

Listed Buildings A Guide for Owners and Occupiers

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Front Cover:

D10 Building at Boots Factory Site. Grade I. 1932.

Designed by Sir Owen Williams as a pharmaceutical factory for wet processes it ranks along side the Bauhaus building in Dessau, Germany as an early modern movement building. It represented a development in architectural technology with the innovative use of structural reinforced concrete and glass cladding. The refurbishment of this building in 1995 received a Europa Nostra Award for conservation and restoration.

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Nottingham's Historic Buildings



Wollaton Hall, Wollaton Park. Grade I. 1580 - 88.

Elizabethan Country House by Robert Smythson for Sir Francis Willoughby.

Converted to a Museum in 1925.

The City of Nottingham is fortunate in having many fine buildings which illustrate distinct periods of English architecture and social history. Nottingham has one of the highest number of listed buildings (buildings of special architectural or historic interest) of all English towns and cities. The addition of over 400 buildings to the list in November 1995 brings the total number of listed buildings in the City of Nottingham to approximately 800, meaning Nottingham can now be called an Historic City.

Types of Historic Buildings

The important historic buildings within the City of Nottingham can be divided into three categories:

i) Scheduled Ancient Monuments:

These are buildings, structures, or areas of land containing remains, which have been scheduled by the Secretary of State as Ancient Monuments. In Nottingham examples include the Caves such as under 3-7 Middle Pavement, rock cut houses such as south of Nottingham Castle, and the Medieval City Wall. Some buildings are scheduled as ancient monuments as well as listed. Where this occurs scheduling, which introduces closer controls than does listing, takes priority and listed building controls do not apply.

ii) Listed Buildings:

A listed building is a buildings of special architectural or historic interest which is listed by the Secretary of State under the Planning (Listed Buildings and Conservation Areas) Act 1990. About 443,000 buildings currently appear on this national list which is split into three categories according to their relative importance:-

Grade II* Buildings of exceptional interest. In England only about 2% of listed buildings are this grade. Within the City of Nottingham there are 10 grade I listed buildings including Wollaton Hall, Nottingham Castle and St. Marys Church.

Grade II* Buildings of more than special interest. In England only 4% of listed buildings are this grade. Within the City of Nottingham there are 29 grade II* listed buildings such as Colwick and Shire Hall.

Grade II Buildings of special interest. The majority of listed buildings are this grade. Within the City of Nottingham there are currently 736 grade II listed buildings.

iii) Local Interest Buildings:

These buildings are valued for their contribution to the local scene but are not considered special enough to merit listing by the Secretary of State for National Heritage. They are locally significant because of their architectural/industrial/historic/archaeological or townscape importance, and are included on a City Council list of buildings of local interest. Whilst inclusion of a building on this list does not award any legal protection, it will be a material consideration in the determination of development proposals.

Why are buildings listed?

Buildings are listed because the Secretary of State for National Heritage considers that they are of special architectural or historic interest and statutory recognition of their importance is required.

Buildings are listed to protect and preserve them as part of our heritage for the benefit of future generations. This does not mean that listed buildings are not able to change as they respond to the needs and uses of the time. **Listing is not intended to mothball a building.** Certain listed structures need to be conserved 'as found', but underpinning the planning legislation is the belief that the long term interests of a historic building are best served by it remaining in use: although often the best use is the one for which it was designed. Listing tries to ensure that if any changes are necessary they respect and retain those qualities and characteristics that make the building special.

All buildings considered for listing are judged according to a set of national standards. The main criteria which the Secretary of State for National Heritage applies in deciding which buildings to include in the statutory list are as follows:

- **architectural interest:** the lists are meant to include all buildings which are of importance to the nation for the interest of their architectural design, decoration and craftsmanship; also important examples of particular building types and techniques (e.g. buildings displaying technological innovation or virtuosity) and significant plan forms;
- **historic interest:** this includes buildings which illustrate important aspects of the nation's social, economic, cultural or military history;
- **close historical association:** with nationally important people or events;
- **group value:** especially where buildings comprise an important architectural or historic unity or a fine example of planning (e.g. squares, terraces or model villages).
- **age and rarity:** generally buildings and structures in the following categories are listed.
 - All buildings built before 1700 which survive in anything like original condition.
 - Most buildings from 1700 to 1840, although selection is necessary.
 - Buildings built between 1840 and 1914 which are of definite quality and character and are the best examples of particular building types. Greater selection is required due to the greatly increased number of buildings erected and the much larger numbers that have survived.
 - Only selected buildings from the period after 1914. Buildings which are less than 30 years old are normally listed only if they are of outstanding quality and under threat.

