



LISTED BUILDINGS

a guide for owners and occupiers



CARLISLE
CITY COUNCIL



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Historic buildings are a major part of our national heritage, held in trust for future generations. Since 1932, various Acts of Parliament have been passed with the intention of helping to preserve these buildings.

This leaflet briefly explains the responsibilities for owners and occupiers of “listed buildings.”

What is a listed building?

A listed building is one included on a list made by the Secretary of State for National Heritage. It includes buildings and other structures which are of special architectural or historic interest. All buildings built before 1700 which survive close to their original condition are included. Most buildings dating between 1700 and 1840 will qualify. After that, selection is needed. Only buildings of definite quality are on the list. This applies even more to buildings built after 1914.

There are three grades showing the importance of listed buildings:

- Grade 1 of exceptional interest.
- Grade II* of particular importance and perhaps containing outstanding features.
- Grade II of special interest which warrant every effort being made to preserve them.

The term “building” in this sense can mean any structure ranging from a Cathedral to a milestone.

The grade of each building is based on a number of factors which include:

- The building's age and the extent to which original features have survived.
- The originality of its design, particularly where innovative techniques and materials have been used.
- If it is a documented work by an important architect.
- If it is associated with important historic or social events.

Restrictions

If you want to do work which affects the character of a listed building, ranging from demolition to internal alteration, you must get listed building consent (LBC). The whole of a listed building is protected, externally and internally. Consent is required before such internal features as staircases, fireplaces and doors can be removed, repositioned or altered.

Listed building control extends to:

- o any object or structure fixed to the building
- o any structure or object built before the 1st July 1948 relating to and forming (or which once formed) an integral part of the curtilage of a listed building. e.g. outhouses, greenhouses, garden walls, barns, farm outbuildings, stables and statues.

Caring for a Listed Building

Like any building, a listed building requires care and maintenance and individual owners are responsible for this. It should be noted that traditional buildings are frequently constructed with materials and methods that differ somewhat from those employed in most modern construction. Repairs and maintenance of the building should be carried out in sympathy with these methods – indeed some modern building approaches may actively cause harm to a traditionally constructed building and use of such methods might trigger the need to apply for listed building consent. For example, most pre-1919 buildings will have been constructed using a lime mortar and will have been lime plastered internally.

Use of some modern materials may be both visually inappropriate and can sometimes actively cause a building to deteriorate, e.g. Re-pointing of brick or stonework in cement pointing can accelerate the decay the stone/brick and can cause damp within the building fabric.

Although traditional materials can sometimes be more expensive, this is not always the case. Where the use of particular traditional materials is required, these are often likely to last significantly longer than modern materials, will save you the cost often incurred by the consequences of having used modern materials on a traditionally built house, and are usually more sustainable.



▲ Accelerated decay of bricks caused by inappropriate cement pointing

Repairs

If you own a listed building you are encouraged to keep it in good repair. Repair works carried out on a like for like basis do not normally need listed building consent. Listed buildings which are left unoccupied and fall into a serious state of disrepair, may be repaired by the City Council and the cost of these repairs will be recovered from the owner. Where a listed building is deliberately neglected, we can serve a Repairs Notice. This will specify the work needed to bring the building up to reasonable condition and give a time limit for carrying it out.



◀ Removal of cement pointing and replacement with lime pointing, St Giles Church, Great Orton –© NECT



◀ Window repairs on Castle Street. Sash windows can last many years if properly maintained.

Making an application

To apply for listed building consent you need a special form from our Development Management team. It is a separate procedure from a planning application, as sometimes listed building consent is needed when planning permission is not necessary.

Carlisle City Council works in partnership with the Planning Portal to provide an online application service. We prefer electronic submission of planning applications but applications can also be sent in the post.

You can apply for planning permission/listed building consent through the Planning Portal (<http://www.planningportal.gov.uk>) which will also let you:

- Create a site location plan (compulsory for all applications)
- Attach supporting documents (such as plans or photographs)
- Pay the application fee online.

If you wish to apply online, then please visit

<http://www.planningportal.gov.uk>.

Every planning application needs a site location plan and block plan showing the location and boundaries of the site you are planning to work on. The most common reason for planning applications being



rejected is that the accompanying plans are invalid. You can use the Planning Portal “Buy a Plan” (<http://www.planningportal.gov.uk>) service to ensure that you meet our requirements.

