



Planning (Listed Buildings and Conservation Areas) Act 1990

1990 CHAPTER 9

PART I

LISTED BUILDINGS

CHAPTER II

AUTHORISATION OF WORKS AFFECTING LISTED BUILDINGS

[^{F1}Buildings in England: orders granting listed building consent

[^{F1}26C Listed building consent orders

- (1) The Secretary of State may by order (a “listed building consent order”) grant listed building consent under section 8(1) in respect of works of any description for the alteration or extension of listed buildings of any description in England.
- (2) The consent may be granted subject to conditions specified in the order.
- (3) Without prejudice to the generality of subsection (2), the conditions that may be specified include any conditions subject to which listed building consent may be granted under section 16.
- (4) A listed building consent order may (without prejudice to section 17(2)) give the local planning authority power to require details of works to be approved by them, and may grant consent subject to conditions with respect to—
 - (a) the making of an application to the authority for a determination as to whether such approval is required, and
 - (b) the outcome of such an application or the way it is dealt with.

Changes to legislation: Planning (Listed Buildings and Conservation Areas) Act 1990, Section 26C is up to date with all changes known to be in force on or before 20 August 2018. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (5) A listed building consent order may enable the Secretary of State or the local planning authority to direct that consent granted by the order does not apply—
- (a) to a listed building specified in the direction;
 - (b) to listed buildings of a description specified in the direction;
 - (c) to listed buildings in an area specified in the direction.
- (6) An order may in particular make provision about the making, coming into force, variation and revocation of such a direction, including provision conferring powers on the Secretary of State in relation to directions by a local planning authority.
- (7) Nothing in sections 10 to 26 applies in relation to listed building consent granted by a listed building consent order; but that does not affect the application of sections 20, 21 and 22 in relation to an application for approval required by a condition to which consent is subject.]

Annotations:

Amendments (Textual)

- F1** Ss. 26C-26G and cross-heading inserted (25.4.2013 for specified purposes, 6.4.2014 in so far as not already in force) by [Enterprise and Regulatory Reform Act 2013 \(c. 24\)](#), **ss. 60(3)**, 103(1)(i)(3); S.I. 2014/416, art. 3(a)

Modifications etc. (not altering text)

- C1** Ss. 7-29 applied (Isles of Scilly) (with modifications) (2.10.2013) by [The Town and Country Planning \(Isles of Scilly\) Order 2013 \(S.I. 2013/2148\)](#), arts. 1(1), 3, **Sch. 1** (with art. 1(2))

Changes to legislation:

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

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

- s. 12(4A) inserted by 2008 c. 29 Sch. 10 para. 16
- s. 22(2A) inserted by 2008 c. 29 Sch. 10 para. 18(2)
- s. 40(2A) inserted by 2008 c. 29 Sch. 10 para. 19
- s. 56A and cross-heading inserted by 2016 anaw 4 s. 31(1)
- s. 82A(2)(ha) inserted by 2016 anaw 4 s. 31(2)
- s. 89(1ZA) inserted by 2008 c. 29 Sch. 10 para. 22
- s. 93(5A) inserted by 2008 c. 29 Sch. 10 para. 23(3)
- s. 93(5A) words inserted by 2013 c. 24 Sch. 17 para. 18(3)
- Sch. 3 para. 2(4A) inserted by 2008 c. 29 Sch. 10 para. 24(2)
- Sch. 3 para. 2(9) inserted by 2008 c. 29 Sch. 10 para. 24(3)
- Sch. 3 para. 3(4A) (4B) inserted by 2008 c. 29 Sch. 10 para. 24(4)
- Sch. 3 para. 6(1A) inserted by 2008 c. 29 Sch. 10 para. 24(6)