



# Planning (Listed Buildings and Conservation Areas) Act 1990

## 1990 CHAPTER 9

### PART II

#### CONSERVATION AREAS

##### *Designation*

#### **69 Designation of conservation areas.**

- (1) Every local planning authority—
  - (a) shall from time to time determine which parts of their area are areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance, and
  - (b) shall designate those areas as conservation areas.
- (2) It shall be the duty of a local planning authority from time to time to review the past exercise of functions under this section and to determine whether any parts or any further parts of their area should be designated as conservation areas; and, if they so determine, they shall designate those parts accordingly.
- (3) The Secretary of State may from time to time determine that any part of a local planning authority's area which is not for the time being designated as a conservation area is an area of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance; and, if he so determines, he may designate that part as a conservation area.
- (4) The designation of any area as a conservation area shall be a local land charge.

*Status: Point in time view as at 01/03/2016.*

*Changes to legislation: Planning (Listed Buildings and Conservation Areas) Act 1990, Cross Heading: Designation is up to date with all changes known to be in force on or before 05 September 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)*

**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.

**70 Designation of conservation areas: supplementary provisions.**

- (1) The functions of a local planning authority under section 69 and this section shall also be exercisable in Greater London by the Commission.
- (2) Before making a determination under section 69 the Commission shall consult the council of each London borough of which any part is included in the area to which the proposed determination relates.
- (3) Before making a determination under section 69(3) the Secretary of State shall consult the local planning authority.
- (4) Before designating any area in Greater London as a conservation area the Commission shall obtain the consent of the Secretary of State.
- (5) A local planning authority shall give notice of the designation of any part of their area as a conservation area under section 69(1) or (2) and of any variation or cancellation of any such designation—
  - (a) to the Secretary of State; and
  - (b) if it affects an area in England and the designation or, as the case may be, the variation or cancellation was not made by the Commission, to the Commission.
- (6) The Secretary of State shall give notice of the designation of any part of the area of a local planning authority as a conservation area under section 69(3) and of any variation or cancellation of any such designation—
  - (a) to the authority; and
  - (b) if it affects an area in England, to the Commission.
- (7) A notice under subsection (5) or (6) shall contain sufficient particulars to identify the area affected.
- (8) Notice of any such designation, variation or cancellation as is mentioned in subsection (5) or (6), with particulars of its effect, shall be published in the London Gazette and in at least one newspaper circulating in the area of the local planning authority, by that authority or, as the case may be, the Secretary of State.

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

**C2** 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.

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