

# Planning (Listed Buildings and Conservation Areas) Regulations 1990/1519

## Preamble

Version 1 of 1

20 July 1990 - Present

### Subjects

Planning

Made: 20 July 1990

Laid before Parliament: 30 July 1990

Coming into force: 24 August 1990

The Secretary of State for the Environment, as respects England, and the Secretary of State for Wales, as respects Wales, in exercise of the powers conferred on them by [sections 2, 10, 11, 19, 20, 21, 25, 27, 28, 29, 32, 42, 74, 82, 84, 91<sup>1</sup>](#), and [93](#) of the [Planning \(Listed Buildings and Conservation Areas\) Act 1990](#) and of all other powers enabling them in that behalf, hereby make the following Regulations:

## Notes

[1](#) See the definition of “prescribed”.

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# reg. 1 Citation and Commencement



Partially Repealed

Version 2 of 2

30 April 2012 - Present

**Subjects**  
Planning

## England

### 1. Citation and Commencement

These Regulations may be cited as the Planning (Listed Buildings and Conservation Areas) Regulations 1990 and shall come into force on 24th August 1990.

## Wales

[...] <sup>1</sup>

### Notes

- <sup>1</sup> Revoked by Planning (Listed Buildings and Conservation Areas) (Wales) Regulations 2012/793 [Sch.5 para.1](#) (April 30, 2012)

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## reg. 2 Interpretation



Partially Repealed With Amendments Pending

Version 6 of 7

14 May 2020 - Present

**Subjects**  
Planning

### England

#### 2. Interpretation

[[

(1) In these Regulations—

*"the Act"* means the [Planning \(Listed Buildings and Conservation Areas\) Act 1990](#);

[

*"coronavirus"* means severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2);

]³

*"electronic communications"* has the meaning given in [section 15\(1\)](#) of the [Electronic Communications Act 2000](#); and

*"public holiday"* means Christmas Day, Good Friday or a day which under the [Banking and Financial Dealings Act 1971](#) is a bank holiday in England;

]²

(2) In these Regulations, in relation to the use of electronic communications for any purpose of these Regulations which is capable of being effected electronically—

(a) the expression *"address"* includes any number or address used for the purposes of such communications, except that where these Regulations impose an obligation on any person to provide a name and address to any other person, the obligation shall not be fulfilled unless the person on whom it is imposed provides a postal address;

(b) references to forms, plans, notices and other documents, or to copies of such documents, include references to such documents or copies of them in electronic form.

(3) Paragraphs (4) to (7) apply where an electronic communication is used by a person for the purpose of fulfilling any requirement in these Regulations to give or send any form, plan, notice or other document to any other person ("the recipient").

(4) The requirement shall be taken to be fulfilled where the form, plan, notice or other document transmitted by means of the electronic communication is—

(a) capable of being accessed by the recipient,

(b) legible in all material respects, and

(c) sufficiently permanent to be used for subsequent reference.

(5) In paragraph (4), “*legible in all material respects*” means that the information contained in the statement, notice or document is available to the recipient to no lesser extent than it would be if sent or given by means of a document in printed form.

(6) Where the electronic communication is received by the recipient outside the recipient's business hours, it shall be taken to have been received on the next working day; and for this purpose and the purposes of [paragraph \(3\) of regulation 8A](#), “*working day*” means a day which is not a Saturday, Sunday, [...] <sup>4</sup> or [...] <sup>4</sup> public holiday .

(7) A requirement in these Regulations that any document should be in writing is fulfilled where that document meets the criteria in paragraph (4), and “*written*” and cognate expressions are to be construed accordingly.

]<sup>1</sup>

## Wales

[...] <sup>5</sup>

## Notes

- 1 Existing reg.2 renumbered as reg.2(1), definition inserted and reg.2(2)-(7) inserted by Town and Country Planning (Electronic Communications) (Wales) (No. 1) Order 2004/3156 [Sch.4 para.1](#) (January 1, 2005)
- 2 Substituted by Town and Country Planning (Local Authority Consultations etc.) (England) Order 2018/119 [Pt 4 art.20\(a\)](#) (June 1, 2018)
- 3 Definition inserted by Town and Country Planning (Development Management Procedure, Listed Buildings and Environmental Impact Assessment) (England) (Coronavirus) (Amendment) Regulations 2020/505 [Pt 3 reg.8](#) (May 14, 2020)
- 4 Words revoked by Town and Country Planning (Local Authority Consultations etc.) (England) Order 2018/119 [Pt 4 art.20\(b\)](#) (June 1, 2018)
- 5 Revoked by Planning (Listed Buildings and Conservation Areas) (Wales) Regulations 2012/793 [Sch.5 para.1](#) (April 30, 2012)

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## reg. 3 Applications for listed building consent or for conservation area consent



Version 8 of 8

1 October 2013 - Present

**Subjects**  
Planning

### England

[

#### 3.— Applications for listed building consent [...]<sup>3</sup>

- (1) An application for listed building consent [...]<sup>3</sup> shall—
- (a) subject to [regulation 7](#), be made in writing to a local planning authority on a form published by the Secretary of State (or a form to substantially the same effect);
  - (b) include the particulars specified or referred to in the form; and
  - (c) be accompanied, whether electronically or otherwise, by—
    - (i) such plans, drawings and information as are necessary to describe the works which are the subject of the application;
    - (ii) except where the application is made by electronic communication or the local planning authority indicate that a lesser number is required [ or where paragraph (1A) applies]<sup>4</sup>, 3 copies of the form; and
    - (iii) except where they are submitted by electronic communication or the local planning authority indicate that a lesser number is required, 3 copies of any plans, drawings or information accompanying the application pursuant to paragraph (i).

[

- (1A) This paragraph applies in relation to an application for consent for works that have not yet begun where—
- (a) consent for those works has been granted on or before [1st October 2010]<sup>5</sup> subject to a time limit imposed under [section 18](#) of the Act (limit of duration of listed building consent) which has not expired; and
  - (b) the consent for which the application is made is necessary to carry out development that is the subject of an application to which [\[article 18\(1\)\(b\) or \(c\)\]](#) of the Town and Country Planning (Development Management Procedure) (England) Order 2010<sup>6</sup> refers.

<sup>4</sup>]

- (2) Any plans or drawings required to be provided by paragraph (1)(c)(i) shall be drawn to an identified scale and, in the case of plans, shall show the direction of North.
- (3) When the local planning authority with whom the application has to be lodged receive—

- (a) an application which complies with the requirements of paragraph (1);
- (b) the certificate required by [regulation 6](#);
- (c) in a case to which [regulation 3A](#) applies, the design and access statement; and
- (d) subject to paragraph (4), the particulars required by the authority under [section 10\(2\)\(c\)](#) of the Act (making applications for listed building consent),

the authority shall, as soon as is reasonably practicable, send to the applicant an acknowledgement in the terms (or substantially in the terms) set out in [Part 1 of Schedule 1](#).

(4) Paragraph (3)(d) only applies if—

- (a) before the application is made the local planning authority publish, for the purposes of paragraph (8), a list of requirements on their website; and
- (b) the particulars that the authority require to be included in the application fall within that list.

(5) Where, after sending an acknowledgement as required by paragraph (3), the local planning authority form the opinion that the application is invalid they shall, as soon as is reasonably practicable, notify the applicant that the application is invalid.

(6) Where a valid application has been received, the local planning authority shall give the applicant written notice of their decision within the period of eight weeks beginning with the day immediately following that on which the application is received or, except where the applicant has already given notice of appeal to the Secretary of State, within such other period as may at any time be agreed in writing between the applicant and the authority.

(7) Every such notice of decision or reference to the Secretary of State shall be in writing; and where the local planning authority decide to grant listed building consent [...] <sup>3</sup> subject to conditions or to refuse it, the notice shall state the reasons for the decision and shall be accompanied by a notification in the terms (or substantially in the terms) set out in [Part 2 of Schedule 1](#).

(8) In this regulation “*valid application*” means an application which complies with the requirements of paragraph (1) and—

- (a) subject to paragraph (8A), contains the particulars required by the authority under [section 10\(2\)\(c\)](#) of the Act (making applications for listed building consent);
- (b) is accompanied by the certificate required by [regulation 6](#); and
- (c) in a case to which [regulation 3A](#) applies, is accompanied by the design and access statement,

and a valid application shall be taken to have been received when the application, and all of the documents or particulars referred to above, have been lodged with the local planning authority.

(8A) Paragraph 8(a) only applies if—

- (a) before the application is made the local planning authority publish, for the purposes of paragraph (8), a list of requirements on their website; and
- (b) the particulars that the authority require to be included in the application fall within that list.

<sup>2</sup>

## Wales

[...] <sup>1</sup>

## Notes

- 1 Revoked by Planning (Listed Buildings and Conservation Areas) (Wales) Regulations 2012/793 [Sch.5 para.1](#) (April 30, 2012)
- 2 Substituted subject to transitional provisions specified in SI 2008/551 art.3 by Planning (Listed Buildings and Conservation Areas) (Amendment) (England) Regulations 2008/551 [reg.2\(2\)](#) (April 6, 2008: substitution has effect subject to transitional provisions specified in SI 2008/551 art.3)
- 3 Amended by Enterprise and Regulatory Reform Act 2013 (Abolition of Conservation Area Consent) (Consequential and Saving Provisions) (England) Order 2013/2146 [Sch.1 para.1\(a\)](#) (October 1, 2013: amendment has effect subject to savings specified in SI 2013/2146 art.4 and SI 2013/148 art.5(4))
- 4 Amended by Planning (Listed Buildings and Conservation Areas) (Amendment) (England) Regulations 2009/2262 [reg.2\(2\)](#) (October 1, 2009)
- 5 Possible drafting error - words purportedly substituted in reg.3(1A)(b), however target text appears in, and is applied to reg.3(1A)(a); words substituted by Planning (Listed Buildings and Conservation Areas) (Amendment) (England) Regulations 2012/2275 [reg.2\(2\)](#) (October 1, 2012)
- 6 Words substituted by Planning (Listed Buildings and Conservation Areas) (Amendment No. 2) (England) Regulations 2010/2185 [reg.2\(2\)](#) (October 1, 2010)

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## reg. 3A Design and access statements



Partially In Force

Version 4 of 4

25 June 2013 - Present

**Subjects**  
Planning

### England

[

#### 3A.— Design and access statements

(1) Any application to a local planning authority for listed building consent [, except where regulation 3(1A) applies]<sup>2</sup> shall be accompanied by a statement (“a design and access statement”) [which explains]<sup>3</sup> —

(a) the design principles and concepts that have been applied to the works; and

[

(aa) how the design principles and concepts that have been applied to the works take account of—

(i) the special architectural or historic importance of the building;

(ii) the particular physical features of the building that justify its designation as a listed building; and

(iii) the building's setting; and

]<sup>4</sup>

(b) subject to paragraph (4), how issues relating to access to the building have been dealt with.

