



# Town and Country Planning Act 1990

## 1990 CHAPTER 8

### PART II

#### DEVELOPMENT PLANS

#### CHAPTER I

##### UNITARY DEVELOPMENT PLANS: METROPOLITAN AREAS INCLUDING LONDON

##### *Preliminary*

#### **10 Application of Chapter I to Greater London and metropolitan counties**

This Chapter applies, subject to section 28, to the area of any local planning authority in Greater London or a metropolitan county (other than any area in such a county which is part of a National Park).

##### *Surveys etc.*

#### **11 Survey of planning areas**

- (1) The local planning authority—
  - (a) shall keep under review the matters which may be expected to affect the development of their area or the planning of its development; and
  - (b) may, if they think fit, institute a survey or surveys of their area or any part of their area for examining those matters.
- (2) Without prejudice to the generality of subsection (1), the matters to be kept under review or examined under that subsection shall include—
  - (a) the principal physical and economic characteristics of the area of the authority (including the principal purposes for which land is used) and, so far as they may be expected to affect that area, of any neighbouring areas;

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*Status: This is the original version (as it was originally enacted).*

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- (b) the size, composition and distribution of the population of that area (whether resident or otherwise);
  - (c) without prejudice to paragraph (a), the communications, transport system and traffic of that area and, so far as they may be expected to affect that area, of any neighbouring areas;
  - (d) any considerations not mentioned in paragraphs (a), (b) and (c) which may be expected to affect any matters mentioned in them;
  - (e) such other matters as may be prescribed or as the Secretary of State may in a particular case direct;
  - (f) any changes already projected in any of the matters mentioned in any of paragraphs (a) to (e) and the effect which those changes are likely to have on the development of that area or the planning of such development.
- (3) A local planning authority shall, for the purpose of discharging their functions under this section of keeping under review and examining any matters relating to the area of another such authority, consult with that other authority about those matters.

### *Preparation and adoption of unitary development plans*

## **12 Preparation of unitary development plan**

- (1) The local planning authority shall, within such period (if any) as the Secretary of State may direct, prepare for their area a plan to be known as a unitary development plan.
- (2) A unitary development plan shall comprise two parts.
- (3) Part I of a unitary development plan shall consist of a written statement formulating the authority's general policies in respect of the development and other use of land in their area (including measures for the improvement of the physical environment and the management of traffic).
- (4) Part II of a unitary development plan shall consist of—
  - (a) a written statement formulating in such detail as the authority think appropriate (and so as to be readily distinguishable from the other contents of the plan) their proposals for the development and other use of land in their area or for any description of development or other use of such land;
  - (b) a map showing those proposals on a geographical basis;
  - (c) a reasoned justification of the general policies in Part I of the plan and of the proposals in Part II of it; and
  - (d) such diagrams, illustrations or other descriptive or explanatory matter in respect of the general policies in Part I of the plan or the proposals in Part II of it as the authority think appropriate or as may be prescribed.
- (5) A unitary development plan shall also contain such other matters as may be prescribed or as the Secretary of State may in any particular case direct.
- (6) In formulating the general policies in Part I of a unitary development plan the authority shall have regard—
  - (a) to any strategic guidance given by the Secretary of State to assist them in the preparation of the plan;
  - (b) to current national and regional policies;
  - (c) to the resources likely to be available; and

- (d) to such other matters as the Secretary of State may direct the authority to take into account.
- (7) The proposals in Part II of a unitary development plan shall be in general conformity with Part I.
- (8) Part II of a unitary development plan may designate any part of the authority's area as an action area, that is to say, an area which they have selected for the commencement during a prescribed period of comprehensive treatment by development, redevelopment or improvement (or partly by one and partly by another method) and if an area is so designated that Part of the plan shall contain a description of the treatment proposed by the authority.
- (9) In preparing a unitary development plan the authority shall take into account the provisions of any scheme under paragraph 3 of Schedule 32 to the Local Government, Planning and Land Act 1980 relating to land in their area which has been designated under that Schedule as an enterprise zone.

