

GUIDANCE NOTES FOR OWNERS OF

Listed Buildings

in South Gloucestershire

This leaflet is one of a series of non-statutory guidance notes produced by South Gloucestershire Council in support of its Local Plan policies relating to historic buildings.





*Dower House, Stoke Park
– grade II**

Contents

<i>page</i>	
2	What is a Listed Building?
2	Why are buildings listed?
3	How do you find out if your building is listed?
3	What do the different grades of listed buildings mean?
3	Which parts of the building are listed?
4	What is a curtilage listed building?
4	Ecclesiastical Exemption
4	How do I recommend a building for listing?
5	What works require listed building consent?
6	How do you apply for consent?
9	What happens to neglected Listed Building or 'Buildings at Risk'?
10	Is financial assistance available?
10	What is a Locally Listed building?
11	Further advice on historic properties

*Front cover
Acton Court, Iron Acton
– grade II**

*Right
Thornbury Castle
– grade I*

This leaflet gives general advice on the implications of owning a listed building. This guidance is aimed at owners of listed buildings or anyone intending to carry out works to a listed building. It is not intended as a comprehensive guide or specification about carrying out any works to a listed building. Each property requires individual consideration. Prior to carrying out any works to a listed building, contact South Gloucestershire Council's Conservation department for advice.

The rich variety of architectural styles and materials found throughout South Gloucestershire help to establish a sense of place and local distinctiveness.

The listed buildings of South Gloucestershire are varied and include barns, balloon hangers, chapels, churches, cottages, country houses, follies, fountains, tombs and telephone kiosks.

What is a Listed Building?

A listed building is one which is recognised by the Government as having special architectural or historic interest that merits statutory protection, and which has been included in a list compiled or approved by the Secretary of State. A listed building includes 'any object or structure fixed to the building' and 'any object or structure within the curtilage of the building which, although not fixed to the building, forms part of the land and has done so since before 1st July 1948'. There are currently over 2100 listed buildings in South Gloucestershire.

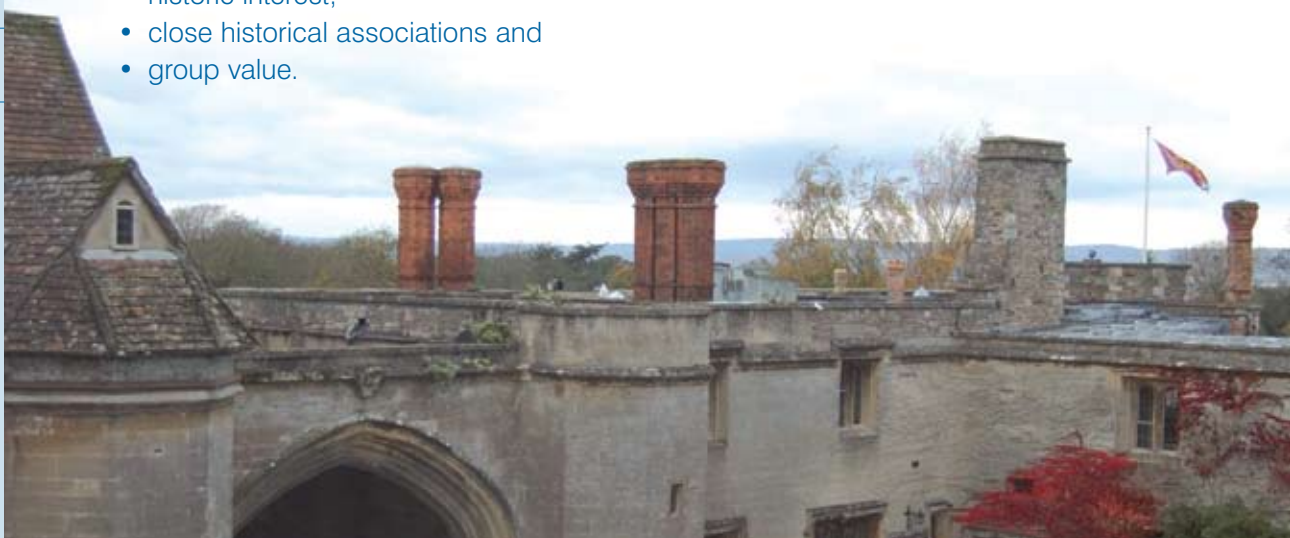
For information on **locally listed buildings**, see page 10.

