



# Design Guide 7

Listed Buildings, Registered Parks  
& Scheduled Monuments

## 7.1 LISTED BUILDINGS

Listing gives statutory protection to buildings of special architectural or historic interest. It protects these buildings from unauthorised alteration or demolition. The Listing of buildings of special architectural or historic interest is the responsibility of Historic England; however, all planning matters relating to Listed Buildings are the responsibility of the District Council.



Fig. 1 Grade-I Listed church of St Mary, Witney

There are roughly 374,000 Listed Buildings in England. The older a building is, the more likely it is to be Listed. All substantially complete buildings built before 1700 are likely to be Listed, as are most built between 1700 and 1840. Thereafter the criteria become tighter with time, so that post-1945 buildings need to be of exceptional importance to merit inclusion (only 0.2% of all Listed Buildings belong in this category).

Listed Buildings are graded in terms of their relative significance. The vast majority of Listed Buildings (94%) are Listed at Grade-II: *buildings of special interest, warranting every effort to preserve them*. The remainder (6%) occupy one of the

two higher grades. Grade-II\* covers *particularly important buildings of more than special interest*; while Grade-I is reserved for *buildings of exceptional (national) interest*.

West Oxfordshire's 3,200 Listed Buildings comprise a small but immensely important part of the District's building stock, encompassing buildings from the twelfth century onwards. As well as locally characteristic buildings of the evolved vernacular tradition, they include those influenced by national or international styles, including Gothic, Jacobean, Classical, Georgian, Victorian and twentieth-century design.

Listed Buildings provide examples of technology and innovation in construction. A unifying theme in West Oxfordshire is the consistent use of local materials, most notably: limestone and ironstone, stonessfield slate, long straw thatch, and lime mortars, renders and washes. Despite imports of brick, tile and blue slate, the built character of the District remains overwhelmingly defined by the locally-sourced materials listed above.

In addition to statutory protection, West Oxfordshire's Listed Buildings are afforded protection by policies contained in the Local Plan. These seek not only to protect the Listed Buildings themselves, but also the settings of these buildings. The impact of any proposed development upon the setting of a Listed Building will be a material consideration in the determination of that planning application.

## 7.2 LISTED BUILDING CONSENT (LBC)

Listed Building Consent (LBC) is a form of Planning Permission required for any alterations or other works affecting the character, fabric or appearance of a Listed Building, regardless of grade, inside or out.

## Design Guide 7: Listed Buildings, Registered Parks & Scheduled Monuments

There are approximately 3,200 Listed Buildings in West Oxfordshire. A copy of the List of Buildings of Special Architectural or Historic Interest is available for inspection at Planning Reception. Listed Buildings fall into one of three categories:

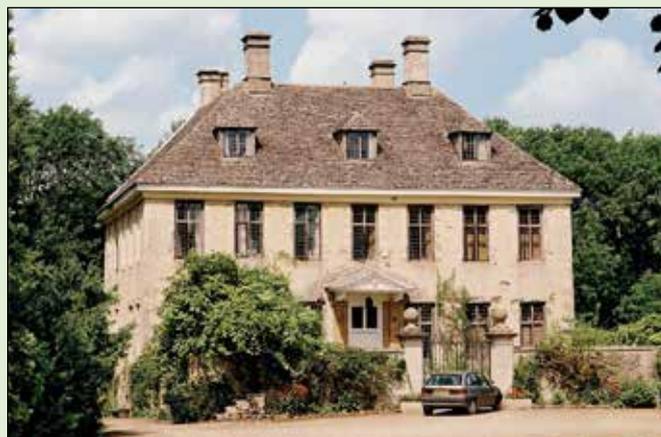
### Grade I (2% of Listed Buildings nationally)

These buildings are of exceptional national importance. There are 43 in West Oxfordshire, including Blenheim Palace (which also forms part of a World Heritage Site), Cornbury Park, Chastleton (pictured right), Kelmscott Manor and many of the District's ancient parish churches.



### Grade II\* (4% of Listed Buildings nationally)

Buildings of outstanding interest. There are 211 in West Oxfordshire, including many of the best examples of the local variety of Cotswold architecture: for example, Strong's House in Taynton, and Wychwood Lodge in Ramsden. The agricultural and industrial heritage of the District is also well represented by Church Enstone Tithe Barn, the Blanket Hall in Witney and Bliss Tweed Mill in Chipping Norton.



### Grade II (94% of Listed Buildings nationally)

Buildings of special interest. There are about 3000 in West Oxfordshire. These form key elements of the historic character of the settlements and landscape of West Oxfordshire, and range from grand houses to simple cottages, farm buildings to factories, telephone boxes to milestones.



Listing covers the entire fabric of the Listed Building, inside and out and including later extensions; and may cover structures deemed to lie within the curtilage of the Listed Building, such as outbuildings or walls. Internal or external alterations, extensions or demolition all require Listed Building Consent.



