

HACKNEY LOCAL PLAN SUPPLEMENTARY PLANNING GUIDANCE NOTE

13 LISTED BUILDINGS

Introduction

This note is about town planning and listed buildings. It is one of a series prepared by LB Hackney in order to explain in more detail the Council's planning policies (which are contained in the Hackney Local Plan) and related standards and requirements. The note is not restricted to those matters covered by planning legislation, where appropriate it includes references to the requirements of other legislation. It is aimed at both people who may wish to submit a planning application and those who are interested more generally in listed buildings.

Listed buildings and planning

This Planning Guidance Note provides basic information about Hackney's buildings of historic and architectural interest, and gives guidance on the statutory obligations and planning requirements relating to listed buildings. In particular these relate to the repair and maintenance of such buildings and to alterations to any building of historic character which are controlled by statutory legislation.

The historical heritage of Hackney

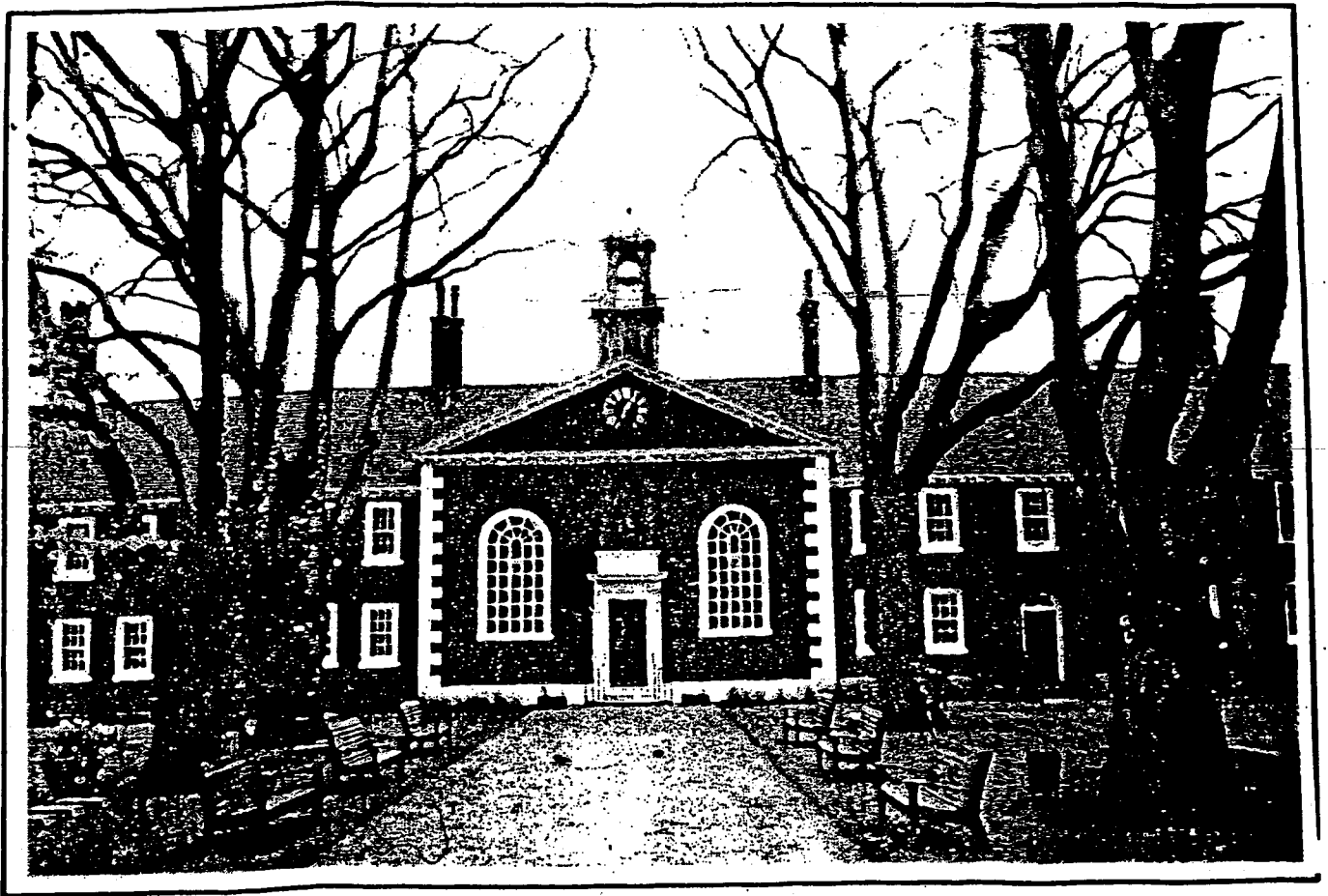
Although few buildings survive from the time before 1700 when Hackney consisted of a number of leafy hamlets and villages set in pleasant countryside, Hackney has, nevertheless, a large and important heritage of historic buildings. These buildings date mainly from the 18th and 19th centuries during which time Hackney was progressively incorporated into the built up area of London.



