**Changes to legislation:** Planning and Compulsory Purchase Act 2004 is up to date with all changes known to be in force on or before 02 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) View outstanding changes



# Planning and Compulsory Purchase Act 2004

# **CHAPTER 5**

# PLANNING AND COMPULSORY PURCHASE ACT 2004

# PART 1

# **REGIONAL FUNCTIONS**

# Spatial strategy

1 Regional Spatial Strategy

# Planning bodies

- 2 Regional planning bodies
- 3 RPB: general functions
- 4 Assistance from certain local authorities
- 4A Delegation of RPB functions to regional development agencies

## RSS revision

- 5 RSS: revision
- 6 RSS: community involvement
- 7 RSS: Secretary of State's functions
- 8 RSS: examination in public
- 9 RSS: further procedure
- 10 Secretary of State: additional powers

## Supplementary

- 11 Regulations
- 12 Supplementary

#### LOCAL DEVELOPMENT

#### Survey

- 13 Survey of area
- 14 Survey of area: county councils

#### Register

14A Register of land

#### Development schemes

- 15 Local development scheme
- 16 Minerals and waste development scheme

#### **Documents**

- 17 Local development documents
- 18 Statement of community involvement
- 19 Preparation of local development documents
- 20 Independent examination
- 21 Intervention by Secretary of State
- 21A Temporary direction pending possible use of intervention powers
  - 22 Withdrawal of local development documents
  - 23 Adoption of local development documents
  - 24 Conformity with regional strategy
  - 25 Revocation of local development documents
  - 26 Revision of local development documents
- 27 Secretary of State's default powers
- 27A Default powers exercisable by Mayor of London, combined authority, combined county authority or county council
- 28 Joint local development documents
- 28A Power to direct preparation of joint development plan documents
- 28B Application of Part to joint development plan documents
- 28C Modification or withdrawal of direction under section 28A

#### Joint committees

- 29 Joint committees
- 30 Joint committees: additional functions
- 31 Dissolution of joint committee

#### Miscellaneous

- 32 Exclusion of certain representations
- 33 Urban development corporations
- 33A Duty to co-operate in relation to planning of sustainable development
  - 34 Guidance
  - 35 Authorities monitoring reports

#### General

- 36 Regulations and standards
- 37 Interpretation

appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

#### DEVELOPMENT

#### Development plan

- 38 Development plan
- 38ZA Meaning of "national development management policy"
- 38A Meaning of "neighbourhood development plan"
- 38B Provision that may be made by neighbourhood development plans
- 38C Supplementary provisions

#### Sustainable development

39 Sustainable development

#### PART 4

#### DEVELOPMENT CONTROL

#### Local development orders

40 Local development orders

#### Revision of development orders

41 Effect of revision or revocation of development order on incomplete development

#### *Applications*

- 42 Applications for planning permission and certain consents
- 43 Power to decline to determine applications

#### *Major infrastructure projects*

44 Major infrastructure projects

#### Simplified planning zones

45 Simplified planning zones

#### Planning contribution

- 46 Planning contribution
- 47 Planning contribution: regulations
- 48 Planning contribution: Wales

#### Miscellaneous

- 49 Development to include certain internal operations
- 50 Appeal made: functions of local planning authority
- 51 Duration of permission and consent
- 52 Temporary stop notice
- 53 Fees and charges
- 54 Duty to respond to consultation
- 55 Time in which Secretary of State to take decisions

# CORRECTION OF ERRORS

- 56 Correction of errors in decisions
- 57 Correction notice
- 58 Effect of correction
- 59 Supplementary

# PART 6

# WALES

# National Development Framework

...

- 60 National Development Framework for Wales
- 60A Preparation of Framework: statement of public participation
- 60B Procedure for preparation and publication of Framework
- 60C Review and revision of Framework
- 60D . 60E .
- 60F ...
- 60F ...
- 60G ... 60H ...
- 60H ...
- 60I ... 60J ...
- 60J ...

# Strategic planning by corporate joint committees

- 60K Corporate joint committees to which this Part applies
- 60L Corporate joint committees: area survey
- 60M Corporate joint committee areas: strategic development plans
- 60N Strategic development plans: application of provisions of this Part

# Survey

61 Survey

# Plans

- 62 Local development plan
- 63 Preparation requirements
- 64 Independent examination
- 65 Intervention by Assembly
- 66 Withdrawal of local development plan in accordance with direction
- 66A Withdrawal of local development plan in absence of direction
- 67 Adoption of local development plan
- 68 Revocation of local development plan
- 68A Duty to consider whether to review local development plan
- 69 Review of local development plan
- 70 Revision of local development plan
- 71 Assembly's default power
- 72 Joint local development plans

on or before 02 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) View outstanding changes

#### Miscellaneous

- 73 Exclusion of certain representations
- 74 Urban development corporations
- 75 Guidance
- 76 Annual monitoring report

#### General

- 77 Regulations
- 78 Interpretation

#### PART 7

#### CROWN APPLICATION OF PLANNING ACTS

#### CHAPTER 1

#### ENGLAND AND WALES

#### Crown application

79 Crown application of planning Acts

#### National security

- 80 Special provision relating to national security
- 81 Special provision relating to national security: Wales