### **13 Publicity in connection with preparation of unitary development plan**

- (1) When preparing a unitary development plan for their area and before finally determining its contents the local planning authority shall take such steps as will in their opinion secure—
  - (a) that adequate publicity is given in their area to the matters which they propose to include in the plan;
  - (b) that persons who may be expected to desire an opportunity of making representations to the authority with respect to those matters are made aware that they are entitled to an opportunity of doing so; and
  - (c) that such persons are given an adequate opportunity of making such representations.
- (2) The authority shall consider any representations made to them within the prescribed period.
- (3) Where the local planning authority have prepared a unitary development plan, before adopting it they shall—
  - (a) make copies of it available for inspection at their office and at such other places as may be prescribed; and
  - (b) send a copy to the Secretary of State.
- (4) Each copy made available for inspection under subsection (3) shall be accompanied by a statement of the time within which objections to the plan may be made to the authority.
- (5) The copy of a unitary development plan sent to the Secretary of State under subsection (3) shall be accompanied by a statement—
  - (a) of the steps which the authority have taken to comply with subsections (1) and (2); and
  - (b) of the authority's consultations with, and their consideration of the views of, other persons.
- (6) If, on considering the statement submitted with and the matters contained in a unitary development plan and any other information provided by the local planning authority, the Secretary of State is not satisfied that the purposes of paragraphs (a) to (c) of

subsection (1) have been adequately achieved by the steps taken by the authority in compliance with that subsection, he may, within 21 days of the receipt of the statement, direct the authority not to take further steps for the adoption of the plan without taking such further action as he may specify in order better to achieve those purposes and satisfying him that they have done so.

- (7) A local planning authority who are given directions by the Secretary of State under subsection (6) shall—
- (a) immediately withdraw the copies of the unitary development plan made available for inspection as required by subsection (3); and
  - (b) notify any person by whom objections to the plan have been made to the authority that the Secretary of State has given such directions.

#### **14 Withdrawal of unitary development plan**

- (1) A unitary development plan may be withdrawn by the local planning authority at any time before it is adopted by the authority or approved by the Secretary of State and shall be withdrawn by the authority if the Secretary of State so directs.
- (2) Where a unitary development plan is withdrawn the authority shall—
  - (a) withdraw the copies made available for inspection and sent to the Secretary of State under section 13(3); and
  - (b) give notice that the plan has been withdrawn to every person who has made an objection to it.
- (3) In determining the steps to be taken by a local planning authority to secure the purposes of paragraphs (a) to (c) of subsection (1) of section 13, the authority and the Secretary of State may take into account any steps taken to secure those purposes in connection with any unitary development plan which the authority have previously withdrawn.
- (4) Where a unitary development plan is withdrawn the copies of the plan shall be treated as never having been made available under section 13(3).

#### **15 Adoption of unitary development plan by local planning authority**

- (1) After the expiry of the period given for making objections to a unitary development plan or, if such objections have been duly made during that period, after considering those objections, the local planning authority may, subject to the following provisions of this section and to sections 17 and 18, by resolution adopt the plan either as originally prepared or as modified to take account—
  - (a) of those objections;
  - (b) of any other objections made to the plan;
  - (c) of any other considerations which appear to the authority to be material.
- (2) A unitary development plan shall not be adopted unless Part II of the plan is in general conformity with Part I.
- (3) Where an objection to a unitary development plan has been made by the Minister of Agriculture, Fisheries and Food and the local planning authority do not propose to modify the plan to take account of the objection, the authority—
  - (a) shall send the Secretary of State particulars of the objection and a statement of their reasons for not modifying the plan to take account of it; and
  - (b) shall not adopt the plan unless the Secretary of State authorises them to do so.

- (4) Subject to the following provisions of this Chapter and to section 287, a unitary development plan shall become operative on the date on which it is adopted.

## **16 Local inquiries**

- (1) For the purpose of considering objections to a unitary development plan the local planning authority may, and shall in the case of objections made in accordance with regulations under this Chapter, cause a local inquiry or other hearing to be held by a person appointed by the Secretary of State or, in such cases as may be prescribed by regulations under this Chapter, by the authority themselves.
- (2) Subsections (2) and (3) of section 250 of the Local Government Act 1972 (power to summon and examine witnesses) shall apply to an inquiry held under this section as they apply to an inquiry under that section.
- (3) The Tribunals and Inquiries Act 1971 shall apply to a local inquiry or other hearing held under this section as it applies to a statutory inquiry held by the Secretary of State, but as if in section 12(1) of that Act (statement of reasons for decisions) the reference to any decision taken by the Secretary of State were a reference to a decision taken by a local planning authority.
- (4) Regulations made for the purposes of this section may—
- (a) make provision with respect to the appointment and qualifications for appointment of persons to hold a local inquiry or other hearing under this section, including provision enabling the Secretary of State to direct a local planning authority to appoint a particular person or one of a specified list or class of persons;
  - (b) make provision with respect to the remuneration and allowances of a person appointed for that purpose.
- (5) No local inquiry or other hearing need be held under this section if all persons who have made objections have indicated in writing that they do not wish to appear.