[...]<sup>5</sup>

(3) Subject to paragraph (4), a design and access statement shall also—

(a) explain the policy adopted as to access, including what alternative means of access have been considered, and how policies relating to access in relevant local development documents have been taken into account;

(b) explain how the policy as to access takes account of—

(i) the special architectural or historic importance of the building;

(ii) the particular physical features of the building that justify its designation as a listed building; and

(iii) the building's setting;

(c) state what, if any, consultation has been undertaken and what account has been taken of the outcome of any such consultation;[ and]<sup>6</sup>

(d) explain how any specific issues which might affect access to the building have been addressed [.]<sup>7</sup>



[...] <sup>8</sup>

(4) Paragraphs (1)(b) and (3) do not apply in relation to an application for listed building consent to carry out works affecting only the interior of a building.

[...] <sup>9</sup> <sup>1</sup>

## Wales

[NOTE: not yet in force otherwise.]

## Notes

- 1 Added by Planning (Applications for Planning Permission, Listed Buildings and Conservation Areas) (Amendment) (England) Regulations 2006/1063 [reg.3](#) (August 10, 2006)
- 2 Words substituted by Planning (Listed Buildings and Conservation Areas) (Amendment No. 2) (England) Regulations 2010/2185 [reg.2\(3\)](#) (October 1, 2010)
- 3 Word substituted by Planning (Listed Buildings and Conservation Areas) (Amendment) (England) Regulations 2013/1239 [reg.2\(2\)\(a\)\(i\)](#) (June 25, 2013)
- 4 Added by Planning (Listed Buildings and Conservation Areas) (Amendment) (England) Regulations 2013/1239 [reg.2\(2\)\(a\)\(ii\)](#) (June 25, 2013)
- 5 Revoked by Planning (Listed Buildings and Conservation Areas) (Amendment) (England) Regulations 2013/1239 [reg.2\(2\)\(b\)](#) (June 25, 2013)
- 6 Word inserted by Planning (Listed Buildings and Conservation Areas) (Amendment) (England) Regulations 2013/1239 [reg.2\(2\)\(c\)\(i\)](#) (June 25, 2013)
- 7 Full stop substituted for "; and" by Planning (Listed Buildings and Conservation Areas) (Amendment) (England) Regulations 2013/1239 [reg.2\(2\)\(c\)\(ii\)](#) (June 25, 2013)
- 8 Revoked by Planning (Listed Buildings and Conservation Areas) (Amendment) (England) Regulations 2013/1239 [reg.2\(2\)\(c\)\(iii\)](#) (June 25, 2013)
- 9 Revoked by Planning (Listed Buildings and Conservation Areas) (Amendment) (England) Regulations 2013/1239 [reg.2\(2\)\(d\)](#) (June 25, 2013)

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## reg. 3B Design and access statements: Wales



Partially Repealed

**Version 3 of 3**

30 April 2012 - Present

### **Subjects**

Planning

[...]<sup>1</sup>

### **Notes**

- 1** Revoked by Planning (Listed Buildings and Conservation Areas) (Wales) Regulations 2012/793 [Sch.5 para.1](#) (April 30, 2012)

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# reg. 4 Applications to vary or discharge conditions attached to listed building consent or conservation area consent



Partially Repealed

Version 5 of 5

1 October 2013 - Present

## Subjects

Planning

## England

[

### 4.— Applications to vary or discharge conditions attached to listed building consent [...]<sup>3</sup>

(1) An application to a local planning authority by a person interested in a building for the variation or discharge of conditions attached to a listed building consent [...] <sup>3</sup> granted in respect of that building shall be made [in accordance with [regulation 3\(1\)](#)]<sup>4</sup>.

(2) [[Paragraphs \(3\) to \(8A\)](#) of [regulation 3](#)]<sup>4</sup> shall have effect in relation to an application under this regulation as they have effect in relation to an application under [regulation 3\(1\)](#), except that for the reference in [[regulation 3\(7\)](#)]<sup>4</sup> to a notification in the terms set out in [Part II of Schedule 1](#), there shall be substituted a reference to a notification in the terms set out in [Part III](#) of that Schedule.

]<sup>2</sup>

## Wales

[...]<sup>1</sup>

## Notes

- 1 Revoked by Planning (Listed Buildings and Conservation Areas) (Wales) Regulations 2012/793 [Sch.5 para.1](#) (April 30, 2012)
- 2 Words substituted by Planning (Listed Buildings and Conservation Areas) (England) (Amendment) Regulations 2003/2048 [reg.3](#) (December 5, 2003)
- 3 Amended by Enterprise and Regulatory Reform Act 2013 (Abolition of Conservation Area Consent) (Consequential and Saving Provisions) (England) Order 2013/2146 [Sch.1 para.1\(b\)](#) (October 1, 2013: amendment has effect subject to savings specified in SI 2013/2146 art.4 and SI 2013/148 art.5(4))
- 4 Amended subject to transitional provisions specified in SI 2008/551 art.3 by Planning (Listed Buildings and Conservation Areas) (Amendment) (England) Regulations 2008/551 [reg.2\(3\)](#) (April 6, 2008: amendment has effect subject to transitional provisions specified in SI 2008/551 art.3)

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## reg. 5 Advertisement of applications



Partially Repealed With Amendments Pending

Version 6 of 8

14 May 2020 - Present

**Subjects**  
Planning

### England

[

#### 5.— Advertisement of applications

(1) Subject to paragraph (3), where an application under [regulation 3 or 4](#) is made to a local planning authority in respect of any building the authority shall—

(a) publish in a local newspaper circulating in the locality in which the building is situated a notice indicating the nature of the works which are the subject of the application and naming a place within the locality where a copy of the application, and of all plans and other documents submitted with it, will be open to inspection by the public at all reasonable hours during the period of 21 days beginning with the date of publication of the notice; and

(b) for not less than [21]<sup>3</sup> days display on or near the said building a notice containing the same particulars as are required to be contained in the notice to be published in accordance with sub-paragraph (a) [; and]<sup>4</sup>

[

(c) for not less than 21 days publish on a website maintained by the local planning authority the following information—

(i) the address or location of the proposed works;

(ii) the nature of the proposed works;

(iii) the date by which any representations about the application must be made, which shall not be before the last day of the period of 21 days beginning with the date on which the information is published;

(iv) where and when the application may be inspected; and

(v) how representations may be made about the application.

]<sup>4</sup>

(1A) [[...]]<sup>4</sup>

(1B) [[...]]<sup>4</sup>[...]<sup>4</sup>

[

(1C) Paragraph (1D) applies—

(a) in a case to which paragraph (1) applies; and

(b) if the local planning authority to which the application is made is not able to comply with the requirement to—

- (i) publish a notice in a local newspaper under paragraph (1)(a); or
- (ii) display a notice under paragraph (1)(b);

because it is not reasonably practicable to do so for reasons connected to the effects of coronavirus, including restrictions on movement.

(1D) In a case falling within paragraph (1C), the local planning authority must—

- (a) comply with the requirements set out in paragraph (1)(a) and (b), to publish or display a notice, only to the extent it is reasonably practicable to do so;
- (b) take reasonable steps to inform any persons who are likely to have an interest in the application of the website mentioned in paragraph (1)(c); and
- (c) subject to paragraph (1G), publish on that website the name of a place within the locality where a copy of the application, and of all plans and other documents submitted with it, will be open to inspection by the public at all reasonable hours during the period of 21 days beginning with the date of the publication of that information on the website.

(1E) If the local planning authority complies with the requirements set out in paragraph (1D) that authority is discharged of its obligation to —

- (a) publish a notice in a local newspaper under paragraph (1)(a); or
- (b) display a notice under paragraph (1)(b);

in so far as such notice was not given by the authority because it was not able to do so under paragraph (1C)(b).

(1F) In paragraph (1D)(b)—

- (a) the persons who are likely to have an interest in an application must include the persons who live or work in, or otherwise have a direct connection with, the area in which the proposed works are located; and
- (b) the reasonable steps that are taken by the local planning authority—
  - (i) may include use of social media and communication by electronic means; and
  - (ii) must be proportionate to the scale and impact of the proposed works.

(1G) Paragraph (1H) applies if a local planning authority is not able to comply with the obligation set out in paragraph (1)(a) or paragraph (1D)(c) to make a copy of the application, and of all plans and other documents submitted with it, open to inspection by the public at a place within the locality, at all reasonable hours, because it is not reasonably practicable to do so for reasons connected to the effects of coronavirus, including restrictions on movement.

(1H) If a local authority falls within paragraph (1G), that authority must publish the application and all plans and other documents submitted with it, on the website referred to in paragraph (1)(c), and in that case that authority is to be treated as having complied with the requirement to make those documents available for inspection by the public at a place within the locality under paragraph (1)(a) or (1D)(c).

