

SCHEDULES

SCHEDULE 10

CONTROL OF WORKS FOR DEMOLITION, ALTERATION OR EXTENSION OF LISTED BUILDINGS

PART I

APPLICATIONS FOR LISTED BUILDING CONSENT

Reference of applications to Secretary of State

- 4 (1) The Secretary of State may give directions requiring applications for listed building consent to be referred to him instead of being dealt with by the local planning authority.
- (2) A direction under this paragraph may relate either to a particular application, or to applications in respect of such buildings as may be specified in the direction.
- (3) An application in respect of which a direction under this paragraph has effect shall be referred to the Secretary of State accordingly.
- (4) Before determining an application referred to him under this paragraph, the Secretary of State shall, if either the applicant or the authority so desire, afford to each of them an opportunity of appearing before, and being heard by, a person appointed by the Secretary of State.
- (5) The decision of the Secretary of State on any application referred to him under this paragraph shall be final.
- 5 (1) Subject to the following provision of this paragraph, a local planning authority to whom application is made for listed building consent shall not grant such consent, unless they have notified the Secretary of State of the application (giving particulars of the works for which the consent is required) and either—
- (a) a period of twenty-eight days has expired, beginning with the date of the notification, without the Secretary of State having directed the reference of the application to him ; or
- (b) the Secretary of State has notified the authority that he does not intend to require the reference of the application.
- (2) The Secretary of State may at any time before the said period expires give notice to the authority that he requires further time in which to consider whether to require the reference of the application to him and sub-paragraph (1) of this paragraph shall then have effect with the substitution for a period of twenty-eight days or such longer period as may be specified in the Secretary of State's notice.
- 6 (1) The Secretary of State may give directions that, in the case of such descriptions of applications for listed building consent as he may specify, other than such consent for the demolition of a building, paragraph 5 of this Schedule shall not apply; and

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accordingly, so long as the directions are in force local planning authorities may determine applications of such descriptions in any manner they think fit, without notifying the Secretary of State.

- (2) Without prejudice to the foregoing provisions of this Schedule, the Secretary of State may give directions to local planning authorities requiring them, in such cases or classes of case as may be specified in the directions, to notify to him and to such other persons as may be so specified any applications made to them for listed building consent, and the decisions taken by the authorities thereon.