



Town and Country Planning Act 1990

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TOWN AND COUNTRY PLANNING ACT 1990

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Status: Point in time view as at 01/04/2005.

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- 15 (1) The copy of the notice required to be served...

Compensation

- 16 (1) Claims for payment of compensation under section 107 (including...
- 17 Claims for payment of compensation under a tree preservation order...
- 18 The local planning authority by whom compensation is to be...

The Crown

- 19 (1) Elsewhere than in a metropolitan county or a National...

Miscellaneous

- 20 (1) The local planning authority whom the Secretary of State...
- 21 (1) Subject to sub-paragraph (2), the provisions of this Schedule...

SCHEDULE 1A — Distribution of Local Planning Authority Functions: Wales

- 1 (1) Where a local planning authority are not the local...
- 2 (1) A local planning authority who have the function of...
- 3 Paragraphs 4 to 10 apply only in relation to any...
- 4 In sections 178(1), 181(4)(b) and 190(2), (3) and (5) any...
- 5 The functions of a local planning authority under section 187B...
- 6 Where a local planning authority have made a tree preservation...
- 7 (1) The copy of the notice required to be served...

Compensation

- 8 (1) Claims for payment of compensation under section 107 (including...
- 9 Claims for payment of compensation under a tree preservation order...
- 10 The local planning authority by whom compensation is to be...

Miscellaneous

- 11 In relation to land in the area of a joint...

SCHEDULE 2 — Development Plans: Transitional Provisions
Part I — THE METROPOLITAN COUNTIES

Publicity in connection with local plan

5

Pending proposals by metropolitan county council

6

Part IA — WALES

Continuation of structure, local and old development plans

- 1 (1) Every existing plan which relates to any part of...

Status: Point in time view as at 01/04/2005.

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Revocation of structure plan

2 (1) Where under Chapter I of Part II of this...

Incorporation of current policy in unitary development plan

3 (1) This paragraph applies where— (a) a unitary development plan...

Meaning of "local plan"

4 In this Part of this Schedule, " local plan "...
Part II — GREATER LONDON

Surveys and local plans

- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12

Joint plans

- 13
- 14
- 15
- 16

Incorporation of current local plan in unitary development plan

17 (1) Sub-paragraph (2) applies where— (a) a local plan is...

Publicity in connection with local plan

18
Part III — OLD DEVELOPMENT PLANS

Development plans for compensation purposes

5 Where there is no local plan in force in a...

Discontinuance of old development plan on adoption of local plan

- 6 Subject to paragraph 8, on the adoption or approval of...
- 7 The Secretary of State may by order direct that any...
- 8 If the Secretary of State makes an order under paragraph...
- 9 Subject to paragraph 10, the Secretary of State may by...
- 10 Before making an order with respect to a development plan...

SCHEDULE 3 — Development Not Constituting New Development
Part I — DEVELOPMENT NOT RANKING FOR COMPENSATION UNDER S.

114

- 1 The carrying out of— (a) the rebuilding, as often as...
- 2 The use as two or more separate dwellinghouses of any...

Status: Point in time view as at 01/04/2005.

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Part II — DEVELOPMENT RANKING FOR COMPENSATION UNDER S. 114

- 3
- 4
- 5
- 6
- 7
- 8

Part III — SUPPLEMENTARY PROVISIONS

- 9 Where after 1st July 1948— (a) any buildings or works...
- 10 (1) Any reference in this Schedule to the cubic content...
- 11
- 12 (1) In this Schedule “at a material date” means at...
- 13 (1) In relation to a building erected after 1st July...
- 14

SCHEDULE 4 — Special provisions as to land use in 1948

- 1 Where on 1st July 1948 land was being temporarily used...
- 2 Where on 1st July 1948 land was normally used for...
- 3 Where land was unoccupied on 1st July 1948, but had...
- 4 Notwithstanding anything in paragraphs 1 to 3, the use of...

SCHEDULE 4A — Local development orders: procedure

Preparation

- 1 (1) A local development order must be prepared in accordance...