CRUCHLEY 1828

This heritage is of such importance that over 2,000 buildings are recognised by the Council as being of historical and architectural interest. These historic buildings range from those related to mediaeval settlement patterns, to large country houses in landscaped grounds and buildings representative of the Georgian and Victorian suburbanisation of the Borough.

Although mainly domestic, Hackney's listed buildings also include churches, industrial buildings including those relating to water supply, walls, gates, railings, posts, public houses, schools, follies, bridges, theatres, pillar boxes, lampholders, monuments and two surviving alcoves of the 18th century London Bridge - now sited in Victoria Park.



THE GEFFRYE MUSEUM KINGSLAND ROAD E8 GRADE I

Listed buildings and the Statutory List

6. Buildings which are considered to be of special architectural or historic interest are included on a list - the 'Statutory List' - by the Secretary of State for the Environment. The list was started in 1947 and is regularly added to and updated. The London Borough of Hackney now contains 1,265 statutorily listed buildings. Once a building has been 'listed', it is protected for the benefit of present and future generations by statutory legislation - not applicable to other buildings - under the Town and Country Planning Act (1971) as amended by the Town and Country Planning (Amendment) Act 1972.
7. Buildings on the list are graded to reflect their importance :-

Grade I Those buildings of outstanding national and international importance (only 1% of all listed buildings) such as the Geffrye Museum in Kingsland Road and the Old Tower of St. Augustine's Church in Mare Street.

Grade II* Particularly important buildings of more than special interest (some 4% of listed buildings) are graded II*. In Hackney these include Clissold House, Sutton House and the Water Pumping Station in Green Lanes.

Grade II

The majority of listed buildings are Grade II, being of special interest and which warrant every effort being made to preserve them. Examples of Grade II buildings in Hackney include the late 18th century Clapton Terrace, Gayhurst primary school (1874) and the Hackney Empire Theatre (1901).

Ecclesiastical

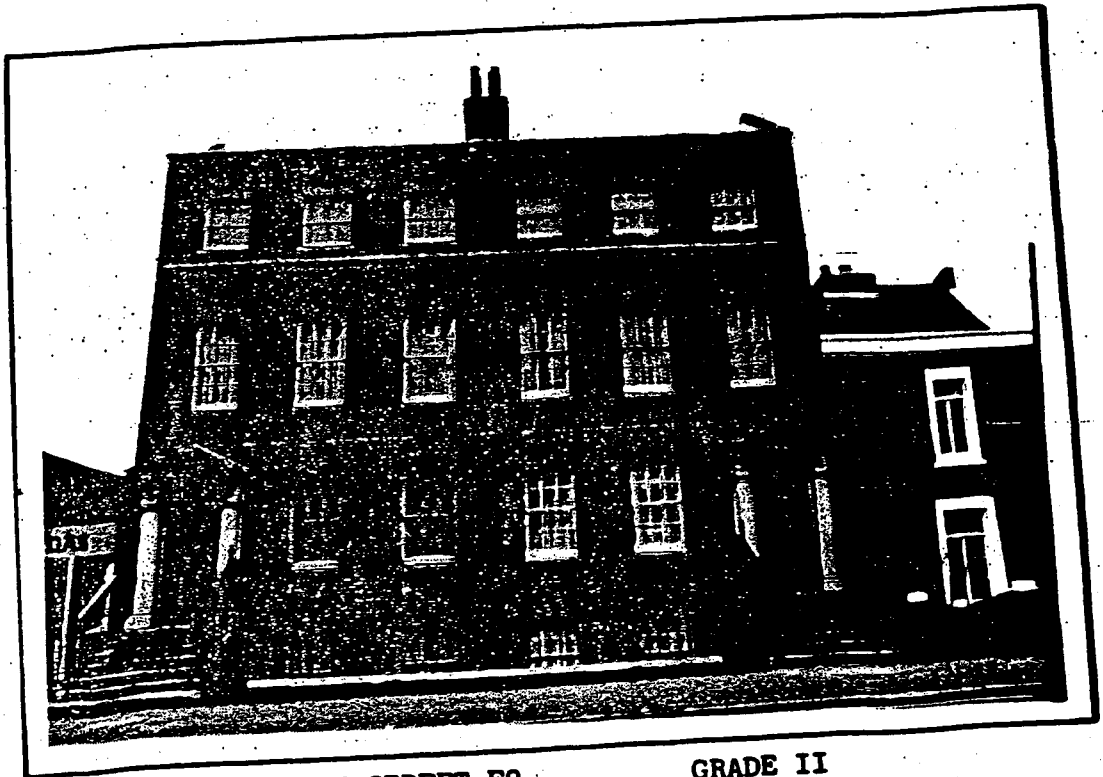
Anglican church buildings still in religious use are exempt from many listed building controls, but those worthy of preservation are nonetheless Listed Grades A, B and C depending on their merit. There are 24 such 'listed' churches in the Borough. Religious buildings of other denominations are graded, as for other secular buildings, as I, II* or II according to their merit.



