ACCESSIBILITY TO HISTORIC PUBLIC BUILDINGS:  
PLANNING AND BUILDING CONTROL IN ENGLAND AND WALES

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ABSTRACT: This PhD research focuses on the function of planning and building control in local authorities in England and Wales, which relates to the accessibility of historic and listed public buildings. The Delphi Technique research method involves officers in access, building control, conservation and planning to share their expertise on the issues. Focus groups and individual interviews with disabled people are undertaken to investigate why since the introduction of the Disability Discrimination Act in 1995 many historic and listed public buildings are still either not accessible or providing equal services for disabled people. Preliminary results show that access officers may not be consulted on accessibility matters in listed building consent, and a majority of officers agree that ‘conservation officers are the most responsible’ in this role. One contentious issue was whether conservation issues override access issues. Research findings and the recommendations will be of particular interest to disabled people, local authorities, English Heritage, CADW, conservationists and architects.

Keywords – Accessibility, Building Conservation, Building Regulations, Legislation, Planning Guidance.

1. INTRODUCTION

A large number of public buildings that are historic and listed in England and Wales provide services for the public, such as town halls, libraries, civic centres, concert halls, art galleries, museums and places of worship. Civic duty accepts the idea that these places should encourage a democratic and equal sense of participation from all of society’s members, which constitute the basis for inclusivity.

In the last decade, we witness the incorporation of the Disability Discrimination Act (DDA) as a rights based legislative measure to achieve social inclusion for disabled people in the United Kingdom. In addition, building owners of historic and listed public buildings need to prove that their buildings will be accessible when applying for Heritage Lottery Fund and similar grants.

In a pilot study, the authors interviewed architects and officers in one local authority to determine the issues relating to building conservation that may not have satisfied disabled people’s usage of the buildings. The historic building studied fall under Grade One listing and had been altered after the DDA was introduced in 1995. We conducted an access audit using a checklist from the Centre for Accessible Environment.

From this study, the issues directed us to critically review the legislative and regulative measures used in planning and building control process, including the listed building consent, the role of access officers, the use of conservation plan, access groups, access plan and access statements. We decided to focus on the local authority as accessibility to historic buildings had a direct impact from the decision-making of the officers and the measures used, rather than just architectural practice and conservation philosophy in general.
The important question to ask when approaching the study is: To what extent has the measures been successful in achieving accessibility to historic public buildings.

So far the results are in the preliminary stages and the authors can share the findings from the Delphi Technique Process of Round One, one Focus Group Interview and some individual interviews.

1.1 Building Conservation

There are two aspects of accessibility to historic and listed public buildings that underlie the problem. One is the ‘philosophy of building conservation’ and the other is the ‘current perception of what is accessibility to historic and listed public buildings’.

1.1.1 Philosophy

What affects accessibility in listed buildings has largely to do with the philosophy of building conservation in England and Wales, and how it is practised. These buildings need protection and the concept of ‘custodianship’ fuels the philosophical ideal, which has its roots in the Arts and Crafts movement in the 19th century. Not surprisingly, a majority of the national amenities societies associated with the building conservation movement originated from this time.

‘Custodianship’ nurtures those involve in building conservation ‘a sense that we are responsible for future generations and should hand on those riches we have ourselves inherited and enjoyed’ (Earl, 1997). This statement clearly reflects a sense of responsibility to the built legacy.

Earl (1997) had also stated that ‘practice’ is where the foundation of building conservation philosophy is based upon and there is the need to deal with contemporary philosophical attitudes, especially when it is protected under statute. ‘Conservation philosophy is largely concerned with practice – determining precisely how historic buildings should be treated by the practitioner …any system of statutory protection must also, by its very nature, embody contemporary philosophical attitudes, if only to the extent that effective protection invariably depends on the creation of an inventory, a list of what is to be protected – and priorities for listing are determined by a philosophy, explicit or implicit.’(Earl, 1997)

Philosophy is very much guided by values and attitudes of society and could be changed and the authors will interview those who are ‘practising the philosophy’ to understand this fully.

