

## HE Consultation Questions – Climate Change and Historic Building Adaptations

1. Are you responding on behalf of an organisation (if so, which?), or in a personal capacity? (required) **Institute of Historic Building Conservation**

2. What is your role/interest in heritage and/or planning? (required)

**The Institute of Historic Building Conservation is the professional body of the United Kingdom representing conservation specialists and historic environment practitioners in the public and private sectors. The Institute exists to establish the highest standards of conservation practice, to support the effective protection and enhancement of the historic environment, and to promote heritage-led regeneration and access to the historic environment for all.**

3. Does the draft Historic England Advice Note (HEAN) provide clear advice on the common types of proposals to adapt historic buildings to decarbonise and improve energy efficiency? In particular, certainty on when consents and permissions are required and what interventions are likely to be acceptable? (If not, what is needed to ensure it does?)

**No. The advice given is superficial, insufficient and in many cases, incorrect. It also fails to highlight potential risks and disadvantages of specific adaptations.**

**The advice relating to the need for listed building consent is particularly poor – absolute statements are made that are incorrect (details are provided under question 9).**

**We recognise this may be a first attempt at getting the advice drafted and we are happy to offer further comment to produce a more considered future version. The publication of this draft is also premature pending publication of the Roundtables report.**

**The HEAN should indicate what level of harm interventions are likely to cause and not second guess their acceptability or otherwise. If Historic England is leaving the planning balance to planners, and not trying to assess how benefit is measured, or how much is required to justify certain levels of intervention then it needs to be rigid in not doing that in guidance such as this.**

**The intended audience of LPA staff, heritage consultants and others are regarded as mainly specialists. However they may be specialists in planning procedures but not necessarily in energy conservation. Experience also shows that despite**

all the excellent background documents that are referenced, many readers will not read or remember them.

The intended audience needs to appreciate how human behaviour affects the demand for energy if there is to be a holistic understanding of the issues. It is important to realise that some of the audience might be specialists, a great many will not be and they need a greater understanding of the problems and issues surrounding retrofit.

The HEAN has missed a good opportunity to inform its audience about a great many 'improvements' that occupants can make which are benign and don't need consent. One obvious example is the use of shutters, lined curtains and blinds to improve the thermal performance of windows. Although primarily concerned with planning policies and the consent processes the HEAN does, often inaccurately, provide advice on issues where permissions are not needed. More should have been provided to enlighten readers about heat loss and changes in human behaviour that can bring about improvement without damaging fabric and often at little cost.

The HEAN gives examples where destructive change will be accepted without first raising the proviso of repair, maintenance or benign improvement

Limiting this HEAN to housing is understandable but much of this is applicable to other uses and that could have been mentioned unless another document covering non-residential uses is proposed.

4. Does the draft HEAN provide clear advice to help local planning authorities determine applications relating to historic building adaptations to decarbonise and improve energy efficiency? (If not, what is needed to ensure it does?)

No. LPAs will know the introductory information relating to the need for planning permission, permitted development, NPPF policy, etc. and will be fully aware of the need to address climate change. As stated above, much of the advice relating to listed building consent is incorrect and is likely to cause serious confusion. This must be corrected.

5. Does the draft HEAN provide clear advice to help local planning authorities deliver a positive strategy that encourages and supports opportunities for

building adaptations that decarbonise and improve energy efficiency? (If not, what is needed to ensure it does?)

The plan-making part of the document is extremely disappointing and will be of very limited help to LPA plan-makers. Very little practical advice is provided.

The document states that development plans should contain policies relating to whole building retrofit measures and repairs. However, there is no acknowledgement that internal works and repairs do not constitute development or that development plan policies cannot relate to internal works or repairs. The planning system has no control over whole building retrofit, only those measures that need planning permission. Nor is there any acknowledgement that listed building consent is not subject to the development plan. Whilst a positive strategy is desirable, the limitations of such a strategy should be acknowledged.

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The HEAN uses adaptation to apply simply to retrofit, which is confusing, as this is much more specific and detailed than the current broad international definition of climate adaptation covering many structural, political, physical and social approaches to climate change.

