
STATUTORY INSTRUMENTS

1992 No. 3138

The Transport and Works Applications (Listed Buildings, Conservation Areas and Ancient Monuments Procedure) Regulations 1992

Citation and commencement

1. These Regulations may be cited as the Transport and Works Applications (Listed Buildings, Conservation Areas and Ancient Monuments Procedure) Regulations 1992 and shall come into force on 1st January 1993. Interpretation

2. In these Regulations—

“the 1979 Act” means the Ancient Monuments and Archaeological Areas Act 1979(1);

“the 1990 Act” means the Planning (Listed Buildings and Conservation Areas) Act 1990(2);

“the 1992 Act” means the Transport and Works Act 1992;

“the Ancient Monuments Regulations” means the Ancient Monuments (Applications for Scheduled Monument Consent) Regulations 1981(3);

“conservation area consent” and “listed building consent” have the same meanings respectively as in the 1990 Act;

“the Listed Buildings Regulations” means the Planning (Listed Buildings and Conservation Areas) Regulations 1990(4);

“scheduled monument consent” has the same meaning as in the 1979 Act;

“section 6 application” means an application made under section 6 of the 1992 Act (applications for orders).

Modification of procedures for listed building consent and conservation area consent

3.—(1) This regulation shall apply where listed building consent or conservation area consent is required for the purposes of proposals included in a section 6 application and either—

(a) the application for the relevant consent has been made not later than 10 weeks after the section 6 application; or

(b) the Secretary of State considers it appropriate that this regulation should apply and he has given a direction to that effect.

(2) Where this regulation applies the 1990 Act and the Listed Buildings Regulations shall have effect with the modifications set out in Schedule 1.

(1) 1979 c. 46.
(2) 1990 c. 9.
(3) S.I.1981/1301.
(4) S.I. 1990/1519.

Modification of procedures for scheduled monument consent

4.—(1) This regulation shall apply where scheduled monument consent is required for the purposes of proposals included in a section 6 application and either—

- (a) the application for scheduled monument consent has been made not later than 10 weeks after the section 6 application; or
- (b) the Secretary of State considers it appropriate that this regulation should apply and he has given a direction to that effect.

(2) Where this regulation applies the 1979 Act and the Ancient Monuments Regulations shall have effect with the modifications set out in Schedule 2.

Concurrent inquiries

5.—(1) Where the Secretary of State causes the following inquiries to be held, namely—

- (a) a public local inquiry under section 11(1) of the 1992 Act for the purposes of a section 6 application; and
- (b) a local inquiry into an application for listed building consent, conservation area consent or scheduled monument consent made in connection with that section 6 application;

such inquiries shall be held concurrently unless the Secretary of State considers it inappropriate to do so and has given a direction to that effect.

(2) Where any inquiries are held concurrently pursuant to paragraph (1) of this regulation, any rules made under section 9 of the Tribunals and Inquiries Act 1992⁽⁵⁾ applying in relation to the inquiry which is held pursuant to section 11 of the 1992 Act shall apply also in relation to the other inquiry.

Signed by authority of the Secretary of State

9th December 1992

Roger Freeman
Minister of State,
Department of Transport

(5) 1992 c. 53.