Revision

- 2 (1) The local planning authority may at any time prepare...

Order to be adopted

- 3 A local development order is of no effect unless it...

Annual report

- 4 (1) The report made under section 35 of the Planning...

Annual report

- 5 (1) The report made under section 76 of the Planning...

SCHEDULE 5 — Conditions relating to Mineral Working

Part I — CONDITIONS IMPOSED ON GRANT OF PERMISSION

Duration of development

- 1 (1) Every planning permission for development —

Power to impose aftercare conditions

- 2 (1) Where— (a) planning permission for development consisting of the...

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Meaning of “required standard”

- 3 (1) In a case where— (a) the use specified in...

Consultations

- 4 (1) Before imposing an aftercare condition, the mineral planning authority...

Certificate of compliance

- 5 If, on the application of any person with an interest...

Recovery of expenses of compliance

- 6 A person who has complied with an aftercare condition but...
Part II — CONDITIONS IMPOSED ON REVOCATION OR MODIFICATION OF
PERMISSION
7 An order under section 97 may in relation to planning...
8 Paragraphs 2(3) to (9) and 3 to 6 shall apply...

Interpretation

- 9 In this Schedule any reference to a mineral planning authority...

SCHEDULE 6 — Determination of Certain Appeals by Person Appointed by
Secretary of State

Determination of appeals by appointed person

- 1 (1) The Secretary of State may by regulations prescribe classes...

Powers and duties of appointed person

- 2 (1) An appointed person shall have the same powers and...

Determination of appeals by Secretary of State

- 3 (1) The Secretary of State may, if he thinks fit,...
4 (1) The Secretary of State may by a further direction...

Appointment of another person to determine appeal

- 5 (1) At any time before the appointed person has determined...

Local inquiries and hearings

- 6 (1) Whether or not the parties to an appeal have...

Supplementary provisions

- 7 If before or during the determination of an appeal under...
8 (1) The Tribunals and Inquiries Act 1992 shall apply to...

SCHEDULE 7 — Simplified Planning Zones

General

- 1 (1) A simplified planning zone scheme shall consist of a...

Status: Point in time view as at 01/04/2005.

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Notification of proposals to make or alter scheme

- 2 An authority who decide under section 83(2) to make or...

Power of Secretary of State to direct making or alteration of scheme

- 3 (1) If a person requests a local planning authority to...
4 (1) A simplified planning zone direction is—

Steps to be taken before depositing proposals

- 5 (1) A local planning authority proposing to make or alter...

Procedure after deposit of proposals

- 6 Where a local planning authority have prepared a proposed simplified...

Powers of Secretary of State to secure adequate publicity and consultations

- 7 (1) The documents sent by the local planning authority to...

Procedure for dealing with objections

- 8 (1) Where objections to the proposed scheme or alterations are...

Adoption of proposals by local planning authority

- 9 (1) After the expiry of the period for making objections...

Calling in of proposals for approval by Secretary of State

- 10 (1) Before the proposals have been adopted by the local...

Approval of proposals by Secretary of State

- 11 (1) The Secretary of State may after considering proposals submitted...

Default powers

- 12 (1) Where — (a) a local planning authority are directed...

Regulations and directions

- 13 (1) Without prejudice to the previous provisions of this Schedule,...

SCHEDULE 8 — Planning Inquiry Commissions

Part I — CONSTITUTION AND PROCEDURE ON REFERENCES

Constitution of Commissions

- 1 (1) A Planning Inquiry Commission shall consist of a chairman...

Reference to a Planning Inquiry Commission

- 2 (1) Two or more of the matters mentioned in section...

Functions of Planning Inquiry Commission on reference

- 3 (1) A commission inquiring into a matter referred to them...

Status: Point in time view as at 01/04/2005.

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Procedure on reference to a Planning Inquiry Commission

- 4 (1) A reference to a Planning Inquiry Commission of a...

Local inquiries held by Planning Inquiry Commission

- 5 (1) A Planning Inquiry Commission shall, for the purpose of...
 Part II — MEANING OF “THE RESPONSIBLE MINISTER OR MINISTERS”
 6 In relation to the matters specified in the first column...
 7 Where an entry in the second, third or fourth columns...

