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STATUTORY INSTRUMENTS

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**1991 No. 1220**

**The Planning(Northern Ireland) Order 1991**

**PART V**

**ADDITIONAL PLANNING CONTROL**

*Areas of special architectural or historic interest*

**Conservation areas**

**50.**—(1) The Department may designate areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance.

(2) The Department may vary or cancel a designation under paragraph (1).

(3) Before making, varying or cancelling a designation under this Article, the Department shall consult with the Historic Buildings Council and with any appropriate district council.

(4) The Department shall publish notice of the designation of any conservation area and of any variation or cancellation of any such designation, with sufficient particulars to identify the area affected, in at least one newspaper circulating in the locality of the area.

(5) Where any area is for the time being designated as a conservation area, special attention shall be paid to the desirability of preserving or enhancing its character or appearance in the exercise, with respect to any buildings or other land in that area, of any powers under this Order.

(6) In this Order “conservation area” means an area designated under paragraph (1).

**Control of demolition in conservation areas**

**51.**—(1) This Article applies to all buildings in conservation areas other than—

(a) listed buildings;

(b) buildings of a class specified in Article 44(8);

(c) buildings in relation to which a direction under paragraph (3) is for the time being in force.

(2) A building to which this Article applies shall not be demolished without the consent of the Department.

(3) The Department may—

(a) direct that this Article shall not apply to a description of buildings specified in the direction; and

(b) vary or revoke that direction by a further direction.

(4) Where the Department gives a direction under paragraph (3), it shall publish a copy of the direction in the Belfast Gazette and in a newspaper circulating in the area in which the buildings are situated.

(5) The following provisions, namely—

- (a) Articles 44 to 48, 77 to 79, 94 and 113(1)(b) and (4); and
  - (b) Article 65 of the Planning (Northern Ireland) Order 1972, [1972 NI 17](#) shall have effect in relation to buildings to which this Article applies as they have effect in relation to listed buildings, subject to such exceptions and modifications as may be prescribed.
- (6) If this Article ceases to apply to a building—
- (a) any proceedings on or arising out of an application for listed building consent made while this Article applied to the building shall lapse;
  - (b) any listed building consent granted with respect to the building shall also lapse;
  - (c) the cesser shall not affect the liability of any person to be prosecuted and punished for an offence under Article 44 or 77 committed by him with respect to the building while this Article applied to it.

### **Grants in relation to conservation areas**

**52.**—(1) The Department may, in relation to any conservation area, make grants or loans for the purpose of defraying in whole or in part any expenditure incurred or to be incurred in or in connection with, or with a view to the promotion of, the preservation or enhancement of the character or appearance of the area or any part thereof.

(2) A grant or loan under this Article may be made subject to such conditions as the Department thinks fit.

(3) Any loan under this Article shall be made on such terms as to repayment, payment of interest and otherwise as the Department may with the approval of the Department of Finance and Personnel determine; and all sums received by the Department by way of interest on, or repayment of, such a loan shall be paid into the Consolidated Fund.