#### Urgent development and works

- 82 Urgent Crown development
- 83 Urgent works relating to Crown land

#### Enforcement

84 Enforcement in relation to Crown land

# Trees

- 85 Tree preservation orders: Forestry Commissioners
- 86 Trees in conservation areas: acts of Crown

#### Miscellaneous

- 87 Old mining permissions
- 88 Subordinate legislation
- 89 Crown application: transitional

#### CHAPTER 2

#### SCOTLAND

#### Crown application

90 Crown application of Scottish planning Acts

# National security

91 Special provision for certain circumstances where disclosure of information as to national security may occur: Scotland

# Urgent development and works

- 92 Urgent Crown development: Scotland
- 93 Urgent works relating to Crown land: Scotland

# Enforcement

94 Enforcement in relation to Crown land: Scotland

## Trees

- 95 Tree preservation orders: Scotland
- 96 Trees in conservation areas in Scotland: acts of Crown

#### Miscellaneous

- 97 Old mining permissions: Scotland
- 98 Subordinate legislation: Scotland

#### PART 8

#### COMPULSORY PURCHASE

## Acquisition of land for development

99 Compulsory acquisition of land for development etc

#### Authorisation of compulsory acquisition

- 100 Procedure for authorisation by authority other than a Minister
- 101 Procedure for authorisation by a Minister
- 102 Confirmation by acquiring authority

## Valuation date

103 Assessment of compensation: valuation date

#### Advance payments

104 Compensation: advance payments to mortgagees

## Information

105 Power to require information

## Loss payments

- 106 Basic loss payment
- 107 Occupier's loss payment
- 108 Loss payments: exclusions
- 109 Loss payments: supplementary

## Corresponding amendments of other enactments

110 Corresponding amendments of other enactments

#### MISCELLANEOUS AND GENERAL

#### Crown

111 Crown

#### Parliament

112 Parliament

#### Miscellaneous

- 113 Validity of strategies, plans and documents
- 114 Examinations
- 115 Grants for advice and assistance
- 116 Isles of Scilly
- 117 Interpretation

#### General

- 118 Amendments
- 119 Transitionals
- 120 Repeals
- 121 Commencement
- 122 Regulations and orders
- 123 Finance
- 124 Extent
- 125 Short Title

#### SCHEDULES

SCHEDULE A1 — Default powers exercisable by Mayor of London, combined authority, combined county authority or county council

#### Default powers exercisable by Mayor of London

- 1 If the Secretary of State—(a) thinks that a London...
- 2 (1) This paragraph applies where a development plan document is...
- 3 (1) Subsections (4) to (7C) of section 20 apply to...

#### Default powers exercisable by combined authority

- 4 In this Schedule— " combined authority " means a combined...
- 5 If the Secretary of State— (a) thinks that a constituent...
- 6 (1) This paragraph applies where a development plan document is...
- 7 (1) Subsections (4) to (7C) of section 20 apply to...

# Default powers exercisable by combined county authority

- 7ZA In this Schedule—" combined county authority " means a...
- 7ZB If the Secretary of State— (a) thinks that a constituent...
- 7ZC (1) This paragraph applies where a development plan document is...
- 7ZD (1) Subsections (4) to (7C) of section 20 apply to...

Planning and Compulsory Purchase Act 2004 (c. 5) Document Generated: 2024-06-02

Changes to legislation: Planning and Compulsory Purchase Act 2004 is up to date with all changes known to be in force on or before 02 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) View outstanding changes

#### *Default powers exercisable by county council*

- 7A In this Schedule—" upper-tier county council" means a...
- 7B If the Secretary of State— (a) thinks that a lower-tier...
- 7C (1) This paragraph applies where a development plan document is...
- 7D (1) Subsections (4) to (7C) of section 20 apply to...

#### Intervention by Secretary of State

- 8 (1) This paragraph applies to a development plan document that...
- 9 (1) This paragraph applies if the Secretary of State gives...
- 10 Subsections (4) to (7C) of section 20 apply to an...
- 11 In the exercise of any function under paragraph 8 or...
- 12 The Mayor of London, the combined authority, the...

#### Temporary direction pending possible use of intervention powers

13 (1) If the Secretary of State is considering whether to...

SCHEDULE A2 — Modification of neighbourhood development plans

# Proposals for modification of neighbourhood development plan

- 1 (1) This Schedule applies if a neighbourhood development plan has...
- 2 (1) A qualifying body may withdraw a proposal at any...

#### Advice and assistance in connection with proposals

3 (1) A local planning authority must give such advice or...

Requirements to be complied with before proposals made or considered

4 (1) The Secretary of State may by regulations make provision...

#### Consideration of proposals by authority

- 5 (1) A local planning authority may decline to consider a...
- 6 If a local planning authority decline to consider a proposal...
- 7 (1) This paragraph applies if— (a) a proposal has been...
- 8 (1) This paragraph applies if— (a) a proposal has been...

#### *Requirement to appoint examiner*

9 (1) This paragraph applies if— (a) a local planning authority...

#### What examiner must consider

- 10 (1) The examiner must first determine whether the modifications contained...
- 11 (1) If paragraph 10(2) does not apply, the examiner must...

#### Procedure for examination

12 (1) The general rule is that the examination of the...

