

1977 No. 228

**TOWN AND COUNTRY PLANNING, ENGLAND  
AND WALES****The Town and Country Planning (Listed Buildings and  
Buildings in Conservation Areas) Regulations 1977***Made* - - - 14th February 1977*Laid before Parliament* 23rd February 1977*Coming into Operation* 1st April 1977

## ARRANGEMENT OF REGULATIONS

1. Citation and commencement.
  2. Interpretation.
  3. Applications for listed building consent.
  4. Advertisement of applications.
  5. Certificates to accompany applications and appeals.
  6. Appeals.
  7. Claims for compensation and listed building purchase notices.
  8. Advertisement of unopposed revocation or modification order.
  9. Application of the Public Health Act 1936 to listed building enforcement notices.
  10. Demolition of unlisted buildings in conservation areas.
  11. Applications by local planning authorities.
  12. Form of notice that a building has become, or ceased to be, listed.
  13. Revocations and Savings.
- Schedule 1—Notifications to be sent to applicants.  
Schedule 2—Certificates to accompany applications and appeals; and related notices.  
Schedule 3—Application of enactments to buildings in conservation areas.  
Schedule 4—Notice that a building has become, or ceased to be, listed.

The Secretary of State for the Environment, in exercise of the powers conferred on him by sections 54, 91, 99, 171, 172, 173, 190 and 290 of, and Schedule 11 to, the Town and Country Planning Act 1971(a) and sections 271 and 277A of the said Act, as set out in the Town and Country Amenities Act 1974(b) and of all other powers enabling him in that behalf, hereby makes the following regulations:—

(a) 1971 c. 78.

(b) 1974 c. 32.

*Citation and commencement*

1. These regulations may be cited as the Town and Country Planning (Listed Buildings and Buildings in Conservation Areas) Regulations 1977 and shall come into operation on 1st April 1977.

*Interpretation*

2.—(1) In these regulations, unless the context otherwise requires—

“the Act” means the Town and Country Planning Act 1971;

“the Common Council” means the Common Council of the City of London;

“listed building consent” means consent required by section 55(2) of the Act in respect of works for the demolition, extension or alteration of a listed building and the consent required by that subsection (as applied by section 277A(8) of the Act and regulation 10 of and Schedule 3 to these regulations) for works for the demolition of a building in a conservation area;

“local planning authority” means—

(a) in regulations 7 and 9, the council of a district, the Greater London Council, the Common Council or the council of a London borough;

(b) in regulation 11, the council of a district or county, the Greater London Council, the Common Council or the council of a London borough; and

(c) elsewhere in these regulations, the council of a district, the Common Council or the council of a London borough.

(2) The Interpretation Act 1889(a) shall apply for the interpretation of these regulations as it applies for the interpretation of an Act of Parliament.

*Applications for listed building consent*

3.—(1) An application to a local planning authority for listed building consent shall be made on a form issued by the local planning authority and obtainable from that authority, shall include the particulars required by that form to be supplied, and be accompanied by a plan sufficient to identify the building to which it relates and such other plans and drawings as are necessary to describe the works which are the subject of the application, together with two further copies of the form and plans and drawings, and shall be lodged with the local planning authority.

(2) On receipt of any such application together with a certificate under regulation 5 below the local planning authority shall send to the applicant an acknowledgement thereof in the terms (or substantially in the terms) set out in Part I of Schedule 1 hereto.

(3) Where, after the sending of an acknowledgement as required by paragraph (2) above, the local planning authority form the opinion that the application is invalid by reason of failure to comply with the requirements of paragraph (1) above or with any other statutory requirement, they shall as soon as may be notify the applicant that his application is invalid.

(4) Where a valid application under paragraph (1) above has been received by a local planning authority, the period within which the authority shall give notice to an applicant of their decision or of the reference of an application

to the Secretary of State shall be 8 weeks from the date when the form of application and the certificate under regulation 5 below were lodged as required by paragraph (1) above or (except where the applicant has already given notice of appeal to the Secretary of State) such extended period as may at any time be agreed upon in writing between the applicant and the local planning authority.

(5) 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 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 II of Schedule 1 hereto.

