

Conservation in Tendring



Listed Buildings

General Advice for owners, prospective
owners and developers

Tendring
District Council





This booklet has been produced by the Council in order to provide general advice to those owning or considering purchasing a Listed Building. The advice will also be useful to developers who are considering development proposals which will impact on a Listed Building.

1 What is a listed building?

Listed Buildings are officially defined as “buildings of special architectural or historic interest”. As required by the Planning (Listed Buildings & Conservation Areas) Act 1990, such buildings are included on a list drawn up by English Heritage and the Department for Culture, Media and Sport. Within Tending District there are over 960 “list entries” comprising 23 at Grade I (exceptional interest), 43 at Grade II* (outstanding interest) and the remainder are Grade II (special interest). As each list entry can apply to more than one building it is estimated that there are over 1100 Listed Buildings in the District.



St. Osyth village

2 Why are buildings listed?

Buildings are listed to ensure that any alterations to their fabric respect their special interest and that any demolition is allowed only in exceptional circumstances and after very careful consideration has been given to alternative solutions, where this is appropriate.

The fact that buildings are listed does not necessarily mean that they must be preserved intact and unaltered for all time, rather the aim is to ensure that decisions made today do not adversely affect the enjoyment of these buildings in years to come.



Low Lighthouse, Harwich

3 How can I find out if a building is listed?

The Council’s Planning Service based at the Council Offices, Weeley can advise you whether a particular building is listed. Please contact the **Planning Customer Services** team on **01255 686161** or by email at

planning.services@tendingdc.gov.uk





Guild Hall, Harwich

4 How much of a building is covered by listing?

All of the building (whether Grade I, II* or II) is protected, both inside and out, the front and back together with all later alterations and additions, regardless of their style, date or quality. This includes all fixtures, forming a permanent and integral part of the building such as fireplaces, doors and original built-in cupboards.

Each Listed Building has a list description which is part of the list entry and is only intended to aid identification. Absence from the list description of any reference to a feature (external or internal) does not indicate that it is not of interest or that it can be removed or altered without consent. Interiors are rarely described in any detail but this is not to be taken as an indication that they are excluded from protection either.

5 What is the extent of the listing?

The listing of a building places protection not only on the building, but also on any object or structure fixed to the building (e.g. boundary walls and railings) and any object or structure within its curtilage which forms part of the land and has done so since before 1 July 1948. Thus the listing also covers any free-standing buildings erected before the above date which are often referred to as “curtilage listed buildings”.



6 What factors determine whether a building is listed?

The following are the main criteria used in deciding which buildings to include on the statutory list:

- ◆ **Age and Rarity:** the older a building is and the fewer the surviving examples of its kind, the more likely it is to have historical importance
- ◆ **Architectural Interest:** the architectural design, decoration or craftsmanship are important as well as examples of particular building types or use of particular building techniques.
- ◆ **Historic Interest:** buildings may display little visual quality but, through technological innovation or their form, they may illustrate particular aspects of the nation's social, economic, cultural or military history.
- ◆ **Close Historic Associations:** well documented associations with nationally important people or events.
- ◆ **National Interest:** not only are buildings of strong intrinsic architectural quality included, but also the most significant or distinctive local buildings that make a strong contribution to the national historical stock.

When assessing these criteria, age and rarity are important considerations. In general, the older the building, the more likely it is to be listed. Thus all buildings before 1700 and most between 1700 and 1840 are eligible. Post 1840, only those of definite quality are eligible given the increased number of buildings erected. More recent buildings are rarely listed. Detailed guidance on what English Heritage looks for when assessing buildings for listing can be found in Circular 01/2007 "Revisions to Principles of Selection for Listed Buildings" and on their website

www.english-heritage.org.uk

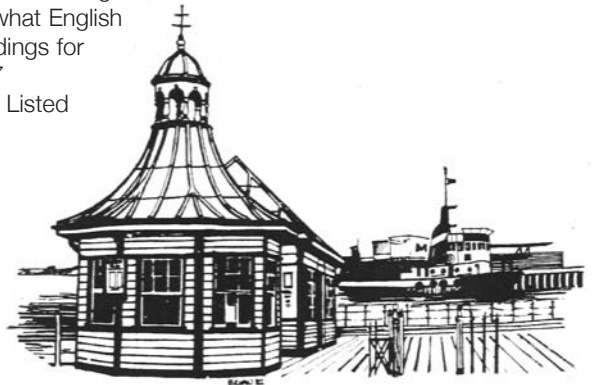
Go to 'Heritage Protection' and then 'Principles of selection for designated buildings'.