### *Secretary of State's powers concerning plans*

## **17 Direction to reconsider proposals**

- (1) After a copy of a unitary development plan has been sent to the Secretary of State under section 13(3) and before it is adopted by the local planning authority, the Secretary of State may, if it appears to him that the plan is unsatisfactory, direct the authority to consider modifying the proposals in such respects as are indicated in the direction.
- (2) An authority to whom a direction is given shall not adopt the plan unless they satisfy the Secretary of State that they have made the modifications necessary to conform with the direction or the direction is withdrawn.

## **18 Calling in of unitary development plan for approval by Secretary of State**

- (1) After a copy of a unitary development plan has been sent to the Secretary of State under section 13(3) and before it is adopted by the local planning authority, the Secretary of State may direct that the whole or part of the plan shall be submitted to him for his approval.

- (2) If such a direction is given—
  - (a) the authority shall not take any further steps for the adoption of the plan until the Secretary of State has given his decision on the plan or the relevant part of it; and
  - (b) the plan or the relevant part of it shall not have effect unless approved by him and shall not require adoption under the previous provisions of this Chapter.
- (3) Where particulars of an objection to a unitary development plan have been sent to the Secretary of State under section 15(3), then, unless he is satisfied that the Minister of Agriculture, Fisheries and Food no longer objects to the plan, the Secretary of State must give a direction in respect of it under subsection (1).
- (4) Subsection (2)(a) applies in particular to holding or proceeding with a local inquiry or other hearing in respect of the plan under section 16; and at any such inquiry or hearing which is subsequently held or resumed a local planning authority need not give any person an opportunity of being heard in respect of any objection which has been heard at an examination, local inquiry or other hearing under section 20 or which the Secretary of State states that he has considered in making his decision.

## **19 Approval of unitary development plan by Secretary of State**

- (1) Subject to section 20, the Secretary of State may after considering a plan or part of a plan submitted to him under section 18(1) either approve it (in whole or in part and with or without modifications or reservations) or reject it.
- (2) In considering a plan or part of a plan submitted to him under that section the Secretary of State may take into account any matters which he thinks relevant, whether or not they were taken into account in the plan or that part of it.
- (3) The Secretary of State shall give a local planning authority such statement as he considers appropriate of the reasons governing his decision on any plan or part of a plan submitted to him.
- (4) Where the whole or part of Part I of a unitary development plan is approved by the Secretary of State with modifications, the local planning authority shall, before adopting the remainder of the plan, make such modifications in Part II as may be directed by the Secretary of State for bringing it into general conformity with Part I and, in the absence of any such direction, shall make such modifications for that purpose in Part II as appear to the authority to be required.
- (5) Subject to section 287, a plan or part of a plan which is approved by the Secretary of State under this section shall become operative on such day as he may appoint.

## **20 Local inquiry, public examination and consultation by Secretary of State**

- (1) Before deciding whether or not to approve a plan or part of a plan submitted to him under section 18(1), the Secretary of State shall consider any objection to it so far as made in accordance with regulations under this Chapter.
- (2) Where the whole or part of Part II of a unitary development plan is submitted to the Secretary of State under section 18(1) (whether or not the whole or part of Part I is also submitted), then, if any objections have been made to the plan or the relevant part of it as mentioned in subsection (1), before deciding whether to approve it he shall

cause a local inquiry or other hearing to be held for the purpose of considering those objections.

- (3) The Secretary of State need not under subsection (1) consider any objections which have already been considered by the local planning authority and need not cause a local inquiry or other hearing to be held under subsection (2) if that authority have already held a local inquiry or other hearing into the objections under section 16 or the Secretary of State, on taking the plan or the relevant part of it into consideration, decides to reject it.
- (4) Where the whole or part of Part I of a unitary development plan (but not the whole or any part of Part II) is submitted to the Secretary of State under section 18(1) he may cause a person or persons appointed by him for the purpose to hold an examination in public of such matters affecting the Secretary of State's consideration of the part of the plan submitted to him as he considers ought to be so examined.
- (5) The Secretary of State may, after consultation with the Lord Chancellor, make regulations with respect to the procedure to be followed at any examination under subsection (4).
- (6) The Secretary of State shall not be required to secure to any local planning authority or other person a right to be heard at an examination under subsection (4), and the bodies and persons who may take part shall be such only as he may, whether before or during the course of the examination, in his discretion invite to do so; but the person or persons holding the examination shall have power, exercisable either before or during the course of the examination, to invite additional bodies or persons to take part if it appears to him or them desirable to do so.
- (7) An examination under subsection (4) shall constitute a statutory inquiry for the purposes of section 1(1)(c) of the Tribunals and Inquiries Act 1971 but shall not constitute such an inquiry for any other purpose of that Act.
- (8) On considering a plan or part of a plan submitted to him under section 18(1) the Secretary of State may consult with or consider the views of any local planning authority or other person but he need not do so except as provided by this section.

