
Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Planning (Listed Buildings and Conservation Areas) Act 1990. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

SCHEDULE 1

Section 1(6).

BUILDINGS FORMERLY SUBJECT TO BUILDING PRESERVATION ORDERS

Modifications etc. (not altering text)

- C1** Schs. 1, 2 modified by [S.I. 1990/1519](#), [reg. 13\(1\)](#)
- C2** Sch. 1 applied (Isles of Scilly) (with modifications) (2.10.2013) by [The Town and Country Planning \(Isles of Scilly\) Order 2013 \(S.I. 2013/2148\)](#), arts. 1(1), 3, [Sch. 1](#) (with art. 1(2))

- 1 Subject to paragraph 2, every building which immediately before 1st January 1969 was subject to a building preservation order under Part III of the 1962 Act, but was not then included in a list compiled or approved under section 32 of that Act, shall be deemed to be a listed building.
- 2 (1) The Secretary of State may at any time direct, in the case of any building, that paragraph 1 shall no longer apply to it.
- (2) The local planning authority in whose area a building in respect of which such a direction is given is situated shall, on being notified of the direction, give notice of it to the owner and occupier of the building.
- (3) Before giving such a direction in relation to a building situated in England, the Secretary of State shall consult with the Commission who shall in turn consult with the local planning authority and the owner and occupier of the building.
- (4) Before giving such a direction in relation to a building not situated in England, the Secretary of State shall consult with the local planning authority and the owner and occupier of the building.
- 3 In the case of a building to which paragraph 1 applies—
- (a) a notice of appeal under section 20 may include a claim that the Secretary of State should give a direction under paragraph 2 with respect to the building and on such an appeal the Secretary of State may give such a direction; and
- (b) such a direction may also be given on an appeal under section 39.

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

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 12(4A) inserted by [2008 c. 29 Sch. 10 para. 16](#)
- s. 18A inserted (temp.) by [2020 c. 16 s. 19\(1\)](#)
- s. 18A(1)(b)(ii)(2) power to amend conferred by [2020 c. 16 s. 19\(3\)](#)
- s. 22(2A) inserted by [2008 c. 29 Sch. 10 para. 18\(2\)](#)
- s. 40(2A) inserted by [2008 c. 29 Sch. 10 para. 19](#)
- s. 56A and cross-heading inserted by [2016 anaw 4 s. 31\(1\)](#)
- s. 82A(2)(ha) inserted by [2016 anaw 4 s. 31\(2\)](#)
- s. 89(1ZA) inserted by [2008 c. 29 Sch. 10 para. 22](#)
- s. 93(5A) inserted by [2008 c. 29 Sch. 10 para. 23\(3\)](#)
- s. 93(5A) words inserted by [2013 c. 24 Sch. 17 para. 18\(3\)](#)
- Sch. 3 para. 2(4A) inserted by [2008 c. 29 Sch. 10 para. 24\(2\)](#)
- Sch. 3 para. 2(9) inserted by [2008 c. 29 Sch. 10 para. 24\(3\)](#)
- Sch. 3 para. 3(4A)(4B) inserted by [2008 c. 29 Sch. 10 para. 24\(4\)](#)
- Sch. 3 para. 6(1A) inserted by [2008 c. 29 Sch. 10 para. 24\(6\)](#)