



# Environment Act 1995

## 1995 CHAPTER 25

### PART III

#### NATIONAL PARKS

##### *Functions of National Park authorities*

#### **67 National Park authority to be local planning authority.**

- (1) After section 4 of the <sup>M1</sup>Town and Country Planning Act 1990 (National Parks) there shall be inserted—

##### **“4A National Parks with National Park authorities.**

- (1) Where a National Park authority has been established for any area, this section, instead of section 4(1) to (4), shall apply, as from such time as may be specified for the purposes of this section in the order establishing that authority, in relation to the Park for which it is the authority.
- (2) Subject to subsections (4) and (5) below, the National Park authority for the Park shall be the sole local planning authority for the area of the Park and, accordingly—
- (a) functions conferred by or under the planning Acts on a planning authority of any description (including the functions of a mineral planning authority under those Acts and under the <sup>M2</sup>Planning and Compensation Act 1991) shall, in relation to the Park, be functions of the National Park authority, and not of any other authority; and
  - (b) so much of the area of any other authority as is included in the Park shall be treated as excluded from any area for which that other authority is a planning authority of any description.
- (3) For the purposes of subsection (2) above functions under the planning Acts which (apart from this section) are conferred—

*Changes to legislation: Environment Act 1995, Section 67 is up to date with all changes known to be in force on or before 24 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*

(a) in relation to some areas on the county or district planning authorities for those areas, and

(b) in relation to other areas on the councils for those areas,

shall be treated, in relation to those other areas, as conferred on each of those councils as the local planning authority for their area.

(4) The functions of a local planning authority by virtue of sections 198 to 201, 206 to 209 and 211 to 215, so far as they are functions of a National Park authority by virtue of this section, shall be exercisable as respects any area which is or is included in an area for which there is a district council, concurrently with the National Park authority, by that council.

(5) For the purposes of any enactment relating to the functions of a district planning authority, the functions of a district council by virtue of subsection (4) above shall be deemed to be conferred on them as a district planning authority and as if the district were the area for which they are such an authority.”

<sup>F1</sup>(2) .....

<sup>F1</sup>(3) .....

<sup>F1</sup>(4) .....

(5) Before section 148 of that Act of 1990 (interpretation of provisions relating to purchase notices) there shall be inserted—

**“147A Application of Chapter I to National Parks.**

This Chapter shall have effect as if—

(a) the bodies on whom a purchase notice may be served under section 137 included any National Park authority which is the local planning authority for the area in which the land is situated; and

(b) a National Park authority were a local authority for the purposes of this Act and the National Park for which it is the local planning authority were its area;

and the references in this Chapter and in section 288(10)(a) to a council and to a local authority shall be construed accordingly.”

**Textual Amendments**

**F1** S. 67(2)-(4) repealed (6.8.2004 for specified purposes, 28.9.2004 for E. so far as not already in force, 15.10.2005 for W. so far as not already in force) by [Planning and Compulsory Purchase Act 2004](#) (c. 5), Sch. 7 para. 19(2), [Sch. 9](#) (with s. 111); S.I. 2004/2097, art. 2; S.I. 2004/2202, art. 2(i)(k), Sch. 1 Pt. 1; S.I. 2005/2847, art. 2(f)

**Marginal Citations**

**M1** 1990 c. 8.

**M2** 1991 c. 34.

**Changes to legislation:**

Environment Act 1995, Section 67 is up to date with all changes known to be in force on or before 24 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:**

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

- s. 41(1)(s) inserted by [2021 c. 30 s. 57\(8\)](#)
- s. 82(1A) inserted by [2024 asc 2 s. 16\(3\)](#)
- s. 83B inserted by [2024 asc 2 s. 17\(1\)](#)
- s. 85(3)(e)(f) inserted by [2024 asc 2 s. 18\(b\)](#)
- Sch. 7 para. 7(4A)(4B) inserted by [2007 c. 28 Sch. 14 para. 4\(3\)](#)