
STATUTORY INSTRUMENTS

1992 No. 2683

**TOWN AND COUNTRY PLANNING,
ENGLAND AND WALES**

**The Town and Country Planning (Crown
Land Applications) Regulations 1992**

Made - - - - 27th October 1992
Laid before Parliament 5th November 1992
Coming into force - - 26th November 1992

The Secretary of State for the Environment, as respects England, and the Secretary of State for Wales, as respects Wales, in exercise of the powers conferred on them by sections 299(5) and 333(1) of the Town and Country Planning Act 1990(1) and all other powers enabling them in that behalf, hereby make the following Regulations—

1.—(1) These Regulations may be cited as the Town and Country Planning (Crown Land Applications) Regulations 1992 and shall come into force on 26th November 1992.

(2) In these Regulations—

“the Act” means the Town and Country Planning Act 1990;

“the Order” means the Town and Country Planning General Development Order 1988(2).

2. The Act and the Order shall, in their application, by virtue of section 299(2) of the Act(3), to the making and determination of applications in respect of Crown land for planning permission or for a certificate under section 192 of the Act(4), have effect subject to the modifications specified in the Schedule.

3. The appropriate authority shall, as soon as practicable after disposing of, or disposing of an interest in, any Crown land in respect of which planning permission has been granted or a certificate issued under section 192(2) of the Act on an application made by virtue of section 299(2) of the Act, give notice of the disposal in writing to the local planning authority to whom the application was made.

(1) 1990 c. 8; section 299(5) was amended by paragraph 46(5) of Schedule 7 to the Planning and Compensation Act 1991 (c. 34).

(2) S.I. 1988/1813; relevant amending instruments are S.I. 1992/1493 and 1563.

(3) Section 299(2) was amended by paragraph 46(3) of Schedule 7 to the Planning and Compensation Act 1991 (c. 34).

(4) Section 192 was substituted by section 10 of the Planning and Compensation Act 1991 (c. 34).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

4. The Town and Country Planning (Crown Land Applications) Regulations 1984⁽⁵⁾ are hereby revoked.

26th October 1992

Michael Howard
Secretary of State for the Environment

27th October 1992

David Hunt
Secretary of State for Wales

⁽⁵⁾ S.I. 1984/1015.

SCHEDULE

MODIFICATIONS OF THE ACT AND THE ORDER

The Act

1. In section 72(1)(a) of the Act, for “any land under the control of the applicant (whether or not it is land in respect of which the application was made)” substitute “the land in respect of which the application was made”.

The Order

2. Before article 10 of the Order insert—

“9A. Where an application for planning permission is made in respect of Crown land by virtue of section 299(2) of the Town and Country Planning Act 1990, it shall be accompanied by—

- (a) a statement that the application is made, by virtue of section 299(2) of that Act, in respect of Crown land; and
- (b) where the application is made by a person authorised in writing by the appropriate authority, a copy of that authorisation.”.

3. In article 12(6) of the Order, after paragraph (6) insert—

“(7) For the purpose of this article and the certificates required by article 12A(6), where an application for planning permission is made by virtue of section 299(2) of the Town and Country Planning Act 1990, the applicant shall be treated as an owner of the land and no account shall be taken of any Crown interest or Duchy interest in the land or in a mineral in the land.”.

4. In article 26A(7) of the Order, after paragraph (2) insert—

“(2A) Where an application for a certificate under section 192(1) of the 1990 Act is made in respect of Crown land by virtue of section 299(2) of that Act, it shall, in addition to the documents required by paragraph (2), be accompanied by—

- (a) a statement that the application is made, by virtue of section 299(2) of the 1990 Act, in respect of Crown land; and
- (b) where the application is made by a person authorised in writing by the appropriate authority, a copy of that authorisation.”.

(6) Article 12 was substituted and article 12A inserted by article 3 of S.I. 1991/1493.

(6) Article 12 was substituted and article 12A inserted by article 3 of S.I. 1991/1493.

(7) Article 26A was inserted by paragraph 9 of the Schedule to S.I. 1992/1563.

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EXPLANATORY NOTE

(This note is not part of the Regulations)

Section 299 of the Town and Country Planning Act 1990 enables the appropriate authority (for example a Government Department or the Crown Estates Commissioners) or a person authorised by that authority to apply for planning permission or for a certificate of lawfulness of proposed use or development in respect of Crown land. This enables a permission or certificate to be obtained in anticipation of the disposal of such land.

These Regulations modify provisions of the 1990 Act and the Town and Country Planning General Development Order 1988 in relation to applications made by virtue of section 299 (*regulation 2 and the Schedule*). They also require the appropriate authority to give the local planning authority notice of any disposal of Crown land (or an interest in it) following a successful application in relation to the land under section 299 (*regulation 3*).

These Regulations supersede the Town and Country Planning (Crown Land Applications) Regulations 1984, which are revoked (*regulation 4*).