

Conservation guidance note 3 – looking after a listed building

Historic buildings and places are all around us and form an integral part of the everyday environment we can experience and enjoy. The built heritage not only enhances the character of the district but also plays a vital role in the sustainable regeneration of its economy and environment.

This conservation guidance note will explain what listing means, listed building consent, the processes involved in listing a building, general conservation principles, the importance of maintenance, the role of building regulations in works to a listed building, VAT and listed buildings and will provide useful contacts for owners of listed buildings.

What is a listed building?

To make sure our most interesting buildings are protected for future generations they can be “listed” as buildings of special architectural or historic interest by the Secretary of State for the Department of Culture, Media and Sport.

There are nearly 1300 listed buildings and structures in North Somerset and the list can be inspected at Somerset House, Weston-super-Mare. For each building there is a brief description so that it can be identified.

For advice about specific buildings in North Somerset contact our Development Control team on 01275 888 811 or dccomments@n-somerset.gov.uk.

How much of the building is listed?

The entire structure is listed. There is no such thing as just a listed front elevation. The listing of the building also confers protection on any object or structure fixed to the building and any object or structure within the curtilage of the building forms part of the land and has done so since the 1 July 1948. Any problems of interpretation should be referred to North Somerset Council.

The list description is **not** a full explanation of a building's importance. The absence from the list description of reference to any feature does not indicate that it can be removed or altered without comment.

All fixtures are listed as part of the building's special architectural and historic interest. So for example listed building consent would be required to alter, add or remove staircases, fireplaces, panelling and dividing walls. Even reversing patently modern and inappropriate alterations may require listed building consent.

It is a common misconception that consent is not required to alter the interior of a listed building. This is not the case and consent is needed to alter the inside of any listed building where the work would affect its special interest.

Listed Building Consent

What works require Listed Building Consent?

Any work to carry out demolition or to extend or alter the outside or inside of a listed building in a manner affecting its special interest requires listed building consent. Limited repair work on a 'like for like' basis carried out using matching design, materials, and craftsmanship as the original may not require consent. However, there is not always a clear-cut division between repair and work requiring listed building consent and it is sensible to seek advice from us before commissioning work.

How will the council make a decision?

Consent must be applied for on a form available from our Development Control team. It is usually necessary to submit a detailed specification, a written justification and drawings of your proposals including a survey of the building. Whilst there is no fee payable for a listed building consent application depending on the nature of the work, permission may be required under other legislation in particular the Town and Country Planning Act 1990 or the Building Act 1984.

When considering applications we will have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest it possesses. Applicants for listed building consent must be able to justify their proposals and show why work, which would affect the character of a listed building, is desirable or necessary.

Applications may take several months to be determined especially where complex issues are involved. You should take this into account when drawing up a timetable for work and apply for consent well in advance of the anticipated start date.

Archaeological investigation

Many historic buildings may be of intrinsic archaeological interest or stand on ground, which contains archaeological remains. It may sometimes be necessary for applications to be supported with an archaeological evaluation of the site and the impact of the proposals. It may also be a condition of a listed building consent that features uncovered during the course of the work are recorded to an agreed standard.

Penalties for carrying out work without consent

Carrying out work without listed building consent is a serious matter and you could be charged with a criminal offence under the Planning (Listed Buildings and Conservation Areas) Act 1990.

We may also serve a Listed Building Enforcement Notice requiring the owner to remedy any unauthorised work at his or her own expense.

How are buildings selected for listing?

Any type of **structure or erection** constitutes a building and can be listed if it manifests special architectural or historic interest. So for example, milestones, pillar-boxes, railings and even paving can potentially be listed.

The decision to list a structure is currently made by the Department of Culture, Media and Sport after consultation with English Heritage, the Government's main advisor on heritage and conservation matters. Their decision is based on four principles of selection:

- **architectural interest** – architectural design, decoration and craftsmanship, particular building types and techniques.
- **historic interest** – buildings illustrating important aspects of the nations' social, economic, cultural or military history.
- **historical association** – with nationally important people and events.
- **group value** – where buildings comprise an important architectural or historic set piece.

Each listed building is given a grade. Most listed buildings are Grade II denoting that they have “special interest”. Some more important buildings are given a Grade II* and buildings of “exceptional” national interest are graded as I. The same legislation applies to all listed buildings irrespective of grade.

If you are aware of a building you think merits listing then you should first contact us for advice.

Conservation Principles

The purpose of the listed building legislation is to make sure that the alteration and adaptation of our most cherished buildings is carried out in a manner sympathetic to their special architectural or historical interest.

The following principles highlight the things you need to be thinking about when dealing with an historic building.

Modern extensions and alterations

Modern extensions to historic buildings should not dominate the existing building in scale, material or situation. The detailed design of any alteration will also need to be sympathetic to the appearance of the original building without necessarily copying it. It is often possible to alter a listed building provided you respect its architectural and historic interest.

Historic development

Most historic buildings will have been altered and this is part of their character and should be respected. Proposals for alterations should be based on a proper understanding about the history of the building and how it developed.

The removal of features just because they post-date the original construction is not generally acceptable. Beneficial changes such as reinstating timber joinery in place of plastic windows, though still requiring listed building consent would be encouraged.

Conversely the reinstatement of lost features is not generally appropriate in the absence of sound evidence for their original existence, design and materials.

Seek expert advice

Whatever the type of work, seek appropriate professional advice for example from an architect, a conservation accredited engineer or stonemason with specialist knowledge and experience of historic structures. Beware the so-called ‘free’ survey from a company, which has a vested interest in carrying out work.