We find that people involve in building conservation always having to balance building conservation principles with the needs of all users, such as disabled people, who now are looking forward to establish their rights with the new legislation, the Disability Discrimination Act (DDA) and revisions to the Part M Building Regulations.

1.1.2 Current views of accessibility to historic public buildings

Previous research on accessibility to historic public buildings in England and Wales focuses more on the needs of the physically disabled person based on the assumption that conservation authorities focus more on aesthetic concerns relating to physical adaptation for wheelchair users. As indicated by Foster (1997), most of her case studies had dealt with the needs of independent entry by the wheelchair user. In a recent debate, organised by the Disability Rights Commission in Manchester (2003), the authors observed that a similar perception is being progressed, with the least concerns for people with learning disabilities
and people with hearing impairments and deaf people, and to a lesser extent partially sighted and blind people.

The focus is more on physical access as mentioned by Foster (1997) by reflecting that ‘the provision of level access for wheelchair users, for example, necessitates physical change to architectural features such as steps or it may require the installation of mechanical lift devices to overcome level changes. These types of changes require consent from conservation authorities, hence the authors focus on mobility-oriented solutions’.

The debate centred around the issue of ‘full access’, such as being able to ‘access historic and listed buildings anywhere even the castle’s tower’, which had been deemed to be unreasonable in terms of costs. It is interesting that in an interview with Barker (2003), he suggested to widen the debate to include other diverse needs, when he quoted, “What about having a well designed handrail and staircase so that those who are partially sighted such as the elderly do not injure themselves by falling?”

Even historic public buildings altered after the introduction of the Disability Discrimination Act in 1995 were found to be not totally acceptable to disabled people. These range from facilities where disabled people are unable to independently operate doors, concerns with safety issues surrounding using internal staircases, difficult to use handrails and ramps, unconvincing means of escape during fire, difficulty in finding and using entrances to enter and problems in using the services associated with the function of the building, such as ‘viewing art in galleries’.

Hence, the initial findings of this PhD research suggests the need for a wider focus on the requirements of a more diverse group of users with varying needs.

2. PLANNING AND BUILDING CONTROL IN ENGLAND AND WALES

The function of planning and building control in England and Wales with regards to accessibility to historic and listed public buildings centres on listed building consent, planning application and building control; the role of the different officers including the access officer; the use of legislative and regulative measures; and the interpretation of conservation in relation to accommodating the needs of disabled people.

In practice, Part M Building Regulation is used in a minimum way for listed building consent proposals. Part M was drawn up with new construction in mind, and could not be adopted literally for a historic and listed building. Most of the participants (in the Delphi Technique Process) agreed that Part M should be considered when dealing with building conservation but at the same time emphasised on minimal provision and reasonable adjustments.

Building conservationists like Adams (2003) had cited the following, ‘We (professionals involved in work to historic buildings) always complain that the Building Regulations were drawn up with new construction in mind and that when applied to historic buildings they can result in unacceptable loss or alteration.’

This has also been stressed by Kent (2003), ‘The DDA (Disability Discrimination Act) does not override the need for planning permission, conservation area, listed building and/or scheduled monument consent, so that it may not be possible to improve access to some parts of some historic buildings. A measure of compromise, what the Planning Policy Guidance 15 (PPG 15) calls ‘a flexible and pragmatic approach’, is recommended to preserve historic value and significance. Relaxations of the building regulations may be needed.’

To solve this problem, English Heritage published a guide called the Easy Access to Historic Properties October 1995, and the revised version will be published early in 2004. An access plan is recommended by the guide to (i) identify the existing physical and
communication barriers to access; (ii) examine the access needs of users; (iii) assess the impact of these on features of historic, architectural or archaeological interest, or their setting;(iv) devise solutions which reconcile access and conservation needs (and which will form the Access Plan). (English Heritage, 1999).

