

Status: Point in time view as at 22/02/2002.

Changes to legislation: There are currently no known outstanding effects for the Planning and Compensation Act 1991, Cross Heading: Dealing with objections, etc.. (See end of Document for details)

SCHEDULES

SCHEDULE 5

SIMPLIFIED PLANNING ZONES

Commencement Information

- II** Sch. 5 wholly in force; Sch. 5 not in force at Royal Assent see s. 84(2); Sch. 5 in force for certain purposes at 25.11.1991 by S.I. 1991/2728, art. 2 and in force at 9.11.1992 so far as not already in force by S.I. 1992/2413, art. 2 (subject to art. 3 of that S.I.).

PART I

MODIFICATION OF PROCEDURE FOR MAKING OR ALTERING SCHEMES

Dealing with objections, etc.

- 2 (1) For paragraph 8(1) to (3) (objections: local inquiry or other hearing) there is substituted—

“ Procedure for dealing with objections

- 8 (1) Where objections to the proposed scheme or alterations are made, the local planning authority may—
- (a) for the purpose of considering the objections, cause a local inquiry or other hearing to be held by a person appointed by the Secretary of State or, in such cases as may be prescribed, appointed by the authority, or
 - (b) require the objections to be considered by a person appointed by the Secretary of State.
- (2) A local planning authority shall exercise the power under sub-paragraph (1), or paragraph (a) or (b) of that sub-paragraph, if directed to do so by the Secretary of State.”
- (2) For paragraph 11(3) and (4) (consideration of objections, etc., by Secretary of State) there is substituted—
- “(3) Where on taking the proposals into consideration the Secretary of State does not determine then to reject them he shall, before determining whether or not to approve them, consider any objections made in accordance with regulations (and not withdrawn) except objections which—
- (a) have already been considered by the local planning authority or by a person appointed by the Secretary of State, or
 - (b) have already been considered at a local inquiry or other hearing.

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- (4) The Secretary of State may—
- (a) for the purpose of considering any objections and the views of the local planning authority and of such other persons as he thinks fit, cause a local inquiry or other hearing to be held by a person appointed by him, or
 - (b) require such objections and views to be considered by a person appointed by him.
- (5) In considering the proposals the Secretary of State may consult with, or consider the views of, any local planning authority or any other person; but he need not do so, or give an opportunity for the making or consideration of representations or objections, except so far as he is required to do so by sub-paragraph (3).”

Commencement Information

- II** [Sch. 5 para. 2](#) wholly in force; [Sch. 5 para. 2](#) not in force at Royal Assent see [s. 84\(2\)](#); [Sch. 5 para. 2](#) in force for certain purposes at 25.11.1991 by [S.I. 1991/2728](#), [art. 2](#) and in force at 9.11.1992 so far as not already in force by [S.I. 1992/2413](#), [art. 2](#) (subject to [art. 3](#) of that S.I.).

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