



Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997

1997 CHAPTER 9

PART I

LISTED BUILDINGS

CHAPTER II

AUTHORISATION OF WORKS AFFECTING LISTED BUILDINGS

Grant of consent subject to conditions

15 Power to impose conditions on grant of listed building consent

- (1) Without prejudice to the generality of section 14(1), the conditions subject to which listed building consent may be granted may include conditions with respect to—
 - (a) the preservation of particular features of the building, either as part of it or after severance from it;
 - (b) the making good, after the works are completed, of any damage caused to the building by the works;
 - (c) the reconstruction of the building or any part of it following the execution of any works, with the use of original materials so far as practicable and with such alterations of the interior of the building as may be specified in the conditions.
- (2) Listed building consent may also be granted subject to a condition reserving specified details of the works (whether or not set out in the application) for subsequent approval by the planning authority or, in the case of consent granted by the Secretary of State, specifying whether the reserved details are to be approved by the planning authority or by him.

- (3) In granting a listed building consent a planning authority may attach to the consent a condition that no demolition of the listed building shall take place until either or both of the following requirements have been met—
- (a) an agreement for the regulation of the development of the site of the listed building in accordance with a current planning permission has been made and recorded under section 75 of the principal Act;
 - (b) the planning authority are satisfied that contracts have been placed either—
 - (i) for the redevelopment of the site, or
 - (ii) for its conversion to an acceptable open space,in accordance with a current planning permission.

16 Limit of duration of listed building consent

- (1) Any listed building consent shall be granted subject to a condition that works permitted by that consent shall be commenced within such period as the planning authority may specify in the consent.
- (2) If no time limit is specified in any grant of listed building consent under subsection (1), the grant shall be deemed to have been made subject to a condition that works in terms of the consent shall be commenced within 5 years from the date of the grant.
- (3) Nothing in this section applies to any consent to the retention of works granted under section 7(3).
- (4) The date of the granting or of the refusal of an application for listed building consent shall be the date on which the notice of the planning authority's decision bears to have been signed on behalf of the authority.

17 Application for variation or discharge of conditions

- (1) Any person interested in a listed building with respect to which listed building consent has been granted subject to conditions may apply to the planning authority for the variation or discharge of the conditions.
- (2) The application shall indicate what variation or discharge of conditions is applied for and the provisions of sections 9 to 13, 14(3) and 18 to 20 apply to such an application as they apply to an application for listed building consent.
- (3) On such an application the planning authority or, as the case may be, the Secretary of State may vary or discharge the conditions attached to the consent, and may add new conditions consequential upon the variation or discharge, as they or he think fit.