FORMER ALBION PUBLIC HOUSE ALBION ROAD N16 GRADE II

Buildings are on the statutory list because of their national importance in terms of age, architecture or historic association and are protected by legislation under the Town and Country Planning Acts and other circulars issued by the Department of the Environment. Many other buildings, however, may not have national significance but are

nonetheless very important locally. Therefore, a supplementary 'Local List' has been prepared by the Council. This list does not have the same legal status as the statutory list, but is a formal recognition of those buildings which the Council considers to make an important architectural, historical or townscape contribution to the Borough. Approximately 1,000 buildings have been identified for inclusion on this list. The Council will normally encourage the retention and preservation of these buildings in preference to demolition or alteration. Many locally listed buildings are in the opinion of Council worthy of inclusion on the statutory list.



140-2 HOMERTON HIGH STREET E9

GRADE II

How buildings are listed

9. The principles upon which buildings are selected for statutory listing were drawn up by the Historic Buildings Council (now superseded by the Historic Buildings and Monuments Commission (HBMC, generally known as "English Heritage") and cover four groups:
- all buildings built before 1700 surviving in (or close to) their original condition. In Hackney this includes Sutton House, and the Old Tower of St. Augustine's Church in Mare Street.
 - most buildings of the period 1700 to 1840, including in Hackney, St. Leonard's Church in Shoreditch High Street, 126-148 Lansdowne Drive and the London College of Furniture in Pitfield Street.

- only those buildings of definite quality of between 1840 and 1914. Particular attention is paid to the works of major architects, including in Hackney the Church of St. Matthias, Stoke Newington, by William Butterfield, and 91-101 Worship Street by Philip Webb.
- certain buildings of the period 1914-1930.

10. In considering a building for listing, particular attention is paid to its special architectural or historic characteristics, whether it is illustrative of social or economic history, of technological innovation, of historical associations with well known characters or events and if it is of "group value", as are squares, terraces and model suburbs.