Paper copies of site location plans can also be obtained from

Carlisle Library, 11 Globe Lane, Carlisle, CA3 8NX

Tel: **01228 607310** Fax: **01228 607333**

Email: **carlisle.library@cumbriacc.gov.uk**

Design and Access Statements/Heritage Statements

A Design and Access statement is usually required when making a planning application. This is an opportunity for an applicant to explain the reasoning and design approach behind a proposal, and to show how the application addresses issues of design and access. This might include both the design of a proposal, and a description of how this design relates to its context. In a listed building consent application, an applicant is required to submit a ‘heritage statement’ – It may be possible to combine the two under a joint heading.

The scope and degree of detail necessary in a Heritage Statement will vary according to the particular circumstances of each application. Applicants are advised to discuss proposals with either a planning officer or a conservation officer before any application is made. We advise that any planning application affecting a heritage asset contains a heritage statement which contains the following information:

- Assessment of significance
- Assessment of impact on significance

- Justification for works.

Below are some suggestions as to the sorts of issues you might consider in producing a heritage statement.

Assessment of significance

- Basic information about the listed building or conservation area
- Grade of listed building and listed building description (Grade II, Grade II*, Grade I)
- Date of building
- Name of architect/builder (if known)
- Description of features of the building
- Name and character of the conservation area (if relevant)
- Its contribution to the setting of the listed building or conservation area (if relevant)
- Description of the significance of specific part affected by proposal.

Heritage impact assessment

- An assessment of impact the proposal will have upon the heritage asset (Listed building or conservation area)
- Will the proposal harm, enhance or preserve the significance of the heritage asset?
- How will the proposal impact upon the heritage asset?.

Justification

- Demonstrate why the works required
- If harmful impact, what is public benefit, e.g. securing optimum viable use of heritage asset in interests of its long-term conservation?

- Are there alternatives which would cause less or no harm?
- The more the harm, the greater the justification needed.

Other provisions of listed building legislation

Building Preservation Notice: this can be served by the City Council if we think that a non-listed building is at risk. It works, in effect, by 'listing' the building for six months. After this time it must be confirmed as a listed building by the Secretary of State as the notice will no longer apply.

Listed Building Purchase Notice: if you are refused listed building consent or feel the conditions imposed are so restrictive that the land and buildings are 'incapable of reasonably beneficial use' you can ask the City Council to buy the building from you. In serving this notice you will need professional advice, as certain rules apply.

Immunity from listing: this can be sought and, if granted, will last for five years. Applications for certificate of immunity must be made directly to the Secretary of State for National Heritage.

Penalties

Anyone doing alterations, extensions or demolition work, without getting listed building consent, is guilty of an offence. They could get a large fine and/or period of imprisonment. Ignorance of the listed status of the building in question is not a valid defence. Even if the work is considered reasonable, it is still a criminal offence to carry out work to a listed building unless it has been authorised.

The only time work may be allowed in advance of granting listed building consent is when it is essential for public safety. This is not easy to prove, and usually a Dangerous Structure notice has to be served. Even then you must apply for listed building consent before doing the work the notice requires.

VAT exemption

Prior to the 2012 budget, works requiring listed building consent were exempt from VAT. This is now no longer the case and works to listed buildings now attract VAT at the normal rate.



▲ Carlisle Methodist Central Hall © D&H Photographers

▼ Listed buildings within the grounds of Carlisle Cathedral.



▼ A Victorian tiled hallway.



▼ Decorative Plasterwork - corbels & coving



Useful addresses

The Society for the Protection of Ancient Buildings
37 Spital Square
London
E1 6DY

 **020 7377 1644 020 7247 5296**
 **info@spab.org.uk**
 **www.spab.org.uk**

English Heritage
3rd Floor Canada House
3 Chepstow Street
Manchester
M1 5FW

 **0161 242 1400**
0161 242 1401
 **northwest@english-heritage.org.uk**
 **http://www.english-heritage.org.uk**

Planning Portal

 **http://www.planningportal.gov.uk**

Listed building legislation is there to protect the country's heritage. It is worth taking care and getting skilled advice. It can be expensive to go it alone, as you can be made to alter work already carried out if it is not satisfactory.

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