

Development Management

Listed Buildings

**A guide for owners
and occupiers**



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If you need this information in another format or language, please phone the conservation team on 0191 277 7191 or email urbandesignandconservation@newcastle.gov.uk

‘Informed conservation’ means understanding the historical development, and significance, of your building and identifying the most appropriate approach to its management.

Introduction

This guide provides general advice to owners and occupiers of listed buildings. The information contained here is not exhaustive, so you are advised to always check with Development Management if you are planning on undertaking works to a listed building.

A listed building is considered by English Heritage and the Government to be of special architectural or historic interest, and worthy of protection. Houses are the most common buildings to be ‘listed’ but listed buildings range from major structures such as the Byker Estate, the River Tyne bridges and the medieval Town Walls, to individual boundary stones or lamp-posts.

Inclusion on the statutory list protects the exterior and interior of buildings from all types of inappropriate and unsympathetic alteration, under the Planning (Listed Buildings and Conservation Areas) Act 1990.

Buildings are listed to ensure that their “special interest” is passed down to future generations in good condition. Listed buildings can be a source of great enjoyment and pride not only to those who own or occupy them but also to the general public. The long-term interests of a historic building are best served by keeping it in use, and listing protects buildings while allowing appropriate positive change to occur.

It is a criminal offence to carry out work to a listed building, other than minor like-for-like repairs, without first obtaining Listed Building Consent, and it could lead upon conviction to a period of imprisonment and a very heavy fine.



Above: The Cathedral Church of St. Nicholas, a spectacular grade I listed building in the city centre.

Who decides?

The Government decides which buildings are included on the statutory lists, based on recommendations by English Heritage. Anyone can suggest buildings to English Heritage, using a simple form available on their website, but a building will only be included on the list if it is judged to be of special interest after being visited and assessed by an English Heritage inspector. You can visit www.english-heritage.org.uk for more information.

If a historic building that may be worthy of listing is under threat, the local authority can serve a 'building preservation notice' on the owner and occupier. This 'lists' and protects a building for six months pending a decision by the Government as to whether it should be added to the statutory list.

To check if your building is listed you can use the map facility on the Newcastle City Council website www.newcastle.gov.uk/map or contact Development Management (see contacts on back page).

Buildings are occasionally added to the list or upgraded. If you wish to consult an up-to-date copy of the list then ask to see one at the council, or check the council's website www.newcastle.gov.uk/map.

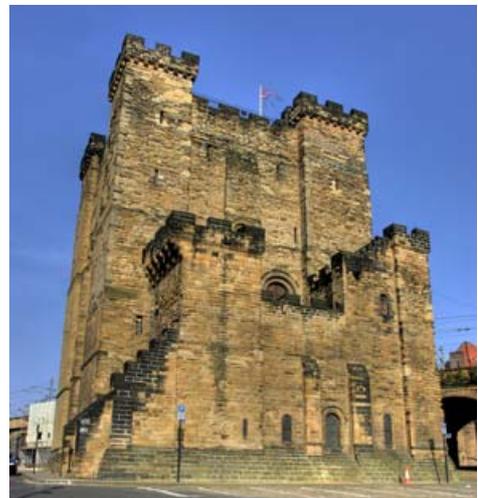
The national Heritage Gateway website also contains details of all listed buildings www.heritagegateway.org.uk as does the Tyne and Wear Historic Environment Record www.twsitelines.info.

What types of buildings get listed?

Buildings are listed for a number of reasons, including age, rarity, architectural style, historical interest, national interest, connection with famous people or because they form part of a group of buildings, such as a terrace or square, which has a value as a whole. Older buildings are more likely to be included in the lists but even buildings of great age may not qualify if they have been extensively and insensitively altered. English Heritage estimates that 2% of all homes in England are listed.

General criteria

- All buildings built before 1700 which survive in anything like their original form.



Above: the Norman Castle Keep, originally built in 1080 and rebuilt between 1168 and 1178. Grade I listed and a scheduled monument.

- Most buildings built between 1700 and 1840.



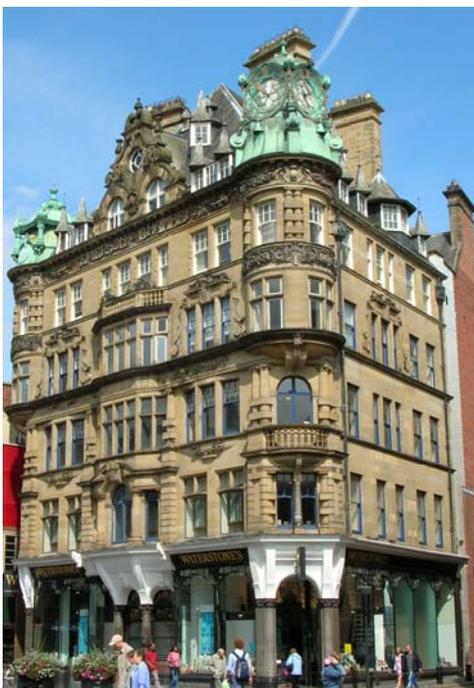
Above: Summerhill Terrace, built circa 1840, grade II listed.