What does listing mean?

Listing means that when a building is included on a Listed Building register, it is necessary to apply for 'Listed Building Consent' from the City Council before carrying out works which would affect the buildings character. This includes works of demolition, in whole or in part, and for any works of alteration or extension which would affect its character as a building of special architectural or historic interest.

Even relatively minor works, such as painting, may affect the character of a listed building and it is therefore advisable to consult the Development Department at Nottingham City Council before starting such works if there is any doubt. The points of contact within the department are listed on page 16 of this leaflet.



10 Pelham Street, Grade II 1904.

In 1903 Jesse Boot employed Albert Bromley to design this building for Boots the Chemists. This became the model for many other Boots stores. It ceased use as a Boots Chemist in 1972 and was successfully converted into shops and a cafe.

Under Section 9 of the Planning (Listed Buildings and Conservation Areas) Act 1990 it is a criminal offence to demolish a listed building, or alter or extend such a building in a way which would affect its character, without consent, and the penalties for this can be heavy.

The current penalty for conviction in a magistrates' court is a fine of up to £20,000 or imprisonment for up to 6 months (or both), whilst on conviction in the Crown Court an unlimited fine or a prison sentence of up to two years (or both) may be imposed. In determining the amount of any fine, a magistrates' court or the Crown Court must have regard to any financial benefit which has accrued or may accrue from the offence.

Nottingham Playhouse Rehearsal Room, 1995.

This new extension by Marsh Grochowski Architects won a RIBA regional award in 1995. It is an example of a successful contemporary extension to a modern listed building and completes the original architects vision for the square.



Nottingham Playhouse. Grade II* 1964.

Designed by Peter Moro & Partners it was the first theatre in England to break away from the conventional proscenium stage. It marks the beginning of a new and extremely successful period for the British theatre. Stylistically it is a crucial link between the Royal Festival Hall and the Royal National Theatre whilst standing as the supreme example of the new wave of repertory theatres built outside London.

New lift and mezzanine floor within Nottingham Castle, 1995

The new lift and mezzanine floor was designed by D. Latham & Co. Architects in association with the Conservation and Design Section, Nottingham City Council and represents a sensitive insertion within a grade I listed building. A light weight semi- circular mezzanine floor plate complements the curved broken pediments of the door cases designed by T.C. Hine in 1878. The lift rises into the second floor gallery as a freestanding module which preserves the integrity of the room, affords additional hanging space for the gallery and provides easy access to all floors.



How much of the building is listed?

All of the building is listed including all the interior and exterior and any object within the grounds of the building. It is a common misunderstanding that listing only applies to the outside of a building; this is not the case, for example the plan of a building is one of its most important characteristics and together with individual features such as staircases, panelling, doorcases etc. should be respected and left unaltered as far as possible. A listed building as described by the Planning (Listed Buildings and Conservation Areas) Act 1990 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 1 July 1948*. Although listing applies to the whole building, the list description is only intended to identify the property, and just because a feature of the building is not mentioned in the list description, this does not mean it is not listed.

When do I need Listed Building Consent?

Repairs:

Works of maintenance or repair do not usually need consent provided that the materials, detailing, and finished effect match the original work exactly. With listed buildings emphasis should always be placed on repair rather than replacement. Where repair of an item is not feasible, replacement should be on a like for like basis using traditional methods and techniques, but this should be a last option and Listed Building Consent may be required.

Demolition:

Listed Building Consent is required for all demolition works inside or out. The definition of demolition can include removal of even quite small items such as fireplaces, staircases or other fittings, even if they are not original. Removal of items of building fabric which are beyond repair may need consent even where they are to be replaced with exact copies.

While it is an objective of Government policy to secure the preservation of historic buildings, there will very occasionally be cases where demolition is unavoidable. Listed building controls ensure that proposals for demolition are fully scrutinised before any decision is reached. There are many outstanding buildings for which it is in practice inconceivable that consent for demolition would ever be granted. The demolition of any Grade I or Grade II * building should be wholly exceptional and should require the strongest justification.