#### Recommendation by examiner

13 (1) After considering a draft plan under paragraph 11, the...

on or before 02 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) View outstanding changes

*Functions of authority: modifications proposed by qualifying body* 

14 (1) This paragraph applies if an examiner has made a...

#### Regulations about examinations

15 (1) The Secretary of State may by regulations make provision...

#### Interpretation

16 In this Schedule—" the Convention rights " has the...

SCHEDULE 1 — Local development orders: procedure In the principal Act after Schedule 4 (special provision as...

SCHEDULE 2 — Timetable for decisions

#### Decisions

- 1 This Schedule applies to any decision which must be taken...
- 2 (1) This Schedule also applies to a decision not mentioned...
- 3 But the Secretary of State may by order specify decisions...

#### Timetable

4 (1) The Secretary of State must make one or more...

#### Notice

5 (1) The Secretary of State must notify the following persons...

## Variation

6 (1) This paragraph applies if before the time at which...

#### Written reasons

7 If the Secretary of State fails to take any step...

## Annual report

8 (1) The Secretary of State must lay before Parliament a...

## SCHEDULE 2A — STRATEGIC PLANNING PANELS PART 1 — STATUS AND MEMBERSHIP

### Status

1 (1) A strategic planning panel is a body corporate.

#### Membership

2 (1) A strategic planning panel consists of local planning authority...

#### Appointment of local planning authority members

3 (1) Each local planning authority member of a strategic planning...

# **Changes to legislation:** Planning and Compulsory Purchase Act 2004 is up to date with all changes known to be in force on or before 02 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) View outstanding changes

# Appointment of nominated members

4 (1) Each nominated member of a strategic planning panel is...

Composition of strategic planning panels: further provision

5 (1) The Welsh Ministers may by regulations make further provision...

# Terms and notice of appointments

6 (1) The Welsh Ministers may publish standard terms of appointment...

# Members' allowances

7 (1) A strategic planning panel may pay allowances to its...

# *Termination of membership*

8 (1) A member of a strategic planning panel may resign...

Termination of membership: further provision about local planning authority members

9 (1) A constituent local planning authority may at any time...

# Chair and deputy chair

10 (1) A strategic planning panel must appoint a chair and... PART 2 — ADMINISTRATION

# Staff

11 (1) A strategic planning panel may employ staff.

# Delegation

12 (1) A strategic planning panel may delegate a function to-...

## Voting rights

13 A nominated member of a strategic planning panel is not...

# Procedure

14 (1) A strategic planning panel must make standing orders regulating...

## Access to meetings

15 (1) A meeting of a strategic planning panel must be... PART 3 — FINANCIAL ARRANGEMENTS

# Qualifying expenditure

16 (1) The qualifying expenditure of a strategic planning panel is...

# Apportionment of qualifying expenditure

17 (1) A strategic planning panel must make a determination specifying...

appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Annual work programme and estimate of qualifying expenditure

18 (1) A strategic planning panel must, for each financial year...

Payments by constituent local planning authorities

19 (1) Not later than 15 February before the start of...

#### Payments by Welsh Ministers

20 (1) The Welsh Ministers may make grants, loans or other...

#### Accounts and audit

21 (1) A strategic planning panel must for each financial year ....

#### Annual report

22 (1) A strategic planning panel must, for each financial year,...

### Financial year

23 (1) The first financial year of a strategic planning panel... PART 4 — SUPPLEMENTARY

#### Guidance

24 In exercising functions under this Schedule, a strategic planning panel...

#### Default powers of Welsh Ministers

25 (1) This paragraph applies if the Welsh Ministers think that...

#### Provision in connection with establishment etc of strategic planning panel

26 (1) The regulations establishing a panel may confer power on...

#### Interpretation

27 In this Schedule— " constituent local planning authority " has...

Power to amend provisions about strategic planning panels

28 The Welsh Ministers may by regulations amend this Schedule.

SCHEDULE 3 — Crown application

# Purchase notices

- 1 After section 137 of the principal Act (circumstances in which...
- 2 After section 32 of the listed buildings Act (circumstances in...

#### Compulsory acquisition

- 3 (1) Section 226 of the principal Act (compulsory acquisition of...
- 4 (1) Section 228 of the principal Act (compulsory acquisition of...
- 5 (1) Section 47 of the listed buildings Act (compulsory acquisition...

**Changes to legislation:** Planning and Compulsory Purchase Act 2004 is up to date with all changes known to be in force on or before 02 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) View outstanding changes

# Definitions

- 6 (1) Section 293 of the principal Act (preliminary definitions) is...
- 7 In the listed buildings Act after section 82B (inserted by...
- 8 (1) Section 31 of the hazardous substances Act (exercise of...

#### Special enforcement notices

9 (1) Sections 294 and 295 of the principal Act (control...

#### Applications for planning permission, etc.

- 10 (1) After section 298 of the principal Act (supplementary provision...
- 11 After section 82E of the listed buildings Act (inserted by...
- 12 (1) After section 31 of the hazardous substances Act (exercise...

#### Rights of entry

- 13 After section 325 of the principal Act (supplementary provisions as...
- 14 After section 88B of the listed buildings Act (rights of...
- 15 After section 36B of the hazardous substances Act (rights of...

