



# Town and Country Planning Act 1990

## 1990 CHAPTER 8

### PART XIII

#### APPLICATION OF ACT TO CROWN LAND

##### *Application of Act as respects Crown land*

#### **[<sup>F1</sup>293A Urgent Crown development: application [<sup>F2</sup>to the Welsh Ministers]**

- (1) This section applies to a development [<sup>F3</sup>of land in Wales] 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 [<sup>F4</sup>or permission in principle][<sup>F5</sup>to the local planning authority] in accordance with Part 3, make an application for planning permission [<sup>F4</sup>or permission in principle] to the Secretary of State under this section.
- (3) If the appropriate authority proposes to make [<sup>F6</sup>the application to the Secretary of State][<sup>F6</sup>an application under this section] 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—
  - <sup>F7</sup>(a) .....
  - (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.

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- (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,  
    - [<sup>F9</sup>any corporate joint committee 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.]

#### Textual Amendments

- F1** S. 293A inserted (6.8.2004 for certain purposes and 7.6.2006 otherwise) by [Planning and Compulsory Purchase Act 2004 \(c. 5\)](#), **ss. 82, 121** (with s. 111); S.I. 2004/2097, **art. 2**; S.I. 2006/1281, **art. 2**
- F2** Words in s. 293A heading inserted (26.12.2023 for specified purposes) by [Levelling-up and Regeneration Act 2023 \(c. 55\)](#), s. 255(3), **Sch. 10 para. 7(a)** (with s. 247)
- F3** Words in s. 293A(1) inserted (26.12.2023 for specified purposes) by [Levelling-up and Regeneration Act 2023 \(c. 55\)](#), s. 255(3), **Sch. 10 para. 7(b)** (with s. 247)
- F4** Words in s. 293A(2) inserted (13.7.2016) by [Housing and Planning Act 2016 \(c. 22\)](#), s. 216(3), **Sch. 12 para. 34(2)**; S.I. 2016/733, reg. 3(d)
- F5** Words in s. 293A(2) omitted (6.9.2015 for specified purposes, 1.3.2016 for specified purposes) by virtue of [Planning \(Wales\) Act 2015 \(anaw 4\)](#), s. 58(2)(b)(4)(b), **Sch. 4 para. 17(2)**; S.I. 2016/52, art. 3(e)
- F6** Words in s. 293A(3) substituted (6.9.2015 for specified purposes, 1.3.2016 for specified purposes) by [Planning \(Wales\) Act 2015 \(anaw 4\)](#), s. 58(2)(b)(4)(b), **Sch. 4 para. 17(3)**; S.I. 2016/52, art. 3(e)
- F7** S. 293A(4)(a) omitted (26.12.2023) by virtue of [Levelling-up and Regeneration Act 2023 \(c. 55\)](#), **ss. 165(3), 255(5)** (with s. 247)
- F8** S. 293A(9)(aa) inserted (6.9.2015 for specified purposes, 7.1.2021 in so far as not already in force) by [Planning \(Wales\) Act 2015 \(anaw 4\)](#), s. 58(2)(b)(4)(b), **Sch. 2 para. 9**; S.I. 2021/7, reg. 2(c)
- F9** Words in s. 293A(9)(aa) substituted (21.1.2021) by [Local Government and Elections \(Wales\) Act 2021 \(asc 1\)](#), s. 175(1)(e), **Sch. 9 para. 25**

#### Modifications etc. (not altering text)

- C1** S. 293A applied by S.I. 2017/402, art. 5V(5)(b) (as inserted (E.) (1.6.2018) by [The Town and Country Planning \(Permission in Principle\) \(Amendment\) Order 2017 \(S.I. 2017/1309\)](#), arts. 1, 4)

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## [<sup>F10</sup>293B Urgent Crown development: applications to the Secretary of State

