

SCHEDULE 4

Regulation 17

NOTICE THAT A BUILDING HAS BECOME LISTED IMPORTANT—THIS COMMUNICATION AFFECTS YOUR PROPERTY PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990 BUILDINGS OF SPECIAL ARCHITECTURAL OR HISTORIC INTEREST

To:

NOTICE IS HEREBY GIVEN that the building known as situated in has on been included in a list of buildings of special architectural or historic interest compiled by the Welsh Ministers under section 1 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Date

(Town Clerk)

(Clerk of the Council)

(Chief Executive)

Note

Listing of Buildings of Special Architectural or Historic Interest

The above notice is addressed to you as owner or occupier of the building named, which has been included in one of the lists of buildings of special architectural or historic interest under section 1 of the Planning (Listed Buildings and Conservation Areas) Act 1990 by the Welsh Ministers. The lists are compiled by the Welsh Ministers as a statutory duty after consultation with persons or bodies as appear to them appropriate as having special knowledge of, or interest in, buildings of architectural or historic interest.

This notice does not call for any action on your part unless you propose at any time to demolish the building or to do any works (either to the exterior or the interior) which would affect its character. In that event you will need to seek "listed building consent", that is to say, the consent of the local planning authority (the Council) to the work you wish to do.

Status: This is the original version (as it was originally made).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

You should however note that it is an offence to carry out any of these works without obtaining listed building consent. A conviction for this offence could result in a fine or even imprisonment. Nevertheless where works which are urgently necessary in the interests of safety or of health or for the preservation of the building are carried out without consent it is a defence to prove that—

- (a) it was not practicable to secure safety or health or the preservation of the building by works of repair or works for affording temporary support or shelter;
- (b) the works carried out were limited to the minimum measures immediately necessary; and
- (c) notice in writing justifying in detail the carrying out of the works was given to the local planning authority as soon as reasonably practicable.

Certain buildings are exempt from the requirement to obtain listed building consent, notably ecclesiastical buildings which are for the time being used for ecclesiastical purposes (but it should also be noted that this exemption does not apply to a building used or available for use as a residence by a minister of religion and that the exemption may be restricted or excluded by an order of the Welsh Ministers under section 60 of the 1990 Act).

Although there is no statutory right of appeal as such against the listing of a building, you are not precluded at any time from writing to the Welsh Ministers claiming that the building should cease to be listed on the ground that it is not in fact of special architectural or historic interest. Any such claim, with the evidence supporting it, will be carefully considered by the Welsh Ministers in consultation with their statutory advisers. A guidance note on the procedure is available from the Welsh Ministers. In addition, where listed building consent is refused by a local planning authority or is granted subject to conditions, there is a right of appeal to the Welsh Ministers; and one of the grounds for an appeal may be that the building is not of special architectural or historic interest.

If at any time you propose to take any action which may affect the character of your building, you would be well advised to refer to the provisions of the Planning (Listed Buildings and Conservation Areas) Act 1990, and of the Planning (Listed Buildings and Conservation Areas) (Wales) Regulations 2012 (S.I. 2012/793 (W.108)). Further details can be obtained from your local planning authority.

NOTICE THAT A BUILDING HAS CEASED TO BE LISTED IMPORTANT—THIS COMMUNICATION AFFECTS YOUR PROPERTY PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990 BUILDINGS OF SPECIAL ARCHITECTURAL OR HISTORIC INTEREST

To:

NOTICE IS HEREBY GIVEN that the building known as situated in has, by an amendment made by the Welsh Ministers under section 1(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 on , been excluded from the list of buildings of special architectural or historic interest compiled by the Welsh Ministers.

Date:

(Town Clerk)

(Clerk of the Council)

(Chief Executive)