

Applying for Listing

These guidance notes are to accompany the application form for adding or amending entries on the statutory list of buildings of architectural or historic interest. Please read them thoroughly before filling in the application form.

English Heritage provides advice and support relating to all aspects of the historic environment. We are the principal public body and the government's chief adviser for the historic environment in England. Our work covers three main categories:

- Research and investigation to extend our understanding of the historic environment.
- Advice and support for owners, local authorities and others involved in conserving and managing change in the historic environment, with the aim of securing its long-term future; and
- Helping people to understand, value and enjoy their heritage

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What is listing?

Historic buildings are an irreplaceable part of the nation's cultural heritage and tangible connections with our past. They represent a vast range of building types which have evolved as our history has unfolded. All levels of society are represented, and all manner of activity – worship, housing leisure, healthcare, education, defence, industry, transport and commerce. Many of the most important developments of our nation's social and economic history are reflected in buildings or structures.

Listing is the statutory process by which buildings are added to the list of buildings of special architectural or historic interest by the Secretary of State for Culture Media and Sport (DCMS). Compiled under the Planning (Listed Buildings and Conservation Areas) Act 1990, the list includes a great variety of structures, from cathedrals to telephone boxes. Listing gives statutory protection to historic buildings and allows their special interest to be taken into account before any changes are made to them that would affect their character.

There are now over 372,000 entries on the lists, covering an estimated half a million buildings and structures. It is estimated that 2% of dwellings in England are listed.

What does listing mean?

Listing is a celebration of special architectural or historic interest. It is not intended to mothball a building, by preserving it as it appears at the time of listing. It is widely acknowledged that the long-term interests of a historic building are best served by keeping it in use, often – but not always - the use for which it was originally designed. Buildings need to change and adapt, and listing is a way of flagging special interest through the planning process. Listing should be seen as the start of a process rather than an end in itself. In short, it is a dynamic not a static regime, which recognises that most historic buildings have already undergone significant change during their life-span. Extra care is needed to ensure that they are handed down to future generations in a state which respects their special interest.

How are buildings selected?

Anyone can apply for a building to be listed. As well as reacting to such applications English Heritage is going to return to proposing new listings itself following thematic

survey programmes. Public consultation on the proposed topics is being planned from autumn 2008.

Listing identifies buildings of special interest. Buildings considered for listing are assessed against national standards and criteria, set out in Planning Policy Guidance 15: Planning and the Historic Environment (PPG15) as revised in DCLG/DCMS Circular 01/2007: 'Revisions to Principles of Selection for Listing Buildings'. These are essential reading for anyone considering whether a building is worthy of listing. They provide the only criteria on which a listing decision will be based. They are available at:

www.communities.gov.uk/planningandbuilding/planning/planningpolicyguidance/planningpolicystatements/planningpolicyguidance/ppg15

If you have difficulty viewing these, then you can call the CLG on 020 7944 4400 for assistance.

The main principles are:

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: This may be represented through architectural design, decoration or craftsmanship, or examples of particular building types or 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 HISTORICAL ASSOCIATIONS: These should be well-documented associations with nationally important people or events, and there should also be some quality or interest in the physical fabric of the building.

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.

As well as the principles set out in PPG15 (as amended), there is now also more detailed guidance on what English Heritage looks for when assessing buildings for listing in our Selection Guides: twenty essays on twenty categories of buildings,

ranging from agriculture to utilities. These are available on our web-site. Most types of building and structure are covered. As well as providing a general historical survey of the development of each type, they discuss approaches to designation and offer sources of further information. The Selection Guides do not override the principles in PPG15 and cannot be definitive – each case is judged on its own merits - but they do offer more insight into the designation process.

These can be obtained from the EH website on:

www.english-heritage.org.uk/server/show/nav.8833

If you have difficulty in finding these, then please call 020 7973 3000.

It is important to emphasise that when buildings are recommended for listing, no factors other than architectural or historic interest as set out above can be considered. For example, the state of repair of a building is not a relevant consideration unless it detracts from the architectural or historic interest so much that the building is no longer special. Similarly, economic and social considerations cannot be taken into account during the listing process but may be relevant subsequently when, through the planning system, a local planning authority is asked to grant permission, known as Listed Building Consent (LBC) to an owner who is proposing to make changes to a listed building that would affect its character as a building of special architectural or historic interest.

Delisting

A building can only be removed from the list if it no longer meets the statutory criteria. This may be because of new evidence about the special architectural or historic interest of the building, or a material change of circumstances (for example, fire damage that has affected the special interest of the building). No issues can be considered other than the special architectural and historic interest of the building.

