) on (7)

[Copies of a direction given by the Secretary of State to the local planning authority to consider modifying the plan (1) and [of a statement of the modifications made to the plan (1) to comply with that direction and of the manner and extent to which they do so] [of a statement of the reasons for not doing so] [and] a copy of a notification by the Secretary of State [that he is satisfied with the modifications made] [that the direction is withdrawn] are also available for inspection] (3)

19

(Signature)

Notes

- (1) Adapt the form as necessary for alterations to a plan or for a replacement plan.
- (2) Insert the name of the local planning authority.
- (3) Omit the words in square brackets if they are inappropriate.
- (4) Insert a date at least 28 days after the anticipated date of complying with regulation 17(2).
- (5) Employ whatever wording reflects the situation.
- (6) Insert the address of the local planning authority's office and of any other places at which the documents are available for inspection.
- (7) Specify the days on which, and hours between which, the documents are available for public inspection.

Form 5:Form of notice of adoption of a unitary development plan, or of alterations to such a plan or of a replacement plan.

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

Regulations 18 and 23

NOTICE OF ADOPTION OF A UNITARY DEVELOPMENT PLAN (1)

Town and Country Planning Act 1971

Local Government Act 1985

(Title of plan)

On 19 (2) adopted this plan [as modified by them] (3).

Copies of the plan (1) [together with copies of the report of the [local inquiry] [hearing] held] [and of the council's statements prepared following the consideration of [the report] [the objections]] (4) are available for public inspection free of charge at (5) on (6).

The plan (1) became operative on (7), but any person aggrieved by the plan (1) who desires to question its validity on the ground that it is not within the powers conferred by Schedule 1 to the Local Government Act 1985, or that any requirement of that Schedule or of any regulations made under it has not been complied with in relation to the adoption of the plan (1), may, within six weeks from (8), make an application to the High Court under section 244 of the Town and Country Planning Act 1971

19

(Signature)

Notes

- (1) Adapt the form as necessary where the authority have adopted alterations to a plan or a replacement plan.
- (2) Insert the date of adoption and the name of the local planning authority.
- (3) Omit words in square brackets if inappropriate.
- (4) Employ whatever wording reflects the situation.
- (5) Insert the address of the local planning authority's office and of any other places at which the documents are available for inspection.
- (6) Specify the days on which, and hours between which, the documents are available for public inspection.
- (7) Insert the date of adoption.
- (8) Insert the date on which this notice is first published.

Form 6:Form of notice of proposed modifications by the Secretary of State to a unitary development plan or to alterations to such a plan or to a replacement plan.

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

Regulations 19 and 23

NOTICE OF PROPOSED MODIFICATIONS BY THE SECRETARY OF STATE TO A UNITARY DEVELOPMENT PLAN (1)

Town and Country Planning Act 1971

Local Government Act 1985

(Title of plan)

The Secretary of State for the Environment proposes to modify this plan (1) prepared by (2).

Copies of the plan (1) 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 (1)) are available for public inspection free of charge at (3) on (4).

Objections to the proposed modifications should be sent in writing to (5) before (6).

Objections should specify the matters to which they relate and the grounds on which they are made* and may include a request to be notified of the decision reached about the modifications and the plan (1) at the address the objector gives.

19

(Signature)

* Appropriate forms are obtainable at the places where documents have been deposited.

Notes

- (1) Adapt the form as necessary for modifications to alterations to a plan or to a replacement plan.
- (2) Insert the name of the relevant local planning authority.
- (3) Insert the address of the local planning authority's office and of any other places at which the documents are available for inspection.
- (4) Specify the days on which, and hours between which, the documents are available for public inspection.
- (5) State the name and address of the appropriate Regional Director of the Department of the Environment to whom objections should be sent.
- (6) Specify a date which provides a period of six weeks beginning with the date on which this notice is first published in a local newspaper for the making of objections.

Form 7: Form of notice of approval or rejection of a unitary development plan or of alterations to such a plan or of a replacement plan by the Secretary of State.

