



Town and Country Planning Act 1990

1990 CHAPTER 8

PART XIII

APPLICATION OF ACT TO CROWN LAND

Preliminary

[^{F1}292A Application to the Crown

- (1) This Act binds the Crown.
- (2) But subsection (1) is subject to express provision made by this Part.]

Textual Amendments

- F1** S. 292A inserted (6.8.2004 for certain purposes and otherwise 7.6.2006) by [Planning and Compulsory Purchase Act 2004 \(c. 5\)](#), **ss. 79(1)**, 121 (with s. 111); [S.I. 2004/2097](#), **art. 2**; [S.I. 2006/1281](#), **art. 2(a)**

293 Preliminary definitions.

- (1) In this Part—

“Crown land” means land in which there is a Crown interest or a Duchy interest;

[^{F2}“Crown interest” means any of the following—

- (a) an interest belonging to Her Majesty in right of the Crown or in right of Her private estates;
- (b) an interest belonging to a government department or held in trust for Her Majesty for the purposes of a government department;
- (c) such other interest as the Secretary of State specifies by order;]

“Duchy interest” means an interest belonging to Her Majesty in right of the Duchy of Lancaster or belonging to the Duchy of Cornwall;

Status: Point in time view as at 10/05/2006.

Changes to legislation: Town and Country Planning Act 1990, Cross Heading: Preliminary is up to date with all changes known to be in force on or before 08 October 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)

“private interest” means an interest which is neither a Crown interest nor a Duchy interest.

- (2) For the purposes of this Part “the appropriate authority”, in relation to any land—
- (a) in the case of land belonging to Her Majesty in right of the Crown and forming part of the Crown Estate, means the Crown Estate Commissioners;
 - (b) in relation to any other land belonging to Her Majesty in right of the Crown, means the government department having the management of that land;
 - [^{F3}(ba) in relation to land belonging to Her Majesty in right of Her private estates means a person appointed by Her Majesty in writing under the Royal Sign Manual or, if no such appointment is made, the Secretary of State;]
 - (c) in relation to land belonging to Her Majesty in right of the Duchy of Lancaster, means the Chancellor of the Duchy;
 - (d) in relation to land belonging to the Duchy of Cornwall, means such person as the Duke of Cornwall, or the possessor for the time being of the Duchy of Cornwall, appoints;
 - (e) in the case of land belonging to a government department or held in trust for Her Majesty for the purposes of a government department, means that department.
 - [^{F4}(f) in relation to Westminster Hall and the Chapel of St Mary Undercroft, means the Lord Great Chamberlain and the Speakers of the House of Lords and the House of Commons acting jointly;
 - (g) in relation to Her Majesty’s Robing Room in the Palace of Westminster, the adjoining staircase and ante-room and the Royal Gallery, means the Lord Great Chamberlain.]
- [^{F5}(2A) For the purposes of an application for planning permission made by or on behalf of the Crown in respect of land which does not belong to the Crown or in respect of which it has no interest a reference to the appropriate authority must be construed as a reference to the person who makes the application.]
- (3) If any question arises as to what authority is the appropriate authority in relation to any land, that question shall be referred to the Treasury, whose decision shall be final.
- [^{F6}(3A) References to Her Majesty’s private estates must be construed in accordance with section 1 of the Crown Private Estates Act 1862.]
- (3B) In subsection (2A) the Crown includes—
- (a) the Duchy of Lancaster;
 - (b) the Duchy of Cornwall;
 - (c) a person who is an appropriate authority by virtue of subsection (2)(f) and (g).]
- (4) A person who is entitled to occupy Crown land by virtue of a licence in writing shall be treated for the purposes of section 296(1)(c), so far as applicable to Parts III, VII and VIII, and sections 294(2) to (7), 295, 299 and 300 as having an interest in land and references in section 299 to the disposal of an interest in Crown land, and in that section and sections 294(2) and 300 to a private interest in such land, shall be construed accordingly.
- [^{F7}(5) An order made for the purposes of paragraph (c) of the definition of Crown interest in subsection (1) must be made by statutory instrument.]

Status: Point in time view as at 10/05/2006.

Changes to legislation: Town and Country Planning Act 1990, Cross Heading: Preliminary is up to date with all changes known to be in force on or before 08 October 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)

- (6) But no such order may be made unless a draft of it has been laid before and approved by resolution of each House of Parliament.]

