



Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997

1997 CHAPTER 9

PART II

CONSERVATION AREAS

Control of demolition

66 Control of demolition in conservation areas.

- (1) A building in a conservation area shall not be demolished without the consent of the appropriate authority (in this Act referred to as “conservation area consent”).
- (2) The appropriate authority for the purposes of this section is—
 - [^{F1}(a) the planning authority, or
 - (b) the Scottish Ministers.]
- (3) The following provisions of this Act, namely—
 - sections 6 to 25,
 - sections 28 to [^{F2}41],
 - sections 56 to 58,
 - section 59(1),
 - section 73(2) to (4), [^{F3}section 73B and section 73D,]
 - section 74(1)(b), (3) and (4), and
 - section 80(2),

shall have effect in relation to buildings in conservation areas as they have effect in relation to listed buildings subject to such exceptions and modifications as may be prescribed by regulations.

- (4) Any such regulations may make different provision in relation to—
 - (a) applications made by planning authorities, and

Changes to legislation: Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, Section 66 is up to date with all changes known to be in force on or before 07 August 2023. 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](#)

(b) other applications.

Textual Amendments

- F1** S. 66(2)(a)(b) substituted (1.10.2015) by [Historic Environment Scotland Act 2014 \(asp 19\)](#), **ss. 24(2), 31(2)** (with **ss. 29, 30**); [S.S.I. 2015/196](#), art. 2, sch.
- F2** Word in s. 66(3) substituted (30.6.2011 for specified purposes, 1.12.2011 in so far as not already in force) by [Historic Environment \(Amendment\) \(Scotland\) Act 2011 \(asp 3\)](#), **ss. 23(2), 33(2)**; [S.S.I. 2011/174](#), art. 2, sch.; [S.S.I. 2011/372](#), art. 2, sch.
- F3** Words in s. 66(3) inserted (11.5.2006) by [The Planning and Compulsory Purchase Act 2004 \(Commencement No. 2 and Consequential Provisions\) \(Scotland\) Order 2006 \(S.S.I. 2006/243\)](#), arts. 1(1), **5(3)**

Modifications etc. (not altering text)

- C1** S. 66 excluded (11.8.2004) by [Stirling-Alloa-Kincardine Railway and Linked Improvements Act 2004 \(asp 10\)](#), **sch. 10 para. 1(2)(b)** (with s. 33)
- C2** S. 66 excluded (27.4.2006) by [Edinburgh Tram \(Line Two\) Act 2006 \(asp 6\)](#), **s. 72(5)** (with s. 75)
- C3** S. 66 excluded (8.5.2006) by [Edinburgh Tram \(Line One\) Act 2006 \(asp 7\)](#), **s. 73(5)** (with **ss. 76, 84**)
- C4** S. 66 excluded (24.7.2006) by [Waverley Railway \(Scotland\) Act 2006 \(asp 13\)](#), **sch. 9 para. 1(4)** (with **ss. 50(2), 51**)
- C5** S. 66 excluded (18.3.2011) by [Forth Crossing Act 2011 \(asp 2\)](#), **ss. 64, 80(2)** (with **ss. 69, 78**); [S.S.I. 2011/38](#), art. 2, sch.

Changes to legislation:

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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. 82(1)(aa)-(ad) inserted by [2006 asp 17 s. 55\(5\)](#)