

LISTED BUILDINGS

What is a listed building?

A listed building is a building or structure that is considered to be of 'special architectural or historic interest'. The Secretary of State for Culture, Media and Sport has a duty under the Planning (Listed Buildings and Conservation Areas) Act 1990 to prepare and approve lists of such buildings, with advice from English Heritage.

What does owning a listed building mean to me?

Due to their importance to the nation, stricter controls exist over listed buildings than any other buildings. This does not necessarily mean that no changes can take place; however, any changes need to be carefully considered and for this reason Listed Building Consent must be obtained from the Council as the Local Planning Authority.

What is Listed Building Consent?

Listed Building Consent is separate from planning permission and is sometimes required even in situations where planning permission is not, for example for works such as stone cleaning, painting, etc.

Consent is required for demolition of a listed building, and for any work, extensions or alterations (internally or externally) that would affect the character of the building. Even seemingly minor alterations can affect a building's special interest and character, for example the unsuitable positioning of a burglar alarm. Therefore, it is advisable to contact the Conservation and Design team at the Council before making any changes or alterations to a listed building or alterations to other ancillary buildings within the site.

Routine maintenance is key to the preservation of listed buildings and will often prevent much more expensive work becoming necessary at a later date. However, even seemingly minor repairs you intend to carry out in matching materials, design and form may sometimes require Listed Building Consent. It is advisable to contact the Conservation and Design team so that the scale and method of repair can be agreed, otherwise valuable features may be lost forever.

Listed Building Consent must be applied for from the Council. It is a criminal offence to carry out works to a listed building without consent, which can result in a large fine or up to 12 months imprisonment, or both. The work may need to be undone and the original reinstated. Even if the work is later considered to be reasonable, you may still be prosecuted for carrying out work without authorisation.

How do I apply for Listed Building Consent?

To apply for Listed Building Consent you will need an application form from the Planning Department. This is a separate procedure from making a planning application. You should accompany this with the following:

- £ a plan identifying the building with the site clearly outlined in red;
- £ a description of the proposed work;
- £ a detailed and clearly identified survey of 'existing' internal and external elevations affected by the proposal to a suitable scale (minimum 1:50). For timber framed buildings it is important to clearly identify the frame on all drawings;
- £ detailed and clearly identified 'proposed' drawings, based on the above, showing all alterations, with larger scale details of critical areas of the work (for example roof details, windows, doors or junctions between 'old' and 'new' works);
- £ a statement of the effect the proposal will have on the special architectural and historic interest of the building and its setting, along with justification for the alterations, which might affect the building's special interest;
- £ photographs of all affected areas would be helpful.

The use of an architect who is experienced in working with historic buildings is strongly recommended.

Your application will normally be advertised in the local newspaper and a notice will be posted on the site to give members of the public chance to comment. Where it involves a Grade I or Grade II* listed building, the Council will notify English Heritage, and where demolition is involved (even partial demolition), other national amenity bodies such as The Ancient Monuments Society, The

Victorian Society, The Georgian Group, the Council for British Archaeology and The Society for the Protection of Ancient Buildings.

How do I know if my building is listed?

If the building was listed before you became the owner, your solicitor's land search should have revealed the listing when you purchased the property. You can check by contacting the Conservation and Design team.

If you require details of the listing of a building, this can be viewed at the Planning Department. Each list is defined by District, Parish (where applicable) and then by road name. The entry gives a brief description of the building, so that it can be easily identified; however, the details covered in the description are not the only parts of the building to be listed. Buildings, walls and other structures within the curtilage of the listed building, built before 1948 or attached to the building, are also normally covered by the listing, whether or not they are specifically mentioned.

Buildings may be added to this list in two different ways either:

- i) as a result of systematic re-survey or review of particular areas or building types by English Heritage on behalf of the Department for Culture, Media and Sport;
- or
- ii) following proposals from local authorities, amenity societies or other bodies or individuals that particular buildings should be added to the list (spot listing).

When your property is included or removed from the list, you or the occupier will first be notified in writing by the Department for Culture, Media and Sport and then by the Council.

Notification will take place as soon as possible, as it is a criminal offence to carry out any works internally or externally to a building once it has been listed (unless Listed Building Consent has been obtained).

How are buildings chosen for listing?