6. Is there any relevant advice missing from the HEAN?

There is insufficient practical advice.

At the outset, the document refers to historic buildings in general (excluding only ecclesiastical buildings). In contrast, para 77 states that the advice on works to listed buildings is "*aimed primarily at buildings in residential use*". This is a noticeable inconsistency.

There is a notable absence of reference to the risks and disadvantages from the adaptations discussed (details are provided under question 9). For example, it is suggested that replacement of uninteresting windows with double-glazed equivalents will generally be acceptable in heritage terms (para 81) but the document omits to state that such replacement is likely to be carbon positive on a whole life basis due to the large carbon footprint of frames and especially glass, and the short life of double-glazed units, and therefore unless frames are beyond repair, retention with secondary (potentially double) glazing is a far

better option, as are films, blinds, shutters etc – all of which has been proven by HE's own research. \_

7. Are there any improvements that could be made to the HEAN in terms of structure?

The document states that it is aimed primarily at LPAs, heritage consultants and other parties directly involved in the planning process, yet a significant proportion of the text covers aspects of the system that such parties will be familiar with, such as NPPF policy. Notwithstanding this, the document makes policy statements that contradict the NPPF (details are provided under question 9).

It would be better to update the existing documents relating to specific adaptations which provide more detailed and definitive advice, including risks, than provide a superficial overview document that undermines the more detailed documents.

8. Are there any improvements that could be made to the HEAN in terms of language and clarity/phrasing?

It is essential to omit new and inappropriate policy terminology such as "*buildings of monumental character*" and all content that is out of kilter with NPPF policy (details are provided under question 9).

9. Do you have any other feedback or comments on the draft HEAN you would like to share?

#### Factual errors.

The document states that it is not intended to cover buildings in ecclesiastical use as changes are managed by the parallel system of ecclesiastical exemption (Summary and para 77). Do the authors not know that applications for planning permission relating to ecclesiastical buildings are determined by LPAs?

Para 45: "... *listed building consent will be required for work to a listed building*". This is incorrect. LBC is only required where the work would affect the building's character as a building of special architectural or historic interest (s7, P(LB&CA) Act, 1990).

Para 81, final bullet: *“The replacement of windows will require listed building consent.”* Why is only glazing bar pattern mentioned? The profile of the frame members and the nature of opening lights are equally important, together with provision for shedding rainwater. Whether LBC is required depends on impact on special interest and is not an absolute, as stated. The replacement of windows that make a neutral impact on significance with frames that similarly make a neutral impact on significance would not require listed building consent.

Para 83, final bullet: *“The installation of slim-profile double-glazing will require listed building consent, unless they are replacing panes in modern windows.”*

Slim profile double glazing would not need LBC if it can be accommodated into the frame profile without altering special interest. Conversely, installation of double-glazing into, say, a Crittall type window necessitates replacement of the putty with a metal bead, which drastically changes the original slim appearance of such windows and is likely to require consent. Therefore this statement is incorrect.

The criteria of historic fabric rather than authentic design seems to be the overriding criterion in determining the acceptability of introducing double-glazing into buildings. In advising that all ‘modern’ (a term for which no definition appears to be provided) windows could be acceptably replaced with double-glazed windows, there is no regard for the degree to which those windows might previously have been installed as accurately-designed replicas of pre-existing historic windows.

This advice also directly conflicts with HE guidance on Making Changes to Windows in Listed buildings (found in Modifying Historic Windows as Part of Retrofitting Energy-Saving Measures). That guidance acknowledges the importance of retaining replacement windows that follow historic glazing patterns and also considering the aesthetic impact of window replacement on the whole elevation.

Para 87, final bullet: *“Listed building consent ... will be required for works which entail alterations to a building.”* This is incorrect. Listed building consent will only be required where the work would affect the building’s character as a building of special architectural or historic interest (as above)

Para 90, final bullet: *“Listed building consent will always be required for the installation of external wall insulation.”* Whilst external wall insulation will often impact on architectural significance, there could be situations, for example, where extensions added to listed buildings could accommodate external insulation without causing any harm to significance. The junction with old and

new will need to be considered especially to assess the risk of any unintended consequences. Listed building consent will be required where the work would affect the building's character as a building of special architectural or historic interest (as above).