Diagnosing the problem

It is important to make sure the cause of any repair problem is properly diagnosed. This may sometimes involve monitoring or investigating the condition of the structure preferably **using non-destructive techniques** before taking action. Methods such as micro-drilling, ultrasonic testing and fibre optics can be used to ‘see’ concealed areas of structure behind

panelling, skirtings, and under floorboards without causing damage. Careful investigation at this stage can often minimise the cost of later repair work.

Careful opening up should not be allowed to turn into stripping out a building. Where the investigative work will affect the character of a listed building then consent is required before you start.

The need for repair

Where a building is in need of repair then the degree of intervention in the structure should be the minimum commensurate with arresting deterioration. The aim should always be to retain as much of the historic fabric as possible in order to preserve the authenticity of the building.

Materials and techniques

The most sympathetic types of repair will use the same materials and techniques as the original construction. Modern substitute materials such as cement, artificial stone or slate should not be used.

Standard solutions such as waterproof coatings or chemical damp courses are unlikely to be appropriate for historic buildings. Whilst these approaches work well for modern construction, they may trap moisture and accelerate deterioration in an older building. Their use on a listed building requires listed building consent.

Good housekeeping

Regular maintenance and repair are the key to the preservation of historic buildings. Major problems are very often the result of neglect and regular inspection is therefore invaluable. Always make sure your buildings are appropriately insured to cover the quality of repair, which its listed status will require.

However, because of the need to use quality materials and experienced contractors caring for a listed building can be more expensive and it is therefore sensible to spread the cost with a rolling programme of maintenance. For larger buildings it can help to keep a logbook recording work carried out.

For buildings in multiple occupation, owners may need to co-ordinate repairs through the mechanism of a management committee. If you are responsible for a vacant building you should set up a monitoring system to periodically check the condition of the building.

Where the deteriorating condition of a listed building gives cause for concern then we do have the power to serve a repairs notice on the owner specifying the works considered necessary for the proper preservation of the building.

Routine maintenance should include the following:

- Keep gutters, hopperheads and downpipes free of leaf and other debris. If you live in a Georgian property then you also need to check the 'secret' valley gutter
- Check internal plumbing and pipework for leaks
- Control plant growth around the building. External ground levels creeping up the walls of the building over time are a common cause of damp problems
- Maintain external decorations such as repainting window frames and applying limewash. Check for any rotten areas of timber and organise repairs
- Replace dislodged slates or roof tiles straightaway
- Keep ventilation routes such as airbricks clear of debris. If fireplaces are blocked up then the flues still need to be ventilated.

Building Regulations, the Mortgage Valuation Survey and VAT

Listed buildings and the Building Regulations

Building work and material changes of use generally require Building Regulations Approval under the 1984 Building Act. The purpose of the Building Regulation is to make sure that certain statutory building standards are satisfied with regard to things like health, structural safety, fire safety and energy conservation.

It is important that where necessary you obtain both listed building consent and building regulations approval and one cannot substitute for the other. It is not usually a problem reconciling the requirements of both legislations provided proposals are discussed at an early stage.

Listed buildings and the mortgage valuation survey

A mortgage valuation survey is usually carried out when a property changes hands. Standard recommendations relating to structural defects and damp problems may require listed building consent and be damaging to the fabric of an old building. It is best to use a surveyor experienced and qualified in the survey and repair specification of historic buildings. The Royal Institute of Chartered Surveyors (RICS) has a Building Conservation Group which can give you details of names and addresses. See their contact details below.

If a survey identifies necessary work, you need to consider the following:

- Seek further independent expert advice to diagnose the cause of the defect accurately and suggest solutions
- Seek our advice about the need for listed building consent for any proposed work
- Then approach several contractors or craftspeople for competitive quotes armed with your specialist reports.

Listed buildings and VAT

All types of building work are subject to Value Added Tax (VAT) at the standard rate of 17.5% unless they are “zero-rated” under the VAT Act 1994.

There is currently no general relief for listed buildings. The “approved alteration or substantial reconstruction” of a listed building in residential use can be zero-rated where listed building consent is required for the work. For more advice contact your local VAT office under Customs and Excise in the telephone directory or their website.

Checklist

- Carry out routine maintenance
- Think in terms of repair rather than replacement
- Seek expert independent advice about apparent problems or if you are thinking about proposing alterations
- Contact our Conservation officer to check if consent is required before you carry out work
- Obtain all the statutory consents
- Respect your historic building

Contact information

English Heritage

Customer Services Department
PO Box 569
Swindon
SN2 2YP
Tel: 0870 333 1181
Fax: 01793 414 926

The Society for the Protection of Ancient Buildings (SPAB)

37 Spital Square
London
E1 6DY
Tel: 020 7377 1644
Fax: 020 7247 5296

Royal Institute of Chartered Surveyors (RICS)

RICS Contact Centre
Surveyor Court
Westwood Way
Coventry
CV4 8JE
Tel: 08703 331 600
Fax: 020 7334 3811

Georgian Group

6 Fitzroy Square
London
W1T 5DX
Tel: 020 7529 8920
Fax: 020 7529 8939

Victorian Society

1 Priory Gardens
Bedford Park
London
W4 1TT
Tel: 020 8994 1019
Fax: 020 8995 4895

For more information contact our Development Control team on 01275 888 811 or dccomments@n-somerset.gov.uk.

For advice contact our Conservation officer on 01934 426 250.

For more information about Building Regulations contact our Building Control team on 01275 884 550 or bc.info@n-somerset.gov.uk.