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WELSH STATUTORY INSTRUMENTS

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**2006 No. 1386**

**The Town and Country Planning (Miscellaneous Amendments and Modifications relating to Crown Land) (Wales) Order 2006**

**Town and Country Planning (General Permitted Development) Order 1995**

**3.—(1)** The Town and Country Planning (General Permitted Development) Order 1995<sup>(1)</sup> is modified as follows.

(2) In article 1(2) (interpretation)—

(a) in the definition of “building” for “and Class A of Part 31” substitute “, Class A of Part 31 and Class C of Part 38”;

(b) after the definition of “classified road” insert—

““Crown land” has the meaning given by section 293(2) of the Act;”;

(c) after the definition of “Notification Regulations” insert—

““operational Crown building” means a building which is operational Crown land;

“operational Crown land” means—

(a) Crown land which is used for operational purposes; and

(b) Crown land which is held for those purposes,

but does not include—

(i) land which, in respect of its nature and situation, is comparable rather with land in general than with land which is used, or held, for operational purposes;

(ii) Crown land—

(aa) belonging to Her Majesty in right of the Crown and forming part of the Crown Estate;

(bb) in which there is an interest belonging to Her Majesty in right of Her private estates;

(cc) in which there is an interest belonging to Her Majesty in right of the Duchy of Lancaster; or

(dd) belonging to the Duchy of Cornwall;

“operational purposes” means the purposes of carrying on the functions of the Crown or of either House of Parliament;”;

(d) for the definition of “original” substitute—

““original” means—

(a) in relation to a building, other than a building which is Crown land, existing on 1st July 1948, as existing on that date and, in relation to a building, other than a building which is Crown land, built on or after 1st July 1948, as so built;

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(1) S.I.1995/418 amended by S.I. 1996/528, 1997/3661998/462, 1999/1661, 2002/1878 and 2006/124 (W.17)

(2) Section 293 was amended by the Planning and Compulsory Purchase Act 2004 (c. 5), Schedule 3 paragraph 6.

- (b) in relation to a building which is Crown land on 7th June 2006, as existing on that date and, in relation to a building built on or after 7th June 2006 which is Crown land on the date of its completion, as so built;”.
- (3) After paragraph (12) of article 1 insert–
  - “(13) For the purposes of this Order, development carried out by or on behalf of any person in whom control of accommodation in any part of the Palace of Westminster or its precincts is vested shall be treated (so far as it would not otherwise be treated) as development by or on behalf of the Crown.”.
- (4) In article 3(12) (permitted development) after sub-paragraph (f) insert–
  - “(g) development for which permission is granted by Class B of Part 13.”.
- (5) In article 4(3) (directions restricting permitted development)–
  - (a) after sub-paragraph (a) insert–
    - “(aa) development permitted by Class B of Part 13;
    - (ab) development permitted by Part 37 or Part 38;”;
  - (b) in sub-paragraph (b) after “emergency” insert “other than development permitted by Part 37”.
- (6) In Schedule 2 (permitted development)–
  - (a) for Part 13 (development by local highway authorities) substitute Part 13 as set out in Part 1 of the Schedule to this Order; and
  - (b) after Part 33 (closed circuit television cameras) insert Parts 34 to 38 as set out in Part 2 of that Schedule.