



Historic Environment (Wales) Act 2023

2023 asc 3

PART 4

CONSERVATION AREAS

Control of demolition in conservation areas

PROSPECTIVE

163 Application of Part 3 to conservation areas

- (1) The following provisions of Part 3 apply in relation to buildings to which section 161 applies as they apply in relation to listed buildings—
- (a) Chapter 2 (control of works), except—
 - (i) sections 88 and 89;
 - (ii) section 90(1)(c) and (4)(b);
 - (iii) section 95;
 - (iv) section 96(2);
 - (v) section 97(5), (6) and (9);
 - (vi) sections 98(3)(b) and 99(5);
 - (vii) section 101(2);
 - (viii) section 104(3);
 - (ix) section 111(5) and (8);
 - (b) Chapter 4 (enforcement), except—
 - (i) section 117(5);
 - (ii) section 118;
 - (iii) section 128(3)(c);
 - (c) Chapter 6 (general), except—
 - (i) section 152(1), (2), (3)(b) and (5)(c) to (e);
 - (ii) section 156.

Status: Point in time view as at 15/06/2023. This version of this provision is prospective.

Changes to legislation: Historic Environment (Wales) Act 2023, Section 163 is up to date with all changes known to be in force on or before 17 July 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)

- (2) In their application in relation to buildings to which section 161 applies—
- (a) the provisions applied by subsection (1) are to be read as if—
 - (i) any reference to listed building consent were a reference to conservation area consent;
 - (ii) any reference to the character of a listed building were a reference to the character or appearance of the conservation area in which the building is situated;
 - (iii) any other reference to a listed building were a reference to a building to which section 161 applies;
 - (iv) any reference to section 88 were a reference to section 161;
 - (b) the provisions applied by subsection (1)(a) are to be read as if—
 - (i) in section 98(3)(a), the reference to section 89(2) were a reference to section 162(2);
 - (ii) in section 99(3), for “Sections 90 to 95” there were substituted “Sections 90 to 94”;
 - (c) the provisions applied by subsection (1)(b) are to be read as if—
 - (i) in sections 117(4), 121(4) and 127(2)(d), the references to the preservation of the building were omitted;
 - (ii) in section 126(1), the reference to section 89(2) were a reference to section 162(2);
 - (iii) in section 127(2), for paragraph (a) there were substituted “that retention of the building is not necessary in the interests of preserving or enhancing the character or appearance of the conservation area in which it is situated”;
 - (d) the provisions applied by subsection (1)(c) are to be read as if, in section 152(3)(c), the reference to section 118 were omitted.
- (3) The Welsh Ministers may by regulations amend this section to make additional or different provision about the application of Chapters 2, 4 and 6 of Part 3 in relation to buildings to which section 161 applies.

Commencement Information

II S. 163 not in force at Royal Assent, see [s. 212\(2\)](#)

Status:

Point in time view as at 15/06/2023. This version of this provision is prospective.

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