Why are buildings listed?

Buildings are listed in order to protect their architectural or historic interest. Historic buildings are a finite resource and an irreplaceable asset, which contribute to our cultural heritage and sense of national identity.

A building normally has to be over 30 years old to be eligible for listing. It may not necessarily be of high architectural quality but may instead have important historical associations or be of particular technological importance. The principal criteria taken into account when buildings are chosen for listing are:

- architectural interest;
- historic interest;
- close historical associations and
- group value.



How do you find out if your building is listed?

When a building is listed the owners are notified in writing and the listing is entered upon the Local Land Charges Register. If you are unsure whether a building is listed you can telephone the South Gloucestershire planning contact centre on 01454 868004.

Every listed building has a written list description, which is used to identify the building. It is not intended to provide a complete description of the building or an inventory of its important features. Just because a feature is not mentioned in the list description, this does not mean that it is not protected. All listed building list descriptions can be viewed on the South Gloucestershire Historic Environment Record, which can be viewed on the Heritage Gateway at www.heritagegateway.org.uk

What do the different grades of listed buildings mean?

There are three grades of listing:

GRADE I

these are of 'exceptional interest, that may be regarded as internationally important.' (3% of listed buildings in South Gloucestershire)

GRADE II*

these are 'particularly important buildings of more than special interest' (5% of listed buildings in South Gloucestershire)

GRADE II

these are 'nationally important and of special interest' (92% of listed buildings in South Gloucestershire)

Locally listed buildings are not subject to the same legislation as statutory listed buildings. Locally listed buildings do not have grades.

As grade I and II* listed buildings are rarer and of greater architectural and historic importance, the level of alteration that is possible without affecting their special character will normally be less than grade II listed buildings. Applications involving Grade I & II* listed buildings will also be referred to English Heritage for their comments as part of the consultation process, and the Secretary of State is consulted before the application is approved.

Which parts of the building are listed?

All grades of statutory listed buildings are equally protected, and the extent of the listing is the same. The listed building legislation protects the entire property inside and out, including all additions and extensions regardless of age or design.

Other protected features include objects or structures attached to the building such as railings, carriage lamps, rainwater goods and garden or boundary walls and curtilage structures may also be protected - see below.



*Monument to Lord Edward Somerset, Hawkesbury – grade II**



Dovecote, Winterbourne Court – grade II



*Acton Court. Iron Acton – grade II**



Warmley House – grade II



Ebenezer Methodist Chapel, Bridgegate – grade II

What is a curtilage listed building?

'Any object or structure within the curtilage of a listed building which, although not fixed to the building, forms part of the land and has done so since before 1 July 1948', is also included in the listing. Establishing the 'curtilage' can often be difficult especially if a property has been separated into different ownerships. The principal tests relate to the ownership, use and layout of the buildings surrounding the listed building **at the date of listing**. It is important to note that subsequent changes in ownership do not affect the extent of the listed building curtilage. Curtilage listed buildings may not be registered as listed buildings on the land registry, and therefore their status may not appear as a local land charge. It is important to check with the conservation department if there is a possibility that a building may be curtilage listed.

If you are unsure if a building is curtilage listed telephone 01454 863465 or email conservation@southglos.gov.uk

How do I recommend a building for listing?

English Heritage is the Government's statutory adviser on the historic environment, and anyone can suggest a building for listing to English Heritage. They will examine the case and if they believe a building is of list quality they will make a recommendation to the Secretary of State. The Secretary of State may consult other experts before making the final decision. An application form and guidance notes can be found at www.english-heritage.org.uk

What works require listed building consent?

Any works of alteration, extension or demolition that affect the special architectural or historic interest of the listed building require consent. You may also require consent for works such as replastering, repointing, insertion or removal of internal partitions, uncovering fireplaces, and possibly even replacement of light fittings. Listed building consent may also be required for works affecting curtilage listed buildings and structures - see page 4. Consent is not normally required for repairs. Normal maintenance programmes or limited repairs carried out using traditional materials are unlikely to require formal consent. In situations where those repairs necessitate alteration or demolition (including partial demolition) then consent would be necessary.