#### Service of notices

16 After section 329 of the principal Act (service of notices)...

#### Information as to interests in land

17 After section 330 of the principal Act (power to require...

#### Listed buildings and conservation areas

- 18 (1) Sections 83 and 84 of the listed buildings Act...
- 19 (1) Section 89(1) of the listed buildings Act (application of...

#### Hazardous substances

- 20 In section 17 of the hazardous substances Act (revocation of...
- 21 (1) Section 37(2) of the hazardous substances Act (application of...

#### Miscellaneous

- 22 Section 293(4) of the principal Act (certain persons treated as...
- 23 Section 297 of the principal Act (agreements relating to Crown...
- 24 (1) Section 298 of the principal Act (supplementary provisions as...
- 25 Section 299A of the principal Act (Crown planning obligations) is...
- 26 (1) Section 300 of the principal Act (tree preservation orders...
- 27 (1) Section 301 of the principal Act (requirement of planning...

SCHEDULE 4 — Transitional provisions: Crown application Part 1 — THE PRINCIPAL ACT

# Introduction

- 1 This Part applies to a development if—
- 2 In this Part— (a) the relevant date is the date...

#### *Acceptable development*

- 3 (1) This paragraph applies if before the relevant date in...
- 4 (1) This paragraph applies if before the relevant date the...

#### Referred proposals

5 (1) This paragraph applies if— (a) before the relevant date...

#### Pending proposals

6 (1) This paragraph applies if before the relevant date— Part 2 — THE LISTED BUILDINGS ACT

#### Introduction

- 7 This Part applies to works if— (a) they are works...
- 8 In this Part— (a) the relevant date is the date...

#### Acceptable works

- 9 (1) This paragraph applies if before the relevant date in...
- 10 (1) This paragraph applies if before the relevant date the...

#### Referred proposals

11 (1) This paragraph applies if— (a) before the relevant date...

#### Pending proposals

12 (1) This paragraph applies if before the relevant date—

SCHEDULE 5 — Crown application: Scotland

#### Purchase notices

- 1 In the Town and Country Planning (Scotland) Act 1997 (c....
- 2 In the Planning (Listed Buildings and Conservation Areas) (Scotland) Act...

#### Compulsory acquisition

- 3 (1) In the principal Scottish Act, section 189 (compulsory acquisition...
- 4 (1) Section 190 of that Act (compulsory acquisition of land...
- 5 (1) In the Scottish listed buildings Act, section 42 (compulsory...

### Definitions

- 6 (1) In the principal Scottish Act, section 242 (preliminary definitions)...
  - In the Scottish listed buildings Act, after section 73B (inserted...
- 8 (1) In the Planning (Hazardous Substances) (Scotland) Act 1997 (c....

#### Special enforcement notices

9 (1) Sections 243 and 244 of the principal Scottish Act...

7

# Applications for planning permission, etc.

10 (1) In the principal Scottish Act, after section 247 (supplementary...

- 11 After section 73E of the Scottish listed buildings Act (inserted...
- 12 In the Scottish hazardous substances Act, section 32 (application for...
- 13 Before section 33 of that Act there is inserted— Applications...

# Rights of entry

- 14 After section 270 of the principal Scottish Act (supplementary provisions...
- 15 After section 78 of the Scottish listed buildings Act (rights...
- 16 After section 35 of the Scottish hazardous substances Act (rights...

## Service of notices

17 After section 271 of the principal Scottish Act (service of...

## Information as to interests in land

18 In the principal Scottish Act, after section 272 (power to...

#### Listed buildings and conservation areas

- 19 (1) In the Scottish listed buildings Act, sections 74 and...
- 20 (1) In the Scottish listed buildings Act, section 79 (application...

#### Hazardous substances

- 21 In the Scottish hazardous substances Act, in section 15 (revocation...
- 22 (1) In the Scottish hazardous substances Act, section 36 (application...

#### Miscellaneous

- 23 Sections 242(4) (certain persons treated as having an interest in...
- 24 In the principal Scottish Act, for section 247 (supplementary provisions...
- 25 (1) In the principal Scottish Act, section 249 (tree preservation...
- 26 (1) In the principal Scottish Act, section 250 (requirement of...

SCHEDULE 6 — Amendments of the planning Acts

## Town and Country Planning Act 1990 (c. 8)

- 1 The Town and Country Planning Act 1990 is amended as...
- 2 In section 55(2)(b) (meaning of development) the word "local" is...
- 3 For section 69 there is substituted the following section—Register...
- 4 Section 76 (Duty to draw attention to certain provisions for...
- 5 Sections 106 to 106B (planning obligations) are omitted.
- 6 In section 108 (compensation for refusal of planning permission formerly...
- 7 (1) In section 245 (modification of incorporated enactments), subsections (2)...
- 8 In section 284(1) (restriction on challenge to validity of certain...
- 9 (1) Section 287 (procedure for questioning the validity of certain...
- 10 (1) Section 296 (exercise of powers in relation to Crown...
- 11 (1) Section 303A (recovery of costs of certain inquiries) is...
- 12 In section 306 (2) (local authorities and statutory undertakers may...
- 13 In section 324(1) (rights of entry) for paragraph (a) there...