]<sup>5</sup>

(2) Subject to paragraph (3), an application under [regulation 3 or 4](#) shall not be determined by the local planning authority before [each]<sup>4</sup> of the following periods have elapsed, namely—

- (a) the period of 21 days referred to in sub-paragraph (a) of paragraph (1) above; and
- (b) the period of 21 days beginning with the date on which the notice required by sub-paragraph (b) of the said paragraph (1) was first displayed;[ and]<sup>4</sup>

[

(c) the period of 21 days beginning with the date on which the information required by sub-paragraph (c) of the said paragraph (1) was first published;

] <sup>4</sup> and in determining the application the authority shall take into account any representations relating to the application which are received by them before [each] <sup>4</sup> of those periods have elapsed.

[

(2A) In the case of a local planning authority publishing an application under [regulation 3 or 4](#), and all plans and other documents submitted with it, on a website in accordance with paragraph (1H)), paragraph (2)(c) applies to the determination of that application by the local planning authority.

] <sup>6</sup>

(3) Paragraphs (1) [...] <sup>4</sup> and (2) shall not apply to any application for—

(a) listed building consent to carry out works affecting only the interior of a building which when last notified to the authority by the Secretary of State as a building of special architectural or historic interest was classified as a Grade II (unstarred) listed building; or

(b) the variation or discharge of conditions attached to a listed building consent in respect of the interior of such a Grade II (unstarred) listed building.

[

(4) When computing the number of days for the purpose of this regulation, any day which is a public holiday must be disregarded.

] <sup>7</sup> <sup>2</sup>

## Wales

[...] <sup>1</sup>

## Notes

- 1 Revoked by Planning (Listed Buildings and Conservation Areas) (Wales) Regulations 2012/793 [Sch.5 para.1](#) (April 30, 2012)
- 2 Amended by Planning (Listed Buildings and Conservation Areas) (Amendment) (England) Regulations 2004/2210 [reg.2](#) (September 28, 2004)
- 3 Amended by Planning (Listed Buildings and Conservation Areas) (Amendment) (England) Regulations 2010/568 [reg.3\(1\)](#) (April 6, 2010)
- 4 Amended by Planning (Listed Buildings and Conservation Areas) (Amendment) (England) Regulations 2010/568 [reg.4](#) (April 6, 2010: amendment subject to the transitional provision specified in SI 2010/568 [reg.5](#))
- 5 Added by Town and Country Planning (Development Management Procedure, Listed Buildings and Environmental Impact Assessment) (England) (Coronavirus) (Amendment) Regulations 2020/505 [Pt 3 reg.9\(2\)](#) (May 14, 2020)
- 6 Added by Town and Country Planning (Development Management Procedure, Listed Buildings and Environmental Impact Assessment) (England) (Coronavirus) (Amendment) Regulations 2020/505 [Pt 3 reg.9\(3\)](#) (May 14, 2020)
- 7 Added by Town and Country Planning (Local Authority Consultations etc.) (England) Order 2018/119 [Pt 4 art.21](#) (June 1, 2018)

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# reg. 5A Publicity for applications affecting setting of listed buildings



Partially In Force With Amendments Pending

Version 6 of 8

14 May 2020 - Present

**Subjects**  
Planning

**England**

[

## 5A.— Publicity for applications affecting setting of listed buildings

[

(1) This regulation applies where an application for planning permission for any development of land is made to a local planning authority, or the Secretary of State under [section 62A](#) of the principal Act, and the authority think or, as the case may be, the Secretary of State thinks that the development would affect—

- (a) the setting of a listed building; or
- (b) the character or appearance of a conservation area.

<sup>2</sup>[

(2) [ Subject to paragraph [(2ZA) and (2A)]<sup>5</sup>, the local planning authority ]<sup>4</sup> shall—

- (a) publish in a local newspaper circulating in the locality in which the land is situated a notice indicating the nature of the development in question and naming a place within the locality where a copy of the application, and of all plans and other documents submitted to it, will be open to inspection by the public at all reasonable hours during the period of 21 days beginning with the date of publication of the notice;
- (b) for not less than 21 days display on or near the said building a notice containing the same particulars as are required to be published in accordance with sub-paragraph (a); and
- (c) for not less than 21 days publish on a website maintained by the local planning authority the following information—
  - (i) the address or location of the development in question;
  - (ii) the nature of the development;
  - (iii) the date by which any representations about the application must be made, which shall not be before the last day of the period of 21 days beginning with the date on which the information is published;
  - (iv) where and when the application may be inspected; and
  - (v) how representations may be made about the application.

<sup>3</sup>[

(2ZA) Paragraph (2ZB) applies—



- (a) in the case of an application for planning permission made to a local planning authority to which paragraph (1) applies; and
- (b) if the local planning authority to which the application is made is not able to comply with the requirement to —
  - (i) publish a notice in a local newspaper under paragraph (2)(a); or
  - (ii) display a notice under paragraph (2)(b);

because it is not reasonably practicable to do so for reasons connected to the effects of coronavirus, including restrictions on movement.

(2ZB) In a case falling within paragraph (2ZA), the local planning authority must—

- (a) comply with the requirements set out in paragraph (2)(a) and (b) to publish or display a notice only to the extent it is reasonably practicable to do so;
- (b) take reasonable steps to inform any persons who are likely to have an interest in the application of the website mentioned paragraph (2)(c); and
- (c) subject to paragraph (2ZF), publish on that website the name of a place within the locality where a copy of the application, and of all plans and other documents submitted with it, will be open to inspection by the public at all reasonable hours during the period of 21 days beginning with the date of the publication of that information on the website.

(2ZC) If the local planning authority complies with the requirements set out in paragraph (2ZB) that authority is discharged of its obligation to —

- (a) publish a notice in a local newspaper under paragraph (2)(a); or
- (b) display a notice under paragraph (2)(b);

in so far as such notice was not given because the authority was not able to do so under paragraph (2ZA)(b).

(2ZD) In paragraph (2ZB)(b)—

- (a) the persons who are likely to have an interest in an application must include the persons who live or work in, or otherwise have a direct connection with, the area in which the proposed development is located; and
- (b) the reasonable steps that are taken by the local planning authority—
  - (i) may include use of social media and communication by electronic means; and
  - (ii) must be proportionate to the scale and impact of the proposed development.

(2ZE) Paragraph (2ZF) applies if a local planning authority is of the view that it is not able to comply with the obligation set out in paragraph (2)(a) or (2ZB)(c) to make a copy of the application and of all plans and other documents submitted with it open to inspection by the public at all reasonable hours because it is not reasonably practicable to do so for reasons connected to the effects of coronavirus, including restrictions on movement.

(2ZF) If a local planning authority is of the view mentioned in paragraph (2ZE), that authority must publish the application and all of the plans and other documents submitted with it on the website referred to in paragraph (2)(c) and in that case that authority is to be treated as having complied with the requirement to make those documents available for inspection by the public under paragraph (2)(a) or (2ZB)(c).

<sup>6</sup>[

(2A) In the case of an application for planning permission made under [section 62A](#) of the principal Act, paragraphs (2B) and (2C) apply instead of paragraph (2).

(2B) Where this paragraph applies, the Secretary of State must—

(a) publish in a local newspaper circulating in the locality in which the land is situated a notice indicating the nature of the development in question, and naming a place where a copy of the application, and of all plans and other documents submitted to him, will be open to inspection by the public at all reasonable hours during the period of 21 days beginning with the date of publication of the notice; and

(b) publish on a website maintained by the Secretary of State—

(i) the address or location of the proposed development;

(ii) a description of the proposed development;

(iii) the date by which any representations about the application must be made, which must not be before the last day of the period of 21 days beginning with the date on which the information is published on the website;

(iv) where and when the application may be inspected; and

(v) the Secretary of State's address for receipt of representations about the application.

(2C) Where this paragraph applies, the local planning authority must, within 5 working days of receipt of a notice under [article 11\(2\) of the Town and Country Planning \(Section 62A Applications\) \(Procedure and Consequential Amendments\) Order 2013](#) in relation to the application publicise the application by giving requisite notice (which takes the meaning given in [article 14](#) of that Order)—

(a) by site display in at least one place on or near the land to which the application relates for not less than 21 days; and

(b) by sending a copy of the notice to the Secretary of State.

]<sup>7</sup>[

(3) The local planning authority shall send to the Commission a copy of each notice under paragraph (2) in the following circumstances—

(a) where paragraph (1)(a) applies, the listed building is classified as Grade I or Grade II\*; or

(b) where paragraph (1)(b) applies—

(i) the development involves the erection of a new building or the extension of an existing building; and

(ii) the area of land in respect of which the application is made is more than 1,000 square metres.

]<sup>8</sup>

(4) [The]<sup>3</sup> application shall not be determined by the local planning authority [ or, as the case may be, the Secretary of State]<sup>9</sup> before [each]<sup>3</sup> of the following periods have elapsed, namely—

(a) the period of 21 days referred to in paragraph (2); and

(b) the period of 21 days beginning with the date on which the notice required by that paragraph to be displayed was first displayed,[ and]<sup>3</sup>

[

(c) the period of 21 days beginning with the date on which the information required by sub-paragraph (c) of the said paragraph (2) was first published,

] <sup>3</sup> and in determining any application for planning permission to which this regulation applies, the local planning authority [ or, as the case may be, the Secretary of State] <sup>9</sup> shall take into account any representations relating to the application which are received by them before [each] <sup>3</sup> of those periods have elapsed.

[  
(4ZA) In the case of a local planning authority publishing an application for planning permission and all plans and other documents submitted with it on a website in accordance with paragraph (2ZF), paragraph (4)(c) applies to the determination of that application by the local planning authority.

] <sup>10</sup>[  
(4A) When computing the number of days for the purpose of this regulation, any day which is a public holiday must be disregarded.

