

Planning (Listed Buildings and Conservation Areas) Act 1990 c. 9

s. 66 General duty as respects listed buildings in exercise of planning functions.



Law In Force With Amendments Pending

Version 4 of 4

13 July 2016 - Present

Subjects

Planning

Keywords

Development; Listed buildings; Local authorities' powers and duties; Ministers' powers and duties; Permission in principle; Planning permission

66.— General duty as respects listed buildings in exercise of planning functions.

- (1) In considering whether to grant planning permission [or permission in principle]¹ for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- (2) Without prejudice to [section 72](#), in the exercise of the powers of appropriation, disposal and development (including redevelopment) conferred by the provisions of [sections 232, 233](#) and [235\(1\)](#) of the principal Act, a local authority shall have regard to the desirability of preserving features of special architectural or historic interest, and in particular, listed buildings.
- (3) The reference in subsection (2) to a local authority includes a reference to a joint planning board [...]².
- [
- (4) Nothing in this section applies in relation to neighbourhood development orders.
-]³

Notes

- ¹ Words inserted by Housing and Planning Act 2016 c. 22 [Sch.12 para.42\(1\)](#) (July 13, 2016)
- ² Words repealed by Environment Act 1995 c. 25 [Sch.24 para.1](#) (April 1, 1997 as SI 1996/2560)
- ³ Added by Localism Act 2011 c. 20 [Sch.12 para.25](#) (November 15, 2011 for the purpose specified in 2011 c.20 s.240(5) (j); April 6, 2012 except for the purpose specified in SI 2012/628 art.8(a) subject to transitional, saving and transitory provisions specified in SI 2012/628 arts 9, 12, 13, 16 and 18-20; August 3, 2012 except for the purpose specified in SI 2012/2029 art.3(a) subject to transitional, saving and transitory provisions specified in SI 2012/2029 art.5; April 6, 2013 otherwise)

Part I LISTED BUILDINGS > Chapter VI MISCELLANEOUS AND SUPPLEMENTAL > Special considerations affecting planning functions > s. 66 General duty as respects listed buildings in exercise of planning functions.

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Planning (Listed Buildings and Conservation Areas) Act 1990 c. 9

s. 72 General duty as respects conservation areas in exercise of planning functions.



Law In Force

Version 4 of 4

15 November 2011 - Present

Subjects

Planning

Keywords

Conservation areas; Planning authorities' powers and duties

72.— General duty as respects conservation areas in exercise of planning functions.

(1) In the exercise, with respect to any buildings or other land in a conservation area, of any [functions under or by virtue of]¹ any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

(2) The provisions referred to in subsection (1) are the planning Acts and [Part I of the Historic Buildings and Ancient Monuments Act 1953](#)[and [sections 70 and 73 of the Leasehold Reform, Housing and Urban Development Act 1993](#)]².

[

(3) In subsection (2), references to provisions of the [Leasehold Reform, Housing and Urban Development Act 1993](#) include references to those provisions as they have effect by virtue of [section 118\(1\) of the Housing Act 1996](#).

]³[

(4) Nothing in this section applies in relation to neighbourhood development orders.

]⁴

Notes

¹ Words substituted by Leasehold Reform, Housing and Urban Development Act 1993 c. 28 [Sch.21 para.30\(1\)](#) (November 1, 1993)

² Words added by Leasehold Reform, Housing and Urban Development Act 1993 c. 28 [Sch.21 para.30\(2\)](#) (November 1, 1993)

³ Added by Housing Act 1996 c. 52 [Pt III c.III s.118\(7\)](#) (April 1, 1997: insertion has effect subject to transitional provisions specified in SI 1997/618 Sch.1 para.3)

⁴ Added by Localism Act 2011 c. 20 [Sch.12 para.26](#) (November 15, 2011 for the purpose specified in 2011 c.20 s.240(5) (j); April 6, 2012 except for the purpose specified in SI 2012/628 art.8(a) subject to transitional, saving and transitory provisions specified in SI 2012/628 arts 9, 12, 13, 16 and 18-20; August 3, 2012 except for the purpose specified in SI 2012/2029 art.3(a) subject to transitional, saving and transitory provisions specified in SI 2012/2029 art.5; April 6, 2013 otherwise)

*Part II CONSERVATION AREAS > General duties of planning authorities > s.
72 General duty as respects conservation areas in exercise of planning functions.*

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