SCHEDULE 9 — Requirements relating to Discontinuance of Mineral Working

Orders requiring discontinuance of mineral working

- 1 (1) If, having regard to the development plan and to...
 2 (1) An order under paragraph 1 may impose a restoration...

Prohibition of resumption of mineral working

- 3 (1) Where it appears to the mineral planning authority—
 4 (1) An order under paragraph 3 shall not take effect...

Orders after suspension of winning and working of minerals

- 5 (1) Where it appears to the mineral planning authority—

Supplementary suspension orders

- 6 (1) At any time when a suspension order is in...

Confirmation and coming into operation of suspension orders

- 7 (1) Subject to sub-paragraph (2), a suspension order or a...

Registration of suspension orders as local land charges

- 8 A suspension order or a supplementary suspension order shall be...

Review of suspension orders

- 9 (1) It shall be the duty of a mineral planning...

Resumption of mineral working after suspension order

- 10 (1) Subject to sub-paragraph (2), nothing in a suspension order...

Default powers of Secretary of State

- 11 (1) If it appears to the Secretary of State to...

Interpretation

- 12 In this Schedule any reference to a mineral planning authority...

SCHEDULE 10 — Condition treated as applicable to rebuilding and alterations

- 1 Where the building to be rebuilt or altered is the...
 2 Where the building to be rebuilt or altered is not...
 3 In determining under this Schedule the purpose for which floor...

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- 4 (1) For the purposes of this Schedule gross floor space...
- 5 In relation to a building erected after 1st July 1948...

SCHEDULE 11 —

Power to modify compensation provisions

1

Circumstances in which mineral compensation modifications apply

2

3

Mineral compensation requirements

4

5

6

7

8

9

Restriction on the winning and working of minerals

10

Relevant order

11

Special consultations

12

Determination of claims

13

SCHEDULE 12 —

Derivation of unexpended balance from claims under Part VI of 1947 Act

1

Original unexpended balance of established development value

2

Claim holdings: their areas and values

3

Adjustment of claim holdings: preliminary

4

Status: Point in time view as at 01/04/2005.

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	<i>Adjustment of claim holdings pledged to Central Land Board as security for development charges</i>
5	.....
6	.....
	<i>Adjustment by reference to payments in respect of war-damaged land</i>
7	.....
	<i>Adjustment in cases of partial disposition of claim holdings</i>
8	.....
	<i>Adjustment in respect of payments under Part I of 1954 Act</i>
9	.....
	<i>Adjustment in respect of compensation under Part V of 1954 Act</i>
10	.....
	<i>Adjustment of claim holdings: supplementary provisions</i>
11	.....
	<i>General provision for continuance of original unexpended balance</i>
12	.....
	<i>Reduction or extinguishment of balance in consequence of compensation</i>
13	.....
	<i>Reduction or extinguishment of balance on initiation of new development</i>
14	.....
	<i>Calculation of value of previous development of land</i>
15	.....
	<i>Reduction or extinguishment of balance on acquisition under compulsory powers</i>
16	.....
	<i>Apportionment of unexpended balance of established development value</i>
17	.....
	<i>Reduction or extinguishment of balance in consequence of severance or injurious affection</i>
18	.....
	<i>Supplementary provisions as to deductions from original balance</i>
19

Status: Point in time view as at 01/04/2005.

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Provision of information relating to unexpended balance

20

SCHEDULE 13 — Blighted Land

Land allocated for public authority functions in development plans etc.

- 1 Land indicated in a structure plan in force for the...
- 1A Land which is identified for the purposes of relevant public...
- 1B Land in Wales which is identified for the purposes of...
- 2 Land which— (a) is allocated for the purposes of any...
- 3 Land indicated in a unitary development plan in force where...
- 4 Land which by a unitary development plan is allocated for...
- 5 Land indicated in a plan (other than a development plan)...
- 6 Land in respect of which a local planning authority—

New towns and urban development areas

- 7 Land within an area described as the site of a...
- 8 Land within an area designated as the site of a...
- 9 Land which is— (a) within an area intended to be...