Further to this need on achieving balance and compromise, building conservationists such as Adams (2003) are concerned with the communication between the different officers in planning and building control in local authorities, and especially the conservation officers. More calls for innovative and more thoughtful solutions are being called for, in the light of the DDA.

Proposals for listed building consent had always been accompanied by a conservation plan. An assumption made at this stage is that because listed building consent, which is backed by statutory requirement would seem more important than an access plan. The conservation officer and planning officer would be the first to be consulted when it concerns a historic and listed building.

Advocates on accessibility for disabled people in the built environment arena, including access officers had pushed for the use of ‘Access Statements’ to be a compulsory accompaniment for planning approval. Access statements are incorporated into the most recently revised Part M Document, which will commence on May 2004. At the same time, historic and listed buildings proposals are required to consider accessibility for disabled people as mentioned in the Part M revision.

Architects submit proposals on behalf of clients (relating to Stage A to F relating to RIBA Plan of Work stages), and would have to deal with conservation officers if the proposal needs listed building consent. The planning application is done at the same time as the listed building consent and a planning officer handling the ‘case’ or proposal needs to be consulted.

Only later on, during ‘plan vetting and site inspections stage’ will the building control officer handle the ‘case’. The access officer is assumed to be available in most cases to assist with planning and building control, but not all access officers are found in these departments. Some are just involved in the council’s policy-making and customer services. Some local authorities do not have an access officer and it is customary that a building control officer will help to cover Part M Building Regulations when this occur.

The authors will need to investigate the role of the different officers in local authorities further. The Delphi technique is being used to investigate these issues in more depth.

3. PRELIMINARY STUDIES

The research methods that are being employed are in the preliminary stages of the PhD research. Hence the authors can only share findings at this stage.

3.1 Delphi Technique Process

There were 29 participants with a fairly equal number representing all the different groups of officers from various local authorities throughout England and Wales. The different groups represented are access officers, building control officers, conservation officers and planning officers.

The authors explained to the participants that this method of inquiry is to find out from them, who are the experts in their field, their opinions concerning what is being practised (relate to the philosophical aspects of building conservation ), what the problems are (in terms of planning and building control) and what would make the decision-making process better.
A forum-like situation was arranged in four rounds (via postal and email questionnaires) but the participants are anonymous to each other and they could reply and comment anytime even to previous replies. Our role is to facilitate the replies and comments to which the main objective in the end is to find out the common ground and come to a consensus on opinion and recommendation.

The findings will be central to the whole study, apart from examining case studies and interviewing focus groups that include disabled people in concurrently.

The issues that were concentrated on were the;
(1) Interpretation of building regulations and guidance in relation to accessibility to historic buildings.
(2) Role of the access officer in a local authority.
(3) Interpretation of conservation in relation to accommodating the needs of the disabled visitor and user to a historic and listed public building.

The following summarizes the results;

3.1.1 Role and comments from the different officers in local authorities

One of the aims of the research is to identify the strengths and weaknesses relating to planning and building control, by studying the role of the access officers, conservation officers, building control officers and planning officers. Comments from Round One are included.

(1) Access officers
On the role of access officers, Foster (1997) had mentioned the major tasks of the of the access officer include:
1) Developing council policy on improving access;
2) Establishing procedures for implementing the policy;
3) Providing advice and guidance to local authority officers and others on the technical requirements;
4) Consulting and liaising with the local access group.

The most common role is found to be points (1) and (2), but not (3) and (4). They may consult local organisations of disabled people about proposals, but there is no indication of a properly organised access group to liaise with.

Our results show that not all the access officers are involved in providing advice and guidance to local authority officers and others on the technical requirements, and many authorities do not have an access officer. So, if there is no access officer the question is who takes the role of the access officer? In some councils, a building control officer is in-charge of Part M, but this officer would have to be administering all the other building regulations and may not welcome the added task (interview).

