

Planning (Listed Buildings and Conservation Areas) Act 1990

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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.]
- [F4] (5) In this section, "listed building" includes a listed building (within the meaning given by section 76 of the Historic Environment (Wales) Act 2023) situated in Wales.]

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F2 Words in s. 66(3) repealed (1.4.1997) by [1995 c. 25, ss. 120\(3\), Sch. 24](#) (with ss. 7(6), 115, 117, Sch. 8 para. 7); [S.I. 1996/2560, art. 2, Sch.](#)

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

F4 S. 66(5) inserted (4.11.2024) by [Historic Environment \(Wales\) Act 2023 \(asc 3\), s. 212\(2\), Sch. 13 para. 136](#) (with Sch. 14 paras. 1-3); [S.I. 2024/860, art. 3\(d\)](#)

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))