Applications for de-listing will not generally be considered if the building is currently the subject of an application for listed building consent, or an appeal against refusal of consent, or if enforcement action by a local planning authority is in hand. This is because both listed building consent and enforcement appeal procedures give appellants the right to argue that a building is not of special interest and should be removed from the list. De-listing is not an alternative to seeking the relevant consent.

Completing the application form

Please complete all sections as fully as you are able. We may be unable to process applications that are incomplete or erroneous.

Application Type: Please indicate whether you are seeking:

- *Listing* – The addition of a building to the list
- *Amendment* – A change to the address or description of a current listed building
- *Upgrade/downgrade* – A change to the grade of a current listed building
- *De-list* – The removal of a building from the list
- *Certificate of Immunity (COI)* from listing (see separate guidance)

SECTION A

Applicant information: Name and address of the applicant. We are unable to process applications unless we are able to contact you. We do appreciate that applicants are sometimes concerned about confidentiality.

English Heritage is subject to the Freedom of Information Act and so any information that you provide to us may become publicly available. The decision on disclosure is subject to exemptions which take account of the provisions in the Data Protection Act.

SECTION B

Building to be considered: Name, address or location of the building or structure to be considered. It is essential that we can definitively locate the building, so you should provide an NGR (National Grid Reference). This is particularly important if it does not have a postal address (for example a milestone or bridge). An eight figure reference is best. This is usually available on map websites, such as www.multimap.com, where it is part of the information given at the bottom of the page. For more information on NGRs, and how to get them from paper maps, see www.ordnancesurvey.co.uk

All new designations are identified by plan, so you should provide additionally a copy of an Ordnance Survey map showing the outline of the building or structure marked in red. The scale of the map should be shown and the map should show features in the locality so the location can be identified.

If you are asking for a change to or deletion of an entry for an already listed building, please provide the reference number at the top of the current list entry. You can get this from your local authority, or by using the Heritage Gateway website, which links to an on-line database for listed buildings. See www.heritagegateway.org.uk

SECTION C

Claims to special interest and reasons for application: When considering buildings for listing, English Heritage must assess their architectural and historic interest against the criteria set out in Planning Policy Guidance 15: Planning and the Historic Environment (PPG15), as revised in DCLG/DCMS Circular 01/2007: 'Revisions to Principles of Selection for Listing Buildings' (see *How are buildings selected?* above) and illuminated in the English Heritage Selection Guides, which are available on the English Heritage.

See www.english-heritage.org.uk/server/show/nav.8833

You should set out clearly how you think the building meets the criteria for listing, giving evidence in support, either in this section or by reference to supporting documentation. You should also set out any considerations that would weigh in argument against listing (such as lack of rarity or uncertainty over age or provenance).

English Heritage may not carry out its own assessment of every property.

If you are submitting an application for a change to or deletion of an entry for an already listed building, then you should outline the reasons for this here in exactly the same manner as above.

SECTION D

Supporting documentation: Claims that the building or structure matches or exceeds the listing criteria should be backed up by supporting documentation, where available. Particularly important will be clear current photographs of the exterior and interior, and any details you may be able to provide about original fixtures and fittings remaining within the building. Historic plans and other contemporaneous or expert assessment documentation are particularly useful.

SECTION E

Background information about the building: Details of current substantiated threats to the building, such as planning applications, pre-application discussions or intent to demolish, should be provided here with supporting documentation and you should be able to get details about this from your local authority, or by reference to the Planning Portal. This will help us to prioritise our assessment of your application.

It should be noted that a proposed change of use, an empty property or an imminent sale are not usually considered to be a threat in this respect.

The Planning Portal is at: www.planningportal.gov.uk

SECTION F

Owner contact information: In order to complete our assessment of the application, we may need to make a visit, and it is therefore important that we are able to contact the owners. Without this information our assessment may be delayed considerably. Owner details are available from Land Registry online if you do not know them, at www.landregistry.gov.uk . If you are unable to provide this information, please indicate the circumstances, for example that the building has lain empty for some time.

We are able to accept applications by email (file attachments must not exceed 5MB) or you can print out and post the application form to us.