*Advertisement of applications*

4.—(1) Subject to the provisions of this regulation, where an application for listed building consent 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 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) above.

(2) An application for listed building consent shall not be determined by the local planning authority before both 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 in determining the application the authority shall take into account any representations relating to the application which are received by them before both those periods have elapsed.

(3) The preceding paragraphs of this regulation shall not apply to any application for consent to carry out works affecting only the interior of a Grade II-listed building namely 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 building of Grade II and not of Grade II\*.

*Certificates to accompany applications and appeals*

5.—(1) A local planning authority shall not entertain any application for listed building consent unless it is accompanied by one or other of the following certificates signed by or on behalf of the applicant, that is to say—

- (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 the building to which the application relates;

- (b) a certificate stating that the applicant has given the requisite notice of the application to all the persons (other than the applicant) who, at the beginning of the period of 21 days ending with the date of the application, were owners 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 of the preceding sub-paragraphs, that he has given the requisite notice of the application to such one or more of the persons mentioned in the last preceding sub-paragraph 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) above, 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) of this paragraph and that he has been unable to do so.
- (2) Any such certificate as is mentioned in sub-paragraph (c) or sub-paragraph (d) of paragraph (1) above 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 (being a date not earlier than the beginning of the period mentioned in sub-paragraph (b) of paragraph (1) above) been published in a local newspaper circulating in the locality in which the building is situated.
- (3) Where an application for listed building consent is accompanied by such a certificate as is mentioned in sub-paragraph (b), sub-paragraph (c), or sub-paragraph (d) of paragraph (1) above, the local planning authority 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 the date of publication of a notice as therein mentioned, whichever is the later.
- (4) Where an application for listed building consent is accompanied by such a certificate as is mentioned in sub-paragraph (b), sub-paragraph (c), or sub-paragraph (d) of paragraph (1) above, the local planning authority—
- (a) in determining the application, shall take into account any representations relating thereto which are made to them, before the end of the period mentioned in paragraph (3) above, by any person who satisfies them that he is an owner of the building to which the application relates, and
- (b) shall give notice of their decision to every person who has made representations which they were required to take into account in accordance with the preceding sub-paragraph.
- (5) For the purposes of this regulation a person is to be treated as an owner of the building to which the application relates if he is entitled to any material interest (within the meaning of section 6(1) and (2) of the Community Land Act 1975(a)) in any part of the land comprising that building.

(6) The provisions of this regulation shall apply, with any necessary modifications, where an application for listed building consent is referred (or is deemed to have been referred) to the Secretary of State under paragraph 4 of Schedule 11 to the Act or in relation to an appeal to the Secretary of State under paragraph 8 or paragraph 9 of that Schedule as they apply in relation to an application for listed building consent which falls to be determined by the local planning authority.

(7) Certificates issued for the purposes of this regulation shall be in the forms set out in Part I of Schedule 2 hereto.

(8) 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.

(9) 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.

#### *Appeals*

6.—(1) An applicant who desires to appeal—

(a) against a decision of a local planning authority refusing listed building consent or granting consent subject to conditions; 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 notice of the decision or of the expiry of the appropriate period allowed under regulation 3(4) above, 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 5;

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

(iv) all other relevant correspondence with the local planning authority.

#### *Claims for compensation and listed building purchase notices*

7.—(1) A claim for compensation made to a local planning authority under section 171(2), 172(1) or 173(3) of the Act, or a listed building purchase notice served on the council of a district, on the Common Council or on the Council of a London borough under section 190 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) above 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.

*Advertisement of unopposed revocation or modification order*

8. Where by virtue of the provisions of paragraph 12(2) of Schedule 11 to the Act the making of an order under paragraph 10 of that Schedule in respect of works to a building is required to be advertised, the local planning authority shall publish in a local newspaper circulating in the area in which the building is situated an advertisement stating that the order has been made and specifying the periods required by the said paragraph 12(2) to be specified.

*Application of the Public Health Act 1936 to listed building enforcement notices*

9. The provisions of sections 276, 289 and 294 of the Public Health Act 1936(a) 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 a local planning authority;
- (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.

