



Countryside and Rights of Way Act 2000

2000 CHAPTER 37

PART IV

AREAS OF OUTSTANDING NATURAL BEAUTY

84 Functions of certain bodies in relation to areas of outstanding natural beauty.

- (1) The following provisions of the National Parks and Access to the ^{M1}Countryside Act 1949 (in this Part referred to as “the 1949 Act”)—
 - (a) section 6(4)(e) (duty of [^{F1}Natural England] or [^{F2}NRBW] to give advice in connection with development matters),
 - (b) section 9 (consultation in connection with development plan),
 - (c) section 64(5) (consultation in connection with access agreements), and
 - (d) section 65(5) and (5A) (consultation in connection with access orders),apply in relation to areas of outstanding natural beauty as they apply in relation to National Parks.
- (2) In section 6(4)(e) of the 1949 Act as it applies by virtue of subsection (1), “appropriate planning authority” means a local planning authority whose area consists of or includes the whole or any part of an area of outstanding natural beauty and includes a local authority, not being a local planning authority, by whom any powers of a local planning authority as respects an area of outstanding natural beauty are exercisable, whether under the 1949 Act or otherwise.
- (3) Section 4A of the 1949 Act (which confers on the [^{F2}NRBW] functions under Part II of that Act corresponding to those exercisable as respects England by [^{F3}Natural England]) applies to the provisions mentioned in subsection (1)(a) and (b) for the purposes of their application to areas of outstanding natural beauty as that section applies for the purposes of Part II of the 1949 Act.
- (4) A local planning authority whose area consists of or includes the whole or any part of an area of outstanding natural beauty has power, subject to subsections (5) and (6), to take all such action as appears to them expedient for the accomplishment of the

Changes to legislation: Countryside and Rights of Way Act 2000, Section 84 is up to date with all changes known to be in force on or before 22 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

purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty or so much of it as is included in their area.

- (5) Nothing in this Part is to be taken to limit the generality of subsection (4); but in so far as the provisions of this Part or of the 1949 Act confer specific powers falling within that subsection those powers are to be exercised in accordance with those provisions and subject to any limitations expressed or implied in them.
- (6) Without prejudice to the powers conferred by this Part, subsection (4) has effect only for the purpose of removing any limitation imposed by law on the capacity of a local planning authority by virtue of its constitution, and does not authorise any act or omission on the part of such an authority which apart from that subsection would be actionable at the suit of any person on any ground other than such a limitation.
- (7) In this section “local planning authority” has the same meaning as in the ^{M2}Town and Country Planning Act 1990.

Textual Amendments

- F1** Words in s. 84(1)(a) substituted (1.10.2006) by [Natural Environment and Rural Communities Act 2006 \(c. 16\), s. 107, Sch. 11 para. 164\(b\)](#); S.I. 2006/2541, art. 2 (with Sch.)
- F2** Words in s. 84 substituted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(S.I. 2013/755\), art. 1\(2\), Sch. 2 para. 408](#) (with Sch. 7)
- F3** Words in s. 84(3) substituted (1.10.2006) by [Natural Environment and Rural Communities Act 2006 \(c. 16\), s. 107, Sch. 11 para. 164\(b\)](#); S.I. 2006/2541, art. 2 (with Sch.)
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Commencement Information

- I1** Pt. IV (ss. 82-93) wholly in force at 1.5.2001; Pt. IV not in force at Royal Assent see s. 103(3); Pt. IV in force for E. at 1.4.2001 by [S.I. 2001/114, art. 2\(2\)\(e\)](#); Pt. IV in force at 1.5.2001 by [S.I. 2001/1410, art. 2\(g\)](#)
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Marginal Citations

- M1** 1949 c. 97.
- M2** 1990 c. 8.

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

- Blanket amendment words substituted by [S.I. 2011/1043 art. 34](#)

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

- s. 15(1)(e) and word inserted by [2023 asc 3 Sch. 13 para. 179](#)
- s. 55A inserted by [2015 c. 20 s. 20](#)
- s. 56A inserted by [2015 c. 20 s. 21](#)
- s. 56B inserted by [2015 c. 20 s. 22\(1\)](#)