



LISTED BUILDINGS

Advice Note for Owners and Occupiers

This guidance note aims to explain concisely the implications of owning and occupying a listed building. It sets out the responsibilities and endeavours to dispel some misconceptions that commonly arise.

Ownership and occupation of a Listed Building brings with it certain responsibilities with regard to maintenance and upkeep.

Although the overwhelming majority of buildings that are Listed for their special architectural and/or historic interest are in private ownership, the buildings are preserved for the nation and future generations as a whole.

Their special character derives not only from their general form and style, but also from the smallest detail. Their character is therefore fragile and easily eroded.

Did you know - South Kesteven is the most 'heritage rich' local authority district in the East Midlands, with approximately:

120 Grade 1 listed buildings

200 Grade II* listed buildings

2,280 Grade II listed buildings

9 Registered Historic Parks and Gardens either wholly or partly within the District

Before carrying out any works to a historic building it is essential that an understanding of its history, development and significance is gained from such sources as libraries, archives and museums.

If you are purchasing a listed building and contemplating major alterations, you should ask yourself if it is the right building for you. Buildings are listed for their present character and appearance, which will rarely survive large extensions or major alterations. A Listed Building's setting is also an important consideration.

Before undertaking any works to a Listed Building or unlisted building in a Conservation Area it is advisable to discuss your proposals with the local authority (see contact details overleaf).

IMPORTANT

Owners and/or occupiers of listed buildings should be aware that undertaking works to a listed building without first obtaining formal authorisation from the local planning authority is a **criminal offence** and, in the event of being prosecuted and found guilty, subject to a fine or possibly a custodial sentence.

It is advisable, therefore, to check before purchasing a listed property that all previous works have had the necessary consents because as a new owner you could be subject to enforcement action in connection with unauthorised works, even if they were carried out by a previous owner/occupier.

What is covered by 'Listing'?

Listing covers an entire building and any structures attached to it and buildings or structures within its curtilage that were in place before July 1948.

Some of the most common unauthorised works to historic buildings are;

- replacement of windows of timber single-glazed windows with double-glazed unit,
- Installation of satellite receiver dishes,
- Removal of chimneys,

- Replacement of cast-iron rain water goods with plastic types,
- Installation of burglar alarms,
- Installation of damp-proofing.

All the above and any other alterations that affect a listed building's character or appearance require Listed Building Consent, as do any extensions. Whether Consent is forthcoming depends on their impact on the significance of the building.

Can I do emergency works to a listed building?

Emergency work can be carried out to a Listed Building without prior consent providing it can be proven that:

- The works were urgently necessary in the interests of safety or health or for the preservation of the building;
- It was not practical to secure public safety or health or preserve the building by works of repair or temporary support or shelter;
- That the work was limited to the minimum measures immediately necessary.
- That notice in writing, justifying the work in detail, was given to local authority as soon as possible.

What if a listed building is falling into disrepair?

If an owner neglects to maintain a listed building, the Council has legal powers to serve **Urgent Works Notices** or **Repairs Notices** on the owner requiring works to be carried out to prevent further decay. Such Notices specify the works that are considered reasonably necessary for the preservation of the building.

An Urgent Works Notice is restricted to emergency repairs only-for example works to keep a building wind and weatherproof and secure against vandalism. A Repairs Notice is not restricted to urgent works and may include works to preserve architectural details but cannot be used to restore lost features. In extreme cases where building owners have not taken reasonable steps to preserve a listed building the authority can undertake the minimal works necessary and recover the costs from the owner.

Are there grants available for repairs to Listed Buildings?

The Council currently has no grant scheme to assist owners with repairs to historic buildings. If one were to be re-introduced at some future date it would be subject to widespread publicity to make potential applicants aware.

The importance of getting the right advice.

If you are contemplating works to a listed building it is recommended that expert advice is sought. Only qualified architects who have experience in the field of historic buildings should be used to prepare schemes for listed buildings (The Institute of Historic Building Conservation (IHBC) is the principal body representing professionals and specialists involved in the conservation of historic buildings and their surroundings). A high standard of design and drawings are required for applications for Listed Building Consent. All applications must be accompanied by a full written justification for the works and a Heritage Impact Assessment (HIA – see separate leaflet on HIAs). The Council will also expect Building Regulations and other statutory requirements to be incorporated within the proposals at the Listed Building Consent application stage and where planning permission is also required for works, applications should be submitted at the same time as those for Listed Building Consent.

It is also important that if Consent is granted for your proposals to have contractors with appropriate knowledge of traditional methods of construction and experience undertake works to your historic building. Many builders do not have this experience and the use of modern methods and materials can irreversibly damage the building and therefore its importance as a heritage asset.

Conservation Officers at the District Council will be only too pleased to attend pre-application meetings to discuss your proposals.

Contact details:

Tel: 01476 406398/406472

E-mail: planningpolicy@southkesteven.gov.uk

In writing: South Kesteven District Council, Planning Policy, The Council Offices, St. Peter's Hill, Grantham, Lincs, NG31 6PZ