1973. No. 265 **[C]**

TOWN AND COUNTRY PLANNING

Planning (Development Plan) Regulations

REGULATIONS, DATED 1ST AUGUST 1973, MADE BY THE MINISTRY OF DEVELOPMENT IN EXERCISE OF THE POWERS CONFERRED UPON IT BY ARTICLES 5, 10 AND 106 OF THE PLANNING (NORTHERN IRELAND) ORDER 1972.

The Ministry of Development, on behalf of the Secretary of State, and in exercise of the powers conferred upon it by Articles 5, 10 and 106 of the Planning (Northern Ireland) Order 1972(a) hereby makes the following regulations:—

Citation and commencement

1. These regulations may be cited as the Planning (Development Plan) Regulations (Northern Ireland) 1973 and shall come into operation on 1st October 1973.

Interpretation

2. In these regulations—

"the 1972 Order" means the Planning (Northern Ireland) Order 1972;

"development plan" in relation to any area means a development plan prepared under Part III of the 1972 Order;

"document" includes a map, diagram, illustration or other descriptive matter in any form, and also includes where appropriate a copy of a document;

"notice by advertisement" means a notice published in each of two successive weeks in at least one newspaper circulating in the locality in which the land to which the notice relates is situated;

"written statement" means the written statement required by Article 4(2) of the 1972 Order.

Prescribed period for making representations

3. The prescribed period for the purposes of Article 5 of the 1972 Order shall be such period (not being less than one month) as shall be specified by the Ministry when giving publicity thereunder to the matters proposed to be included in a development plan.

Consultation

4. Before finally determining the content of a development plan, the Ministry shall consult the appropriate district council with respect to the matters which it proposes to include in the plan.

Area, local and subject plans

5.—(1) A development plan based on consideration of matters affecting the development and other use of land for the whole or a substantial part of the area of one or more district councils shall be called an area plan.

(a) S.I. 1972, No. 1634 (N.I. 17).

(2) A development plan based on consideration of matters affecting the development and other use of land for part of the area of one or more district councils shall be called a local plan.

(3) A development plan based on consideration of a particular description of development or other use of land in the area to which it relates shall be called by the name of the subject to which it relates.

Matters to be contained in written statement

6. In addition to the proposals for the development and other use of land in the area to which the plan relates a written statement shall contain the following matters, namely—

(*a*) proposals relating to such of the matters specified in Part I of the Schedule as the Ministry may think appropriate; and

(*b*) such indications as the Ministry may think appropriate of the items set out in Part II of the Schedule.

Maps, insets and diagrams

7. The map comprised in a development plan in compliance with Article 4(2) of the 1972 Order shall be called the proposals map and shall be prepared on a map base reproduced from, or based on, the Ordnance Survey map, to such scale as the Ministry may think appropriate.

Notice of preparation of development plan

8. Where the Ministry has prepared a development plan, it shall give notice by advertisement stating where copies of the plan have been deposited for inspection and the time within which any objections may be lodged.

Notice of public local inquiry

9. Where the Ministry causes a public local inquiry to be held for the purpose of considering objections to a development plan, it shall, at least one month before the date of the inquiry, give notice by advertisement, and shall serve a notice in the same terms on any person who has objected to the plan and whose objection has not been withdrawn and on such other persons as it thinks fit.

Report of public local inquiry

10.—(1) Where, for the purpose of considering objections made to a development plan, a public local inquiry is held, the Ministry shall, as part of the consideration of those objections, consider the report of the Planning Appeals Commission; and the Ministry shall prepare a statement of its decisions, giving its reasons therefor.

(2) The Ministry shall make copies of the report, and of the statement prepared under paragraph (1) available for inspection not later than the date on which notice is first given under regulation 12.

Modifications

11.—(1) Where the Ministry proposes to modify a development plan, it shall if it considers it expedient to do so having regard to the nature and importance of the proposed modifications—

(*a*) prepare a list of the proposed modifications, giving its reasons for proposing them;