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SCHEDULES

SCHEDULE 6

DEVELOPMENT PLANS: MODIFICATIONS OF THIS ACT PENDING REPEAL OF SCHEDULE 5

3 For subsections (1) and (2) of section 244 there shall be substituted:—

“(1) If any person aggrieved by a development plan, or by an amendment of a development plan, desires to question the validity thereof or of any provision contained therein on the grounds that it is not within the powers of this Act, or that any requirement of this Act or of any regulation made thereunder has not been complied with in relation to the approval or making of the plan, or, as the case may be, in relation to the making of the amendment, he may, within six weeks from the date on which the notice required by paragraph 7(1) of Schedule 5 to this Act is first published, make an application to the High Court under this section.

(2) On any application under this section the High Court—

- (a) may by interim order suspend the operation of the plan or amendment, as the case may be, or of any provision contained therein, either generally or in so far as it affects any property of the applicant, until the final determination of the proceedings ;
- (b) if satisfied that the plan or amendment, or any provision contained therein, is not within the powers of this Act, or that the interests of the applicant have been substantially prejudiced by a failure to comply with any requirement of this Act or of any regulation made thereunder, may quash the plan or amendment or any provision contained therein, either generally or in so far as it affects any property of the applicant.”