- (1) This section applies where—
  - (a) the appropriate authority intends to make a relevant application, and
  - (b) the authority considers—
    - (i) that the development to which the application relates is of national importance, and
    - (ii) that it is necessary that the development is carried out as a matter of urgency.
- (2) The appropriate authority may make the application to the Secretary of State under this section.
- (3) In this section, “relevant application” means—
  - (a) an application for planning permission for the development of land in England, or
  - (b) an application for approval of a matter that, as defined in section 92, is a reserved matter in the case of an outline planning permission for the development of land in England,but does not include an application of the kind described in section 73(1) or an application of a description excluded by regulations.
- (4) An application under this section must include—
  - (a) such information, documents or other matters as may be required by a development order, and
  - (b) a statement of the appropriate authority’s grounds for making the application.
- (5) As soon as practicable after receiving the application, the Secretary of State must give notice to the appropriate authority either agreeing or refusing to determine the application.
- (6) The Secretary of State may only agree to determine the application if the Secretary of State considers that—
  - (a) the development to which the application relates is of national importance, and
  - (b) it is necessary that the development is carried out as a matter of urgency.
- (7) The Secretary of State must send a copy of a notice given under subsection (5) to the local planning authority to whom the application could otherwise have been made.
- (8) The Secretary of State may by notice require the appropriate authority to provide such further information as is necessary for the purposes of—
  - (a) deciding whether to agree or to refuse to determine the application;
  - (b) determining the application.
- (9) A development order may make provision—
  - (a) as to the form and manner in which an application must be made;
  - (b) requiring notice to be given of an application;
  - (c) as to the form, content and service of a notice required under [paragraph \(b\)](#);
  - (d) requiring that an application be publicised in such manner as the order may specify.

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- (10) A development order which makes provision under subsection (9) may include provision to ensure that the imposition of any requirement under that subsection does not result in the public disclosure of sensitive information.
- (11) For the purposes of subsection (10), information is “sensitive” if the Secretary of State directs that—
- (a) it relates to matters of national security or measures taken or to be taken to ensure the security of any premises or property, and
  - (b) its public disclosure would be contrary to the national interest.
- (12) A development order making any provision by virtue of this section may make different provision for different cases or different classes of development.
- (13) The Secretary of State may give directions requiring a local planning authority to do things in relation to an application made under [section 293B](#) that could otherwise have been made to that authority.
- (14) Directions under subsection (13)—
- (a) may relate to a particular application or to applications more generally;
  - (b) may be given to a particular authority or to authorities more generally.

#### Textual Amendments

**F10** Ss. 293B-293J inserted (26.12.2023 for specified purposes) by [Levelling-up and Regeneration Act 2023 \(c. 55\)](#), [ss. 109\(2\), 255\(3\)](#) (with s. 247)

### **293C Urgent Crown development: determination of applications by the Secretary of State**

- (1) This section applies where —
- (a) the appropriate authority has made a relevant application to the Secretary of State under [section 293B](#), and
  - (b) the Secretary of State has given notice under [section 293B\(5\)](#) agreeing to determine the application.
- (2) Before determining the application, the Secretary of State must consult the following persons about the application—
- (a) the local planning authority to which the application could otherwise have been made, and
  - (b) such other persons as the Secretary of State considers appropriate.
- (3) A development order may make provision as to the consultation required by subsection (2) including—
- (a) provision requiring the Secretary of State to consult other specified persons (or persons of a specified description);
  - (b) provision as to the manner in which persons may be consulted;
  - (c) different provision for different cases or classes of development.
- (4) The Secretary of State may—
- (a) grant the application, either unconditionally or subject to such conditions as the Secretary of State thinks fit, or

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- (b) refuse it.
- (5) The Secretary of State must notify the local planning authority to whom the application could otherwise have been made of the Secretary of State’s decision on the application.
- (6) The decision of the Secretary of State on the application is final.
- (7) Section 73A applies, with any necessary modifications, to an application for planning permission under [section 293B](#) as it applies to an application for planning permission which is to be determined by the local planning authority under Part 3.
- (8) The following provisions do not apply for the purposes of determining an application for planning permission under [section 293B](#)—
  - (a) [section 58B\(1\)](#) of this Act;
  - (b) [sections 66\(1\) and 72\(1\)](#) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

#### Textual Amendments

**F10** [Ss. 293B-293J](#) inserted (26.12.2023 for specified purposes) by [Levelling-up and Regeneration Act 2023 \(c. 55\)](#), [ss. 109\(2\), 255\(3\)](#) (with [s. 247](#))

