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STATUTORY INSTRUMENTS

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**1991 No. 1220**

**The Planning (Northern Ireland) Order 1991**

**PART XII**

**APPLICATION OF ORDER TO SPECIAL CASES**

**Minerals**

**Minerals**

<sup>F1</sup>**112.** .....

**F1** Art. 112 repealed (1.4.2015) by [Planning Act \(Northern Ireland\) 2011 \(c. 25\), s. 254\(1\)\(2\), Sch. 7](#) (with s. 211); [S.R. 2015/49, art. 3, Sch. 1 \(with Sch. 2\)](#) (as amended (16.3.2016) by [S.R. 2016/159, art. 2](#))

Crown land

**[<sup>F2</sup>Application to the Crown**

**112A.**—(1) This Order (except Articles 74, 76B, 80 and 82B) binds the Crown.

(2) But paragraph (1) is subject to express provision made by the following provisions of this Part.

**F2** Arts. 112A-112E inserted (10.6.2006) by [Planning Reform \(Northern Ireland\) Order 2006 \(S.I. 2006/1252 \(N.I. 7\)\), arts. 1\(4\), 21\(1\)](#)

**Enforcement in relation to the Crown**

**112B.**—(1) No act or omission done or suffered by or on behalf of the Crown constitutes an offence under this Order.

<sup>F3</sup>(2) .....

<sup>F3</sup>(3) .....

<sup>F3</sup>(4) .....

<sup>F3</sup>(5) .....

<sup>F3</sup>(6) .....

<sup>F3</sup>(7) .....

**F2** Arts. 112A-112E inserted (10.6.2006) by [Planning Reform \(Northern Ireland\) Order 2006 \(S.I. 2006/1252 \(N.I. 7\)\), arts. 1\(4\), 21\(1\)](#)

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**F3** Arts. 112B(2)-(7) repealed (1.4.2015) by [Planning Act \(Northern Ireland\) 2011 \(c. 25\), s. 254\(1\)\(2\), Sch. 7](#) (with s. 211); S.R. 2015/49, art. 3, Sch. 1 (with Sch. 2) (as amended (16.3.2016) by S.R. 2016/159, art. 2)

**References to an estate in land**

- 112C.**—(1) Paragraph (2) applies to the extent that an estate in land is a Crown estate.
- (2) Anything which requires or is permitted to be done by or in relation to the owner of the estate in land shall be done by or in relation to the appropriate authority.
- (3) A person who is entitled to occupy Crown land by virtue of a licence in writing shall be treated for the purposes of this Article as having an estate in that land.

**F2** Arts. 112A-112E inserted (10.6.2006) by [Planning Reform \(Northern Ireland\) Order 2006 \(S.I. 2006/1252 \(N.I. 7\)\), arts. 1\(4\), 21\(1\)](#)

**Applications for planning permission, etc. by Crown**

**<sup>F4</sup>112D.** . . . . .

**F4** Art. 112D repealed (1.4.2015) by [Planning Act \(Northern Ireland\) 2011 \(c. 25\), s. 254\(1\)\(2\), Sch. 7](#) (with s. 211); S.R. 2015/49, art. 3, Sch. 1 (with Sch. 2) (as amended (16.3.2016) by S.R. 2016/159, art. 2)

**Service of notices on the Crown**

- 112E.**—(1) Any notice or other document required under this Order to be served on the Crown shall be served on the appropriate authority.
- (2) Section 24 of the Interpretation Act (Northern Ireland) 1954 (c. 33) does not apply for the purposes of the service of such a notice or document.
- (3) “Appropriate authority” shall be construed in accordance with Article 118(1).]

**F2** Arts. 112A-112E inserted (10.6.2006) by [Planning Reform \(Northern Ireland\) Order 2006 \(S.I. 2006/1252 \(N.I. 7\)\), arts. 1\(4\), 21\(1\)](#)

**Application to Crown land**

**113.** <sup>F5</sup> . . . . .

**F5** Art. 113 repealed (10.6.2006) by [Planning Reform \(Northern Ireland\) Order 2006 \(S.I. 2006/1252 \(N.I. 7\)\), arts. 1\(4\), 21\(3\), 28\(2\), Sch. 1 para. 8, Sch. 5](#)

**Application for planning permission, etc. in anticipation of disposal of Crown land**

**114.** <sup>F6</sup> . . . . .

**F6** Art. 114 repealed (10.6.2006) by [Planning Reform \(Northern Ireland\) Order 2006 \(S.I. 2006/1252 \(N.I. 7\)\), arts. 1\(4\), 21\(3\), 28\(2\), Sch. 1 para. 8, Sch. 5](#)

## Tree preservation orders in anticipation of disposal of Crown land

115. <sup>F7</sup> .....