Access officers had expressed that other officers are more responsible than them in dealing with accessibility to historic public buildings. Only half of them were involved in listed building consents, planning approvals and building control for historic public buildings.

More than half the access officers questioned believe that too much emphasis is given to conservation issues rather than access issues.

(2) Conservation officers
In PPG 15, it says that ‘authorities should have adequate specialist expertise available to them for the discharge of their responsibilities for listed buildings and conservation policy generally’ and that ‘they have their own expert advice suitably deployed to enable them to
deal both with day-to-day casework and with longer-term policy formulation’. This is the role of the conservation officer.

Our preliminary findings suggest that all the different participants said that the most responsible group of officers in dealing with accessibility to historic public buildings is the Conservation Officer. Since listed buildings are already protected by statute, the role of the conservation officer is ‘straight-forward’ but if they are to be most responsible for access, should that be in a conflict of interest.

All of the conservation officers replied that there is a reasonable balance being struck between conservation issues and access issues.

What is interesting is that conservation officers rate access officers as the most responsible in dealing with accessibility to historic buildings.

(3) Building Control Officers
All of the building control officers stated that their main role is to administer and enforce the building regulations, many deal with dangerous structures and some advise on access and local access groups. Building control officers are often divided between plan vetting work and site inspections. When it comes to listed buildings consent and planning application, they sometimes give advice on Part M building regulations.

Half of the building control officers found that too much emphasis is given to conservation issues rather than access issues.

(4) Planning Officers
All of the planning officers stated that their main role is processing planning applications, listed building consent and conservation area applications. Additionally they are also involved in planning appeals, enforcement and also provide pre-application advice.

Many planning officers replied that they are the most responsible in dealing with accessibility to historic public buildings, with conservation officers coming a close second.

Most planning officers found that there is a reasonable balance being struck between conservation issues and access issues.

3.1.2 Findings

The Delphi Technique Process allows the researcher to look for patterns, either common or conflicting views, and try to probe them further.

(1) Role of Access Officers
When conservation officers stated that the person most responsible for accessibility to historic public buildings should be the ‘Access Officer’, does this imply that more expertise in the area of accessibility should be available in the listed building consent and planning approval stage?

When access officers are designated in the building control section, and are often themselves were building control officers, it implies that the need came out of administering and enforcing Part M Building Regulations, but increasingly, access officers are being consulted with the earlier stages during planning.

(2) Access Groups
There are local authorities that work with access groups very closely, to the extent that the access groups help to prepare design guidance notes that are used by the council. Where there are no access officers in the council, disabled people are consulted upon with some proposals, but that is not always the case.
This does not mean that access groups, formed formally or informally, fill the gap if there is no access officer, nor does it mean that access groups are not needed when there is an access officer. But the view is that access groups could provide a more in-depth advisory service. However, the current practise is to consult them as and when it is thought they are needed.

(3) **Conservation issues versus Accessibility issues**
Half of the access and building control officers questioned stated that conservation issues are given too much emphasis than access issues. One of those who further elaborated that ‘there is a very difficult balance to be struck’, and mentioned as well that, ‘the DDA promotes the concept (of) ‘reasonable adjustments’, but we all might have ideas of what might be ‘reasonable’. Buildings of historic importance have been altered and changed over hundreds of years, (so) why should that process stop now. It’s about good design, and imaginative solutions.’

(4) **Part M Building Regulations**
Although most of the officers interviewed said that Part M Building Regulations should be considered in dealing with listed building consents, they further commented skeptically on how to implement it. One of the officers commented that, ‘text book approaches to solving problems do not always work well on historic buildings and where conflicts arise the tendency is to force the building conservation issues to compromise. Flexibility in the approach to meeting specialist needs is the key.’

For the Delphi Technique Process, we find the emergence of words like ‘flexibility’, ‘good design’ and ‘imaginative solutions’. This is in keeping with what is being proposed by Adams (2003) and Foster (1997), and many access officers feel that in introducing the access statements and access plans earlier into the planning application stage (which runs concurrently with listed building consents) the problem could be dealt with in the conceptual design stage by architects before dealing with details.

