

Adams & Remers



# A&R. List & Save

## Listed Buildings and Conservation Areas

When a building is described as “listed” it means that it is included in a list of buildings which are considered to be of sufficient historic or architectural interest to merit special protection.

This list is drawn up by the Department of National Heritage, on the advice of English Heritage. English Heritage oversees the list working under guidelines produced by the Department of Culture Media & Sport.

The current legislation relating to listed buildings is contained within the Planning (Listed Buildings & Conservation Areas) Act 1990. Listed buildings are divided into three categories: Grade I, II\* and II. Grade I buildings are of exceptional interest. Grade II\* are particularly important buildings of more than special interest and Grade II are of special interest, warranting every effort to preserve them.

Grades I & II\* represent about 8% of all listed buildings and are of national importance. Grade II buildings are of local importance but it will have been decided that they warrant preservation.

Listing covers the whole of the building and its curtilage. (The curtilage is the enclosed area of land around a dwelling.) It may also include structures outside the main listed building, which are either physically attached to it or situated inside its curtilage and constructed for uses ancillary to that of the main listed building.

Listed Building Consent will be required from the Local Authority in order to alter it in any way that affects its character. Repairs carried out in matching materials do not usually require consent, but it is always best to check with the Local Planning Department before starting any work on a listed building and confirm in writing.

The listing includes not only the main external features such as the walls and roof, but also the internal features which are fixed to the building and which make up so much of its historic character. Therefore, internal joinery such as doors, fitted cupboards and panelling are all part of the “listed” building as are other features like fireplaces and plaster work, and Listed Building Consent must be sought before altering or removing such features.

Listed buildings are considered particularly interesting because they show how the design and layout of buildings changed over the centuries and even the most modest listed cottage can illustrate how such buildings were planned and detailed at one particular time. For this reason Local Authorities usually resist applications which propose unsympathetic subdivision or extensions.

The type of work which normally requires Listed Building Consent includes:

- extensions and demolitions
- repairs not carried out in matching materials (e.g. changing from a handmade clay tile to a machine made tile)
- demolition and re-building of important features like chimney stacks
- sandblasting stonework, brickwork and timbers (internal and external)
- exposing timbers and brickwork previously hidden beneath plaster or limewash
- stripping out internal plasterwork where it is not being replaced as original
- removal or alteration of internal features such as doors, cupboards, panelling and fireplaces
- changes to the floor plan of its internal rooms (e.g. blocking up door openings, removing partitions or staircases)
- timber treatment where this involves methods which could damage the building
- new plumbing (where this has an impact on the listed building)
- replacement windows including double glazing
- insertion of suspended ceilings
- fitting of new ovens and stoves which require flues

The Local Authority will have powers to prosecute where work has been carried out to a listed building without consent. Additionally, owners who deliberately neglect a listed building may be forced to carry out the necessary repairs or may find that the Council acquires it by compulsory purchase at minimum cost.

The Planning (Listed Buildings and Conservation Areas) Act 1990 also governs conservation areas. Whether a particular property lies within a conservation area can be ascertained by enquiring with the local council.

If a given property is located within a conservation area, additional planning controls will apply to development, including:

- the withdrawal or curtailment of certain permitted development rights (such as the right to carry out minor extensions for dwellings, such as porches).
- the need for local council consent for the felling of trees or demolition of buildings or boundary walls.

### Further Help & Advice

Adams & Remers are delighted to assist the Listed Property Owners Club and their members.

For any listed building query or to discuss this area please contact Suzanne Bowman on 01273 403220.

For other advice contact our team direct.

### A&R Residential Property Team



**Suzanne Bowman**  
Partner

Tel **+44(0)1273 403220**

Email  
**suzanne.bowman@  
adamsandremers.com**



**Sara Stuart**  
Conveyancing Executive

Tel **+44(0)1273 403274**

Email  
**sara.stuart@  
adamsandremers.com**



**David Hovey**  
Consultant

Tel **+44(0)1273 403240**

Email  
**david.hovey@  
adamsandremers.com**



**Aimee Read**  
Solicitor

Tel **+44(0)1273 403291**

Email  
**aimee.read@  
adamsandremers.com**

### Contact Us

#### Lewes

Trinity House, School Hill,  
Lewes, Sussex BN7 2NN

Tel +44 (0)1273 480616

Fax +44 (0)1273 480618

DX 3100 Lewes1

Email **lewes@adamsandremers.com**

#### London

Commonwealth House,  
55-58 Pall Mall, London, SW1Y 5JH

Tel +44 (0)20 7024 3600

Fax +44 (0)20 7839 5244

DX 140545 Piccadilly 5

Email **london@adamsandremers.com**