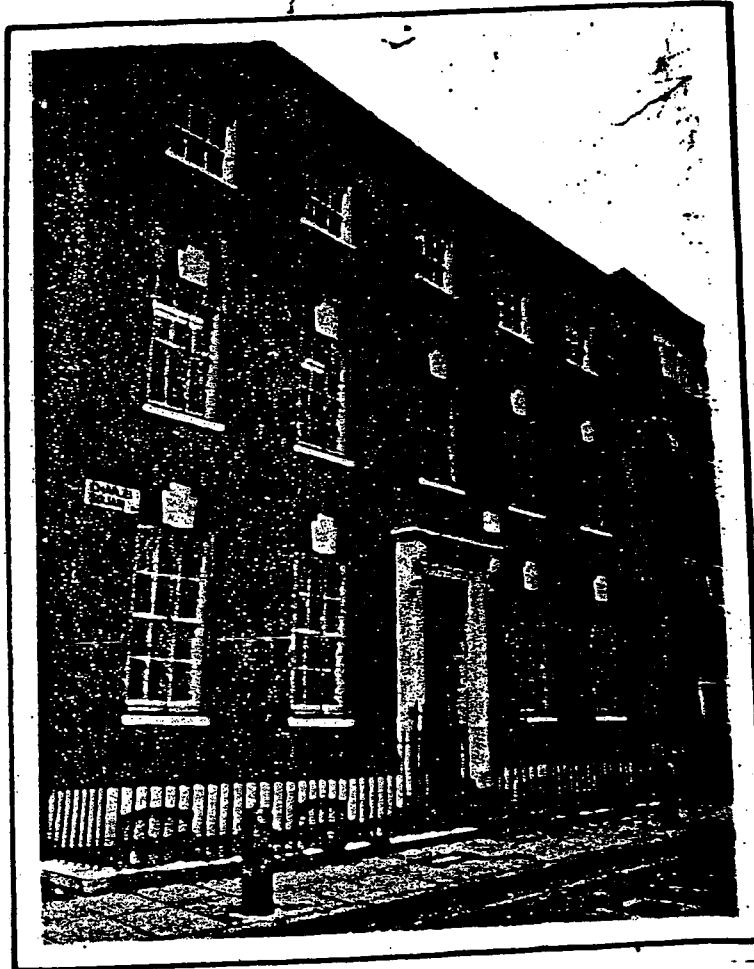


QUEENSBRIDGE ROAD GRADE II GROUP VALUE

Additions to the statutory list

1. Despite the comprehensive 1975 resurvey of buildings in Hackney, there are still a large number of important and worthy buildings excluded from the statutory list. Therefore, from time to time, the Council will wish to recommend that such buildings are added to the list in order to ensure their protection.

12. Where potentially listable buildings are under threat of alteration or demolition, the Council can issue a building preservation notice (BPN). This gives the building the protection of the Planning Acts in the same manner as listing, for a period of six months. During this time the merits of the building will be assessed, and if the Secretary of State concurs, it will be added to the list.



16 CHARLES SQUARE N1
GRADE II*

13. Alternatively, members of the public or amenity societies may bring to the attention of the Secretary of State individual buildings (especially those under threat), so that they may be added to the list by the Department of the Environment in the process known as spot listing.

Checking listed building status

14. The statutory list of buildings of special architectural or historic interest (together with maps and descriptions) is available for inspection at the Planning Division. The status of a building will be recorded as a land charge and should be notified to any prospective purchaser through searches on completion of purchase. If a building is "spot listed", listed following a BPN or regular resurvey, the owner will be notified in writing by the Council at the time of listing.

Legal controls and responsibilities

5. It is an offence to carry out works of demolition, or alteration and extension in any way that will affect the character of a listed building, without the consent of the Council whose decisions in matters regarding listed buildings are directed by English Heritage. Those carrying out unauthorised works, whether owner or contractor, will be guilty of a criminal offence, punishable by fine or imprisonment or both.
6. Alterations, even of a relatively minor nature, to both the exterior and interior of a listed building may require formal consent from the Council under direction from English Heritage.
7. The "building" is taken to include all structures within the boundary or 'curtilage'; definition of which may take into account the physical layout of the listed building, the past and present ownership of the building and the use and function of the building, both past and present. This includes gates, walls, fences and outbuildings, and all internal features, even if of a later date.
8. Developments or works to buildings in proximity to a listed building may be notified to English Heritage for their observations where the works affect the setting of the listed building. (For example, by impinging upon views of it, the use of an inappropriate scale of development, or by the use of unsuitable materials).
9. You are advised to check with the Council's planning officers to be sure whether listed building consent (LBC) is required before carrying out any works to a listed building.
10. Where unauthorised works are carried out, or a listed building consent is not properly complied with, the Council can serve a listed building enforcement notice (LBEN) that specifies the unauthorised works, and requires that the building be restored to its former state or that which is permitted by LBC. An owner served with an LBEN can appeal to the Secretary of State, but if the appeal is dismissed compliance must be made with the LBEN.
11. Where a Listed Building is unoccupied or partly occupied but urgent works are required to protect it, the Council can carry out the works and then recover the costs from the owner, with the approval of the Secretary of State.
12. Where a listed building has been allowed to fall into disrepair, whether occupied or not, the Council may serve a repairs notice requiring the owner to carry out the works required for its proper preservation. This may be followed by a compulsory purchase order under which the Council will acquire the building and adjacent land to ensure that it is preserved, together with its amenities and access for its proper care and management.

