



Historic Environment Scotland

By Email Only

15 February 2019

Demolition, Use and Adaptation of Listed Buildings

Dear Sir/Madam

Homes for Scotland welcomes the opportunity to respond to the above consultation. We understand the two new documents on Demolition and the Use and Adaption of Listed Buildings are intended to replace the existing Demolition guidance. We set out our response to the two documents in turn below.

Overall, we agree that ensuring that historic buildings do not become empty or fall into disrepair is an important policy ambition. In achieving this we consider that a flexible approach which can respond considerately and pragmatically to individual circumstances is important to enabling owners actively engage with the planning system.

The status of the documents would benefit from clearer explanation, particularly with regard to how they related to other HES guidance. Additionally, some of the language should be tightened up to make clear precisely what kind of heritage assets are being referred to.

Demolition of Listed Buildings

We note that the draft guidance changes the definition of demolition from the previous document to make it more contingent. The purpose of this change is unclear and may lead to delay and misunderstanding. It appears to seek to widen the definition of demolition, but this is not necessary as very stringent tests are set out whether demolishing a building or altering it in such a way that its significance would be impacted upon.

In existing guidance demolition is defined as *“the total or substantial demolition of a building”*. It noted that demolition would include façade retention but does not include the demolition of part of a building. We consider that this existing definition provides a reasonably clear wording which is more understandable to applicants and decision makers alike and should be retained.

Some elements of the guidance on Economic Viability are unclear. For instance the second paragraph up from the bottom of p. 4 states

“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 is unclear what is meant by this. If a residual valuation reveals a negative value for the site, i.e. the cost of works, reasonable profit for the developer (reflecting the risky nature of such projects), cost of finance, professional fees, contingency, marketing and any other costs exceeds the end value then there would be a ‘Conservation Deficit’. A reasonable level of risk would already be factored into the residual valuation and so it’s unclear how revisiting this would overcome the ‘Conservation Deficit’. This sentence should be removed.

The requirement to both demonstrate that restoration is unviable *and* to market the building appears to be unnecessarily onerous. Both these processes are costly for owners of sites / buildings which may only be worth a nominal sum. In any event the requirement to market for

6 months is excessive, 3 months would be more appropriate. The section on economic viability would benefit from revision and re-consultation.

The Use and Adaption of Listed Buildings

We agree with key messages set out in points 5 and 6. Owners and developers looking to invest in the historic environment is a positive to be welcomed which creates jobs and can improve the built environment. It is important to get the balance right between preservation and ensuring that buildings can continue to be occupied for economically viable uses.

In this regard the second paragraph on page 4 reads somewhat negatively. As the economy changes the demand for various buildings and most efficient use of them will change. In particular the use which buildings were first designed for over 100 or more years ago may no longer be in existence or be appropriate to the location. In any event the requirements of occupiers of an educational, hospital buildings for instance are likely to have radically changed over the period since they were first build. The use of 'intangible value' is vague and lacks sufficient clarity for policy making. There are many excellent example of buildings which have been converted from their original use and the guidance should be more open to this course of action.

Conclusion

We are grateful for the opportunity to comment on the draft guidance. We consider that changes are required to the demolition guidance to ensure the definition remains clear so that the policies on viability are reasonable and provide clarity. In relation to the use and adoption of buildings we consider that guidance should be more open to allowing alternative uses which will help to keep buildings in use ensuring ongoing maintenance.

Yours faithfully



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