



Planning Policy Statement 6

Planning, Archaeology and the Built Heritage

Planning Policy Statements (PPSs) set out the policies of the Department of the Environment on particular aspects of land-use planning and apply to the whole of Northern Ireland. Their contents will be taken into account in preparing development plans and are also material to decisions on individual planning applications and appeals.

This PPS sets out the Department's planning policies for the protection and conservation of archaeological remains and features of the built heritage. It embodies the Government's commitment to sustainable development and environmental stewardship.

Clarence Court
10-18 Adelaide Street
BELFAST
BT2 8GB

March 1999

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Preamble

Among the numerous and wide-ranging responsibilities of the Department of the Environment for Northern Ireland are planning and heritage protection. The Department is the unitary planning authority for Northern Ireland and is responsible for regulating development and the use of land in the public interest. The Planning Service, an agency within the Department, administers its planning functions. The identification, recording and conservation of the archaeological and built heritage in Northern Ireland is primarily a responsibility of the Environment and Heritage Service, also an agency within the Department.

The Department has a statutory duty, laid down in Article 3 of the Planning Order (NI) 1991 to formulate and co-ordinate policy for securing the orderly and consistent development of land and the planning of that development. The Department's planning policies are normally issued through Planning Policy Statements and PPS 1 "General Principles" advises that:

"Planning Policy Statements set out the policies of the Department on particular aspects of land-use planning and apply to the whole of Northern Ireland. Their contents will be taken into account in preparing development plans and are also material to decisions on individual planning applications and appeals."

This Planning Policy Statement, PPS 6 Planning, Archaeology and the Built Heritage sets out the Department's planning policies for the protection and conservation of archaeological remains and features of the built heritage and advises on the treatment of these issues in development plans¹. It embodies the Government's commitment to sustainable development and environmental stewardship.

The PPS is therefore of direct relevance to the public and those whose actions have a direct physical impact upon the natural or man-made environment including land owners, developers, government departments and agencies, district councils, other statutory undertakers, conservation organisations and voluntary bodies.

The policies of this Statement will supersede the following provisions of the Planning Strategy for Rural Northern Ireland:

| | |
|-----------------------------|---|
| Policy SP 15 | Heritage |
| Policy HOU 14 | Conversion to Houses |
| Policy CON 4 | Buildings of Special Architectural or Historic Interest |
| Policy CON 5 | Conservation Areas |
| Policy CON 6 | Archaeological Sites and Monuments |
| Policy CON 7 | Historic Parks and Gardens |
| Bullet 3 of Policy GB/CPA 4 | Redundant Buildings |

Where the above policies are referred to elsewhere in the Planning Strategy the policies of this Statement will take precedence.

¹Paragraphs 2.23 & 2.24 of the PPS allow for the designation of local landscape policy areas by development plans. These areas may also include features of the natural environment. Accordingly these paragraphs insofar as they relate to features of the natural environment shall be treated as an addendum to PPS2 "Planning and Nature Conservation".

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Nothing in this document should be read as a commitment that public resources will be provided for any specific project. All proposals for expenditure by the Department are subject to economic appraisal and will also have to be considered having regard to the overall availability of resources.

Policy Explanation

The planning policies of this Statement outline the main criteria that the Department will employ in assessing proposals which affect the archaeological or built heritage. These policies however should not be read as the only tests of acceptability for such development proposals. In making its decisions the Department will assess proposals against all planning policies and other material considerations that are relevant to it. The policies of this Statement must therefore be read in conjunction with the relevant contents of the Department's other policy publications, including existing PPSs, development plans and the extant policies contained in the Department's document "A Planning Strategy for Rural Northern Ireland" published in September 1993.

The inclusion of the word "normally" is considered necessary by the Department in many instances to ensure that there is no public misunderstanding of its planning policies. It is generally recognised that occasionally there will be circumstances where other material considerations may outweigh these policies. In particular the Department recognises that where a policy is a negative definition, i.e. stating what will not be permitted, such a policy provides a general guideline but cannot be an absolute bar to a decision beneficial to the citizen. Each case must be considered on its merits to see whether an exception would be justified. The Department therefore considers it important to retain the word "normally" in many of its policies in order that the public clearly understand that exceptions can on occasion be made.

1.0 Planning and Conservation

Our Archaeological and Built Heritage

- 1.1. The modern landscape of Northern Ireland is the result of some 9,000 years of human activity and change on the natural topography which has left us with a rich but vulnerable legacy. Archaeological and historic features such as tombs and forts, castles and churches, townhouses and farmhouses, grand architecture and vernacular buildings, industrial features and planned parklands are all significant sources of information about our past, and are often landmarks in our present surroundings.
- 1.2. The physical survivals of our past are to be valued and protected for their own sake, as a central part of our common cultural heritage. They are an irreplaceable record which contributes, through formal education and in many other ways, to our understanding of both the present and the past. Their presence adds to the quality of our lives, by enhancing the familiar and cherished local scene and sustaining the sense of local distinctiveness which is such an important aspect of the character and appearance of our cities, towns, villages and countryside.

Sustainable Development and Environmental Stewardship

- 1.3. Sustainable development is at the heart of all Government policy and is one of the key themes underlying the Department's approach to planning². In the pursuit of sustainable development it is recognised that our archaeological and built heritage is a finite resource which requires effective stewardship so that it may be enjoyed today and passed on in good order to inform future generations. This was acknowledged in "Shaping Our Future", the recently published Draft Regional Strategic Framework for Northern Ireland³ which contains the following Strategic Planning Guideline:

"to cherish, protect and present to the world the Region's rich inheritance of fine monuments, buildings and other heritage resources and ensure a sustainable approach to their use."

- 1.4. The function of the planning system is to regulate the development and use of land in the public interest. It has to take account of the Government's objective of promoting sustainable economic growth, and make provision for development to meet the needs of the community. Planning is also a key instrument for protecting and enhancing our environment and preserving our archaeological and built heritage.
- 1.5. While our landscape and townscape will continue to change in response to the needs of society, the planning system aims to resolve any conflict between conservation and development to secure mutual benefit as well as to prevent development that is detrimental to our heritage. Avoiding the neglect and loss of built fabric and promoting the efficient use and reuse of land and buildings are

² Planning Policy Statement 1 "General Principles", March 1998, DOE.

³ Shaping Our Future: Towards a Strategy for the Development of the Region, Draft Regional Strategic Framework for Northern Ireland, December 1998, DOE.

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two ways in which the planning system can contribute towards sustainable economic development. The aim of stewardship of our archaeological and built heritage is not therefore to halt change, rather to manage it positively in ways which allow us as a society to weigh up and regularly re-evaluate what we regard as important.

- 1.6. The Department has the responsibility for identifying, recording and protecting our archaeological and built heritage through scheduling historic monuments, listing buildings of special architectural or historic interest and designating other sites and areas of heritage significance. Consistent with the objectives of each designation, the Department through its planning functions, administered by Planning Service, will seek to ensure that features of the archaeological and built heritage are appropriately protected from unnecessary damage and destruction. Consultation procedures related to the development plan and development control processes will ensure that decisions affecting our heritage are brought into the public domain.
- 1.7. The Department's commitment to environmental stewardship of our archaeological and built heritage will also be reflected in the actions of its other executive agencies, including Roads Service (see Annex A) and Water Service. This will relate not only to decisions on the need for and siting of new roads or pipelines, but also the more detailed aspects of their responsibilities, such as the quality of street surfaces, signage and lighting. Through the Environment and Heritage Service the Department can call on specialist conservation advice to inform its decision-making and to assist owners and other members of the public.
- 1.8. The responsibility for stewardship of the archaeological and built heritage is not solely the preserve of the Department of the Environment. It is shared by everyone - other government departments and agencies, district councils, business, voluntary bodies, churches, and by individual citizens as owners, users and visitors of historic monuments and buildings. This shared responsibility to the archaeological and built heritage goes beyond simply preventing its destruction, essential though that is. It involves actively caring for it, maintaining it in good physical condition and keeping the past available for the enjoyment and understanding of present and future generations.
- 1.9. Public support and understanding is crucial for the protection and conservation of our archaeological and built heritage, and it is key to the Department's policies that there should be adequate processes of consultation and education to facilitate this.