Buildings can be listed for architectural reasons or to illustrate social and economic history. Industrial buildings, railway stations, town halls, prisons and similar types of building are represented, as are buildings showing technological innovation in their method or materials of construction, buildings associated with famous people or events, and groups of buildings that together illustrate planned building patterns such as squares, terraces, model villages and farms.

For a building or structure to qualify for listing it needs to be of special architectural or historic interest. Buildings are chosen based on architectural and historic interest, close historical association or group value. The age and rarity of a building are relevant considerations, so that all buildings built before 1700 that survive in anything like their original condition are listed. Most buildings built between 1700 and 1840 are listed, although some selection is necessary.

Buildings of 1840 onwards survive in much larger numbers so that greater selection is necessary to identify the best examples from this period. For the same reasons, only high quality buildings from 1914 onwards are listed, and buildings that are less than 30 years old are normally only listed if they are of outstanding quality and under threat. Buildings that are less than 10 years old are not listed. Listed buildings are graded according to their relative importance:

Grade I Buildings of exceptional interest e.g. The Clock Tower in St Albans and Rothamsted Manor House in Harpenden

Grade II* Particularly important buildings of more than special interest e.g. Town Hall in St Albans, Harpenden Hall and the Harpenden Moat House

Grade II Buildings of special interest that warrant every effort being made to preserve them.

The emphasis for listing is on national significance. The best examples of local vernacular building types will normally be listed but many buildings that are valued for their contribution to the local scene, or only for historical associations with a famous person or

event, will not normally merit listing. Such buildings will often be protected by conservation area designation (see separate leaflet, *Living in a Conservation Area*).

St Albans District Local Plan Review

The District Plan policy covering listed buildings is set out below.

Policy 86: Buildings of Special Architectural or Historic Interest

- (i) In considering any application for Listed Building Consent for the demolition, alteration or extension of a listed building (and also any application for planning permission for development which affects a listed building or its setting), the Council will have special regard to the desirability of preserving the building or its setting or any features of architectural or historic interest which it possesses.
- (ii) Listed buildings should be preserved unless exceptional circumstances exist, and consent to demolish will be given only where every effort has been made to continue the present use or find alternative uses, and where there are also acceptable and detailed plans for redevelopment (see also Policy 88).
- (iii) Applications will also be assessed against the following and the guidance in Annex B of the Department of the Environment PPG 15 (or successive government advice):
 - a) alterations involving the removal, obliteration or encasing of internal or external features which are of architectural or historic interest, or involving detriment to their context or integrity, will not be permitted in the absence of exceptional circumstances;
 - b) alterations involving the addition of new features (including openings) which would be detrimental to the internal or external character or appearance of the building, or to the context of features or interest, will be permitted only in exceptional circumstances;
 - c) removal of features with intrinsic interest and their replacement with replicas will not be permitted unless the original is incapable of repair;

- d) replacement of historic windows with those of a different style, material, method of opening or detailing will not be permitted unless the windows sought to be inserted are of a more historically correct and appropriate pattern than the existing windows and would enhance the building;
- e) painting or covering of the exterior or interior will not be permitted where it would obliterate features of interest, alter the proportions or balance of a building or unity of a group, make unsuitable emphasis of features, or be inappropriate or detrimental in terms of chemical composition, colour or texture;
- f) cleaning methods such as sand blasting or chemical cleaning which would damage the fabric or would be detrimental to its appearance or interest will not be permitted;
- g) extensions or new curtilage buildings which dominate or mask the form or appearance of the original, unbalance or otherwise detract from the listed building by reason of their scale, materials, siting or design, or conceal, obliterate or require removal of important features of the listed building will not be permitted in the absence of exceptional circumstances;
- h) rooflights and dormers will not normally be permitted on front or main elevations; they may be permitted to the rear or on side elevations provided that they do not harm the character or appearance of the building.

Further information

This advisory leaflet is intended to be a helpful and useful source of information and not binding on any party. The Council offers no guarantee or warranties concerning the accuracy of the information supplied.

For more information about the contents of this leaflet contact:

The Planning Department, St Albans City and District Council

St Peter's Street

St Albans, Hertfordshire AL1 3JE

Telephone: 01727 866100 (ask for Conservation)

General enquiries: 01727 819344 or 819345

Email: planning@stalbans.gov.uk

Website: www.stalbans.gov.uk

Produced by St Albans City and District Council.

Revised June 2007. PH1(a)