

**RESPONSE TO THE CONSULTATION ON  
CRITERIA FOR LISTING  
PROPOSED REVISIONS TO ANNEX C  
OF PLANNING POLICY STATEMENT 6**

**05 JULY 2010**

Document Ref: DC1/10/33566



**MINISTERIAL ADVISORY GROUP  
FOR ARCHITECTURE AND THE BUILT  
ENVIRONMENT FOR NORTHERN IRELAND**

**CRITERIA FOR LISTING  
A CONSULTATION ON PROPOSED REVISIONS TO ANNEX C OF PLANNING POLICY  
STATEMENT 6**

**Background**

The Government policy 'Architecture and Built Environment for Northern Ireland' published by the Department of Culture, Arts and Leisure (DCAL) states that

'Government has a duty to: Stimulate a wider public appreciation of the value of the architectural, cultural and natural heritage and promote its conservation and enhancement in a way which is sustainable.'

The Ministerial Advisory Group (MAG) for Architecture and Built Environment welcomes this review of the listing process, while noting that the underlying legislation defining historic buildings remains unchanged.

**Detailed Response**

The following comments relate to the questions set out in Sections 4 and 5 of the consultation document:

**Section 4**

Question 2.

The additional analysis of the reasons for listing for historic interest is useful, but it should be recognised that while listing may be for architectural or historic reasons, in practice buildings will generally have some merit on both counts. To be listed for historic reasons alone a structure would need to be very special, but the addition of historic interest (such as association with a historic figure) may be enough to allow a "typical" building to be listed. The celebrated debate over the Seamus Heaney house some years ago would be a case in point where the building certainly did not merit listing on purely architectural grounds, but could well have reached listing quality had the historic interest been added to its interest as a good example of a still fairly common but now historic house type.

Conversely, there may be buildings whose fabric is not entirely original but whose design has survived and hence the "architectural character" has been maintained. Repairs and alterations through time will inevitably erode historic fabric, but the survival of the core of the building in its original location should be enough to merit listing where the design (and its details) has been carefully replicated. This is particularly important in the local context, where many buildings have been bomb-damaged and had to be replicated at least in part.

Question 3.

Condition should not be a factor in considering listing, and nor should possible future plans that may involve alteration or demolition of the building. Once the building had been listed, that would be a factor to take into account in assessing the merits of any case for demolition or alteration.

Question 4.

Thematic essays can help to clarify the hierarchy of examples within a field, but should not necessarily be undertaken before listing.

Question 5.

Where a building has been demolished a blue plaque can record the historical events associated with it, but if the building remains, however altered, its history should be considered along with its architectural character. The degree of alteration acceptable in listing the building would relate to the importance of the historical event.

4.2:

While it is sensible to have basic legislation in line with the rest of the UK, it is important that its interpretation (which is what we are considering here) should reflect the fact that Northern Ireland's architectural heritage is on the whole comparatively recent, that listing started here thirty years after the rest of the UK, and that many significant buildings were lost or altered as a result of that delay and the intervention of thirty years of civil strife.

## Section 5

5.2 (b)

While the Second Survey is much more detailed and thorough, there will be cases where it has come too late to see the building in its original condition. It would be helpful to future owners and historians if the First Survey records were also to be made available. In particular it is to be hoped that both First and Second Survey photographs will eventually be put up on the web.

5.2 (c)

While it is understandable that BPNs will not generally be served on buildings where contradictory planning permission has recently been granted, there will be occasions when significant information comes to light and may suggest the service of a BPN to be appropriate.

5.2 (d)

The issue of delisting is very contentious. It is accepted that delisting may happen when the Department has listed on erroneous grounds, and once a building has been demolished. In all other cases a listed building should remain listed. The

general public understands a listed building to be protected from alteration and demolition, and expects the Department to see that it remains protected.

It is not the building's fault if someone has seen fit to alter or demolish it, and the perpetrator of the damage should be required to reinstate it. We are not building any more 18th or 19th century buildings, and our stock of them is finite. What may seem a second-best workhouse at the moment may become the best one we have after other examples have been damaged, altered or demolished. The precautionary principle would suggest that a listed building should remain protected because of that risk. Most of the original Grade C buildings (considered worthy of record but not of statutory listing in the First Survey) have now been fully listed - those that haven't been listed having been either altered or altogether lost.

We would suggest that when a building is already on the list but is felt to have been degraded since listing, the hurdle should be set lower than for an initial listing. Where the records survive of the original listing it is usually possible to make good the damage, and the building will retain its historic value even if not all its historic fabric survives. Rather than asking whether the building should be listed, the question should be "Is the building so far gone that it is incapable of reinstatement?" – and of course "Can the owner be prosecuted for damaging the building?"

The following comments relate to sections of Section 3 concerning the Listing Criteria:

C6:

While it is true to say that it is the current state of the building that matters rather than what it may have been like in the past, what is known of its history should not be ignored. Current condition is not relevant to the listing process, but because of that some buildings get listed which can only survive to a useful economic future if considerable work is done to them. Such work will lead to a loss of some historic fabric and its replacement with replicas. If that is accepted then a building which has been altered may sometimes be worthy of listing (or remaining on the list) when sufficient evidence survives either on the building or in photographs or drawings to enable reinstatement of its architectural character. As with all these things there will be a sliding scale of historic importance versus architectural authenticity, but it is wrong to ignore past records of appearance when considering a building for listing or delisting. (However we do accept the point made in Criterion S that a building which is more authentic is of greater interest than one that has largely been replaced).

C10:

Group value is a difficult area. As well as the types of groups listed, "chronological groups" might also be considered – where a sequence of buildings were not designed together but have a common history – for instance a terrace of various

mid-19th century buildings which work together and belong together because they developed in close sequence and depended on one another in some way to make a whole greater than the sum of the parts, such as a terrace of shops or houses of similar date.

C14:

At present individual buildings in a group are considered for listing, and their group value is added in afterwards. This does not always make sense, because while within a terrace there may be some buildings more complete (and listable) than others, without the protection of listing the terrace as a whole they may lose their setting and indeed their raison d'être. Just as you would not list a building but exclude its chimneys, when listing terraces it is the terrace which is the entity, not the bits that make it up.

C26:

We have no objection to the owner being notified that his building is under consideration for listing, but we would suggest that a system be put in place to remove relevant permitted development rights temporarily (as if the building was already listed) until such time as the building is formally protected. There have been too many examples of owners demolishing buildings in the interim period.

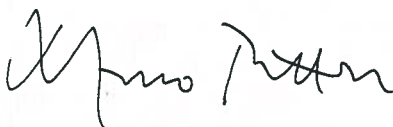
The following comments relate to Appendix 3:

Age:

We would suggest that the age criteria under (a) be moved from 1830 to 1860, and under (c) from 1965 to 1980 using the "thirty year rule".

Interiors:

While agreeing that on occasion the interior may be more significant than the exterior, we would point out that policing interiors is very difficult and that they are not generally in the public domain. While interiors should be protected, and add enormously to the value of a building, listing should normally be based on exterior features first, and a good exterior should always be listed. A good interior should be considered as a bonus rather than an essential for listing.



**Marcus Patton OBE**

**On behalf of the MAG**

**Ministerial Advisory Group for Architecture and the Built Environment**

**05 July 2010**