- 14 (1) Section 333 (provision about regulations and orders) is amended...
- 15 In section 336(1) (interpretation) for the definition of development plan...
- 16 (1) Schedule 1 (distribution of functions of local planning authorities)...
- 17 In Schedule 2 (transitional provisions relating to development plans) Parts...
- 18 (1) Schedule 13 (blighted land) is amended as follows.

Planning (Listed Buildings and Conservation Areas) Act 1990 (c. 9)

- 19 The Planning (Listed Buildings and Conservation Areas) Act 1990 is...
- 20 In section 10(3) (regulations relating to applications for listed building...
- 21 In section 23(2) (matters to which regard is to be...
- 22 In section 26(2) (matters to which regard is to be...
- 23 In section 67 (publicity for applications affecting the setting of...
- 24 In section 73 (publicity for applications affecting conservation areas) for...
- 25 In section 91(2) (interpretation) " "development plan"" is omitted.
- 26 In section 93 (provision about regulations and orders) after subsection...

Planning (Hazardous Substances) Act 1990 (c. 10)

27 In section 40 of the Planning (Hazardous Substances) Act 1990...

SCHEDULE 7 — Amendments of other enactments

## Gas Act 1965 (c. 36)

1 In paragraph 7(2) of Schedule 3 of the Gas Act...

*Finance Act 1969 (c. 32)* 

2 In section 58(4) of the Finance Act 1969 (disclosure of...

Leasehold Reform Act 1967 (c. 88)

3 In section 28(6)(a) of the Leasehold Reform Act 1967 (development...

Agriculture (Miscellaneous Provisions) Act 1968 (c. 34)

4 In section 12 of the Agriculture (Miscellaneous Provisions) Act 1968...

# Countryside Act 1968 (c. 41)

5 (1) Paragraph 3 of Schedule 2 to the Countryside Act...

Greater London Council (General Powers) Act 1969 (c lii)

6 In section 13 of the Greater London Council (General Powers)...

Land Compensation Act 1973 (c. 26)

7 (1) The Land Compensation Act 1973 is amended as follows....

Greater London Council (General Powers) Act 1973 (c xxx)

8 In section 24(4) of the Greater London Council (General Powers)...

	Welsh Development Agency Act 1975 (c. 70)
9	(1) Schedule 4 to the Welsh Development Agency Act 1975
	Local Government, Planning and Land Act 1980 (c. 65)
10	(1) The Local Government, Planning and Land Act 1980 is
	Highways Act 1980 (c. 66)
11	(1) The Highways Act 1980 is amended as follows.
	Acquisition of Land Act 1981 (c. 67)
12	In section 29(5) of the Acquisition of Land Act 1981
	Housing Act 1985 (c. 68)
13	(1) In section 578A of the Housing Act 1985 (modification
	Education Reform Act 1988 (c. 40)
14	(1) The Education Reform Act 1988 is amended as follows
	Housing Act 1988 (c. 50)
15	(1) Paragraph 2 of Schedule 10 to the Housing Act
	Planning and Compensation Act 1991 (c. 34)
16	In Schedule 4 to the Planning and Compensation Act 1991
	Local Government Act 1992 (c. 19)
17	In section 14(5) of the Local Government Act 1992 (structural
18	
	Environment Act 1995 (c. 25)
19	(1) The Environment Act 1995 is amended as follows.
	Town and Country Planning (Scotland) Act 1997 (c. 8)
20	(1) The Town and Country Planning (Scotland) Act 1997 is
	Regional Development Agencies Act 1998 (c. 45)
21	(1) Paragraph 1 of Schedule 5 to the Regional Development
	Greater London Authority Act 1999 (c. 29)
22	(1) The Greater London Authority Act 1999 is amended as
	Countryside and Rights of Way Act 2000 (c. 37)

23 In section 86(4) of the Countryside and Rights of Way...

#### SCHEDULE 8 — Transitional provisions: Parts 1 and 2

#### Development plan

1 (1) During the transitional period a reference in an enactment...

#### Structure plans

2 (1) This paragraph applies to proposals for the alteration or...

#### Unitary development plan

- 3 (1) This paragraph applies to proposals for the alteration or...
- 4 (1) This paragraph applies if— (a) before the relevant date...
- 5 (1) If paragraph 4 does not apply the provisions of...
- 6 If proposals are adopted or approved in pursuance of paragraph...
- 7 (1) This paragraph applies if at the date of commencement...

## Local plan

- 8 (1) This paragraph applies to proposals for the alteration or...
- 9 (1) This paragraph applies if— (a) before the relevant date...
- 10 (1) If paragraph 9 does not apply the provisions of...
- 11 (1) This paragraph applies if the Secretary of State thinks—...
- 12 If proposals are adopted or approved in pursuance of paragraphs...
- 13 (1) This paragraph applies if at the date of commencement...

#### Minerals and waste local plans

14 Paragraphs 8 to 13 above apply to a minerals local...

#### Schemes

15 (1) This paragraph applies to— (a) the local development scheme...

#### Savings

16 (1) The repeal by this Act of paragraphs 1 to...

#### Regulations and orders

- 17 (1) The Secretary of State may by regulations make provision...
- 18 The Secretary of State may by regulations make provision—

#### Interpretation

19 (1) References to section 27 of the principal Act must...

