

Demolition



Key Issues

- 1. Scottish Ministers are committed to the sustainable use and management of the historic environment. This means meeting the needs of today without compromising the opportunity for future generations to understand, appreciate and benefit from the historic environment.**
- 2. In the context of listed buildings this involves recognising the advantages to be gained from retaining existing buildings and ensuring that their special interest is protected. Consent for demolition of a listed building is therefore only granted in exceptional circumstances.**
- 3. Applicants normally need to show that they have made all reasonable efforts to retain the building by demonstrating that:**
 - the significance of the building and its setting is fully understood;**
 - the condition of the building has been assessed by appropriate conservation professionals;**
 - repair is not economically viable;**
 - alternative sources of finance have been explored;**
 - the property has been marketed for a reasonable period at a price reflecting its condition to potential restoring purchasers.**
- 4. Similar considerations apply to applications for conservation area consent to demolish an unlisted building, taking into account the contribution of the building to the character of the conservation area.**
- 5. Local authorities give advice on the requirement for listed building consent, conservation area consent and other permissions.**

INTRODUCTION

This is one of a series of guidance notes on managing change in the historic environment. The series explains how to apply the policies contained in the *Scottish Historic Environment Policy* ([SHEP](#), PDF 312K) and *Scottish Planning Policy 23: Planning and the Historic Environment* ([SPP23](#), PDF 192K).

This note sets out the principles that apply to the demolition of listed buildings and unlisted buildings in conservation areas. It replaces the equivalent guidance in *The Memorandum of Guidance on Listed Buildings & Conservation Areas* (1998) and should be afforded equal weight in drawing up planning policies and determining applications relating to the historic environment.

Monuments scheduled under the Ancient Monuments & Archaeological Areas Act 1979 require scheduled monument consent for any works, including demolition. Where a structure is both scheduled and listed, the scheduling controls have precedence. Separate advice is available from Historic Scotland's website: [Scheduled Monuments: Guidance for Owners, Occupiers & Land Managers](#) (PDF 718K).

DEFINITION

Demolition is defined as 'the total or substantial demolition of a building'. This definition can include the demolition of a building behind a retained facade but not the demolition of part of a building, e.g. an extension or a shopfront. Demolition of a lesser part of the building should usually be regarded as an alteration.

DEMOLITION OF LISTED BUILDINGS

Listed buildings are special. As buildings of architectural or historic interest they are protected and contribute significantly to the quality of our built environment. The loss of any listed building leads to the erosion of an area's character, distinctiveness and sense of place. There is therefore a strong presumption against the demolition of any listed building.

Positive efforts should always be made to retain listed buildings, using their presence as an opportunity to stimulate regeneration in creative and imaginative ways. Often the retention of key historic buildings within a regeneration area can act as the focus for the highest-quality new designs – anchoring the development and integrating it more effectively in its wider context.

Where a building's condition is deteriorating, local authorities are encouraged to work with owners to secure its repair and reuse. Support of this kind can include: alerting owners to minor defects, which if left unchecked could cause more significant damage; offering grants and other incentives to undertake more substantial works; relaxation of



Linn House, Glasgow. A demolition application was submitted with no marketing evidence, but later withdrawn when restoring purchasers came forward.



Linn House, Glasgow, repaired and extended (photo 2009).



The 1929 Art Deco India of Inchinnan tyre factory, Renfrewshire, shown derelict and threatened with demolition in a photograph taken in 1992. © Crown copyright: RCAHMS. Licensor www.rcahms.gov.uk.



India of Inchinnan tyre factory restored, extended and converted to offices in 2002.



Former St Jude's Episcopal Church, Glasgow: threatened with demolition in the early 1990s, it was converted to a boutique hotel in 1994. © N Haynes.



Two 18th-century cottages in Town Yetholm, Scottish Borders, photographed in 1992. Consent was refused for demolition following a public local inquiry in 1992 because alternatives to demolition had not been considered. Reproduced by kind permission of the National Trust for Scotland.



