Planning (Listed Buildings and Conservation Areas) Act 1990

1990 CHAPTER 9

PART I

LISTED BUILDINGS

CHAPTER V

PREVENTION OF DETERIORATION AND DAMAGE

Damage to listed buildings

59 Acts causing or likely to result in damage to listed buildings.

(1) If, with the intention of causing damage to a listed building, any relevant person does or permits the doing of any act which causes or is likely to result in damage to the building, he shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.

(2) A person is a relevant person for the purpose of subsection (1) if apart from that subsection he would be entitled to do or permit the act in question.

(3) Subsection (1) does not apply to an act for the execution—

(a) of works authorised by planning permission granted or deemed to be granted in pursuance of an application under the principal Act; or

(b) of works for which listed building consent has been given under this Act[^1]; or

(c) of works for which development consent has been granted under the Planning Act 2008.[^2]

(4) If a person convicted of an offence under this section fails to take such reasonable steps as may be necessary to prevent any damage or further damage resulting from the offence, he shall be guilty of a further offence and liable on summary conviction...
to a fine not exceeding \((\text{F}2 \text{one-tenth of level 3 on the standard scale})\) for each day on which the failure continues.

### Textual Amendments

<table>
<thead>
<tr>
<th>Code</th>
<th>Amendment Details</th>
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<tbody>
<tr>
<td>F1</td>
<td>S. 59(3)(c) and preceding word inserted (1.3.2010) by Planning Act 2008 (c. 29), ss. 36, 248(1), Sch. 2 para. 40 (with s. 226); S.I. 2010/101, art. 2 (with art. 6)</td>
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<tr>
<td>F2</td>
<td>Words in s. 59(4) substituted (2.1.1992) by Planning and Compensation Act 1991 (c. 34, SIF 123: 1), s. 32, Sch. 7 para. 58; S.I. 1991/2905, art.3 Sch. 1</td>
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### Modifications etc. (not altering text)

<table>
<thead>
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<tr>
<td>C1</td>
<td>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. S. 59 excluded (18.12.1996) by 1996 c. 61, s. 12, Sch. 7 para. 3 S. 59 restricted (1.10.1994) by S.I. 1994/1771, art. 5(5)</td>
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<tr>
<td>C2</td>
<td>S. 59 excluded (22.7.2008) by Crossrail Act 2008 (c. 18), s. 16(1), Sch. 9 para. 3</td>
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<tr>
<td>C3</td>
<td>S. 59 excluded (23.2.2017) by High Speed Rail (London - West Midlands) Act 2017 (c. 7), s. 70(1), Sch. 18 para. 3</td>
</tr>
</tbody>
</table>
Changes to legislation:
Planning (Listed Buildings and Conservation Areas) Act 1990, Cross Heading: Damage to listed buildings is up to date with all changes known to be in force on or before 13 September 2019. 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.
View outstanding changes

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:
Whole provisions yet to be inserted into this Act (including any effects on those provisions):
- s. 12(4A) inserted by 2008 c. 29 Sch. 10 para. 16
- s. 22(2A) inserted by 2008 c. 29 Sch. 10 para. 18(2)
- s. 40(2A) inserted by 2008 c. 29 Sch. 10 para. 19
- s. 56A and cross-heading inserted by 2016 anaw 4 s. 31(1)
- s. 82A(2)(ha) inserted by 2016 anaw 4 s. 31(2)
- s. 89(1ZA) inserted by 2008 c. 29 Sch. 10 para. 22
- s. 93(5A) inserted by 2008 c. 29 Sch. 10 para. 23(3)
- s. 93(5A) words inserted by 2013 c. 24 Sch. 17 para. 18(3)
- Sch. 3 para. 2(4A) inserted by 2008 c. 29 Sch. 10 para. 24(2)
- Sch. 3 para. 2(9) inserted by 2008 c. 29 Sch. 10 para. 24(3)
- Sch. 3 para. 3(4A)(4B) inserted by 2008 c. 29 Sch. 10 para. 24(4)
- Sch. 3 para. 6(1A) inserted by 2008 c. 29 Sch. 10 para. 24(6)