
STATUTORY INSTRUMENTS

1995 No. 418

The Town and Country Planning (General Permitted Development) Order 1995

Notice and confirmation of article 4(2) directions

6.—(1) Notice of any direction made under article 4(2) shall, as soon as practicable after the direction has been made, be given by the appropriate local planning authority—

- (a) by local advertisement; and
- (b) subject to paragraphs (4) and (5), by serving the notice on the owner and occupier of every dwellinghouse within the whole or the relevant part of the conservation area to which the direction relates.

(2) The notice referred to in paragraph (1) shall—

- (a) include a description of the development and the conservation area or part of that area to which the direction relates, and a statement of the effect of the direction;
- (b) specify that the direction is made under article 4(2) of this Order;
- (c) name a place where a copy of the direction, and a copy of the map defining the conservation area or part of that area to which it relates, may be seen at all reasonable hours; and
- (d) specify a period of at least 21 days, stating the date on which that period begins, within which any representations concerning the direction may be made to the local planning authority.

(3) The direction shall come into force in respect of any part of the land within the conservation area or part of that area to which it relates—

- (a) on the date on which the notice is served on the occupier of that part of the land or, if there is no occupier, on the owner; or
- (b) if paragraph (4) or (5) applies, on the date on which the notice is first published in accordance with paragraph (1)(a).

(4) The local planning authority need not serve notice on an owner or occupier in accordance with paragraph (1)(b) where they consider that individual service on that owner or occupier is impracticable because it is difficult to identify or locate him.

(5) The local planning authority need not serve any notice in accordance with paragraph (1)(b) where they consider that the number of owners or occupiers within the conservation area or part of that area to which the direction relates makes individual service impracticable.

(6) On making a direction under article 4(2)—

- (a) a county planning authority shall give notice of it to any district planning authority in whose district the conservation area or part of that area to which the direction relates is situated; and
- (b) except in metropolitan districts, a district planning authority shall give notice of it to the county planning authority, if any.

(7) A direction under article 4(2) shall expire at the end of six months from the date on which it was made unless confirmed by the appropriate local planning authority in accordance with paragraphs (8) and (9) before the end of that six month period.

(8) In deciding whether to confirm a direction made under article 4(2), the local planning authority shall take into account any representations received during the period specified in the notice referred to in paragraph (2)(d).

(9) The local planning authority shall not confirm the direction until a period of at least 28 days has elapsed following the latest date on which any notice relating to the direction was served or published.

(10) The appropriate local planning authority shall as soon as practicable give notice that a direction has been confirmed in the same manner as in paragraphs (1)(a) and (b) above.