

From mountain to sea

Empty Homes/ Conversion of empty buildings to create housing



Summary

This leaflet outlines the most common matters for consideration when planning the sub-division of an empty residential property or conversion of a non-residential property to create housing. This could, for example, include void space over a shop, an industrial building or a barn conversion. It may be that the use for which the property was built is no longer viable but it may have the potential for a change of use to housing.

Properties suitable for conversion

In principle, many structures could be converted into other uses including residential. However there may be matters, including financial viability that should be considered before committing to a project.

A structural or condition survey will help you make an informed decision as to the suitability of the building for conversion. From a full building conversion or a space over a shop, understanding the property condition and the constraints will save you time and money, and may prevent you taking on a project that is simply beyond your resources to deliver. Chartered Surveyors or Architects are suitably qualified professionals who could assist with this work. Check out the Royal Institute of Chartered Surveyors website <http://www.ricsfirms.com/> or Royal Institute of British Architects <http://www.architecture.com/Home.aspx> to find a surveyor or architect.

A full Structural Survey will consider many issues including:

- The site of the building – its boundaries, extent and any environmental concerns
- Access – access to the premises, car parking, disabled access, shared access etc.
- The description and condition of the building including its state and inherent defects. Examples are the state of repair of its roof, walls, windows, foundations, floors; whether or not it has woodworm, dry rot, or wet rot
- Services – the utilities including connection to electricity, water and drainage and gas.

The survey may act as a guide to the appropriateness of the building for the purpose you plan for it. Converting a building to housing is a complex area requiring a detailed knowledge of national building regulations as they apply to specific uses. It will include aspects of Health & Safety law, security, floor loadings, energy supplies and fire prevention.

Planning Considerations

Councils have Planning policies contained within Local Development Plans that relate to building use, either by location, land use allocation, flood risk, Listed Buildings status, Conservation areas, National Park status, other natural heritage designations etc. and other matters e.g. garden space and parking provision.

Depending on your local area, there may be separate Supplementary Planning Guidance covering buildings in the countryside, and there may be specific area based guidance for housing development. You are advised to contact the Council's Planning Department for advice on the relevant planning policies for the site. **Be aware that planning policies differ from Council to Council, so check on the relevant Council's website.**

You may carry out your own research on the Council's website for policies. Many Councils also have online pre-application enquiry forms, and you are advised to use pre-application services in the first instance to seek views that the principle of residential development is acceptable for the building or site you are interested in.

Properties all have a Use Class category and conversion from one use to another may not always be acceptable in planning terms. Amongst others, some of the more common reasons for this are:

- Protected retail uses in a town centre
- Industrial/storage
- Flood risk where residential development is resisted but commercial use is acceptable
- Design changes
- Lack of private amenity space, access or parking provision

However you should always check with the Council's Planning Department to see if a proposal is likely to be acceptable and what requirements there are for making a planning application.

Building Standards

There are numerous considerations when applying for Building Warrants from Building Standards and your architect should be able to prepare appropriate plans for the project. The most common matters are:

- Soundproofing/acoustics
- Fire separation
- Insulation

There will be specific issues for your building which your architect or surveyor should advise you on, such as drainage layouts, utility connections etc. These matters can be costly to

address, so it is important to have full details on these areas. Further information on Building Standards is available at <http://www.scotland.gov.uk/Topics/Built-Environment/Building/Building-standards>

Of course, you should always achieve the highest quality of build possible, and to create housing that people will want to occupy. The Building Standards Department will advise you of technical standards required in the build. These can include room sizes, construction details and insulation measures etc. The Housing Section can advise on any further requirements if you are converting the building for affordable housing. Guidance on Domestic Building Standards is available online at <http://www.gov.scot/Resource/0050/00500999.pdf>

Environmental Health

Connection to a water supply is another consideration for owners and they are advised to contact their local Environmental Health team at the earliest possible time to discuss this.