Alterations:

Listed Building Consent is required for any work which in the opinion of the Council, affects the character of a listed building. A general principal is that alterations should aim to be reversible so that a building can be put back to its original form at a later date if necessary. Applicants for Listed Building Consent must be able to justify their proposals. They will need to show why works which would affect the character of a listed building are desirable or necessary.

General principles when considering alterations:

Generally the best way of securing the upkeep of historic buildings and areas is to keep them in active use. The best use will very often be the use for which the building was originally designed, and the continuation or reinstatement of that use should certainly be the first option when the future of a building is considered. However, some adaptations may be required to historic buildings to keep them in use. In judging the effect of any alteration or extension it is essential to have assessed the elements that make up the special interest of the building in question and to justify the proposal and its likely impact on the special architectural and historic interest of the building.

A listed building may be capable of, or require, alterations and extensions, but these must be sympathetic to the character of the building, and the Council will treat this requirement as a priority when assessing applications and monitoring work in progress. Owners and their agents are advised to contact the Council's Development Department at an early stage to discuss any proposals affecting a listed building, and to find out whether or not Listed Building Consent is required.

Examples of works that may require Listed Building Consent:

Demolition of any part of a listed building including chimneys, internal walls and structures within the curtilage.

Extensions or additions including porches, conservatories.

Roof alterations including changes to roof materials, insertion/alteration/removal of rooflights or dormers.

Internal alterations including work to room layouts/partitions/walls, floors, fireplaces, doors, panelling, staircases, wood/plasterwork mouldings.

Window and door alterations including removal and replacement of any door or window.

Decorative alterations which can include changes to the cladding materials, changes of paint colours, use of non traditional finishes such as wood stain, painting previously unpainted surfaces, replacing original lime render with a cement based render, use of a different style of pointing or mortar mix to that existing, large areas of repointing.

Addition of fixtures including satellite dishes, shutters, alarm boxes, external meters, fire escapes, signs and advertisements, new soil/rainwater pipes and gutters, name plates and door furniture.

Introduction of services such as mains electricity, telephone or gas.

For advice on applications for Listed Building Consent or Planning Permission please contact the Development Department.

The points of contact within the Department are listed on page 16 of this booklet.

Do Churches require Listed Building Consent?

Ecclesiastical buildings are fully subject to planning control, but ecclesiastical buildings which are for the time being used for ecclesiastical purposes and have an approved monitoring system are exempt from listed building controls, except in so far as the Secretary of State provides otherwise by Order under 60(5) and 75(7) of the Planning (Listed Buildings and Conservation Areas) Act 1990. Ecclesiastical exemption does not apply to the residences of ministers of religion. The context of the exemption is provided by an undertaking that historic Church buildings are subject to a separate system of control which takes account of the historical and architectural importance.

For further information refer to:

‘The Ecclesiastical Exemption (Listed Buildings and Conservation Areas) Order 1994’.

What are the Legal responsibilities of owners of listed buildings?

Most owners and occupiers recognise listed buildings as part of our heritage and are pleased and proud to maintain their properties. **Owners of listed buildings have responsibilities for their upkeep and repair which are described under the Planning (Listed Buildings and Conservation Areas) Act 1990.** Where it appears to the City Council that the building is not being properly maintained, the Council can serve a notice (Building Repairs Notice) on the owner requiring necessary works to be undertaken within a specific time.

Listed buildings that are deliberately neglected by their owners can be compulsorily purchased by the council and minimal compensation paid. If the property is unoccupied, the Council can undertake the works to protect the building itself and then recover the costs from the owner. These measures are seen as last resorts by both the Government and Nottingham City Council and it is hoped that through constructive dialogue they will be rarely necessary.

Can a building be de-listed?

The Secretary of State is prepared to review listings in the light of new evidence. There is no formal appeal procedure, but owners or others who believe that a listing should be reconsidered should send the evidence to the Listing Branch, Department of National Heritage, together with photographs of the building and a location plan. The evidence must relate only to the special architectural or historic interest ascribed to the building.

How do I obtain listed building consent?

