



This helpsheet explains what legal permissions and consents you may need when embarking upon works to a war memorial. First establish what work is required. Then consider is whether you need legal permission to undertake the work.

Common terminology in planning

Planning permission - applies to works which constitute 'development'. Development **includes** putting up new structures and demolition of structures (conservation areas only), rebuilding structures, alterations or additions to structures. Development **excludes** the carrying out of maintenance, improvement or any alteration which affects only the interior of a building or does not materially affect the exterior.

Conservation area - This is an area which has been designated as being of special interest due to the appearance of the area as a whole rather than the individual buildings within it, although they also may be separately 'listed'.

Listed building - If a building or monument is 'listed', it has been deemed to have special historic or architectural interest. It is added to the list by the Secretary of State and is under statutory protection. This means it is a criminal offence to undertake certain works to it without permission (see below).

Scheduled monument - If a site or monument is 'scheduled', it is deemed to have special historic or archaeological interest. Sites can include ruins and archaeological sites.

It is a good idea to look on your local authority website for guidance about their policies as each authority will have slightly different approaches to conservation. If you do not have access to the internet, the local authority Conservation Officer will also be able to explain the policies over the telephone.

Advice

It is advisable to have a pre-application discussion with the local authority before submitting applications. Sometimes there is a small charge for pre-application discussions but it can be worth it in the long run.

There is also a free and independent planning advisory service called **Planning Aid**. It is organised regionally so go to the 'contact us' page of the Planning Aid website for the details for your region: www.rtpi.org.uk/planning-aid/

Alternatively, the general contact details are:

Royal Town Planning Institute, 41 Botolph Lane, London, EC3R 8DL

T: 020 7929 9494 E: contact@rtpi.org.uk

War Memorials Trust 14 Buckingham Palace Road London SW1W 0QP

Telephone: 020 7233 7356/ 0300 123 0764 Fax: 020 7834 0202/ 0300 123 0765

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What do you need to consider?

Legal consideration	Planning permission	Listed building consent	Conservation area consent	Scheduled monument consent
Who is responsible	Local authority	Local authority	Local authority	Dept. for Culture, Media and Sport/ National Assembly for Wales
When is it relevant	Works which constitute development. Development is "the carrying out of building or engineering or other operations in, on, under or over land, or making of any material change in the use of any building or other land". This includes putting up new structures, rebuilding, alterations or additions to structures.	Works that would affect the special architectural or historic character of a listed building or structure. Even if a memorial is not listed, it could be within the 'curtilage' of another listed building. This means it has been within the grounds of the building since before 1 st July 1948. If it is considered within the curtilage, it is treated the same as if it was listed itself.	Works (external) which affect the character or appearance of the area, particularly whole or substantial demolition of unlisted buildings/ structures.	Works (internal, external and below ground) that would affect the special character of the monument. This consent takes precedence if a monument is also listed.
Examples of relevant work	Construction of new elements, relocation	Relocation, new elements, alterations	Demolition/ relocation	Most work
When not relevant	Carrying out maintenance, some interior alterations of a building, or work not materially affecting the exterior	Carrying out maintenance and like-for-like repairs unless they affect the character of the building/ structure	If memorial is not in a conservation area	If memorial is not a scheduled monument
Advice from	Local authority planning department	Local authority Conservation Officer	Local authority Conservation Officer	Historic England/ Cadw

Please note that this helpsheet is intended to offer informal advice and is a distillation of experience. The information contained in this helpsheet is not exhaustive and other sources of information are available.