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SCHEDULE 1

Regulation 5

PART 1

PLANNING ACT (NORTHERN IRELAND) 2011

Certificate under section 42 as applied by Chapter 1 of Part 4

Certificate A

I HEREBY CERTIFY that the accompanying application / appeal is made by or on behalf of (Name of applicant / appellant) who is in actual possession of every part of the land to which the said application / appeal relates and is entitled to a fee simple absolute / a fee tail / a life estate / a tenancy of which at least 40 years remain unexpired in the land.

OR

Certificate B

I HEREBY CERTIFY that the accompanying application / appeal is made by or on behalf of (Name of applicant / appellant) who is the trustee of a trust or settlement which affects every part of the land to which the accompanying application / appeal relates and that at the date of the application / appeal—

- (a) a beneficiary under the trust or settlement is in the actual possession of every part of the land; and
- (b) no person other than a beneficiary under the trust or settlement is entitled to enter into the actual possession of any part of the said land within a period of forty years.

OR

Certificate C

I HEREBY CERTIFY that the requisite notice of the accompanying application / appeal has been given by or on behalf of (Name of applicant / appellant) to any person who, at the beginning of the period of 21 days ending with the date of the said application / appeal was, in relation to all or any part of the land affected by the application / appeal—

- (a) a person then in actual possession;
- (b) the trustee of a trust or settlement where a beneficiary under the trust or settlement was in actual possession and no person other than such a beneficiary was entitled to enter into actual possession within a period of 40 years;
- (c) a person (not being a person falling within (a) or (b)) entitled to enter into actual possession within a period of 40 years.

The persons upon whom a notice was served are:—

Name and Address	Interest	Date of Service of Notice

OR

Certificate D

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1. I HEREBY CERTIFY that the person making the accompanying application / appeal (a) is unable to issue a certificate in accordance with either section 42(1) (a) or (b) of the Planning Act (Northern Ireland) 2011;

(b) has made due inquiries and is of the opinion that he is unable to issue a certificate which would satisfy the requirements of section 42 (1) (c) of the said Act for the following reasons:—
.....
.....;and

(c) has given the requisite notice of the said application / appeal to the under-mentioned persons who, at the beginning of the period of 21 days ending with the date of the said application / appeal, were in the actual possession of any part of the land to which the application / appeal relates, namely:—

Name and Address	Interest	Date of Service of Notice
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2. Notice of the application / appeal has been published in the (title of newspaper) on (date of publication) and a copy of the newspaper in which the notice appeared is enclosed.

Signature of Applicant or Agent.....

Date.....

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PART 2

PLANNING ACT (NORTHERN IRELAND) 2011

Notice of an application for conservation area consent under section 42, as applied by section 87 and section 105(6) of the 2011 Act

[Notice for service on individuals]

(a) Insert address or location of building

Proposal to carry out works for demolishing

(a)

TAKE NOTICE that application under the Planning Act (Northern Ireland) 2011 is being made to the [(1)] [Department of the Environment]* by

(b) Insert name of applicant

(b)

for conservation area consent.

If you wish to make representations about the application you should make them in writing to the [council] [Department]* within 14 days from the date of service of this notice.

Signature of Applicant or Agent

Date

Notes

* Delete where inappropriate.

(1) Insert name of council.

PLANNING ACT (NORTHERN IRELAND) 2011

Notice of an application for conservation area consent under section 42, as applied by section 87 and section 105(6) of the 2011 Act

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[Notice for publication in local newspaper]

(a) Insert address or location of building

(b) Insert name of applicant

Proposal to carry out works for demolishing

(a)

NOTICE IS HERBY GIVEN that application under the Planning Act (Northern Ireland) 2011 is being made to the [(1) [Department of the Environment]* by

(b)

for conservation area consent.

Any person having an interest in the land or building which entitles him to make representations about the proposed works may make such representations in writing to the [council] [Department]* within 14 days from the date of publication of this notice.

Notes

* Delete where inappropriate.

(1) Insert name of council.

PART 3

PLANNING ACT (NORTHERN IRELAND) 2011

Notice of an appeal against refusal, etc., of conservation area consent, under section 42 as applied by sections 87 (as applied by sections 96(6) and 97) and section 105(6) of the 2011 Act

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[Notice for service on individuals]

(a) Insert address or location of building

(b) Insert name of appellant

Proposal to carry out works for demolishing

(a)

TAKE NOTICE that an appeal under the Planning Act (Northern Ireland) 2011 is being made by

(b)

against the decision of the [.....(insert name of council)] on an application for conservation area consent.

If you wish to make representations about the appeal you should make them in writing to the Planning Appeals Commission within 14 days from the date of service of this notice.

Signature of appellant or agent

Date

PLANNING ACT (NORTHERN IRELAND) 2011

Notice of an appeal against refusal, etc., of conservation area consent, under section 42 as applied by section 87 (as applied by sections 96(6) and 97) and section 105(6) of the 2011 Act

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[Notice for publication in local newspaper]

(a) Insert address or location of building

(b) Insert name of appellant

Proposal to carry out works for demolishing

(a)

NOTICE IS HERBY GIVEN that an appeal under the Planning Act (Northern Ireland) 2011 is being made by

(b)

against the decision of the [.....](insert name of council)] on an application for conservation area consent.

Any person having an interest in the land or building which entitles him to make representations about the appeal may make such representations in writing to the Planning Appeals Commission within 14 days from the date of publication of this notice.

SCHEDULE 2

Regulation 15

Exceptions and Modifications

Provisions of the 2011 Act relating to listed building control

Exceptions and additional modifications (if any)

Section 85

(1) In sub-section (1), omit the words “or for its alteration or extension in any manner which would affect its character as a building of special architectural or historic interest.”.

(2) In sub-section (2), omit the words “alteration or extension”.

(3) In sub-section (2), omit paragraph (b).

(4) In sub-section (3), omit the words “or for its alteration or extension”.

<i>Provisions of the 2011 Act relating to listed building control</i>	<i>Exceptions and additional modifications (if any)</i>
	(5) Omit sub-section (4). (6) In sub-section (8), omit the words “alteration or extension”.
Section 86	Omit sub-sections (2) & (3).
Section 87 to 89	None.
Section 90	In sub-section (4), for the words “Department and such other persons as may be so specified” substitute the words “the Department, or such other persons as may be so specified, or both”.
Section 91	Omit sub-section (2).
Section 92 to 101	None.
Section 102	In sub-section (1), for the words “involve the alteration or extension of the building in any manner which would affect its character as a building of special architectural or historic interest” substitute the words “affect the character or appearance of the conservation area in which the building is situated”. In sub-section (3), for the words “does not involve the alteration or extension of a listed building in any manner which would affect its character as a building of special architectural or historic interest” substitute the words “would not affect the character or appearance of the conservation area in which the building is situated”.
Section 107	Omit sub-section (1). In sub-section (2) omit the words “alteration or extension”.
Section 157	In sub-section (1), for the words “The character of the building as one of special architectural or historic interest”, substitute the words “the character or appearance of the conservation area in which the building is situated”. In sub-section (5) omit the words “alteration or extension”.
Section 158	None.
Section 159	In sub-section (1) substitute the following paragraph for paragraph (i) “(i) that retention

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<i>Provisions of the 2011 Act relating to listed building control</i>	<i>Exceptions and additional modifications (if any)</i>
	of the building is not necessary in the interests of preserving or enhancing the character or appearance of the conservation area in which it is situated;”.
Section 160	None.
Section 181	None.
Section 191	None.