Application forms for Listed Building Consent are available from the Development Department at the address on the back cover of this leaflet. Listed Building Consent will normally be required in addition to Planning Permission, although no fee is required for Listed Building Consent.

The timescale for handling the Listed Building Consent application is normally 8 weeks, however in certain cases, for example with Grade I and Grade II* buildings the application will need to be referred to the Department of Environment which will extend the determination time by at least another 4 weeks.

Applicants for Listed Building Consent must be able to justify their proposals. They will need to show why works which would affect the character of a listed building are desirable or necessary, and include this as a written justification statement in their application. They should provide the City Council with full information, to enable assessment of the likely impact of the proposals on the special architectural or historic interest of the building, and on its setting.

The following information should be submitted along with the completed application forms:

- An Ordnance Survey site plan to a scale of at least 1:1250
- Context drawings to include elevations of any immediate adjacent buildings
- Existing and proposed drawings to include plans, elevations, sections and as much supporting information as possible such as material specifications, joinery profiles, photographs etc. For example where ornate timber mouldings are to be produced, its sometimes necessary to draw the section at a large scale (1:20 is standard)
- A justification statement as described above.

Can I get any financial help?

There are a number of agencies who may be able to provide grant assistance. A brief description of the main providers of these historic building grants are listed below.

English Heritage Grant Schemes

English Heritage, 23 Saville Row, London W1X 1AB; Tel: 0171 973 3000

English Heritage is a government funded agency which is able to provide grants for ancient monuments, historic buildings, conservation areas, buildings at risk and churches. Grants available from English Heritage are as follows:

i) Historic Buildings and Monuments Grants

Availability - Normally only properties which are scheduled monuments or listed buildings of grades I or II* will qualify for grants.

Works covered - Grants are for major structural repairs and occasionally for interior features, to an agreed and appropriate standard of materials and workmanship. Routine maintenance work is excluded.

Finance - Often 40 % but all cases are individually assessed to determine the level of support needed. Grants are not normally considered for repair programmes costing at less than £10,000.

ii) Church Grants

Availability - Usually for grade I and II* churches only, of all denominations.

Works covered - Major repairs only to the historic fabric to an agreed and appropriate standard of materials and workmanship. Excludes routine maintenance, non-historic features, alterations, additions and improvements.

Finance - Often 40% but all cases are individually assessed to determine the level of support needed.

iii) Buildings at Risk Grants

Availability - For historic buildings which are in poor condition and are located within a conservation area. Applications should be made through the Conservation & Design Section at Nottingham City Council who are required by English Heritage to approve any application.

Works covered - The grants provide for basic repairs to make a building safe, structurally sound, and weathertight.

Architectural Heritage Fund

**The AHF, 27 John Adam Street, London WC2N 6HX;
Tel: 0171925 0199 Fax 0171 930 0295**

Availability - Low interest loans to building preservation trusts registered with the Fund for the restoration of historic buildings throughout the U.K.

Works covered - The acquisition of a building; repair, restoration and preservation work; alterations and minor extensions which are necessary for the building to be used; feasibility studies; and administration.

Heritage Lottery Fund

**National Heritage Memorial Fund, 10 St. James Street, London SW1A 1EF;
Tel: 0171 649 1345 Fax 0171 930 0968**

Availability - Grants for land, buildings or items of importance to the local, regional or national heritage. Public, charitable or non-profit distributing body established in the UK having the preservation or conservation of the heritage as one of its purposes may apply.

Works covered - The acquisition, conservation, restoration or repair of historic buildings and ancient monuments and other improvements affecting their public accessibility, understanding and enjoyment.

Finance - Usually for projects of 10,000 minimum, including a 'significant proportion of partnership funding'. Not available to private individuals and commercial organisations.

Heritage Memorial Fund

**National Heritage Memorial Fund, 10 St. James Street, London SW1A 1EF;
Tel: 0171 649 1345 Fax 0171 930 0968**

Availability - A fund of 'last resort' for saving land, buildings, works of art and any other object of outstanding importance to the national heritage where under real threat of loss, demolition or undesirable alteration.

Works covered - Acquisition, preservation and maintenance by local authorities and registered charities involved in the conservation of the national heritage.

Finance - Grants and loans are available only where there is no other source of funding, or when the scale of the project is such that topping up is essential. Only very exceptionally will the Fund provide the total cost of a project.