SCHEDULE 9 — Repeals

#### **Changes to legislation:**

Planning and Compulsory Purchase Act 2004 is up to date with all changes known to be in force on or before 02 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. View outstanding changes

#### Changes and effects yet to be applied to :

- s. 24 heading words substituted by 2011 c. 20 Sch. 8 para. 10(2)
- s. 14 substituted by 2023 c. 55 Sch. 8 para. 18
- s. 15(3)(c) repealed by 2011 c. 20 Sch. 8 para. 8Sch. 25 Pt. 16
- s. 19(2)(b) repealed by 2011 c. 20 Sch. 8 para. 9Sch. 25 Pt. 16
- s. 19(2)(d) repealed by 2011 c. 20 Sch. 8 para. 9Sch. 25 Pt. 16
- s. 24(1)(a) repealed by 2011 c. 20 Sch. 8 para. 10(3)Sch. 25 Pt. 16
- s. 28(4) repealed by 2011 c. 20 Sch. 8 para. 11Sch. 25 Pt. 16
- s. 37(6)(6A) repealed by 2011 c. 20 Sch. 8 para. 12Sch. 25 Pt. 16
- s. 38(1) word substituted by 2023 c. 55 s. 92(2)
- s. 38(3) word repealed by 2011 c. 20 Sch. 25 Pt. 16
- s. 38(3)(a) and word repealed by 2011 c. 20 Sch. 8 para. 13(2)Sch. 25 Pt. 16
- s. 38(6) words substituted by 2023 c. 55 s. 93(3)
- s. 38(7) words inserted by 2023 c. 55 Sch. 8 para. 19
- s. 38A(12) words inserted by 2023 c. 55 Sch. 8 para. 20(a)
- s. 38A(12) words substituted by 2023 c. 55 Sch. 8 para. 20(b)
- s. 38B(4)(b) words inserted by 2023 c. 55 s. 98(4)
- s. 39(1)(b) words substituted by 2023 c. 55 Sch. 8 para. 21(a)
- s. 45(1) words substituted by 2011 c. 20 Sch. 8 para. 14(3)
- s. 45(2) words repealed by 2011 c. 20 Sch. 8 para. 14(4)(a)Sch. 25 Pt. 16
- s. 45(2) words repealed by 2011 c. 20 Sch. 8 para. 14(4)(b)Sch. 25 Pt. 16
- s. 45(3) words repealed by 2011 c. 20 Sch. 8 para. 14(5)(a)(i)Sch. 25 Pt. 16
- s. 45(3) words repealed by 2011 c. 20 Sch. 8 para. 14(5)(a)(ii)Sch. 25 Pt. 16
- s. 45(3) words repealed by 2011 c. 20 Sch. 8 para. 14(5)(b)Sch. 25 Pt. 16
- s. 45(3) words repealed by 2011 c. 20 Sch. 8 para. 14(5)(c)Sch. 25 Pt. 16
- s. 45(4) repealed by 2011 c. 20 Sch. 8 para. 14(6)Sch. 25 Pt. 16
- s. 45(9) words repealed by 2011 c. 20 Sch. 8 para. 14(7)(a)(i)Sch. 25 Pt. 16
- s. 45(9) words repealed by 2011 c. 20 Sch. 8 para. 14(7)(a)(ii)Sch. 25 Pt. 16
- s. 45(9) words repealed by 2011 c. 20 Sch. 8 para. 14(7)(b)(i)Sch. 25 Pt. 16
- s. 45(9) words repealed by 2011 c. 20 Sch. 8 para. 14(7)(b)(ii)Sch. 25 Pt. 16
- s. 45(9) words repealed by 2011 c. 20 Sch. 8 para. 14(7)(c)(i)Sch. 25 Pt. 16
- s. 45(9) words repealed by 2011 c. 20 Sch. 8 para. 14(7)(c)(ii)Sch. 25 Pt. 16
- s. 61(6) substituted by 2023 c. 55 Sch. 8 para. 22
- s. 62(5)(c) repealed by 2011 c. 20 Sch. 8 para. 15Sch. 25 Pt. 16
- s. 78(5) repealed by 2011 c. 20 Sch. 8 para. 16Sch. 25 Pt. 16
- s. 81(2) omitted by 2023 asc 3 Sch. 13 para. 181
- s. 113(1) word substituted by 2011 c. 20 Sch. 8 para. 17(2)(b)
- s. 113(1)(a) repealed by 2011 c. 20 Sch. 8 para. 17(2)(a)Sch. 25 Pt. 16
- s. 113(1)(c) omitted by 2023 c. 55 Sch. 8 para. 23(2)(b)
- s. 113(1)(e) words substituted by 2023 c. 55 Sch. 8 para. 23(2)(c)
- s. 113(1)(f) word substituted by 2023 c. 55 Sch. 8 para. 23(2)(d)
- s. 113(1)(g) word substituted by 2023 c. 55 Sch. 8 para. 23(2)(e)
- s. 113(9)(a) repealed by 2011 c. 20 Sch. 8 para. 17(3)Sch. 25 Pt. 16
- s. 113(9)(c) words substituted by 2023 c. 55 Sch. 8 para. 23(3)(a)
- s. 113(9)(e) words inserted by 2023 c. 55 Sch. 8 para. 23(3)(b)
- s. 113(11)(a) repealed by 2011 c. 20 Sch. 8 para. 17(4)Sch. 25 Pt. 16
- s. 113(11)(c) words substituted by 2023 c. 55 Sch. 8 para. 23(4)(a)(i)
- s. 113(11)(c) words substituted by 2023 c. 55 Sch. 8 para. 23(4)(a)(ii)
- s. 113(11)(e) word substituted by 2023 c. 55 Sch. 8 para. 23(4)(b)(i)
- s. 113(11)(e) words substituted by 2023 c. 55 Sch. 8 para. 23(4)(b)(ii)
- s. 113(12) repealed by 2011 c. 20 Sch. 8 para. 17(5)Sch. 25 Pt. 16