] <sup>11</sup>[...]<sup>3</sup>

] <sup>1</sup>

## Wales

[NOTE: not yet in force otherwise.]

## Notes

- 1 Added by Planning (Listed Buildings and Conservation Areas) (Amendment) (England) Regulations 2004/2210 [reg.2\(4\)](#) (September 28, 2004)
- 2 Substituted by Planning (Listed Buildings and Conservation Areas) (Amendment) (England) Regulations 2015/809 [reg.2\(2\)](#) (April 15, 2015: substitution has effect subject to transitional provision specified in SI 2015/809 [reg.3](#))
- 3 Amended by Planning (Listed Buildings and Conservation Areas) (Amendment) (England) Regulations 2010/568 [reg.4\(2\)](#) (April 6, 2010: amendment subject to the transitional provision specified in SI 2010/568 [reg.5](#))
- 4 Words substituted by Town and Country Planning (Development Management Procedure and Section 62A Applications) (England) (Amendment) Order 2014/1532 [art.10\(b\)](#) (October 1, 2014)
- 5 Word substituted by Town and Country Planning (Development Management Procedure, Listed Buildings and Environmental Impact Assessment) (England) (Coronavirus) (Amendment) Regulations 2020/505 [Pt 3 reg.10\(2\)](#) (May 14, 2020)
- 6 Added by Town and Country Planning (Development Management Procedure, Listed Buildings and Environmental Impact Assessment) (England) (Coronavirus) (Amendment) Regulations 2020/505 [Pt 3 reg.10\(3\)](#) (May 14, 2020)
- 7 Added by Town and Country Planning (Development Management Procedure and Section 62A Applications) (England) (Amendment) Order 2014/1532 [art.10\(c\)](#) (October 1, 2014)
- 8 Substituted by Planning (Listed Buildings and Conservation Areas) (Amendment) (England) Regulations 2015/809 [reg.2\(3\)](#) (April 15, 2015: substitution has effect subject to transitional provision specified in SI 2015/809 [reg.3](#))
- 9 Words inserted by Town and Country Planning (Development Management Procedure and Section 62A Applications) (England) (Amendment) Order 2014/1532 [art.10\(d\)](#) (October 1, 2014)
- 10 Added by Town and Country Planning (Development Management Procedure, Listed Buildings and Environmental Impact Assessment) (England) (Coronavirus) (Amendment) Regulations 2020/505 [Pt 3 reg.10\(4\)](#) (May 14, 2020)
- 11 Added by Town and Country Planning (Local Authority Consultations etc.) (England) Order 2018/119 [Pt 4 art.22](#) (June 1, 2018)

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# reg. 5B Advertisement of applications for urgent works relating to Crown development



Partially Repealed

Version 3 of 3

30 April 2012 - Present

**Subjects**  
Planning

## England

[

### 5B.— Advertisement of applications for urgent works relating to Crown development

(1) Subject to paragraph (2), where an application under [section 82B\(2\)](#)<sup>2</sup> (urgent works relating to Crown development) of the Act is made to the Secretary of State in respect of any building the Secretary of State shall—

(a) publish in a local newspaper circulating in the locality in which the building is situated a notice indicating the nature of the works which are the subject of the application and—

(i) naming a place within the locality where a copy of the application, and of all plans and other documents submitted with it, will be open to inspection by the public at all reasonable hours during the period of 21 days beginning with the date of publication of the notice; and

(ii) stating the address of the website where a copy of the application, and of all plans and other documents submitted with it, will be open to inspection by the public during the period of 21 days beginning with the date of publication of the notice, and the place on the website where such documents may be accessed, and how they may be accessed; and

(b) for not less than 7 days display on or near the said building a notice containing the same particulars as are required to be contained in the notice to be published in accordance with sub-paragraph (a).

(2) Paragraph (1) shall not apply to any application for listed building consent to carry out works affecting only the interior of a building which, when last notified to the authority by the Secretary of State as a building of special architectural or historic interest, was classified as a Grade II (unstarred) listed building.[...]<sup>3</sup>

]<sup>1</sup>

## Wales

[...]<sup>4</sup>

## Notes

- 1 Added by Planning (Listed Buildings, Conservation Areas and Hazardous Substances) (Amendment) (England) Regulations 2006/1283 [reg.2\(2\)](#) (June 7, 2006)
- 2 [Section 82B](#) was inserted by the [Planning and Compulsory Purchase Act 2004](#) (c. 5), [section 83\(1\)](#).

## Notes

- 3 Added by Planning (Listed Buildings, Conservation Areas and Hazardous Substances) (Amendments relating to Crown Land) (Wales) Regulations 2006/1388 [reg.2\(2\)](#) (June 7, 2006)
- 4 Revoked by Planning (Listed Buildings and Conservation Areas) (Wales) Regulations 2012/793 [Sch.5 para.1](#) (April 30, 2012)

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## reg. 6 Certificate to accompany applications and appeals



Partially Repealed

Version 4 of 4

30 April 2012 - Present

**Subjects**  
Planning

**England**

[

### 6.— Certificate to accompany applications and appeals

(1) A local planning authority shall not entertain any application under [regulation 3 or 4](#) unless it is accompanied by one of the following certificates signed by or on behalf of the applicant—

(a) a certificate stating that, at the beginning of the period of 21 days ending with the date of the application, no person (other than the applicant) was the owner of any of the building to which the application relates;

(b) a certificate stating that the applicant has given the requisite notice of the application to all persons (other than himself) who at the beginning of that period were owners of any of the building to which the application relates, and setting out the names of those persons, the addresses at which notice of the application was given to them respectively, and the date of service of each such notice;

(c) a certificate stating that the applicant is unable to issue a certificate in accordance with either sub-paragraphs (a) or (b), that he has given the requisite notice of the application to such one or more of the persons mentioned in sub-paragraph (b) as are specified in the certificate (setting out their names, the addresses at which notice of the application was given to them respectively, and the date of service of each such notice), that he has taken such steps as are reasonably open to him (specifying them) to ascertain the names and addresses of the remainder of those persons and that he has been unable to do so;

(d) a certificate stating that the applicant is unable to issue a certificate in accordance with sub-paragraph (a), that he has taken such steps as are reasonably open to him (specifying them) to ascertain the names and addresses of the persons mentioned in sub-paragraph (b) but has been unable to do so.

(2) Any such certificate as is mentioned in sub-paragraph (c) or sub-paragraph (d) of paragraph (1) shall also contain a statement that the requisite notice of the application, as set out in the certificate, has on a date specified in the certificate (which must not be earlier than the beginning of the period mentioned in sub-paragraph (a) of paragraph (1)) been published in a local newspaper circulating in the locality in which the building is situated.

(3) Where an application under [regulation 3 or 4](#) is accompanied by such a certificate as is mentioned in sub-paragraph (b), sub-paragraph (c), or sub-paragraph (d) of paragraph (1), the local planning authority—

(a) shall not determine the application before the end of the period of 21 days beginning with the date appearing from the certificate to be the latest of the dates of service of notices as mentioned in the certificate, or, if later, the date of publication of a notice as so mentioned;

(b) shall in determining the application take into account any representations relating to it which are made to them before the end of that period by any person who satisfies them that he is an owner of any of the building to which the application relates; and

(c) shall give notice of their decision to every person who has made representations which they were required to take into account in accordance with sub-paragraph (b).

(4) For the purposes of this regulation, “owner” means a person who is for the time being the estate owner in respect of the fee simple or is entitled to a tenancy granted or extended for a term of years certain of which not less than seven years remain unexpired.

(5) The provisions of this regulation shall apply, with any necessary modifications, where an application under [regulation 3 or 4](#) is referred (or is deemed to have been referred) to the Secretary of State under [section 12](#) of the Act or, in relation to an appeal to the Secretary of State under [sections 20 or 21](#) of the Act, as they apply in relation to an application which falls to be determined by the local planning authority.

(5A) The provisions of this regulation, except paragraph (3), shall apply where an application for listed building consent is made to the Secretary of State under [section 82B\(2\)](#) of the Act, as they apply in relation to an application which falls to be determined by the local planning authority with the following modifications—

(a) in paragraph (1) for “A local planning authority shall not entertain any application under regulation 3 or 4” substitute “The Secretary of State shall not entertain any application under section 82B(2) of the Act”;

(b) omit paragraph (3).

(6) Certificates issued for the purposes of this regulation shall be in the forms published by the Secretary of State.

(7) The requisite notices for the purposes of the provisions of this regulation in relation to applications shall be in the forms set out in [Part II of Schedule 2](#) hereto.

(8) The requisite notices for the purposes of the provisions of this regulation in relation to appeals shall be in the forms set out in [Part III of Schedule 2](#) hereto.

]

## Wales

[...]<sup>1</sup>

## Notes

- 1 Revoked by Planning (Listed Buildings and Conservation Areas) (Wales) Regulations 2012/793 [Sch.5 para.1](#) (April 30, 2012)
- 2 Words substituted subject to transitional provisions specified in SI 2008/551 art.3 by Planning (Listed Buildings and Conservation Areas) (Amendment) (England) Regulations 2008/551 [reg.2\(4\)](#) (April 6, 2008: substitution has effect subject to transitional provisions specified in SI 2008/551 art.3)

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## reg. 7 Applications in National Parks



Partially Repealed

Version 3 of 3

30 April 2012 - Present

**Subjects**  
Planning

### England

#### 7.— Applications in National Parks

- (1) An application under [regulation 3 or 4](#) as respects a building situated in an area of a National Park [in England]<sup>1</sup> outside a metropolitan county shall be made to the council of the district who shall send it on, together with all accompanying documents required by these Regulations, to the body authorised to exercise the functions relating to such application (being the council of the county, the joint planning board or the special planning board, as the case may be).
- (2) An application under [regulation 3 or 4](#) as respects a building situated in an area of a National Park within a metropolitan county shall be made to the joint planning board.

