



Planning (Listed Buildings and Conservation Areas) Act 1990

1990 CHAPTER 9

PART I

LISTED BUILDINGS

CHAPTER II

AUTHORISATION OF WORKS AFFECTING LISTED BUILDINGS

Revocation and modification of consent

25 Procedure for s. 23 orders: unopposed cases.

- (1) This section shall have effect where—
 - (a) the local planning authority have made an order under section 23 revoking or modifying a listed building consent granted by them; and
 - (b) the owner and occupier of the land and all persons who in the authority's opinion will be affected by the order have notified the authority in writing that they do not object to the order.
- (2) Where this section applies, instead of submitting the order to the Secretary of State for confirmation the authority shall—
 - (a) advertise in the prescribed manner the fact that the order has been made, specifying in the advertisement—
 - (i) the period within which persons affected by the order may give notice to the Secretary of State that they wish for an opportunity of appearing before and being heard by a person appointed by him for the purpose; and

Changes to legislation: Planning (Listed Buildings and Conservation Areas) Act 1990, Section 25 is up to date with all changes known to be in force on or before 08 July 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) [View outstanding changes](#)

- (ii) the period at the end of which, if no such notice is given to the Secretary of State, the order may take effect by virtue of this section without being confirmed by him;
 - (b) serve notice to the same effect on the persons mentioned in subsection (1)(b);
 - (c) send a copy of any such advertisement to the Secretary of State not more than three days after its publication.
- (3) If—
- (a) no person claiming to be affected by the order has given notice to the Secretary of State as mentioned in subsection (2)(a)(i) within the period referred to in that subsection; and
 - (b) the Secretary of State has not directed within that period that the order be submitted to him for confirmation,
- the order shall take effect at the end of the period referred to in subsection (2)(a)(ii) without being confirmed by the Secretary of State as required by section 24(1).
- (4) The period referred to in subsection (2)(a)(i) must not be less than 28 days from the date on which the advertisement first appears.
- (5) The period referred to in subsection (2)(a)(ii) must not be less than 14 days from the end of the period referred to in subsection (2)(a)(i).

Modifications etc. (not altering text)

- C1** Ss. 23–26 modified by [S.I. 1990/1519, reg. 13\(1\)](#); applied (with modifications) by [S.I. 1990/1519, reg. 12, Sch. 3](#)
- C2** Ss. 23–26 modified (W.) (30.4.2012) by [The Planning \(Listed Buildings and Conservation Areas\) \(Wales\) Regulations 2012 \(No. 793\), regs. 1, 16, Sch. 3](#)
- C3** Ss. 7–29 applied (Isles of Scilly) (with modifications) (2.10.2013) by [The Town and Country Planning \(Isles of Scilly\) Order 2013 \(S.I. 2013/2148\), arts. 1\(1\), 3, Sch. 1 \(with art. 1\(2\)\)](#)

Changes to legislation:

Planning (Listed Buildings and Conservation Areas) Act 1990, Section 25 is up to date with all changes known to be in force on or before 08 July 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.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 3(1A)(1B) inserted by 2023 c. 55 s. 105(2)
- s. 12(4A) inserted by 2008 c. 29 Sch. 10 para. 16
- s. 16(2A) inserted by 2023 c. 55 s. 102(3)
- s. 22(2A) inserted by 2008 c. 29 Sch. 10 para. 18(2)
- s. 40(2A) inserted by 2008 c. 29 Sch. 10 para. 19
- s. 49(1) s. 49 renumbered as s. 49(1) by 2023 asc 3 Sch. 13 para. 127(b)
- s. 49(2) inserted by 2023 asc 3 Sch. 13 para. 127(c)
- s. 54(8) inserted by 2023 c. 55 s. 104(2)(c)
- s. 55(2A) inserted by 2023 c. 55 s. 104(3)(a)
- s. 55(5H)(5I) inserted by 2023 c. 55 s. 104(3)(f)
- s. 55(5BA) inserted by 2023 c. 55 s. 104(3)(d)
- s. 56A and cross-heading inserted by 2016 anaw 4 s. 31(1)
- s. 66(1A) inserted by 2023 c. 55 s. 102(4)(a)
- s. 66(2A) inserted by 2023 c. 55 s. 102(4)(b)
- s. 66(5) inserted by 2023 asc 3 Sch. 13 para. 136
- s. 82A(2)(ha) inserted by 2016 anaw 4 s. 31(2)
- s. 89(1ZA) inserted by 2008 c. 29 Sch. 10 para. 22
- s. 93(5A) inserted by 2008 c. 29 Sch. 10 para. 23(3)
- s. 93(5A) words inserted by 2013 c. 24 Sch. 17 para. 18(3)
- Sch. 3 para. 2(4A) inserted by 2008 c. 29 Sch. 10 para. 24(2)
- Sch. 3 para. 2(9) inserted by 2008 c. 29 Sch. 10 para. 24(3)
- Sch. 3 para. 3(4A)(4B) inserted by 2008 c. 29 Sch. 10 para. 24(4)
- Sch. 3 para. 6(1A) inserted by 2008 c. 29 Sch. 10 para. 24(6)