Town Yetholm cottages subsequently repaired and thatched under the National Trust for Scotland's 'Little Houses Improvement Scheme'. Reproduced by kind permission of the National Trust for Scotland.

planning or building controls to achieve reuse. Where appropriate, local authorities are also able to use their statutory powers to undertake work where owners are unwilling, and in some instances can use powers to acquire the building.

Only where it can be shown that all efforts to retain a building have been exhausted will consent to demolish be granted. This will require applicants to set out clearly the practical steps that have been taken to try to keep the building and must be supported by clear evidence to show why these have failed.

CONTROLLING THE DEMOLITION OF A LISTED BUILDING

The demolition of a listed building requires listed building consent. The local authority can offer advice on how to apply and what to consider. Given the importance attached to the retention of listed buildings, local authorities will work proactively to retain buildings and help owners to identify appropriate ways to achieve re-use. Where it appears that the retention of the building is a viable option, or where the applicant is unable to justify its demolition satisfactorily, the local authority should normally refuse consent.

If the local authority decides to grant consent for the demolition of a listed building, the application must be referred to Historic Scotland before consent can be granted. Historic Scotland will consider the information submitted and, if satisfied that a clear case has been made which justifies the demolition of the building, the application will be returned to the local authority who can then issue consent.

However, if a clear case has not been made or the evidence submitted is insufficient, a decision may be delayed while the required evidence is prepared and examined. Following this, if Historic Scotland consider that a case for the demolition of the building has not been made, the application may be 'called-in' for Scottish Ministers' determination. In these circumstances Scottish Ministers appoint an independent reporter to review the case and recommend what decision should be taken.

To minimise the risk of delay associated with such proposals, it is important that all applications follow the advice set out within this guidance note. In addition, it is strongly recommended that applicants discuss their proposals before an application is submitted. In this way the local authority and Historic Scotland can provide advice at an early stage that may help identify a means of retaining the building.

WHAT INFORMATION IS NEEDED?

In line with national policy, applications for demolition will be assessed against the following tests:

- importance of the building
- condition of the building
- economic viability of re-using the building
- wider public benefits

To obtain consent for demolition, applications will need to meet at least one of the above tests. Applicants should therefore submit detailed information regarding each relevant test in support of their proposals. The approach to this is set out below.

Importance of the Building

Consent may be granted for the demolition of a building that is no longer of sufficient merit to be listed. Where applicants consider that the building in question is not of sufficient interest to merit listing, they will need to demonstrate this against the published criteria for listing set out in Annex 2 of the [SHEP](#).

Examples of this can include a building whose special interest was derived from a feature or element which is now lost or a building which has been altered so significantly that it is no longer of special interest. It should be noted that such cases are very rare and it is unusual for consent to be granted on this basis.

Condition of the Building

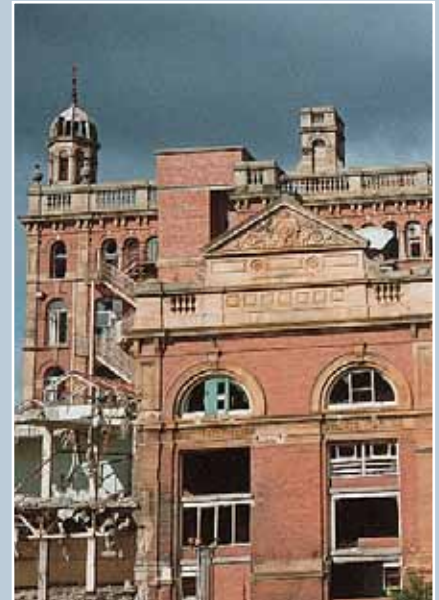
Consent may be granted where it can be shown that a building's condition is beyond repair. In these cases, a clear understanding of the building's condition will always be required. This should take the form of a structural survey prepared by appropriate professionals, such as engineers, surveyors or architects. Structural problems should be carefully described, explained and illustrated to ensure that they can be readily understood, and repair options discussed.