Conservation and Economic Prosperity

- 1.10. Government policy is to promote economic vitality and growth through the ongoing regeneration of our built environment. One way this may be achieved is by ensuring that, to the fullest possible extent, the built heritage remains in continuing use or active re-use, as an integral part of the living and working community. Archaeological sites and monuments can rarely be re-used, but most historic buildings can still be put to good economic use in, for example,

commercial or residential occupation. They are a valuable material resource and can make a positive contribution to economic prosperity and our overall quality of life, provided that they are properly maintained and their historic integrity is respected: the avoidable loss of fabric through neglect is a waste of economic as well as environmental resources.

- 1.11. Conservation itself can play a key part in promoting economic prosperity by ensuring that an area offers attractive living and working conditions which will encourage inward investment - environmental quality in today's world is increasingly a key factor in many commercial decisions. In return, economic prosperity can secure the vitality of historic areas and buildings. What is crucially important is that any changes we do make are of a quality which future generations will respect and admire.
- 1.12. Collaborative, conservation-led approaches have been adopted as the basis for a number of successful regeneration initiatives. Careful and sensitive exploitation of the built heritage resource to achieve social, economic and environmental benefits can result in high quality sustainable solutions to the regeneration of urban and rural areas. The sympathetic rehabilitation of redundant housing above shops can, for example, play an important part in revitalising a declining town centre or historic urban quarter. The environmental impact of larger scale conservation initiatives can help to raise business confidence in an area and thus contribute to its economic regeneration. A renewed interest in and appreciation of the industrial heritage of a town or village can also help rekindle a sense of civic pride and local identity which can then be used as a catalyst for its more widespread regeneration. The contribution of conservation as an element in the wider process of physical and economic regeneration should not therefore be underestimated.
- 1.13. In addition the cultural and environmental value of features of the archaeological and built heritage can help promote an area as a visitor destination which can generate widespread economic benefits through tourism and leisure, for example. It is recognised however that tourism and recreation development can damage and destroy the assets it seeks to exploit through excessive visitor numbers, inappropriate development and other forms of adverse impact. The role of the planning system is to ensure that the growth and development of tourism based on heritage assets is compatible with proper long-term conservation.
- 1.14. Just as there is continuity between past and present, so also there is between present and future. We have a duty to care for what we ourselves have inherited not simply for our own benefit but also with a view to passing it on, as a living legacy, to those who come after us. We can add to our historic legacy by creating examples of high quality architecture and townscape and landscape design which can fittingly represent our own age in the decades and centuries to come.

2.0 Identifying the Archaeological and Built Heritage and the Role of Development Plans

The Northern Ireland Monuments and Buildings Record

- 2.1. The Northern Ireland Monuments and Buildings Record (NIMBR) makes available to the public information on sites of archaeological interest contained in the Northern Ireland Sites and Monuments Record (NISMR), as well as information on listed and other historic buildings and structures, industrial heritage features and historic parks, gardens and demesnes. It is held and updated as necessary by the Department's Environment and Heritage Service at 5 - 33 Hill Street Belfast.

Development Plans

- 2.2. In preparing development plans the Department will take full account of the implications of proposed landuse zonings, locations for development and limits of development on all features of the archaeological and built heritage and their settings within a plan area. Such features will normally be identified as part of the process of Countryside Assessment carried out in association with plan preparation. Development plans may also include local policies for the protection and conservation of specific features of the archaeological and built heritage.

Archaeological Sites and Monuments

- 2.3. Over 14,000 archaeological sites and monuments are currently recorded in Northern Ireland but the actual number of sites which may exist is unknown. Many others undoubtedly exist and will continue to be found as a result of archaeological work and by discoveries made during development or as a result of agricultural activity.
- 2.4. Archaeological sites and monuments may be taken into the care of the Department or scheduled for protection under the Historic Monuments and Archaeological Objects (NI) Order 1995. The work of scheduling is ongoing and the fact that a site has not yet received statutory protection does not necessarily diminish its archaeological importance nor its significance as an element in the historic landscape. Any site identified in the NISMR is defined as a site of archaeological interest in the Planning (General Development) Order (NI) 1993.
- 2.5. While it is impractical, for reasons of scale, to depict all currently known archaeological remains on development plan maps, monuments in State Care and scheduled monuments will be identified. All sites and monuments located within or adjoining settlements will also be identified and some of these may then be designated as local landscape policy areas (see paras 2.23 & 2.24).
- 2.6. Development plans, where appropriate, will designate areas of significant archaeological interest (ASAI's). Such designations seek to identify particularly distinctive areas of the historic landscape in Northern Ireland. They are likely to include a number of individual and related sites and monuments and may also be

distinguished by their landscape character and topography. Local policies or proposals for the protection of the overall character and integrity of these distinctive areas will normally be included in development plans.

- 2.7. Development plans will also highlight, for the information of prospective developers, those areas within the historic cores of towns and villages, where, on the basis of current knowledge, it is likely that archaeological remains will be encountered in the course of continuing development and change. These will be referred to as areas of archaeological potential.

Historic Monuments Council

- 2.8. The Historic Monuments Council is a statutory body appointed to advise the Department on the exercise of its powers under the Historic Monuments and Archaeological Objects (NI) Order 1995, particularly with regard to the protection of monuments. It is also consulted by the Department on the identification of ASAs.

World Heritage Sites

- 2.9. The World Heritage Convention, adopted by UNESCO in 1972, was ratified by the United Kingdom in 1984. It provides for the identification, protection, conservation and presentation of cultural and natural sites of outstanding universal value and established a World Heritage List under the management of an inter-governmental World Heritage Committee. Individual governments are responsible for the nomination of sites for inclusion on the List, and their subsequent protection and monitoring if selected.
- 2.10. At present there is only one World Heritage Site in Northern Ireland, the Giant's Causeway, based on its unique cultural heritage and natural and geological interest. A framework for the sustainable development of the Causeway area is currently being prepared by the Department of Economic Development and seeks to involve all those agencies and bodies with an interest in the management and protection of the area for future generations.
- 2.11. The Government is currently reviewing the United Kingdom's tentative list of future nominations for World Heritage Site status for the period up to 2007 and in a recent consultation paper⁴ the following recommendations for Northern Ireland were included for consideration:
- Mount Stewart, Co Down
 - Navan and Armagh; and
 - The Walled City of Londonderry.
- 2.12. Development plans will identify World Heritage Sites and their settings and will normally include local policies or proposals to safeguard such areas.

⁴ UNESCO World Heritage Sites, A Consultation Paper on a New UK Tentative List of Future Nominations, Department for Culture, Media and Sport, 1998

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Historic Parks, Gardens and Demesnes

- 2.13. A register of parks, gardens and demesnes of special historic interest in Northern Ireland, based on a comprehensive inventory, is currently being prepared for publication during 1999 and will subsequently be updated as necessary by the Department's Environment and Heritage Service, to whom any enquiries about its compilation should be made. There are also a number of parks, gardens and demesnes which retain only some elements of their original form. These will be identified in an appendix to the proposed register.
- 2.14. Development plans will identify historic parks, gardens and demesnes included in the register. They will also identify supplementary entries in the register normally as an appendix to the plan.

Listed Buildings

- 2.15. Article 42 of the Planning (NI) Order 1991 requires the Department to compile a list of buildings of special architectural or historic interest. Such buildings are important for their intrinsic value and for their contribution to the character and quality of settlements and the open countryside of Northern Ireland. There are currently over 8,500 listed buildings and more will be added to and some removed from the statutory list as the process of building survey and resurvey is ongoing.
- 2.16. The list of buildings of special architectural or historic interest records the best of our architectural heritage. It includes every type of building, ranging from grand mansions and cathedrals to warehouses and vernacular architecture. As well as conventional buildings, the list may include man made objects or structures not normally considered as buildings, for example tombstones, telephone kiosks, post-boxes, gates, war memorials, bridges, docks and other industrial structures.
- 2.17. While it is impractical to depict all current listed buildings on development plan maps, for reasons of scale, it may be appropriate within or adjoining settlements to designate certain listed buildings and their surroundings as local landscape policy areas (see paras 2.23 & 2.24)

Conservation Areas

- 2.18. Article 50 of the Planning (NI) Order 1991 provides the Department with the power to designate an area of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance as a conservation area. There are currently 50 conservation areas in Northern Ireland and further areas may be designated in the future. Existing areas may also be reviewed periodically and adjustments to boundaries made as necessary.
- 2.19. Development plans will identify existing conservation areas and may include local policies or proposals for their protection and enhancement. Proposed conservation areas or alterations to existing areas may also be identified in development plans.