- Selected buildings of high quality built between 1914 and 1939.



Above: the New Tyne Bridge, opened in 1928, grade II listed.

- Buildings of definite quality built between 1840 and 1914; selection is designed to include the principal works of major architects.



Above: Emerson Chambers, built 1903, grade II* listed.

- After 1939, a few outstanding buildings are listed.



Above: Byker estate. There are roughly 2000 grade II* listed buildings on this 1970s estate.

What grade is it?

There are around 374,000 listed buildings in England, and over 4,000 in Newcastle. Buildings are classified into grades to indicate their relative significance:

Grade I (one)

Buildings of exceptional interest – about 2.5% of all list entries (note: this can include whole terraces as just one entry) in England. In Newcastle the figure is nearly 7%, considerably above the national average.

Grade II* (two star)

Particularly important buildings of more than special interest – about 5.5% of all list entries in England. In Newcastle the figure is 20%, also considerably above the national average.

Grade II (two)

Buildings of special interest which warrant every effort being made to preserve them – the remaining 92%. In Newcastle the figure is 73%.

Each grade is equally protected

under the planning system, the main difference is that English Heritage must be consulted on applications for works to buildings of grade I and II*.



Left:
grade II*
listed
Civic
Centre

What effect does listing have?

Listed buildings are protected, by planning legislation, from demolition and unsympathetic alterations. The main effect of 'listing' is that it is necessary to apply to the council for Listed Building Consent before any work materially affecting the 'special interest' of a listed building is carried out. You should also always check whether you need planning permission or building regulations approval as well. There are times when it is necessary to alter a listed building, but it cannot be extended or altered in any way which would change its character, or be demolished either partially or completely, without first obtaining Listed Building Consent from the council.

This applies to the whole of a listed building – both exterior and interior, regardless of its grade – and to any object or structure fixed to it or forming part of the land within its curtilage (grounds) unless it is a free-standing building, object or structure that has been erected since 01 July 1948. Boundary walls are usually protected by the listing of the main building but may also be listed in their own right.

Pre-application advice

You should always contact Development Management for advice on whether you need Listed Building Consent and whether your proposals are likely to obtain consent, before having detailed plans drawn or committing to any works. Information about the council's pre-application service is available at www.newcastle.gov.uk/planning.

This is likely to save you a lot of time and unnecessary expense.

Unauthorised works are liable to lead to prosecution, and could also result in a building enforcement notice requiring you to return the building to its previous state.

In order to receive a formal response to your enquiry, and if you think it necessary for a conservation officer to visit your property, you should complete a pre-application enquiry form. The form can be completed online, through the council's website, or on paper.

Minor queries can be handled by telephone, or by email. The conservation team's contact details can be found at the back of this guide.

There is no fee for pre-application advice on listed buildings, except where the advice would relate to a non-householder planning application in addition to a Listed Building Consent. For more information on the council's pre-application procedures please contact Development Management.

Newcastle Conservation Advisory Panel (NCAP)

NCAP is an advisory panel comprising representatives from amenity, professional and community bodies.

NCAP provides advice to the council on planning applications that affect listed buildings and conservation areas in Newcastle. If you are proposing a scheme of a significant scale, you may wish to present it to NCAP for their comments at the pre-application stage.

NCAP is coordinated by Jules Brown at the North of England Civic Trust. To contact NCAP please email Jules at jules.brown@nect.org.uk or phone NECT on (0191) 232 9279.



Above: the interior of the grade I listed Theatre Royal is highly decorative and requires sensitive management, but must also operate as a modern business concern.

What alterations need consent?

Listed Building Consent is required for any alteration which materially affects the 'special interest' of a listed building. For example, consent would normally be needed for any of the following alterations:

External:

- Adding an extension or rebuilding walls in different materials.
- Changing the roof pitch or roof covering materials.
- Inserting roof lights, removing, altering or adding dormer windows, adding solar panels or other micro-generation equipment.
- Altering or removing chimney stacks and pots.
- Covering existing wall surfaces e.g. with render, cladding or paint.
- Changing the size of door, window or other openings.
- Altering window frames or doors, replacement with different types, including replacement of single-glazing with double-glazing.
- Removing historic features e.g. door cases, chimney breasts.
- Forming new openings for any reason, including boiler flues.
- Changing the material of any rainwater goods.
- Adding any feature including porches, signs, satellite dishes,

security alarm boxes, CCTV cameras or external floodlights.