### *Alteration of plans*

## **21 Alteration or replacement of unitary development plan**

- (1) A local planning authority may at any time, and shall if so directed by the Secretary of State, make proposals for the alteration or replacement of a unitary development plan adopted or approved for their area under the previous provisions of this Chapter but, except in pursuance of such a direction, a local planning authority shall not without the consent of the Secretary of State make proposals under this section in respect of any plan or part of a plan if that plan or any part of it has been approved by him under those provisions.
- (2) Subject to section 22, sections 12 to 20 (other than subsection (1) of section 12) shall apply in relation to the making of proposals under this section and to any alteration or replacement so proposed as they apply to the preparation of a unitary development plan under section 12 and to a plan prepared under that section.
- (3) As soon as practicable after—

- (a) an order has been made under paragraph 5 of Schedule 32 to the Local Government, Planning and Land Act 1980 (designation of enterprise zone); or
- (b) a notification has been given under paragraph 11(1) of that Schedule (approval of modification of enterprise zone scheme),

the local planning authority for an area in which the zone is wholly or partly situated shall review any unitary development plan for that area in the light of the provisions of the scheme or modified scheme under that Schedule and prepare proposals under this section for any consequential alterations to the plan which they consider necessary.

## **22 Short procedure for certain alterations and replacements**

- (1) Where a local planning authority propose to alter or replace a unitary development plan and it appears to them that the issues involved are not of sufficient importance to warrant the full procedure set out in section 13(1) to (4), they may proceed instead in accordance with this section.
- (2) They shall—
  - (a) prepare the relevant documents (that is, the proposed alterations or replacement plan),
  - (b) make a copy of them available for inspection at their office and at such other places as may be prescribed, and
  - (c) send a copy to the Secretary of State.
- (3) Each copy of the documents made available for inspection shall be accompanied by a statement of the time within which representations or objections may be made.
- (4) They shall then take such steps as may be prescribed for the purpose of—
  - (a) advertising the fact that the documents are available for inspection and the places and times at which and period during which they may be inspected, and
  - (b) inviting the making of representations or objections in accordance with regulations;
 and they shall consider any representations made to them within the prescribed period.
- (5) The documents sent by the local planning authority to the Secretary of State under subsection (2) shall be accompanied by a statement of the steps which the authority are taking to comply with subsection (4).
- (6) If, on considering the statement submitted with and the matters contained in the documents sent to him under subsection (2) and any other information provided by the local planning authority, the Secretary of State is not satisfied with the steps taken by the authority he may, within 21 days of the receipt of the statement, direct the authority not to take further steps for the adoption of their proposals without—
  - (a) proceeding in accordance with section 13(1) to (4), or
  - (b) taking such further action as he may specify,
 and satisfying him that they have done so.
- (7) A local planning authority who are given directions by the Secretary of State under subsection (6) shall—
  - (a) immediately withdraw the copies of documents made available for inspection as required by subsection (2); and
  - (b) notify any person by whom objections to the proposals have been made to the authority that the Secretary of State has given such directions.



- (8) Where a local planning authority proceed in accordance with this section, the references in sections 14(2)(a) and (4) and 18(1) to copies made available or sent to the Secretary of State under section 13(3) shall be construed as references to copies made available or sent to the Secretary of State under subsection (2).