### Wales

[...]<sup>2</sup>

#### Notes

- 1 Words added by Local Government Reorganisation (Wales) (Consequential Amendments) Order 1996/525 [Sch.1\(III\) para.13\(1\)](#) (April 1, 1996)
- 2 Revoked by Planning (Listed Buildings and Conservation Areas) (Wales) Regulations 2012/793 [Sch.5 para.1](#) (April 30, 2012)

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# reg. 8 Appeals



Version 5 of 5

1 October 2013 - Present

**Subjects**  
Planning

## England

### 8.— Appeals

(1) An applicant who desires to appeal—

(a) against a decision of a local planning authority—

(i) refusing listed building consent [...] <sup>1</sup> or granting [...] <sup>1</sup> such consent subject to conditions; or

(ii) refusing to vary or discharge the conditions attached to a listed building consent [...] <sup>1</sup>, or in respect of the addition of new conditions consequential upon any such variation or discharge; or

(b) on the failure of a local planning authority to give notice of their decision or of the reference of the application to the Secretary of State;

shall give notice of appeal to the Secretary of State (on a form obtained from the Secretary of State) within [six months of the date of the notice] <sup>2</sup> of the decision or of the expiry of the appropriate period allowed under [regulation 3\(4\)](#), as the case may be, or such longer period as the Secretary of State may at any time allow.

(2) Such a person shall also furnish to the Secretary of State a copy of each of the following documents—

(i) the application;

(ii) all relevant plans, drawings, particulars and documents submitted with the application, including a copy of the certificate given in accordance with [regulation 6](#);

(iii) the notice of the decision, if any;

(iv) all other relevant correspondence with the local planning authority [;] <sup>2</sup>

[

(v) subject to paragraph (4), the applicant's full statement of case (if they wish to make additional representations);

(vi) subject to paragraph (4), a statement of which procedure (written representations, a hearing or an inquiry) the applicant considers should be used to determine the appeal; and

(vii) subject to paragraph (4), a draft statement of common ground if the applicant considers that the appeal should be determined through a hearing or an inquiry.

] <sup>2</sup>

[

(3) Subject to paragraph (4), such a person shall also, as soon as reasonably practicable, furnish to the local planning authority a copy of—

(i) the notice of appeal sent to the Secretary of State pursuant to paragraph (1); and

(ii) any of the documents referred to in paragraph (2)(v) to (vii) that they send to the Secretary of State.

(4) Paragraphs 2(v) to (vii) and (3) do not apply—

(a) where a direction is given by the Secretary of State under [paragraph 6\(6\) of Schedule 3](#) to the Act (matters related to national security)<sup>3</sup>; or

(b) where [section 82B](#) of the Act (urgent Crown development)<sup>4</sup> applies.

(5) In this regulation—

“*draft statement of common ground*” means a written statement containing factual information about the proposal which is the subject of the appeal that the applicant reasonably considers will not be disputed by the local planning authority;

“*full statement of case*” means, and is comprised of, a written statement which contains full particulars of the case which a person proposes to put forward and copies of any documents which that person intends to refer to or put in evidence.

]<sup>2</sup>

## Wales

[...]<sup>5</sup>

## Notes

- 1 Amended by Enterprise and Regulatory Reform Act 2013 (Abolition of Conservation Area Consent) (Consequential and Saving Provisions) (England) Order 2013/2146 [Sch.1 para.1\(c\)](#) (October 1, 2013: amendment has effect subject to savings specified in SI 2013/2146 art.4 and SI 2013/148 art.5(4))
- 2 Amended by Planning (Listed Buildings and Conservation Areas) (Amendment No. 2) (England) Regulations 2013/2115 [reg.2\(2\)](#) (October 1, 2013: amendment has effect subject to transitional provisions specified in SI 2013/2115 art.3)
- 3 [Paragraph 6](#) has been amended in ways not relevant to these Regulations.
- 4 [Section 82B](#) was inserted by [section 83\(1\)](#) of the [Planning and Compulsory Purchase Act 2004](#) (c. 5).
- 5 Revoked by Planning (Listed Buildings and Conservation Areas) (Wales) Regulations 2012/793 [Sch.5 para.1](#) (April 30, 2012)

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## reg. 8A Use of electronic communications



Partially Repealed

Version 6 of 6

1 October 2013 - Present

**Subjects**  
Planning

### England

[

#### 8A.— Use of electronic communications

(1) Paragraphs (2) and (3) of this regulation apply where an electronic communication is used for the purpose of making an application—

(a) under [regulation 3](#) , for listed building consent [...] <sup>2</sup> , or

(b) under [regulation 4](#) , for the variation or discharge of conditions attached to a listed building consent [...] <sup>2</sup> .

(2) [Paragraph \(1\) of regulation 3](#) or (as the case may be) of [regulation 4](#) shall apply as if for the words “two further copies of the form,” there were substituted the words “any related”.

(3) The reference in [paragraph \(4\) of regulation 3](#) to the date when the form and certificate were lodged with the local planning authority shall be construed as a reference to the date when the form and certificate are transmitted to the authority by means of the electronic communication; but where the communication is received outside the authority's business hours, it shall be taken to have been received on the authority's next working day.

(4) Where a local planning authority maintain a website for the purpose of advertisement of applications, [[regulation 5 and 5A](#)] <sup>3</sup> applies with the modifications in [paragraph (5) and (5A), respectively] <sup>3</sup> of this regulation.

(5) In regulation 5—

(a) for [sub-paragraph \(a\) of paragraph \(1\)](#), substitute—

“(a) publish in a local newspaper circulating in the locality in which the building is situated a notice indicating the nature of the works which are the subject of the application and—

(i) naming a place within the locality where a copy of the application, and of all plans and other documents submitted with it, will be open to inspection by the public at all reasonable hours during the period of 21 days beginning with the date of publication of the notice; and

(ii) stating the address of a website where a copy of the application, and of all plans and other documents submitted with it, will be open to inspection by the public during the period of 21 days beginning with the date of publication of the notice, and the place on the website where such documents may be accessed, and how they may be accessed; and”;

(b) in [paragraph \(2\)](#), omit “both of” in both places in which it occurs, and in [sub-paragraph \(a\)](#) after “sub-paragraph (a)” insert “(i) or (ii)”.

[

(5A) In [regulation 5A](#)—

(a) for [paragraph \(2\)](#) substitute—

(2) Subject to paragraphs (5) and (6), the local planning authority shall—

(a) publish in a local newspaper circulating in the locality in which the building is situated a notice indicating the nature of the works which are the subject of the application and—

(i) naming a place within the locality where a copy of the application, and of all plans and other documents submitted with it, will be open to inspection by the public at all reasonable hours during the period of 21 days beginning with the date of publication of the notice; and

(ii) stating the address of a website where a copy of the application, and of all plans and other documents submitted with it, will be open to inspection by the public at all reasonable hours during the period of 21 days beginning with the date of publication of the notice, and the place on the website where such documents may be accessed, and how they may be accessed; and

(b) for not less than 7 days display on or near the said building a notice containing the same particulars as are required to be contained in the notice to be published in accordance with sub-paragraph (a).”

; and

(b) in [paragraph \(4\)](#), omit “both of” in both places in which it occurs, and in [sub-paragraph \(a\)](#) after “paragraph (2)” insert “(a)(i) or (ii).”.

]<sup>3</sup>

(6) Paragraph (7) of this regulation applies where a person uses electronic communications for any of the following purposes

(a) making an application under regulation 3, for listed building consent [...]<sup>2</sup>;

[

(aa) making an application under [section 82B\(2\)](#) of the Act for consent;

]<sup>4</sup>

(b) making an application under regulation 4, for the variation or discharge of conditions attached to a listed building consent [...]<sup>2</sup>;

(c) giving notice of appeal to the Secretary of State under [regulation 8](#);

(d) making a claim under [regulation 9](#) for compensation, or serving a listed building purchase notice under that regulation.

(7) In a case to which this paragraph applies, and except where a contrary intention appears, the person making the application or claim or giving or serving the notice shall be taken to have agreed—

(a) to the use of electronic communications for all purposes relating to his application, appeal, claim or notice (as the case may be) which are capable of being effected using such communications;

(b) that his address for the purpose of such communications is the address incorporated into, or otherwise logically associated with, his application, claim or notice;

(c) that his deemed agreement under this paragraph shall subsist until he gives notice in writing that he wishes to revoke the agreement (and such revocation shall take effect on a date specified by him but not less than seven days after the date on which the notice is given).[...]<sup>5</sup>

] <sup>1</sup>

## Wales

[...] <sup>6</sup>

### Notes

- 1 Added by Town and Country Planning (Electronic Communications) (England) Order 2003/956 [Sch.8 para.2](#) (March 31, 2003)
- 2 Amended by Enterprise and Regulatory Reform Act 2013 (Abolition of Conservation Area Consent) (Consequential and Saving Provisions) (England) Order 2013/2146 [Sch.1 para.1\(d\)](#) (October 1, 2013: amendment has effect subject to savings specified in SI 2013/2146 art.4 and SI 2013/148 art.5(4))
- 3 Amended by Planning (Listed Buildings and Conservation Areas) (Amendment) (England) Regulations 2004/2210 [reg.2\(5\)](#) (September 28, 2004)
- 4 Added by Town and Country Planning (Application of Subordinate Legislation to the Crown) Order 2006/1282 [art.9\(3\)](#) (June 7, 2006)
- 5 Added by Town and Country Planning (Electronic Communications) (Wales) (No. 1) Order 2004/3156 [Sch.4 para.2](#) (January 1, 2005)
- 6 Revoked by Planning (Listed Buildings and Conservation Areas) (Wales) Regulations 2012/793 [Sch.5 para.1](#) (April 30, 2012)

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## reg. 9 Claims for compensation and listed building purchase notices



Partially Repealed

Version 4 of 4

30 April 2012 - Present

### Subjects

Planning

## England

### 9.— Claims for compensation and listed building purchase notices

(1) A claim for compensation made to a local planning authority under [sections 27, 28, 29](#) of the Act, or a listed building purchase notice served on the council of a district, or on the Common Council or on the council of a London borough [or National Park authority ]<sup>1</sup> under [section 32](#) of the Act, shall be in writing and shall be served on that authority or council by delivering it at the offices of the authority or council addressed to the clerk thereof, or by sending it so addressed by prepaid post.

