



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

1997 CHAPTER 9

PART I

LISTED BUILDINGS

CHAPTER II

AUTHORISATION OF WORKS AFFECTING LISTED BUILDINGS

Control of works in respect of listed buildings

7 Authorisation of works: listed building consent.

- (1) Works for the alteration or extension of a listed building are authorised if—
 - (a) the planning authority or the Secretary of State has granted written consent for the execution of the works, and
 - (b) the works 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 [^{F1}Historic Environment Scotland] ,
 - (c) after such notice has been given either—
 - (i) for a period of at least 3 months following the grant of listed building consent, and before the commencement of the works, reasonable access to the building has been made available to [^{F2}Historic Environment Scotland] for the purpose of recording it, or

Changes to legislation: Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, Section 7 is up to date with all changes known to be in force on or before 09 December 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

- [^{F3}(ii) Historic Environment Scotland has stated in writing that it has completed its recording of that building or that it does 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 alteration, extension or demolition of a listed building have been executed without such consent, and
- (b) written consent is granted by the planning authority or the Secretary of State for the retention of the works,
- the works are authorised from the grant of that consent.
- ^{F4}(4)
- (5) The Secretary of State may by order provide that subsection (2) shall have effect with the substitution for the reference to [^{F5}Historic Environment Scotland] of a reference to such other body as may be so specified.
- (6) Such an order shall apply in the case of works executed or to be executed on or after such date as may be specified in the order.
- (7) Consent under subsection (1), (2) or (3) is referred to in this Act as “listed building consent”.

Textual Amendments

- F1** Words in s. 7(2)(b) substituted (27.2.2015 for specified purposes, 1.10.2015 in so far as not already in force) by [Historic Environment Scotland Act 2014 \(asp 19\)](#), s. 31(2), **sch. 3 para. 8(a)(i)** (with ss. 29, 30); S.S.I. 2015/31, art. 2, sch.; S.S.I. 2015/196, art. 2, sch.
- F2** Words in s. 7(2)(c)(i) substituted (27.2.2015 for specified purposes, 1.10.2015 in so far as not already in force) by [Historic Environment Scotland Act 2014 \(asp 19\)](#), s. 31(2), **sch. 3 para. 8(a)(ii)** (with ss. 29, 30); S.S.I. 2015/31, art. 2, sch.; S.S.I. 2015/196, art. 2, sch.
- F3** S. 7(2)(c)(ii) substituted (27.2.2015 for specified purposes, 1.10.2015 in so far as not already in force) by [Historic Environment Scotland Act 2014 \(asp 19\)](#), s. 31(2), **sch. 3 para. 8(a)(iii)** (with ss. 29, 30); S.S.I. 2015/31, art. 2, sch.; S.S.I. 2015/196, art. 2, sch.
- F4** S. 7(4) repealed (27.2.2015 for specified purposes, 1.10.2015 in so far as not already in force) by [Historic Environment Scotland Act 2014 \(asp 19\)](#), s. 31(2), **sch. 3 para. 8(b)** (with ss. 29, 30); S.S.I. 2015/31, art. 2, sch.; S.S.I. 2015/196, art. 2, sch.
- F5** Words in s. 7(5) substituted (27.2.2015 for specified purposes, 1.10.2015 in so far as not already in force) by [Historic Environment Scotland Act 2014 \(asp 19\)](#), s. 31(2), **sch. 3 para. 8(c)** (with ss. 29, 30); S.S.I. 2015/31, art. 2, sch.; S.S.I. 2015/196, art. 2, sch.

Modifications etc. (not altering text)

- C1** Ss. 6-25 applied (with modifications) (1.10.2015) by [The Planning \(Listed Building Consent and Conservation Area Consent Procedure\) \(Scotland\) Regulations 2015 \(S.S.I. 2015/243\)](#), regs. 1, 15, **sch. 3** (with reg. 2)
- C2** S. 7(2) savings for effects of 2014 asp 19, Sch. 3 para. 8(a) (1.10.2015) by [The Historic Environment Scotland Act 2014 \(Saving, Transitional and Consequential Provisions\) Order 2015 \(S.S.I. 2015/239\)](#), arts. 1(1), **16**

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\(5\)](#)