

Listed building frequently asked questions

Visit the [Society for Protection of Ancient Buildings' website](#) for advice covering a wide range of historic building conservation topics from how to deal with a warped door and masonry bees to lead paint and lime washing.

What are listed buildings?

Listed buildings are important historic buildings which have been selected for designation by the government's advisor on historic building conservation. Listed buildings and structures are all included on the government's list of buildings of special architectural or national importance. Read more on the [English Heritage](#) website.

What are the different grades of listing?

Listed buildings and structures are placed in one of three grades, which give an indication of their relative importance - grade I, grade II* or grade II.

Grade I and II* listed buildings form a small proportion (about 6% nationally) of all listed buildings.

The statutory controls on alterations and the need for listed building consent apply equally to all listed buildings whatever the grade.

How is a building listed?

Buildings are added (or removed) from the list by the [Department of Culture, Media and Sport](#) - Listing, Archaeology and World Heritage branch, on the advice of specialist inspectors employed by English Heritage. A building is added in one of three ways:

- Periodic re-survey of a borough or district
- Studies of particular building types e.g. post-war housing
- Spot listing of individual buildings under threat.

(There is no requirement to consult the owners before a building is listed but unless an English Heritage inspector is aware of a specific threat, they will contact the owner. There is also no right of appeal against a listing and no right to compensation for loss of redevelopment opportunities.)

Where can I find a record of all listed buildings?

The [National Heritage List for England](#) system provides a searchable database of all listed buildings in England. Images of most listed buildings are included on the [National Heritage List for England](#), but there are some exceptions. The [Historic England Archive](#) can provide datasets of various heritage assets.

How can I find out if my property is listed?

The [National Heritage List for England](#) system provides a searchable database of all listed buildings in England. You may be able to find your property on the [National Heritage List for England](#), but it does not include all listed buildings.

If you have not been able to find your property on the [National Heritage List for England](#), but you are still concerned that it is listed, we may be able to help. You should contact cdc@cotswold.gov.uk and provide the following information:

- Full postal address
- Any previous names for the property
- Post code
- Contact telephone number
- Sketch plan showing location of property
- (Photographs may also help us to identify the property)

It should be noted that although your building may not be directly listed it may be "curtilage listed" (see below).

What is curtilage listing?

Buildings, structures or objects are 'deemed' to be listed by virtue of being within the 'curtilage' of a listed building. Curtilage listed buildings, structures and objects are afforded the same protection and have the same restrictions imposed on them as a listed building with its own listing entry.

(Curtilage is defined as the enclosed area of land around a dwelling. It is distinct from the dwelling by virtue of lacking a roof, but distinct from the area outside the enclosure in that it is enclosed within a wall or barrier of some sort. It is typically treated as being legally coupled with the dwelling it surrounds despite the fact that it might commonly be considered "outdoors".)

The majority of guidance in relation to establishing whether an object or structure is curtilage listed comes from Case Law and can be complicated.

Is my property curtilage-listed?

Firstly you must find out if the object or structure in question was within the curtilage of the main listed building on or before 1st July 1948. This may require investigation into such issues as land ownership; use or function of the land etc. If the building or structure was built after 1948, it cannot be curtilage listed.

In broad terms one building or structure is likely to be in the curtilage of another if, at the date of listing, there was a clear relationship between the buildings: specifically that one was ancillary (subsidiary) to the principal listed building in function, the buildings had common ownership or occupation and the ancillary building was not physically fenced off at the time of listing to form two separate curtilages.

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It is often not clear whether a building is curtilage listed. If you would like further guidance please contact cdc@cotswold.gov.uk . You will need to provide the following information:

- Full postal address
- Any previous names for the property
- Post code
- Contact telephone number
- Sketch plan showing location of property, main listed building and building or structure which may be curtilage listed
- Photographs may also help us to identify the property
- Name and address of the principal listed building or structure
- The age of the potential curtilage object or structure? (Was it constructed before or after 1st July 1948?)
- Is the potential curtilage object or structure ancillary (subordinate, subsidiary) to the principal listed building?
- Is the structure or object a fixture or is it free-standing ?
- Any additional information on the ownership and use of the building or structure since 1948.

How can I get a building listed or delisted?