(2) The time within which any such claim or notice as is mentioned in paragraph (1) shall be served, shall be—

(a) in the case of a claim for compensation, 6 months; and

(b) in the case of a listed building purchase notice, 12 months from the date of the decision in respect of which the claim or notice is made or given, or such longer period as the Secretary of State may allow in any particular case.

## Wales

[...]<sup>2</sup>

### Notes

<sup>1</sup> Words inserted by National Park Authorities (England) Order 1996/1243 [Sch.5\(II\) para.12\(a\)](#) (June 4, 1996)

<sup>2</sup> Revoked by Planning (Listed Buildings and Conservation Areas) (Wales) Regulations 2012/793 [Sch.5 para.1](#) (April 30, 2012)

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## reg. 10 Advertisement of unopposed revocation or modification order



Partially Repealed

Version 2 of 2

30 April 2012 - Present

### Subjects

Planning

## England

### 10. Advertisement of unopposed revocation or modification order

Where by virtue of the provisions of [section 25\(2\)](#) of the Act the making of an order under [section 23](#) of the Act in respect of works to a building is required to be advertised, the local planning authority shall publish the advertisement in a local newspaper circulating in the area in which the building is situated.

## Wales

[...]<sup>1</sup>

### Notes

- <sup>1</sup> Revoked by Planning (Listed Buildings and Conservation Areas) (Wales) Regulations 2012/793 [Sch.5 para.1](#) (April 30, 2012)

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## reg. 11 Application of the Public Health Act 1936 to listed building enforcement notices



Partially Repealed

Version 3 of 3

30 April 2012 - Present

**Subjects**  
Planning

### England

#### 11. Application of the Public Health Act 1936 to listed building enforcement notices

[

(1) The provisions of [sections 276, 289 and 294](#) of the [Public Health Act 1936](#) shall apply in relation to steps required to be taken by a listed building enforcement notice, as if—

(a) references to a local authority were references to the local planning authority who issued the enforcement notice or where the enforcement notice was issued by the Commission, to the Commission;

(b) references (in whatever form) to the execution of works under the said Act of 1936 were references to the taking of steps required to be taken under the notice;

(c) references in the said section 289 to the occupier were references to a person having an interest in the premises other than the owner; and

(d) the reference in the said section 294 to “*expenses under this Act*” were a reference to expenses incurred in the taking of such steps as aforesaid.

]<sup>1</sup>[

(2) The expenses recoverable by a local planning authority under [section 42\(1\)](#) of the [Planning \(Listed Buildings and Conservation Areas\) Act 1990](#) are, until recovered, a charge that is binding on successive owners of the land to which the listed building enforcement notice related and the charge shall take effect as from the date of the completion by the local planning authority of the steps required to be taken by the listed building enforcement notice.

]<sup>2</sup>

### Wales

[...]<sup>3</sup>

### Notes

<sup>1</sup> Reg.11 renumbered as reg.11(1) by Town and Country Planning (Enforcement Notices and Appeals) Regulations 1991/2804 [Pt V reg.10\(2\)\(a\)](#) (January 2, 1992)



## Notes

- 2 Added by Town and Country Planning (Enforcement Notices and Appeals) Regulations 1991/2804 [Pt V reg.10\(2\)\(b\)](#) (January 2, 1992)
- 3 Revoked by Planning (Listed Buildings and Conservation Areas) (Wales) Regulations 2012/793 [Sch.5 para.1](#) (April 30, 2012)

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# reg. 12 Demolition of unlisted buildings in conservation areas



Version 3 of 3

1 October 2013 - Present

**Subjects**  
Planning

## England

### 12. Demolition of unlisted buildings in conservation areas

[

In their application to buildings in conservation areas, the provisions of the Act referred to in [section 74\(2A\)](#)<sup>2</sup> and which are set out in [column 1 of Schedule 3](#) to these Regulations shall have effect as they have effect in relation to listed buildings subject to the exceptions and additional modifications (if any) set out opposite such provisions in column 2 of that Schedule.

]<sup>1</sup>

## Wales

[...]<sup>3</sup>

### Notes

- 1 Substituted by Enterprise and Regulatory Reform Act 2013 (Abolition of Conservation Area Consent) (Consequential and Saving Provisions) (England) Order 2013/2146 [Sch.1 para.1\(e\)](#) (October 1, 2013: amendment has effect subject to savings specified in SI 2013/2146 art.4 and SI 2013/148 art.5(4))
- 2 [Subsection \(2A\) of section 74](#) was inserted by [paragraph 12\(3\) of Schedule 17](#) to the [Enterprise and Regulatory Reform Act 2013 \(c. 24\)](#).
- 3 Revoked by Planning (Listed Buildings and Conservation Areas) (Wales) Regulations 2012/793 [Sch.5 para.1](#) (April 30, 2012)

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## reg. 13 Applications by local planning authorities



Partially Repealed With Amendments Pending

Version 8 of 10

14 May 2020 - Present

**Subjects**  
Planning

### England

[

#### 13.— Applications by local planning authorities

- (1) In relation to applications by local planning authorities relating to the execution of works for the demolition, alteration or extension of listed buildings [...]<sup>3</sup>, the provisions of the Act specified in [section 82\(3\)](#) of the Act shall have effect subject to the exceptions and modifications prescribed in this regulation.
- (2) Where a local planning authority require listed building consent for the demolition, alteration or extension of a listed building in their area [ and the conditions set out in paragraph (2A) are met]<sup>4</sup>[...] <sup>3</sup>, the authority shall, subject to paragraph (7), make application to the Secretary of State for that consent.

[

(2A) The conditions referred to in paragraph (2) are that the authority—

- (a) have notified the Commission and the national amenity societies of the application in accordance with any direction issued by the Secretary of State under [section 15\(5\)](#) of the Act;
- (b) have received an objection to the application from any of the bodies notified under sub-paragraph (a) within 21 days of the date of issue of the notice; and
- (c) do not propose to refuse the application.

(2B) For the purposes of paragraph (2A)—

“*national amenity societies*” means the Society for the Protection of Ancient Buildings, the Ancient Monuments Society, the Council for British Archaeology, the Georgian Group, the Victorian Society and the Twentieth Century Society; and

“*objection*” means a written notice to the authority setting out the objector's reasons for objecting to the application and stating that the application should be referred to the Secretary of State.

<sup>5</sup>[

(3) Any such application shall be in the form of an application to the local planning authority and shall be deemed to have been referred to the Secretary of State under [section 12](#) of the Act when the conditions in paragraph (2A) are met.

(3A) The provisions of [section 12](#) of the Act shall apply to the determination of the application by the Secretary of State.

<sup>6</sup>

(4) Where a local planning authority have made an application for consent under paragraph (2) they shall, before sending it to the Secretary of State—

(a) publish in a local newspaper circulating in the locality in which the building is situated a notice indicating the nature of the works which are the subject of the application and naming a place within the locality where a copy of the application, and of all the plans and other documents which it is intended to submit to the Secretary of State with it, will be open to inspection by the public at all reasonable hours during the period of 21 days beginning with the date of publication of the notice; and

(b) for not less than 21 days display on or near the said building a notice containing the same particulars as are required to be contained in the notice to be published in accordance with sub-paragraph (a) above [; and]<sup>7</sup>

[

(c) for not less than 21 days publish on a website maintained by the local planning authority the following information—

(i) the address or location of the proposed works;

(ii) the nature of the proposed works;

(iii) the date by which any representations about the application must be made, which shall not be before the last day of the period of 21 days beginning with the date on which the information is published;

(iv) where and when the application may be inspected; and

(v) how representations may be made about the application.

]<sup>7</sup>

[

(4ZA) Paragraph (4ZB) applies if a local planning authority—

(a) has made an application for consent under paragraph (2); and

(b) is not able to comply with the requirement to—

(i) publish a notice in a local newspaper under paragraph (4)(a); or

(ii) display a notice under paragraph (4)(b);

because it is not reasonably practicable to do so for reasons connected to the effects of coronavirus, including restrictions on movement.

(4ZB) In a case falling within paragraph (4ZA), the local planning authority must—

(a) comply with the requirements set out in paragraph (4)(a) and (b) to publish or display a notice, only to the extent it is reasonably practicable to do so;

(b) take reasonable steps to inform any persons who are likely to have an interest in the application of the website mentioned in paragraph (4)(c); and

(c) subject to paragraph (4ZF), publish on that website the name of a place within the locality where a copy of the application, and of all plans and other documents submitted with it, will be open to inspection by the public at all reasonable hours during the period of 21 days beginning with the date of the publication of that information on the website.

(4ZC) If the local planning authority complies with the requirements set out in paragraph (4ZB) that authority is discharged of its obligation to—

(a) publish a notice in a local newspaper under paragraph (4)(a); or

(b) display a notice under paragraph (4)(b);

in so far as such notice was not given by the local planning authority because it was not able to do so under paragraph (4ZA)(b).

(4ZD) In paragraph (4ZB)(b)—

(a) the persons who are likely to have an interest in an application must include the persons who live or work in, or otherwise have a direct connection with, the area in which the proposed works are located; and

(b) the reasonable steps that are taken by the local planning authority—

(i) may include use of social media and communication by electronic means; and

(ii) must be proportionate to the scale and impact of the proposed works.