Applications for listed building consent (LBC)

23. Once you have checked that the works you propose to do require LBC, the following information will be required to form an application for consent :-

- (i) four sets of application forms
- (ii) four sets of drawings all at not smaller than 1:50 scale
 - of the existing building (plans and elevations)
 - of the proposed alterations (plans of each floor and elevation)
 - drawings at a larger scale showing specific details may also be required
- (iii) details of materials to be used, including samples of bricks, slates, tiles, ironmongery etc., may also be required

No fee is chargeable.

24. All applications for LBC, once registered as complete, will be :-

- (i) advertised by a site notice
- (ii) advertised in the local press
- (iii) notified to adjoining occupiers and local amenity societies for comment within a specified period of 14 days
- (iv) referred to the statutory amenity societies (such as the Victorian Society and the Georgian Group) if relevant
- (v) referred to English Heritage for "direction" before any decision can be issued
- (vi) notified to the Historic Buildings and Monuments Commission.

25. Applications for developments affecting the setting of a listed building will be advertised and subject to consultation in the same manner as listed building applications. English Heritage has powers of direction to refuse such applications, as it has over listed building applications.

Hackney Local Plan policies for development affecting historic buildings and structures

ENV9 Protection of listed buildings

THE COUNCIL WILL NORMALLY NOT GRANT LISTED BUILDING CONSENT FOR THE DEMOLITION OR PARTIAL DEMOLITION OF A LISTED BUILDING AND/OR ANY BUILDING OR STRUCTURE WITHIN ITS CURTILAGE

ENV10 Alterations to listed buildings

THE COUNCIL WILL REQUIRE THAT ANY MATERIAL ALTERATIONS TO A LISTED BUILDING OR WITHIN ITS CURTILAGE MUST :

A) BE IN ACCORD WITH THE PERIOD, STYLE, PLAN, DETAIL AND MATERIAL OF THE EXISTING BUILDING OR STRUCTURE;

B) RETAIN AND REPAIR INTERNAL AND EXTERNAL ORIGINAL FABRIC AND FEATURES AND REPLACE THAT WHICH IS MISSING;

C) NOT HARM THE STRUCTURAL STABILITY NOR FABRIC OF SUCH BUILDINGS AND STRUCTURES OR ADJOINING BUILDINGS AND STRUCTURES;

D) BE OF A SCHOLARLY NATURE, CAREFULLY SUPERVISED AND PROFESSIONALLY EXECUTED

E) IN THE CASE OF EMERGENCY WORKS CARRIED OUT IN THE INTERESTS OF PUBLIC HEALTH AND SAFETY, BE CARRIED OUT IN ACCORDANCE WITH A) - D) UNLESS AN EXCEPTION HAS BEEN AUTHORISED BY THE COUNCIL.

ENV11 Setting of listed buildings

THE COUNCIL WILL NORMALLY NOT PERMIT ANY DEVELOPMENT WHICH ADVERSELY AFFECTS THE SETTING OF A LISTED BUILDING.

ENV12 Changes of use of listed buildings

THE COUNCIL WILL, SUBJECT TO POLICIES ELSEWHERE IN THIS PLAN, GIVE FAVOURABLE CONSIDERATION TO THE CHANGE OF USE OF A LISTED BUILDING WHERE ECONOMIC AND STRUCTURAL EVIDENCE INDICATES IT WOULD OTHERWISE BE INCAPABLE OF BENEFICIAL USE. IN THESE CASES A DETAILED SCHEME OF REFURBISHMENT WILL BE NEGOTIATED BETWEEN THE COUNCIL AND THE APPLICANT BEFORE PERMISSION IS GRANTED, AND WHERE APPROPRIATE WILL BE THE SUBJECT OF LEGAL AGREEMENT.

