

Listed Buildings

1 INTRODUCTION

- 1.1 This Note is one of a series of Supplementary Planning Guidance Notes (SPGs), amplifying the development plan policies and other issues in a clear and concise format with the aim of improving the design and quality of new development. The Notes are intended to offer broad guidance which will assist members of the public and officers in discussions prior to the submission of planning applications and assist officers in handling and members in determining planning applications.

2 STATUS AND STAGES IN PREPARATION

- 2.1 The Council's SPG Notes are not part of the adopted plan. However, they have been the subject of both a formal Council resolution and public consultation. The Welsh Assembly Government (The Assembly) has confirmed that following public consultation and subsequent Local Planning Authority (LPAs) approval, SPG can be treated as a material planning consideration when LPAs, Planning Inspectors and the Assembly determine planning applications and appeals. This Note was approved by Full Council on January 21st 2003 for use in development control. A statement of the consultation undertaken, the representations received and the Council's response to these representations is available on request.
- 2.2 These Notes have been prepared in accordance with guidance contained in Planning Policy Wales; Unitary Development Plans (Wales); Welsh Office Circular 1/98 'Planning and the Historic Environment' and Technical Advice Notes.

3 BACKGROUND

3.1 HOW ARE LISTED BUILDINGS CHOSEN?

The Welsh Assembly Government is required by law to compile lists of Buildings of Special Architectural or Historic Interest. These lists are used by Planning Authorities such as Denbighshire County Council to help make decisions with the interests of the built heritage clearly identified.

- 3.2 The principles of selection have been established for some time but are revised periodically. The following are the main criteria:

- Architectural Interest :

The lists are meant to include all buildings which are of importance for the interest of their architectural design, decoration and craftsmanship; also important examples of particular building types and techniques (e.g. buildings displaying technological innovation or virtuosity) and significant plan forms.

- Historic Interest : This includes buildings which illustrate important aspects of the nation's social, economic, cultural or military history.
- Close Historical Associations with people or events of importance to the Welsh Nation.
- Group Value : Especially where the buildings comprise an important architectural or historic unity or a fine example of planning (for example squares or terraces).

- 3.3 In effect CADW, Welsh Historic Monuments, an Executive Agency of the Welsh Assembly Government is responsible for Listed Buildings.

4 PLANNING POLICY

- 4.1 The guiding principle to follow whenever a listed (or listable) building is to be restored, altered or extended is that any work carried out should not be detrimental to its essential and listed character. There is a presumption to retain the character rather than alter it. This character is often very fragile and sensitive, and great care needs to be exercised to safeguard that character. This involves careful attention not only to the overall size / scale, appearance and design, but also to the detailed design, materials (texture, grain) etc.

5 WHAT ARE THE GRADES USED?

- 5.1 Listed Buildings are classified in grades to show their relative importance:
 - I** - Buildings of exceptional, usually national interest.
 - II*** - Particularly important buildings of more than special interest.
 - II** - Buildings of special interest which warrant every effort being made to preserve them.
 - A** and **B** are grades associated with ecclesiastical buildings and are being changed to either grade I, II* or II.
- 5.2 In total there are over 1500 listed buildings in Denbighshire and this number is rising as a result of a ten year resurvey programme being undertaken by CADW.

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6 WHAT DOES LISTING MEAN IN PRACTICE?

- 6.1 Listing provides an added level of protection. This is in the form of a special planning procedure known as applying for Listed Building Consent. Before a building can be altered (internally or externally) extended or demolished, Listed Building Consent must be obtained from the Local Planning Authority. It is a criminal offence to alter extend or demolish a Listed Building without consent.
- 6.2 The legislation also gives protection to "fixtures" and "curtilage structures" associated with Listed Buildings. Advice on the definition of these terms is available from the Planning Authority. Be careful some curtilage structures can be a long way from the principal building but are deemed to be Listed.

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7 HOW ARE LISTS COMPILED?

- 7.1 Buildings are included on the list by one of two ways; either through a systematic resurvey undertaken by CADW of your community or by "spot listing". Spot listing is normally only undertaken when a building is considered to be "in danger". Anyone can nominate a building to CADW for spot listing but they will normally require evidence to show that it satisfies the criteria and that it is in danger of unsympathetic alteration or demolition.

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8 WHERE CAN LISTS BE SEEN?

- 8.1 Information about buildings on the list can be obtained from the Local Planning Authority who hold up to date information. The list changes regularly and therefore it is advisable to check before proceeding with any work where the building may be listed. In addition the Local Planning Authority will be pleased to give early advice on what is or is not acceptable for a Listed Building.

