

**Changes to legislation:** The Planning Reform (Northern Ireland) Order 2006, SCHEDULE 1 is up to date with all changes known to be in force on or before 06 October 2022. 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

## SCHEDULES

### SCHEDULE 1

Article 21(3)

#### CROWN APPLICATION

##### *Service of notices*

<sup>F1</sup>1. ....

##### Textual Amendments

**F1** Sch. 1 paras. 1-3 repealed (1.4.2015) by Planning Act (Northern-Ireland) 2011 (c. 25), s. 254(1)(2), Sch. 7 (with s. 211); S.R. 2015/49, art. 3, Sch. 1 (with Sch. 2) (as amended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)

##### *Hazardous substances consent*

<sup>F1</sup>2. ....

##### Textual Amendments

**F1** Sch. 1 paras. 1-3 repealed (1.4.2015) by Planning Act (Northern-Ireland) 2011 (c. 25), s. 254(1)(2), Sch. 7 (with s. 211); S.R. 2015/49, art. 3, Sch. 1 (with Sch. 2) (as amended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)

##### *Rights of entry*

<sup>F1</sup>3. ....

##### Textual Amendments

**F1** Sch. 1 paras. 1-3 repealed (1.4.2015) by Planning Act (Northern-Ireland) 2011 (c. 25), s. 254(1)(2), Sch. 7 (with s. 211); S.R. 2015/49, art. 3, Sch. 1 (with Sch. 2) (as amended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)

4. After Article 122 of the principal Order (supplementary provisions as to rights of entry) insert—

##### **“Supplementary provisions as to powers of entry: Crown land**

**122A.**—(1) Article 121 applies to Crown land subject to the following modifications.

(2) A person shall not enter Crown land unless he has the relevant permission.

(3) Relevant permission is the permission of—

(a) a person appearing to the person seeking entry to the land to be entitled to give it; or

(b) the appropriate authority.

(4) In paragraph (4) the words from “, but a person” to the end of that paragraph shall be omitted.

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(5) Article 122 does not apply to anything done by virtue of this Article.

(6) “Appropriate authority” and “Crown land” shall be construed in accordance with Article 118(1).”.

*Compulsory acquisition*

5.—(1) Article 87 of the principal Order (acquisition of land for planning purposes) is amended as follows.

(2) At the beginning of paragraph (1), insert “ Subject to paragraph (1A), ”.

(3) After paragraph (1) insert—

“(1A) The Department shall not acquire any estate in Crown land unless—

(a) it is an estate which is for the time being held otherwise than by or on behalf of the Crown; and

(b) the appropriate authority consents to the acquisition.”.

(4) After paragraph (9) insert—

“(10) “Appropriate authority” and “Crown land” shall be construed in accordance with Article 118(1).”.

F26. ....

**Textual Amendments**

F2 Sch. 1 paras. 6-11 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)

*Purchase notices*

F27. ....

**Textual Amendments**

F2 Sch. 1 paras. 6-11 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)

*Application to Crown land and planning permission  
in anticipation of disposal of Crown land*

F28. ....

**Textual Amendments**

F2 Sch. 1 paras. 6-11 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)

*Tree preservation orders*

F29. ....

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**Textual Amendments**

**F2** Sch. 1 paras. 6-11 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)

*Special enforcement notices*

**F2**10. ....

**Textual Amendments**

**F2** Sch. 1 paras. 6-11 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)

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

**F2**11. ....

**Textual Amendments**

**F2** Sch. 1 paras. 6-11 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)

*Definitions*

12.—(1) Article 118 of the principal Order is amended as follows.

(2) In paragraph (1) for the definition of “Crown estate” substitute—

““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;”.

(3) After paragraph (1) insert—

“(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.”.

(4) Paragraph (3) is omitted.

*Information as to estates in land*

13. After Article 125 of the principal Order (information as to estates in land) insert—

**“Information as to estates in Crown land**

**125A.**—(1) This Article applies to an estate in Crown land which is not a private estate.

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- (2) Article 125 does not apply to an estate to which this Article applies.
- (3) For a purpose mentioned in Article 125(1) the Department may request the appropriate authority to give it such information as to the matters mentioned in Article 125(2) as the Department specifies in the request.
- (4) The appropriate authority shall comply with a request under paragraph (3) except to the extent—
  - (a) that the matter is not within the knowledge of the authority, or
  - (b) that to do so will disclose information as to any of the matters mentioned in Article 123A(3).
- (5) Expressions used in this Article and in Part XII shall be construed in accordance with that Part.”.

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**Commencement Orders yet to be applied to the The Planning Reform (Northern Ireland) Order 2006**

Commencement Orders bringing legislation that affects this Order into force:

- [S.R. 2015/49 art. 23Sch. 1](#) commences (2011 c. 25 (N.I.))