

## **ENTERPRISE AND REGULATORY REFORM ACT 2013**

The following case studies provide an illustration of the opportunities provided by the new provisions in the Act and how they can make the existing listed building consent system more efficient and effective. Once the measures have commenced on 06 April, these examples can be taken forward.

### **Listed Building Heritage Partnership Agreements**

- **Stow Maries Airfield, Maldon, Essex**

Stow Maries is the largest and most complete surviving Royal Flying Corps World War I aerodrome in Britain. It is in a conservation area with 24 buildings listed at Grade II\*. The site was recently purchased with grants from the National Heritage Memorial Fund, English Heritage and loans from local authorities and is run by 'Stow Maries Great War Aerodrome Ltd' who hope to undertake extensive repair, conservation and restoration of the site over the next few years.

The owners and local authority are keen to engage in a partnership approach to the conservation and management of this important heritage asset. A Listed Building Heritage Partnership Agreement will provide positive guidance and a structure to reduce the number of occasions listed building consent will be required and create certainty over future plans and programmes of work undertaken by volunteers and contractors conserving and maintaining the historic aerodrome.

The works the Listed Building Heritage Partnership Agreement will cover includes roofing projects, brickwork, repointing and render repairs to walls, window repairs and reinstatement, internal works including partition, flooring and services - all which require listed building consent but do not affect the special interest of the site. This is anticipated to be an important and high profile case for the centenary of World War I.

Jackie Longman, Senior Conservation Officer, Maldon District Council: "At the heart of a Listed Building Heritage Partnership Agreement is the well-being and continuity of the nation's heritage for the public to appreciate and enjoy. A Listed Building Heritage Partnership Agreement provides clarity for owners of complex sites and a sound framework for those managing change in the historic environment to work within."

Jeremy Lucas Chair of Stow Maries Great War Aerodrome Trust: "As Trustees of this important heritage site we are thrilled by the support we are receiving from English Heritage and other public bodies. This helpful Agreement will enable us to maximise the potential of Stow Maries Great War Aerodrome, reducing the need for repetitive applications for listed building consent, allowing effective conservation and maintenance of this uniquely important heritage site and memorial

to the First World War. This is especially welcome and timely during the "four year centenary" commemorations."

Russell Savory, on behalf of the volunteers Stow Maries War Aerodrome Trust: "The Listed Building Heritage Partnership Agreement removes the "them and us situation", and gives the comfort of a team working towards the same goal. Working on a complex project like Stow Maries Aerodrome it comes with a considerable cost saving."



Stow Maries – Interior of the officers mess

- **The Willis Faber Building, Ipswich, Suffolk**

The Willis Faber Building, 1970-75 by Foster Associates, is listed Grade I because of its exceptional architectural interest as the first large, multi-level office by one of Britain's most significant modern architects. It demonstrates an innovative approach using curvilinear glass curtain walling which reflects the surrounding Ipswich townscape, an open plan and escalators. It remains a striking building externally and internally and continues to function as offices for Willis.

There is an existing management agreement between Willis and Ipswich Borough Council which dates from 1993. The production of a Listed Building Heritage Partnership Agreement offers an opportunity to build upon the approach set out in the management agreement and to benefit from the new statutory role of Listed Building Heritage Partnership Agreements.

The aim is to reduce the occasions where listed building consent is required by identifying works which can be carried out under the terms of the Agreement, including alterations to the existing partition system, works to less sensitive areas of the building such as the basement, replacement of the glazing system and floor coverings. It will also provide greater certainty about what works can be undertaken without consent and may be used in conjunction with Certificates of Lawfulness of Proposed Works. It is envisaged that this will be a pro-active approach, providing a more efficient and clear framework for the management of the building.



Willis Faber Building Ipswich

Gail Broom, Senior Conservation and Urban Design Officer, Ipswich Borough Council: *“Ipswich Borough Council welcomes the Listed Building Heritage Partnership Agreement as a development of the existing Willis management guidelines which have been in place since 1993. Through the Agreement the Council will continue to work with Willis and English Heritage to ensure the protection of this internationally important building.”*

- **University of Sussex, Brighton**

Eight buildings were listed Grade I or II\* at the University of Sussex in 1993 and, since the buildings are heavily and flexibly used, it was soon clear that guidelines on alterations to the buildings would be useful for the University.

