

# A Buyer's Guide to...

# Listed Buildings

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**You have found the ideal property to purchase; full of character, charm and according to the Agent's details, the building is listed. You may well have heard of listed buildings, but have little or no idea as to what they actually are and how listing would affect you as the future owner of such a property.**

We hope that you find this brief guide useful, however it is only a guide, so if you are buying such a property with a view to altering, or extending it in any way you should consult your local authority Conservation Officer and Planning Department as to what may be possible before legal commitment to purchase.

### **Why is the property listed?**

Buildings are listed because of their historical relevance, or architectural importance, to make sure that their owners and planning authorities preserve them as a meaningful record of building styles and techniques from earlier times.

### **What are the "Grades" of listed buildings?**

The vast majority of listed buildings are listed as Grade II and tend to be buildings of local importance. Only buildings of national importance, or of exceptional interest will fall within Grade I and II\*, accounting for only around 6% of all listed buildings.

### **What parts of the building does listing cover?**

In a nutshell, all parts. This is the case for all grades of listed building. Many of the internal features are the reason for its historic importance, just as much, if not sometimes more so than the way it looks on the outside. It can also include outbuildings, walls, fountains, in fact any other structure, or building that was erected before 1<sup>st</sup> July 1948 and is within what is called the curtilage of the property, which is land ancillary and closely related to the property.

### **What changes can I make to a listed building?**

Any alteration to the structure of the building, its windows, doors, or internal features will require listed building consent from the local planning authority. They will require that you obtain their prior approval to the materials to be used, you will not be allowed to use modern alternatives, such as UPVC windows and will have to adopt historic techniques, such as using horse hair in plaster work for example. It may be possible to obtain consent for an extension, but again the materials used, as well as the design, will be of the utmost importance.



Everyday maintenance and redecoration would generally not require listed building consent, nor should plumbing, or electrical work, as long as the structure and details of the property are not affected. You should however only use suitably qualified contractors able to give the necessary Compliance Certificate in order to comply with Building Regulations and if in doubt consult the local planning authority.

The Conservation Officer should approve the siting of external apparatus, such as burglar alarms and dishes.

If you want to demolish part of a listed building consent is still required and as part of any application for that consent you would have to make a very strong case indeed for demolition, as the whole purpose of listing is to protect and preserve.

#### Applying for listed building consent.

If you intend to carry out any alterations, or wish to extend a listed building you will have to make formal application to the local planning authority. No fee is payable, but you will have to supply detailed drawings and material samples. In addition you may require planning permission and Building Regulations approval, applications for which do attract a fee. It would be advisable to employ an architect with experience of listed buildings who not only can deal with the applications on your behalf, but can also liaise with the Conservation Officer to ensure all works accord exactly with what is required.

When consent is granted it will invariably include conditions that have to be satisfied before any work commences. If you ignore these and start work regardless you may find that you no longer have consent and any ongoing works are unauthorised.

#### What if I do work without consent?

If you do any work that requires listed building consent, but have not applied for consent, or an application has been refused you are committing a criminal offence, which can carry a sentence of up to twelve months' imprisonment and/or an unlimited fine.

#### Is any help available?

Grants may be available towards the cost of some works and you should ask the local planning authority about this. Similarly, some works are VAT exempt. Advice should be sought from HM Revenue & Customs.

**For more information and to speak to a member of our Residential Property Division call mfg Solicitors LLP on **0845 55 55 321**.**

mfg solicitors LLP has offices throughout Wyre Forest, Shropshire and the West Midlands. Our Residential Property centres can be found at Kidderminster, Bromsgrove, Telford and Worcester. Please simply select the centre nearest to you.

