

SCHEDULE 1

Land which is not of community value (and therefore may not be listed)

2. For the purposes of paragraph 1 and this paragraph—
 - (a) “residence” means a building used or partly used as a residence;
 - (b) a building is a residence if—
 - (i) it is normally used or partly used as a residence, but for any reason so much of it as is normally used as a residence is temporarily unoccupied;
 - (ii) it is let or partly let for use as a holiday dwelling;
 - (iii) it, or part of it, is a hotel or is otherwise principally used for letting or licensing accommodation to paying occupants; or
 - (iv) it is a house in multiple occupation as defined in section 77 of the Housing Act 2004⁽¹⁾; and
 - (c) a building or other land is not a residence if—
 - (i) it is land on which currently there are no residences but for which planning permission or development consent has been granted for the construction of residences;
 - (ii) it is a building undergoing construction where there is planning permission or development consent for the completed building to be used as a residence, but construction is not yet complete; or
 - (iii) it was previously used as a residence but is in future to be used for a different purpose and planning permission or development consent for a change of use to that purpose has been granted.

⁽¹⁾ 2004 c. 34.