



# Planning (Listed Buildings and Conservation Areas) Act 1990

## 1990 CHAPTER 9

### PART I

#### LISTED BUILDINGS

#### CHAPTER III

#### RIGHTS OF OWNERS ETC.

#### *Compensation*

### **29 Compensation for loss or damage caused by service of building preservation notice.**

- (1) This section applies where a building preservation notice [<sup>F1</sup>in respect of a building situated in England] ceases to have effect without the building having been included in a list compiled or approved by the Secretary of State under section 1.

[<sup>F2</sup>(1A) This section also applies where a building preservation notice in respect of a building situated in Wales ceases to have effect by virtue of section 3A(3)(b) or (4)(b).]

- (2) Any person who at the time when the notice was served had an interest in the building shall, on making a claim to the authority within the prescribed time and in the prescribed manner, be entitled to be paid compensation by the local planning authority in respect of any loss or damage directly attributable to the effect of the notice.
- (3) The loss or damage in respect of which compensation is payable under subsection (2) shall include a sum payable in respect of any breach of contract caused by the necessity of discontinuing or countermanding any works to the building on account of the building preservation notice being in force with respect to it.

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**Status:** Point in time view as at 31/05/2017.

**Changes to legislation:** Planning (Listed Buildings and Conservation Areas) Act 1990, Section 29 is up to date with all changes known to be in force on or before 15 June 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. (See end of Document for details)

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#### Textual Amendments

- F1** Words in s. 29(1) inserted (31.5.2017) by [Historic Environment \(Wales\) Act 2016 \(anaw 4\)](#), **ss. 25(5)(a)**, 41(3); S.I. 2017/633, art. 4(b) (with art. 6(3))
- F2** S. 29(1A) inserted (31.5.2017) by [Historic Environment \(Wales\) Act 2016 \(anaw 4\)](#), **ss. 25(5)(b)**, 41(3); S.I. 2017/633, art. 4(b) (with art. 6(3))
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#### Modifications etc. (not altering text)

- C1** S. 29 modified by [S.I. 1990/1519](#), **reg. 13(1)**
- C2** Ss. 7-29 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))

**Status:**

Point in time view as at 31/05/2017.

**Changes to legislation:**

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