



Planning (Listed Buildings and Conservation Areas) Act 1990

1990 CHAPTER 9

PART II

CONSERVATION AREAS

General duties of planning authorities

- 71 Formulation and publication of proposals for preservation and enhancement of conservation areas.**
- (1) It shall be the duty of a local planning authority from time to time to formulate and publish proposals for the preservation and enhancement of any parts of their area which are conservation areas.
 - (2) Proposals under this section shall be submitted for consideration to a public meeting in the area to which they relate.
 - (3) The local planning authority shall have regard to any views concerning the proposals expressed by persons attending the meeting.

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](#).

- 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] 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.

Changes to legislation: Planning (Listed Buildings and Conservation Areas) Act 1990, Cross Heading: General duties of planning authorities is up to date with all changes known to be in force on or before 20 April 2024. 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. (See end of Document for details) View outstanding changes

(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].

[^{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.]

[^{F4}(4) Nothing in this section applies in relation to neighbourhood development orders.]

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)

- C2** 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.

73 Publicity for applications affecting conservation areas.

[^{F5}(1) The Secretary of State may prescribe requirements as to publicity for applications for planning permission in cases where the local planning authority think that the development of land would affect the character or appearance of a conservation area.]

[^{F6}(2) In this section references to planning permission do not include references to planning permissions falling within section 73A of the principal Act.]

Textual Amendments

- F5** S. 73(1) substituted (6.8.2004 for specified purposes, otherwise 28.9.2004) by **Planning and Compulsory Purchase Act 2004 (c. 5), ss. 118(1), 121(1), Sch. 6 para. 24** (with s. 111); S.I. 2004/2097, **art. 2**; S.I. 2004/2202, **art. 3(e)**
- F6** S. 73(2) substituted (2.1.1992) by **Planning and Compensation Act 1991 (c. 34, SIF 123:1), s. 32, Sch. 7 para.60**; S.I. 1991/2905, **art.3 Sch. 1**

Modifications etc. (not altering text)

- C3** Ss. 67 and 73: power to modify conferred (10.11.1993) by 1993 c. 28, s. 171(1)(a); S.I. 1993/2762, **art.3**.

Changes to legislation: Planning (Listed Buildings and Conservation Areas) Act 1990, Cross Heading: General duties of planning authorities is up to date with all changes known to be in force on or before 20 April 2024.

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C4 S. 73(1) applied in part (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))

Changes to legislation:

Planning (Listed Buildings and Conservation Areas) Act 1990, Cross Heading: General duties of planning authorities is up to date with all changes known to be in force on or before 20 April 2024. 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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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. 3(1A)(1B) inserted by 2023 c. 55 s. 105(2)
- s. 12(4A) inserted by 2008 c. 29 Sch. 10 para. 16
- s. 16(2A) inserted by 2023 c. 55 s. 102(3)
- s. 17(4) inserted by 2023 c. 55 s. 124(4)
- 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. 44AA-44AC inserted by 2023 c. 55 s. 103(2)
- s. 46(1A) inserted by 2023 c. 55 s. 103(8)(a)
- s. 46(3A) inserted by 2023 c. 55 s. 103(8)(c)
- s. 49(1) s. 49 renumbered as s. 49(1) by 2023 asc 3 Sch. 13 para. 127(b)
- s. 49(2) inserted by 2023 asc 3 Sch. 13 para. 127(c)
- s. 54(8) inserted by 2023 c. 55 s. 104(2)(c)
- s. 55(2A) inserted by 2023 c. 55 s. 104(3)(a)
- s. 55(5H)(5I) inserted by 2023 c. 55 s. 104(3)(f)
- s. 55(5BA) inserted by 2023 c. 55 s. 104(3)(d)
- s. 56A and cross-heading inserted by 2016 anaw 4 s. 31(1)
- s. 66(1A) inserted by 2023 c. 55 s. 102(4)(a)
- s. 66(2A) inserted by 2023 c. 55 s. 102(4)(b)
- s. 66(5) inserted by 2023 asc 3 Sch. 13 para. 136
- s. 82A(2)(fza) inserted by 2023 c. 55 s. 103(9)
- s. 82A(2)(ha) inserted by 2016 anaw 4 s. 31(2)
- s. 88(3ZA) inserted by 2023 c. 55 s. 103(10)(a)
- s. 88B(1ZA) inserted by 2023 c. 55 s. 103(11)
- s. 89(1ZA) inserted by 2008 c. 29 Sch. 10 para. 22
- s. 89(1ZC) inserted by 2023 c. 55 s. 124(5)(b)
- 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. 2 para. 4A inserted by 2023 c. 55 s. 103(12)(b)
- 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)