Listed Building prior to repair and renovation



Listed Buildings in Harwich





Tide Mill, Thorrington

7 How do buildings become listed?

Most buildings on the statutory list in Tendring were selected in the course of a national survey undertaken by the Government in the 1980's. Buildings in Harwich were selected in a local survey undertaken in the early 1990's. They appear in the form of a description of the building's principle features.

Those buildings overlooked during these surveys or where new information has come to light, can be considered for "spot listing". This is a process whereby requests can be made to the Heritage Protection Department of English Heritage for individual buildings to be included on the list. Formal request, which can be made by any individual or organisation must be accompanied by specific supporting information which is set out on the English Heritage website

www.english-heritage.org.uk or email
applicationeast@english-heritage.org.uk



High Lighthouse, Harwich

8 What are the implications of being listed?

When a building is listed, this does not mean that it cannot be altered or extended. However, if you wish to demolish a Listed Building or to alter or extend it in any way that affects its character you must apply to the Council for Listed Building Consent. It is important to note that carrying out work without such consent will result in a criminal offence being committed under Section 9 of the Planning (Listed Buildings & Conservation Areas) Act 1990, for which the penalties can be heavy.

Applicants for Listed Building Consent must be able to justify their proposals and will need to show why works affecting the character of the building are desirable or necessary. They should provide the Council with full information to enable it to assess the likely impact of their proposals on the building and its setting. More detail is given on the leaflet:

Listed Buildings - Alterations and Extensions.



Applications for Listed Building Consent may be required for a variety of works, including internal alterations, replacement windows and for the conversion of curtilage buildings. Even some fairly minor proposals such as re-decoration and re-pointing may require consent.

Applications for Listed Building Consent will be in addition to any Planning Permission you need. In most cases, however, the two applications are dealt with together. Before commencing any works to a Listed Building it is always advisable to check with the Council to find out which, if any, applications are required and whether they are likely to be dealt with favourably.



Grade II listed building in Harwich*

9 What information is required when submitting a listed building application?

In addition to the completion of the necessary Listed Building Consent application forms and a Design and Access Statement, the Planning Authority will also require the following in order to assess the impact of the proposals on the building:

- ◆ An accurate and up to date location plan to a scale of 1/2500 or 1/1250 with the application site outlined in red
- ◆ Block plan of the site at 1/100 or 1/200 showing site boundaries
- ◆ A full set of properly drafted scaled drawings of not less than 1/100 or 1/50 showing the layout of the building floor by floor, in plan form, both existing and proposed
- ◆ A similar set of scaled drawings at 1/50 or 1/100 showing all the elevations of the building, both existing and proposed



Treadwheel Crane, Harwich





Ramsey Windmill



Lawford Hall

Dovercourt Iron
Lighthouses



- ◆ Roof plans at scale 1/50 or 1/100
- ◆ Where internal spaces or structures are to be altered, internal elevations and sections, drawn to a metric scale, both existing and proposed
- ◆ Where possible a full set of recent informative photographs of the building and its condition.

4 copies of each of the above submissions will be required to enable necessary consultations to be carried out.

The detail and quality of the submitted drawings for the purpose of Listed Building Consent is absolutely critical. Insisting on scaled plans ensures that the proportions of the elements shown on the drawing relate directly to the real proportions of the parts of the building. For example, with replacement windows the plans must depict not only the overall opening, but also the constituent parts of the frame, including the opening lights. The proportions and widths of the glazing bars must also be shown, and this is often best done by a combination of a detailed elevation and a section through the window frame. **(See also the related leaflet: Listed Buildings - windows and window details).**

Listed Building Consent applications which do not provide information of the standard specified here will not be accepted for registration. Although the Council cannot insist upon professionally drawn plans, it strongly advises applicants that preparing Listed Building drawings is a highly skilled task. The absence of a fee for Listed Building applications is taken to reflect the cost of properly drawn submissions.

Further information on making Listed Building Consent applications and associated Planning Applications can be found elsewhere on the Council's website. Go to:

www.tendringdc.gov.uk/TendringDC/Environment/Planning+and+Buildings/PlanningApplicationForms-1APP.htm



10 What happens after an application for listed building consent is registered?

Once registered, the Planning Authority will advertise applications both on site and in the local press, after which at least 21 days must elapse before a decision can be made. Works must not be started until the relevant consents have been issued.