*Demolition of unlisted buildings in conservation areas*

10. In their application to buildings to which section 277A of the Act applies, the provisions of the Act 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 modifications set out opposite such provisions in column (2) of the said Schedule 3.

*Applications by local planning authorities*

11.—(1) In relation to applications by local planning authorities relating to the execution of works for the demolition, alteration or extension of listed buildings, the provisions 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 any listed building in their area, the authority shall make application to the Secretary of State for that consent.

(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 paragraph 4 of Schedule 11 to the Act and the provisions of the said paragraph shall apply to the determination of the application by the Secretary of State.

(4) Where a local planning authority have made an application for listed building consent under paragraph (2) of this regulation 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 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 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) above.

(5) In relation to a listed building 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.

*Form of notice that a building has become, or ceased to be, listed*

12. 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 54(7) of the Act.

*Revocations and Savings*

13. The Town and Country Planning (Listed Buildings and Buildings in Conservation Areas) Regulations 1972(a) and the Town and Country Planning (Listed Buildings and Buildings in Conservation Areas) (Amendment) Regulations 1974(b) are hereby revoked, but without prejudice to the validity of anything done thereunder before the coming into operation of these regulations.

*Regulation 3*

SCHEDULE 1

PART I

*Notification to be sent to applicant on receipt of application*

Your application dated \_\_\_\_\_ was received on \_\_\_\_\_ (a).

\*[Examination of the form of application and accompanying plans and documents to ascertain whether your application complies with the statutory requirements has not been completed.]

If on further examination it is found that the application is invalid for failure to comply with such requirements (or for any other reason) a further communication will be sent to you as soon as possible.]

If by \_\_\_\_\_ (b) \*[you have not received notification that your application is invalid and] this authority have not given you notice of their decision (and you have not agreed with them in writing that the period within which their decision shall be given may be extended) you may appeal to the Secretary of State in accordance with paragraphs 8 and 9 of Schedule 11 to the Town and Country Planning Act 1971 by notice sent within six months from that date (unless the application has already been referred by this authority to the [Secretary of State for the Environment] [Secretary of State for Wales]). Appeals must be made on a form which is obtainable from the [Department of the Environment] [Welsh Office].

(a) Insert date when relevant document(s) referred to in regulation 3(1) were received.

(b) Insert date 8 weeks from date of receipt of application (as given at (a)).

\*Delete where inappropriate.

## 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)*

(1) If the applicant is aggrieved by the decision of the local planning authority to refuse listed building consent for the proposed works, or to grant consent subject to conditions, he may appeal to the [Secretary of State for the Environment] [Secretary of State for Wales] in accordance with paragraph 8 of Schedule 11 to the Town and Country Planning Act 1971 within six months of receipt of this notice. (Appeals must be made on a form which is obtainable from the [Department of the Environment] [Welsh Office]). The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal.

(2) If listed building consent is refused, or granted subject to conditions, whether by the local planning authority or by the [Secretary of State for the Environment] [Secretary of State for Wales], and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any works which have been or would be permitted, he may serve on the council of the district, or London borough in which the land is situated (or, where appropriate, on the Common Council of the City of London) a listed building purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of section 190 of the Town and Country Planning Act 1971.

(3) In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in section 171 of the Town and Country Planning Act 1971.

## SCHEDULE 2

Regulation 5

## PART I

## TOWN AND COUNTRY PLANNING ACT 1971

## Certificate A\*

I hereby certify that no person other than [myself] [the applicant] [the appellant]\* was an owner (a) of the building to which the [application] [appeal]\* relates at the beginning of the period of 20 days before the date of the accompanying [application] [appeal]\*.

or

## Certificate B\*

I hereby certify that:

[I have] [The applicant has] [The appellant has]\* given the requisite notice to all the persons other than [myself] [the applicant] [the appellant]\* who, 20 days before the date of the accompanying [application] [appeal]\*, were owners (a) of the building to which the [application] [appeal] relates, viz:—

| Name of owner | Address | Date of service of notice |
|---------------|---------|---------------------------|
|---------------|---------|---------------------------|

or



Certificate C\*

I hereby certify that:

1. [I am] [The applicant is] [The appellant is]\* unable to issue a certificate in accordance with either sub-paragraph (a) or sub-paragraph (b) of regulation 5(1) of the Town and Country Planning (Listed Buildings and Buildings in Conservation Areas) Regulations 1977 in respect of the accompanying [application] [appeal]\* dated .

