



Planning (Listed Buildings and Conservation Areas) Act 1990

1990 CHAPTER 9

PART I

LISTED BUILDINGS

CHAPTER II

AUTHORISATION OF WORKS AFFECTING LISTED BUILDINGS

Control of works in respect of listed buildings

8 Authorisation of works: listed building consent.

- (1) Works for the alteration or extension of a listed building are authorised if—
 - (a) written consent for their execution has been granted by the local planning authority or the Secretary of State; and
 - (b) they are executed in accordance with the terms of the consent and of any conditions attached to it.
- (2) Works for the demolition of a listed building are authorised if—
 - (a) such consent has been granted for their execution;
 - (b) notice of the proposal to execute the works has been given to the Royal Commission;
 - (c) after such notice has been given either—
 - (i) for a period of at least one month following the grant of such consent, and before the commencement of the works, reasonable access to the building has been made available to members or officers of the Royal Commission for the purpose of recording it; or

Status: Point in time view as at 12/03/2015.

Changes to legislation: Planning (Listed Buildings and Conservation Areas) Act 1990, Section 8 is up to date with all changes known to be in force on or before 02 June 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)

- (ii) the Secretary of the Royal Commission, or another officer of theirs with authority to act on their behalf for the purposes of this section, has stated in writing that they have completed their recording of the building or that they do not wish to record it; and
 - (d) the works are executed in accordance with the terms of the consent and of any conditions attached to it.
- (3) Where—
- (a) works for the demolition of a listed building or for its alteration or extension are executed without such consent; and
 - (b) written consent is granted by the local planning authority or the Secretary of State for the retention of the works,
- the works are authorised from the grant of that consent.
- (4) In this section “the Royal Commission” means—
- (a) in relation to England, the Royal Commission on the Historical Monuments of England; and
 - (b) in relation to Wales, the Royal Commission on Ancient and Historical Monuments in Wales.
- (5) The Secretary of State may by order provide that subsection (2) shall have effect with the substitution for the references to the Royal Commission of references to such other body as may be so specified.
- (6) Such an order—
- (a) shall apply in the case of works executed or to be executed on or after such date as may be specified in the order; and
 - (b) may apply in relation to either England or Wales, or both.
- (7) Consent under subsection (1), (2) or (3) is referred to in this Act as “listed building consent”.

Modifications etc. (not altering text)

- C1** Ss. 7, 8 modified by S.I. 1990/1519, **reg. 13(1)**; applied (with modifications) by S.I. 1990/1519, **reg. 12, Sch. 3**
- C2** S. 8 restricted (1.10.1994) by S.I. 1994/1771, **art. 5(5)**
- C3** S. 8 modified (W.) (30.4.2012) by **The Planning (Listed Buildings and Conservation Areas) (Wales) Regulations 2012 (No. 793)**, **regs. 1, 16, Sch. 3**
- C4** Ss. 7-29 applied (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))
- C5** S. 8(2) amended (E.) (19.2.2001) by S.I. 2001/24, **art. 2**

Status:

Point in time view as at 12/03/2015.

Changes to legislation:

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