STATUTORY INSTRUMENTS

# 1986 No. 1176

# TOWN AND COUNTRY PLANNING, ENGLAND AND WALES

## The Town and Country Planning (Agricultural and Forestry Development in National Parks etc.) Special Development Order 1986

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| *Made - - -* | *8th July* 1986 |
| *Laid before Parliament* | *14th July* 1986 |
| *Coming into Operation* | *1st November* 1986 |

The Secretary of State for the Environment, in exercise of the powers conferred on him by sections 24 and 287(3) and (4) of the Town and Country Planning Act 1971(**a**) and of all other powers enabling him in that behalf, hereby makes the following order:—

**1.**— (1) This order may be cited as the Town and Country Planning (Agricultural and Forestry Development in National Parks etc.) Special Development Order 1986 and shall come into operation on 1st November 1986.

(2) This order applies to the areas of land described in the Schedule to this order.

**2.**— (1) Subject to the provisions of this order, the Town and Country Planning General Development Orders 1977 to 1985(**b**) (in this order referred to as the General Development Order) apply to the land to which this order applies.

(2) In this order the expressions "building" and "private way" have the same meaning as in the General Development Order.

(3) In this order "local planning authority" means, in relation to any land in the area of a National Park, the body exercising functions in that area by virtue of Part I of Schedule 17 to the Local Government Act 1972(**c**), and, in any other case, the district council for the area in which the land is situated.

**3.**— (1) The carrying out of any development under Class VI (Agricultural

(**a**) 1971 c.78.
(**b**) S.I. 1977/289, 1980/1946, 1981/245, 1569, 1983/1615, 1985/1011 and 1981.
(**c**) 1972 c.70.

buildings, works and uses) or Class VII (Forestry buildings and works) in Schedule 1 to the General Development Order shall be subject to the conditions set out in paragraph (2).

(2) Where the development to be carried out consists of the erection, alteration or extension of any building or the formation or alteration of any private way—

*(a)* the developer shall, before beginning the development, give the local planning authority a written description of the proposed development and the materials to be used and a plan indicating the site, and shall not begin the development until a period of 28 days has elapsed from their receipt by the authority;

*(b)* if within 28 days of receiving that description and plan the local planning authority give the developer notice in writing to that effect, the development shall not be begun without the prior approval of that authority to the siting and means of construction of any private way which is to be formed or altered and the siting, design and external appearance of any building which is to be erected, altered or extended;

*(c)* the development shall, except to the extent that the local planning authority have agreed in writing, be carried out in accordance with—

(i) any details approved by that authority in accordance with sub-paragraph (*b*) above, or

(ii) with the description and indication of siting given to them under sub-paragraph (*a*) above, unless inconsistent with any details approved;

*(d)* the development shall be carried out—

(i) where details have been given to the local planning authority in accordance with sub-paragraph *(b)* above, within a period of five years from the date on which those details were approved, and

(ii) in any other case, within a period of five years from the date on which the local planning authority were given the information referred to in sub-paragraph (*a*) above.

**4.** The Town and Country Planning (Landscape Areas Special Development) Order 1950(**a**) is hereby revoked.

(**a**) S.I. 1950/729.

## SCHEDULE

The areas of land to which this order applies are—

1. land which is on 1st November 1986 within the boundaries of:

the Brecon Beacons National Park,
the Dartmoor National Park,
the Exmoor National Park,
the Lake District National Park,
the Northumberland National Park,
the North York Moors National Park,
the Peak District National Park,
the Pembrokeshire Coast National Park,
the Snowdonia National Park, and
the Yorkshire Dales National Park;

2. in England, land outside the boundaries of a National Park listed above which is on 1st November 1986 within the parishes listed below:

in the district of Allerdale:—

Blindcrake, Bothel and Threapland, Bridekirk, Brigham, Broughton, Broughton Moor, Camerton, Crosscanonby, Dean, Dearham, Gilcrux, Great Clifton, Greysouthen, Little Clifton, Loweswater, Oughterside and Allerby, Papcastle, Plumbland, Seaton, Winscales;

in the borough of Copeland:—

Arlecdon and Frizington, Cleator Moor, Distington, Drigg and Carleton, Egremont, Gosforth, Haile, Irton with Santon, Lamplugh, Lowca, Lowside Quarter, Millom, Millom Without, Moresby, Parton, Ponsonby, St Bees, St Bridget's Beckermet, St John's Beckermet, Seascale, Weddicar;