Clearance and renewal areas

- 10 Land within an area declared to be a clearance area...
- 11 Land which— (a) is surrounded by or adjoining an area...
- 12 Land indicated by information published in pursuance of section 92...

Highways

- 13 Land indicated in a development plan (otherwise than by being...
- 14 Land on or adjacent to the line of a highway...
- 15 Land shown on plans approved by a resolution of a...
- 16 Land comprised in the site of a highway as proposed...
- 17 Land shown on plans approved by a resolution of a...
- 18 Land shown in a written notice given by the Secretary...

New streets

- 19 Land which— (a) either— (i) is within the outer lines...

General improvement areas

- 20 Land indicated by information published in pursuance of section 257...

Compulsory purchase

- 21 Land authorised by a special enactment to be compulsorily acquired,...
- 22 Land in respect of which— (a) a compulsory purchase order...
- 23 Land— (a) the compulsory acquisition of which is authorised by...
- 24 Land falls within this paragraph if— (a) the compulsory acquisition...

Land identified in national policy statements

- 25 Land falls within this paragraph if the land is in...

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SCHEDULE 14 — Procedure for footpaths and bridleways orders

Part I — CONFIRMATION OF ORDERS

- 1 (1) Before an order under section 257 or 258 is...
- 2 If no representations or objections are duly made, or if...
- 3 (1) This paragraph applies where any representation or objection which...
- 4 (1) A decision of the Secretary of State under paragraph...
- 5 (1) The Secretary of State shall not confirm an order...
- 6 Regulations under this Act may, subject to this Part of...

Part II — PUBLICITY FOR ORDERS AFTER CONFIRMATION

- 7 (1) As soon as possible after an order under section...
- 8 Where an order under section 257 or 258 has come...

SCHEDULE 15 — Preliminary

- 1 In this Schedule an application under section 302(3) and a...

Making of compliance determination applications

- 2 (1) A compliance determination application may be made with respect...
- 3 A compliance determination application shall be accompanied by such plans...
- 4 (1) The authority to whom a compliance determination application is...

Determination of applications

- 5 (1) Where a compliance determination application is made to an...

Appeals against compliance determinations or failure to make such determinations

- 6 (1) Where the applicant is aggrieved by a compliance determination,...
- 7 (1) On such an appeal the Secretary of State may...
- 8 Subject to paragraph 9 and to any determination or decision...

Fresh applications where alteration in circumstances

- 9 Where a compliance determination has been given that works on...

References of application to Secretary of State

- 10 (1) If it appears to the Secretary of State that...

Information

- 11 The Secretary of State may give directions to any authority...

Opportunity for hearing

- 12 On any compliance determination application or any appeal under this...

Notice of proposed enforcement

- 13 (1) This paragraph applies where before the relevant date any...

Power of entry

- 14 (1) At any time before the relevant date any officer...

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Service of notices

- 15 (1) Any notice or other document required or authorised to...

Supplementary provisions

- 16 Parts XIV and XV do not apply to section 302...

SCHEDULE 16 — Provisions of the Planning Acts referred to in Sections 314 to 319

- Part I
- Part II
- Part III
- Part IV
- Part V
- Part VI

SCHEDULE 17 — Enactments Exempted from Section 333(6)

- 1
- 2 The following provisions of the Highways Act 1980— section 73(1)...
- 3 The following further provisions of the Highways Act 1980—
- 4 Section 279 of the Highways Act 1980 so far as...
- 5 Any enactment making such provision as might by virtue of...
- 6 Any enactment which has been previously excluded or modified by...

Table of Derivations —

- 1 The following abbreviations are used in this Table:— 1946 c....
- 2 The Table does not show the effect of transfer of...
- 3 The letter R followed by a number indicates that the...
- 4 The entry “drafting” indicates a provision of a mechanical or...

Status:

Point in time view as at 01/04/2005.

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