

**Changes to legislation:** There are currently no known outstanding effects for the Local Government (Wales) Act 1994, Cross Heading: Development plans for compensation purposes. (See end of Document for details)

## SCHEDULES

### SCHEDULE 5

#### UNITARY DEVELOPMENT PLANS IN WALES

#### PART III

#### TRANSITIONAL PROVISIONS

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

- C1** Sch. 5 Pt. III applied (1.4.1996) (*temp.*) by 1990 c. 8, s. 28A(1)(b) (as inserted (1.4.1996) by 1994 c. 19, s. 20(2) (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1995/3198, art. 4, Sch. 2)  
Sch. 5 Pt. III: transfer of functions (1.7.1999) by S.I. 1999/672, art. 2, Sch. 1

##### *Development plans for compensation purposes*

- 17 (1) This paragraph applies where, in relation to any area in Wales, there is no local plan in force.
- (2) For any of the purposes of the <sup>M1</sup>Land Compensation Act 1961, the development plan or current development plan shall as respects that area be taken as being—
- (a) if any part of the unitary development plan is in force for that area, that part of that plan; or
  - (b) if no part of such a plan is in force for that area, whichever of the structure plan and the old development plan (if any) in force for that area gives rise to those assumptions as to the grant of planning permission which are more favourable to the owner of the land in question.
- (3) For any of the purposes of the Act of 1961, land situated in an area defined in the current development plan as an area of comprehensive development (“the defined area”) shall be taken to be situated in whichever of the following areas leads to such assumptions as are mentioned in sub-paragraph (2)(b)—
- (a) any area which is wholly or partly within the defined area and is selected by the structure plan as an action area; and
  - (b) the area so defined in the old development plan.

##### Marginal Citations

- M1** 1961 c. 33.

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