Historic Buildings Council

- 2.20. The Historic Buildings Council is a statutory body appointed to advise the Department on the general state of preservation of listed buildings in Northern Ireland. It is also consulted on any amendments made to the list of buildings of special architectural or historic interest and advises the Department on the designation of conservation areas.

Areas of Townscape or Village Character

- 2.21. While all settlements in Northern Ireland have their own unique identity, there are certain areas within our cities, towns and villages which exhibit a distinct character normally based on their historic built form or layout. Some of these have merited statutory designation as conservation areas by virtue of their special architectural or historic interest, but for others it may be more appropriate to define areas of townscape or village character.
- 2.22. Development plans, where appropriate, will designate areas of townscape or village character. Local policies or proposals and guidance for such areas will also be included in the plan or where appropriate in supplementary planning guidance.

Local Landscape Policy Areas

- 2.23. With an increased emphasis on the quality of new development and greater environmental awareness care must be taken to ensure that new development does not dominate the townscape / landscape characteristics of settlements. Environmental assets, identified as part of the process of Countryside Assessment, will normally form the basis for the designation of local landscape policy areas. These consist of those features and areas within and adjoining settlements considered to be of greatest amenity value, landscape quality or local significance and therefore worthy of protection from undesirable or damaging development. They may include:
- archaeological sites and monuments and their surroundings;
 - listed and other locally important buildings and their surroundings;
 - river banks and shore lines and associated public access;
 - attractive vistas, localised hills and other areas of local amenity importance;
 - areas of local nature conservation interest, including areas of woodland and important tree groups.
- 2.24. Development plans will, where appropriate, designate local landscape policy areas and contain local policies and guidance to maintain the intrinsic environmental value and character of such areas.

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3.0 Archaeological Sites and Monuments

The Importance of Archaeological Evidence

- 3.1. The modern landscape of Northern Ireland is also an historic landscape which is almost entirely man-made or man-modified, as each generation has chosen to keep, use, change or destroy the resources it has inherited. Much of the value of this historic landscape lies in its complexity, regional diversity and local distinctiveness. Archaeological sites and monuments are those distinctively dateable features in this multi-period historic landscape which have been identified through research and field observation or through fortuitous discovery. Such archaeological remains can provide evidence, sometimes the only evidence, of thousands of years of human activity and settlement in Northern Ireland. Each site or monument has a unique contribution to make. Some are distinctive landmarks, others are scarcely visible except to the trained eye or are no longer visible above ground but survive beneath modern fields and settlements. They include dwellings, defences, workplaces and sites for ritual, worship and burial. The siting of such places was important to the people who built them and was closely related to their landscape. Natural features, hills, valleys and sources of water form part of the wider setting of these sites, i.e. the area of historic landscape within which they functioned, and can help us to understand them. The presence of archaeological sites and monuments in the landscape today therefore adds meaning to our natural environment.
- 3.2. Archaeological remains are a limited, finite and non-renewable resource, in many cases highly fragile and vulnerable to damage and destruction. Appropriate management is therefore essential to ensure that they survive in good condition. In particular, care must be taken to ensure that archaeological remains are not needlessly or thoughtlessly damaged or destroyed. They can contain irreplaceable information about our past and the potential for an increase in future knowledge, which, once destroyed, cannot be replaced. They are part of our sense of place and are valuable both for their own sake and for their role in education, leisure and tourism. The surroundings of any site or monument can provide further evidence about why that particular location was chosen for use and how it was used. Such information can come from below-ground remains or other sites or monuments. Protecting sites and monuments and their settings is therefore the means of maximising survival of information about our past.

The Preservation of Archaeological Remains and their Settings

- 3.3. In all cases the desirability of preserving an archaeological site or monument and its setting, whether scheduled or otherwise, is a material consideration in determining planning applications. Accordingly in assessing the archaeological implications of a development proposal, the Department will consider whether it would damage or destroy the site or monument, result in inappropriate change to its setting or whether the existing quality and character of the site or monument would be retained. With the many demands of modern society however, the Department accepts that it is not always possible to save all archaeological remains. The key question is where and how to strike the right balance.

- 3.4. The case for preservation of archaeological remains and their settings will be assessed on the individual merits of each case, taking into account all relevant planning policies and material considerations, including the intrinsic importance of the archaeological remains in question, their potential use for amenity, tourism and education purposes and weighing these against other factors, including the need for and the benefits of the proposed development. Regardless of the circumstances, the determination of planning applications will be much easier if any archaeological aspects of a development site can be considered early on in the planning and development control process.

Policy BH 1

The Preservation of Archaeological Remains of Regional Importance and their Settings

The Department will operate a presumption in favour of the physical preservation in situ of archaeological remains of regional importance and their settings. These comprise monuments in State Care, scheduled monuments and other important sites and monuments which would merit scheduling. Development which would adversely affect such sites of regional importance or the integrity of their settings will not be permitted unless there are exceptional circumstances.

Justification and Amplification

- 3.5. State Care and scheduled monuments together represent those archaeological sites and monuments which are of greatest importance within Northern Ireland. It is particularly important that they are preserved in situ and within an appropriate setting. Accordingly the Department will operate a presumption against proposals which would damage or destroy such remains, or which would have an adverse impact on their setting. While the Department will take into account all material considerations in assessing development proposals affecting sites of regional importance, exceptions to this policy are likely only to apply to proposals of overriding importance in the Northern Ireland context.
- 3.6. Monuments in State Care are protected and managed as a public asset by the Department's Environment and Heritage Service on behalf of present and future generations. They represent that part of the rich archaeological and historic heritage of Northern Ireland which is presented for public access, education and enjoyment. In assessing proposals for development in the vicinity of these monuments the Department will pay particular attention to the impact of the proposal on:-
- the critical views of, and from the site or monument;
 - the access and public approaches to the site or monument; and
 - the understanding and enjoyment of the site or monument by visitors.
- 3.7. There are some 1,350 scheduled monuments in Northern Ireland. Once a site or monument has been scheduled it benefits from statutory protection and scheduled monument consent is required from the Department for any works affecting it (see Annex B). Accordingly where applications for planning permission are submitted

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which involve works affecting a scheduled monument the Department would encourage the submission of an application for scheduled monument consent in order that these may be considered concurrently.

- 3.8. Not all important archaeological remains meriting preservation are yet scheduled. The programme of scheduling is on-going and every effort is made to include a balanced sample of site types throughout Northern Ireland based on the criteria set out in Annex B. Accordingly in assessing development proposals affecting sites which would merit scheduling the Department will proceed as for State Care and scheduled monuments and only permit development in exceptional circumstances.

Policy BH 2

The Protection of Archaeological Remains of Local Importance and their Settings

Development proposals which would adversely affect archaeological sites or monuments which are of local importance or their settings will only be permitted where the Department considers the importance of the proposed development or other material considerations outweigh the value of the remains in question.

Justification and Amplification

- 3.9. While the vast majority of archaeological sites and monuments in Northern Ireland are not scheduled, they are all capable of providing evidence about our past. Many are archaeologically important in the local context or valued by the community and therefore require safeguarding through the planning process. The Department considers a number of factors in assessing the local significance of archaeological sites and monuments. These factors should be viewed as indicators which contribute to a wider judgement based on the individual circumstances of a case and may include one or more of the following:
- appearance: distinctive features in the landscape/townscape or local landmarks;
 - quality: well-preserved or extensive buried remains;
 - folklore/historical interest: association with a person or event in local tradition or legend;
 - group value: one of a number of locally important sites; and
 - rarity: a locally rare example.
- 3.10. In cases where development proposals affect archaeological sites and monuments or their settings which are not of regional or local importance the Department will still have regard to the desirability of preserving such remains and their settings. On many occasions it will be possible to avoid conflicts with archaeological interests, particularly through seeking suitable alternative sites for development. However where it is decided that development may proceed this will be conditional on appropriate archaeological mitigation measures (see Policy BH 4).

Policy BH 3

Archaeological Assessment and Evaluation

Where the impact of a development proposal on important archaeological remains is unclear, or the relative importance of such remains is uncertain, the Department will normally require developers to provide further information in the form of an archaeological assessment or an archaeological evaluation. Where such information is requested but not made available the Department will normally refuse planning permission.

