



# Historic Environment (Wales) Act 2023

2023 asc 3

## PART 3

### BUILDINGS OF SPECIAL ARCHITECTURAL OR HISTORIC INTEREST

#### CHAPTER 2

#### CONTROL OF WORKS AFFECTING LISTED BUILDINGS

##### *Dealing with applications for consent*

PROSPECTIVE

#### **95 Notification to Welsh Ministers before granting consent**

- (1) A planning authority to which an application for listed building consent is made may not grant consent unless—
  - (a) it has notified the Welsh Ministers of the application, giving details of the works for which consent is sought, and
  - (b) the first or second condition is met.
- (2) The first condition is that the 28 days beginning with the day the Welsh Ministers were notified have ended without the Welsh Ministers either—
  - (a) directing the authority to refer the application to them under section 94, or
  - (b) notifying the authority that they need more time to consider whether to give a direction under that section.
- (3) The second condition is that the Welsh Ministers have notified the authority that they do not intend to direct it to refer the application to them.
- (4) The Welsh Ministers may by regulations provide that subsection (1) does not apply to applications for listed building consent of a description specified in the regulations.

*Status: This version of this provision is prospective.*

*Changes to legislation: There are currently no known outstanding effects for the  
Historic Environment (Wales) Act 2023, Section 95. (See end of Document for details)*

- (5) The Welsh Ministers may direct a planning authority—
  - (a) that subsection (1) is not to apply to an application to the authority for listed building consent, or
  - (b) that subsection (1) is to apply to an application to the authority despite any provision made by regulations under subsection (4) or by a direction under paragraph (a).
- (6) A direction may relate to—
  - (a) a particular application for listed building consent, or
  - (b) applications of a description specified in the direction,and has effect in relation to any application that the authority has not determined.
- (7) The Welsh Ministers may specify a description of applications under subsection (4) or (6)(b) by reference to the opinion of any person, the availability of specialist advice in relation to the applications, or any other circumstance.

**Commencement Information**

**II** S. 95 not in force at Royal Assent, see [s. 212\(2\)](#)

**Status:**

This version of this provision is prospective.

**Changes to legislation:**

There are currently no known outstanding effects for the Historic Environment (Wales) Act 2023, Section 95.