### *Joint plans*

## **23 Joint unitary development plans**

- (1) A joint unitary development plan or joint proposals for the alteration or replacement of such a plan may be prepared by two or more local planning authorities in Greater London or by two or more local planning authorities in a metropolitan county; and the previous provisions of this Chapter shall, in relation to any such joint plan or proposals, have effect subject to the following provisions of this section.
- (2) Subsections (3) and (4) shall apply in relation to a joint unitary development plan instead of subsections (1) and (2) of section 13, and references in subsections (5) and (6) of that section and in section 14(3) to subsections (1) and (2) of section 13 and the purposes of paragraphs (a) to (c) of subsection (1) of that section shall include references to subsections (3) and (4) of this section and the purposes of paragraphs (a) to (c) of subsection (3) respectively.
- (3) The local planning authorities shall jointly take such steps as will in their opinion secure—
- (a) that adequate publicity is given in their areas to the matters proposed to be included in the plan;
  - (b) that persons who may be expected to desire an opportunity of making representations to any of the authorities are made aware that they are entitled to such an opportunity; and
  - (c) that such persons are given an adequate opportunity of making such representations.
- (4) The local planning authorities shall consider any representations made to them within the prescribed period.
- (5) Each of the local planning authorities by whom a joint unitary development plan is prepared shall have the duty imposed by subsection (3) of section 13 of making copies of the plan available for inspection.
- (6) Objections to such a plan may be made to any of those authorities and the statement required by subsection (4) of section 13 to accompany copies of the plan shall state that objections may be so made.
- (7) It shall be for each of the local planning authorities by whom a joint unitary development plan is prepared to adopt the plan under section 15(1) and they may do so as respects any part of their area to which the plan relates, but any modifications subject to which the plan is adopted must have the agreement of all those authorities.
- (8) Where a unitary development plan has been prepared jointly, the power of making proposals in respect of the plan under section 21 may be exercised as respects their respective areas by any of the authorities by whom it was prepared and the Secretary of State may under that section direct any of them to make proposals as respects their respective areas.

- (9) In relation to any proposals made jointly under section 21, the reference in subsection (2) of that section to sections 12 to 20 shall include a reference to subsections (3) and (4) of this section.
- (10) In relation to any such joint proposals—
- (a) the reference in section 22(1) to section 13(1) to (4) shall include a reference to subsections (3) and (4) of this section; and
  - (b) the references in section 22 to the local planning authority shall be construed as references to the authorities acting jointly, except that—
    - (a) each of the authorities shall have the duty under subsection (2) of making copies of the relevant documents available for inspection, and
    - (b) representations or objections may be made to any of the authorities, and the statement required by subsection (3) of that section shall state that objections may be so made.
- (11) The date of the coming into operation of a unitary development plan prepared jointly by two or more local planning authorities or for the alteration or replacement of such a plan in pursuance of proposals so prepared shall be a date jointly agreed by those authorities.

### *Supplementary*

## **24 Disregard of certain representations**

Notwithstanding anything in the previous provisions of this Chapter, neither the Secretary of State nor a local planning authority shall be required to consider representations or objections with respect to a unitary development plan or any proposals for the alteration or replacement of such a plan if it appears to the Secretary of State or, as the case may be, the authority that those representations or objections are in substance representations or objections with respect to things done or proposed to be done in pursuance of—

- (a) an order or scheme under section 10, 14, 16, 18, 106(1) or (3) or 108(1) of the Highways Act 1980;
- (b) an order or scheme under any provision replaced by the provisions mentioned in paragraph (a), namely, an order or scheme under section 7, 9, 11, 13 or 20 of the Highways Act 1959, section 3 of the Highways (Miscellaneous Provisions) Act 1961 or section 1 or 10 of the Highways Act 1971; or
- (c) an order under section 1 of the New Towns Act 1981.

## **25 Default powers**

- (1) Where, by virtue of any of the previous provisions of this Chapter, any unitary development plan or proposals for the alteration or replacement of such a plan are required to be prepared, or steps are required to be taken for the adoption of any such plan or proposals, then—
- (a) if at any time the Secretary of State is satisfied, after holding a local inquiry or other hearing, that the local planning authority are not taking the steps necessary to enable them to prepare or adopt such a plan or proposals within a reasonable period; or

- (b) in a case where a period is specified for the preparation or adoption of any such plan or proposals, if no such plan or proposals have been prepared or adopted by the local planning authority within that period,  
the Secretary of State may prepare and make the plan or any part of it or, as the case may be, alter or replace it, as he thinks fit.
- (2) The previous provisions of this Chapter shall, so far as practicable, apply with any necessary modifications in relation to the doing of anything under this section by the Secretary of State and the thing so done.
- (3) The authority mentioned in subsection (1) shall on demand repay to the Secretary of State so much of any expenses incurred by him in connection with the doing of anything which should have been done by them as he certifies to have been incurred in the performance of their functions.

