

DIRECTION TO ALL LOCAL PLANNING AUTHORITIES IN ENGLAND

THE TOWN AND COUNTRY PLANNING (DEMOLITION - DESCRIPTION OF BUILDINGS) DIRECTION 2021

The Secretary of State for Housing, Communities and Local Government, in exercise of the powers conferred by section 55(2)(g) of the Town and Country Planning Act 1990^(a), directs as follows:

Citation and commencement

1. This Direction replaces The Town and Country Planning (Demolition – Description of Buildings) Direction 2014 and comes into force on 21 April 2021. It applies to England only.

Interpretation

2. In this Direction–

“building” does not include part of a building, except–

- (a) for the purposes of paragraph 3(1)(b); and
- (b) in paragraph 3(2)(a).

“conservation area” has the same meaning as in section 91(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990^(b).

Demolition not to be taken to involve development of land

3. (1) Subject to sub-paragraph (2), the demolition of the following descriptions of building shall not be taken, for the purposes of the Town and Country Planning Act 1990, to involve development of land:

- (a) any building the cubic content of which, measured externally, does not exceed 50 cubic metres;
- (b) the whole or any part of any gate, fence, wall or other means of enclosure.

(2) The descriptions of building in sub-paragraph (1) do not include:

^(a) 1990 c. 8; section 55(2)(g) was inserted by section 13(2) of the Planning and Compensation Act 1991 (c.34).

^(b) 1990 c.9.

(a) the whole or any part of any gate, fence, wall or other means of enclosure in a conservation area;

(b) a statue, monument or memorial.

Revocation

4. The Town and Country Planning (Demolition - Description of Buildings) Direction 2014 is revoked as respects England.

Signed by authority of the Secretary of State

Lucy Hargreaves
A member of the Senior Civil Service
Ministry of Housing Communities and Local Government
21 April 2021

Background Note

The Town and Country Planning (Demolition – Description of Buildings) Direction 2021

The Town and Country Planning (Demolition – Description of Buildings) Direction 2021 (“the 2021 Direction”) replaces The Town and Country Planning (Demolition – Description of Buildings) Direction 2014 (“the 2014 Direction”) to ensure the demolition of statues, memorials and monuments in England requires permission pursuant to s.57(1) Town and Country Planning Act 1990. It is introduced at the same time as the Town and Country Planning (General Permitted Development etc.) (England) (Amendment) Order 2021 which excludes from the existing permitted development right the demolition of certain statues, memorials and monuments that have been in place for 10 years or more.