Para 91, final bullet *"All the works described in this section would require listed building consent."* It is difficult to see why concealed insulation between an outer wall cladding and an internal plaster finish would have any affect on architectural or historic interest. LBC is unlikely to be required in such a situation.

Para 92, final bullet: *"Listed building consent would be required for such works."* Again, this absolute statement is incorrect. The need for LBC would depend on when the render had been removed, the condition of the building at the date of listing, and the similarity of the replacement render to the original.

Para 103, final bullet: *"Listed building consent will always be required for the installation of heat pumps."* If the equipment is freestanding and the associated wiring and features within the building have no impact on special interest, LBC would not be needed.

The section should acknowledge the standard HE position that determination of the need for listed building consent is a matter for the local planning authority. It is recommended that all the references to the need for LBC relating to specific adaptations should be replaced with a single statement that the LPA should make its judgement on the need for LBC on the basis of whether the works constitute an alteration that would affect the building's character as a building of special architectural or historic interest (s7, P(LB&CA)Act, 1990).

Para 88 points out that a Certificate of Lawful Proposed Works can be sought. Why is this mentioned in relation to insulation under floors but not in relation to other types of adaptation? A single general reference to the option to apply for a CLPW in advance of the works would be sufficient.

#### Inconsistency with NPPF policy

Para 82: States that secondary glazing is generally acceptable – exceptions *"may include buildings of monumental character (for example, of exceptional architectural quality such as the finest state rooms of a great house) ..."*. There is no policy justification for restricting exceptions to *"buildings of monumental*

*character*” which is an enigmatic term that does not appear anywhere in NPPF policy or Government guidance. Small buildings can still have rooms with highly significant interiors. To comply with the NPPF, it is necessary to assess the impact on the heritage significance (architectural qualities) of each room affected, not just the nature of the windows.

Notwithstanding the references to NPPF heritage policy, the guidance on specific works makes absolute statements on acceptability and departs from the essential process to determine significance, identify any harm to significance that would result from any retrofit proposal and to weigh the degree of harm against the potential sustainability public benefit that would flow from the proposal. This needs to be done on a case-by-case basis. It is not possible to generalise in the way the draft HEAN does. It is worrying that paragraph 5 states a different process to the NPPF approach whereby it is envisaged that “minimal environmental impact” can “maintain the quality of the existing built environment”. The relevant issue is harm is to “significance”, not “quality”. There is no reference to “quality” in the NPPF. Historic England should not publish guidance that is out of kilter with NPPF policy and terminology.

#### Inappropriate/poor content

Para 7 states that historic buildings are likely to be of traditional construction and the same assumption is made in para 15. It needs to be acknowledged that an increasing proportion of listed buildings, buildings in conservation areas and other ‘historic buildings’ are of modern construction (e.g. steel and concrete frames). It is overly simplistic to suggest that historic buildings have solid walls and modern buildings have cavity walls. Historic England advice should cover all building types that it is considered desirable to conserve as cultural heritage. The draft appears to have been written with only traditionally constructed dwellings in mind.

Para 12. *“Taking a whole-building approach does not necessarily mean prioritising interventions that will achieve the greatest energy and carbon savings. In many cases, incremental and specific changes should be made (for example replacing failing windows) as and when the opportunities arise”.* Accepting that failing windows are resulting in heat loss, then the approach should be to consider repairing windows with additional benign improvements (such draught-proofing, secondary glazing, shutters, curtains etc) with replacement as the last resort.

The section headed “What is significance” on page 6 is extremely poor. The example in the pale green box under para 19 suggests that significance of a seventeenth-century house can be expressed in two sentences. Such advice could prove extremely unhelpful. For example, if someone wants to alter the windows in a listed building, it is essential to identify the contribution the existing windows make to the significance of building, both internally and externally. The two sentences in the green box would be no help whatsoever. The references to significance in relation to conservation areas fails to point out the importance of townscape in relation to conservation areas, which is critical given the potential for adaptations such as PV/solar panels on roofs to impact adversely on townscape. Para 26 states that list descriptions can be helpful. The primary purpose of list descriptions is to identify the building. It would be more helpful if the advice stated that list descriptions will rarely provide sufficient understanding of significance to form the basis of an assessment of a retrofit proposal.