The University authorities worked closely with Brighton and Hove City Council and English Heritage in developing management guidelines

which balanced the needs both to protect the buildings while providing a pragmatic approach for the University in developing them.

These have been re-drafted a couple of times over the past 20 years and expanded to include model solutions on matters such as data cabling, signage, re-partitioning, some kinds of repair works, works to stair handrails, etc.

A new re-draft to become a Listed Building Heritage Partnership Agreement is under discussion and currently suggests both listed building consents and Certificates of Lawfulness of Proposed Works to give greater security to all partners.

Martin J Chalker, Director of Estate & Services at the University of Sussex: *“Working in partnership with English Heritage and adopting a Listed Building Heritage Partnership Agreement is a very positive move, since it gives the University greater flexibility to make alterations and adjustments to buildings in the interests of our students, staff and visitors, and ensures that we have clearly defined with Brighton and Hove City Council and English Heritage the way in which our heritage will be protected and safeguarded for future generations.”*



Falmer House, University of Sussex, Brighton, East Sussex

- **Stonyhurst College, Lancashire**

Stonyhurst College is located near Clitheroe in the Ribble Valley, Lancashire. The College was established in 1794 and the site subsequently gifted to the Society of Jesus by the Weld family. The following two centuries witnessed a great expansion of the College, which became coeducational across all years in 2002 and continues to occupy a nationally important collection of listed buildings (Grade I).

The impressive College buildings include the dramatic west front, dating from 1592, and the enormous English Renaissance style fifteen bay south front, built in the 1870s, to designs by Dunn & Hansom.

A complex estate management programme sustains a high standard of repair and ensures the buildings meet the operational requirements of the College. Under the current heritage protection regime this inevitably generates frequent listed building consent applications and consultations with the local planning authority when changes and repairs are necessary. The Enterprise and Regulatory Reform Act has provided the opportunity to simplify administrative processes and achieving efficiencies for the College's estates team while maintaining protection for this important heritage asset.

The College is therefore working with Ribble Valley Borough Council and English Heritage to explore the potential for adopting a more stream-lined approach to the planning system. A revised conservation management plan has enabled the significance of the buildings to be well defined and a more specific curtilage to be considered for the listed buildings. A Listed Building Heritage Partnership Agreement, incorporating Certificates of Lawfulness of Proposed Works, has been drafted for works to windows, roof, stonework repairs and rain water goods.



Most importantly a partnership approach has been established – the process of drafting the Agreement being as important an outcome as the technical requirements of the buildings. Regular steering group meetings will monitor the Listed Building Heritage Partnership Agreement, review the quality of repairs and alterations and consider extending the scope of the Agreement as further works are identified.

Julian Ridley, Bursar at Stonyhurst College: *“We hope that the conservation management plan and Listed Building Heritage Partnership Agreement process will reduce the numbers of applications we submit and ensure the long term care of Stonyhurst.”*

John Macholc, Head of Planning Services at Ribble Valley Borough Council: *“Ribble Valley Borough Council has been delighted to work with the College and English Heritage to draft a Listed Building Heritage Partnership Agreement that will benefit both the local planning authority and College while continuing to protect this important heritage asset.”*

## **Local Listed Building Consent Orders**

- **Little Germany, Bradford**

Little Germany is a distinct area of Bradford City Centre which developed as a warehousing and trading district, favoured by German Merchants, for the local textile industry. It has a strong, unified character generated by a concentration of similar historic buildings, many of them listed. Many of the imposing office and warehouse buildings were constructed during the same period and designed by the same architects. A number of these have been converted to offices and housing, but others are underused or vacant.



If adopted, the Order is to remove the need for individual listed building consents, and to encourage and speed up investment and regeneration in this part of the city centre. The Order will permit the works necessary to create opportunities for a range of uses including office or residential space. It will signal clearly to the development community that the Council wants to encourage proposals for a variety of uses that will bring vibrancy to the area and help to secure the future of these high quality buildings.

Councillor Val Slater, Bradford Council Executive Member for Housing, Planning and Transport: *"We are working hard to stimulate the city centre economy and use our fabulous built heritage to the city's advantage without devaluing its unique characteristics, which is why we are keen to participate in this pilot where new measures available to us through the Enterprise and Regulatory Reform Act 2013 Act can act as catalysts for investment."*

## **Listed Building Consent Orders**

- **The Canal & River Trust**

Each year the Canal & River Trust makes numerous listed building consent applications or else liaises with local planning authorities to get clearance to proceed with works without listed building consent. Data for the past five years (2008/09-2012/13) shows that in that time the Trust (and its predecessor, British Waterways) made 587 applications and discussed with local authorities a further 927 projects requiring clearance to proceed without consent.