It is a criminal offence to carry out works to a listed building without consent, where consent would have been required. It is therefore advisable to seek advice from the Council's Conservation Officers before carrying out any works to a listed building.

Planning permission may also be required for extensions or works to the exterior of a listed building, or for new structures or boundary enclosures within its curtilage. If in doubt check with the South Gloucestershire Planning Contact Centre on 01454 868004.

The **Building Regulations** exist to protect the health and safety of people in and around buildings. Care may be needed to ensure that work to a listed building achieves compliance with the Building Regulations as well as being considered acceptable under the planning and listed building consent regimes however, since the Building Regulations, and the accompanying Approved Documents are not prescriptive, it is usually possible to find an acceptable technical solution which meets all these objectives. It is best to seek the advice of a Conservation Officer and Building Control officer at an early stage in developing proposals for work to a listed building, as making alterations to schemes at a later stage, or perhaps whilst construction work is underway, can be costly and cause delays.

Ecclesiastical Exemption

Listed Buildings in ecclesiastical use may be exempt from listed building control, however planning permission and building regulation approval will still be needed. It is best to check with a Conservation Officer whether ecclesiastical exemption applies.



Rose Cottage, Marshfield – grade II



Badminton High Street – grade II



St Anne's Church, Siston – grade I



Barrage Balloon Workshop, Pucklechurch – grade II



Siston Court – grade I

How do you apply for listed building consent?

If you are considering carrying out works to a Listed Building the Planning, Transport & Strategic Environment Section will be able to give informal advice prior to the submission of a formal application. Consultation at this stage will normally save time and will reduce the risk that an application is refused by the Council. Unless you are experienced at making applications for listed building consent you will find that a good architect or agent who has the knowledge and experience of dealing with historic properties will prove invaluable to aid you through the planning process.

Listed building consent applications are made on the standard planning 1APP form which can be downloaded via the Planning Portal www.planningportal.gov.uk or via the Council's web site. www.southglos.gov.uk Paper copies are also available from the Council. There is a checklist attached to each application form that should be filled out and returned as part of your application. Applications will normally also require accurate drawings of the elevations and floor plans and may need to include large scale details of proposed new joinery, mouldings, doors, eaves, and verges etc., if relevant. Photographs may also be necessary and are always helpful. Proposed alterations should be supported by a written Design and Access Statement, and this should include a justification for the works, based on an analysis of the architectural or historic interest of the building.

*Court Farm Tithe Barn,
Winterbourne – grade II**



Once you or your agent have completed the application form it should be sent to the appropriate Council Offices or submitted online where it will be registered and advertised both in the local press and on site. There is no fee for a listed building Consent. **Applications for listed building consent will be judged as to whether the proposed alterations preserve the building or its setting or any features of architectural or historic interest which it possesses.**

You may also require planning permission and in some cases building regulation approval may also be required. Further guidance on the need for both planning permission and building regulation approval and the necessary application forms can be obtained from the Council's web site. Notification of all applications will be sent to various statutory organisations and amenity bodies such as Society for the Protection of Ancient Buildings (SPAB), the Georgian Group, Victorian Society and the Council for British Archaeology. Those applications involving Grade I & II* listed buildings, and Grade II buildings where demolition (including partial demolition of significant elements) is proposed, will also be sent to English Heritage for consideration. If an application which includes demolition of significant elements of the listed building is submitted and approved, it will be necessary to inform English Heritage to allow them to record the building.