Each application will be considered against the policies contained in the Adopted Tendring District Local Plan 2007 (Policies EN21,22, and 23 are particularly relevant - see Interactive Local Plan)* as well as the Government advice contained in Planning Policy Guidance Note 15:** "Planning and the Historic Environment" 1994. These documents are due to be replaced by a new Local Development Framework for Tendring District and a new Planning Policy Statement at the national level.

* Go to www.tendringdc.gov.uk
Then select 'Planning', 'Planning Policy' and then 'Interactive Adopted Local Plan'

** www.communities.gov.uk

All proposals which fail to preserve or enhance the appearance and character of the Listed Building and/or its setting will not be permitted by the Council.

11 Will the submitted listed building consent application be received favourably?

Following these general principles will increase the likelihood of an application being received favourably:

- ◆ Any necessary alterations shall be carried out using materials as close as possible to the original (tiles, bricks, mortar and render etc.)
- ◆ Any necessary replacement features should follow the detail and form of the old, like for like (doors, windows and guttering etc.)



Electric Palace Cinema, Harwich and Kings Quay Street



Listed cottages in St. Osyth





Octagonal Cottage

- ◆ In designing essential new extensions, attention should be paid to respecting the scale, design and proportions of the existing building.

The words “necessary” and “essential” used here stress the importance of keeping building works to a minimum. The difficulty of obtaining the correct materials, skilled craftsmen and their high costs, make the retention of old and original work all the more important. Sometimes well intentioned “restoration” can, in practice, often destroy the character of an historic building that it is desirable to preserve.

12 Who is responsible for upkeep and repair of a listed building?



Former Great Eastern Hotel, Harwich

The responsibility for keeping a Listed Building in a reasonable state of repair rests in the first instance with the building’s owner. Each owner should consider themselves as a temporary steward or custodian of the building as well as just its present owner. Listed Building owners are strongly advised to carry out regular and timely maintenance on their property to avoid expensive repair bills in the longer term. Such advice is readily available from various sources including the following website:

www.maintainyourbuilding.org.uk

If, however, an owner fails to take reasonable steps to preserve a Listed Building, the Council can intervene and serve a Notice specifying works that must be carried out for the proper preservation of the building. If the works are not carried out, the Council may either carry out the works themselves and recover the costs involved from the owner or they may consider the compulsory purchase of the property.



Currently there are a number of Listed Buildings in need of extensive repair in the District and these are included in the County Council's Register of Buildings at Risk which is updated annually. In addition English Heritage produces a Heritage at Risk Register concentrating on Grade I and II* Listed Buildings.

13 Are there any grants available?

At present the Council does not have any money available to grant aid the repair of Listed Buildings in Tendring District. Wherever possible funding is being channelled into heritage - led regeneration schemes where it can be used to secure substantial additional funding from various external sources.

English Heritage have a budget for the repair of historic buildings. This is usually only available for Grade I and II* Listed Buildings. Please contact:

**English Heritage Regional Office at Brooklands,
24 Brooklands Avenue, Cambridge, CB2 8BU.**

Finally, the Heritage Lottery Fund distributes money for heritage projects which have demonstrable public benefit. More detailed queries should be directed to the Fund direct. see www.hlf.org.uk/english

14 What is the position with regard to VAT?

Listed Buildings enjoy a more favourable position on the payment of VAT than unlisted buildings. Whereas works to unlisted buildings are subject to VAT at the normal rate, alterations to Listed Buildings are not subject to VAT provided that the works have first received Listed Building Consent. VAT does, however, remain payable on works that do not require consent including repairs and maintenance. More detailed VAT queries should be directed to HM Revenue and Customs and not to the Planning Authority.



Other useful sources of information?

There are various national organisations providing design advice and guidance in relation to Listed Buildings. These include the following:

English Heritage

www.english-heritage.org.uk

Historic Environment Local Management - HELM

www.helm.org.uk

Society for the Protection of Ancient Buildings - SPAB

www.spab.org.uk

The Victorian Society

www.victorian-society.org.uk

The Georgian Group

www.georgiangroup.org.uk

The Twentieth Century Society

www.c20society.demon.co.uk

Institute of Historic Building Conservation

www.ihbc.org.uk

English Historic Towns Forum

www.ehtf.org.uk

Essex County Council

www.essex.gov.uk

Communities and Local Government

www.communities.gov.uk

Note; Tendring District Council is not responsible for the content of any external websites.

Listed Buildings

For more information write to:

Planning Services

Tendring District Council

Council Offices

Weeley

Clacton-On-Sea

Essex CO16 9AJ