Justification and Amplification

- 3.11. Prospective developers need to take into account archaeological considerations and should deal with them from the beginning of the development control process. The needs of archaeology and development can often be reconciled, and potential conflict avoided or much reduced, if developers discuss their proposals with the Department at an early stage. Flexibility is much more difficult and expensive to achieve once detailed designs have been drawn up and finance arranged.
- 3.12. It is therefore in the developers own interests to establish whether a site is known or likely to contain archaeological remains as part of their assessment of its development potential prior to submitting a planning application. The first step will be to consult the Northern Ireland Monuments and Buildings Record which contains database information on all known archaeological sites and monuments and which is maintained by the Environment and Heritage Service. Informal discussions at this time will help to provide prospective developers with advance warning of the archaeological sensitivity of a site. Development plans may also afford some assistance to prospective developers (see paras 2.5 - 2.7).
- 3.13. In certain cases following submission of a planning application the Department may use its powers contained in the General Development Order to request further information in the form of an archaeological assessment or an archaeological evaluation. An archaeological assessment normally entails a desk based study, by a qualified archaeologist, of existing information including records of previous discoveries, historic maps or geophysical surveys. An archaeological field evaluation involves ground surveys and limited and targeted licensed excavation which is quite distinct from full archaeological excavation. Evaluations of this kind help to define the importance, character and extent of the archaeological remains that may exist in the area of a proposed development, and thus indicate the weight which should be attached to their preservation. They may also provide information useful for identifying potential options for minimising or avoiding damage. Such information will permit informed and reasonable planning decisions to be taken by the Department.

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Policy BH 4 Archaeological Mitigation

Where it is decided to grant planning permission for development which will affect sites known to contain archaeological remains, the Department will impose conditions to ensure that appropriate measures are taken for the identification and mitigation of the archaeological impacts of the development, including where appropriate the completion of a licensed excavation and recording of remains before development commences.

Justification and Amplification

- 3.14. In some circumstances it will be possible to permit development proposals which affect archaeological remains to proceed provided appropriate archaeological mitigation measures are in place which preserve the remains in the final development or ensure excavation recording prior to destruction.
- 3.15. Mitigation may require design alterations to development schemes, for example, the use of foundations which avoid disturbing the remains altogether or minimise the potential damage, or by the careful siting of landscaped or open space areas. There are techniques available for sealing archaeological remains underneath buildings or landscaping, thus securing their preservation for the future even though they remain inaccessible for the time being.
- 3.16. The excavation recording of remains is regarded by the Department as a second best option to their physical preservation. The science of archaeology is developing rapidly and excavation means the total destruction of evidence (apart from removable objects) from which future techniques could almost certainly extract more information than is currently possible. Excavation is also expensive and time consuming, and discoveries may have to be evaluated in a hurry against an inadequate research framework. The preservation in situ of important archaeological remains is therefore always to be preferred.
- 3.17. There will however be occasions, particularly where archaeological remains of lesser importance are involved when the Department may decide that the significance of the remains is not sufficient when weighed against all other material considerations, including the importance of the development, to justify their physical preservation in situ and that the development should proceed. In such cases developers will be required to prepare and carry out a programme of archaeological works using professional archaeologists and working to a brief prepared by the Department.
- 3.18. In certain cases the Department may be able to offer some financial support for archaeological mitigation to be carried out where the developer is a registered charity or similar non profit-making body, or in the case of an individual who does not have the means to fund such work. The Department must however be extremely selective in its choice of projects for funding. The excavation strategy must reflect current academic research priorities identified in consultation with Environment and Heritage Service. Funds will not be made available unless the

destruction of a site is imminent and unavoidable, as the result of planning approval and the Department will have regard for the cost of archaeological mitigation set against the overall cost of the development.

- 3.19. It should be noted that an offer to facilitate excavation by developers will not justify a grant of planning permission for development which would damage or destroy archaeological remains whose physical preservation in situ is both desirable (because of their level of importance) and feasible.

Discovery of Previously Unknown Archaeological Remains

- 3.20. Archaeological research continues and new and exciting discoveries are made. The discovery of archaeological remains, which have not been previously known, may therefore represent a material change which can affect the nature of development which will be permitted in respect of an area within a settlement, or in the countryside.
- 3.21. Indeed in spite of the best pre-planning application research there may be occasions when the presence of archaeological remains only becomes apparent once an approved development has actually commenced⁵. Developers may wish to consider insuring themselves against the risk of a substantial loss while safeguarding the interest of historic remains unexpectedly discovered on site. On rare occasions the importance of such remains may merit their scheduling. In that event developers would need to seek separate scheduled monument consent before they continue work. It is also open to the Department to revoke a planning permission if deemed necessary, in which case there is provision for compensation. In the majority of cases, however, it should prove possible for differences to be resolved through voluntary discussion and for a satisfactory compromise to be reached.

⁵ The Historic Monuments and Archaeological Objects (NI) Order 1995 requires the reporting of the discovery of any archaeological object.

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4.0 World Heritage Sites

The Importance of World Heritage Sites

- 4.1. The criteria for selection of cultural and natural sites of outstanding universal value to be included in the World Heritage List are contained in the “Operational Guidelines for the Implementation of the World Heritage Convention” published by UNESCO. No additional statutory controls follow on from inclusion of a site in this List. Inclusion does, however, highlight the outstanding international importance of the site as a key material consideration in the determination of planning and/or listed building consent applications and appeals.

Policy BH 5

The Protection of World Heritage Sites

The Department will operate a presumption in favour of the preservation of World Heritage Sites. Development which would adversely affect such sites or the integrity of their settings will not be permitted unless there are exceptional circumstances.

Justification and Amplification

- 4.2. World Heritage Sites are places or buildings of outstanding universal value, and accordingly the Department attaches great weight to the need to protect them for the benefit of future generations as well as our own. Development proposals affecting such sites or their settings may be compatible with this objective, but will always be carefully scrutinised for their likely effect on the site or its setting in the longer term. The Department will pay particular attention to the impact of proposals on:-
- the critical views of, and from the site;
 - the access and public approaches to the site; and
 - the understanding and enjoyment of the site by visitors.
- 4.3. There is currently only one World Heritage Site in Northern Ireland, the Giant’s Causeway, the setting of which has not yet been formally identified by the Department. As an interim measure until such time as a new development plan is prepared for this area and this matter is addressed, development proposals within a 4 kilometre radius of the site will be subject to particular scrutiny by the Department.

5.0 Historic Parks, Gardens and Demesnes

The Importance of Historic Parks, Gardens and Demesnes

- 5.1. Information on parks, gardens and demesnes of special historic interest in Northern Ireland is currently being prepared by the Department for inclusion in a register (see para 2.13). This will highlight the contribution which these planned landscapes make to the appearance of our modern surroundings and their significance as a source of information about the past. It will also seek to encourage owners to value, manage and maintain these sites. While no additional statutory controls will follow on from inclusion of a site in the register, the effect of proposed development on a park, garden or demesne or its setting included in the register is a material consideration in the determination of planning and/or listed building consent applications and appeals.

Policy BH 6

The Protection of Parks, Gardens and Demesnes of Special Historic Interest

The Department will not normally permit development which would lead to the loss of, or cause harm to, the character, principal components or setting of parks, gardens and demesnes of special historic interest. Where planning permission is granted this will normally be conditional on the recording of any features of interest which will be lost before development commences.

Justification and Amplification

- 5.2. The character and appearance of the modern landscape of Northern Ireland owes much to planned landscape enhancement carried out since the 17th century, and many of the hedgerow trees or tree stands which are seen in the countryside today were once planned and planted as part of land management measures. This has resulted in a rich legacy of gardens, parks and demesnes of archaeological, historical and botanical interest. Demesnes with their distinct boundary features also make a valuable contribution to the quality and character of the local landscape, whether or not the original house survives, while those parks, gardens and demesnes that are open to the general public provide an important informal recreational resource. The Department considers it important therefore that these valuable features of our built heritage are protected from development which would harm their historic character.
- 5.3. In assessing proposals for development in or adjacent to parks, gardens and demesnes of special historic interest particular attention will be paid to the impact of the proposal on:-
- the archaeological, historical or botanical interest of the site;
 - the site's original design concept, overall quality and setting;
 - trees and woodland and the site's contribution to local landscape character;
 - any buildings or features of character within the site including boundary walls, pathways, garden terraces or water features; and
 - planned historic views of or from the site or buildings within it.

