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STATUTORY INSTRUMENTS

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**1995 No. 1139**

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

**The Town and Country Planning (Crown  
Land Applications) Regulations 1995**

<i>Made</i>	- - - -	<i>22nd April 1995</i>
<i>Laid before Parliament</i>		<i>2nd May 1995</i>
<i>Coming into force</i>	- -	<i>3rd June 1995</i>

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 of all other powers enabling them in that behalf, hereby make the following Regulations—

**Citation, commencement and interpretation**

1.—(1) These Regulations may be cited as the Town and Country Planning (Crown Land Applications) Regulations 1995 and shall come into force on 3rd June 1995.

(2) In these Regulations—

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

“the Order” means the Town and Country Planning (General Development Procedure) Order 1995(2).

**Applications in respect of Crown land**

2. The Act and Order shall, in their application, by virtue of section 299(2) of the Act, 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(3), have effect subject to the modifications specified in the Schedule to these Regulations.

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(1) 1990 c. 8. Section 299(5) was amended by the Planning and Compensation Act 1991 (c. 34), Schedule 7, paragraph 46(5).

(2) S.I.1995/419.

(3) Section 192 was substituted by section 10(1) of the Planning and Compensation Act 1991 (c. 34).

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### **Notice of disposals of interests in Crown land**

3. The appropriate authority shall, as soon as practicable after disposing of, or disposing of any interest in, any Crown land in respect of which planning permission has been granted or a certificate has been 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.

### **Revocation of Regulations**

4. The Town and Country Planning (Crown Land Applications) Regulations 1992(4) are hereby revoked.

Signed by authority of the Secretary of State for the Environment

12th April 1995

*Paul Beresford*  
Parliamentary Under Secretary of State,  
Department of the Environment

22nd April 1995

*John Redwood*  
Secretary of State for Wales

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(4) S.I. 1992/2683.

## SCHEDULE

Regulation 2

### 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 5 (general provisions relating to applications) of the Order insert—

##### “Applications in respect of Crown land

4A. An application for planning permission made by virtue of section 299(2) of the Act shall be accompanied by—

- (a) a statement that the application is made, by virtue of section 299(2) of the 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 6 (notice of applications for planning permission) of the Order, after paragraph (6), insert—

“(7) For the purposes of this article and the certificates required by article 7, where an application for planning permission is made by virtue of section 299(2) of the Act, 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 any mineral in the land.”.

4. In article 24 (certificate of lawful use or development) of the Order, after paragraph (2), insert—

“(2A) Where, by virtue of section 299(2) of the Act, an application for a certificate under section 192(1) of the Act is made in respect of Crown land, 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 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.”.

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### EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations prescribe modifications to the Town and Country Planning Act 1990 and to the Town and Country Planning (General Development Procedure) Order 1995, in their application

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to Crown land. The modifications relate to applications in respect of Crown land for planning permission and for lawful development certificates. The Regulations supersede the Town and Country Planning (Crown Land Applications) Regulations 1992 which are revoked.