
STATUTORY INSTRUMENTS

1990 No. 1519

**The Planning (Listed Buildings and
Conservation Areas) Regulations 1990**

Certificate to accompany applications and appeals

6.—(1) A local planning authority shall not entertain any application under regulation 3 or 4 unless it is accompanied by one of the following certificates signed by or on behalf of the applicant—

- (a) a certificate stating that, at the beginning of the period of 21 days ending with the date of the application, no person (other than the applicant) was the owner of any of the building to which the application relates;
- (b) a certificate stating that the applicant has given the requisite notice of the application to all persons (other than himself) who at the beginning of that period were owners of any of the building to which the application relates, and setting out the names of those persons, the addresses at which notice of the application was given to them respectively, and the date of service of each such notice;
- (c) a certificate stating that the applicant is unable to issue a certificate in accordance with either sub-paragraphs (a) or (b), that he has given the requisite notice of the application to such one or more of the persons mentioned in sub-paragraph (b) as are specified in the certificate (setting out their names, the addresses at which notice of the application was given to them respectively, and the date of service of each such notice), that he has taken such steps as are reasonably open to him (specifying them) to ascertain the names and addresses of the remainder of those persons and that he has been unable to do so;
- (d) a certificate stating that the applicant is unable to issue a certificate in accordance with sub-paragraph (a), that he has taken such steps as are reasonably open to him (specifying them) to ascertain the names and addresses of the persons mentioned in sub-paragraph (b) but has been unable to do so.

(2) Any such certificate as is mentioned in sub-paragraph (c) or sub-paragraph (d) of paragraph (1) shall also contain a statement that the requisite notice of the application, as set out in the certificate, has on a date specified in the certificate (which must not be earlier than the beginning of the period mentioned in sub-paragraph (a) of paragraph (1)) been published in a local newspaper circulating in the locality in which the building is situated.

(3) Where an application under regulation 3 or 4 is accompanied by such a certificate as is mentioned in sub-paragraph (b), sub-paragraph (c), or sub-paragraph (d) of paragraph (1), the local planning authority—

- (a) shall not determine the application before the end of the period of 21 days beginning with the date appearing from the certificate to be the latest of the dates of service of notices as mentioned in the certificate, or, if later, the date of publication of a notice as so mentioned;
- (b) shall in determining the application take into account any representations relating to it which are made to them before the end of that period by any person who satisfies them that he is an owner of any of the building to which the application relates; and
- (c) shall give notice of their decision to every person who has made representations which they were required to take into account in accordance with sub-paragraph (b).

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

(4) For the purposes of this regulation, “owner” means a person who is for the time being the estate owner in respect of the fee simple or is entitled to a tenancy granted or extended for a term of years certain of which not less than seven years remain unexpired.

(5) The provisions of this regulation shall apply, with any necessary modifications, where an application under regulation 3 or 4 is referred (or is deemed to have been referred) to the Secretary of State under section 12 of the Act or, in relation to an appeal to the Secretary of State under sections 20 or 21 of the Act, as they apply in relation to an application which falls to be determined by the local planning authority.

(6) Certificates issued for the purposes of this regulation shall be in the forms set out in Part 1 of Schedule 2 hereto.

(7) The requisite notices for the purposes of the provisions of this regulation in relation to applications shall be in the forms set out in Part II of Schedule 2 hereto.

(8) The requisite notices for the purposes of the provisions of this regulation in relation to appeals shall be in the forms set out in Part III of Schedule 2 hereto.