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- 5.4. In assessing proposals which would affect those parks, gardens and demesnes which retain only some elements of their original form i.e. those supplementary sites identified as an appendix to the proposed register, the Department will consider the need to retain distinctive elements of such sites as features within the changing landscape.
- 5.5. Where a decision is taken to permit development which would result in the loss of any distinctive features of parks, gardens and demesnes, the Department will normally require developers to carry out recording, working to a brief prepared by the Department, so that knowledge of this part of our landscape heritage is not entirely lost.

6.0 Listed Buildings

Listed Building Control

- 6.1. Once a building is listed, Article 44 of the Planning (NI) Order provides that consent is required for its demolition and for any works of alteration or extension in any manner which would affect its character as a building of special architectural or historic interest. This is referred to as “listed building consent” and it is a criminal offence to carry out such works without consent. Planning permission is also required in addition to listed building consent if the works involve “development”. In such cases, it will generally be preferable if both applications are considered concurrently.
- 6.2. Listed building controls apply to all works, including repairs, that affect a building’s special interest, whether or not the particular feature concerned is specifically mentioned in the list description. The term “building” is defined broadly and can include, for example, walls and bridges as well as structures falling in the more usual understanding of the term. Protection also extends to the interior of listed buildings and to most buildings within the curtilage of the listed structure. Buildings included in the statutory list are divided into three grades A, B+ and B. The Department would however emphasise that the statutory controls apply equally to all listed buildings, irrespective of grade. Further information on these matters and the Department’s criteria for the selection of listed buildings are set out in Annex C.

The Importance of Listed Buildings

- 6.3. Once lost, listed buildings cannot be replaced; and they can be robbed of their special interest as surely by unsuitable alteration as by outright demolition. They represent a finite resource and irreplaceable asset and contribute to the quality of our built environment. While the listing of a building should not be seen as an impediment to all future change Article 45(1) of the Planning (NI) Order 1991 requires the Department to have “special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.” This reflects the great importance to society of protecting listed buildings from unnecessary demolition, insensitive alteration and unsuitable development and will therefore be the prime consideration for the Department in determining applications for listed building consent and considering planning applications for development which affect a listed building or its setting.
- 6.4. The Department will operate a general presumption in favour of the preservation of listed buildings. Applicants for listed building consent or planning permission affecting a listed building must therefore be able to justify their proposals and will need to show why they are desirable or necessary. As such the Department will require full information to accompany all applications to enable assessment of the likely impact of proposals on the special architectural or historic interest of the building and on its setting.

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General Criteria

- 6.5. The issues that are generally relevant to the consideration of all listed building consent applications and planning applications affecting a listed building are:
- (a) the importance of the building, its intrinsic architectural and historic interest and rarity, in the context of Northern Ireland and in local terms;
 - (b) the particular physical features of the building (which may include its design, plan, materials or location) which justify its inclusion in the list: list descriptions may draw attention to features of particular interest or value, but they are not exhaustive and other features of importance (e.g. interiors) may come to light after the building's inclusion in the list;
 - (c) the building's setting and its contribution to the local scene, which may be very important, e.g. where it forms an element in a group, park, garden or other townscape or landscape, or where it shares particular architectural forms or details with other buildings nearby; and
 - (d) the extent to which the proposed works would bring substantial benefits for the community, in particular by contributing to the economic regeneration of the area or the enhancement of its environment (including other listed buildings).

Policy BH 7

Change of Use of a Listed Building

The Department will normally permit the change of use of a listed building where this secures its upkeep and survival and the character and architectural or historic interest of the building would be preserved or enhanced. Proposals for a change of use should incorporate details of all intended alterations to the building and its curtilage to demonstrate their effect on its appearance, character and setting.

Justification and Amplification

- 6.6. The key to the survival and upkeep of listed buildings is to keep them in active use. While the most appropriate use of an historic building will often be that for which it was designed, the Department accepts that new compatible uses should be found for historic buildings where they can no longer reasonably be expected to serve their original use and where the integrity of their built fabric is under threat. In an effort to increase public awareness of historic buildings in need of restoration, the Ulster Architectural Heritage Society in association with the Environment and Heritage Service has published "Buildings at Risk", a series of catalogues of historic and other important buildings in Northern Ireland which appear to be threatened. It is likely that the survival of such buildings will only be achieved through sympathetic schemes for their appropriate re-use. In most cases this will mean a use which is economically viable and may necessitate some degree of adaptation to the building.

- 6.7. The range and acceptability of possible uses is therefore one of the most important considerations for all those involved in considering the future of a listed building. There should be an assessment of the building and how best to plan a new use which respects the features and characteristics of that building. To find a use first and then seek to adapt the building to accommodate it is likely to result in difficulties and expense as well as an unnecessary loss of historically and architecturally important material. Any assessment therefore requires balancing the economic viability of possible uses against the effect of any changes they entail in the special architectural or historic interest of the building in question. The impact of the proposed new use to the established character of the building and the surrounding area should also be assessed. In principle the aim should be to identify the best viable use that is compatible with the fabric, setting and character of the building and it should be noted that this may not necessarily be the most profitable use.
- 6.8. The conversion of a listed building to a new use will therefore normally only be acceptable to the Department, where it safeguards the future interest of the building and any alterations proposed meet the criteria set out in Policy BH 8. While the Department will also consider the potential impact of the proposed use on its other land use policies it is acknowledged that a flexible approach may be necessary on occasion to secure a building's survival. Where a particular compatible use is preferred, but restoration for that use is unlikely to prove economically viable, the availability of grant assistance should be investigated to redress the financial loss.
- 6.9. If a building is so sensitive that it cannot sustain any alterations to keep it in viable economic use, its future may nevertheless be secured by charitable or community ownership. The building could be preserved for its own sake for local people and visitors, where possible with non-destructive community uses such as meeting rooms. The National Trust and local building preservation trusts have rescued many buildings in this way. The voluntary sector is well placed to help in heritage matters and much can be achieved by tapping into local support, resources and loyalty. Buildings preserved in this manner can make an important contribution to community life, local education and the local economy.

Policy BH 8

Extension or Alteration of a Listed Building

The Department will normally only grant consent to proposals for the extension or alteration of a listed building where all the following criteria are met:

- (a) the essential character of the building and its setting are retained and its features of special interest remain intact and unimpaired;
- (b) the works proposed make use of traditional and/or sympathetic building materials and techniques which match or are in keeping with those found on the building; and
- (c) the architectural details (e.g. doors, gutters, windows) match or are in keeping with the building.

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Justification and Amplification

- 6.10. Many listed buildings can tolerate some degree of thoughtful alteration or extension to accommodate continuing or new uses. Indeed, cumulative changes reflecting the history of use and ownership have contributed to the special interest of some buildings. Nevertheless listed buildings do vary greatly in the extent to which they can accommodate change without loss of special interest. Some may be sensitive even to slight alterations, especially those buildings with important interiors and fittings. Some listed buildings are subject to successive applications for alteration or extension. In such cases it should be borne in mind that minor works of indifferent quality, which may seem individually of little significance, can cumulatively reduce a listed building's special interest.
- 6.11. The Department will consider whether the works proposed would cause unnecessary damage to the historic structure, whether the additions are in keeping with other parts of the building and if any new internal or external features harmonise with their surroundings.
- 6.12. In judging the effect of any alteration or extension the Department will assess the elements that make up the special interest of the building in question. They may comprise not only the obvious visual features such as a decorative facade or, internally, staircases or decorated plaster ceilings, but also the spatial layout of the building, the archaeological or technological interest of the surviving structure and the use of materials. These elements are often as important in Northern Ireland's simple vernacular buildings as in its grander architectural set pieces. All proposals for alteration should also be based on a proper understanding of the structure of the listed building, because it is vitally important that new work does not weaken the structural integrity of the building.
- 6.13. The listing grade of a building is not of itself a reliable indicator of its sensitivity to alteration or extension. Many Grade B buildings may have been specifically listed because they are relatively unaltered examples of a once common vernacular building type. Accordingly they can as readily have their special interest ruined by an inappropriate alteration or extension as can Grade A or B+ structures.
- 6.14. Where a building forms part of an architectural group, for example as part of a terrace, then it may not be possible to make even minor external alterations without disrupting the architectural unity of the group. Even painting or stone cleaning of only one unit in a terrace can have this effect.
- 6.15. The preservation of facades alone and the gutting and reconstruction of interiors, is rarely an acceptable approach to the re-use of listed buildings and will only be permitted in exceptional circumstances. Where this approach has been accepted in the past by the Department this has applied mainly in cases where historic buildings have sustained major damage unintentionally. By adopting a flexible and imaginative approach historic buildings can be adapted to new beneficial uses without destroying their architectural and/or structural integrity. For example, maximum office floor loadings are never needed in all parts of a building, so any unusually heavy loads can often be accommodated in stronger areas such as basements.

