

Managing Change in the Historic Environment: Demolition of Listed Buildings

Background

Managing Change is a series of guidance notes issued by Historic Environment Scotland in our role as lead public body for the historic environment. They support national level policy for planning and the historic environment. Planning and other authorities should take them into account when making decisions.

Historic buildings enrich Scotland's landscape and chart a great part of our history. They are central to our everyday lives, creating a sense of place, identity and wellbeing. Some historic buildings are designated as 'listed buildings' because they have special architectural or historic interest.

Listed building consent (LBC) is required for any works that would affect the special interest of a listed building. This includes demolition. The LBC process is normally administered by planning authorities.

This guidance note is a key consideration when the demolition of a listed building is proposed. It is aimed at applicants and those making decisions on LBC applications for demolition of listed buildings.

Scottish Planning Policy (SPP) states that 'listed buildings should be protected from demolition or other work that would adversely affect it or its setting' (paragraph 141). Historic Environment Policy (HEP) 4 identifies the principle that significant harm to specific assets should be avoided.

Demolishing a listed building is a last resort and should be avoided wherever possible – there will always be a strong presumption to retain listed buildings.

HEP 4

When considering changes to specific assets and their context, significant harm should be avoided. Opportunities for enhancement should be sought where appropriate. Where detrimental impacts are unavoidable, these should be minimised and mitigation measures put in place.

Potential applicants for demolition should have pre-application discussions at the earliest possible stage with the planning authority. The planning authority should ask us to be involved where we can also give advice.

Planning authorities should identify which planning and/or historic environment policies they will use to assess an application, and what supporting information will

be required, as soon as possible. This helps to avoid later delays. They should also seek our advice on these issues. An application proposing demolition will usually require different information from a proposed scheme of alteration.

Definition of demolition

In this context, demolition refers to the total or substantial loss of a listed building. Even if part of the building will be retained (such as in façade retention schemes), a proposal may still be considered demolition. This would be the case if the proposed works would result in the loss of the majority of the listed building, or loss of the majority of its special interest.

The alteration of a listed building can also result in the removal and loss of fabric, and therefore impact on its special architectural or historic interest. However, a scheme of alteration will normally be expected to retain the overall special interest and significance of the building. It is not always straightforward to decide whether a proposal is alteration or demolition. In complex cases, planning authorities will need to give the issue more detailed consideration. This should happen as early as possible in the process.

Demolition can be used to describe a variety of works ranging from partial to total loss. This guidance focusses particularly on works involving the substantial or total loss of a listed building. There will be some instances where the situation is less clear-cut. These might include proposals where elements of a building, or complex of buildings, are being retained – such as the major rationalisation of a larger building, or façade retention schemes.

What to consider first

It is rare for consent to be granted for demolition, due to the strong policy presumption in favour of the retention of listed buildings. Applications for demolition of listed buildings should be refused unless full justification is provided for their loss.

The decision to demolish a listed building should be viewed as a last resort. It will normally be made at the end of a process that has considered all other feasible options. However, there will be some circumstances where the demolition of a listed building can be justified.

If it is demonstrated that one of the following situations apply, then consent for demolition may be granted.

The building is no longer of special interest

In some circumstances a listed building may no longer be of special architectural or historic interest. This might include where there has been a significant loss of fabric

or features of interest by deterioration, or where there have been later alterations which have affected the character of the building.

Where the case for demolition rests on this factor, owners should ask our Designations Team to review the listing to determine if a building is still of special architectural or historic interest. This review should happen before the applicant submits an application for demolition.

LBC is not required for demolition of a building which has been de-listed. However, local planning policies may still require the heritage merit of an unlisted building to be taken into account. If the building is located within a conservation area, a separate consent process is required (conservation area consent). This allows the decision maker to consider the building's contribution to the character and appearance of the area when assessing the application.

The building is incapable of meaningful repair

There are occasions when trying to repair and reuse a listed building would lead to extensive loss of physical fabric which would have a consequent effect on its special interest. This would be the case where, for instance, the building has inherent design failures, or where a timber structure has decayed so much that no original material can be saved. It would also apply where there is structural damage that cannot be repaired without complete reconstruction – such as corrosion of reinforced concrete frames, or extensive fire-damage.

