



Town and Country Planning (Scotland) Act 1969

1969 CHAPTER 30

PART V

BUILDINGS OF ARCHITECTURAL OR HISTORIC INTEREST

Miscellaneous

54 Matters which may be taken into account by Secretary of State in listing buildings under s. 28 of Act of 1947

In considering whether to include a building in a list compiled or approved under section 28 of the Act of 1947, the Secretary of State may take into account not only the building itself but also—

- (a) any respect in which its exterior contributes to the architectural or historic interest of any group of buildings of which it forms part; and
- (b) the desirability of preserving, on the ground of its architectural or historic interest, any feature of the building consisting of a man-made object or structure fixed to the building or forming part of the land and comprised within the curtilage of the building.

55 Application of control to local planning authorities

- (1) In relation to buildings of local planning authorities which are listed, and to the execution of works for their demolition, alteration or extension, this Part of this Act shall have effect subject to such exceptions and modifications as may be prescribed.
- (2) Regulations made under this section may in particular provide for securing—
 - (a) that any application by a local planning authority for listed building consent shall be made to the Secretary of State; and

- (b) that any notice authorised to be served under this Part of this Act in relation to a listed building belonging to a local planning authority shall be served by the Secretary of State.

56 Directions by Secretary of State to local planning authorities with respect to development affecting Conservation Areas

- (1) The Secretary of State may give directions to local planning authorities with respect to the matters which they are to take into consideration in determining an application—
 - (a) for planning permission for any such development as is referred to in section 1(6) of the Civic Amenities Act 1967 (special provisions as to publicity for applications affecting Conservation Areas); or
 - (b) for listed building consent for any works for the demolition, alteration or extension of a building in a Conservation Area,
 and with respect to the consultations which such authorities are to undertake before determining any such application.
- (2) Different directions may under this section be given to different local planning authorities ; and any such directions may require an authority—
 - (a) before determining an application, to consult such persons or bodies of persons as the Secretary of State may specify, being persons or bodies appearing to him to be competent to give advice in relation to the development or description of development to which the directions have reference;
 - (b) to supply to any person or body, whom they are required by the directions to consult, specified documents or information enabling that person or body to form an opinion on which to base their advice;
 - (c) to establish committees, consisting either of members of the authority or of other persons, or of both, to advise the authority in relation to the determination of such applications as are referred to in subsection (1) above.

57 Additional requirement of notice for development affecting Conservation Areas

- (1) Where an application for planning permission for any development of land is made to a local planning authority and the case is one where the authority are required to comply with section 1(6) of the Civic Amenities Act 1967 (special publicity for planning applications affecting Conservation Areas) the authority shall also comply with the following subsection.
- (2) The authority shall, for not less than seven days, display a notice on or near the land to which the application relates, containing the same particulars as are required by section 1(6)(a) of the Civic Amenities Act 1967 to be contained in the notice to be published by the authority in a local newspaper.
- (3) An application for planning permission to which section 1(6) of the said Act of 1967 applies shall not be determined by the local planning authority before both of the following periods have elapsed, namely:—
 - (a) the period of twenty-one days referred to in paragraph (a) of that subsection; and
 - (b) the period of twenty-one days beginning with the date on which the notice required by subsection (2) of this section was first displayed;

and in determining the application the authority shall take into account any representations relating to the application which are received by them before both those periods have elapsed.

(4) In the said section 1(6), paragraphs (b) and (c) shall cease to have effect.

58 Removal of need for Secretary of State's consent to certain local authority grants

The power of a local authority under section 1(1)(b) of the Local Authorities (Historic Buildings) Act 1962 to contribute towards expenses incurred or to be incurred in the repair or maintenance of a building in their area appearing to them to be of architectural or historic interest shall be exercisable without the consent of the Secretary of State.

59 Compulsory purchase affecting ancient monuments, etc.

In paragraph 12 of Schedule 1 to the Acquisition Act 1947 (application of special parliamentary procedure to compulsory purchase order affecting ancient monument etc. subject to certificate by Secretary of State that undertakings have been given as to its preservation), the reference to land being, or being the site of, an ancient monument or other object of archaeological interest shall be construed as not including a reference to a listed building or any land or object comprised within the curtilage of such a building unless the building or object is specified in the Schedule to the Ancient Monuments Protection Act 1882 or is for the time being specified in a list published under section 12 of the Ancient Monuments Consolidation and Amendment Act 1913

60 Crown land

- (1) A building may be included in a list compiled or approved by the Secretary of State under section 28 of the Act of 1947 notwithstanding that it is Crown land.
- (2) Notwithstanding any interest of the Crown in Crown land, but subject to the provisions of section 83 of the Act of 1947 (exercise of powers under that Act in relation to Crown land) any restrictions or powers imposed or conferred by this Part of this Act shall apply and be exercisable in relation to Crown land to the extent of any interest therein for the time being held otherwise than by or on behalf of the Crown.
- (3) In this section the expression " Crown land" has the same meaning as in the said section 83.