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SCHEDULES

SCHEDULE 11

CONTROL OF WORKS FOR DEMOLITION, ALTERATION OR EXTENSION OF LISTED BUILDINGS

PART I

APPLICATIONS FOR LISTED BUILDING CONSENT

Reference of applications to Secretary of State or Greater London Council

- 4 (1) The Secretary of State may give directions requiring applications for listed building consent to be referred to him instead of being dealt with by the local planning authority.
- (2) A direction under this paragraph may relate either to a particular application, or to applications in respect of such buildings as may be specified in the direction.
- (3) An application in respect of which a direction under this paragraph has effect shall be referred to the Secretary of State accordingly.
- (4) Before determining an application referred to him under this paragraph, the Secretary of State shall, if either the applicant or the authority so desire, afford to each of them an opportunity of appearing before, and being heard by, a person appointed by the Secretary of State.
- (5) The decision of the Secretary of State on any application referred to him under this paragraph shall be final.
- 5 (1) Subject to the following provisions of this paragraph, a local planning authority (other than a London borough council) to whom application is made for listed building consent shall not grant such consent, unless they have notified the Secretary of State of the application (giving particulars of the works for which the consent is required) and either—
- (a) a period of twenty-eight days has expired, beginning with the date of the notification, without the Secretary of State having directed the reference of the application to him ; or
- (b) the Secretary of State has notified the authority that he does not intend to require the reference of the application.
- (2) The Secretary of State may at any time before the said period expires give notice to the authority that he requires further time in which to consider whether to require the reference of the application to him and sub-paragraph (1) of this paragraph shall then have effect with the substitution for a period of twenty-eight days of such longer period as may be specified in the Secretary of State's notice.
- 6 (1) Subject to the following provisions of this paragraph, where application for listed building consent is made to a local planning authority, being a London borough

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council, and the authority do not determine to refuse it, they shall notify the Greater London Council of the application (giving particulars of the works for which the consent is required) and shall not grant such consent unless authorised or directed to do so under sub-paragraph (2) of this paragraph.

- (2) On receipt of notification under sub-paragraph (1) of this paragraph the Greater London Council may either—
 - (a) authorise the local planning authority to grant or refuse the application, as they think fit; or
 - (b) give them directions as to how they are to determine it.
 - (3) The Greater London Council shall not authorise the local planning authority as mentioned in sub-paragraph (2)(a) of this paragraph, nor under sub-paragraph (2)(b) of this paragraph direct them to grant listed building consent, unless the Council have notified the Secretary of State of the application made to the local planning authority (giving particulars of the works for which the consent is required) and either—
 - (a) a period of twenty-eight days has expired, beginning with the date of the notification, without the Secretary of State having directed the reference of the application to him ; or
 - (b) the Secretary of State has notified the Council that he does not intend to require the reference of the application.
 - (4) The Secretary of State may at any time before the said period of twenty-eight days expires give notice to the Council that he requires further time in which to consider whether to require the reference of the application to him and sub-paragraph (3) of this paragraph shall then have effect with the substitution for the period of twenty-eight days of such longer period as may be specified in the Secretary of State's notice.
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- (1) The Secretary of State may give directions that, in the case of such descriptions of applications for listed building consent as he may specify, other than such consent for the demolition of a building, paragraphs 5 and 6 of this Schedule shall not apply; and accordingly, so long as the directions are in force local planning authorities may determine applications of such descriptions in any manner they think fit, without notifying the Secretary of State or, as the case may be, the Greater London Council.
 - (2) Without prejudice to the preceding provisions of this Schedule, the Secretary of State may give directions to local planning authorities requiring them, in such cases or classes of case as may be specified in the directions, to notify to him and to such other persons as may be so specified any applications made to them for listed building consent, and the decisions taken by the authorities thereon.