

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(1) of the Order, after paragraph (6) insert—

“(7) For the purpose of this article and the certificates required by article 12A(1), 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(2) 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.”.

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

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