*Fig. 2 Listed house in Witney*

The requirement for Listed Building Consent is in addition to any other consents required, such as Planning Permission or Advertisement Consent. The administration of Listed Building Consent is the responsibility of the District Council, and applications for Listed Building Consent should be made on forms available from the Planning Service, or via the Planning Portal [<http://www.westoxon.gov.uk/residents/planning-building/planning-applications/make-a-planning-application/>].

In the case of applications for development relating to buildings Listed at Grade-I or Grade-II\* or to their settings, or applications proposing the demolition of any Listed structure, Historic England will act as a statutory consultee.

The fact of Listing does not rule out future change to a Listed Building or structure; however, all proposals must be carefully considered. Any proposal likely to entail harm to the character, appearance, fabric or setting of a Listed Building is unlikely to be supported.

Unauthorised external or internal works entailing material change to a Listed Building constitute a criminal offence that may lead to enforcement action or prosecution, and ultimately an unlimited fine or up to twelve months imprisonment (or both). There is no time limit for this action, and liability for illegal works may pass to the new owners of a Listed Building.



*Fig. 3 Listed house in Burford*

Anyone wishing to redevelop a site on which a Listed Building stands would need both Listed Building Consent for the demolition of the structure and Planning Permission for the new building. Consent for the demolition of a Listed Building would only be granted in exceptional circumstances, and would require the de-Listing of the structure by Historic England. Planning Permission alone would not be sufficient to authorise demolition.

Applications for Listed Building Consent should be accompanied by survey drawings recording the existing form of the building, and making a clear graphic distinction between existing retained fabric, demolitions and new work. As part of the application, an understanding of the particular sensitivities of the Listed Building, and of the implications of the proposed changes for the character or fabric of the Listed Building, must be clearly demonstrated in an accompanying Design and Access Statement.

The proposed works will need to be fully justified, with the applicant showing clearly why works likely to affect the character or fabric of the Listed Building are necessary or desirable. Full information to enable the assessment of the likely impact on the Listed Building and its setting must be provided.

See *also*: Design Guide 11: New development & context.

### **7.3 DESIGN PRINCIPLES FOR CHANGE TO LISTED BUILDINGS**

When considering change to a Listed Building, there are a number of fundamental design principles to consider, in order to avoid harm to the character or fabric of the building.

#### **Understand the context**

Before any change is considered, the character, fabric and history of the building should be understood as fully as possible. This analysis should identify the reasons for Listing, and all relevant aspects of the building which contribute to its special interest. It could also identify later or inappropriate features of the building, or original features or characteristics that have been lost or altered in some way.

The character of a Listed Building will derive from a variety of factors, including the original use of the building, its scale and massing, the size and arrangement of internal spaces, architectural type and features, doors and windows, and its setting; together with adjoining or related buildings and structures, including walls.

#### **Considering change**

Only once the context of the Listed Building is comprehensively understood can informed decisions be made about potential change. As a general principle, any change likely to cause harm to the character or fabric of a Listed Building is unlikely to be supported. Again as a general principle, any change that would cause no harm to the character or fabric of a Listed Building, or would result in a net gain to the character or fabric of the Listed Building, may be supported.

Changes that would entail the restoration to the Listed Building of appropriate or original features or fabric, or the better revealing of existing original features, may also be supported.

### **7.4 LOCALLY LISTED BUILDINGS**

Local Listing recognises the special interest of otherwise non-designated buildings, together with the contribution they make to the appearance of Conservation Areas in particular. Such buildings, as well as having architectural or historical merit in their own right, are vital components of the settlements and landscapes of West Oxfordshire.

Seemingly small but inappropriate alterations to these buildings can be harmful not only to the building itself, but also to the appearance of the wider area. Non-designated buildings of architectural or historic interest within a Conservation Area may be identified as Locally Listed in the relevant Conservation Area Appraisal.

The criteria for Local Listing are essentially similar to those for Listed Buildings. Identification of a Locally Listed Building entails an analysis of the architectural and historical interest of the building, its date and style, design and materials, state of preservation, and what contribution the building makes to the area. A typical Locally Listed Building might be a substantially original nineteenth-century house, of locally characteristic design and materials, whose presence enhances the character and appearance of a Conservation Area.



Fig 4. Locally Listed Building in Chipping Norton

Although Local Listing does not constitute a statutory designation, it is supported by guidance in the NPPF and elsewhere (including from Historic England) which encourages the protection of otherwise non-designated heritage assets.

The special interest of non-designated buildings deemed to be of architectural or historical merit will be reflected in planning decisions, and care should be taken to ensure that any changes to such structures are carried out in such a way as to cause no undue harm to their character or fabric, or to their wider context.

