



Town and Country Planning (Scotland) Act 1972

1972 CHAPTER 52

PART IV

ADDITIONAL CONTROL IN SPECIAL CASES

Buildings of special architectural or historic interest

54 Provisions supplementary to s. 53

- (1) Section 53 of this Act shall not apply to works for the demolition, alteration or extension of—
- (a) an ecclesiastical building which is for the time being used for ecclesiastical purposes or would be so used but for the works; or
 - (b) a building which is the subject of a scheme or order under the enactments for the time being in force with respect to ancient monuments; or
 - (c) a building for the time being included in a list of monuments published by the Secretary of State under any such enactment.

For the purposes of this subsection, a building used or available for use by a minister of religion wholly or mainly as a residence from which to perform the duties of his office shall be treated as not being an ecclesiastical building.

- (2) Where, on an application in that behalf, planning permission is granted, or has been granted on or after 3rd August 1970, and—
- (a) the development for which the permission is or was granted includes the carrying out of any works for the alteration or extension of a listed building; and
 - (b) the planning permission or any condition subject to which it is or was granted is or was so framed as expressly to authorise the execution of the works (describing them),

Status: This is the original version (as it was originally enacted).

the planning permission shall operate as listed building consent in respect of those works; but, except as provided by this subsection, the grant of planning permission for any development shall not make it unnecessary for such consent to be obtained in respect of any works to which section 53 of this Act applies.

- (3) In considering whether to grant planning permission for development which consists in or includes works for the alteration or extension of a listed building, and in considering whether to grant listed building consent for any works, the local planning authority or the Secretary of State, as the case may be, shall have special regard to the desirability of preserving the building or any features of special architectural or historic interest which it possesses.
- (4) Without prejudice to subsection (1) of section 26 of this Act, the conditions which may under that subsection be attached to a grant of planning permission shall, in the case of such development as is referred to in subsection (2) of this section, include conditions with respect to—
 - (a) the preservation of particular features of the building, either as part of it or after severance therefrom ;
 - (b) the making good, after the works are completed, of any damage caused to the building by the works;
 - (c) the reconstruction of the building or any part of it following the execution of any works, with the use of original materials so far as practicable and with such alterations of the interior of the building as may be specified in the conditions.
- (5) Listed building consent may be granted either unconditionally or subject to conditions, which may include such conditions as are mentioned in subsection (4) of this section.
- (6) Part I of Schedule 10 to this Act shall have effect with respect to applications to local planning authorities for listed building consent, the reference of such applications to the Secretary of State and appeals against decisions on such applications ; and Part II of that Schedule shall have effect with respect to the revocation of listed building consent by a local planning authority or the Secretary of State.