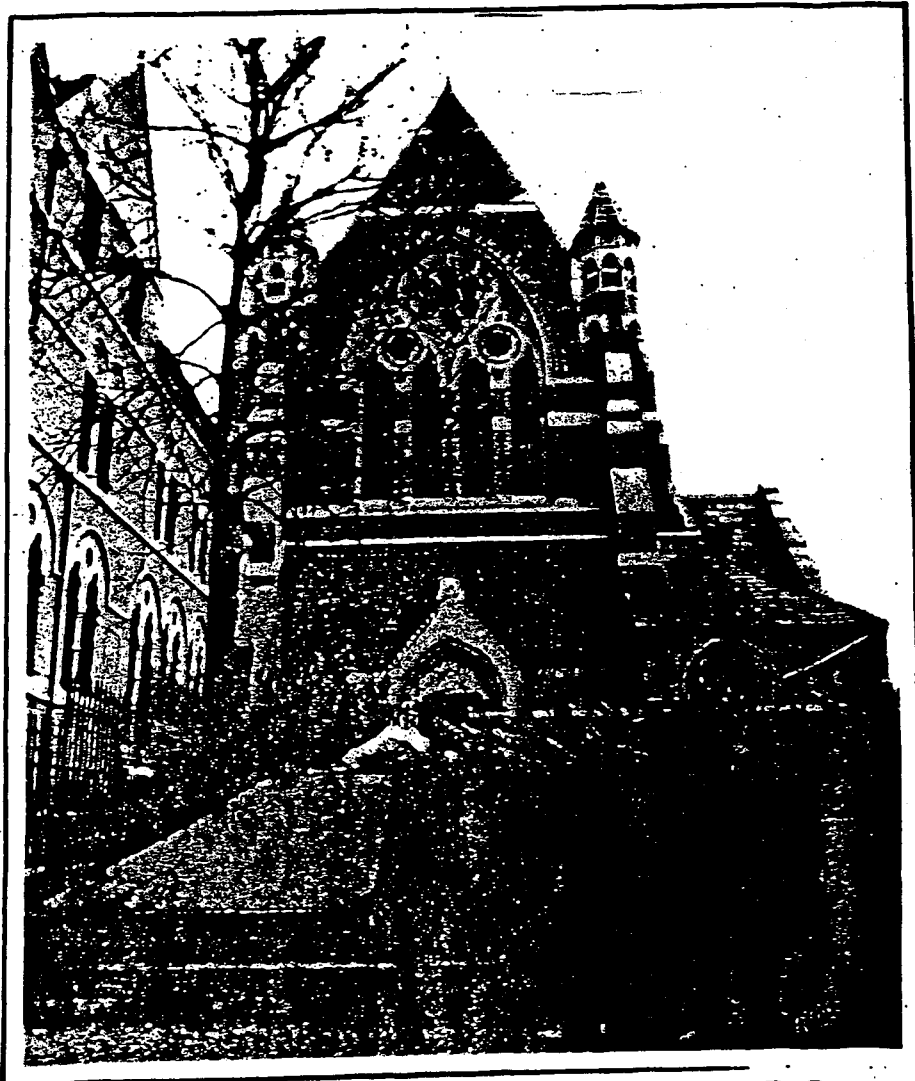
ENV13 Buildings of local significance

THE COUNCIL WILL TAKE APPROPRIATE ACTION TO SECURE THE RETENTION AND ENHANCEMENT OF BUILDINGS AND STRUCTURES OF LOCAL SIGNIFICANCE WHICH ARE NOT ON THE STATUTORY LIST.

Grants and financial aid

In recognition of the additional responsibility imposed upon owners of listed buildings, local authorities are able to make grants towards the restoration of such buildings under the Local Authorities' (Historic Buildings) Act 1962.

27. In particular through the use of Partnership Urban Programme Funds this Council can make grants towards the cost of works to restore and enhance the character of listed buildings. This will not normally cover internal works, or works of repair and maintenance which are the normal responsibility of the owner. Generally grant assistance will be confined to the front elevation or where the effect will be clearly visible from a public place.
28. In the case of certain important buildings, larger grants may be made available, subject to the approval of the Department of the Environment, and the availability of resources.
29. An application form can be obtained from the Planning Division, which should be returned together with drawings of the existing building and the proposed alterations, at least three estimates of the cost of the proposed works and photographs of the existing building if possible.
30. Estimates should be as detailed as possible, indicating the materials and finishes to be used, the method of cleaning where appropriate and the cost of each element of works (e.g. windows, brickwork) separately itemised. Where extensive works are to be carried out, a full architects' or surveyors' specification may be required.