This issue is a separate one from that of economic viability, or the cost of repairs. Most traditionally-built listed buildings, even those in an advanced state of decay, can be repaired.

If demolition is to be pursued because the building is incapable of meaningful repair, supporting evidence for this will need to be provided in the application. This should include a full condition assessment, and an accompanying statement of significance placing the condition assessment in context.

The demolition of the building is essential to delivering significant benefits to economic growth or the wider community

Some projects may be of such economic or public significance that their benefits may be seen to outweigh the strong presumption in favour of retaining a listed building. This will normally only apply in major infrastructure projects, or for proposals that will bring significant economic or community benefits to an area. Often these projects form part of wider strategies either at the national or regional level. Examples may include major transportation schemes or significant regeneration projects.

To justify an LBC application for demolition in this way, the applicant will have to provide evidence to demonstrate why similar benefits cannot be achieved with retention of the building. Supporting evidence should include a detailed assessment

of the likely benefits of the proposed project, and an explanation of why they are significant at a national or regional level.

If the proposals involve a new development on the site, planning permission for the replacement development should be clearly achievable. Without this, it is not possible to ensure that the benefits are going to happen, and the demolition therefore has not been justified.

Economic Viability

In some instances the repair and reuse of a listed building is not economically viable. This means that the cost of retaining the listed building would be higher than its end value.

The principle of demolition should only be accepted where the application has demonstrated that all reasonable efforts have been made to find a scheme to retain the listed building. The efforts made should take into consideration the significance of the listed building.

Demonstrating that a listed building is not viable will require a package of material that outlines all the efforts made to retain it. Often the decision to demolish is the end result of a long and complicated process where attempts have been made to secure reuse, or attempts to find a new owner to restore the building have been unsuccessful.

The accompanying Managing Change in the Historic Environment: The Use and Adaptation of Listed Buildings provides guidance on approaches to re-using listed buildings, which can, in certain circumstances, be radical. Decision makers and applicants should consider this guidance when assessing the economic viability of the repair of a listed building.

An application for demolition on the grounds of viability should include a detailed assessment of costs, as well as the likely value of the completed project or projects. Where the cost of works is higher than the end value, the difference is referred to as the 'conservation deficit'.

For an application for demolition on the grounds of economic viability to be successful, it should demonstrate that the conservation deficit would be beyond the reasonable level of risk that is to be expected of any project. It should also show that there is no other way of offsetting the deficit, through means such as enabling development, or grant aid.

The building should be marketed openly and transparently before an application to demolish is made. This is necessary to demonstrate that efforts have been made to secure a buyer who would restore the building. Marketing should make clear that a building is listed and if possible, it should include a development brief to maximise the possible opportunities for retention of the building. The process should also involve specific marketing to groups or individuals with a track record in restoration, such as Building Preservation Trusts.

A building should be marketed at a price reflecting its location and condition to potential restoring purchasers for a reasonable period. This should normally be at least six months, although in some circumstances it will be longer. The price should be its current market value and should not take account of any historic purchase price, nor the potential land value of, or uplift from, a cleared site (which presumes demolition).

In some circumstances the price may be a nominal sum. It is important to note that whilst a building may be marketed at a low value (in some cases as little as £1), this should not be seen as a reflection of its cultural value. Instead it is a reflection of the extent of the conservation deficit together with the strong presumption in favour of retaining the building.

Some buildings or structures are of cultural value but have more limited scope for reuse. Bridges, dovecots, statues and lampposts are all examples of structures that may have limited options for reuse. Consent for demolition of such structures should not normally be given on the grounds of economic viability alone. The main factors in these cases are likely to be the significance of the listed structure, its condition, the likely availability of funding, and whether marketing to repairing purchasers is a realistic option.

Recording

Owners and developers should carry out detailed recording of all listed buildings when fundamental changes are proposed. If LBC is granted for demolition, there is a separate requirement under Section 7 of the Listed Building Act to give us an opportunity to carry out recording for the public record.

Salvage

If LBC is given for demolition, owners should look at opportunities for salvage. Salvaged materials and features can make a significant contribution to the repair and maintenance of historic buildings.