### **293D Crown development: applications to the Secretary of State**

- (1) This section applies where—
  - (a) the appropriate authority intends to make a relevant application, and
  - (b) the authority considers that the development to which it relates is of national importance.
- (2) The appropriate authority may make the application to the Secretary of State under this section.
- (3) In this section and [section 293E](#), “relevant application” means—
  - (a) an application for planning permission, or permission in principle, for the development of land in England, or
  - (b) an application for approval of a matter that, as defined by [section 92](#), is a reserved matter in the case of an outline planning permission for the development of land in England,but does not include an application of the kind described in [section 73\(1\)](#) or an application of a description excluded by regulations.
- (4) After receiving the application, the Secretary of State must give a notice to the appropriate authority stating whether the Secretary of State considers the development to be of national importance.
- (5) If the Secretary of State considers the development to be of national importance, the Secretary of State must proceed to determine the application.
- (6) If the Secretary of State considers that the development is not of national importance, the Secretary of State may take the steps referred to in either subsection [\(7\)](#) or, where it applies, subsection [\(9\)](#).
- (7) The Secretary of State may—

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- (a) refer the application to the local planning authority to whom it could otherwise have been made, and
  - (b) direct that the application—
    - (i) is to be treated as having been made to the authority (and not to the Secretary of State under this section), and
    - (ii) is to be determined by that authority accordingly.
- (8) Subsection (9) applies where—
- (a) the application could otherwise have been made to the Secretary of State under section 62A, and
  - (b) the appropriate authority has given notice to the Secretary of State that the authority consents to the application being treated as having been made to the Secretary of State under that section.
- (9) The Secretary of State may—
- (a) direct that the application is to be treated as having been made to the Secretary of State under section 62A (and not to the Secretary of State under this section), and
  - (b) determine the application accordingly.

#### Textual Amendments

**F10** Ss. 293B-293J inserted (26.12.2023 for specified purposes) by [Levelling-up and Regeneration Act 2023 \(c. 55\)](#), [ss. 109\(2\), 255\(3\)](#) (with s. 247)

### 293E Crown development: connected applications to the Secretary of State

- (1) This section applies where—
- (a) the appropriate authority makes an application to the Secretary of State under section 293D, and
  - (b) the Secretary of State gives a notice to the appropriate authority under [section 293D\(4\)](#) stating that the development to which it relates is considered by the Secretary of State to be of national importance.
- (2) The appropriate authority may make an application (“a connected application”) under the planning Acts to the Secretary of State where the requirements of subsection (3) are met.
- (3) The requirements are that—
- (a) the application is—
    - (i) for listed building consent under the Planning (Listed Buildings and Conservation Areas) Act 1990,
    - (ii) for hazardous substances consent under the Planning (Hazardous Substances) Act 1990, or
    - (iii) of a prescribed description,
  - (b) it is considered by the person making the application to be connected to an application under [section 293D](#),
  - (c) it is neither a relevant application nor an application of the kind described in [section 73\(1\)](#), and
  - (d) it relates to land in England.

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- (4) If a connected application is made under subsection (2), but the Secretary of State considers that it is not connected with the relevant application concerned, the Secretary of State may—
- (a) refer the connected application to the local planning authority, or hazardous substances authority, to whom it could otherwise have been made, and
  - (b) direct that the connected application—
    - (i) is to be treated as having been made to that authority (and not to the Secretary of State under this section), and
    - (ii) is to be determined by that authority accordingly.

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**Textual Amendments**

**F10** Ss. 293B-293J inserted (26.12.2023 for specified purposes) by [Levelling-up and Regeneration Act 2023 \(c. 55\)](#), [ss. 109\(2\), 255\(3\)](#) (with s. 247)

**293F Applications under section 293D or 293E: supplementary matters**

- (1) The decision of the Secretary of State on an application made under section 293D or 293E is final.
- (2) The Secretary of State may give directions requiring a local planning authority or hazardous substances authority to do things in relation to an application made under section 293D or 293E that could otherwise have been made to that authority.
- (3) Directions under subsection (2)—
  - (a) may relate to a particular application or to applications more generally;
  - (b) may be given to a particular authority or to authorities more generally.

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**Textual Amendments**

**F10** Ss. 293B-293J inserted (26.12.2023 for specified purposes) by [Levelling-up and Regeneration Act 2023 \(c. 55\)](#), [ss. 109\(2\), 255\(3\)](#) (with s. 247)

**293G Notifying parish councils of applications under section 293D(2)**

- (1) If an application is made to the Secretary of State under section 293D(2) and a parish council would be entitled under paragraph 8 of Schedule 1 to be notified of the application were it made to the local planning authority, the Secretary of State must notify the council of—
  - (a) the application, and
  - (b) any alteration of the application accepted by the Secretary of State.
- (2) Paragraph 8(4) and (5) of Schedule 1 apply in relation to duties of the Secretary of State under subsection (1) as they apply to duties of a local planning authority under paragraph 8(1) or (3B) of that Schedule.