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Para 32 The presumption here should be that every effort should be made to respect significance and minimise harm, unless there are no other way to achieve the changes. But the overriding presumption seems to be that achieving the thermal improvement will outweigh protection of the building. If so, then it is even more important that the HEAN includes information/advice on human behaviour and benign alterations (that do not require consent).

Para 36 states that statements of significance should be “*no more than is needed to understand the potential impact of the proposal*”. It would be more helpful to advise that statements of significance in relation to retrofit proposals should be sufficient to understand the potential impact of the proposal.

Para 74 & 75 : This needs a stronger statement on the extreme risks involved with certain works to improve energy efficiency and the damage this could do if not properly specified or carried out. This type of intervention, External and internal wall insulation is not usually suitable for most solid wall traditionally constructed buildings.

This could be misinterpreted. Installing double glazed units within existing windows could mean complete units within the window frame or simply individual panes. The significant increase in weight of double-glazed units can jeopardise the longevity and opening and closing of the windows. Invariably many such proposals end up with a complete replacement of the whole



assembly. All double glazing has a limited life and needs to be regularly maintained to ensure reasonable performance.

After Secondary glazing of windows other possible more benign action should be added such as the installation of internal shutters, blinds and lined curtains. (BRE even tested net curtains and found they reduced air infiltration).

Para 76: *“in the majority of cases we believe it is possible to improve energy efficiency without harm to the significance of listed buildings.”* Many adaptation works to listed buildings will be likely to cause some harm to significance. Even if only a relatively low level of harm (sometimes described as minor or negligible harm) would result, the courts have confirmed that such harm still constitutes harm and therefore engages the s16 and s66 statutory duties and the policies relating to harm in the NPPF. It is misleading to suggest that adaptations can be carried out without causing harm in the majority of cases.

Para 81 states that the replacement of windows *“with double-glazed windows of sympathetic pattern, will generally be acceptable.”* This makes no reference to the construction material and would open the door to replacement of wooden windows with PVCu windows. Sympathetic pattern to what – the window that is being taken out? That may not be appropriate. \_

The sanctioning of wholesale replacement of windows seems directly contradictory to previous HE advice regarding the value of embodied energy represented in historic fabric and the need to view energy conservation holistically within traditional buildings.

Many residential buildings in urban areas form part of uniformly designed terraces, rows or groups of dwellings. In such buildings, to alter the windows in one property to double-glazing, even if retaining the overall formation of glazing bars etc, would unbalance the whole composition, thereby undermining its overall design intent and their significance.

Where, as suggested, replacement could occur without even requiring consent, there would be no independent verification or oversight of the accuracy of the window design in reflecting historic precedents in the building. The erosion of historic detail and design in listed buildings could rapidly follow. No consideration is given for listed buildings consciously designed to have uniform windows, where some like-for-replacement of windows had previously occurred. These buildings could see their elevations peppered with a visually confusing mixture of single and double-glazed windows – justified purely on the fact that some of their windows were ‘modern’ and therefore suitable for replacement with double-glazed versions.

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Para 83 refers to “slim-profile double-glazing”. Need to make clear what is meant by ‘slim-profile’ (i.e. specify the thickness). Some manufacturers advertise relatively thick double-glazed units as “slim-profile”. It should be noted that very slim-profile double-glazed units only provide a relatively modest thermal benefit. Warnings should be given that the increased weight might be too much for the existing frame even though the dimensions are sound. The existing window must be capable of taking the weight (dimensionally and in good structural condition) and still be able to open and close satisfactorily.

Para 87: Many people think of loft insulation as only applying at ceiling level. As roof forms and sprayed insulation is being discussed, perhaps the first sentence should have ‘rafter level’ added after loft. That said, it is important to ensure that adequate ventilation still exists to prevent damage from condensation.