In conclusion to this process, the authors hope to find more understanding on how (the philosophy of) building conservation works in practise and how other parties who not normally deal with building conservation (but with the DDA considered) have to communicate their suggestions to include disabled people’s needs into the equation. We are investigating the use of plans, reports and communication tools such as access plans, conservation plans, access statements and how these documents could help to facilitate the process.

### 3.2 Focus Group Interview

The purpose of the focus group interview is to find out the needs of disabled people in accessibility to historic and listed public buildings.

Due to the lack of information on this subject, and also due to the limitations of time for research, but yet attempting to obtain the most direct and obtainable data, this method is thought to be the best available. Morgan and Krueger (1998) mentioned further that, ‘Qualitative methods are especially useful for exploration and discovery. Focus groups are frequently used to learn about either topics or groups of people that are poorly understood. Because the group itself can carry on a conversation about what interests its members, it is possible for you to start a discussion even when you know very little about the topic.’

The authors conducted a focus group interview with a group of disabled people who are living in the Liverpool area with participation from different and varying needs such as
people who are physically disabled, partially or non-sighted people, hearing impaired people or deaf people and people with learning disabilities.

Generally, the research is to find out to what extent the issues of accessibility relates to conservation from the user’s perspective. The main objective is to obtain information on the problems that the different disability groups have encountered. The information centres around how disabled people use and visit historic public buildings, with emphasis on buildings that were recently renovated in the last five years, since the start of the DDA.

As well as meeting and discussing the topic with the help of visual aids, the focus group participants visited a Grade One listed building in Liverpool. We decided to visit a building that is located in a popular tourist destination. Even though there were alterations and additions done to the building, disabled people could not access all the exhibition areas that are available for the public. There were issues concerning an incompatible means of escape for disabled people although the basement could be accessed by lifts. Hence, disabled people were not allowed to view the basement exhibits.

One of the reasons, the focus group needed to visit a historic building is because after showing all the photographs of important historical buildings including the Anglican Cathedral and Roman Catholic Cathedral, many in the group had not been to many in the list. They had expressed their concern with some historic buildings around the Hardman Street area in Liverpool, where they have difficulties, including the building the meeting and organisation is located at.

The main entrance is one of the larger issues where it is not a straight-forward, ‘shall we or shall we not put a ramp there’ issue. All the legislative and regulative measures give the option of building owners to provide alternative means such as side entrances, but for people with learning disabilities especially, the information systems including signages is often confusing or just not sufficient enough.

We were fortunate that the focus group included people with a diverse range of needs, hence we learned that fundamental ‘conservation versus accessibility’ issues were at loggerheads even before one enters the building.

Conservation principles clearly states that signages and information systems must not ‘clutter’ the special characteristics of the historic building, and be treated with utmost sensitivity. This is further elaborated in PPG 15 where, ‘Walls are the main structural fabric of a building. Alterations to wall surfaces are usually the most damaging that can be made to the overall appearance of a historic building. Alterations or repairs to external elevations should respect the existing fabric and match it in materials, texture, quality and colour. Brick or stonework should not normally be rendered unless the surface was rendered originally’ (paragraph C.8 –Walls)

The important question is when we ‘match’ new access features with the existing fabric, will it be enough for the disabled person to access the building. On our visit with the focus group, clearly it was not good enough.

Other findings that we found was the insistence in using cobblestones extensively for paving surfaces around and to historic buildings, such as in the case of the Albert Docks and the Liverpool Museum / St. George’s Hall complex. Although there is an attempt to provide a smooth surface pathway amongst the cobblestones, disabled people often find themselves having to use a shortcut, from the car park for example, and have difficulties managing over them.

