



# 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 the Royal Commission,
  - (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 members or officers of the Commission for the purpose of recording it, or

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*Status: This is the original version (as it was originally enacted).*

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- (ii) the Secretary of the Commission or other officer of theirs with authority to act on their behalf for the purposes of this section has stated in writing that they have completed their recording of the building or that they do 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.
- (4) In this section “the Royal Commission” means the Royal Commission on the Ancient and Historical Monuments of Scotland.
- (5) The Secretary of State may by order provide that subsection (2) shall have effect with the substitution for the reference to the Royal Commission 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”.