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

Regulations 21 and 23

**NOTICE OF [APPROVAL] [REJECTION] (1) OF A UNITARY
DEVELOPMENT PLAN (2) BY THE SECRETARY OF STATE**

Town and Country Planning Act 1971

Local Government Act 1985

(Title of plan)

The Secretary of State for the Environment [approved] [rejected] (1) this plan (2) prepared by (3) [with modifications] [and] [with reservations] (1).

Copies of the plan (2) and of the Secretary of State's letter notifying his decision are available for public inspection free of charge at (4) on (5).

[The plan (2) [becomes] [became] (1) operative on (6), but any person aggrieved by the plan (2) who desires to question its validity on the ground that it is not within the powers conferred by Schedule 1 to the Local Government Act 1985, or that any requirement of that Schedule or of any regulations made under it has not been complied with in relation to the approval of the plan (2), may, within six weeks from (7) make an application to the High Court under section 244 of the Town and Country Planning Act 1971] (8).

19

(Signature)

Notes

- (1) Use whatever wording is appropriate.
- (2) Adapt the wording as necessary when the notice relates to a part of a plan or alterations to an existing plan or to a replacement plan.
- (3) Insert the name of the relevant local planning authority.
- (4) Insert the address of the local planning authority's office and of any other places at which the documents are available for inspection.
- (5) Specify the days on which, and hours between which, the documents are available for public inspection.
- (6) Insert the appropriate date.
- (7) Insert the date of first publication of this notice.
- (8) Omit this paragraph if the Secretary of State has rejected the plan.

Form 8: Form of notice of preparation and deposit of alterations to a unitary development plan or of a replacement plan by the short procedure.

**NOTICE OF PREPARATION AND DEPOSIT OF
[ALTERATIONS TO A UNITARY DEVELOPMENT PLAN]
[A REPLACEMENT UNITARY DEVELOPMENT PLAN] (1)**

Town and Country Planning Act 1971

Local Government Act 1985

(Title of Plan)

(2) have prepared [alterations to] [a plan to replace] (1) the (3).

Copies of the [alterations] [replacement plan] (1) are available for public inspection at (4) free of charge on (5).

Representations about, or objections to the [alterations] [replacement plan] (1) should be sent in writing to (6) before (7). Representations or objections should state the matters to which they relate and the grounds on which they are made.* Any person making representations or objections may request to be notified of the decision reached about the [alterations] [replacement plan](1) at the address he gives.

19

(Signature)

* Appropriate forms are obtainable at the places where documents have been deposited.

Notes

- (1) Use whichever form of wording in square brackets is appropriate.
- (2) Insert name of local planning authority.
- (3) Insert name of existing plan.
- (4) Insert the address of the local planning authority's office and of any other places at which the documents are available for inspection.
- (5) Specify the days on which, and hours between which, the documents are available for public inspection.
- (6) State the name or title of the officer to whom, and the address of the office to which, objections or representations should be sent.
- (7) Specify a date which provides a period of six weeks beginning with the date on which this notice is first published in a local newspaper for the making of representations or objections.

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

EXPLANATORY NOTE

(This note is not part of the Regulations)

The Local Government Act 1985 abolished the Greater London Council and metropolitan county councils. Schedule 1 to that Act provides for a new form of development plan under town and country planning legislation for Greater London and the metropolitan counties (the unitary development plan).

London borough and metropolitan district councils are to prepare such plans when Part I of Schedule 1 is brought into force in their areas.

These regulations amplify the procedures laid down in that Part for the making, alteration and replacement of such plans and make further provision as to the content of plans (regulations 7 and 8).

They prescribe periods for making representations and objections (regulations 4 and 10); specify the form of certain notices (regulations 9, 11, 12, 17 to 19, 21 and 23 and the Schedule); and lay down procedures for the modification of published proposals by the local planning authority (regulation 12). They also specify the notice to be given of public inquiries and hearings (regulations 13 and 20) and the manner in which an authority is to publicise the action it takes on receipt of the report of an inquiry or hearing (regulation 15).

Regulations 22, 23 and 25 apply the regulations, with modifications, to joint unitary development plans; proposals to alter or replace such plans; and the making, altering or replacement of unitary development plans by the Secretary of State.

Regulations 24, 26 and 27 deal with the availability of documents including printed copies of plans once they are operative.