ST. MICHAEL'S CHURCH MARK STREET EC2 GRADE I

Basic guidelines

31. Every listed building is unique and advice on listed building matters should be sought at the earliest possible stage from the Council's planning and conservation officers. Site visits and discussion by the Council's officers and officers of English Heritage prior to the submission of an application are recommended.
32. Please remember the following basic guidelines :

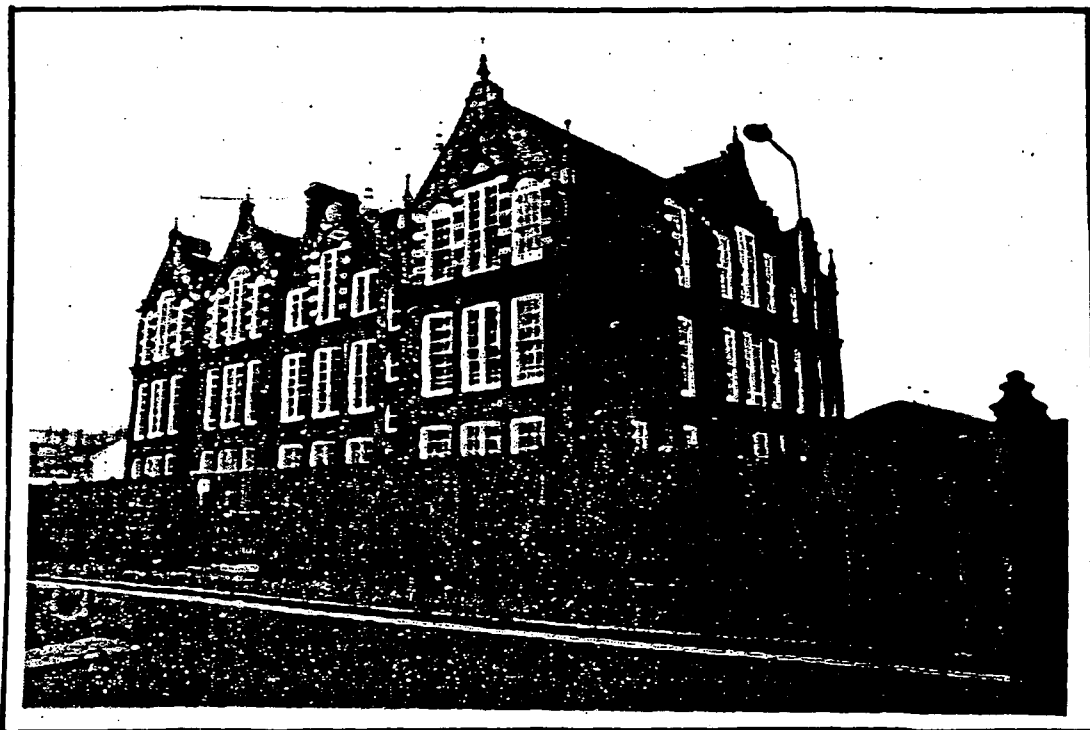
LBC is required for the demolition, partial demolition and for the alteration of external and internal features of any listed building.

Works of renovation and repair, using traditional matching materials do not require LBC. However, particular care must be taken to ensure the proper restoration of original features and that no damage is done to the historic fabric of the building.