Economic Viability

Consent may also be granted for the demolition of a building that is capable of repair but where the costs of doing so mean that its repair would not be viable. Where this is the principal justification for the demolition of a building, full supporting evidence should be provided comprising:

- a valuation of the existing building and site;
- a full survey identifying the repairs required;
- development costs including a costed schedule of repairs;
- an estimate of the value of the repaired property, including potential yields.

Where this assessment indicates a deficit, it will normally be a requirement to show that grant aid is not able to meet the shortfall. Where a building is capable of repair it will always be important to show that the property has been marketed for a reasonable period to a restoring purchaser at a price reflecting its condition.



Ferguslie Mill No. 1, Renfrewshire, demolished in 1992 on the basis of its poor condition and a substantial deficit in respect of its economic viability.



A category B-listed toll-house of circa 1830 at Great Northern Road, Aberdeen. Consent was granted for demolition in 2006 on the grounds of its poor structural condition, road-blighted location, and the lack of a restoring purchaser. © Crown copyright: RCAHMS. Licensor www.rcahms.gov.uk.



C(S)-listed Art Deco beach shelter at Broughty Ferry, City of Dundee. Consent was refused for demolition because the building was not marketed adequately.



The same beach shelter after repair and conversion to a restaurant.



Falfield Mill, an 1818 cotton mill in Glasgow was one of two listed buildings demolished on the route of the new M74 extension, an infrastructure project of national significance.

Involving the local authority, the Scottish Civic Trust and Historic Scotland in such an exercise can assist in efforts to secure a purchaser such as a Building Preservation Trust. The Scottish Civic Trust maintains an online register of buildings at risk: www.buildingsatrisk.org.uk.

Conventional marketing is difficult when dealing with buildings or structures of cultural value but only limited scope for reuse such as bridges, doocots or fountains. In such cases feasibility studies can be useful in assessing the options for repair and sources of finance: a local Building Preservation Trust, City Heritage Trust or conservation architect may be able to assist in this. It is unlikely that consent for demolition of an uninhabitable structure would be granted purely on the basis of a deficit in economic viability – the interest of the structure, its condition, the available funding, and marketing to repairing purchasers are the main factors in these cases.

Wider Public Benefits

It is recognised that in exceptional circumstances the retention of a building may prevent wider public benefits flowing from the redevelopment of a site. Typically these cases would involve developments of national or regional significance and applicants will need to demonstrate that there is no practical way of realising the benefits without demolishing the building.

In advancing a justification in such cases it will be important to set out not only the benefits of the development but also clear evidence that every effort was made to incorporate the listed building into it, or to place the development in an alternative location.

DEMOLITION OF AN UNLISTED BUILDING IN A CONSERVATION AREA

As with listed buildings, there is a presumption in favour of the retention of unlisted buildings in conservation areas where they make a positive contribution to the character, appearance, or history of the area. Many local authorities have prepared conservation area appraisals and these can be used to identify unlisted buildings which contribute positively to the character and appearance of an area.

Conservation area consent applications for demolition of unlisted buildings in conservation areas will normally be considered in the same way as those for demolition of listed buildings. As for listed buildings, the necessary forms and advice are available from the local authority.

Proposals for demolition in a conservation area should usually be considered in conjunction with a full planning application for a replacement development. The key principle in such cases is that the character and appearance of the area should be preserved or enhanced. This allows consideration to be given to the potential contribution that the replacement building may make to the area's character and appearance.

Demolition should not normally begin until evidence is given of contracts let either for the new development or for appropriate long-term treatment as open space where that outcome conforms to the character of the area.

