

# KIRKLEES DEVELOPMENT TEAM

## ADVICE FOR DEVELOPERS

### LISTED BUILDINGS – ADVICE FOR DEVELOPMENT

#### WHY SHOULD I READ THIS?

If you want to demolish, alter or extend a listed building either internally or externally in a way that affects its character you must apply for listed building consent from the council. Even relatively minor works such as painting, rendering, repairs or the removal of gate posts and walls may affect the character of a building and require consent.

#### WHAT IS A LISTED BUILDING?

Buildings of “special architectural or historic interest” are listed by the Secretary of State for Culture, Media and Sport. The listing of a building provides statutory protection against alteration or demolition that would damage its special interest.

There are three grades of listed buildings based upon their relative importance:

- Grade I – buildings of exceptional special interest.
- Grade II\* - buildings which are of particular special interest, these are often good quality buildings in their original condition.
- Grade II – buildings of special interest which warrant preservation.

Buildings are listed in their entirety, whatever the grade of the building; there is no distinction between the interior and exterior. Any objects or structures fixed to a listed building or included within the curtilage of the building which have formed part of the land since before 1st July 1948 are included in the listing. All list entries include a description of the building intended to aid identification. This is not a comprehensive record of all the features of importance and just because a feature is not mentioned in the entry does not mean it can be removed or altered without consent; this is especially relevant for internal features of interest.

#### DO I NEED LISTED BUILDING CONSENT?

If you want to demolish, alter or extend a listed building either internally or externally in a way that affects its character you will need listed building consent. Generally, the demolition of listed buildings will be strongly resisted unless it can be shown that: (a) the listed building is beyond realistic repair; (b) Every possible effort has been made to continue its present use or to find an alternative use, including offering the building for sale for a reasonable period of time. Relatively minor works such as painting, repairs or the removal of gate posts and walls may affect the character of a building and hence need consent.

The setting of a listed building may be affected by proposals for free-standing buildings within garden grounds, alterations to walls or approaches, sight lines to or from a listed building and associated landscaping. Any development proposal that will affect the setting of a listed building will also require listed building consent.

Where a listed building forms an important visual element in the street, any

development in the street would be considered to affect the setting of the building and hence require permission.

If works have been carried out to a listed building without consent the council can issue a Listed Building Enforcement Notice and prosecute the owner through the Courts. It is also an offence not to comply with conditions attached to a listed building consent.

#### WHAT INFORMATION DO I NEED TO SUPPLY?

Accurate elevational drawings will be required for works affecting the exterior of buildings at a scale of 1:50. They should show the position and size of buildings nearby and should ideally be supplemented with good quality photographs. If works affect the internal layout of a listed building then 1:50 floor plans will also be required. Grant aid for the repair of listed buildings may be available from both Kirklees Council and English Heritage. The council offers the Kirklees Historic Buildings Grant for owners of listed buildings for more than two years. Further information and application forms are available from the council's Conservation and Design Team in Planning Services. Grants from English Heritage may be available for the repair of Grade I or Grade II\* listed buildings.

#### WHEN SHOULD I DO THIS?

The Conservation and Design Team can advise you on whether listed building consent will be required for specific alterations, extensions or other works. It should be noted that Listed Building Consent is in addition to any planning permission that may also be required.

If you require Listed Building consent you should submit the details described above, together with appropriate plans and photographs at the same time as your planning application. Do not start any works that may affect a listed building until you have obtained consent.

**WHERE CAN I GET MORE INFORMATION?** This leaflet should be read in conjunction with Supplementary Planning Guidance produced by the Council on Windows for Historic Buildings in Kirklees Late 18 & 19 Centuries and Panelled Doors on Historic Buildings in Kirklees both of which can be obtained from the Planning Service. Other sources of information include:

#### Web Resources:

[www.planningportal.gov.uk](http://www.planningportal.gov.uk)

[www.kirklees.gov.uk](http://www.kirklees.gov.uk)

[www.communities.gov.uk](http://www.communities.gov.uk)

#### Kirklees Council Contacts:

Conservation and Design Section 01484 416228

Email [planning.contactcentre@kirklees.gov.uk](mailto:planning.contactcentre@kirklees.gov.uk)

**Publications:**

Policies for listed buildings are can be found in the “Built Environment” section Chapter 4.

Planning Policy Guidance Note 15: Planning and the historic environment (HMSO publication)

**Useful Addresses:**

Planning & Building Control Services, PO Box B93, Civic Centre 3, Huddersfield, HD1 2JR

RTPI, Yorkshire Planning Aid, 8 Woodhouse Square Leeds, LS3 1AD

English Heritage, 37 Tanner Row, York, YO1 6WP