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STATUTORY INSTRUMENTS

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**2013 No. 1239**

**TOWN AND COUNTRY PLANNING, ENGLAND**

**The Planning (Listed Buildings and Conservation Areas) (Amendment) (England) Regulations 2013**

<i>Made</i>	- - - -	<i>30th May 2013</i>
<i>Laid before Parliament</i>		<i>3rd June 2013</i>
<i>Coming into force</i>	- -	<i>25th June 2013</i>

The Secretary of State, in exercise of the powers conferred by sections 10 and 93 of the Planning (Listed Buildings and Conservation Areas) Act 1990<sup>(1)</sup>, makes the following Regulations:

**Citation, commencement and application**

1.—(1) These Regulations may be cited as the Planning (Listed Buildings and Conservation Areas) (Amendment) (England) Regulations 2013 and shall come into force on 25th June 2013.

(2) These Regulations apply in relation to England only.

**Amendment of the Planning (Listed Buildings and Conservation Areas) Regulations 1990: design and access statements**

2.—(1) The Planning (Listed Buildings and Conservation Areas) Regulations 1990<sup>(2)</sup> are amended as follows.

(2) In regulation 3A—

(a) in paragraph (1)—

(i) for “about” substitute “which explains”;

(ii) after sub-paragraph (a) insert—

“(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;

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(1) 1990 c.9. Section 10 was amended by section 42 of the Planning and Compulsory Purchase Act 2004 (c.5). Section 93 was amended by paragraph 26 of Schedule 6 to that Act and by paragraph 18 of Schedule 17 to the Enterprise and Regulatory Reform Act 2013 (c. 24).

(2) S.I. 1990/1519. Regulation 3A was inserted by S.I. 2006/1063 and amended by S.I. 2009/2262 and 2010/2185.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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- (ii) the particular physical features of the building that justify its designation as a listed building; and
- (iii) the building's setting; and";
- (b) delete paragraph (2);
- (c) in paragraph (3)—
  - (i) at the end of sub-paragraph (c) insert "and";
  - (ii) in sub-paragraph (d) for "; and" substitute a full stop; and
  - (iii) delete sub-paragraph (e); and
- (d) delete paragraph (5).

Signed by authority of the Secretary of State for Communities and Local Government

*Nick Boles*  
Parliamentary Under Secretary of State  
Department for Communities and Local  
Government

30th May 2013

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

The Planning (Listed Buildings and Conservation Areas) Regulations 1990 (“the 1990 Regulations”) specify procedures connected with applications for listed building and conservation area consent in England.

Regulation 2 amends regulation 3A of the 1990 Regulations. Regulation 3A sets out the content which is required for design and access statements which accompany applications made under the 1990 Regulations.

The amendment removes the requirement for design and access statements to explain the principles and concepts that have been applied to the scale, layout, and appearance of the works to be carried out. The amendment also removes the requirement for a design and access statement to explain how features which ensure access to the building will be maintained. The effect is to streamline the content required in all applications for listed building consent.

An impact assessment will be prepared in relation to this instrument. The assessment will be placed in the Library of each House of Parliament and copies may be obtained from the Planning Directorate, the Department for Communities and Local Government, Eland House, Bressenden Place, London, SW1E 5DU or <http://www.communities.gov.uk>.