2. [I have] [The applicant has] [The appellant has]\* given the requisite notice to the following persons other than [myself] [the applicant] [the appellant]\* who, 20 days before the date of the [application] [appeal]\*, were owners(a) of the building to which the [application] [appeal]\* relates, viz:—

|               |         |                           |
|---------------|---------|---------------------------|
| Name of owner | Address | Date of service of notice |
|---------------|---------|---------------------------|

3. [I have] [The applicant has] [The appellant has]\* taken the steps listed below, being steps reasonably open to [me] [him]\*, to ascertain the names and addresses of the other owners(a) of the building and [have] [has]\* been unable to do so:  
(b)

4. Notice of the [application] [appeal]\* as set out below has been published in the

(c) on (d)

Copy of notice as published

or

Certificate D\*

I hereby certify that:

1. [I am] [The applicant is] [The appellant is]\* unable to issue a certificate in accordance with sub-paragraph (a) of regulation 5(1) of the Town and Country Planning (Listed Buildings and Buildings in Conservation Areas) Regulations 1977 in respect of the accompanying [application] [appeal]\* dated and [have] [has]\* taken the steps listed below, being steps reasonably open to [me] [him]\*, to ascertain the names and addresses of all the persons other than [myself] [himself]\*, who, 20 days before the date of the [application] [appeal]\* were owners(a) of the building to which the [application] [appeal]\* relates and [have] [has]\* been unable to do so:

(b)

2. Notice of the [application] [appeal]\* as set out below has been published in the

(c) on (d).

Copy of notice as published

Signed .....

[On behalf of .....]\*

Date.....

\* Delete where inappropriate.

Notes

(a) "owner" means a person having a freehold interest or a leasehold interest the unexpired term of which was not less than 7 years.

(b) Insert description of steps taken.

(c) Insert name of a local newspaper circulating in the locality in which the land is situated.

(d) Insert date of publication (which must not be earlier than 20 days before the application or appeal).

PART II

TOWN AND COUNTRY PLANNING ACT 1971

[Notice for service on individuals]

Proposal to carry out works for [demolishing] [altering] [extending]\*

(a).

TAKE NOTICE that application is being made to the (b) council by (c) for listed building consent to (d).

If you should wish to make representations about the application, you should make them in writing, not later than (e) to the Council at (f).

Signed .....

[On behalf of.....]\*

Date .....

TOWN AND COUNTRY PLANNING ACT 1971

[Notice for publication in local newspapers]

Proposal to carry out works for [demolishing] [altering] [extending]\*

(a).

Notice is hereby given that application is being made to the (b) council by (c) for listed building consent to (d).

Any owner of the building (namely a freeholder or a person entitled to an unexpired term of at least seven years under a lease of any part of the land comprising the building) who wishes to make representations to the above-mentioned council about the application should make them in writing not later than (e) to the Council at (f).

Signed .....

[On behalf of.....]\*

Date .....

\*Delete where inappropriate.

Notes

- (a) Insert name, address or location of building with sufficient precision to ensure identification of it.
- (b) Insert name of council.
- (c) Insert name of applicant.
- (d) Insert description of proposed works and name, address or location of building.
- (e) Insert date not less than 20 days later than the date on which the notice is served or published.
- (f) Insert address of council.

PART III

TOWN AND COUNTRY PLANNING ACT 1971

[Notice for service on individuals]

Proposal to carry out works for [demolishing] [altering] [extending]\*

(a).

TAKE NOTICE that an appeal is being made to [the Secretary of State for the Environment] [the Secretary of State for Wales]\* by (b)  
[against the decision of (c) council]\*  
[on the failure of the (c) council to give notice of a decision]\*  
on an application to (d).

If you should wish to make representations to the Secretary of State about the appeal you should make them not later than (e), to the Secretary [Department of the Environment] [Welsh Office]\* at .

Signed .....

[On behalf of.....]\*

Date .....