- Inserting cavity wall insulation.
- Works to boundary walls.
- Works to buildings in the grounds that were present in 1948 and at the time of listing.

Internal:

- Altering the plan by removing or adding walls or forming new openings.
- Taking out or altering original features including staircases, fireplaces, decorative plasterwork, panelling, shutters, doors, architraves and skirting boards.
- Installing new ceilings, partitions, doors and secondary glazing.
- Filling in cellars, or digging out cellars to increase usable floor space.
- Removing or replacing floors or floor finishes.
- The obliteration of wall paintings, decorative tiles and mosaics.
- Installing new ducting, waste pipes and openings associated with new bathrooms.
- Inserting damp proof courses or tanking systems.

Some works that require Listed Building Consent may also require Planning Permission or Building Regulations approval. You should check with the council before you apply for consent.

How do I apply for Listed Building Consent?

Unlike other planning applications you do not pay a fee. In order to apply for Listed Building Consent from the council you can complete the application online at www.planningportal.com, which gives you a step-by-step guide to its completion, or you can fill in a paper form from the council.

Different applications will require different amounts of information, depending upon the scale of the works and the building in question. The council will tell you what is required. As a general guide most applications will need:

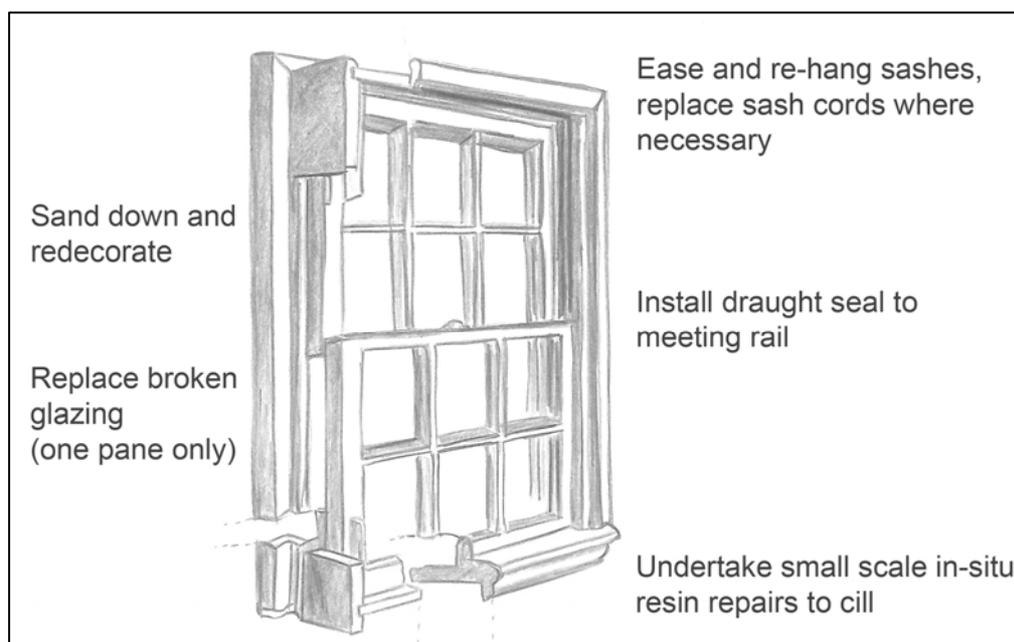
- Application form.
- Location plan and site plan.
- Existing and proposed elevations, floor plans, section drawings and roof plan.
- Ownership certificate.

- Design and access statement.
- Heritage statement, which should include a justification for the proposed works.

You may also be required to submit:

- Structural survey if works may affect the structural integrity of the building.
- Method statements detailing how works will be carried out.
- Details and samples of proposed materials and features.
- Tree survey if works may affect existing trees.
- Archaeological assessment, if requested by the County Archaeologist.

Detailed guidance on all of the above requirements, including a validation checklist, is available at www.newcastle.gov.uk/planning.



Left: a sample image showing proposals for alterations to a listed building.

How long will it take to get a decision?

On receiving an application the council has to advertise it locally to give the general public and local amenity societies the opportunity to comment. The council will then take into account any comments which are received when determining the application.

The council aims to determine all applications for Listed Building Consent within eight weeks of the application being validated.

It is important to take account of this period when drawing up schemes and project managing, as it is at your own risk if you order materials or enter into contracts without the necessary consents.

Conditions of consent

Applications for Listed Building Consent are often granted subject to conditions. This may, for example, refer to the applicant being required to submit samples of proposed materials prior to any development taking place. This is what is known as a pre-commencement condition.

If you have this information at the application stage it makes sense to make it part of the original application to avoid delays later. If your consent does have conditions on, you must apply to the council to formally discharge the conditions. For more information, please see the Development Management webpage www.newcastle.gov.uk/planning.

