



Planning and Compulsory Purchase Act 2004

2004 CHAPTER 5

PART 7

CROWN APPLICATION OF PLANNING ACTS

CHAPTER 1

ENGLAND AND WALES

Urgent development and works

82 Urgent Crown development

- (1) Before section 294 of the principal Act (special enforcement notices in relation to development on Crown land) there is inserted the following section—

“293A Urgent Crown development: application

- (1) This section applies to a development if the appropriate authority certifies—
- (a) that the development is of national importance, and
 - (b) that it is necessary that the development is carried out as a matter of urgency.
- (2) The appropriate authority may, instead of making an application for planning permission to the local planning authority in accordance with Part 3, make an application for planning permission to the Secretary of State under this section.

Status: Point in time view as at 15/01/2012.

Changes to legislation: Planning and Compulsory Purchase Act 2004, Cross Heading: Urgent development and works is up to date with all changes known to be in force on or before 09 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)

- (3) If the appropriate authority proposes to make the application to the Secretary of State it must publish in one or more newspapers circulating in the locality of the proposed development a notice—
- (a) describing the proposed development, and
 - (b) stating that the authority proposes to make the application to the Secretary of State.
- (4) For the purposes of an application under this section the appropriate authority must provide to the Secretary of State—
- (a) any matter required to be provided by an applicant for planning permission in pursuance of regulations made under section 71A;
 - (b) a statement of the authority’s grounds for making the application.
- (5) If the appropriate authority makes an application under this section subsections (6) to (9) below apply.
- (6) The Secretary of State may require the authority to provide him with such further information as he thinks necessary to enable him to determine the application.
- (7) As soon as practicable after he is provided with any document or other matter in pursuance of subsection (4) or (6) the Secretary of State must make a copy of the document or other matter available for inspection by the public in the locality of the proposed development.
- (8) The Secretary of State must in accordance with such requirements as are contained in a development order publish notice of the application and of the fact that such documents and other material are available for inspection.
- (9) The Secretary of State must consult—
- (a) the local planning authority for the area to which the proposed development relates, and
 - (b) such other persons as are specified or described in a development order,
- about the application.
- (10) Subsection (7) does not apply to the extent that the document or other matter is subject to a direction under section 321(3) (matters related to national security).
- (11) Subsections (4) to (7) of section 77 apply to an application under this section as they apply to an application in respect of which a direction under section 77 has effect.”
- (2) In section 284 of the principal Act (validity of certain matters) in subsection (3) at the end there is inserted the following paragraph—
- “(i) any decision on an application for planning permission under section 293A.”

Commencement Information

- I1** S. 82 in force at 6.8.2004 for specified purposes by [S.I. 2004/2097](#), [art. 2](#)
- I2** S. 82 in force at 7.6.2006 in so far as not already in force by [S.I. 2006/1281](#), [art. 2\(a\)](#)

Status: Point in time view as at 15/01/2012.

Changes to legislation: Planning and Compulsory Purchase Act 2004, Cross Heading: Urgent development and works is up to date with all changes known to be in force on or before 09 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)

83 Urgent works relating to Crown land

- (1) After section 82A of the listed buildings Act (inserted by section 79(2)) there is inserted the following section—

“82B Urgent works relating to Crown land: application

- (1) This section applies to any works proposed to be executed in connection with any building which is on Crown land if the appropriate authority certifies—
 - (a) that the works are of national importance, and
 - (b) that it is necessary that the works are carried out as a matter of urgency.
- (2) The appropriate authority may, instead of making an application for consent to the local planning authority in accordance with this Act, make an application for consent to the Secretary of State under this section.
- (3) If the appropriate authority proposes to make the application to the Secretary of State it must publish in one or more newspapers circulating in the locality of the building a notice—
 - (a) describing the proposed works, and
 - (b) stating that the authority proposes to make the application to the Secretary of State.
- (4) For the purposes of an application under this section the appropriate authority must provide to the Secretary of State a statement of the authority’s grounds for making the application.
- (5) If the appropriate authority makes an application under this section subsections (6) to (9) below apply.
- (6) The Secretary of State may require the authority to provide him with such further information as he thinks necessary to enable him to determine the application.
- (7) As soon as practicable after he is provided with any document or other matter in pursuance of subsection (4) or (6) the Secretary of State must make a copy of the document or other matter available for inspection by the public in the locality of the proposed development.
- (8) The Secretary of State must in accordance with such requirements as may be prescribed publish notice of the application and of the fact that such documents and other material are available for inspection.
- (9) The Secretary of State must consult—
 - (a) the local planning authority for the area to which the proposed development relates, and
 - (b) such other persons as may be prescribed, about the application.
- (10) Subsection (7) does not apply to the extent that the document or other matter is subject to a direction under paragraph 6(6) of Schedule 3 (matters related to national security).

Status: Point in time view as at 15/01/2012.

Changes to legislation: Planning and Compulsory Purchase Act 2004, Cross Heading: Urgent development and works is up to date with all changes known to be in force on or before 09 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)

- (11) Subsections (4) and (5) of section 12 apply to an application under this section as they apply to an application in respect of which a direction under section 12 has effect.”
- (2) In section 62 of the listed buildings Act (validity of certain matters) in subsection (2) at the end there is inserted the following paragraph—
- “(d) any decision on an application for listed building consent under section 82B.”

Commencement Information

- I3** S. 83 in force at 6.8.2004 for specified purposes by S.I. 2004/2097, art. 2
- I4** S. 83 in force at 7.6.2006 in so far as not already in force by S.I. 2006/1281, art. 2(a)

Status:

Point in time view as at 15/01/2012.

Changes to legislation:

Planning and Compulsory Purchase Act 2004, Cross Heading: Urgent development and works is up to date with all changes known to be in force on or before 09 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.