
STATUTORY INSTRUMENTS

2004 No. 2204

**The Town and Country Planning (Local
Development) (England) Regulations 2004**

PART 3

**LOCAL DEVELOPMENT SCHEMES AND DOCUMENTS
WHICH MUST BE DEVELOPMENT PLAN DOCUMENTS**

Documents to be specified in local development schemes as local development documents

6.—(1) The descriptions of document prescribed for the purposes of section 17(1)(a) which must be specified as LDDs in a local development scheme are—

- (a) any document containing statements of—
 - (i) the development and use of land which the local planning authority wish to encourage during any specified period;
 - (ii) objectives relating to design and access which the local planning authority wish to encourage during any specified period;
 - (iii) any environmental, social and economic objectives which are relevant to the attainment of the development and use of land mentioned in paragraph (i);
 - (iv) the authority's general policies in respect of the matters referred to in paragraphs (i) to (iii); and
- (b) where a document of the description mentioned in paragraph (a) contains policies applying to sites or areas by reference to an Ordnance Survey map, an LDD which accompanies a DPD and shows how the adopted proposals map is to be amended as a result of the submission of that DPD to the Secretary of State under regulation 28.

(2) The descriptions of other documents prescribed for the purposes of section 17(1)(a) which, if prepared, must be specified as LDDs in a local development scheme are—

- (a) any document which—
 - (i) relates to part of the area of the local planning authority;
 - (ii) identifies that area as an area of significant change or special conservation; and
 - (iii) contains the authority's policies relevant to areas of significant change or special conservation; and
- (b) any other document which includes a site allocation policy.

(3) A document of the description in paragraph (1)(a) is referred to in the following provisions of these Regulations as a core strategy.

(4) A document of the description in paragraph (2)(a) is referred to in the following provisions of these Regulations as an area action plan.

(5) A document of the description in paragraph (1)(b) is referred to in the following provisions of these Regulations as a submission proposals map.

- (6) In paragraph (1)(b) “the adopted proposals map” means a document which–
- (a) when first adopted shows the matters specified in regulation 14(4),
 - (b) is revised in the manner specified in regulation 9, and
 - (c) consists of text and maps, of which the text prevails if the map and text conflict.

Documents which must be development plan documents

7. Documents which must be DPDs are–
- (a) core strategies,
 - (b) area action plans, and
 - (c) any other document which includes a site allocation policy.

Additional matters to be specified in local development schemes and revisions of such schemes

8. The matters (in addition to those mentioned in section 15(2)) to be specified in a local development scheme or any revision of such a scheme are–

- (a) in relation to each document to be specified in the scheme or revision as an LDD–
 - (i) its proposed title,
 - (ii) its proposed subject matter, and
 - (iii) the area proposed to be covered by the document;
- (b) in relation to each document to be specified in the scheme or revision as an SPD, the month and year in which the local planning authority or county council (as the case may be) intends to–
 - (i) comply with regulation 17,
 - (ii) adopt the document;
- (c) in relation to each document to be specified in the scheme or revision as a DPD and the local planning authority’s statement of community involvement, the date on which the local planning authority intends to comply with–
 - (i) regulation 26,
 - (ii) section 20(1); and
- (d) in relation to proposals to which any of paragraphs 4, 5, 9 and 10 of Schedule 8 to the Act applies–
 - (i) the timetable for the preparation of the proposals, including the month and year in which the local planning authority intends to adopt the proposals, and
 - (ii) where the proposals are for the alteration of a plan, the area and subject matter of the proposals.

Other requirements for the preparation of local development schemes

9. When a local development scheme is prepared it must specify that the adopted proposals map will be revised–

- (a) at the same time as any DPD is adopted,
- (b) so as to illustrate geographically the application of the policies in the DPD or revision.

Submission of local development schemes to the Secretary of State

10.—(1) The time prescribed for the purposes of section 15(3)(b) is 6 months after the commencement of Part 2 of the Act.

(2) A local development scheme shall be submitted to the Secretary of State by—

- (a) sending it to him electronically; and
- (b) sending to him 4 copies of the scheme in paper form.

Bringing local development schemes and revisions of such schemes into effect

11.—(1) For the purpose of bringing a local development scheme or any revision of such a scheme into effect—

- (a) the requirements of one of paragraphs (2) to (5) shall be met; and
- (b) the local planning authority shall—
 - (i) resolve that the scheme shall have effect; and
 - (ii) shall specify in that resolution the date from which the scheme shall have effect.

(2) The requirement of this paragraph is that, before the end of the relevant period, the local planning authority has received from the Secretary of State notice that he does not intend to give them a direction under section 15(4).

(3) The requirements of this paragraph are that the relevant period has ended and the local planning authority have not received any of the following—

- (a) notice that the Secretary of State does not intend to give them a direction under section 15(4),
- (b) a direction under section 15(4), or
- (c) notice that the Secretary of State requires more time to consider the scheme.

(4) The requirements of this paragraph are that the local planning authority have received a direction under section 15(4) and have either—

- (a) complied with the direction, or
- (b) received notice that it has been withdrawn.

(5) The requirements of this paragraph are that the local planning authority have received notice that the Secretary of State requires more time to consider the scheme, and either—

- (a) they have subsequently received notice that the Secretary of State does not intend to give them a direction under section 15(4), or
- (b) the requirements of paragraph (4) are satisfied.

(6) In this regulation “relevant period” means the period of 4 weeks starting on the day on which the authority submit the scheme to the Secretary of State under section 15(3)(b).

Availability of a local development scheme

12.—(1) Where a local development scheme takes effect in accordance with regulation 11, a local planning authority must—

- (a) make a copy of the scheme available for inspection at their principal office during normal office hours, and
- (b) publish the scheme on their website.

(2) Where a revision to a local development scheme takes effect under regulation 11, within 2 weeks a local planning authority must incorporate the revision into the scheme made available for inspection and published under paragraph (1).

(3) Where paragraph (1) or (2) applies to a minerals and waste development scheme, within 2 weeks the county council must send a copy of–

- (a) the scheme, or
- (b) the scheme incorporating the revision,

to any local planning authority any part of whose area is within so much of the area of the county council as is mentioned in section 16(1).