Textual Amendments

- F2** Definition in s. 293(1) substituted (6.8.2004 for certain purposes and 7.6.2006 otherwise) by [Planning and Compulsory Purchase Act 2004 \(c. 5\)](#), ss. 79, 121, [Sch. 3 para. 6\(2\)](#) (with s. 111); S.I. 2004/2097, [art. 2](#); S.I. 2006/1281, [art. 2](#)
- F3** S. 293(2)(ba) inserted (6.8.2004 for certain purposes and 7.6.2006 otherwise) by [Planning and Compulsory Purchase Act 2004 \(c. 5\)](#), ss. 79, 121, [Sch. 3 para. 6\(3\)](#) (with s. 111); S.I. 2004/2097, [art. 2](#); S.I. 2006/1281, [art. 2](#)
- F4** S. 293(2)(f)(g) inserted (6.8.2004 for certain purposes and 7.6.2006 otherwise) by [Planning and Compulsory Purchase Act 2004 \(c. 5\)](#), ss. 79, 121, [Sch. 3 para. 6\(4\)](#) (with s. 111); S.I. 2004/2097, [art. 2](#); S.I. 2006/1281, [art. 2](#)
- F5** S. 293(2A) inserted (6.8.2004 for certain purposes and 7.6.2006 otherwise) by [Planning and Compulsory Purchase Act 2004 \(c. 5\)](#), ss. 79, 121, [Sch. 3 para. 6\(5\)](#) (with s. 111); S.I. 2004/2097, [art. 2](#); S.I. 2006/1281, [art. 2](#)
- F6** S. 293(3A)(3B) inserted (6.8.2004 for certain purposes and 7.6.2006 otherwise) by [Planning and Compulsory Purchase Act 2004 \(c. 5\)](#), ss. 79, 121, [Sch. 3 para. 6\(6\)](#) (with s. 111); S.I. 2004/2097, [art. 2](#); S.I. 2006/1281, [art. 2](#)
- F7** S. 293(5)(6) inserted (6.8.2004 for certain purposes and 7.6.2006 otherwise) by [Planning and Compulsory Purchase Act 2004 \(c. 5\)](#), ss. 79, 121, [Sch. 3 para. 6\(7\)](#) (with s. 111); S.I. 2004/2097, [art. 2](#); S.I. 2006/1281, [art. 2](#)

Modifications etc. (not altering text)

- C1** S. 293(2)(b) modified (17.7.1992) by S.I. 1992/1732, [art. 2\(4\)\(a\)](#)
- C2** S. 293(3) applied (1.12.1991) by [Water Industry Act 1991 \(c. 56, SIF 130\)](#), [ss. 221\(5\)](#), 223(2) (with [ss. 82\(3\)](#), 186(1), 188, 222(1), [Sch. 14 para. 6](#)) and (1.12.1991) by [Water Resources Act 1991 \(c. 57, SIF 130\)](#), [ss. 222\(8\)\(9\)](#), 225(2) (with [ss. 16\(6\)](#), 178, 179, 222(3), 224(1), [Sch. 22 para. 1](#))
S. 293(3) applied (1.12.2000) by 1991 c. 56, [s. 221\(8\)](#) (as substituted (1.12.2000) by 1995 c. 25, s. 116, [Sch. 21 Pt. I para. 1\(1\)](#) (with [ss. 7\(6\)](#), 115, 117)); S.I. 2000/3033, [art. 2](#)
S. 293(3) applied (1.7.1997 for certain purposes and otherwise prosp.) by 1991 c. 57, [s. 222\(10\)](#) (as substituted by 1995 c. 25, [ss. 116](#), 125(3), [Sch. 21 Pt. I para. 2\(4\)](#) (with [ss. 7\(6\)](#), 115, 117); S.I. 1997/1626, [art. 2](#)
- C3** S. 293(3) applied (1.10.2004 for E. and 11.11.2004 for W.) by [Reservoirs Act 1975 \(c. 23\)](#), s. 27A(8) (as inserted by 2003 c. 37, [s. 80](#); S.I. 2004/2528, [art. 2\(p\)](#); S.I. 2004/2916, [art. 2\(c\)](#))

Status:

Point in time view as at 10/05/2006.

Changes to legislation:

Town and Country Planning Act 1990, Cross Heading: Preliminary is up to date with all changes known to be in force on or before 08 October 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.