TOWN AND COUNTRY PLANNING ACT 1971

[Notice for publication in local newspapers]

Proposal to carry out works for [demolishing] [altering] [extending]\*

(a).

Notice is hereby given that an appeal is being made to [the Secretary of State for the Environment] [the Secretary of State for Wales.]\* by

(b)

[against the decision of the (c) council]\*  
[on the failure of the (c) council  
to give notice of a decision]\*  
on an application to (d).

Any owner of the building (namely, a freeholder or a person entitled to an unexpired term of at least seven years under a lease of any land comprising the building) who wishes to make representations to the Secretary of State about the appeal should make them in writing, not later than (e), to the Secretary, [Department of the Environment] [Welsh Office]\* at

Signed .....

[On behalf of.....]\*

Date .....

\*Delete where inappropriate.

(a) Insert name, address or location of building with sufficient precision to ensure identification of it.

(b) Insert name of appellant.

(c) Insert name of council.

(d) Insert description of proposed works and name, address or location of building.

(e) Insert date not less than 20 days later than the date on which the notice is served or published.

## SCHEDULE 3

## Regulation 10

| Column (1)<br>Provisions of the Act relating to<br>listed building control  | Column (2)<br>Exceptions and modifications  |
|---|---|
| Section 55  | <p>1. In subsection (1), omit the words “or for its alteration or extension in any manner which would affect its character as a building of special architectural or historic interest”.</p> <p>2. In subsection (2)—</p> <p>(i) omit the words “or for its alteration or extension”;</p> <p>(ii) omit paragraph (b).</p> <p>3. Omit subsection (3).</p>  |
| Section 56(3), (5) and (6)<br>Section 96  | <p>Omit subsection (3).</p> <p>In subsection (1), for the words “the character of the building as one of special architectural or historic interest”, substitute the words “the character or appearance of the conservation area in which the building is situated”.</p>  |
| Section 97  | <p>1. In subsection (1)—</p> <p>(i) substitute the following paragraph for paragraph (a)—</p> <p>“(a) that retention of the building is not necessary in the interests of preserving or enhancing the character or appearance of the conservation area in which it is situated;”;</p> <p>(ii) omit paragraph (h).</p>   |
| Sections 98 and 99<br>Section 172<br>Section 190<br>Section 266(1)(b)<br>Schedule 3, paragraph 2<br>Schedule 11, Parts I and II | <p>2. In subsection (5), omit paragraphs (b) and (c).</p> <p>None.</p> <p>None.</p> <p>None.</p> <p>None.</p> <p>None.</p>  |
| Schedule 19   | <p>1. In Part I, omit paragraphs 5, 7(1), 8(2) and (3)(b), and substitute the following paragraph for paragraph 6—</p> <p>“6. Where application for listed building consent is made to a local planning authority, being the council of a London borough, that authority shall notify the Greater London Council of that application, shall not determine such application until the expiry of a period of 21 days from such notification, shall take into account any representations made by the Greater London Council within such period in respect of that application, and shall notify the Greater London Council of their decision on that application.”;</p> <p>2. In Part II, omit paragraph 11.</p> <p>None.</p> |

Regulation 12

SCHEDULE 4

Notice that a building has become listed

**IMPORTANT—THIS COMMUNICATION AFFECTS YOUR  
PROPERTY**

TOWN AND COUNTRY PLANNING ACT 1971

BUILDINGS OF SPECIAL ARCHITECTURAL OR HISTORIC INTEREST

To:

NOTICE IS HEREBY GIVEN that the building known as  
situated in  
has been included in a list of buildings of special architectural or historic interest  
compiled by the [Secretary of State for the Environment] [Secretary of State for Wales]  
under section 54 of the Town and Country Planning Act 1971 on

19 .

Dated

19

[Town Clerk]

[Clerk of the Council]

[Chief Executive]

---

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 prepared under section 54 of the Town and Country Planning Act 1971 by the [Secretary of State for the Environment] [Secretary of State for Wales]. The lists are compiled by the Secretary of State as a statutory duty, on the advice of an expert committee of architects and historians which advises him on these matters.