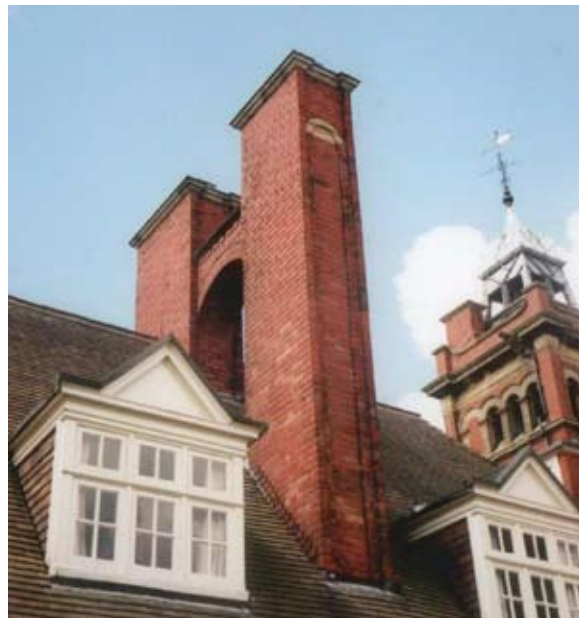
The granting of listed building consent, or planning permission affecting a listed building, is often subject to conditions. You should ensure that all conditions are complied with as the failure to comply with the conditions of a conditional listed building consent is a criminal offence.



Crispe Almshouses, Marshfield – grade II



Early 19th century front door with fanlight



Chimney stack at Old Cottage Hospital Almondsbury



Early 19th century plasterwork



Early 19th century staircase



17th century stop



Winterbourne Rectory
– grade II

If you are considering alterations or repairs to a listed building, the following points should be considered:

▶ **What is the special architectural or historic interest of your building?**

Before considering alterations to a listed building it is important to understand why it is listed, and what makes it special. It is unusual for a building to be listed for one reason alone, and normally many different elements contribute to its overall special character. Many listed buildings will be of a traditional construction, and the materials and method of construction are likely to be important. The plan form of the building may be significant, or the building may have a famous association.

▶ **Would the alterations proposed preserve the building and its setting and any features of architectural or historic interest?**

Once you have established what is important about the building, it is essential that any alterations or repairs respect this special interest. Historic fabric should be retained and repaired wherever possible as opposed to replaced. Traditional methods of construction should be maintained. New extensions should be of a scale, form and materials which compliment the building. It should be ensured that the any new use of a building preserves its special interest and would not have any detrimental impact, in the short or long term. The impact of proposals on the setting of a listed building should also be considered.

Guidance on the alteration and repair of listed buildings goes far beyond the scope of this document. Furthermore, every building is unique, and it is not possible to set out specific guidance because what is acceptable for one building, may not be for another. Annex C of Planning Policy Guidance 15: Planning and the Historic Environment provides government guidance on alterations to listed buildings, and summarises the characteristics and features which make up the special interest of most listed buildings. Further advice can be obtained from organisations such as English Heritage www.english-heritage.org.uk, The Society of Protection of Ancient Buildings, (SPAB), www.spab.org.uk and the Georgian Group www.georgiangroup.org.uk and from the other guidance notes within this series, published by South Gloucestershire Council.



Dyrham Park – grade I



Moorend Farm, Moorend – grade II*

What happens to neglected Listed Buildings or 'Buildings at Risk'?

Proper and regular maintenance of historic properties helps to prevent deterioration, which could otherwise result in major repair works. However, should a listed building fall into a state of disrepair or suffer as a result of neglect or vandalism it may be put on the Council's 'Register of Buildings at Risk'. The Council will monitor any listed building on the Register of Buildings at Risk, and will encourage owners to undertake repairs or urgent works of temporary protection, with the aim of protecting the building while also seeking a long term use. English Heritage also compile and maintain a national register of 'Heritage at Risk', which includes grade I and grade II* listed buildings which are known to be at risk through neglect and decay.

The Council has a duty to protect listed buildings. If the Council considers that a building is at risk of further damage they will contact the owner to discuss how to protect the building. If the building is not then protected, they can serve an Urgent Works Notice requiring the owner to undertake specified works in order to make the building wind and weather-tight and safe from further collapse. If those works are not carried out within an agreed period, the Council can undertake these works and recover the costs, including legal costs, from the owner. Urgent Works Notices can only be served on unoccupied buildings or unoccupied parts of a building. The Council may instead serve a Repairs Notice which is more specific in terms of the repairs and they also have the power to issue a Compulsory Purchase Order leading to acquisition of the building at an agreed price. If the property has been deliberately neglected then a minimum valuation would be paid.



