



Historic Environment Scotland Act 2014

2014 asp 19

PART 6

FURTHER MODIFICATIONS IN RELATION TO THE HISTORIC ENVIRONMENT

Listed buildings

22 Meaning of “listed building”

- (1) The 1997 Act is amended as follows.
- (2) In section 1 (listing of buildings of special architectural or historic interest)—
 - (a) in subsection (4) after “shall” insert “, subject to subsection (4A),”,
 - (b) after that subsection insert—

“(4A) In a list compiled or approved under this section, an entry for a building may provide—

 - (a) that an object or structure mentioned in subsection (4)(a) or (b) is not to be treated as part of the building for the purposes of this Act,
 - (b) that any part or feature of the building is not of special architectural or historic interest.”.

23 Applications for listed building consent

- (1) The 1997 Act is amended as follows.
- (2) In section 12 (duty to notify Scottish Ministers of applications)—
 - (a) in subsection (1) after “shall” insert “, where subsection (1A) applies,”,
 - (b) after that subsection insert—

“(1A) This subsection applies where—

 - (a) regulations, or
 - (b) directions given to planning authorities by the Scottish Ministers,provide that the application must be so notified.

Status: This is the original version (as it was originally enacted).

- (1B) Directions under subsection (1A)(b) may be given to—
- (a) planning authorities generally,
 - (b) a particular planning authority, or
 - (c) a description of planning authority.”.
- (3) In section 13 (directions concerning notification of applications etc.)—
- (a) subsections (1) and (2) are repealed,
 - (b) in subsection (4) “(1) or” is repealed.
- (4) In section 14 (decision on application for listed building consent) after subsection (2) insert—
- “(2A) A planning authority, if minded to grant listed building consent for any works—
- (a) must consider imposing a condition specified in, or of a nature indicated in, directions given to them by the Scottish Ministers, and
 - (b) must not grant such consent without first satisfying the Scottish Ministers that such consideration has been given and that such a condition either will be imposed or is not needed.”.