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#### Textual Amendments

**F10** Ss. 293B-293J inserted (26.12.2023 for specified purposes) by [Levelling-up and Regeneration Act 2023 \(c. 55\)](#), [ss. 109\(2\)](#), [255\(3\)](#) (with s. 247)

### 293H Provisions applying to applications made under section 293D or 293E

- (1) Sections 62(3) and (4), 65(5), 70 to 70C, 72(1) and (5) and 73A apply, with any necessary modifications, to an application for planning permission made to the Secretary of State under section 293D as they apply to an application for planning permission which is to be determined by the local planning authority.
- (2) Any requirements imposed by a development order by virtue of section 62, 65 or 71 or paragraph 8(6) of Schedule 1, or by regulations under paragraph 14(3) or 16 of Schedule 7A, may be applied by a development order, with or without modifications, to an application for planning permission made to the Secretary of State under section 293D.
- (3) Sections 65(5) and 70 to 70C apply, with any necessary modifications, to an application for permission in principle made to the Secretary of State under section 293D as they apply to an application for permission in principle which is to be determined by the local planning authority.
- (4) Any requirements imposed by a development order by virtue of section 62(1), (2) or (8), 65 or 71 or paragraph 8(6) of Schedule 1 may be applied by a development order, with or without modifications, to an application for permission in principle made to the Secretary of State under section 293D.
- (5) Where an application is made to the Secretary of State under section 293E instead of to the authority to whom it could otherwise have been made, a development order may (with or without modifications) apply to the application any enactment that relates to applications of that kind when made to that authority.
- (6) A development order which makes provision under this section to apply to an application under section 293D or 293E (with or without modifications) any requirement to disclose information may include provision to secure that the requirement would not result in the public disclosure of sensitive information.
- (7) For the purposes of subsection (6), information is “sensitive” if the Secretary of State directs that—
  - (a) it relates to matters of national security or measures taken or to be taken to ensure the security of any premises or property, and
  - (b) its public disclosure would be contrary to the national interest.

#### Textual Amendments

**F10** Ss. 293B-293J inserted (26.12.2023 for specified purposes) by [Levelling-up and Regeneration Act 2023 \(c. 55\)](#), [ss. 109\(2\)](#), [255\(3\)](#) (with s. 247)



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## **293I Deciding applications made under section 293D or 293E**

- (1) An application made to the Secretary of State under section 293D or 293E (“a direct application”) is to be determined by a person appointed by the Secretary of State for the purpose instead of by the Secretary of State, subject to section 293J.
- (2) Where a person has been appointed under subsection (1) or this subsection to determine a direct application then, at any time before the person has determined the application, the Secretary of State may—
  - (a) revoke the person’s appointment;
  - (b) appoint another person to determine the application instead.
- (3) A person appointed under this section to determine a direct application has the same powers and duties that the Secretary of State has under section 293H.
- (4) Where a direct application is determined by a person appointed under this section, the person’s decision is to be treated as that of the Secretary of State.
- (5) Except as provided by Part 12, the validity of that decision is not to be questioned in any proceedings whatsoever.
- (6) It is not a ground of application to the High Court under section 288 that a direct application ought to have been determined by the Secretary of State and not by a person appointed under this section unless the applicant challenges the person’s power to determine the direct application before the person’s decision on the direct application is given.
- (7) Where any enactment (other than this section and section 319A)—
  - (a) refers (or is to be read as referring) to the Secretary of State in a context relating to or capable of relating to a direct application (otherwise than by referring to the application having been made to the Secretary of State), or
  - (b) refers (or is to be read as referring) to anything (other than the making of the application) done or authorised or required to be done by, to or before the Secretary of State in connection with any such application,then, so far as the context permits, the enactment is to be read, in relation to an application determined or to be determined by a person appointed under this section, as if the reference to the Secretary of State were or included a reference to that person.

