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Planning (Listed Buildings and Conservation Areas) Act 1990

UK Public General Acts 1990 c. 9 Part I Chapter VI Special considerations affecting planning... **Section 66**

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Changes over time for: Section 66

06/04/2012

30/04/2012

03/08/2012

06/04/2013

02/10/2013

13/07/2016

Changes to legislation: Planning (Listed Buildings and Conservation Areas) Act 1990, Section 66 is up to date with all changes known to be in force on or before 26 November 2022. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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

- (1) In considering whether to grant planning permission [**F1** or permission in principle] 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 **F2** . . .

[F3(4) Nothing in this section applies in relation to neighbourhood development orders.]

Textual Amendments

- F1** Words in s. 66(1) inserted (13.7.2016) by [Housing and Planning Act 2016 \(c. 22\)](#), s. 216(3), [Sch. 12 para. 42\(1\)](#); S.I. 2016/733, reg. 3(d)
- F2** Words in s. 66(3) repealed (1.4.1997) by [1995 c. 25, ss. 120\(3\), Sch. 24 \(with ss. 7\(6\), 115, 117, Sch. 8 para. 7\)](#); S.I. 1996/2560, art. 2, [Sch. 2](#).
- F3** S. 66(4) inserted (15.11.2011 for specified purposes, 6.4.2012 for specified purposes, 3.8.2012 for specified purposes, 6.4.2013 in so far as not already in force) by [Localism Act 2011 \(c. 20\)](#), s. 240(2)(5)(j), [Sch. 12 para. 25 \(with s. 144\)](#); S.I. 2012/628, art. 8(a) (with arts. 9, 12, 13, 16, 18-20) (as amended (3.8.2012) by S.I. 2012/2029, arts. 2, 4); S.I. 2012/2029, arts. 2, 3(a) (with art. 5) (as amended (6.4.2013) by S.I. 2013/797, art. 4); S.I. 2013/797, arts 1(2), 2

Modifications etc. (not altering text)

- C1 Chs. I, II (ss. 1-26) and IV (ss. 38-44) of Pt. I, ss. 54-56, 59-61, 66, 68-72, 74-76 and 88: power to apply conferred (10.11.1993) by [1993 c. 28, s. 171\(4\)\(b\)](#); S.I. 1993/2762, art. 3.
- C2 S. 66(1) excluded by S.I. 1990/1519, reg. 12, [Sch. 3](#)
- C3 S. 66(1) modified (W.) (30.4.2012) by [The Planning \(Listed Buildings and Conservation Areas\) \(Wales\) Regulations 2012 \(No. 793\)](#), regs. 1, 16, [Sch. 3](#)
- C4 S. 66(1) applied (Isles of Scilly) (with modifications) (2.10.2013) by [The Town and Country Planning \(Isles of Scilly\) Order 2013 \(S.I. 2013/2148\)](#), arts. 1(1), 3, [Sch. 1 \(with art. 1\(2\)\)](#)
- C5 S. 66(2) extended (19.9.1995) by [1995 c. 25, ss. 65\(7\), 125\(2\), Sch. 8 para. 2\(4\)](#)(with ss. 7(6), 115, 117, Sch. 8 para. 7)
- C6 S. 66(2) applied (Isles of Scilly) (with modifications) (2.10.2013) by [The Town and Country Planning \(Isles of Scilly\) Order 2013 \(S.I. 2013/2148\)](#), arts. 1(1), 3, [Sch. 1 \(with art. 1\(2\)\)](#)

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