



# Planning Act 2008

## 2008 CHAPTER 29

### PART 9

#### CHANGES TO EXISTING PLANNING REGIMES

### CHAPTER 2

#### OTHER CHANGES TO EXISTING PLANNING REGIMES

#### *Local development*

#### **180 Local development documents**

- (1) PCPA 2004 is amended as follows.
- (2) In section 15(2) (matters which must be specified in local development scheme)—
  - (a) omit paragraph (a);
  - (b) before paragraph (b) insert—
    - “(aa) the local development documents which are to be development plan documents;”;
  - (c) in paragraph (b) for “document” substitute “development plan document”;
  - (d) omit paragraph (c);
  - (e) in paragraphs (d) and (f) for “documents” substitute “development plan documents”.
- (3) In section 17 (local development documents)—
  - (a) omit subsections (1) and (2);
  - (b) in subsection (3) for “The local development documents” substitute “The local planning authority’s local development documents”;
  - (c) in subsection (4) for the words before “in relation to development which is a county matter” substitute “Where a county council is required to prepare a minerals and waste development scheme in respect of an area, the council’s

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*Status: This is the original version (as it was originally enacted).*

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- local development documents must (taken as a whole) set out the council’s policies (however expressed) for that area”;
- (d) in subsection (7), before paragraph (a) insert—
- “(za) which descriptions of documents are, or if prepared are, to be prepared as local development documents;”.
- (4) In section 18 (statements of community involvement)—
- (a) for subsection (3) substitute—
- “(3) For the purposes of this Part (except sections 19(2) and 24) the statement of community involvement is a local development document.
- This is subject to section 17(8).”;
- (b) after subsection (3) insert—
- “(3A) The statement of community involvement must not be specified as a development plan document in the local development scheme.”;
- (c) omit subsections (4) to (6).
- (5) In section 19 (preparation of local development documents)—
- (a) in subsection (1) for “Local development documents” substitute “Development plan documents”;
- (b) in subsection (2) after “In preparing a” insert “development plan document or any other”;
- (c) in subsection (3) for “other local development documents” substitute “local development documents (other than their statement of community involvement)”;
- (d) in subsection (5) for “document” substitute “development plan document”.
- (6) In section 37 (interpretation of Part 2)—
- (a) in subsection (2) for “section 17” substitute “sections 17 and 18(3)”;
- (b) for subsection (3) substitute—
- “(3) A development plan document is a local development document which is specified as a development plan document in the local development scheme.”
- (7) In section 38 (development plan) after subsection (8) insert—
- “(9) Development plan document must be construed in accordance with section 37(3).”