

# Planning (Listed Buildings and Conservation Areas) Act 1990

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## 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 **[F1]** functions under or by virtue of **[F2]** 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 **M1** Historic Buildings and Ancient Monuments Act 1953 **[F2]** and sections 70 and 73 of the Leasehold Reform, Housing and Urban Development Act 1993 **[F2]**.
- [F3]** (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. **[F3]**
- [F4]** (4) Nothing in this section applies in relation to neighbourhood development orders. **[F4]**

### Textual Amendments

- F1** Words in s. 72(1) substituted (1.11.1993) by [1993 c. 28, s. 187\(1\)](#), [Sch. 21 para. 30\(1\)](#); S.I. 1993/2134, [art. 5\(a\)](#).
- F2** Words in s. 72(2) added (1.11.1993) by [1993 c. 28, s. 187\(1\)](#), [Sch. 21 para. 30\(2\)](#); S.I. 1993/2134, [art. 5\(a\)](#).
- F3** S. 72(3) inserted (1.4.1997) by [1996 c. 52, s. 118\(7\)](#); S.I. 1997/618, [art. 2\(1\)](#) (subject to transitional provision in [Sch. para. 3](#))
- F4** S. 72(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 \(c. 20\)](#), [ss., 240\(5\)\(j\)](#), [Sch. 12 para. 26](#) (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](#).

### Marginal Citations

- M1** [1953 c.49](#).