### **Textual Amendments**

**F10** Ss. 293B-293J inserted (26.12.2023 for specified purposes) by [Levelling-up and Regeneration Act 2023 \(c. 55\)](#), [ss. 109\(2\)](#), [255\(3\)](#) (with s. 247)

## **293J Applications under section 293D or 293E: determination by the Secretary of State**

- (1) The Secretary of State may direct that an application made to the Secretary of State under section 293D or 293E (“a direct application”) is to be determined by the Secretary of State instead of by a person appointed under section 293I.
- (2) Where a direction is given under subsection (1), the Secretary of State must serve a copy of the direction on—

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- (a) the person, if any, appointed under section 293I to determine the application concerned,
  - (b) the applicant, and
  - (c) the local planning authority.
- (3) Where a direct application is to be determined by the Secretary of State in consequence of a direction under subsection (1)—
- (a) in determining the application, the Secretary of State may take into account any report made to the Secretary of State by any person previously appointed to determine the application, and
  - (b) subject to that, the provisions of the planning Acts which are relevant to the application apply to it as if section 293I had never applied to it.
- (4) The Secretary of State may by a further direction revoke a direction under subsection (1) at any time before the determination of the direct application concerned.
- (5) Where a direction is given under subsection (4), the Secretary of State must serve a copy of the direction on—
- (a) the person, if any, previously appointed under section 293I to determine the application concerned,
  - (b) the applicant, and
  - (c) the local planning authority.
- (6) Where a direction is given under subsection (4) in relation to a direct application—
- (a) anything done by or on behalf of the Secretary of State in connection with the application which might have been done by a person appointed under section 293I to determine the application is, unless the person appointed under section 293I to determine the application directs otherwise, to be treated as having been done by that person, and
  - (b) subject to that, section 293I applies to the application as if no direction under subsection (1) had been given in relation to the application.]

**Textual Amendments**  
**F10** Ss. 293B-293J inserted (26.12.2023 for specified purposes) by [Levelling-up and Regeneration Act 2023 \(c. 55\)](#), [ss. 109\(2\), 255\(3\)](#) (with s. 247)

**294 Control of development on Crown land: special enforcement notices.**

F11 .....

**Textual Amendments**  
**F11** S. 294 repealed (7.6.2006) by [Planning and Compulsory Purchase Act 2004 \(c. 5\)](#), [ss. 79, 120, 121](#), [Sch. 3 para. 9\(1\)](#), [Sch. 9](#) (with s. 111, [Sch. 3 para. 9\(2\)](#)); S.I. 2006/1281, [art. 2](#)

**295 Supplementary provisions as to special enforcement notices.**

F12 .....

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#### Textual Amendments

- F12** S. 295 repealed (7.6.2006) by Planning and Compulsory Purchase Act 2004 (c. 5), ss. 79, 120, 121, Sch. 3 para. 9, **Sch. 9** (with s. 111, Sch. 3 para. 9(2)); S.I. 2006/1281, **art. 2**

### 296 Exercise of powers in relation to Crown land.

**F13** .....

#### Textual Amendments

- F13** S. 296 repealed (7.6.2006) by Planning and Compulsory Purchase Act 2004 (c. 5), ss. 84(1), 120, 121, **Sch. 9** (with s. 111); S.I. 2006/1281, **art. 2**

### [<sup>F14</sup>296A Enforcement in relation to the Crown

- (1) No act or omission done or suffered by or on behalf of the Crown constitutes an offence under this Act.
- (2) A local planning authority must not take any step for the purposes of enforcement in relation to Crown land unless it has the consent of the appropriate authority.
- (3) The appropriate authority may give consent under subsection (2) subject to such conditions as it thinks appropriate.
- (4) A step taken for the purposes of enforcement is anything done in connection with the enforcement of anything required to be done or prohibited by or under this Act.
- (5) A step taken for the purposes of enforcement includes—
  - (a) entering land;
  - (b) bringing proceedings;
  - (c) the making of an application.
- (6) A step taken for the purposes of enforcement does not include—
  - (a) service of a notice;
  - (b) the making of an order (other than by a court).

#### Textual Amendments

- F14** Ss. 296A, 296B inserted (7.6.2006) by Planning and Compulsory Purchase Act 2004 (c. 5), ss. 84(2), 121 (with s. 111); S.I. 2006/1281, **art. 2**

### 296B References to an interest in land

- (1) Subsection (2) applies to the extent that an interest in land is a Crown interest or a Duchy interest.
- (2) Anything which requires or is permitted to be done by or in relation to the owner of the interest in land must be done by or in relation to the appropriate authority.
- (3) An interest in land includes an interest only as occupier of the land.]