Also suggest including ‘and appearance’ after form of a historic roof. A slightly undulating appearance seen on many tiled and some stone slate roofs are important characteristics of an historic roof.

Para 89: This is a dangerous statement and precedent to make for any traditional building let alone a listed one, as introducing internal wall insulation to a traditional solid wall building introduces a considerable risk of thermal bridging and interstitial condensation leading to damp and mould and this may not become apparent or manifest until years later. Continual inspection and monitoring would be needed. The building must be sound with no damp issues. There is a risk that timber joist ends in the walls could deteriorate and the structure become unstable if any thermal bridges are not dealt with, including in ceiling and floor voids. All existing plaster has to be taken back to the substrate, services removed or rerouted, and any IWI would need to be lime plastered and be breathable. There would be no monitoring of this kind of intervention and getting this wrong could be setting up a mass outbreak of dry rot in traditional homes. Also the loss of floorspace can be significant especially in a small room.

Para 90: The reference to exceptions including buildings whose exteriors have been severely compromised does not address the risks of thermal bridging and changes that would need to be made. External wall insulation also involves changes to historical details such as eaves, window reveals, cills, rainwater goods and services, and is especially not appropriate for semi detached or terraced properties as there is risk of thermal bridging at the party wall etc. Removing a cement render may have advantages only if replaced with a breathable lime

render or thermal render but damage to any brick substrate by removing hard cementitious renders for example for replacing a render has to be considered and there is a risk of severe damage to the underneath structure by removal.

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Paras 96-99: The suggestion that PV/solar panels are generally acceptable on listed buildings except for principal roof slopes is likely to result in serious harm to architectural special interest. There is no definition of “*principal roof slopes*”. Listed buildings should be considered holistically, not just what they look like from the front. There is no reference to the potential damage and risks of installing such panels on historic buildings. Para 99 suggests that grade I and grade II\* buildings may be excluded. However, the P(LB&CA) Act, 1990 section 16 duty refers to all listed buildings, regardless of grade. The HE guidance document on solar electric states (at 3.2) that “*the appearance of the roof covering, perhaps a decorative array of tiles, or intrinsic historic fabric (for example ancient local stone tiles) may well be of high significance and therefore the impact of the PV would be harmful*”. The solar electric guidance document emphasises that understanding of significance of the roof is critical. The draft HEAN guidance undermines this much more appropriate existing published HE guidance.

Para 129: Fitting of solar panels or double glazing is not a routine or minor change to a listed building and is unlikely to be covered adequately by a LLBCO.

## Omissions

There is an almost complete absence of relevant technical information, in particular warnings of specific potential risks from carrying out adaptations. For example, in relation to draft proofing (para 80), the document fails to highlight that it is important to maintain adequate ventilation (also at para 85 re doors). Similarly, in para 88 regarding insulation under suspended ground floors, there is no mention of the essential need to maintain adequate underfloor ventilation.

Almost all cross references are to other HE guidance (the only exceptions being a reference to a CIFA document (para 39) the Government’s PPG (Para 69)). Does Historic England not value anyone else’s opinion? The omission of any reference to PAS 2035 and PAS 2030, both updated in 2023 is astonishing. Instead, the document refers to Conservation Principles, published in 2008 (para 22). The “heritage interests” referred to are inconsistent with both the legislation and

NPPF policy. It is wholly inappropriate to refer to this out-of-date document. The HEAN needs to consider how the vast range of different regulations, standards, and government targets *together* impact on buildings and people.

Para 15 blandly recommends taking specialist advice to guard against maladaptation, but makes no specific reference to the existence of qualified retrofit assessors.

### Conclusion

The draft document contains a great many shortcomings, has serious omissions, and requires a major re-working if it is to be fit for purpose. If it were to be published in its current form, it would undermine LPAs in their attempts to conserve historic buildings and would be likely to result in irreversible harm to such heritage assets. It would almost certainly be preferable to update and reinforce existing HE guidance on specific adaptations to historic buildings relating to climate change.