



# Planning (Listed Buildings and Conservation Areas) Act 1990

## 1990 CHAPTER 9

### PART II

#### CONSERVATION AREAS

##### *General duties of planning authorities*

#### **72 General duty as respects conservation areas in exercise of planning functions.**

- (1) In the exercise, with respect to any buildings or other land in a conservation area, of any [<sup>F1</sup>functions under or by virtue of] any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.
- (2) The provisions referred to in subsection (1) are the planning Acts and Part I of the <sup>M1</sup>Historic Buildings and Ancient Monuments Act 1953 [<sup>F2</sup>and sections 70 and 73 of the Leasehold Reform, Housing and Urban Development Act 1993].
- [<sup>F3</sup>(3) In subsection (2), references to provisions of the Leasehold Reform, Housing and Urban Development Act 1993 include references to those provisions as they have effect by virtue of section 118(1) of the Housing Act 1996.]
- [<sup>F4</sup>(4) Nothing in this section applies in relation to neighbourhood development orders.]

#### **Textual Amendments**

- F1** Words in s. 72(1) substituted (1.11.1993) by 1993 c. 28, s. 187(1), Sch. 21 para. 30(1); S.I. 1993/2134, art. 5(a).
- F2** Words in s. 72(2) added (1.11.1993) by 1993 c. 28, s. 187(1), Sch. 21 para. 30(2); S.I. 1993/2134, art. 5(a).
- F3** S. 72(3) inserted (1.4.1997) by 1996 c. 52, s. 118(7); S.I. 1997/618, art. 2(1) (subject to transitional provision in Sch. para. 3)

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*Changes to legislation: Planning (Listed Buildings and Conservation Areas) Act 1990, Section 72 is up to date with all changes known to be in force on or before 06 August 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) View outstanding changes*

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- F4** S. 72(4) inserted (15.11.2011 for specified purposes, 6.4.2012 for specified purposes, 3.8.2012 for specified purposes, 6.4.2013 in so far as not already in force) by Localism Act 2011 (c. 20), ss., 240(5)(j), Sch. 12 para. 26 (with s. 144); S.I. 2012/628, art. 8(a) (with arts. 9, 12, 13, 16, 18-20) (as amended (3.8.2012) by S.I. 2012/2029, arts. 2, 4); S.I. 2012/2029, arts. 2, 3(a) (with art. 5) (as amended (6.4.2013) by S.I. 2013/797, art. 4); S.I. 2013/797, arts. 1(2), 2

**Modifications etc. (not altering text)**

- C1** Chs. I, II (ss. 1-26) and IV (ss. 38-44) of Pt. I, ss. 54-56, 59-61, 66, 68-72, 74-76 and 88: power to apply conferred (10.11.1993) by 1993 c. 28, s. 171(4)(b); S.I. 1993/2762, art. 3.

**Marginal Citations**

- M1** 1953 c.49.

**Changes to legislation:**

Planning (Listed Buildings and Conservation Areas) Act 1990, Section 72 is up to date with all changes known to be in force on or before 06 August 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.

[View outstanding changes](#)

**Changes and effects yet to be applied to :**

- s. 72(4) words inserted by 2023 c. 55 Sch. 9 para. 2(3)

**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. 12(4A) inserted by 2008 c. 29 Sch. 10 para. 16
- s. 16(2A) inserted by 2023 c. 55 s. 102(3)
- s. 22(2A) inserted by 2008 c. 29 Sch. 10 para. 18(2)
- s. 40(2A) inserted by 2008 c. 29 Sch. 10 para. 19
- s. 49(1) s. 49 renumbered as s. 49(1) by 2023 asc 3 Sch. 13 para. 127(b)
- s. 49(2) inserted by 2023 asc 3 Sch. 13 para. 127(c)
- s. 54(8) inserted by 2023 c. 55 s. 104(2)(c)
- s. 55(2A) inserted by 2023 c. 55 s. 104(3)(a)
- s. 55(5H)(5I) inserted by 2023 c. 55 s. 104(3)(f)
- s. 55(5BA) inserted by 2023 c. 55 s. 104(3)(d)
- s. 56A and cross-heading inserted by 2016 anaw 4 s. 31(1)
- s. 66(1A) inserted by 2023 c. 55 s. 102(4)(a)
- s. 66(2A) inserted by 2023 c. 55 s. 102(4)(b)
- s. 66(5) inserted by 2023 asc 3 Sch. 13 para. 136
- s. 82A(2)(ha) inserted by 2016 anaw 4 s. 31(2)
- s. 89(1ZA) inserted by 2008 c. 29 Sch. 10 para. 22
- s. 93(5A) inserted by 2008 c. 29 Sch. 10 para. 23(3)
- s. 93(5A) words inserted by 2013 c. 24 Sch. 17 para. 18(3)
- Sch. 3 para. 2(4A) inserted by 2008 c. 29 Sch. 10 para. 24(2)
- Sch. 3 para. 2(9) inserted by 2008 c. 29 Sch. 10 para. 24(3)
- Sch. 3 para. 3(4A)(4B) inserted by 2008 c. 29 Sch. 10 para. 24(4)
- Sch. 3 para. 6(1A) inserted by 2008 c. 29 Sch. 10 para. 24(6)