

SCHEDULES

SCHEDULE 1

CONTROL OF WORKS AFFECTING SCHEDULED MONUMENTS

PART I

APPLICATIONS FOR SCHEDULED MONUMENT CONSENT

3.—(1) The Department may grant scheduled monument consent in respect of all or any part of the works to which an application for scheduled monument consent relates.

(2) Before determining whether or not to grant scheduled monument consent on any application therefor, the Department shall either—

- (a) cause a public local inquiry to be held by the planning appeals commission; or
- (b) afford to the applicant, and to any other person to whom it appears to the Department expedient to afford it, an opportunity of appearing before and being heard by the planning appeals commission.

(3) Before determining whether or not to grant scheduled monument consent on any application therefor, the Department—

- (a) shall in every case consider any representations made by any person with respect to that application before the time when it considers its decision thereon (whether in consequence of any notice given to that person in accordance with any requirements of regulations made under paragraph 2 or of any publicity given to the application by the Department, or otherwise); and
- (b) shall also, if any inquiry or hearing has been held in accordance with sub-paragraph (2), consider the report of the planning appeals commission.

(4) The Department shall serve notice of its decision with respect to the application on the applicant and on every person who has made representations to it with respect to the application.

Changes to legislation:

Historic Monuments and Archaeological Objects (Northern Ireland) Order 1995, Paragraph 3 is up to date with all changes known to be in force on or before 05 April 2024. 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.

[View outstanding changes](#)

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

- Act am. (prosp.) by [1996 c. 24 s.14\(3\)\(5\)](#)
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