



Planning and Compulsory Purchase Act 2004

2004 CHAPTER 5

PART 6

WALES

Plans

62 Local development plan

- (1) The local planning authority must prepare a plan for their area to be known as a local development plan.
- (2) The plan must set out—
 - (a) the authority's objectives in relation to the development and use of land in their area;
 - (b) their general policies for the implementation of those objectives.
- (3) The plan may also set out specific policies in relation to any part of the area of the authority.

[^{F1}(3A) The plan must be in general conformity with—

- (a) the National Development Framework for Wales, and
- (b) the strategic development plan for any strategic planning area that includes all or part of the area of the authority.]

[^{F2}(3B) The plan must specify the period for which it is to have effect.]

- (4) Regulations under this section may [^{F3}—
 - (a) make provision about the period that may be specified under subsection (3B);
 - (b)] prescribe the form and content of the plan.
- (5) In preparing a local development plan the authority must have regard to—

Status: Point in time view as at 01/04/2016. This version of this provision has been superseded.

Changes to legislation: Planning and Compulsory Purchase Act 2004, Section 62 is up to date with all changes known to be in force on or before 08 June 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)

- (a) current national policies;
 - (b) [^{F4}the National Development Framework for Wales;
 - (ba) the strategic development plan for any strategic planning area that—
 - (i) includes all or part of the area of the authority, or
 - (ii) adjoins that area;]
 - (c) the RSS for any region which adjoins the area of the authority;
 - [^{F5}(d) any relevant [^{F6}local well-being plan];]
 - (f) the resources likely to be available for implementing the plan;
 - (g) such other matters as the Assembly prescribes.
 - (6) The authority must also—
 - (a) carry out an appraisal of the sustainability of the plan;
 - (b) prepare a report of the findings of the appraisal.
 - [^{F7}(6A) The appraisal must include an assessment of the likely effects of the plan on the use of the Welsh language in the area of the authority.]
 - [^{F8}(7) A local well-being plan is relevant if it has been published under section 39 or 44(5) of the Well-being of Future Generations (Wales) Act 2015 (anaw 2) by—
 - (a) in the case of an authority which is a county council or county borough council, the public services board of which that authority is a member;
 - (b) in the case of an authority which is a National Park Authority, the public services board for an area that includes any part of that authority's area.]
 - [^{F9}(c) in the case of an authority which is a joint planning board, the public services board for an area that includes any part of that authority's united district.
 - (8) A plan is a local development plan only in so far as it—
 - (a) is adopted by resolution of the local planning authority as a local development plan;
 - (b) is approved by the Assembly under section 65 or 71.
- [A plan ceases to be a local development plan on the expiry of the period specified ^{F10}(9) under subsection (3B).]

Textual Amendments

- F1** S. 62(3A) inserted (6.9.2015 for specified purposes) by [Planning \(Wales\) Act 2015 \(anaw 4\), ss. 7\(1\), 58\(2\)\(b\)\(4\)\(b\)](#)
- F2** S. 62(3B) inserted (6.9.2015 for specified purposes, 4.1.2016 in so far as not already in force) by [Planning \(Wales\) Act 2015 \(anaw 4\), ss. 12\(2\), 58\(2\)\(b\)\(4\)\(b\); S.I. 2015/1987, art. 3\(b\)](#)
- F3** Words in s. 62(4) inserted (6.9.2015 for specified purposes, 4.1.2016 in so far as not already in force) by [Planning \(Wales\) Act 2015 \(anaw 4\), ss. 12\(3\), 58\(2\)\(b\)\(4\)\(b\); S.I. 2015/1987, art. 3\(b\)](#)
- F4** S. 62(5)(b)(ba) substituted for s. 62(5)(b) (6.9.2015 for specified purposes) by [Planning \(Wales\) Act 2015 \(anaw 4\), s. 58\(2\)\(b\)\(4\)\(b\), Sch. 2 para. 25](#)
- F5** S. 62(5)(d) substituted for s. 62(5)(d)(e) (1.1.2010) by [Local Government \(Wales\) Measure 2009 \(nawm 2\), s. 53\(2\), Sch. 2 para. 5 \(with Sch. 3 paras. 3-9\); S.I. 2009/3272, art. 2, Sch. 1](#)
- F6** Words in s. 62(5)(d) substituted (1.4.2016) by [Well-being of Future Generations \(Wales\) Act 2015 \(anaw 2\), s. 56\(2\), Sch. 4 para. 9; S.I. 2016/86, art. 3](#)
- F7** S. 62(6A) inserted (6.9.2015 for specified purposes, 4.1.2016 in so far as not already in force) by [Planning \(Wales\) Act 2015 \(anaw 4\), ss. 11\(3\), 58\(2\)\(b\)\(4\)\(b\); S.I. 2015/1987, art. 3\(a\) \(with art. 6\)](#)
- F8** S. 62(7) substituted (1.4.2016) by [Well-being of Future Generations \(Wales\) Act 2015 \(anaw 2\), s. 56\(2\), Sch. 4 para. 10; S.I. 2016/86, art. 3](#)

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F9 S. 62(7)(c) inserted (6.9.2015 for specified purposes, 1.4.2016 in so far as not already in force) by Planning (Wales) Act 2015 (anaw 4), **ss. 15(3), 58(2)(b)(4)(b)**; S.I. 2015/1987, art. 5(b)

F10 S. 62(9) inserted (6.9.2015 for specified purposes, 4.1.2016 in so far as not already in force) by Planning (Wales) Act 2015 (anaw 4), **ss. 12(4), 58(2)(b)(4)(b)**; S.I. 2015/1987, art. 3(b)

Modifications etc. (not altering text)

C1 S. 62(2)(b) modified (1.4.2010) by The Conservation of Habitats and Species Regulations 2010 (S.I. 2010/490), regs. 1(2), **39(1)(b)** (with reg. 125)

Commencement Information

I1 S. 62(1)-(3)(5)(a)-(f)(6)-(8) in force at 30.4.2005 by S.I. 2005/1229, **art. 2(a)** (with art. 4, Sch.) (which transitional provisions in art. 4 are revoked (15.10.2005) by S.I. 2005/2722, art. 4)

I2 S. 62(4)(5)(g) in force at 1.8.2004 by S.I. 2004/1813, **art. 2(a)**

Status:

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Changes to legislation:

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