

## Planning Law

Planning law is the legislative framework through which planning control over land use is exercised. It prescribes the procedures for the resolution of conflict over land use. It balances the interests of private property ownership with the “public good”.

### Legislation

The present planning system was introduced in 1947. Currently the principal legislation is the Town and Country Planning Act 1990 (as amended) (the “1990 Act”) and the Planning (Listed Buildings and Conservation Areas) Act 1990 (the “Listed Buildings Act”). The Planning and Compulsory Purchase Act 2004 introduced some significant changes, particularly to the development plan system, and further reform has occurred through the Localism Act 2011.

### Within National Parks

Within National Parks general planning legislation usually applies, but other more specialist legislation also applies, particularly the National Parks and Access to the Countryside Act 1949 and the Environment Act 1995. This legislation confirms that the statutory purposes of National Parks are to:

- Conserve and enhance the natural beauty, wildlife and cultural heritage of the National Park, and
- Promote opportunities for public understanding and enjoyment of the special qualities of the area

### [The Sandford Principle](#)

The **Sandford Principle** is a concept in the management of protected landscapes in the United Kingdom. It is called the Sandford Principle after Lord Sandford who chaired the National Parks Policy Review *Specialist Legislation* Committee which reviewed national parks of England and Wales in between 1971 and 1974.

*"National Park Authorities can do much to reconcile public enjoyment with the preservation of natural beauty by good planning and management and the main emphasis must continue to be on this approach wherever possible. But even so, there will be situations where the two purposes are irreconcilable... Where this happens, priority must be given to the conservation of natural beauty." (Lord Sandford, 1974)*

### [The Environment Act 1995, section 62 \(1\) \(2\):](#)

Places a general duty on all relevant authorities, including the National Park Authority, statutory undertakers and other public bodies, to have regard to these purposes. In pursuing these purposes, section 62 also places a duty on the National Park Authorities to seek to foster the economic and social well-being of their local communities.