

*Status: Point in time view as at 02/01/1992.*

*Changes to legislation: Planning (Listed Buildings and Conservation Areas) Act 1990, SCHEDULE 1 is up to date with all changes known to be in force on or before 23 September 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)*

## 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)

- 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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