English Heritage can provide information on how to:

- [list a new building](#)
- [de-list an existing listed building](#)

How do I apply for listed building consent?

Further information is available via the:

- [Planning Portal](#)
- [Making a planning application](#) page on our website

In what circumstances will I need to apply for listed building consent?

Once a building is listed, consent is normally required for:

- its demolition - in whole or in part
- any works of alteration or extension which would affect its character as a building of special architectural or historic interest
- any repair work that could affect the historic character of the building
- replacement of historic features, fittings or fabric

It is a common misconception that only the exterior of a building is protected, the protection extends to both the interior and exterior of the property. Protection also extends to curtilage-listed buildings or structures.

If you would like to know whether your proposed works require a listed building consent, please contact us. Please provide a detailed description of the proposed works, a sketch plan of the building, photographs and any other information that may be relevant.

What considerations will apply in determining my application?

The issues that are generally relevant to the consideration of all listed building consent applications are:

- the importance of the building - its intrinsic architectural and historic interest and rarity - nationally and locally
- the particular physical features of the building (including its design, plan, materials or location). (You may want to refer to the list description, which may draw attention to features of particular interest or value, but they are not exhaustive.)
- the building's setting and its contribution to the local scene. For example where it forms an element in a group, park, garden or other townscape or landscape, or where it shares particular architectural forms or details with nearby buildings
- the extent to which the proposed works would bring substantial benefits for the community, in particular by contributing to the economic regeneration of the area or the enhancement of its environment (including other listed buildings)
- the justification for the works and their impact on the special interest of the listed building

What are the penalties for unauthorised works?

Altering or demolishing a listed building without consent can attract heavy penalties - large fines and even imprisonment.

An offence is committed unless works have been specifically authorised. Only if works are essential because of public safety can a case be made for demolition, but even then a Dangerous Structure Notice has to be served by the Council.

Do I need consent for repairs?

Regular maintenance and minor 'like for like' in situ repairs do not need listed building consent. However, where repairs involve alterations or the complete replacement of historic fabric or features, which would affect the character of the listed building, consent will be required.

If you are in any doubt as to whether the works you are proposing would be classed as repairs, please contact us with details of your proposals (drawings; sketch plans, photographs etc)

Would I require Listed building consent to paint my house?

Internal painting and decorating does not generally need Listed Building Consent, unless a historic scheme of decoration would be affected, but any external painting may require consent as it could affect the character of the Listed Building.

Do I need listed building consent to replace the doors or windows in my listed property?

Internal alterations, including removal of historic doors, fireplaces or plaster work or replacement of external doors or windows require listed building consent.

Do I need listed building consent to replace the bathroom or kitchen fittings?

Replacement of modern kitchen and bathroom fittings does not require consent; however listed building consent is required for the replacement of surviving historic fittings, for example bathroom fittings, tiling etc.

Can I do emergency work to a listed building?

Emergency work can be carried out to a listed building without prior consent providing you can subsequently prove all of the following:

- That the works were urgently necessary in the interest of safety or health or for the preservation of the building
- It was not practical to secure public safety or health or preserve the building by works of repair or temporary support or shelter
- That the work was limited to the minimum measures immediately necessary
- That notice in writing justifying in detail the work was given to us as soon as reasonably practicable

Are any grants available for work on listed buildings?

Further information on [grants](#) for the conservation of historic buildings and areas are available.

What should I do if I notice unauthorised work being carried out to a listed building?

If you are concerned that unauthorised works are being carried out to a listed building then you should contact us. Further information is available on our [Enforcement](#) web-page.

Does Cotswold District Council have a Buildings at Risk Register?

A Building at Risk is a listed building that has been identified as being or may be at risk through neglect and decay. For more information on all aspects of Heritage at Risk please visit:

- [Historic England website](#)
- Search the [Heritage at risk register](#) for a list of Grade I and II buildings and other assets such as archaeological sites at risk in the District
- Buildings at Risk are included in the lists held by [Save Britain's Heritage](#)

What can the Council do about neglected listed buildings?

We have legal powers to serve notices requiring owners to repair their listed buildings; however these are only used in exceptional circumstances. For information on these notices visit the [Historic England website](#).

How do I report a Building at Risk?

If you are aware of an historic building which is either derelict or not being properly preserved you can contact us at cdc@cotswold.gov.uk.