

Living in a

Listed Building

A guide for owners & occupiers



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What is a Listed Building?

A listed building is a building that has been identified as having special architectural or historic interest, and is of national importance. These buildings are included on a 'National Heritage List for England' (NHLE). There are about 1 160 listed buildings in the Sedgemoor District.

Listed buildings are a finite resource; once lost, they cannot be replaced. Their special interest can be damaged as easily by unsuitable alteration as it can be by outright demolition. There is a general presumption in favour of preserving listed buildings.

The Listing Grades

The vast majority of listed buildings (more than 90% of the total) are listed at Grade II. They are of special architectural and historic interest and deserve every attempt to conserve them.

Less than 5% of listed buildings are listed at Grade II*. These are more important than grade II listed buildings and include the best preserved examples of particular building types.

Only 2% of listed buildings are listed at Grade I. These are of more than national importance. They can include for example, mediaeval parish churches and large country houses.

What do the 'Grades' mean to my building?

The extent of the listing, and the works that require consent, are exactly the same regardless of the Grade of the building. However, proposals to carry out work to a Grade I or Grade II* listed building will be subject to stricter scrutiny. Historic England are consulted on all applications affecting Grade I and Grade II* listed buildings.

How much of a building is listed?

The whole of the building is protected by inclusion on the list - front and back, inside and out. The extent of the listing also includes any object or structure fixed to the building and most objects or structures within the curtilage of the building.

Is that building listed?

Sedgemoor District Council can advise whether or not a building is listed. Alternatively visit the Heritage Gateway website which features the official description, and sometimes photographs, of every listed building in the country: www.heritagegateway.org.uk.

Further information about Sedgemoor's heritage can also be found on the Somerset Historic Environment Record (Somerset HER), via www.somersetheritage.org.uk

Contact us

Please contact Sedgemoor District Council if you wish to discuss an application before you submit it, or if you are in any doubt as to whether you need consent to carry out works to your building. Relevant application forms for planning permission can be downloaded from our website: www.sedgemoor.gov.uk/planning

listed building. Such works might include boarding over broken windows, providing a temporary roof cover, or propping up a leaning wall.

Repairs Notice

Where listed buildings remain in a serious state of decay, the Council may serve a Repairs Notice under Section 48 of the Act. This will require the building to be brought back into a proper state of preservation and is usually the first step toward a Compulsory Purchase Order.

'Tidy Up' Notice

Where it appears that the condition of land in the District is adversely affecting the amenity of the area, a Notice may be served under Section 215 of the Town and Country Planning Act 1990 requiring the land to be tidied up. Such a notice may be served on a building, listed or otherwise.

Useful information

Historic England The government's advisor on all aspects of the historic environment: www.historicengland.org.uk

The Society for the Protection of Ancient Buildings Founded in 1877, the society offers a wealth of guidance, technical advice and training: www.spab.org.uk

Funds for Historic Buildings A useful search engine for those seeking financial assistance for restoring historic properties: www.ffhb.org.uk

Building Conservation Directory A national directory of specialists including architects, suppliers and contractors: www.buildingconservation.com

Acts and Guidance Notes

Planning (Listed Buildings and Conservation Areas) Act 1990

The 1990 Act provides the legal framework for the protection of Listed Buildings: www.legislation.gov.uk/ukpga/1990/9/contents.

National Planning Policy Framework 2012 (NPPF)

Section 12 of this document provides planning policy guidance on the conservation of the historic environment: www.gov.uk/government/publications/national-planning-policy-framework--2.

National Planning Practice Guidance (NPPG)

This provides additional guidance to the NPPF: planningguidance.communities.gov.uk

What about the Listed Building Description?

The list includes a description of each building and principally to aid identification. The description is not intended to provide a comprehensive or exclusive record of all the features of importance. If a feature is not referred to in the description, it does not indicate that it can be removed or altered without consent.

Objects and structures fixed to the building

Externally, any structure attached to the listed building, from an extension, or outbuilding to a fire insurance plaque, forms part of the listed building. Internally, items such as fireplaces, wall panelling and cornices are also fixed to the building and are thus protected.