**F7** Art. 115 repealed (10.6.2006) by Planning Reform (Northern Ireland) Order 2006 (S.I. 2006/1252 (N.I. 7)), arts. 1(4), 21(3), 28(2), Sch. 1 para. 9(1), **Sch. 5** (with Sch. 1 para. 9(2))

## Control of development on Crown land

116. <sup>F8</sup> .....

**F8** Art. 116 repealed (10.6.2006) by Planning Reform (Northern Ireland) Order 2006 (S.I. 2006/1252 (N.I. 7)), arts. 1(4), 21(3), 28(2), Sch. 1 para. 10(1), **Sch. 5** (with Sch. 1 para. 10(2))

## Requirement of planning permission for continuance of use instituted by Crown

117. <sup>F9</sup> .....

**F9** Art. 117 repealed (10.6.2006) by Planning Reform (Northern Ireland) Order 2006 (S.I. 2006/1252 (N.I. 7)), arts. 1(4), 21(3), 28(2), Sch. 1 para. 11(1), **Sch. 5** (with Sch. 1 para. 11(2))

## Interpretation of Part XII

118.—(1) In this Part—

“the appropriate authority”, in relation to any land, means—

- (a) in the case of land belonging to Her Majesty in right of the Crown and forming part of the Crown Estate, the Crown Estate Commissioners;
- (b) in the case of any other land belonging to Her Majesty in right of the Crown, the government department having the management of that land;
- (c) in the case of land belonging to a government department or held in trust for Her Majesty for the purposes of a government department, that government department;

“conservation area consent” means consent under Article 51;

[<sup>F10</sup>“Crown estate” means any of the following—

- (a) an estate belonging to Her Majesty in right of the Crown;
- (b) an estate belonging to a government department or held in trust for Her Majesty for the purposes of a government department;
- (c) such other estate as the Department may specify by order subject to affirmative resolution;]

“Crown land” means land in which there is a Crown estate;

“government department” means a department of the Government of the United Kingdom or a Northern Ireland department;

“private estate” means an estate which is not a Crown estate.

[<sup>F11</sup>(1A) For the purposes of an application for planning permission made by or on behalf of the Crown in respect of land which does not belong to the Crown or in respect of which it has no estate a reference to the appropriate authority must be construed as a reference to the person who makes the application.]

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(2) In this Part references to the disposal of an estate in Crown land include references to the grant of an estate in such land.

(3) <sup>F12</sup> .....

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| <p><b>F10</b> Art. 118(1): definition of "Crown estate" substituted (10.6.2006) by <a href="#">Planning Reform (Northern Ireland) Order 2006 (S.I. 2006/1252 (N.I. 7))</a>, arts. 1(4), 21(3), <b>Sch. 1 para. 12(2)</b></p> <p><b>F11</b> Art. 118(1A) inserted (10.6.2006) by <a href="#">Planning Reform (Northern Ireland) Order 2006 (S.I. 2006/1252 (N.I. 7))</a>, arts. 1(4), 21(3), <b>Sch. 1 para. 12(3)</b></p> <p><b>F12</b> Art. 118(3) repealed (10.6.2006) by <a href="#">Planning Reform (Northern Ireland) Order 2006 (S.I. 2006/1252 (N.I. 7))</a>, arts. 1(4), 21(3), 28(2), Sch. 1 para. 12(4), <b>Sch. 5</b></p> |
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**Changes and effects yet to be applied to the whole Order associated Parts and Chapters:**

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

- Sch. 1 para. 1(1A)(1B) inserted by [S.I. 2006/1252 \(N.I.\) art. 8\(2\)](#)
- art. 4(2A) inserted by [S.I. 2006/1252 \(N.I.\) art. 4\(1\)](#)
- art. 11(2A) inserted by [S.I. 2006/1252 \(N.I.\) art. 7](#)
- art. 20(2A)(2B) inserted by [S.I. 2006/1252 \(N.I.\) art. 8\(1\)](#)
- art. 124(1)(o) added by [S.I. 2006/1252 \(N.I.\) art. 27\(3\)](#)