(4ZE) Paragraph (4FZ) applies if the local planning authority is not able to comply with the obligation set out in paragraph (4)(a) or (4ZB)(c) to make a copy of the application and of all plans and other documents submitted with it open to inspection by the public at all reasonable hours, because it is not reasonably practicable to do so for reasons connected to the effects of coronavirus, including restrictions on movement.

(4ZF) If the local planning authority falls within paragraph (4ZE), that authority must publish the application and all of the plans and other documents submitted with it, on the website referred to in paragraph (4)(c) and in that case that authority is to be treated as having complied with the requirement to make those documents available for inspection by the public under (4)(a) and (4ZB)(c).

]<sup>8</sup>[

(4A) When computing the number of days for the purpose of paragraph (4), any day which is a public holiday must be disregarded.

]<sup>9</sup>

(5) Paragraph (4) does not apply to any application by a local planning authority relating to works affecting only the interior of a building which when last notified to the authority by the Secretary of State as a building of special architectural or historic interest was classified as a Grade II (unstarred) listed building.

(6) An application by a local planning authority to the Secretary of State under paragraph (2) above shall be accompanied by a copy of all representations duly made in relation thereto.

[

(7) An application by the council of a county under paragraph (1) above, together with any accompanying representations required by this regulation, shall be made to the district planning authority who shall, where the conditions in paragraph (2A) are met, forthwith send it on the Secretary of State.

]<sup>10</sup>

(8) In relation to a listed building [...] <sup>3</sup> belonging to a local planning authority, the Secretary of State may serve any notice authorised to be served by a local planning authority in relation to a listed building [...] <sup>3</sup> .

]<sup>2</sup>

## Wales

[...] <sup>1</sup>

## Notes

- 1 Revoked by Planning (Listed Buildings and Conservation Areas) (Wales) Regulations 2012/793 [Sch.5 para.1](#) (April 30, 2012)
- 2 Word substituted by Planning (Listed Buildings and Conservation Areas) (Amendment) (England) Regulations 2010/568 [reg.3\(3\)](#) (April 6, 2010)
- 3 Amended by Enterprise and Regulatory Reform Act 2013 (Abolition of Conservation Area Consent) (Consequential and Saving Provisions) (England) Order 2013/2146 [Sch.1 para.1\(f\)](#) (October 1, 2013: amendment has effect subject to savings specified in SI 2013/2146 art.4 and SI 2013/148 art.5(4))
- 4 Words inserted by Planning (Listed Buildings and Conservation Areas) (Amendment) (England) Regulations 2015/809 [reg.2\(4\)](#) (April 15, 2015: insertion has effect subject to transitional provision specified in SI 2015/809 reg.3)
- 5 Added by Planning (Listed Buildings and Conservation Areas) (Amendment) (England) Regulations 2015/809 [reg.2\(5\)](#) (April 15, 2015: insertion has effect subject to transitional provision specified in SI 2015/809 reg.3)
- 6 Reg.13(3) and (3A) substituted for reg.13(3) by Planning (Listed Buildings and Conservation Areas) (Amendment) (England) Regulations 2015/809 [reg.2\(6\)](#) (April 15, 2015: substitution has effect subject to transitional provision specified in SI 2015/809 reg.3)
- 7 Amended by Planning (Listed Buildings and Conservation Areas) (Amendment) (England) Regulations 2010/568 [reg.4\(3\)](#) (April 6, 2010: amendment subject to the transitional provision specified in SI 2010/568 reg.5)
- 8 Added by Town and Country Planning (Development Management Procedure, Listed Buildings and Environmental Impact Assessment) (England) (Coronavirus) (Amendment) Regulations 2020/505 [Pt 3 reg.11](#) (May 14, 2020)
- 9 Added by Town and Country Planning (Local Authority Consultations etc.) (England) Order 2018/119 [Pt 4 art.23](#) (June 1, 2018)
- 10 Substituted by Planning (Listed Buildings and Conservation Areas) (Amendment) (England) Regulations 2015/809 [reg.2\(7\)](#) (April 15, 2015: substitution has effect subject to transitional provision specified in SI 2015/809 reg.3)

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# reg. 14 Form of notice that a building has become, or ceased to be, listed



Partially Repealed

Version 2 of 2

30 April 2012 - Present

## Subjects

Planning

## England

### 14. Form of notice that a building has become, or ceased to be, listed

The forms set out in [Schedule 4](#) hereto (or forms substantially to the like effect) are the prescribed forms of notice for the purposes of [section 2\(3\)](#) of the Act.

## Wales

[...]<sup>1</sup>

## Notes

- <sup>1</sup> Revoked by Planning (Listed Buildings and Conservation Areas) (Wales) Regulations 2012/793 [Sch.5 para.1](#) (April 30, 2012)

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# reg. 15 Application for listed building consent in respect of Crown land



Partially Repealed

Version 4 of 4

1 October 2013 - Present

**Subjects**  
Planning

## England

[

### 15. Application for listed building [...] <sup>2</sup> consent in respect of Crown land

The following provisions of these Regulations shall, in their application to the making and determination of applications for listed building consent [...] <sup>2</sup> in respect of Crown land, have effect subject to the following modifications—

(a) in [regulation 3\(2\)](#), for “a certificate under regulation 6” substitute “the certificate or other document required by regulation 6 below”;

(b) in [regulation 6](#)—

(i) in [paragraph \(1\)](#) after “accompanied by” insert “the documents described in paragraph (1A) below or,” and

(ii) after paragraph (1) insert—

“(1A) An application for listed building [...] <sup>2</sup> in respect of Crown land shall be accompanied by—

(a) a statement that the application is made in respect of Crown land; and

(b) where the application is made by a person authorised in writing by the appropriate authority, a copy of that authorisation.”.

]<sup>1</sup>

## Wales

[...] <sup>3</sup>

## Notes

<sup>1</sup> Substituted by Town and Country Planning (Application of Subordinate Legislation to the Crown) Order 2006/1282 [art.9\(4\)](#) (June 7, 2006)

<sup>2</sup> Amended by Enterprise and Regulatory Reform Act 2013 (Abolition of Conservation Area Consent) (Consequential and Saving Provisions) (England) Order 2013/2146 [Sch.1 para.1\(g\)](#) (October 1, 2013: amendment has effect subject to savings specified in SI 2013/2146 art.4 and SI 2013/148 art.5(4))



## Notes

- 3      Revoked by Planning (Listed Buildings and Conservation Areas) (Wales) Regulations 2012/793 [Sch.5 para.1](#) (April 30, 2012)

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## reg. 16 Revocations



Partially Repealed

Version 2 of 2

30 April 2012 - Present

**Subjects**  
Planning

### England

#### 16. Revocations

The [Town and Country Planning \(Listed Buildings and Buildings in Conservation Areas\) Regulations 1987](#) are hereby revoked.

### Wales

[...]<sup>1</sup>

#### Notes

- <sup>1</sup> Revoked by Planning (Listed Buildings and Conservation Areas) (Wales) Regulations 2012/793 [Sch.5 para.1](#) (April 30, 2012)

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# Signatures



Law In Force

## Version 1 of 1

24 August 1990 - Present

## Subjects

Planning

*Chris Patten*

Secretary of State for the Environment

18th July 1990

*David Hunt*

Secretary of State for Wales

20th July 1990

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## para. 1



Partially Repealed

Version 2 of 2

30 April 2012 - Present

**Subjects**  
Planning

### England

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### Wales

[...]<sup>1</sup>

### Notes

- <sup>1</sup> Revoked by Planning (Listed Buildings and Conservation Areas) (Wales) Regulations 2012/793 [Sch.5 para.1](#) (April 30, 2012)

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*Schedule 1 > Part I NOTIFICATION TO BE SENT TO APPLICANT ON RECEIPT OF APPLICATION > para. 1*

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## para. 1



Partially Repealed

Version 3 of 3

1 October 2013 - Present

**Subjects**  
Planning

### England

[ORIGINAL IMAGE: See footnotes for amendments<sup>2,1</sup>

(Form not available in online format. Please see original printed copy.)

### Wales

[...]<sup>4</sup>

### Notes

- 1 Words substituted by Planning (Listed Buildings and Conservation Areas) (Amendment No. 2) (England) Regulations 2013/2115 [reg.2\(3\)](#) (October 1, 2013)
- 2 [SI 2013/2115reg.2\(3\)](#)[ [SI 2013/2146Sch.1 para.1\(h\)](#)]
- 3 Amendments made by and
- 3 Amended by Enterprise and Regulatory Reform Act 2013 (Abolition of Conservation Area Consent) (Consequential and Saving Provisions) (England) Order 2013/2146 [Sch.1 para.1\(h\)](#) (October 1, 2013: amendment has effect subject to savings specified in SI 2013/2146 art.4 and SI 2013/148 art.5(4))
- 4 Revoked by Planning (Listed Buildings and Conservation Areas) (Wales) Regulations 2012/793 [Sch.5 para.1](#) (April 30, 2012)

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*Schedule 1 > Part II NOTIFICATION TO BE SENT TO APPLICANT ON REFUSAL  
OF LISTED BUILDING CONSENT, OR GRANT OF CONSENT SUBJECT TO  
CONDITIONS (TO BE ENDORSED ON NOTICES OF DECISION) > para. 1*

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# para. 1



Partially Repealed

Version 3 of 3

1 October 2013 - Present

**Subjects**  
Planning

## England

[ORIGINAL IMAGE: See footnotes for amendments<sup>2</sup>]<sup>1</sup>

(Form not available in online format. Please see original printed copy.)