-	s. 116(2)(b) words inserted by 2023 c. 55 Sch. 8 para. 24
_	s. 122(6) words inserted by 2023 c. 55 Sch. 8 para. 25(b)
_	Sch. 7 para. 22(2)(a) repealed by 2011 c. 20 Sch. 25 Pt. 16
_	Sch. 7 para. 22(3) repeated by 2011 c. 20 Sch. 25 Pt. 16
	specified provision(s) amendment to earlier commencing SI 2006/1061 art. 4 by S.I.
-	
	2010/321 art. 3
-	specified provision(s) amendment to earlier commencing SI 2007/1369 art. 3 by S.I.
	2010/321 art. 4
[	
Cha	nges and effects yet to be applied to the whole Act associated Parts and Chapters:
Who	ble provisions yet to be inserted into this Act (including any effects on those
prov	visions):
1	s. 15A-15LH and cross-heading substituted for s. 15-37 and cross-heading by 2023
	c. 55 Sch. 7
-	s. 38(2A) substituted for s. 38(2)(3) by 2023 c. 55 s. 92(3)
-	s. $38(5A)$ -(5C) inserted by 2023 c. 55 s. $93(2)$
-	s. 38(9A) substituted for s. 38(9) by 2023 c. 55 s. 92(4)
-	s. 38(9B) inserted by 2023 c. 55 s. 93(4)
-	s. 38B(A1) inserted by 2023 c. 55 s. 98(2)
-	s. 38B(2B)(2C) inserted by 2023 c. 55 s. 98(3)
-	s. 38C(5)(d)(i)-(iii) and word substituted for words by 2023 c. 55 s. 99(2)
-	s. 39(1)(ba) inserted by 2023 c. 55 Sch. 8 para. 21(b)
_	s. 39A and cross-heading inserted by 2023 c. 55 s. 100
_	s. 45(A1) inserted by 2011 c. 20 Sch. 8 para. 14(2)
_	s. 113(1)(bb)-(bd) inserted by 2023 c. 55 Sch. 8 para. 23(2)(a)
_	s. 113(9)(f)(g) inserted by 2023 c. 55 Sch. 8 para. 23(3)(c)
	s. 113(13) inserted by 2023 c. 55 Sch. 8 para. 23(5)
-	s. 122(5)(za)(zb) inserted by 2023 c. 55 Sch. 8 para. 25(a)
-	
-	Sch. A2 para. 11(2)(da) inserted by 2023 c. 55 s. 99(3)(b)
-	Sch. A1 para. 2(1A) inserted by 2023 c. 55 Sch. 8 para. 26(3)(b)
-	Sch. A1 para. 6(1A) inserted by 2023 c. 55 Sch. 8 para. 26(7)(b)
-	Sch. A1 para. 7ZC(1A) inserted by 2023 c. 55 Sch. 8 para. 26(11)(b)
-	Sch. A1 para. 7C(1A) inserted by 2023 c. 55 Sch. 8 para. 26(14)(b)
-	Sch. A1 para. 8(7A) inserted by 2023 c. 55 Sch. 8 para. 26(16)(g)
-	Sch. A1 para. 1 substituted by 2023 c. 55 Sch. 8 para. 26(2)
-	Sch. A1 para. 2(4) substituted by 2023 c. 55 Sch. 8 para. 26(3)(c)
-	Sch. A1 para. 3(1) substituted by 2023 c. 55 Sch. 8 para. 26(4)(a)
-	Sch. A1 para. 5 substituted by 2023 c. 55 Sch. 8 para. 26(6)
-	Sch. A1 para. 6(4) substituted by 2023 c. 55 Sch. 8 para. 26(7)(c)
_	Sch. A1 para. 7(1) substituted by 2023 c. 55 Sch. 8 para. 26(8)(a)
_	Sch. A1 para. 7ZB substituted by 2023 c. 55 Sch. 8 para. 26(10)
_	Sch. A1 para. 7ZC(4) substituted by 2023 c. 55 Sch. 8 para. 26(11)(c)
_	Sch. A1 para. 7ZD(1) substituted by 2023 c. 55 Sch. 8 para. 26(12)(a)
_	Sch. A1 para. 7B substituted by 2023 c. 55 Sch. 8 para. 26(12)(d)
_	Sch. A1 para. 7C(4) substituted by 2023 c. 55 Sch. 8 para. $26(13)$ Sch. A1 para. 7C(4) substituted by 2023 c. 55 Sch. 8 para. $26(14)(c)$
	Sch. A1 para. 7D(1) substituted by 2023 c. 55 Sch. 8 para. $26(17)(c)$ Sch. A1 para. 7D(1) substituted by 2023 c. 55 Sch. 8 para. $26(15)(a)$
-	Sch. A1 para. 10 substituted by 2023 c. 55 Sch. 8 para. 26(13)(a)
-	
-	Sch. A2 para. 11(2)(ca) substituted for Sch. A2 para. 11(2)(c) by 2023 c. 55 s. 99(3)
-	Sch. A1 para. 7ZA word substituted by 2023 c. 55 Sch. 8 para. 26(9)
-	Sch. A1 para. 8(2)(a) word substituted by 2023 c. 55 Sch. 8 para. 26(16)(b)(ii)
-	Sch. A1 para. 8(3)(b) word substituted by 2023 c. 55 Sch. 8 para. 26(16)(c)
-	Sch. A1 para. 8(6) word substituted by 2023 c. 55 Sch. 8 para. 26(16)(e)
-	Sch. A1 para. 8(7) word substituted by 2023 c. 55 Sch. 8 para. 26(16)(f)(iii)
-	Sch. A1 para. 9 word substituted by 2023 c. 55 Sch. 8 para. 26(17)
-	Sch. A1 para. 13(1) word substituted by 2023 c. 55 Sch. 8 para. 26(20)(a)(iii)

