
STATUTORY INSTRUMENTS

1991 No. 2794

**The Town and Country Planning
(Development Plan) Regulations 1991**

PART 7

CONFORMITY AND CONFLICT

Statement of conformity of proposals with structure plan: prescribed period

29. The prescribed period for the purpose of section 46(1)(b) is 28 days.

Statement of conformity on adoption or approval of structure plan

30.—(1) An authority responsible for a structure plan shall, where any proposals of theirs for the alteration or replacement of a structure plan are adopted or approved, prepare a statement in respect of any local plan for which the authority is responsible, and any minerals local plan and waste local plan for their area, stating whether the plan is, or as the case may be, is not, in general conformity with the altered or new structure plan.

(2) A statement prepared under paragraph (1) stating that a local plan, minerals local plan or waste local plan is not in general conformity with a structure plan shall specify the respects in which it is not in such conformity.

(3) A local planning authority which makes available for inspection a plan to which a statement under section 35C or paragraph (1) relates, shall make a copy of the statement available for inspection at any place at which the plan is made available for inspection.

(4) In this regulation, references to an authority responsible for a structure plan or a local plan shall be construed in accordance with section 35C(5).

Conflict between structure plans and local plans, minerals local plans and waste local plans

31. The provisions of a local plan prevail for all purposes over any conflicting provisions in a structure plan made by the same authority, and the provisions of a minerals local plan and of a waste local plan prevail for all purposes over any conflicting provisions in a structure plan, unless the local plan, minerals local plan or waste local plan is one—

- (a) stated under regulation 30(1) not to be in general conformity with the structure plan; and
- (b) neither altered nor replaced after the statement was prepared.

Conflict between local plans and mineral local plans or waste local plans

32. Where there is a conflict between provisions in a local plan and provisions in a minerals local plan or waste local plan, the more recently adopted or approved provisions prevail.

Status: This is the original version (as it was originally made).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

Conflict within statutory plans

33. Where there is a conflict between the written statement of a statutory plan and any other document forming part of the plan, the provisions of the written statement prevail.