## Wales

[...]<sup>3</sup>

### Notes

- 1 Words revoked by Enterprise and Regulatory Reform Act 2013 (Abolition of Conservation Area Consent) (Consequential and Saving Provisions) (England) Order 2013/2146 [Sch.1 para.1\(i\)\(ii\)](#) (October 1, 2013: revocation has effect subject to savings specified in SI 2013/2146 art.4 and SI 2013/148 art.5(4))
- 2 Amendment made by [SI 2013/2146Sch.1 para.1\(i\)\(ii\)](#).
- 3 Revoked by Planning (Listed Buildings and Conservation Areas) (Wales) Regulations 2012/793 [Sch.5 para.1](#) (April 30, 2012)

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*Schedule 1 > Part III NOTIFICATION TO BE SENT TO APPLICANT ON REFUSAL TO VARY  
OR DISCHARGE CONDITIONS ATTACHED TO LISTED BUILDING CONSENT, OR ON THE  
ADDITION OF NEW CONDITIONS CONSEQUENTIAL UPON VARIATION OR DISCHARGE > para. 1*

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## para. 1



Version 3 of 3

30 April 2012 - Present

**Subjects**  
Planning

**England**

[...]<sup>2</sup>

**Wales**

[...]<sup>1</sup>

### Notes

- 1 Revoked by Planning (Listed Buildings and Conservation Areas) (Wales) Regulations 2012/793 [Sch.5 para.1](#) (April 30, 2012)
- 2 Revoked subject to transitional provisions specified in SI 2008/551 art.3 by Planning (Listed Buildings and Conservation Areas) (Amendment) (England) Regulations 2008/551 [reg.2\(5\)](#) (April 6, 2008: revocation has effect subject to transitional provisions specified in SI 2008/551 art.3)

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*Schedule 2 > Part I PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990 > para. 1*

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# para. 1



Partially Repealed

Version 3 of 3

1 October 2013 - Present

**Subjects**  
Planning

## England

[ORIGINAL IMAGE: See footnotes for amendments<sup>2</sup>]<sup>1</sup>

(Form not available in online format. Please see original printed copy.)

## Wales

[...]<sup>3</sup>

### Notes

- 1 Words revoked by Enterprise and Regulatory Reform Act 2013 (Abolition of Conservation Area Consent) (Consequential and Saving Provisions) (England) Order 2013/2146 [Sch.1 para.1\(j\)](#) (October 1, 2013: revocation has effect subject to savings specified in SI 2013/2146 art.4 and SI 2013/148 art.5(4) )
- 2 Amendment made by [SI 2013/2146Sch.1 para.1\(j\)](#)
- 3 Revoked by Planning (Listed Buildings and Conservation Areas) (Wales) Regulations 2012/793 [Sch.5 para.1](#) (April 30, 2012)

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*Schedule 2 > Part II PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990 NOTICE FOR SERVICE ON INDIVIDUALS > para. 1*

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## para. 1



Partially Repealed

Version 2 of 2

30 April 2012 - Present

**Subjects**  
Planning

### England

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### Wales

[...] <sup>1</sup>

### Notes

- <sup>1</sup> Revoked by Planning (Listed Buildings and Conservation Areas) (Wales) Regulations 2012/793 [Sch.5 para.1](#) (April 30, 2012)

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*Schedule 2 > Part III PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990 > para. 1*

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# para. 1

**Partially Repealed****Version 3 of 3**

1 October 2013 - Present

**Subjects**  
Planning

## England

<i>Provisions of the Act relating to listed building control</i>	<i>Exceptions and additional modifications (if any)</i>
<a href="#">Section 56</a>	For the words “sections 47 and 48 or section 54”, substitute the words “section 54 where a direction has been made in respect of that building under section 76(1)”.
<a href="#">Section 66(1)</a>	Omit
<a href="#">Section 90(2) to (4)</a>	None.

] <sup>1</sup>

## Wales

[...] <sup>2</sup>

### Notes

- 1 Substituted by Enterprise and Regulatory Reform Act 2013 (Abolition of Conservation Area Consent) (Consequential and Saving Provisions) (England) Order 2013/2146 [Sch.1 para.1\(k\)](#) (October 1, 2013: substitution has effect subject to savings specified in SI 2013/2146 art.4 and SI 2013/148 art.5(4))
- 2 Revoked by Planning (Listed Buildings and Conservation Areas) (Wales) Regulations 2012/793 [Sch.5 para.1](#) (April 30, 2012)

*Schedule 3 > para. 1*

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## para. 1



Partially Repealed

Version 6 of 6

8 November 2017 - Present

Subjects  
Planning

## England

[

## FORM

(Form not available in online format. Please see original printed copy.)

## Note

Listing of Buildings of Special Architectural or Historic Interest

The above notice is addressed to you as owner or occupier of the building named, which has been included in one of the lists of buildings of special architectural or historic interest under [section 1](#) of the [Planning \(Listed Buildings and Conservation Areas\) Act 1990](#) approved by [the Secretary of State for Digital, Culture, Media and Sport]<sup>2</sup>. The lists are compiled by the Historic Buildings and Monuments Commission for England (English Heritage) and approved by the Secretary of State after consultation with English Heritage and such other persons or bodies as appear to the Secretary of State appropriate as having special knowledge of, or interest in, buildings of architectural or historic interest. Further information on the listing process, including information about how to apply for an amendment to the lists (for example, an application for removal of a building from the lists), is available from English Heritage.

If you wish to undertake any works for the demolition of the building or for its alteration or extension in any manner which would affect its character as a building of special architectural or historic interest, you will need the works to be authorised by the local planning authority, that is to say, you must seek “listed building consent”.

You should note that it is an offence to carry out any such demolition works without obtaining listed building consent. A conviction for this offence could result in a fine or even imprisonment. Nevertheless, it is a defence to prove that—

- (a) works to the building were urgently necessary in the interests of safety or health or for the preservation of the building;
- (b) it was not practicable to secure safety or health or, as the case may be, the preservation of the building by works of repair or works for affording temporary support or shelter;
- (c) the works carried out were limited to the minimum measures immediately necessary; and
- (d) notice in writing justifying in detail the carrying out of the works was given to the local planning authority as soon as reasonably practicable.

Some buildings are exempt from the requirement to obtain listed building consent, notably certain ecclesiastical buildings which are for the time being used for ecclesiastical purposes (this does not apply to a building used or available for use wholly or mainly by a minister of religion as a residence from which to perform the duties of his or her office). It should be noted that the Secretary of State has exercised powers under the [Planning \(Listed Buildings and Conservation Areas\) Act 1990](#) to restrict and exclude the operation of this exemption.

If at any time you propose to take any action which may affect the character of your building as a building of special architectural or historic interest, you would be well advised to refer to the provisions of the [Planning \(Listed Buildings and Conservation](#)

[Areas\) Act 1990](#) and of the [Planning \(Listed Buildings and Conservation Areas\) Regulations 1990](#) (S.I. 1990/1519) as amended). Further details can be obtained from your local planning authority.

This note does not purport to be a definitive statement of the law.

] <sup>1</sup>

## Wales

[...] <sup>3</sup>

### Notes

- 1 Substituted by Planning (Listed Buildings and Conservation Areas) (Amendment No.2) (England) Regulations 2009/2711 [reg.2](#) (November 2, 2009)
- 2 Words substituted by Transfer of Functions (Secretary of State for Digital, Culture, Media and Sport) Order 2017/979 [Sch.1\(2\) para.7](#) (November 8, 2017)
- 3 Revoked by Planning (Listed Buildings and Conservation Areas) (Wales) Regulations 2012/793 [Sch.5 para.1](#) (April 30, 2012)

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*Schedule 4 > Part 1 NOTICE THAT A BUILDING HAS BECOME LISTED > para. 1*

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# para. 1



Partially Repealed

Version 6 of 6

8 November 2017 - Present

**Subjects**  
Planning

## England

[

### FORM

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### Note

Listing of Buildings of Special Architectural or Historic Interest

The above notice is addressed to you as owner or occupier of the building named, which has been excluded from one of the lists of buildings of special architectural or historic interest under [section 1](#) of the [Planning \(Listed Buildings and Conservation Areas\) Act 1990](#). The lists are compiled by the Historic Buildings and Monuments Commission for England (English Heritage) and approved by [the Secretary of State for Digital, Culture, Media and Sport]<sup>2</sup> after consultation with English Heritage and such other persons or bodies as appear to the Secretary of State appropriate as having special knowledge of, or interest in, buildings of architectural or historic interest. Further information on the listing process, including information about how to apply for an amendment to the lists (for example, an application for removal of a building from the lists) is available from English Heritage.

]<sup>1</sup>

## Wales

[...]<sup>3</sup>

## Notes

- 1 Substituted by Planning (Listed Buildings and Conservation Areas) (Amendment No.2) (England) Regulations 2009/2711 [reg.2](#) (November 2, 2009)
- 2 Words substituted by Transfer of Functions (Secretary of State for Digital, Culture, Media and Sport) Order 2017/979 [Sch.1\(2\) para.7](#) (November 8, 2017)
- 3 Revoked by Planning (Listed Buildings and Conservation Areas) (Wales) Regulations 2012/793 [Sch.5 para.1](#) (April 30, 2012)

*Schedule 4 > Part 2 NOTICE THAT A BUILDING HAS CEASED TO BE LISTED > para. 1*

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# para. 1

## Version 1 of 1

24 August 1990 - Present

### Subjects

Planning

These Regulations make procedural provision for applications for listed building consent, for conservation area consent, for the variation or discharge of conditions attached to listed building consents or conservation area consents, and for appeals in respect of these matters.

The Regulations also provide for notices and for other procedural provisions in relation to listed buildings and buildings in conservation areas, and for the application and modification of legislation in relation to enforcement notices and conservation areas.

The Regulations revoke and re-enact, with minor drafting amendments, the [Town and Country Planning \(Listed Buildings and Buildings in Conservation Areas\) Regulations 1987](#) to take account of the [Planning \(Listed Buildings and Conservation Areas\) Act 1990](#) which consolidated certain enactments relating to listed buildings and conservation areas.

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*Explanatory Note > para. 1*

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