



Town and Country Planning Act 1968

1968 CHAPTER 72

PART I

NEW PROVISIONS AS TO DEVELOPMENT PLANS

Survey and structure plan

1 Survey of planning areas.

- (1) It shall be the duty of the local planning authority to institute a survey of their area, in so far as they have not already done so, examining the matters which may be expected to affect the development of that area or the planning of its development and in any event to keep all such matters under review.
- (2) Notwithstanding that the local planning authority have carried out their duty under subsection (1) above, the authority may, if they think fit, and shall, if directed to do so by the Minister, institute a fresh survey of their area examining the matters mentioned in that subsection.
- (3) Without prejudice to the generality of the foregoing provisions of this section, the matters to be examined and kept under review thereunder shall include the following, that is to say:—
 - (a) the principal physical and economic characteristics of the area of the authority (including the principal purposes for which land is used) and, so far as they may be expected to affect that area, of any neighbouring areas;
 - (b) the size, composition and distribution of the population of that area (whether resident or otherwise);
 - (c) without prejudice to paragraph (a) above, the communications, transport system and traffic of that area and, so far as they may be expected to affect that area, of any neighbouring areas ;
 - (d) any considerations not mentioned in any of the foregoing paragraphs which may be expected to affect any matters so mentioned;

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- (e) such other matters as may be prescribed or as the Minister may in a particular case direct;
 - (f) any changes already projected in any of the matters mentioned in any of the foregoing paragraphs and the effect which those changes are likely to have on the development of that area or the planning of such development.
- (4) A local planning authority shall, for the purpose of discharging their functions under this section of examining and keeping under review any matters relating to the area of another such authority, consult with (that other authority about those matters.
- (5) Subsection (1) above shall, as respects any period during which this section is in operation in part only of the area of a local planning authority, be construed as requiring a local planning authority to institute a survey of that part of that area and to keep under review matters affecting only that part of that area; and subsection (2) above shall, whether or not this section is in operation in the whole of such an area, have effect as if the power thereby conferred included power for a local planning authority to institute, and for the Minister to direct them to institute, a fresh survey of part only of their area; and references in subsection (3) above to the area of a local planning authority or any neighbouring areas shall be construed accordingly.

2 Preparation of structure plans.

- (1) The local planning authority shall, within such period from the commencement of this section within their area as the Minister may direct, prepare and send the Minister a report of their survey under section 1 above and at the same time prepare and submit to him for his approval a structure plan for their area complying with the provisions of subsection (3) below.
- (2) The said report shall include an estimate of any changes likely to occur during such period as the Minister may direct in the matters mentioned in section 1(3) above; and different periods may be specified by any such direction in relation to different matters.
- (3) The structure plan for any area shall be a written statement—
- (a) formulating the local planning authority's policy and general proposals in respect of the development and other use of land in that area (including measures for the improvement of the physical environment and the management of traffic);
 - (b) stating the relationship of those proposals to general proposals for the development and other use of land in neighbouring areas which may be expected to affect that area; and
 - (c) containing such other matters as may be prescribed or as the Minister may in any particular case direct.
- (4) In formulating their policy and general proposals under subsection (3)(a) above, the local planning authority shall secure that the policy and proposals are justified by the results of their survey under section 1 above and by any other information which they may obtain and shall have regard
- (a) to current policies with respect to the economic planning and development of the region as a whole ;
 - (b) to the resources likely to be available for the carrying out of the proposals of the structure plan ; and
 - (c) to such other matters as the Minister may direct them to take into account.

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- (5) A local planning authority's general proposals under this section with respect to land in their area shall indicate any part of that area (in this Act referred to as an "action area") which they have selected for the commencement during a prescribed period of comprehensive treatment, in accordance with a local plan prepared for the selected area as a whole, by development, redevelopment or improvement of the whole or part of the area selected, or partly by one and partly by another method, and the nature of the treatment selected.
- (6) A structure plan for any area shall contain or be accompanied by such diagrams, illustrations and descriptive matter as the local planning authority think appropriate for the purpose of explaining or illustrating the proposals in the plan, or as may be prescribed, or as may in any particular case be specified in directions given by the Minister; and any such diagrams, illustrations and descriptive matter shall be treated as forming part of the plan.
- (7) At any time before the Minister has under section 4 below approved a structure plan with respect to the whole of the area of a local planning authority, the authority may with his consent, and shall, if so directed by him, prepare and submit to him for his approval a structure plan relating to part of that area; and where the Minister has given a consent or direction for the preparation of a structure plan for part of such an area, references in this Part of this Act to such an area shall, in relation to a structure plan, be construed as including references to part of that area.