Objects and structures in the curtilage of a listed building

The extent of the listing includes 'any object or structure within the curtilage of the building which, although not fixed to the building, forms part of the land (i.e. serves an ancillary function to the listed building) and has done so since before 1 July 1948'.

For instance, where a farmhouse is included on the list, freestanding ancillary buildings such as a barn or granary will also be protected, but a steel-framed barn built in the 1950s would not form part of the listing.

Listed building consent

Section 7 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states, 'no person shall 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'.

Listed building consent is required before any works to demolish, alter or extend a listed building is carried out. There is no fee for a listed building consent application. These applications must be submitted to and approved by the Local Planning Authority (Sedgemoor District Council) prior to carrying out the proposed works.

Listing is not intended to 'mothball' a building, but rather to ensure that any proposed alterations are carried out in sympathy with the special architectural and historic character of the building. Historic England's website provides detailed advice on alterations, repairs, restoration and development involving listed buildings. This website can be found under 'Useful Information' on page 5

What about repairs?

Listed building consent is only required to carry out works that would affect the building's special character or appearance. Repair works (provided they are carried out on a strictly like-for-like basis in terms of materials used, construction methods and detailed finishes) will not usually require listed building consent.

Similarly, works to replace features on a 'like-for-like' basis (such as the removal of a rotten sash window and the insertion of an exact replica) would not usually need consent. Please see Sedgemoor District Council's adopted Window Policy Guidance Note for further information on windows.

If you are in any doubt as to whether works will require listed building consent, please contact the Conservation Officer.

Pre Planning application advice service

It can be very helpful to seek advice about your proposals before submitting your application for listed building consent. This can involve a site meeting, or just sending your proposals in for consideration. This can help overcome potential difficulties and make sure your application deals with all the important relevant considerations. You may also find it helpful to obtain advice from an independent historic building specialist when drawing up your scheme.

There is a charge payable for this service as a result of the time and resources involved in giving advice. This charge is currently set at £40 plus VAT of 20% = £48 for advice without a site visit; to include a site visit the charge is currently set at £60 plus VAT of 20% = £72.

Further information on how to engage with this service can be found in the 'Pre-Planning Application Advice' leaflet available on our website.

Further guidance notes

There are a number of guidance notes produced by Sedgemoor District Council that help guide your proposals to ensure that they are acceptable. They include:

- Planning Guidance Note on Conversion of Agricultural/Rural Buildings
- Double glazing and buildings in the historic environment – window policy guidance note.

Building regulations

Several parts of the Building Regulations offer a degree of flexibility to listed buildings, most notably the following:

Conservation of Fuel and Power

Under Approved Document L1B: Conservation of Fuel and Power in Existing Buildings (2016), listed buildings enjoy flexibility within the regulations 'where compliance with the energy efficiency requirements would unacceptably alter the character or appearance of such existing dwellings'.

The above flexibility also applied to Approved Document L2B: Conservation of Fuel and Power in Existing Buildings other than Dwellings (2016).

It is rarely appropriate to provide double glazing in a listed building. Secondary glazing in a removable inner frame is an acceptable option for most windows. Draught proofing is also visually innocuous and cost effective. Please see the Council's adopted 'Window Policy Guidance Note' for further information regarding windows in listed buildings.

Access and Use

Under Approved Document M: Access to and Use of Buildings (2016), listed buildings enjoy flexibility within the regulations, which state that 'requirements for accessibility should be balanced against preserving historic buildings or environments'.

Sound Insulation

When a listed building is to be subdivided (say, for multiple occupation), there is flexibility within the regulations 'to improve sound insulation to the extent that it is practically possible, always provided that the work does not compromise the character of the historic building'. See Approved Document E: Resistance to Sound (2015).

The preservation of listing buildings

Sedgemoor District Council maintains a register of 'Buildings at Risk', featuring those listed buildings that are either in a poor state of repair or vulnerable to damage or decay.

There are a number of powers available to the Council to ensure that listed buildings in Sedgemoor are kept in a proper state of repair.

Urgent Works Notice

Under Section 54 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the Council may carry out urgent works to preserve an unoccupied listed building (or unoccupied parts of a listed building) in its area.

'Urgent Works' may encompass any works to provide temporary support or shelter to a