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#### Textual Amendments

- F14** Ss. 296A, 296B inserted (7.6.2006) by Planning and Compulsory Purchase Act 2004 (c. 5), ss. 84(2), 121 (with s. 111); S.I. 2006/1281, art. 2

### 297 Agreements relating to Crown land.

**F15** .....

#### Textual Amendments

- F15** S. 297 repealed (7.6.2006) by Planning and Compulsory Purchase Act 2004 (c. 5), ss. 79, 120, 121, Sch. 3 para. 23, Sch. 9 (with s. 111); S.I. 2006/1281, art. 2

### 298 Supplementary provisions as to Crown and Duchy interests.

- (1) **F16** .....
- (2) **F16** .....
- (3) Where, in accordance with an agreement under section 297, the approval of a local planning authority is required in respect of any development of land in which there is [**F17**a Crown interest or] a Duchy interest, [**F18**sections 109 to 112] shall have effect in relation to the withholding of that approval, or the giving of it subject to conditions, as if it were a refusal of planning permission or, as the case may be, a grant of planning permission subject to conditions.

#### Textual Amendments

- F16** S. 298(1)(2) repealed (7.6.2006) by Planning and Compulsory Purchase Act 2004 (c. 5), ss. 79, 120, 121, Sch. 3 para. 24(2), Sch. 9 (with s. 111); S.I. 2006/1281, art. 2
- F17** Words in s. 298(3) inserted (7.6.2006) by Planning and Compulsory Purchase Act 2004 (c. 5), ss. 79, 120, 121, Sch. 3 para. 24(3) (with s. 111); S.I. 2006/1281, art. 2
- F18** Words in s. 298(3) substituted (25.9.1991) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), s. 31, Sch. 6 para. 25 (2) (with saving in Sch. 6 para. 25(3) and with s. 84(5)); S.I. 1991/2067, art.3 (subject to art. 4)

### [**F19**298A Applications for planning permission [**F20** etc] by Crown

- (1) This section applies to an application for planning permission [**F21**, for permission in principle] or for a certificate under section 192 made by or on behalf of the Crown.
- (2) The Secretary of State may by regulations modify or exclude any statutory provision relating to the making and determination of such applications.
- (3) A statutory provision is a provision contained in or having effect under any enactment.]

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**Changes to legislation:** Town and Country Planning Act 1990, Cross Heading: Application of Act as respects Crown land is up to date with all changes known to be in force on or before 20 April 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) [View outstanding changes](#)

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#### Textual Amendments

- F19** S. 298A 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. 10\(1\)](#) (with s. 111); S.I. 2004/2097, [art. 2](#); S.I. 2006/1281, [art. 2](#)
- F20** Word in s. 298A heading inserted (13.7.2016) by [Housing and Planning Act 2016 \(c. 22\)](#), s. 216(3), [Sch. 12 para. 35\(2\)](#); S.I. 2016/733, [reg. 3\(d\)](#)
- F21** Words in s. 298A(1) inserted (13.7.2016) by [Housing and Planning Act 2016 \(c. 22\)](#), s. 216(3), [Sch. 12 para. 35\(3\)](#); S.I. 2016/733, [reg. 3\(d\)](#)

**Changes to legislation:**

Town and Country Planning Act 1990, Cross Heading: Application of Act as respects Crown land is up to date with all changes known to be in force on or before 20 April 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.

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

- Act applied by [2023 asc 3 s. 79\(2\)](#)
- Act applied by [2023 asc 3 s. 83\(4\)](#)
- Act excluded by [2023 asc 3 s. 140\(4\)\(b\)](#)