The Trust estimates that preparing a typical application for listed building consent costs around £1,500 a time. Local authority estimates for 2012/13 ranged from £350 for a minor application to £1,600 or more to process a major application.

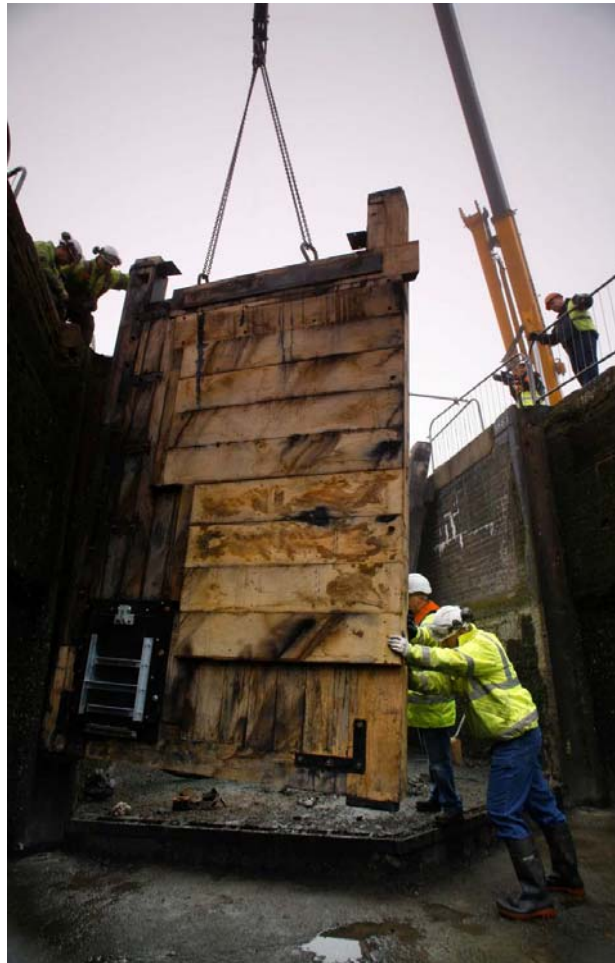
Over the past ten years the Trust has built up experience of operating successful heritage partnership agreements and is keen to streamline specific heritage works of maintenance, repair and minor alteration through the implementation of a national Listed Building Consent Order in England.

A national Listed Building Consent Order for the Trust will facilitate development of a common and consistent approach across a large number of local planning authorities. It will save time and money, introduce greater certainty, reduce risk and make planning and delivery of works to listed buildings more efficient.

Initially, it is proposed that two types of listed canal structures; locks and traditional masonry arch bridges, are covered by the terms of a national Listed Building Consent Order. The Trust cares for around

1,500 listed locks and bridges and liaises on these with up to 90 separate planning authorities in England.

The works that would be covered by a national Listed Building Consent Order are likely to include repair and maintenance works, such as replacing lock gates, rebuilding damaged bridge parapets and carrying out occasional alterations in the interest of public safety. A pre-agreed schedule of specified works will be prepared as a part of the Order and great care will be taken to detail these in such a way that the special historic interest and heritage value of listed locks and bridges is protected.



Nigel Crowe, Head of Heritage at the Canal & River Trust: *“The Canal & River Trust cares for a nationally important historic environment consisting of 2,000 miles of canals and river navigations encompassing a collection of both designated and non-designated heritage. Much of the heritage we care for is similar in age, materials and appearance and the work we do is well practiced with the same skills and craftsmanship employed from place to place.*

*For this type of repair and conservation work, a national Listed Building Consent Order will save time and red tape. This means we can direct*



*our effort on the canals where it can make the most difference. The opportunity given to the Trust to develop England's first national Listed Building Consent Order is a great endorsement of the work we do and how we go about it."*

Further details about the pilot national Listed Building Consent Order can be found on the website for the Canal & River Trust - <http://canalrivertrust.org.uk/about-us/heritage/national-listed-building-consent-order>.

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