English Partnerships

16-18 Old Queen Street, London SW1H 9HP; Tel: 0171 976 7070 Fax: 0171 976 7740

Availability - For regeneration initiatives within designated priority areas in England by developers and others, which involve job creation, attract inward investment, and provide new housing, employment or recreation space, or which involve environmental improvements.

Works Covered - The reclamation, development and restoration of vacant, derelict and under-used or contaminated land and buildings.

Finance - Usually limited to projects needing Partnership investment of 100,000 minimum, although good quality smaller projects will also be considered, especially if put forward by local authorities or voluntary/community projects.

Lace Market Conservation Area Partnership

Conservation & Design Section, Nottingham City Council, Development Department, Exchange Buildings North, Smithy Row, Nottingham, NG1 2BS; Tel: 0115 9483500

Availability - This is a new grant scheme operating in the Lace Market Conservation Area from April 1996 with funding jointly provided by English Heritage, Nottingham City Council and Nottinghamshire County Council. The grant programme is targeted at works aimed at the preservation and enhancement of the Conservation Area including :

Works covered:

Repair grants - for certain historic buildings in the Lace Market. The grants will be prioritised on external and structural repairs such as re-roofing, restoration and renovation of stone and brickwork, cast iron rainwater goods, windows.

Environmental improvements - specific areas in the Lace Market have been prioritised for enhancements. Grants may be available for shop front improvements, enhancement of the streetscape, etc. However, funding is very limited and repair grants will take priority.

Finance - Conservation Area Partnership grants are discretionary and are subject to availability of funds. They are usually for up to a maximum of 40% of the total cost of work, including VAT and fees for approved professional services, however, there is no set figure and in some cases this may be increased for essential works which fit the criteria of the grant scheme.

Appointing Professional Advisors

The repair and alteration of Listed Buildings requires special skills.

The appointment of an architect or surveyor who is experienced and trained in the conservation of historic buildings is strongly advised, and the work should be undertaken by builders or specialists experienced in working with listed buildings.

What about VAT?

Repairs to all buildings, whether listed or not, are subject to VAT. However, Customs and Excise will allow VAT exemption on certain classes of work to listed buildings, but the work must have been undertaken by a VAT registered builder, and Listed Building Consent must have been obtained for the work.

Summary of zero-rating:

For zero-rating of work the following criteria must be satisfied:

- The building must be listed or a scheduled monument.
- The work must form part of an approved alteration of the building for which listed building consent is both required and has been obtained.
- The work cannot be repair work.
- The building must be designed as, or become a 'dwelling' or dwellings, or be intended for use solely for a 'relevant residential purpose' or a 'relevant charitable purpose' after the work has taken place. This allows the work for conversion of non-residential buildings to new dwellings to be zero-rated.

For further information and advisory leaflet contact your
local Customs and Excise office.

What about insurance?

Insurance is important in the management of any property. This is especially true of historic buildings, whose design and construction may make them more vulnerable to damage, especially by fire, and more expensive to repair afterwards.

It is advisable to ensure that your insurance company is aware of the listed status of the building and that the amount of cover is sufficient to reinstate the building in the event of a major incident such as a fire.

For further information on this topic see
"Insuring your historic building - houses and commercial buildings"
produced by English Heritage.

Other Useful Addresses

English Heritage

23 Saville Row, London, W1X 1AB
Tel: (0171) 973 3000

Department of National Heritage

2-4 Cockspur Street, London, SW1Y 5DH
Tel: (0171) 211 6000

Society for the Protection of Ancient Buildings

37 Spiral Square, London, E1 6DY
Tel: (0171) 377 1644

Georgian Group

6 Fitzroy Square, London, W1P 6DX
Tel: (0171) 387 1720

Victorian Society

1 Priory Gardens, Bedford Park, London, W4 1TT
Tel: (0181) 994 1019

Twentieth Century Society

58 Crescent Lane, London, SW4 9PU
Tel: (0171) 793 9898

Royal Institute of Chartered Surveyors

Surveyors Court, Westwood Way, Coventry, CV4 8JE
Tel: (0171) 222 7000

Royal Institute of British Architects

66 Portland Place, London, S1N 4AD
Tel: (0171) 580 5533