What happens if the proposals are considered unacceptable?

If an application for Listed Building Consent is refused or granted subject to conditions, the applicant has the right of appeal to the Secretary of State, who will appoint an Inspector to examine whether the refusal or the conditions are reasonable.

Repairs



Above: Stonemason Michael Moody repairing Earl Grey's head on the Monument.

Do repairs need consent?

Small-scale repairs involving the identical replacement of original features do not require Listed Building Consent, but great care must be taken to match the material, construction, moulding and colour of the original feature. Total or substantial replacement of features will usually require consent

In undertaking works of alteration or repair to historic buildings it is advisable to seek the advice of an architect or surveyor who is particularly knowledgeable about restoration techniques and the legislation relating to listed buildings.

Maintenance

If you own a listed building you should keep it in reasonable repair. The most important element of caring for historic buildings is maintenance, which if undertaken regularly can avoid the need for repair or restoration work altogether, saving you money and time, and sustaining the historic fabric of the building into the future.

By establishing the nature, extent and cause of any problems at an early stage by carrying out regular inspections, owners will have the opportunity of remedying defects promptly and economically. Damp problems, in particular, can often be remedied quickly and without using expensive and invasive damp proofing methods. Damp is usually the result of water getting into a building, for example through a leaking or blocked gutter. If the water source is removed and the building left to dry out naturally, the problem will normally be resolved.

The inspection of a large house or similar sized building may well be within the capability of the average owner but if historic buildings are of particular importance or complexity, it may be necessary to employ experts from different specialisms to design appropriate repairs.

Detailed guidance on the maintenance and repair of historic buildings is available on the council's website at www.newcastle.gov.uk/map; the guide includes a simple 'year planner' which provides advice on how to undertake regular inspections and how best to avoid expensive and damaging problems from developing within your building.



Above: lack of maintenance over a long period can result in serious damage to listed buildings.

How do I report unauthorised works?

If you are aware of works being carried out to a building that you think is listed and you are unsure as to whether the owner has Listed Building Consent, please contact Development Management as soon as possible so that it can be investigated.

The council will have a record of all works which have been granted consent, and will take enforcement action where appropriate and necessary to remedy any ill-effects of works which do not have consent. The council is often reliant on the public to report unauthorised works and the sooner the council is notified of such issues, the quicker it can act to prevent further damage from occurring.

Enforcement

If an owner allows a listed building to fall into disrepair the council may:

- Use an “**urgent works notice**” to carry out works of urgent repair itself, and recover the cost from the owner if the listed building is unoccupied.
- Serve a “**repairs notice**” on the owner, specifying works which are necessary for the proper preservation of the building whether or not the building is occupied. If the works are not carried out the council can compulsorily purchase the building, paying minimum compensation if it can be shown that the building was deliberately neglected.

Funding

Grants may occasionally be available for repairs to such major elements of a building fabric as external walls, roofs and structural floors but only for work which is more than everyday maintenance and beyond its owner’s means. Grant aid may be available from various public sources, including Heritage Lottery Fund.

English Heritage may award grants for the repair of buildings of outstanding architectural or historic interest. In practice this is generally limited to grade I listed buildings but certain grade II* properties may also be considered.

Contacts for further information

You may also be interested in the other guides in this series:

- Living in a conservation area: a guide for residents
- Repair and maintenance of traditional buildings
- Conservation area profiles

These are available from the council's conservation team and the council website www.newcastle.gov.uk/hes

For information on **grade I (one) and grade II* (two star) listed buildings** in Newcastle, contact:

Peter Derham

County Historic Buildings Officer

0191 211 5626

peter.derham@newcastle.gov.uk

For information on **grade II listed buildings** and **conservation areas** in Newcastle, contact Development Management:

Fiona Cullen

Heritage Specialist

0191 277 7192

fiona.cullen@newcastle.gov.uk

Charlotte Foster

Historic Environment Officer

0191 211 5625

charlotte.foster@newcastle.gov.uk

Sarah Allison

Historic Environment Officer

0191 277 7191

sarah.allison@newcastle.gov.uk

Other organisations

Tyne and Wear Historic Environment Record

www.twsitelines.info

Heritage Gateway

www.heritagegateway.org.uk

Newcastle Heritage Partnership

www.heritagepartnership.org.uk

English Heritage

www.english-heritage.org.uk and www.helm.org.uk

Society for Protection of Ancient Buildings

www.spab.org.uk

Institute for Historic Building Conservation

www.ihbc.org.uk

Historic Towns Forum

www.historictownsforum.org

Historic Scotland

www.historic-scotland.gov.uk

Royal Institute for Chartered Surveyors (RICS) www.rics.org

Royal Institute of British Architects (RIBA) www.architecture.com

Contacts:

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