- 6.16. Further detailed guidance on alterations to listed buildings is given in Annex E. The Department would also draw attention to BS 7913:1998 which provides advice, information and guidance on the principles of the conservation of historic buildings.

Building Regulations

- 6.17. The Department would encourage the Building Control sections of local councils to adopt a sympathetic approach when exercising their responsibilities under the Building Regulations with regard to the repair or conversion of listed buildings. The intentions of the Regulations can usually be achieved without the removal or mutilation of features which contribute to the character of a listed building and are part of the reason for it being listed. It will be necessary for a dialogue to exist between Building Control and the building owner, where the owner too is prepared to adapt his ideas in order to achieve a maximum of conservation and a minimum of destruction without the loss of safety.

The Needs of People with Disabilities

- 6.18. The Department recognises the importance of allowing people with disabilities dignified and easy access to and within listed buildings. If access requirements are treated in an integrated and systematic way, and a flexible and pragmatic approach is taken, then it is normally possible to plan suitable access for people with disabilities without compromising a listed building's special interest. In the case of a disabled person living in a listed building, then the Department will be sympathetic to their special needs when considering applications for listed building consent.

Policy BH 9

The Control of Advertisements on a Listed Building

The Department will normally only grant consent for advertisements or signs on a listed building where these are carefully designed and located to respect the architectural form and detailing of the building.

Justification and Amplification

- 6.19. Many listed buildings are in commercial use and already display signs or advertisements of some sort. These in themselves may be of historic interest or of some artistic quality, and where this is the case the Department will not normally permit their removal or significant alteration.
- 6.20. New signs or advertisements can have a major impact on the appearance, and thus the character of a listed building. Where a proposal to display signs or advertisements on a listed building is considered acceptable in principle they should be designed to complement the age and architectural style of the building. They should also be carefully located and should not obscure, overlap or cut into any architectural detailing or structural divisions of the building. These considerations will to a large extent dictate the scale of any signage. In many cases a handwritten timber board or a brass plate will provide the most acceptable

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solution. The use of standard corporate signage by major companies will generally be inappropriate.

- 6.21. Projecting signs can often adversely affect the appearance and character of listed buildings and will therefore require very careful consideration. Where their presence is considered acceptable particular attention will be paid to size, design and materials. In most situations signs and advertisements displayed on listed buildings should not be illuminated. Where illumination is justified it should be achieved unobtrusively: light fittings mounted above and projecting forward of the sign will not normally be acceptable.

Policy BH 10 Demolition of a Listed Building

There will be a presumption in favour of retaining listed buildings. The Department will not permit the demolition of a listed building unless there are exceptional reasons why the building cannot be retained in its original or a reasonably modified form. Where, exceptionally, listed building consent is granted for demolition this will normally be conditional on prior agreement for the redevelopment of the site and appropriate arrangements for recording the building before its demolition.

Justification and Amplification

- 6.22. The destruction of historic buildings is very seldom necessary for reasons of good planning; more often it is a result of neglect or the failure to make imaginative efforts to find new uses for them or to incorporate them into a new development.
- 6.23. There are many outstanding buildings for which it is in practice almost inconceivable that consent for demolition would ever be granted. The demolition of any Grade A or Grade B+ building should be wholly exceptional and should require the strongest justification. Indeed consent will not be given for the total or substantial demolition of any listed building without clear and convincing evidence that all reasonable efforts have been made to sustain existing uses or find viable new uses, and these efforts have failed; that preservation in some form of charitable or community ownership is not possible or suitable; or that redevelopment would produce substantial benefits for the community which would decisively outweigh the loss resulting from demolition.
- 6.24. While it is acknowledged that very occasionally demolition of a listed building will be unavoidable, consent will not be given simply because redevelopment is economically more attractive to the developer than repair and re-use of the building, or because the developer acquired the building at a price that reflected the potential for redevelopment rather than the condition and constraints of the existing historic building.
- 6.25. Accordingly where proposed works would result in the total demolition of a listed building, or of any significant part of it, the Department, in addition to the general criteria set out in para 7.5 above, will address the following factors:

- (a) the condition of the building, the cost of repairing and maintaining it in relation to its importance and to the value derived from its continued use. Any such assessment will be based on consistent and long-term assumptions. Less favourable levels of rents and yields cannot automatically be assumed for historic buildings. Also, they may offer proven technical performance, physical attractiveness and functional spaces that, in an age of rapid change, may outlast the short-lived and inflexible technical specifications that have sometimes shaped new developments. Any assessment will also take account of the possibility of tax allowances and exemptions and of grants from public or charitable sources. In the rare cases where it is clear that a building has been deliberately neglected in the hope of obtaining consent for demolition, less weight will be given to the costs of repair;
- (b) the adequacy of efforts made to retain the building in use. The Department will require to be satisfied that genuine efforts have been made without success to continue the present use or to find compatible alternative uses for the building. This includes the offer of the unrestricted freehold of the building on the open market at a realistic price reflecting the building's condition (the offer of a lease only, or the imposition of restrictive covenants, would normally reduce the chances of finding a new use for the building); and
- (c) the merits of alternative proposals for the site. Whilst these are a material consideration, the Department's view is that subjective claims for the architectural merits of proposed replacement buildings will not in themselves be held to justify the demolition of any listed building. There may very exceptionally be cases where the proposed works would bring substantial benefits for the community, which have to be weighed against the arguments in favour of preservation. Even in these circumstances it will often be feasible to incorporate listed buildings within new development.

6.26. It is preferable that proposals for the demolition of a listed building are not considered in isolation from proposals for subsequent redevelopment. The Department may therefore request developers to submit detailed drawings illustrating the proposed redevelopment of the site to accompany a listed building consent application for demolition.

- 6.27. In the rare cases where the Department decides to grant consent for demolition of a listed building conditions will normally be imposed:
- prohibiting demolition of the building until planning permission has been granted and contracts have been signed for the approved redevelopment of the site⁶; and
 - requiring, where appropriate, the recording of the building prior to its demolition.

⁶ This power is provided by Article 45(5) of the 1991 Planning Order and is to ensure that a site occupied by a listed building is not left to lie vacant following demolition.

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Policy BH 11

Development affecting the Setting of a Listed Building

The Department will not normally permit development which would adversely affect the setting of a listed building. Development proposals will normally only be considered appropriate where all the following criteria are met:

- (a) the detailed design respects the listed building in terms of scale, height, massing and alignment;
- (b) the works proposed make use of traditional or sympathetic building materials and techniques which respect those found on the building; and
- (c) the nature of the use proposed respects the character of the setting of the building.

Justification and Amplification

- 6.28. The setting of a listed building is often an essential part of the building's character. This is particularly the case where a demesne, landscaped parkland, garden or grounds have been laid out to complement the design or function of the building. The economic viability as well as the character of listed buildings within such planned settings may suffer where inappropriate new development isolates them from their surroundings or degrades their landscape setting. This can effectively rob such buildings of much of their interest and the contribution they make to the local countryside or townscape. Where a listed building has no ancillary land, for example in a town or village street, its setting may include a number of other properties or even the whole street. These buildings may not necessarily be of great individual merit but combine to produce a visual harmony which enriches the setting of the listed building.
- 6.29. Any proposals for development which by its character or location may have an adverse affect on the setting of listed buildings will require very careful consideration by the Department. This will apply even if the development would only replace a building which is neither itself listed nor immediately adjacent to a listed building. Development proposals some distance from the site of a listed building can sometimes have an adverse affect on its setting e.g. where it would affect views of an historic skyline, while certain proposals, because of the nature of their use, can adversely affect the character of the setting of a listed building or group of buildings through noise, nuisance and general disturbance.
- 6.30. The design of new buildings planned to stand alongside historic buildings is particularly critical. Such buildings must be designed to respect their setting, follow fundamental architectural principles of scale, height, massing and alignment and use appropriate materials. This does not mean however that new buildings have to copy their older neighbours in detail. Some of the most interesting streets in our towns and villages include a variety of building styles, materials and forms of construction of several different periods, which together form a visually harmonious group.