3 Publicity in connection with preparation of structure plan.

- (1) When preparing a structure plan for their area and before finally determining its content for submission to the Minister, the local planning authority shall take such steps as will in their opinion secure—
 - (a) that adequate publicity is given in their area to the report of the survey under section 1 above and to the matters which they propose to include in the plan;
 - (b) that persons who may be expected to desire an opportunity of making representations to the authority with respect to those matters are made aware that they are entitled to an opportunity of doing so; and
 - (c) that such persons are given an adequate opportunity of making such representations;and the authority shall consider any representations made to them within the prescribed period.
- (2) Not later than the submission of a structure plan to the Minister, the local planning authority shall make copies of the plan as submitted to the Minister available for inspection at their office and at such other places as may be prescribed; and each copy shall be accompanied by a statement of the time within which objections to the plan may be made to the Minister.
- (3) A structure plan submitted by the local planning authority to the Minister for his approval shall be accompanied by a statement containing such particulars, if any, as may be prescribed—
 - (a) of the steps which the authority have taken to comply with subsection (1) above; and
 - (b) of the authority's consultations with, and consideration of the views of, other persons with respect to those matters.

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- (4) If after considering the statement submitted with, and the matters included in, the structure plan and any other information provided by the local planning authority, the Minister is satisfied that the purposes of paragraphs (a) to (c) of subsection (1) above have been adequately achieved by the steps taken by the authority in compliance with that subsection, he shall proceed to consider whether to approve the structure plan; and if he is not so satisfied, he shall return the plan to the authority and direct them—
 - (a) to take such further action as he may specify in order better to achieve those purposes ; and
 - (b) after doing so, to resubmit the plan with such modifications, if any, as they then consider appropriate and, if so required by the direction, to do so within a specified period.
- (5) Where the Minister returns the structure plan to the local planning authority under subsection (4) above, he shall inform the authority of his reasons for doing so and, if any person has made to him an objection to the plan, shall also inform that person that he has returned the plan.
- (6) A local planning authority who are given directions by the Minister under subsection (4) above shall forthwith withdraw the copies of the plan made available for inspection as required by subsection (2) above.
- (7) Subsections (2) to (6) of this section shall apply, with the necessary modifications, in relation to a structure plan resubmitted to the Minister in accordance with directions given by him under subsection (4) as they apply in relation to the plan as originally submitted.

4 Approval or rejection of structure plan by Minister.

- (1) The Minister may, after considering a structure plan submitted (or resubmitted) to him, either approve it (in whole or in part and with or without modifications or reservations) or reject it.
- (2) In considering any such plan the Minister may take into account any matters which he thinks are relevant, whether or not they were taken into account in the plan as submitted to him.
- (3) Where on taking any such plan into consideration the Minister does not determine then to reject it, he shall, before determining whether or not to approve it,—
 - (a) consider any objections to the plan, so far as they are made in accordance with regulations under this Part of this Act;
 - (b) afford to any persons whose objections so made are not withdrawn an opportunity of appearing before, and being heard by, a person appointed by him for the purpose; and
 - (c) if a local inquiry or other hearing is held, also afford the like opportunity to the local planning authority and such other persons as he thinks fit.
- (4) Without prejudice to subsection (3) above, on considering a structure plan the Minister may consult with, or consider the views of, any local planning authority or other persons, but shall not be under an obligation to consult with, or consider the views of, any other authority or persons or, except as provided by that subsection, to afford an opportunity for the making of any objections or other representations, or to cause any local inquiry or other hearing to be held.

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5 Alteration of structure plans.

- (1) At any time after the approval of a structure plan for their area a local planning authority may submit to the Minister and shall, if so directed by the Minister, submit to him within a period specified in the direction, proposals for such alterations to that plan as appear to them to be expedient or as the Minister may direct, as the case may be, and any such proposals may relate to the whole or to part of that area.
- (2) The local planning authority shall send with the proposals submitted by them under this section a report of the results of their review of the relevant matters under section 1 above together with any other information on which the proposals are based, and sections 3 and 4 above shall apply, with any necessary modifications, in relation to the proposals as they apply in relation to a structure plan.