

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

Version 4 of 4

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Subjects

Planning

Keywords

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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² Words repealed by Environment Act 1995 c. 25 [Sch.24 para.1](#) (April 1, 1997 as SI 1996/2560)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)