- 6.31. The extent to which proposals will be required to comply with the criteria in Policy BH 11 will be influenced by a variety of factors: the character and quality of the listed building; the proximity of the proposal to it; the character and quality of the setting; and the extent to which the proposed development and the listed building will be seen in juxtaposition.
- 6.32 Where it is considered that a development proposal may affect the setting of a listed building the Department will normally require the submission of detailed drawings which illustrate the relationship between the proposal and the listed building. Where appropriate the Department will use its powers contained in the General Development Order to request applicants to supply such additional information on the proposed development as is considered necessary to allow proper determination.

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7.0 Conservation Areas

Conservation Area Control

- 7.1. Conservation area designation introduces control over the demolition of unlisted buildings within conservation areas (Article 51 of the Planning (NI) Order 1991). Anyone wishing to demolish a building must first apply to the Department for “conservation area consent” and it is a criminal offence to carry out such work without consent.

The Importance of Conservation Areas

- 7.2. Many of our cities, towns and villages contain areas of architectural or historic interest which have a particular character considered worthy of conservation. The Department has designated a number of these areas as conservation areas. Great importance is attached to the preservation of the existing character and appearance of such areas allied to the promotion of their economic well-being.
- 7.3. Article 50 (5) of the Planning (NI) Order 1991 requires that “where any area is for the time being designated as a conservation area special attention shall be paid to the desirability of preserving or enhancing its character or appearance.” This will be the prime consideration for the Department in the exercise of its planning functions within conservation areas. There will be a presumption against the grant of planning permission or conservation area consent where development proposals would conflict with this requirement, although in exceptional cases this presumption may be overridden in favour of development which is desirable on the ground of some other public interest. The desirability of preserving or enhancing a conservation area is also considered to be a material consideration in assessing proposals for development beyond its boundaries which would however affect its setting, or views into or out of the area.

Policy BH 12

New Development in a Conservation Area

The Department will normally only permit development proposals for new buildings, alterations, extensions and changes of use in, or which impact on the setting of, a conservation area where all the following criteria are met:

- (a) the development preserves or enhances the character and appearance of the area;
- (b) the development is in sympathy with the characteristic built form of the area;
- (c) the scale, form, materials and detailing of the development respects the characteristics of adjoining buildings in the area;
- (d) the development does not result in environmental problems such as noise, nuisance or disturbance which would be detrimental to the particular character of the area;
- (e) important views within, into and out of the area are protected;
- (f) trees and other landscape features contributing to the character or appearance of the area are protected; and
- (g) the development conforms with the guidance set out in conservation area documents.

Justification and Amplification

- 7.4. The Department does not wish to stifle development in conservation areas. The emphasis will be on the careful control and positive management of change, to enable the area to remain alive and prosperous, but at the same time to ensure that any new development accords with the area's special architectural or historic interest.
- 7.5. Designation as a conservation area puts an onus on prospective developers to produce a very high standard of design, which respects or enhances the particular qualities of the area in question. Notwithstanding the acceptability of proposals in terms of other planning issues, where any proposed development would harm the character, appearance or setting of a conservation area it will not normally be permitted.

General Criteria

- 7.6. General issues to be taken into account in assessing development proposals in a conservation area include the appropriateness of the overall massing of the development, its scale (the expression of size indicated by the windows, doors, floor heights, and other identifiable units), its proportions and its relationship with its context i.e. whether it sits comfortably. Development should be in harmony with, or complimentary to, its neighbours having regard to the adjoining architectural styles. The use of materials generally matching those which are historically dominant in the area is important, as is the need for the development not to have a visually disruptive impact on the existing townscape. It should also, as far as possible, fit into the "grain" of the conservation area, for example, by respecting historic layout, street patterns or existing land form. It is also important where new uses are proposed that these respect the unique character and general ambience of a conservation area, for example certain developments may adversely affect the character of a conservation area through noise, nuisance and general disturbance.

New Buildings

- 7.7. The development of new buildings in a conservation area should be a stimulus to imaginative, high quality design, and seen as an opportunity to enhance the area. What is important is not that new buildings should directly imitate earlier styles, rather that they should be designed with respect for their context, as part of a larger whole which has a well-established character and appearance of its own. Therefore while development of a gap site in a traditional terrace may require a very sensitive design approach to maintain the overall integrity of the area in other cases modern designs sympathetic and complimentary to the existing character of the area may be acceptable.

Alterations and Extensions

- 7.8. Proposals for the alteration or extension of properties in a conservation area will normally be acceptable where they are sensitive to the existing building, in keeping with the character and appearance of the particular area and will not

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prejudice the amenities of adjacent properties. Extensions should be subsidiary to the building, of an appropriate scale, use appropriate materials and should normally be located on the rear elevations of a property. Very careful consideration will be required for alterations and extensions affecting the roof of a property as these may be particularly detrimental to the character and appearance of a conservation area.

Change of Use

- 7.9. In assessing applications for the change of use of a property within a conservation area consideration will be given to both the general land use policies of the Department and the impact of the proposed use on the character and appearance of the conservation area. New uses will normally only be acceptable where any associated external alterations, for example new shopfronts, are sympathetic to their setting and relate in scale, proportions and materials to the remainder of the building and the local street scene.

Trees

- 7.10. Trees often make an important contribution to the appearance and character of conservation areas. In assessing development proposals affecting a conservation area the Department will therefore take into account their potential impact on existing trees. Where such trees make an important visual, historic or amenity contribution to the area and should be retained the Department will seek appropriate protection measures through the imposition of planning conditions or may consider making a tree preservation order. In some instances development may be acceptable subject to conditions requiring new tree planting or re-planting.

The Setting of Conservation Areas

- 7.11. Special care is also needed in the location and design of development proposals close to a conservation area. Inappropriate development outside a conservation area can have a detrimental affect on the character and setting of the area. In such cases new development will be expected to respect the character and appearance of the adjacent conservation area while the Department will also seek to retain important views in and out of the area.

Design Guides

- 7.12. As each conservation area has its own unique style and character, local policies and guidance for the conservation and enhancement of the area are set out in the relevant designation documents and design guides, which are produced by the Department in consultation with local district councils and the Historic Buildings Council. These constitute supplementary planning guidance and are considered to be an important material consideration. The Department will therefore attach great weight to the need for proposals for new development to accord with the specific guidance drawn up for each particular conservation area.

Information to accompany Planning Applications

- 7.13. The Department will normally require detailed drawings to accompany all planning applications in a conservation area which illustrate the proposal in its context. Where outline applications are submitted information on matters such as levels, materials / finishes, colouring, landscaping, access and parking may also be required to ensure that the Department can make a full assessment of the impact of development proposals. Where appropriate the Department will use its powers contained in the General Development Order to request applicants to supply such additional information on the proposed development as is considered necessary to allow proper determination. Where, on the basis of illustrative details submitted, the Department decides to grant outline permission for development a condition will then normally be imposed requiring that any reserved matters application be based on such details.

Policy BH 13

The Control of Advertisements in a Conservation Area

The Department will not normally grant consent for the display of advertisements in or close to a conservation area which would adversely affect the character, appearance or setting of the area or which would be detrimental to public safety.

Justification and Amplification

- 7.14. Many conservation areas include thriving commercial areas where the normal range of advertisements is to be expected, provided they do not detract from visual amenity. The Department accepts that such outdoor advertising is essential to commercial activity, but in view of the statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas, it is also considered reasonable that more exacting standards of advertisement control should apply within such areas.
- 7.15. In assessing proposals for advertisements in a conservation area the Department will give careful consideration to the impact of the proposal on the visual amenity and overall character of the area. Particular regard will be paid to the scale and proportions of the sign, the materials used and whether it is illuminated. Consent will not normally be granted for advertisements which are inappropriate to the architectural style or character of the building on which it is proposed or which would detract from the area in general. Similarly signage on the upper floors of buildings and the internal illumination of signs will not normally be acceptable. Proposals for large advertisement hoardings or which would result in a proliferation of signs can seriously harm the character and appearance of a conservation area and will therefore normally be refused consent. Additional guidance for the display of advertisements in particular conservation areas is set out in the relevant designation documents and design guides produced by the Department.