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9. HOW TO APPLY FOR LISTED BUILDING CONSENT?

- 9.1 Forms are available from the Local Planning Authority. It is important to note that Listed Building Consent is in addition to any other consents that may be necessary such as Planning Permission or Building Regulations Approval, etc. Payment of a planning application fee is not required for Listed Building Consent.
- 9.2 Because it is important to retain or to replicate the details of a listed building as part of any work to it, it is necessary to produce more detailed drawings than might be necessary for planning permission. External joinery such as windows and doors should be shown at a scale of 1:20, with profiles of timberwork at actual scale. A full photographic survey should also be provided before work starts.
- 9.3 Whilst the Local Planning Authority determines an application for Listed Building Consent, CADW have 28 days after the decision has been forwarded to them to decide whether to "call in" the application. This has the effect of extending the period before the applicant can be notified of a decision. It is, however, very rare for an application to be called in.

10. WHAT WORK WOULD BE ACCEPTABLE ON A LISTED BUILDING?

- 10.1. The legislation on Listed Buildings is complex and the relevant national guidance is detailed. It is not possible in this Guidance Note to outline all aspects of what is and is not acceptable. The guiding principle is that any work that is carried out to a Listed Building, whether it be alteration or extension, should not be detrimental to the character of the building. The presumption is to retain and repair historic buildings rather than alter them. Where alterations are required in order to improve access for disabled people to a building then the advice in the Cadw publication 'Overcoming the Barriers, Providing Physical Access to Historic Buildings' should be followed.
- 10.2. Generally speaking normal maintenance works which are carried out on a "like for like" basis would by definition not affect the character of the building and therefore would not require Listed Building Consent. Care must be taken however to ensure that the work is "like for like". For example replacing roof slates with slates of the same colour and size, repairing windows with the same sections or repointing stonework with mortar of the correct mix, colour and finish would be acceptable. It is easy to make a mistake, as it is an offence to carry out unauthorised works to listed buildings, it is recommended that advice be sought from the Planning Department before proceeding if there is any doubt at all. Examples of work that would not be considered like for like repairs are work to roofs with non matching materials, repointing that in anyway differed from the original pointing and replacing original timber windows with plastic or aluminium equivalents.
- 10.3. Work that does affect the character of a building is either an alteration or an extension. Before Listed Building Consent could be granted for this work it is necessary to justify by submitting a justification statement with an application for Listed Building consents to show that it will not be detrimental to the character of the building. Information will be required on materials, colour, texture, size, scale, component details and how the overall design fits with the original building. It is strongly recommended that the services of an experienced conservation architect or conservation building surveyor are employed.

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11. GRANTS

- 11.1. Discretionary grants for the repair of Listed Buildings are available from CADW. They tend to grant aid buildings which are seen as outstanding (normally Grade I and II* buildings but others may be considered) or any Listed Building or unlisted building which makes a positive contribution to the character of a Conservation Area.

Further Information and Contacts

CADW : Welsh Historic Monuments

Crown Building, Cathays Park, Cardiff, CF1 3NQ.

Telephone : Cardiff (02920) 500200.

Wales Tourist Board

Brunel House, 2 Fitzalan Road, Cardiff, CF24 0UY.

Telephone : Cardiff (02920) 499909.

The Victorian Society

1 Priory Gardens, London, W4 1TT.

Telephone : London 020 8994 1019.

The Georgian Group

6 Fitzroy Square, London, W1T 5DX.

Telephone : London 020 7387 1720

In the event of any ambiguity between this leaflet and the Welsh Assembly Documents then the Welsh Assembly Documents would take precedence.

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Further Information

Welsh Office Circular 1/98 'Planning and the Historic Environment'



Environment Directorate • Planning & Public Protection Services

Contacts:

Development Control Team North
Ty Nant, Nant Hall Road, Prestatyn, Denbighshire LL19 9LL
Tel: 01824 708111 • Fax: 01824 706533
Web site: www.denbighshire.gov.uk

Development Control Team South
Trem Clwyd, Canol y Dre, Ruthin, Denbighshire LL15 1QA
Tel: 01824 708111 • Fax: 01824 708039
Web site: www.denbighshire.gov.uk

**Planning & Public Protection Services can also be contacted by e-mail dcc_planning@denbighshire.gov.uk
The Building Control North and South Area Teams can also be contacted at the above.**