

SCHEDULES

SCHEDULE 8

TRANSITIONAL PROVISIONS: PARTS 1 AND 2

Local plan

- 11 (1) This paragraph applies if the Secretary of State thinks—
- (a) that the conformity requirement is likely to give rise to inconsistency between the proposals and relevant policies or guidance, and
 - (b) that it is necessary or expedient to avoid such inconsistency.
- (2) The Secretary of State may direct that to the extent specified in the direction the conformity requirement must be ignored.
- (3) The Secretary of State must give reasons for the direction.
- (4) The conformity requirement is—
- (a) the requirement under section 36(4) of the principal Act that the local plan is to be in general conformity with the structure plan;
 - (b) the prohibition under section 43(3) of the principal Act on the adoption of proposals for a local plan or for its alteration or replacement which do not conform generally with the structure plan.
- (5) Relevant policies and guidance are—
- (a) national policies;
 - (b) advice contained in guidance;
 - (c) policies in the RSS.