Sch. A1 para. 13(2) word substituted by 2023 c. 55 Sch. 8 para. 26(20)(b) Sch. A1 para. 13(3) word substituted by 2023 c. 55 Sch. 8 para. 26(20)(c) Sch. A1 para. 13(1) words inserted by 2023 c. 55 Sch. 8 para. 26(20)(a)(ii) Sch. A1 para. 3(3)(a) words omitted by 2023 c. 55 Sch. 8 para. 26(4)(b) Sch. A1 para. 7(3)(a) words omitted by 2023 c. 55 Sch. 8 para. 26(8)(b) Sch. A1 para. 7ZD(3)(a) words omitted by 2023 c. 55 Sch. 8 para. 26(12)(b) Sch. A1 para. 7D(3)(a) words omitted by 2023 c. 55 Sch. 8 para. 26(15)(b) Sch. A1 para. 2(1) words substituted by 2023 c. 55 Sch. 8 para. 26(3)(a) Sch. A1 para. 3(4) words substituted by 2023 c. 55 Sch. 8 para. 26(4)(c)(i)Sch. A1 para. 3(4) words substituted by 2023 c. 55 Sch. 8 para. 26(4)(c)(ii) Sch. A1 para. 4 words substituted by 2023 c. 55 Sch. 8 para. 26(5) Sch. A1 para. 6(1) words substituted by 2023 c. 55 Sch. 8 para. 26(7)(a) Sch. A1 para. 7(4) words substituted by 2023 c. 55 Sch. 8 para. 26(8)(c)(i)Sch. A1 para. 7(4) words substituted by 2023 c. 55 Sch. 8 para. 26(8)(c)(ii) Sch. A1 para. 7ZC(1) words substituted by 2023 c. 55 Sch. 8 para. 26(11)(a) Sch. A1 para. 7ZD(4) words substituted by 2023 c. 55 Sch. 8 para. 26(12)(c)(i) Sch. A1 para. 7ZD(4) words substituted by 2023 c. 55 Sch. 8 para. 26(12)(c)(ii) Sch. A1 para. 7C(1) words substituted by 2023 c. 55 Sch. 8 para. 26(14)(a) Sch. A1 para. 7D(4) words substituted by 2023 c. 55 Sch. 8 para. 26(15)(c)(i) Sch. A1 para. 7D(4) words substituted by 2023 c. 55 Sch. 8 para. 26(15)(c)(ii) Sch. A1 para. 8(1) words substituted by 2023 c. 55 Sch. 8 para. 26(16)(a)(i) Sch. A1 para. 8(1) words substituted by 2023 c. 55 Sch. 8 para. 26(16)(a)(ii) Sch. A1 para. 8(2) words substituted by 2023 c. 55 Sch. 8 para. 26(16)(b)(i) Sch. A1 para. 8(2)(a) words substituted by 2023 c. 55 Sch. 8 para. 26(16)(b)(iii) Sch. A1 para. 8(5) words substituted by 2023 c. 55 Sch. 8 para. 26(16)(d)(i) Sch. A1 para. 8(5) words substituted by 2023 c. 55 Sch. 8 para. 26(16)(d)(ii) Sch. A1 para. 8(5) words substituted by 2023 c. 55 Sch. 8 para. 26(16)(d)(iii) Sch. A1 para. 8(7)(a) words substituted by 2023 c. 55 Sch. 8 para. 26(16)(f)(i) Sch. A1 para. 8(7)(b) words substituted by 2023 c. 55 Sch. 8 para. 26(16)(f)(ii) Sch. A1 para. 11 words substituted by 2023 c. 55 Sch. 8 para. 26(19) Sch. A1 para. 13(1) words substituted by 2023 c. 55 Sch. 8 para. 26(20)(a)(i)