**Whole provisions yet to be inserted into this Act (including any effects on those provisions):**

- s. 7(3) inserted by [2023 c. 55 Sch. 17 para. 2\(2\)](#)
- s. 7A(6) inserted by [2023 c. 55 Sch. 17 para. 2\(4\)](#)
- s. 7ZA inserted by [2023 c. 55 Sch. 17 para. 2\(3\)](#)
- s. 58B and cross-heading inserted by [2023 c. 55 s. 102\(1\)](#)
- s. 59A(3)(ba) inserted by [2023 c. 55 Sch. 8 para. 4\(b\)](#)
- s. 62(2A)(za) inserted by [2023 c. 55 s. 124\(2\)](#)
- s. 62B(5)(ca) inserted by [2023 c. 55 Sch. 17 para. 2\(5\)](#)
- s. 70(2)(azb) inserted by [2023 c. 55 Sch. 6 para. 3\(a\)](#)
- s. 70(3)(ca) inserted in earlier affecting provision [2016 c. 22, s. 5\(8\)](#) by [2023 asc 3 Sch. 13 para. 194](#)
- s. 70(3A) inserted by [2017 c. 20 Sch. 3 para. 2](#)
- s. 70A(5A) inserted by [2023 c. 55 Sch. 6 para. 4\(a\)](#)
- s. 70A(10)(11) inserted by [2023 c. 55 s. 110\(4\)\(b\)](#)
- s. 70B(5A)(5B) inserted by [2023 c. 55 s. 110\(5\)\(b\)](#)
- s. 73B inserted by [2023 c. 55 s. 110\(2\)](#)
- s. 74(1C)(aa) inserted by [2023 c. 55 Sch. 6 para. 5\(b\)](#)
- s. 75ZA and cross-heading inserted by [2016 c. 22 s. 155](#)
- s. 83(1A)-(1C) amendment to earlier affecting provision [2004 c. 5, s. 45\(2\)](#) by [2011 c. 20 Sch. 8 para. 14\(4\)\(5\)Sch. 25 Pt. 16](#)
- s. 83(1A)-(1C) inserted by [2004 c. 5 s. 45\(2\)](#)
- s. 83(2)-(2B) amendment to earlier affecting provision [2004 c. 5, s. 45\(3\)](#) by [2011 c. 20 Sch. 8 para. 14\(4\)\(5\)Sch. 25 Pt. 16](#)
- s. 83(2)-(2B) substituted for s. 83(2) by [2004 c. 5 s. 45\(3\)](#)
- s. 83(4) inserted by [2004 c. 5 s. 45\(4\)](#)
- s. 85(1A) inserted by [2004 c. 5 s. 45\(6\)](#)
- s. 93(5)(6) inserted by [2017 c. 20 Sch. 3 para. 6](#)
- s. 94(1)(e) and word inserted by [2023 c. 55 Sch. 9 para. 1\(15\)](#)
- s. 102(1A) inserted by [2023 c. 55 Sch. 6 para. 9\(b\)](#)
- s. 106A(9A) inserted by [2023 c. 55 s. 125](#)
- s. 106ZA inserted by [2016 c. 22 s. 158\(1\)](#)
- s. 106ZB inserted by [2016 c. 22 s. 159\(1\)](#)
- s. 106ZB(2)(a) omitted by [2023 c. 55 s. 130\(3\)\(b\)](#)
- s. 108(1A)(1B) inserted by [2015 c. 7 Sch. 4 para. 15\(4\)](#)
- s. 108(3A) inserted by [2004 c. 5 Sch. 6 para. 6](#)
- s. 108(3B)(ba) inserted by [2015 c. 7 Sch. 4 para. 15\(6\)](#)
- s. 108(3B)(ba) word omitted by [2023 c. 55 Sch. 9 para. 1\(16\)\(d\)\(i\)](#)
- s. 108(3B)(bb) inserted by [2023 c. 55 Sch. 9 para. 1\(16\)\(d\)\(ii\)](#)
- s. 108(3DA) inserted by [2015 c. 7 Sch. 4 para. 15\(7\)](#)
- s. 108(3DB) inserted by [2023 c. 55 Sch. 9 para. 1\(16\)\(e\)](#)
- s. 141(6) inserted by [2017 c. 20 Sch. 3 para. 7](#)
- s. 169(1)(a) words renumbered as s. 169(1)(a) by [2017 c. 20 s. 26\(5\)\(a\)](#)
- s. 169(1)(b) inserted by [2017 c. 20 s. 26\(5\)\(b\)](#)
- s. 170(8BA) inserted by [2017 c. 20 s. 26\(6\)](#)

