

Listed buildings - ownership responsibilities

When is planning permission required to carry out works to a listed building?

Planning permission will not be required to alter the interior of the listed building (only Listed Building Consent is required for this) but it will be required for a change of use or for exterior works which materially alter the appearance of the building. Also most works within the curtilage or garden will require planning permission. This includes such work like constructing walls, fences, erecting sheds/greenhouses or other out-buildings. It is always best to check with the Planning Service.

Maintenance

Regular maintenance is essential to avoiding costly repairs and safeguarding your investment. Ensure repair materials are appropriate for the building. For example, hard cement mortar and render can do considerable damage to historic walls and spoil the character of historic buildings. Consider Look before you Leap (SPAB) and A Stitch in Time (SPAB/IHBC).



Grants

The Council currently has small grants to help towards the cost of repairing and maintaining listed buildings. For further details contact the Conservation Officer or visit the website, www.newcastle-staffs.gov.uk/conservation

Help and advice

A good source of advice can also be found on the Historic England website, including some general principles for making your historic home more energy efficient.

www.historicengland.org.uk/advice/your-home



The Council can

- Clarify if a building or structure is listed. Accurate information is needed to do this as house names change.
- Provide informal advice. This will not take the place of a professional agent but we can help to direct you to the right sources of information.

For further advice you can contact the planning department on **01782 742408** or email planningconservation@newcastle-staffs.gov.uk or contact a local architect or surveyor with the relevant experience to discuss your ideas and proposals.

The Historic Environment Record for Staffordshire is managed by Staffordshire County Council including information on archaeological sites, monuments, buildings and historic landscapes.

www.staffordshire.gov.uk

The Heritage Lottery Fund offers grants for a range of heritage projects including grants for Places of Worship. Visit www.hlf.org.uk for more information.

This guidance note aims to explain the implications of owning or being responsible for a listed building including the misconceptions which often arise.

Owning a listed building can be a rewarding experience but being a 'custodian' of the building brings certain responsibilities so that the special character of that building is retained for future generations. The history of an area is reflected in its historic buildings and structures, whether through advances in technology, changing styles or communication routes.

The main implications for the building is

- It needs to be maintained in a reasonable condition and the Council can and may intervene where necessary.
- Most internal and external alterations require listed building consent and alterations can often be harmful to the special character of the building.
- Special consideration is given to the effect some alterations which need planning permission may have on the setting of the listed building.

What is a 'Listed Building'?

It is a building which is considered to be of 'special historic or architectural interest' by the Secretary of State, and which is included on the Statutory List of such buildings. Historic England manages the designation of Heritage Assets and listing highlights what is significant about a building so that future changes do not result in the loss of any significance.

Which parts of the building are listed?

All of the exterior and interior are considered to be part of the Listed Building, including all parts which are adjoining and often those within the vicinity (or curtilage) of the main building – for example an outbuilding or garage or a wall if it was there prior to 1948. A new extension to a Listed Building will also become listed.



Alterations and demolition

Over its lifetime a building goes through many owners and occupants. As a custodian of that building it is important to ensure that it still can be enjoyed by future owners and generations by looking after it carefully and making sensitive adaptations which are respectful of its special architectural and historic interest. All applications which may affect a listed building or heritage asset need to include a statement of significance or heritage asset statement.



Is there good justification for the proposed works?

Understanding the building is essential before considering any alterations. Try to find out about the building, unravel its history and be prepared to get professional help for anything more than a minor alteration. Every building is different. Some buildings have obvious architectural details such as ornate panelling or staircases; others are less detailed, but are no less important. For example it may be the scale and proportions of a simple small cottage which is part of its character. So it may not be possible to add any large extensions to such buildings.

When is Listed Building Consent required?

Listed Building Consent is required for partial and total demolition, all proposed alterations, extensions and some repairs to either the main Listed Building or to any curtilage Listed Building or structure. This applies to both the exterior and interior of the main or curtilage building.

Unauthorised work

Undertaking work without the necessary listed building consent is a **criminal offence** and individuals can be prosecuted. The Council can insist that work carried out without consent is reversed. There is no time limit on when the council can prosecute or take enforcement action but it needs to act reasonably.

There can be delays when applications are applied for retrospectively. Certainly delays can and do cause problems when it comes to the resale of such a property and as a new owner, you may be liable for any unauthorised works carried out by a previous owner.

Purchasing a listed building

Given the above, it is important that you are well advised before agreeing to purchase a Listed Building. Consider, is the building the right one for you, is it large



enough, is the size and layout suitable for you now and in the future without the need for changes or extensions? Ill-thought out work is not likely to get consent if it is harmful to the historic integrity or significance of the building.



Any repairs need to be carried out with appropriate materials and to a high standard. This may cost more than in a modern building. Check that permission exists for any alterations and extensions which have been carried out since the building was

Listed. Check the plans match what was actually built.

Consider getting help from a conservation specialist or architect. A valuation surveyor may not have any expertise in historic buildings. You can obtain consent for the works you want to carry out, prior to purchasing the property to know for sure if they would be acceptable before agreeing to buy the property.

Works which do not require Listed Building Consent

Although very few works can be undertaken without the need for Listed Building Consent, usually like for like, minor repairs may not need an application. These must be like for like in all respects, materials, design, size and finish. For example repairs to an existing window. If you consider that the works you are proposing do not require listed building consent, you can confirm this by applying for a Certificate of Lawfulness of Proposed Works to a Listed Building.