This notice does not call for any action on your part unless you propose at any time to demolish the building or to do any works (either to the exterior or to the interior) which would affect its character. In that event you will need to seek "listed building consent", that is to say, the consent of the local planning authority (the Council) to the work you wish to do.

Certain buildings are exempt from this requirement, notably ecclesiastical buildings in use for the time being for ecclesiastical purposes.

Works which are urgently necessary in the interests of safety or of health, or to preserve the building, may be carried out at any time without prior consent provided that you notify the local planning authority in writing, as soon as reasonably practicable, of the need for the works.

There is no right of appeal as such against the listing of a building but if the local planning authority should refuse consent for the carrying out of any proposed works, section 56(6) of the Town and Country Planning Act 1971 provides a right of appeal against the refusal to the [Secretary of State for the Environment] [Secretary of State for Wales]. You are not precluded at any time from writing to the Secretary of State claiming that the building should cease to be listed, on the ground that it is not in fact of special architectural or historic interest; and any such claim, with the evidence supporting it, will be carefully considered.

A fuller explanation of the consequences of the listing of a building is enclosed with this notice. If at any time you propose to take any action which may affect the character of your building, you would be well advised to refer to the provisions of the Town and Country Planning Act 1971, Part IV and Schedule 11, and of the Town and Country Planning (Listed Buildings and Buildings in Conservation Areas) Regulations 1977 (S.I. 1977/228).

---

Notice that a building has ceased to be listed  
IMPORTANT—THIS COMMUNICATION AFFECTS YOUR PROPERTY  
TOWN AND COUNTRY PLANNING ACT 1971  
BUILDINGS OF SPECIAL ARCHITECTURAL OR HISTORIC INTEREST

To:

NOTICE IS HEREBY GIVEN that the building known as  
situated in  
has, by an amendment made by the [Secretary of State for the Environment] [Secretary  
of State for Wales] under section 54(1) of the Town and Country Planning Act 1971  
on 19 , been excluded from the list of buildings  
of special architectural or historic interest compiled by the Secretary of State.

Date:

[Town Clerk]  
[Clerk of the Council]  
[Chief Executive]

Note

The building referred to in the above notice has been excluded from the list because\*  
\*Insert reason for exclusion.

*Peter Shore,*  
Secretary of State for the Environment.

14th February 1977.

---

EXPLANATORY NOTE

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

These Regulations re-enact with amendments the Town and Country Planning (Listed Buildings and Buildings in Conservation Areas) Regulations 1972, as amended by the Town and Country Planning (Listed Buildings and Buildings in Conservation Areas) (Amendment) Regulations 1974. The principal amendments are as follows:—

- (a) the requirements concerning the furnishing of certificates as to the notification of owners of the building, where application for listed building consent is made, have been modified to take account of the amendments made to section 27 of the Act of 1971 by the Community Land Act 1975;
- (b) by regulation 10 and Schedule 3, the provisions of paragraph 6(1) and (2) of Schedule 11 to the Town and Country Planning Act 1971 are no longer applied to applications for listed building consent in respect of the demolition of unlisted buildings in conservation areas. Under those paragraphs, as applied by the regulations of 1974, a London borough council dealing with such an application was required to notify the Greater London Council of it if they wished to grant consent and were prohibited from granting such consent unless authorised or directed to do so by the Greater London Council, who had power to give the London borough council directions as to how they were to determine the application. In place of this requirement, the London borough council has to notify the Greater London Council of the application and take into account, when determining the application, any representations made by the Greater London Council:

- (c) paragraph 7(2) of Schedule 11 to the Act of 1971 is applied to applications of the kind described in (b) above. Under that provision, the Secretary of State has power to give directions to local planning authorities requiring them to notify him and such other persons as he may specify of such cases or classes of case as he may specify, and the decisions taken thereon (Regulation 10 and Schedule 3);
- (d) a local planning authority making an application for listed building consent for a listed building is now required to advertise the application and put copies on deposit for inspection by the public before submitting it to the Secretary of State (Regulation 11).

Several drafting amendments have also been made so that the Regulations, notices, etc. correspond more closely with equivalent provisions relating to applications for planning permission.

SI 1977/228  
ISBN 0-11-070228-X

