

DOE PLANNING & ENVIRONMENT

# SCHEDULED MONUMENT CONSENTS

ADVICE FOR PLANNING OFFICERS AND APPLICANTS SEEKING PLANNING  
PERMISSION WITHIN THE SCHEDULED AREA OF A MONUMENT

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## Introduction

When a monument is scheduled, written consent is required for works that would alter or break the ground surface or disturb the historic fabric of the monument within its statutorily protected area.

Under Article 4 of the Historic Monuments and Archaeological Objects (NI) Order 1995, it is an offence to carry out or to permit the carrying out of the following works without scheduled monument consent:

- any works resulting in the demolition, destruction, or disturbance of, or any damage to a scheduled monument;
- any works for the purpose of removing or repairing a scheduled monument or any part of it or of making any alterations or additions thereto;
- any flooding or tipping operations on land in, or under which, there is a scheduled monument.

Consent is required for proposed works that fall into any of the above categories. Each scheduled monument has its own specific characteristics and proposed changes must be fully and clearly justified

There is no provision for granting retrospective scheduled monument consent and it would be an offence to carry out these works without having been granted consent in advance.

Archaeological excavation works, and the use of detecting devices are subject to Scheduled Monument Consent. It is an offence to be in possession of a detecting device on a scheduled monument without the prior written consent of the Department.

Certain works have been defined in the Historic Monuments (Class Consents) Order (Northern Ireland) 2001 as already having consent. These cover certain agricultural works, maintaining a canal, works urgently necessary for health and safety, and works carried out as management agreements.

## Scheduled Monument Consent and other permissions

Scheduled monument consent is required for works in the scheduled area, regardless of whether planning permission or other permissions have been sought or obtained. Planning permission is a separate matter where applicants should apply to the relevant district office. The level and type of detail required in making an application for scheduled monument consent may differ from what would be required applying for a planning application.

The scheduled monument consent process may run in parallel with the statutory planning process, and such cases are dealt with most effectively if the applications for scheduled monument consent and planning permission are prepared at the same time, and following early discussions with NIEA Historic Environment Division. Where both scheduled monument consent and planning permission are being sought for a proposal scheduled monument consent must be determined first.

## Before applying for Scheduled Monument Consent

Where you believe intended works may directly impact a scheduled monument and/or the statutorily designated area of the monument you are strongly advised to contact NIEA: Historic Environment Division for informal discussion at an early stage.

It is imperative that sufficient information is included with any application for scheduled monument consent to enable a full understanding and assessment of the application. If there is insufficient detail the application may be returned.

## The Application Process

You can download a Scheduled Monument Consent form at:

[http://www.doeni.gov.uk/niea/hm\\_application\\_for\\_scheduled\\_monument\\_consent.pdf](http://www.doeni.gov.uk/niea/hm_application_for_scheduled_monument_consent.pdf)  
(PDF 113KB)

or call 028 90543030 to request one.

It is advisable to apply for scheduled monument consent at an early stage in planning a project as further information may be required to reach a decision. The application should be carefully completed with sufficient detail attached to enable its consideration.

A final decision on scheduled monument consent will be issued within 12 weeks of receipt of sufficient information. Initially, a provisional decision will issue in order that the applicant can consider it and decide whether they wish to be heard before the Planning Appeals Commission. The final decision will issue 10 days after this provisional decision.





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