*Wesleyan Chapel
Kingswood – grade II*



Hallen Farm before and after restoration



Is financial assistance available?

Owners of buildings listed Grade I & II* that are 'at risk' can seek financial assistance from English Heritage for major schemes of repair.

There are other organisations and charities which provide grants for historic buildings in special circumstances. Further information on these sources of grants can be obtained from Funds for Historic Buildings www.ffhb.org.uk

Some alterations to listed dwellings can be zero rated for VAT provided that those alterations have listed building consent. Contact HM Customs & Excise, Cardiff for further information or visit www.hmrc.gov.uk/index.htm

What is a Locally Listed building?

Local authorities are able to draw up lists of buildings which are of local (as opposed to national) architectural or historic interest. The buildings have no additional statutory protection however inclusion of a building on this list is a material consideration when determining planning applications affecting these buildings. South Gloucestershire has a list of locally listed buildings which can be viewed on-line and owners were notified in writing when the list was formally adopted. Guidance for owners of locally listed buildings has been adopted as a Supplementary Planning Document and can be viewed on-line. Paper copies are also available. Owners are encouraged to respect the character of the property when carrying out works of alteration. Policy L15 within the Adopted South Gloucestershire Local Plan enables the Authority to resist the demolition of a locally listed building where the proposed replacement development does not mitigate for the resulting loss of character and distinctiveness.

*Telephone Box,
Iron Acton – Locally listed*



Pitt Farm, Marshfield – grade II



Beaufort Monument, Stoke Park



Chest Tomb, St James Church, Iron Acton – grade II



Mullion and Transom window with leaded lights



Row of cottages Olveston – grade II



Perrys Almshouses, Winterbourne – grade II



Meeting House, Frenchay – grade II



Severn Bridge, Aust – grade I



Barn, Moorend Farm,
Moorend – grade II



Post Office, Olveston –
grade II

Further advice on historic properties.

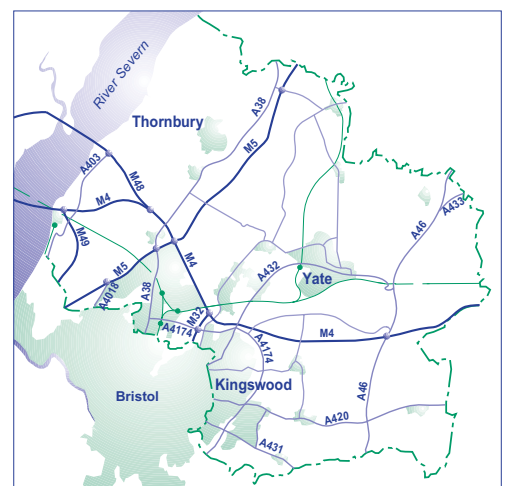
This leaflet is intended to provide a basic level of guidance for owners of listed buildings. It is not a comprehensive document detailing all the implications of historic building legislation. The Council's Conservation Officers will be pleased to offer additional advice if required.

If you require advice or information about listed buildings or unlisted historic buildings within South Gloucestershire please call the Council's Conservation Officers on 01454 863464, 01454 863465 or 01454 863578 or email conservation@southglos.gov.uk

Unauthorised works to listed buildings.

Owners should be aware that it is a criminal offence to execute or cause to be executed any works for the demolition of a listed building or for its alteration or extension in any manner which would affect its character as a building of special architectural or historic interest, unless the works are authorised. The Authority has a duty to protect listed buildings can prosecute the owner or person carrying out unauthorised works, in addition to pursuing any enforcement action that may be considered necessary to rectify the situation.

If you are concerned that unauthorised works are being carried out to a listed building you should contact the Council's Conservation Department on 01454 863464/5 or the Council's Enforcement Department on 01454 868004.



This information can be made available in other languages, in large print, Braille or on audio tape.

Please phone 01454 868004 if you need any of these or any other help to access Council services.

For more information about this publication contact 01454 863467

Produced by South Gloucestershire Council Design+Print Services
ref: 3725/6/08 Tel: 01454 863763

Printed by South Gloucestershire
printed on recycled paper
75% Post Consumer Waste

Date of Publication December 2009

www.southglos.gov.uk