For the East of England (Bedfordshire, Cambridgeshire, Essex, Hertfordshire, Norfolk, Suffolk) and the East Midlands (Derbyshire, Leicestershire, Lincolnshire, Northamptonshire, Nottinghamshire, Rutland), contact:

ApplicationsEast@english-heritage.org.uk

Heritage Protection

East Territory

English Heritage

Brooklands

24 Brooklands Avenue

Cambridge, CB2 8BU

For the North East (Cleveland, County Durham, Northumberland, Tyne & Wear), the North West (Cheshire, Cumbria, Greater Manchester, Lancashire, Merseyside) and Yorkshire and the Humber (East Riding of Yorkshire, Humberside, North East Lincolnshire, North Lincolnshire, North Yorkshire, South Yorkshire, West Yorkshire), contact:

ApplicationsNorth@english-heritage.org.uk

Heritage Protection
North Territory
English Heritage
37 Tanner Row
York, YO1 6WP

For the South West (Avon, Bath, Bristol, Cornwall, Devon, Dorset, Gloucestershire, Somerset, Wiltshire) and the West Midlands (Herefordshire, Shropshire, Staffordshire, Warwickshire, West Midlands, Worcestershire), contact:

ApplicationsWest@english-heritage.org.uk

Heritage Protection
West Territory
English Heritage
29 Queen Square
Bristol, BS1 4ND

For London and the South East (Berkshire, Buckinghamshire, Hampshire, Isle of Wight, Kent, Oxfordshire, Surrey, East and West Sussex), contact:

ApplicationsSouth@english-heritage.org.uk

Heritage Protection
South Territory
English Heritage
1 Waterhouse Square
138-142 Holborn
London, EC1N 2ST

What happens next?

When we have received your application we will make an initial assessment to see whether the building is likely to meet the listing criteria on the face of the application.

If the building is a potential candidate for listing on the basis of the application, the owner and local authority will be informed that listing is being considered (unless the building is considered to be under immediate threat). At this stage owners and the local planning authority can forward on to us any further information or comments they might have on the special architectural and historic interest of the building. This will help us with the assessment.

English Heritage may undertake historical research, and make comparisons with other examples of the same building type. In most cases an inspection will be undertaken, although this is not always necessary. Where English Heritage considers that an inspection is desirable, the owner's permission will be sought.

Once we have completed our research, and possibly a site visit, to find out more about the proposed candidate for listing we will put together an initial report which will be sent out to the owner, applicant and local planning authority for consultation. The initial report sets out the history and background information about the building proposed for listing, and will form the basis for our assessment about whether it has the special interest necessary for listing.

- Consultees will be asked to send in their responses within 21 days from the date of the consultation letter.
- It is important to note that we can only consider comments on the special architectural or historic interest of a building.
- Owners using planning consultants to assist them may want to take this deadline into consideration.

We will then consider all representations made before finalising our recommendation to the Secretary of State for the DCMS. The decision on whether to list is taken by the Secretary of State. After the Secretary of State has come to a decision, the owner, applicant and local authority will be notified, and sent a letter detailing the reasons for the decision. The whole process takes on average 5 months, though urgent cases can take much less time.

What if I don't agree with the listing decision?

Anyone involved in a listing case can request a review of that decision by the Secretary of State for the DCMS. A decision will only be reviewed if one of the following factors applies:

(1) there is evidence that the original decision has been made wrongly. Examples would include:

- where there was a factual error, eg. the wrong building was listed; or
- where there has been some irregularity in the process which has affected the outcome, eg. relevant considerations were not taken into account or irrelevant considerations were taken into account.

(2) there is significant evidence which was not previously considered, relating to the special architectural or historic interest of the building, as set out in the Planning (Listed Buildings and Conservation Areas) Act 1990. Examples would include:

- where new evidence relating to the date of a building has been discovered which might make a material difference to the architectural or historic interest of the building.

As with the assessment, a review is restricted to a consideration of the architectural and historic interest of the building. Applicants, owners and consultees are notified of the opportunity to request a review in the listing decision letters sent out by English Heritage. These give a timescale of 28 days to request a review. Reviews are carried out by the DCMS.

More information on reviews is available from the DCMS website (www.culture.gov.uk).

Building Preservation Notice (BPN) and Certificate of Immunity (COI) from listing

If you would like to apply for a Certificate of Immunity (COI) from listing or submit a listing application when a Building Preservation Notice has been served, see the separate guidance notes for Certificates of Immunity and Building Preservation Notices on the English Heritage website (www.english-heritage.org.uk).

If you would like this document in a different format, please contact
our Customer Services department:
Telephone: 0870 333 1181
Fax: 01793 414926
Textphone: 01793 414878
E-mail: customers@english-heritage.org.uk