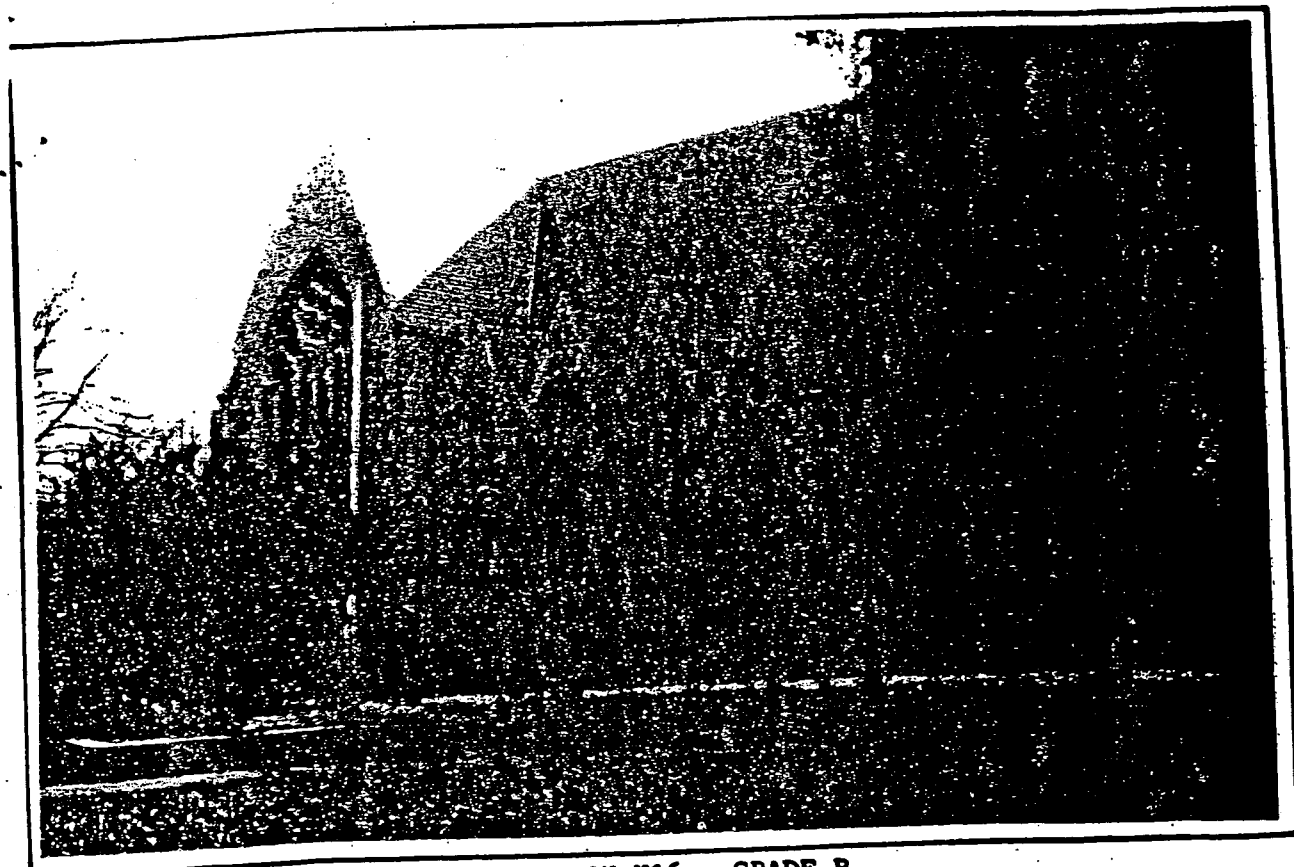
If LBC is granted it is essential to ensure that the works undertaken conform with the consent and that full compliance is made with any attached conditions.

As a general rule applications for LBC should maintain the external appearance and internal character of a listed building. Any change in function or use should respect the character of the building and any proposed alterations should be sympathetic to this character and not damage its historic interest.

The plan form of the building is of paramount historic importance; retention of the principal rooms without sub-division, and retention of the staircase are the fundamental requirements of any listed building consent; externally, retention of the original pattern of fenestration, and original roof profile are critical.



FORMER LONDON BOARD SCHOOL, MANDEVILLE ROAD E5 LOCAL LIST



ST. MARY'S CHURCH, STOKE NEWINGTON N16 GRADE B

Further information

The 'Technical Digest on Alterations to Listed Buildings', Appendix IV to the Circular 8/87 (Historic Buildings and Conservation Areas - Policy and Procedures) is a guide to the correct approach to historic building works.

For further information on the Council's policies for listed buildings, contact the Planning Division, 161 City Road, EC1V 1NR, telephone 253 8455.

Historic Buildings Officer: J. Wilkinson

Additional information may be obtained from English Heritage (London Division), Chesham House, 30 Warwick Street, London W1R 6AB, telephone 734 8144.

National amenities societies concerned with the preservation of historic buildings include:

The Georgian Group, 37 Spital Square London E1 6DY, telephone 377 1722

The Victorian Society, 1 Priory Gardens, Bedford Park, London W4 1TT, telephone 994 1019.

Thirties Society, 3 Park Square West, London NW1 4LJ.