Listed Building

If the building you are considering converting is a Listed Building, there are additional considerations for you. Proposals that affect the internal and external fabric of the building will need to be considered. There is information about categories of listing, applying for Listed Building Consent as well as information about funding and Grants at the Historic Environment Scotland website at <https://www.historicenvironment.scot/advice-and-support/>

Conservation Area

If the building is situated in a Conservation Area, then there may be restrictions over the design of any proposal including the type of materials you can use at the property. The Council's Planning Department will be able to advise you if the property lies in a Conservation Area, or if there are any other restrictions in place.

Linking to wider Council or development plans

The building you are considering converting could be situated closely or within a wider Masterplan site. Contact your Council's Economic Regeneration Department and Planning Department to see if there are other, wider reaching plans for the area. It could impact significantly on your ideas for the building, and there may be other funding streams available to you that you were not aware of.

Cost of conversion

The cost of conversion will vary greatly from site to site. It will depend on whether you are managing the project yourself, or appointing a project manager to organise the works. You will have the following costs regardless of who manages the work

- Structural survey
- Scaled plans for Building Standards and Planning applications
- Discharge of conditions attached to planning consent
- Planning and Building Warrant application fees

- Professional reports, which may include contamination, flood risk, Design and Access statement
- Disposal of contaminated/unsuitable materials such as asbestos

If appointing a Project Manager the fee will be around 10 – 20% of the cost of the project, but they could identify savings on materials, labour costs etc. which may demonstrate greater value for money.

The financial viability of converting a property could be measured not only by the projected value of the building upon completion of the project, but also the potential rental income from the development.

Check for wildlife

It is a criminal offence to kill, injure, capture or disturb bats, including obstructing access to roosts. Obtain professional information from your Council's Planning Department regarding dealing with wildlife. More information is available online at:

<http://www.snh.gov.uk/protecting-scotlands-nature/species-licensing/mammal-licensing/bats-and-licensing/development/>

Legal matters

You are advised to check the Title Deeds of a property. In some cases, particularly in rural areas where land has previously been sold off from a main land holding, there may be restrictions on additional residential development. These would normally appear as a Burden (sometimes called a covenant) on the property Deeds.

A Burden, imposes an obligation or restriction on one parcel of land for the benefit of the owners of another parcel of land. They are usually put there by previous owners, or the vendors and they are binding on any owners of that land and/or any future owners.

Details of any burdens will be contained within the information held by the Registers of Scotland. The website for RoS is <http://www.ros.gov.uk/>

Some burdens may be very old and the purposes for which they were originally imposed may have long since ceased to be apparent or even reasonable. Alternatively, some may be fresh and imposed by the immediate vendors of the plot.

In all cases, no matter how old they are, burdens or covenants cannot be removed or disregarded unless they are extinguished by agreement, which usually involves some form of payment or an application to the Lands Tribunal. **You should consult with your solicitor to see if your plans for development or conversion are permissible in terms of the title deeds of the property.**

Materials

In order to keep refurbishment costs lower, or to source original materials in keeping with the building you could consider purchasing through Reclamation companies. Below are some of the companies operating in Scotland:

www.westcoastreclamation.com

<http://www.glasgowarchitecturalsalvage.co.uk>

<http://www.reclaimbuildingsupply.com/scotland.htm>

A number of Builders Merchants have also offered discounts to people who engage with the Empty Homes project within the council. Speak to your Empty Homes officer who can provide you with a letter for the merchant, or can arrange a discount card for you.

Other sources of information

There is a vast amount of information available online and in publications about converting properties:

Information about Insulation and Energy Efficiency Options are available via the Energy Saving Trust Scotland.

<http://www.energysavingtrust.org.uk/scotland>

If the property is in a rural area, contact the Rural Housing Service for advice and guidance. The website is:

www.ruralhousingscotland.org/

Advice on development on contaminated land:

www.sepa.org.uk/regulations/land/contaminated-land/

Health and Safety Executive Info on disposal of Asbestos:

<http://www.hse.gov.uk/pubns/guidance/em9.pdf>

Information about VAT discounts and exemptions on conversions is available on the HMRC website:

<http://www.hmrc.gov.uk/vat/sectors/builders/construction.htm>

✉ **Contact Aberdeenshire Council if you have an empty home and would like further advice:** emptyhomes@aberdeenshire.gov.uk

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