- s. 171A(2)(za) inserted by 2023 c. 55 s. 117(2)(a)
- s. 171B(1)(a)(b) substituted for words by 2023 c. 55 s. 115(1)
- s. 171B(2)(a)(b) substituted for words by 2023 c. 55 s. 115(2)
- s. 171E(8) inserted by 2023 c. 55 s. 116(3)
- s. 172ZA inserted by 2023 c. 55 s. 117(3)
- s. 174(2AA)(b) words substituted by 2023 c. 55 s. 113(6)
- s. 176(6) inserted by 2023 c. 55 s. 119(2)
- s. 188(1)(zb) inserted by 2023 c. 55 s. 117(4)(a)
- s. 195(3A) inserted by 2023 c. 55 s. 119(3)
- s. 196(1A) inserted by 2008 c. 29 Sch. 10 para. 8(2)
- s. 208(5A) inserted by 2008 c. 29 Sch. 10 para. 9(2)
- s. 216(2)(a)(b) substituted for words by 2023 c. 55 s. 120(2)(a)
- s. 216(6A) inserted by 2023 c. 55 s. 120(2)(c)
- s. 303(1ZZA) inserted by 2023 asc 3 Sch. 13 para. 87
- s. 303(10A) inserted by 2015 c. 7 Sch. 4 para. 19(3)
- s. 303(12) inserted by 2015 c. 7 Sch. 4 para. 19(4)
- s. 303A(1A)(za) inserted by 2023 c. 55 Sch. 8 para. 7(2)(a)
- s. 303A(9B) inserted by 2023 c. 55 Sch. 8 para. 7(4)
- s. 303A(10)(za) inserted by 2023 c. 55 Sch. 8 para. 7(5)
- s. 303A(12) inserted by 2023 c. 55 Sch. 8 para. 7(6)
- s. 303ZB inserted by 2023 c. 55 s. 134
- s. 314A inserted by 2023 asc 3 Sch. 13 para. 90
- s. 324(1A)(a) words in s. 324(1A) renumbered as s. 324(1A)(a) by 2023 c. 55 Sch. 9 para. 1(20)(a)
- s. 324(1A)(b) and word inserted by 2023 c. 55 Sch. 9 para. 1(20)(b)
- s. 327ZA applied (with modifications) by 1990 c. 10, s. 37 (as amended) by 2023 c. 55 s. 124(7)(a)
- s. 327ZA applied by 1990 c. 9, s. 89(1) (as amended) by 2023 c. 55 s. 124(5)(a)
- s. 327ZA inserted by 2023 c. 55 s. 124(1)
- s. 327ZA modified by 1990 c. 9, s. 89(1ZC) (as inserted) by 2023 c. 55 s. 124(5)(b)
- s. 333(3ZZAA) inserted by 2023 c. 55 Sch. 9 para. 1(21)(b)
- s. 333(3ZB) inserted by 2016 c. 22 s. 159(2)
- s. 333(3ZZA) inserted by 2023 c. 55 Sch. 9 para. 1(21)(a)
- Sch. 1 para. 5(4) inserted by 2023 c. 55 Sch. 17 para. 2(7)(c)
- Sch. 1 para. 7(10)(10A) substituted for Sch. 1 para. 7(10) by 2023 c. 55 Sch. 8 para. 11(2)
- Sch. 4B para. 11(3)-(5) inserted by 2017 c. 20 s. 7
- Sch. 4B para. 8(2)(fa) inserted by 2023 c. 55 s. 99(1)(b)
- Sch. 4B para. 8(2)(ca) inserted by 2023 c. 55 s. 102(2)(a)(ii)
- Sch. 4B para. 8(4A)(4B) inserted by 2023 c. 55 s. 102(2)(b)
- Sch. 4B para. 5(5)(za) inserted by 2023 c. 55 Sch. 6 para. 12(a)
- Sch. 4B para. 8(2)(da) inserted by 2023 c. 55 Sch. 6 para. 12(b)
- Sch. 4B para. 8(2)(ea) substituted for Sch. 4B para. 8(2)(e) by 2023 c. 55 s. 99(1)(a)
- Sch. 7 para. 12(1)-(1C) amendment to earlier affecting provision 2004 c. 5 s. 45(9) by 2011 c. 20 Sch. 8 para. 14(7)
- Sch. 7 para. 12(1)-(1C) substituted for Sch. 7 para. 12(1) by 2004 c. 5 s. 45(9)
- Sch. 7A para. 14(4) inserted by 2023 c. 55 s. 124(3)
- Sch. 9 para. 1(1A) inserted by 2023 c. 55 Sch. 6 para. 13(b)
- Sch. 9A inserted by 2016 c. 22 Sch. 13
- Sch. 13 para. 24A inserted by 2017 c. 20 s. 26(7)