



# Housing and Planning Act 1986

## 1986 CHAPTER 63

### PART II

#### SIMPLIFIED PLANNING ZONES

##### *England and Wales*

#### **25 Simplified planning zones in England and Wales**

- (1) In Part III of the Town and Country Planning Act 1971 (general planning control), after section 24 insert—

*“Simplified planning zone schemes*

#### **24A Simplified planning zones.**

- (1) A simplified planning zone is an area in respect of which a simplified planning zone scheme is in force.
- (2) The adoption or approval of a simplified planning zone scheme has effect to grant in relation to the zone, or any part of it specified in the scheme, planning permission for development specified in the scheme or for development of any class so specified.
- (3) Planning permission under a simplified planning zone scheme may be unconditional or subject to such conditions, limitations or exceptions as may be specified in the scheme.
- (4) Every local planning authority—
  - (a) shall consider, as soon as practicable after this section comes into operation, the question for which part or parts of their area a simplified planning zone scheme is desirable, and shall thereafter keep that question under review; and

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- (b) shall prepare a scheme for any such part for which they decide, as a result of their original consideration or of any such review, that it is desirable to do so.
- (5) The provisions of Schedule 8A to this Act have effect with respect to the making and alteration of simplified planning zone schemes and other related matters.
- (6) The functions of local planning authorities under the provisions of this Act relating to simplified planning zone schemes shall be performed in non-metropolitan counties by the district planning authorities.

**24B Simplified planning zone schemes: conditions and limitations on planning permission.**

- (1) The conditions and limitations on planning permission which may be specified in a simplified planning zone scheme may include—
  - (a) conditions or limitations in respect of all development permitted by the scheme or in respect of particular descriptions of development so permitted, and
  - (b) conditions or limitations requiring the consent, agreement or approval of the local planning authority in relation to particular descriptions of permitted development;
 and different conditions or limitations may be specified for different cases or classes of case.
- (2) Nothing in a simplified planning zone scheme shall affect the right of any person—
  - (a) to do anything not amounting to development, or
  - (b) to carry out development for which planning permission is not required or for which permission has been granted otherwise than by the scheme ;
 and no limitation or restriction subject to which permission has been granted otherwise than under the scheme shall affect the right of any person to carry out development for which permission has been granted under the scheme.

**24C Duration of simplified planning zone scheme.**

- (1) A simplified planning zone scheme shall take effect on the date of its adoption or approval and shall cease to have effect at the end of the period of ten years beginning with that date.
- (2) Upon the scheme's ceasing to have effect planning permission under the scheme shall also cease to have effect except in a case where the development authorised by it has been begun.
- (3) The provisions of section 44(2) to (6) of this Act (which provide for the termination of planning permission if the completion of development is unreasonably delayed) apply to planning permission under a simplified planning zone scheme where development has been begun but not completed by the time the area ceased to be a simplified planning zone.

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- (4) The provisions of section 43(1) to (3) of this Act apply in determining for the purposes of this section when development shall be taken to be begun.

#### **24D Alteration of simplified planning zone scheme.**

- (1) The adoption or approval of alterations to a simplified planning zone scheme has effect as follows.
- (2) The adoption or approval of alterations providing for the inclusion of land in the simplified planning zone has effect to grant in relation to that land or such part of it as is specified in the scheme planning permission for development so specified or of any class so specified.
- (3) The adoption or approval of alterations providing for the grant of planning permission has effect to grant such permission in relation to the simplified planning zone, or such part of it as is specified in the scheme, for development so specified or development of any class so specified.
- (4) The adoption or approval of alterations providing for the withdrawal or relaxation of conditions, limitations or restrictions to which planning permission under the scheme is subject has effect to withdraw or relax the conditions, limitations or restrictions forthwith.
- (5) The adoption or approval of alterations providing for—
- (a) the exclusion of land from the simplified planning zone,
  - (b) the withdrawal of planning permission, or
  - (c) the imposition of new or more stringent conditions, limitations or restrictions to which planning permission under the scheme is subject,
- has effect to withdraw permission, or to impose the conditions, limitations or restrictions, with effect from the end of the period of twelve months beginning with the date of the adoption or approval.
- (6) The adoption or approval of alterations to a scheme does not affect planning permission under the scheme in any case where the development authorised by it has been begun.

The provisions of section 43(1) to (3) of this Act apply in determining for the purposes of this subsection when development shall be taken to be begun.

#### **24E Exclusion of certain descriptions of land or development.**

- (1) The following descriptions of land may not be included in a simplified planning zone—
- (a) land in a National Park ;
  - (b) land in a conservation area ;
  - (c) land in an area designated under section 87 of the National Parks and Access to the Countryside Act 1949 as an area of outstanding natural beauty;
  - (d) land identified in the development plan for the district as part of a green belt;

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- (e) land in respect of which a notification or order is in force under section 28 or 29 of the Wildlife and Countryside Act 1981 (areas of special scientific interest).
- (2) Where land included in a simplified planning zone becomes land of such a description, subsection (1) does not have effect to exclude it from the zone.
- (3) The Secretary of State may by order provide that no simplified planning zone scheme shall have effect to grant planning permission—
  - (a) in relation to an area of land specified in the order or to areas of land of a description so specified, or
  - (b) for development of a description specified in the order.
- (4) An order under subsection (3) has effect to withdraw such planning permission under a simplified planning zone scheme already in force with effect from the date on which the order comes into force, except in a case where the development authorised by the permission has been begun.

The provisions of section 43(1) to (3) of this Act apply in determining for the purposes of this subsection when development shall be taken to be begun.”.

- (2) After Schedule 8 to the Town and Country Planning Act 1971 insert as Schedule 8A the Schedule set out in Part I of Schedule 6 to this Act which contains provision with respect to the making and alteration of simplified planning zone schemes and other related matters.
- (3) The Town and Country Planning Act 1971 also has effect subject to the consequential amendments specified in Part II of Schedule 6 to this Act.