ARCHAEOLOGY

It is possible that archaeological resources survive within or beneath a listed building or unlisted building in a conservation area. Planning authorities should seek to manage archaeological issues, such as recording or preservation in situ, through the use of conditions or agreements under Section 75 of the Town & Country Planning (Scotland) Act 1997.

RECORDING

Under Sections 7(2) and 66(3) of the Planning (Listed Buildings & Conservation Areas) (Scotland) Act 1997, the Royal Commission on the Ancient & Historical Monuments of Scotland ([RCAHMS](http://www.rcahms.gov.uk)) must be given an opportunity to make a record of all buildings where listed building consent or conservation area consent for demolition has been granted. In most cases this requirement is applied as a condition of consent and the local authority will notify RCAHMS.

Demolition can begin three months after the grant of consent, or sooner if RCAHMS has already undertaken a survey or indicated in writing that a survey is not required. RCAHMS welcomes early notice of proposals to demolish or radically alter listed buildings or unlisted buildings in conservation areas. Once a listed building has been demolished, Historic Scotland should be notified so as to update the statutory list.

SALVAGE AND SUSTAINABILITY

The 'embodied' energy, or energy used in the fabrication of a building, is best conserved by repair. However, if consent for demolition is granted, salvage and reuse of the materials can contribute to reducing the energy needed in the construction of a new building. Some local authorities operate architectural salvage stores, and a commercial market exists for items such as roofing slate.



A web page from the online Buildings at Risk Register for Scotland: www.buildingsatrisk.org.uk.
© Scottish Civic Trust.



The 1999 archaeological investigation of the Scottish Parliament development site following the demolition of unlisted buildings behind Queensberry House in the Edinburgh Old Town Conservation Area.

Other contacts and links

Buildings at Risk Service
Scottish Civic Trust
The Tobacco Merchant's House
42 Miller Street
GLASGOW
G1 1DT

Tel: 0141 221 1466
Fax: 0141 248 6952
E: bar@scottishcivictrust.org.uk
W: www.buildingsatrisk.org.uk

Threatened Buildings Survey
RCAHMS
John Sinclair House
16 Bernard Terrace
EDINBURGH
EH8 9NX

Tel: 0131 662 1456
Fax: 0131 662 1477
E: info@rcahms.gov.uk
W: www.rcahms.gov.uk

For the full range of Inform Guides, Practitioner Guides, Technical Advice Notes and Research Reports please see the Publications section of the Historic Scotland website.

FURTHER INFORMATION AND ADVICE

Details of all individual scheduled monuments, listed buildings, designated gardens and designed landscapes, and designated wrecks can be obtained from Historic Scotland (see contact details below) or at: www.pastmap.org.uk. Details of listed buildings can also be obtained from the relevant local authority for the area.

Advice on the requirement for listed building consent, conservation area consent, building warrants, and other permissions/consents should be sought from local authorities.

Historic Scotland Inspectorate
Longmore House
Salisbury Place
EDINBURGH
EH9 1SH

Tel: 0131 668 8981 or 8717 Fax: 0131 668 8765
E-mail: hs.inspectorate@scotland.gsi.gov.uk
Web: www.historic-scotland.gov.uk

Advice on technical issues is available from Historic Scotland's Technical Conservation Group at the above address and website or at the following:

Tel: 0131 668 8715 or Fax: 0131 668 8669
E-mail: hs.technicalconservationgroup@scotland.gsi.gov.uk

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Cover images

Garvel House, Greenock, demolished in 2005 on grounds of condition and lack of viable reuse.

Former Elgin Place Congregational Church, Glasgow, 2004. The building was demolished following a devastating fire. A Section 29 Notice under the Buildings (Scotland) Act 2003 required the building to be made safe urgently. In these circumstances retrospective listed building consent was required for the demolition. © Crown copyright: RCAHMS. Licensor www.rcahms.gov.uk.

1830s tenements in West Nile Street, Glasgow, in the process of demolition following a fire, 2005. © N Haynes.