For partially-sighted and blind people, they would usually use the staircases provided, and often the hand-rail does not have sufficient length to be detected and grip to guide them up and down the stairs and the lack of contrast at the nosing of the staircase tread makes it difficult to use especially when descending. Elderly and physically disabled people also find
the staircases difficult to use when the handrail length is short and there are not many of them. Hence, ‘the difficulty in striking a balance between conservation and access’ proved to be even trickier when we consider the needs of everyone rather than only physically disabled people and physical adaptations. The call for more innovative and good design seems to be crucial.

3.3 Individual Interviews

Individual interviews with a number of people who are considered experts and knowledgeable in the field is necessary to get to the crux of the problem and to frame research questions. With limited literature on this topic, we need to find how certain concepts, which have yet to be used in local authorities would work. The interview with Barker (2003) came about as a result of his speech in a conference where he expressed the need for Access Statements. This is also in conjunction with the section on Access Statements, newly introduced in the Revised Part M Document 2003.

Barker (2003) suggests that ‘access statement’s (main) purpose is to bring out in the open what is not shown in Part M and BS 8300’ and he further mentioned that the applicant should explain why he is using the ‘minimum’ based on Part M and why they are not doing more. He further added that Part M is a guide and could be deviated from by saying, ‘sometimes these deviations from the Part M could be completely justified.’

Barker (2003) who also represents the Royal National Institute of the Blind (RNIB) suggests that, ‘access is not just about the physical design. It is about the information systems, and the purpose of the building.’ He further added that, information systems should be accessible to those expecting to use the building and that includes people with learning disabilities. This included the management and training for people who work in the building. The inadequacies of a badly design building can be reduced by excellent staff services.

An interview with Jackson (2003), proposes that access officers be involved in pre-planning application stage where design problems could be solved earlier in terms of accessibility as well. She further added that ‘access officers must be available in order for accessibility to historic and listed public buildings to happen’ as often the persistence from the access officer could provide for a better design solution. This participation should be done at all times and in all proposals, and better still at the very beginning.

4. CONCLUSION

At this point, there are no conclusive results obviously, as the research will have more to do in terms of finishing all the rounds for the Delphi Technique Process, further focus group interviews and more individual interviews. Case studies will also be used as a form of triangulation of research.

However, even at this stage, the authors have come to an understanding of a topic that is generating more interest in view of the DDA and in the context of the British culture in relation to heritage. About 500,000 buildings in England (based on 1973 listings) are listed and 6% of the total are under the Grade One and Grade Two ★listing. This means that about 30,000 buildings with special characteristics will need to be accessible for disabled people. Often these buildings serve the public as town halls and places of worship.

There are general issues that we have found when it comes to planning and building control in local authorities so far in the study:
Unclear definition of accessibility to historic and listed public buildings, by defining it with the understanding of a more diversified group of users with differing needs. This is found in the way the authorities and related bodies define access as a problem more for the physically disabled people in wheelchairs, rather than take into account the needs of other disabled people. (With reference to English Heritage, 1995, Foster, 1997, Delphi Technique Process)

Unclear roles on the responsibility in the planning and building control processes of achieving for accessibility to historic and listed public buildings. The conservation officers indicated that access officers should be the ones most responsible for accessibility to historic buildings, but the other officers felt that the conservation officers should be most responsible. (Delphi Technique Process)

Priorities to include people still less important than historic and listed public buildings seen from two angles; when local authorities do not give priority and designate access officers, and the debate does not look from the angle of social inclusion, rather than then purely compliance and minimal provisions. (Focus Group Interviews).

Need to understand more on the background and training needs of access officers. (Individual Interviews)

Unclear structures and decision-making mechanism at the local authority level in terms of defining further on how to get it better. (Delphi Technique Process)

Among the general issues, some will be studied further with the PhD research in detail and in a rigorous manner, which at this stage is still to be fully defined.

5. REFERENCES


Unpublished material: Interview with Peter Barker OBE, December 2003 at the Royal National Institute for the Blind (RNIB), London. (audio-tape)