## 26 Regulations and directions

- (1) Without prejudice to the previous provisions of this Chapter, the Secretary of State may make regulations with respect to the form and content of unitary development plans and the procedure to be followed in connection with their preparation, withdrawal, adoption, submission, approval, making, alteration or replacement.
- (2) Such regulations may in particular—
  - (a) provide for publicity to be given to the results of any review or survey carried out under section 11;
  - (b) provide for the notice to be given of or the publicity to be given to—
    - (i) matters included or proposed to be included in any unitary development plan,
    - (ii) the approval, adoption or making of any such plan or any alteration or replacement of it, or
    - (iii) any other prescribed procedural step,
 and for publicity to be given to the procedure to be followed as mentioned in subsection (1);
  - (c) make provision with respect to the making and consideration of representations with respect to matters to be included in, or objections to, any such plan or proposals for its alteration or replacement;
  - (d) without prejudice to paragraph (b), provide for notice to be given to particular persons of the approval, adoption, alteration or replacement of any plan if they have objected to the plan and have notified the local planning authority of their wish to receive notice, subject (if the regulations so provide) to the payment of a reasonable charge;
  - (e) require or authorise a local planning authority to consult with, or consider the views of, other persons before taking any prescribed procedural step;
  - (f) require a local planning authority, in such cases as may be prescribed or in such particular cases as the Secretary of State may direct, to provide persons making a request in that behalf with copies of any plan or document which has been made public for the purpose mentioned in section 13(1)(a) or 23(3)(a) or has been made available for inspection under section 13(3)(a) or 22(2)(b), subject (if the regulations so provide) to the payment of a reasonable charge;
  - (g) provide for the publication and inspection of any unitary development plan which has been adopted, approved or made or any document approved,

adopted or made altering or replacing any such plan, and for copies of any such plan or document to be made available on sale.

- (3) Regulations under this section may make different provision for different cases.
- (4) Subject to the previous provisions of this Chapter and to any regulations under this section, the Secretary of State may give directions to any local planning authority or to local planning authorities generally—
  - (a) for formulating the procedure for the carrying out of their functions under this Chapter;
  - (b) for requiring them to give him such information as he may require for carrying out any of his functions under this Chapter.

## **27 Meaning of “development plan” in Greater London and metropolitan counties**

For the purposes of this Act and any other enactment relating to town and country planning, the Land Compensation Act 1961 and the Highways Act 1980, the development plan for any district in Greater London or a metropolitan county (whether the whole or part of the area of a local planning authority) shall be taken as consisting of—

- (a) the provisions of the unitary development plan for the time being in force for that area or the relevant part of it, together with a copy of the local planning authority’s resolution of adoption or the Secretary of State’s notice of approval or, where part of the plan has been adopted and the remainder approved, copies of the resolution and the notice; and
- (b) any alteration to that plan, together with a copy of the authority’s resolution of adoption, or the Secretary of State’s notice of approval, of the alteration or, where part of the alteration has been adopted and the remainder approved, copies of the resolution and the notice.

## **28 Commencement of Chapter I: transitional provisions**

- (1) Subject to subsection (2), the provisions of this Chapter shall come into force in the area of any local planning authority in Greater London or a metropolitan county (other than any area in that county which is part of a National Park) on such day as may be appointed in relation to that area by an order made by the Secretary of State.
- (2) Subsection (1) does not apply in any area in relation to which an order has been made before the commencement of this Act under section 4(1) of the Local Government Act 1985 (commencement of Part I of Schedule 1 to that Act) and in any such area the provisions of this Chapter shall come into force at the commencement of this Act or, if later, on the day appointed by the order.
- (3) Until a unitary development plan becomes operative under this Chapter for such an area as is mentioned in subsection (1) (or where parts of such a plan become operative on different dates until every part has become operative)—
  - (a) if it is the area of a local planning authority in a metropolitan county, Part I of Schedule 2 (which provides for existing plans to continue in force and applies some of the provisions of Chapter II) shall apply in relation to it;
  - (b) if it is the area of a local planning authority in Greater London, Part II of that Schedule (which makes similar provision) shall apply in relation to it; and
  - (c) Part III of that Schedule shall apply in relation to it for the purpose of making continuing provision for the transitional matters for which provision was made

immediately before the commencement of this Act by Schedule 7 to the 1971 Act (old development plans etc.).

- (4) The power to make orders under this section may be exercised so as to make different provision for different cases, including different provision for different areas.