in the district of Eden:—

Ainstable, Asby, Bandleyside, Bolton, Brough, Brough Sowerby, Brougham, Castle Sowerby, Catterlen, Clifton, Cliburn, Crackenthorpe, Crosby Garrett, Crosby Ravensworth, Culgaith, Dacre, Dufton, Glassonby, Great Salkeld, Great Strickland, Greystoke, Hartley, Hesket, Hillbeck, Hunsonby, Hutton, Kaber, Kings Meaburn, Kirkby Stephen, Kirkby Thore, Kirkoswald, Langwathby, Lazonby, Little Strickland, Long Marton, Lowther, Mallerstang, Milburn, Morland, Mungrisdale, Murton, Musgrave, Nateby, Newbiggin, Newby, Orton, Ousby, Ravenstonedale, Shap, Skelton, Sleagill, Sockbridge and Tirril, Soulby, Stainmore, Tebay, Temple Sowerby, Thrimby, Waitby, Warcop, Wharton, Winton, Yanwath and Eamont Bridge;

in the borough of High Peak:—

Chapel-en-le-Frith, Charlesworth, Chinley Buxworth and Brownside, Chisworth, Green Fairfield, Hartington Upper Quarter, Hayfield, King Sterndale, Tintwistle, Wormhill;

in the district of South Lakeland:—

Aldingham, Angerton, Arnside, Barbon, Beetham, Blawith and Subberth waite, Broughton West, Burton, Casterton, Docker, Egton-with-Newland, Fawcett Forest, Firbank, Grayrigg, Helsington, Heversham, Hincaster, Holme, Hutton Roof, Killington, Kirkby Ireleth, Kirkby

Lonsdale, Lambrigg, Levens, Lower Allithwaite, Lower Holker, Lowick, Lupton, Mansergh, Mansriggs, Middleton, Milnthorpe, Natland, New Hutton, Old Hutton and Holmescales, Osmotherley, Pennington, Preston Patrick, Preston Richard, Scalthwaiterigg, Sedgwick, Skelsmergh, Stainton, Strickland Ketel, Strickland Roger, Urswick, Whinfell, Whitwell and Selside;

in the district of West Derbyshire:—

Aldwark, Birchover, Stanton; and

3. in Wales land outside the boundaries of a National Park listed above which is on 1st November 1986—

*(a)* within the communities listed below:

in the borough of Aberconwy:—

Caerhun, Dolgarrog;

in the borough of Arfon:—

Betws Garmon, Bontnewydd, Llanberis, Llanddeiniolen, Llandwrog, Llanllyfni, Llanwnda, Waunfawr;

in the district of Meirionnydd:—

Arthog, Corris, Llanfrothen, Penrhyndeudraeth; and

*(b)* within the specified parts of the communities listed below:

in the borough of Aberconwy, those parts of the following communities which were on 31st March 1974 within the former rural district of Nant Conway:—

Conwy, Henryd, Llanddoged and Maenan, Llanrwst, Llansanffraid Glan Conwy;

in the borough of Arfon, those parts of the following communities which were on 31st March 1974 within the former rural district of Gwyrfai:—

Caernarfon, Llandygai, Llanrug, Pentir, Y Felinheli;

in the district of Dwyfor, that part of the community of Porthmadog which was on 31st March 1974 within the former rural district of Deudraeth and those parts of the following communities which were on that date within the former rural district of Gwyrfai:—

Clynnog, Dolbenmaen, Llanaelhaearn;

in the district of Glyndwr, those parts of the following communities which were on 31st March 1974 within the former rural district of Penllyn:—

Llandrillo, Llangwm;

in the district of Meirionnydd, those parts of the following communities which were on 31st March 1974 within the former rural district of Deudraeth:—

Ffestiniog, Talsarnau;

and those parts of the following communities which were on that date within the former rural district of Dolgellau:—

Barmouth, Mawddwy;

and that part of the community of Llandderfel which was on that date within the former rural district of Penllyn.

*Nicholas Ridley,*
Secretary of State for the Environment.

8th July 1986.

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EXPLANATORY NOTE

(*This Note is not part of the Order.*)

This order repeals and replaces the Town and Country Planning (Landscape Areas Special Development) Order 1950 ("the 1950 order").

This order applies to all land which on 1st November 1986 is—

*(a)* in a National Park in England or Wales, or

*(b)* land adjoining the Lake District National Park, the Peak District National Park and the Snowdonia National Park to which the 1950 order applied.

This order modifies planning permission granted under Classes VI and VII of Schedule 1 to the Town and Country Planning General Development Orders 1977 to 1985 in the areas to which it applies. The effect of the modification is to impose additional conditions on the carrying out of certain development described in those Classes.

The conditions require the developer before starting the development to give the local planning authority (defined in article 2(3) of the order) specified information about the proposed development. If that authority within 28 days of receipt of that information give the developer notice in writing to that effect, development is not to be carried out without the authority's prior approval as to specified details of the development. One condition also imposes time limits on the carrying out of the development.

There are various differences between this order and the 1950 order. The main differences are the increased extent of the land to which the order applies, the application of the order to the formation or alteration of private ways, the extension of the condition to include details of siting and the imposition of a time limit for the carrying out of development.

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