### 7.5 REGISTERED PARKLAND

Parks and gardens of special historic interest are registered by Historic England in a way similar to that of buildings of architectural or historic interest. There are 16 parks and gardens of special historic interest in West Oxfordshire, including internationally important landscapes at Blenheim (a World Heritage Site - see below) and Rousham:

#### Registered Parks in West Oxfordshire

1.	Blenheim	Grade-I
2.	Chastleton	Grade-II*
3.	Cornbury	Grade-II*
4.	Cornwell	Grade-II*
5.	Ditchley	Grade-II*
6.	Eynsham	Grade-II
7.	Great Tew	Grade-II
8.	Heythrop	Grade-II*
9.	Kelmscott	Grade-II
10.	Kiddington	Grade-II
11.	Rousham	Grade-I
12.	Sandford	Grade-II
13.	Sarsden	Grade-II*
14.	Shipton	Grade-II
15.	Swerford	Grade-II
16.	Tackley	Grade-II*

Development will not be permitted that adversely affects the character, setting, amenities or historic context of a Registered Park or Garden; or adversely affects views within, into or from a Registered Park or Garden. Applications involving a Registered Park or Garden will entail consultation with Historic England, and possibly other consultees (such as the Garden History Society).

The international importance of Blenheim Palace and its landscape is recognised in its designation as a World Heritage Site, with the palace and parkland are also covered by the Blenheim Palace World Heritage Site Management Plan.



Fig. 5 Rousham House and Park

As well as being protected by various other landscape designations, the park is home to 45 structures Listed at Grade-I or Grade-II\*, together with five Scheduled Monuments. These exceptional levels of sensitivity must be appropriately reflected in any proposals that might affect Blenheim Palace, its associated structures, park or landscape setting.

### 7.6 SCHEDULED MONUMENTS (SMs)

Scheduled Monuments are nationally important sites and monuments protected against disturbance or unlicensed metal-detecting by *The Ancient Monuments and Archaeological Areas Act 1979*. The Schedule is administered by the Department for Culture, Media and Sport (DCMS), under the direction of Historic England. Scheduled sites include both above- and below-ground structures and features, and may or may not be ancient.

In West Oxfordshire there are 142 Scheduled Monuments, including well known sites such as the Rollright Stones and Minster Lovell Hall; together with comparatively recent monuments, such as the



Fig. 6 Rollright Stones Scheduled Monument

C19 pottery factory near Leafield. Details of West Oxfordshire's Scheduled Monuments are available from the District Council.

### 7.7 SCHEDULED MONUMENT CONSENT (SMC)

Scheduled Monument Consent (SMC) is administered by Historic England, and not by the District Council. Scheduled Monument Consent is required before any works can be carried out which will affect a Scheduled Monument. There are limited exemptions (generally relating to gardening or agriculture, where such activities are already being carried out).

Before carrying out any works to a Scheduled Monument, it is strongly advised that contact is first made both with Historic England and the County Archaeologist. Details of how to apply for Scheduled Monument Consent are available from Historic England.

Applicants for Scheduled Monument Consent must investigate if Planning Permission is

also required (this aspect of any works being administered by the District Council). However, if a structure is both Scheduled and Listed, Scheduled Monument Consent takes precedence, and Listed Building Consent is not required.

It is a criminal offence to disturb a Scheduled Monument by carrying out works without consent; to cause reckless or deliberate damage to a Scheduled Monument; to use a metal detector or remove an object found at a Scheduled Monument without a licence from Historic England. Conviction for any of these offences can lead to substantial fines.

The District is generally rich in archaeological remains, and consideration should be given to the possibility of remains not covered by Scheduled Monument legislation being present in historical settings, possibly in consultation with the County Archaeologist.

Even where remains do not warrant preservation *in situ*, consideration should be given as to how such remains might usefully and appropriately be recorded and possibly published, in order to add valuable data to the historical record.

### 7.8 Heritage at Risk

Historic England keeps an up-to-date Heritage at Risk Register, which includes details of buildings and structures, places of worship, archaeological sites, conservation areas and registered parks and gardens threatened by deterioration or loss.

The register is intended to highlight threatened heritage assets, and to provide a database for members of the public and other stakeholders. The Council should be informed if potential harm to a heritage asset (such as a Listed Building or Conservation Area) is identified.

### 7.9 SETTING

As the NPPF makes clear (*NPPF 2012 paragraph 128* etc.) setting is a fundamental aspect of heritage assets. In the case of Listed Buildings, Registered Parks and Scheduled Monuments, careful consideration should be given not only to the heritage asset itself, but to the contribution made to the heritage asset by its immediate and wider settings.

‘Setting’ is defined in the NPPF as: *The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.* (Annex 2, Glossary, NPPF, 2012).

‘Setting’ is defined by Historic England as: *The surroundings in which a place is experienced, its local context, embracing present and past relationships to the adjacent landscape.* (Conservation Principles, English Heritage, 2008).