



# Planning and Compulsory Purchase Act 2004

## 2004 CHAPTER 5

### PART 2

#### LOCAL DEVELOPMENT

##### *Documents*

#### 17 Local development documents

<sup>F1</sup>(1) .....

<sup>F1</sup>(2) .....

(3) [<sup>F2</sup>The local planning authority's local development documents ] must (taken as a whole) set out the authority's policies (however expressed) relating to the development and use of land in their area.

(4) In the case of the documents which are included in a minerals and waste development scheme they must also (taken as a whole) set out the authority's policies (however expressed) [<sup>F3</sup>Where a county council is required to prepare a minerals and waste development scheme in respect of an area, the council's local development documents must (taken as a whole) set out the council's policies (however expressed) for that area ] within the meaning of paragraph 1 of Schedule 1 to the principal Act (ignoring subparagraph (1)(i)).

(5) If to any extent a policy set out in a local development document conflicts with any other statement or information in the document the conflict must be resolved in favour of the policy.

(6) The authority must keep under review their local development documents having regard to the results of any review carried out under section 13 or 14.

(7) Regulations under this section may prescribe—

*Status: Point in time view as at 01/04/2010. This version of this provision has been superseded.*

**Changes to legislation:** Planning and Compulsory Purchase Act 2004, Section 17 is up to date with all changes known to be in force on or before 30 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- [<sup>F4</sup>(za) which descriptions of documents are, or if prepared are, to be prepared as local development documents;]
- (a) which descriptions of local development documents are development plan documents;
  - (b) the form and content of the local development documents;
  - (c) the time at which any step in the preparation of any such document must be taken.
- (8) A document is a local development document only in so far as it or any part of it—
- (a) is adopted by resolution of the local planning authority as a local development document;
  - (b) is approved by the Secretary of State under section 21 or 27.

#### Textual Amendments

- F1** S. 17(1)(2) repealed (6.4.2009) by [Planning Act 2008 \(c. 29\)](#), ss. 180(3)(a), 241(8), [Sch. 13](#) (with s. 226); [S.I. 2009/400](#), art. 3(e)(o), [Sch. Pt. 1](#)
- F2** Words in s. 17(3) substituted (6.4.2009) by [Planning Act 2008 \(c. 29\)](#), [ss. 180\(3\)\(b\)](#), 241(8) (with s. 226); [S.I. 2009/400](#), art. 3(e)
- F3** Words in s. 17(4) substituted (6.4.2009) by [Planning Act 2008 \(c. 29\)](#), [ss. 180\(3\)\(c\)](#), 241(8) (with s. 226); [S.I. 2009/400](#), art. 3(e)
- F4** S. 17(7)(za) inserted (6.4.2009) by [Planning Act 2008 \(c. 29\)](#), [ss. 180\(3\)\(d\)](#), 241(8) (with s. 226); [S.I. 2009/400](#), art. 3(e)

#### Modifications etc. (not altering text)

- C1** S. 17(3) modified (1.4.2010) by [The Conservation of Habitats and Species Regulations 2010 \(S.I. 2010/490\)](#), regs. 1(2), [39\(1\)\(a\)](#) (with reg. 125)

#### Commencement Information

- I1** S. 17 in force at 6.8.2004 for specified purposes by [S.I. 2004/2097](#), [art. 2](#)
- I2** S. 17 in force at 28.9.2004 for E. so far as not already in force by [S.I. 2004/2202](#), [art. 2\(b\)](#)

**Status:**

Point in time view as at 01/04/2010. This version of this provision has been superseded.

**Changes to legislation:**

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