Policy BH 14 Demolition in a Conservation Area

The Department will normally only permit the demolition of an unlisted building in a conservation area where the building makes no material contribution to the character or appearance of the area. Where conservation area consent for demolition is granted this will normally be conditional on prior agreement for the redevelopment of the site and appropriate arrangements for recording the building before its demolition.

Justification and Amplification

- 7.16. The demolition of even a single building and the construction of a new building or buildings in its place could result in the character or appearance of a conservation area, or part of it, being severely prejudiced. In such circumstances the whole purpose of designating the conservation area could be undermined.
- 7.17. The Department will operate a presumption in favour of retaining any building which makes a positive contribution to the character or appearance of a conservation area. In determining proposals for demolition of unlisted buildings the Department will therefore take account of the part played in the architectural or historic interest of the area by the building for which demolition is proposed, and in particular of the wider effects of demolition on the building's surroundings and on the conservation area as a whole. In assessing proposals the Department will have regard to the same broad criteria outlined above for the demolition of listed buildings (see para 6.5 and policy BH 10 above).
- 7.18. In cases where demolition may be appropriate, for example where a building does not make any significant contribution to a conservation area, the Department will normally require full information and detailed plans about what is proposed for the site after demolition to accompany conservation area consent applications.
- 7.19. Where the Department decides to grant consent for demolition of a building in a conservation area conditions will normally be imposed:
- requiring the redevelopment of the site to be based on previously agreed detailed proposals;
 - prohibiting demolition of the building until planning permission has been granted and contracts have been signed for the approved redevelopment of the site⁷; and
 - requiring, where appropriate, the recording of the building prior to its demolition.
- 7.20. The preservation of the public elevations alone of an unlisted building in a conservation area which makes a material contribution to its appearance or character will only be acceptable in exceptional circumstances, provided the scale of the overall development proposal will not be detrimental to the areas character

⁷ This power is provided by Article 45(5) of the 1991 Planning Order as applied by Article 51(5) and is to ensure that conservation areas are not marred by vacant sites awaiting redevelopment

or appearance and the scheme can be implemented without serious risk to the retained structure. In such cases the Department, in addition to requiring detailed plans of the proposed development, will require the submission of a structural engineer's report indicating what measures are to be taken to protect those parts of the building to be retained during construction work.

Article 4 Directions

- 7.21. While designation as a conservation area introduces additional controls over development the Department also has the power to make Article 4 directions removing certain permitted development rights⁸. The Department's general policy is that such rights should not normally be withdrawn without clear justification. While the designation of a conservation area in itself does not automatically justify the making of Article 4 directions, they may have a role to play if they would help to protect features that are key elements within the area. Accordingly the Department will consider making such directions where:
- a clear assessment of an areas special architectural and historic interest has been undertaken;
 - the importance to that special interest of the features to be included in the direction is established;
 - there is evidence of local support for the direction and the need for the direction is agreed with the local district council; and
 - the direction involves the minimum withdrawal of permitted development rights necessary to achieve its objective.

⁸ Permitted development rights are contained in the Planning (General Development) Order 1993 (as amended)

8.0 Industrial Heritage

The Importance of Industrial Heritage

- 8.1. There are reminders everywhere of the industrial changes which have influenced the social and economic development of Northern Ireland in recent centuries. Features of this industrial heritage include the remains of small, local enterprises, such as the corn, flax and beetling mills, many still visible as ruins in the countryside, and more significant buildings or complexes, such as the multi-storey cotton and linen mills that characterise parts of our cities, towns and villages. Other manufacturing industries including salt pans, coal, iron and bauxite mines, brickworks, potteries and foundries have also left their own particular mark on the landscape. Some industries were short-lived and have left only slight traces of their previous existence, or have disappeared beneath modern buildings. Some are survived by the streets of terraced houses, built for mill and factory-workers by businesses which are now almost forgotten.
- 8.2. Much evidence of the historic pattern of roads, railways and canals which developed to carry the raw materials and manufactured goods from previous times can still be seen today in the modern transportation network or as derelict features in the landscape. Similarly some of the historic facilities for generating and distributing electricity, gas and water remain as part of our modern infrastructure.
- 8.3. Identifying and protecting buildings and other features which reflect the development of our industrial society is part of the Department's responsibility in caring for the built heritage. Identification surveys and archaeological studies of particular industries and processes require specialist scientific and technical knowledge and work on information about our industrial heritage is at an early stage. Nevertheless many important features of this unique heritage are already subject to existing protection measures, that is, as archaeological sites or monuments or as listed buildings.

9.0 Non-listed Vernacular Buildings

The Importance of Vernacular Buildings

- 9.1. The vernacular buildings of Northern Ireland have developed as a response to local economic and social circumstances, using simple styles and largely local materials. They have a natural place in our towns, villages and smaller settlements and help give the countryside its personality. While the Department operates a general presumption in favour of the preservation of buildings listed as being of special architectural or historic interest there is growing concern about the continuing loss of those traditional buildings with historical associations and local character, which are not listed, particularly in rural areas. A report published in March 1998 by the Environment and Heritage Service entitled "A Sense of Loss" highlights the severe decline in the number of rural traditional buildings of Northern Ireland in recent years. Buildings of character which display local traditions of architecture and design are an important part of our heritage and regional identity. It is therefore sensible to sympathetically rehabilitate and improve such vernacular buildings, rather than replace them or allow them to fall derelict.

Policy BH 15

The Re-use of Non-listed Vernacular Buildings

The Department will normally permit the sympathetic conversion of non-listed vernacular buildings to other appropriate uses where this would secure their upkeep and retention. In the countryside conversion to residential use will normally only be considered appropriate where the building to be converted is an important element in the landscape and of local architectural merit or historic interest. All proposals for conversion will normally be required to meet all of the following criteria:

- (a) the building is structurally sound and capable of conversion;
- (b) the scheme of conversion will not have an adverse effect on the character or appearance of the locality and safeguards the form, character and architectural features, design and setting of the existing building. This will involve retention of existing door and window openings and minimising the number of new openings. Details such as door and window design, external surfaces, rainwater goods and means of enclosure should be of traditional or sympathetic design and materials;
- (c) the new use would not cause unacceptable adverse effects on the amenities of nearby residents or other land uses;
- (d) normally no new extensions are involved; and
- (e) access and other necessary services are provided without adverse impact on the character of the locality.

Justification and Amplification

- 9.2. Changing patterns of life mean that many traditional local buildings are no longer needed for their original use. These include mills, schools, churches as well as dwellings. While many of these vernacular buildings are now vacant and are at

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risk from dereliction, they represent a valuable historic resource and their appropriate re-use would contribute to sustainable development and may encourage the social and economic regeneration of particular areas.

- 9.3. The Department wishes therefore to encourage the re-use of such vernacular buildings by sympathetic renovation or conversion for a range of appropriate uses. This may include proposals for tourism or recreation use, small-scale employment uses or new rural enterprises. All development proposals for the conversion of a vernacular building should involve a minimum of work and should maintain or enhance the existing character of the building and its setting. Approval will not normally be given to a scheme involving substantial demolition or extensions which significantly alter the appearance or character of the building. Design therefore is particularly important and where extensions or external alterations are proposed, these must reflect the scale, massing, materials and detailing of the existing property. All proposals will therefore be critically assessed as to their contribution to the conservation of the building to be converted.
- 9.4. Great care will be necessary in assessing proposals for conversion to residential use as this can be particularly detrimental to the fabric and character of certain buildings. In the countryside, and, in particular in Green Belts and Countryside Policy Areas the Department will normally only consider a relaxation of its normal planning policies for residential development, where:
- residential use is the key to the conservation of a building of local architectural merit or historic interest which comprises an important element of the landscape;
 - the conversion scheme involves minimal alteration; and
 - the overall scale of the proposal and intensity of use is appropriate to the locality and would not prejudice the objectives behind Green Belt and Countryside Policy Area designation.
- Each proposal will be determined on its merits. It should be noted that the application of this policy relates only to schemes of sympathetic conversion. The Department would therefore stress that a grant of planning permission for conversion to residential use will not in itself be considered sufficient grounds to subsequently permit the replacement of the building with a new dwelling.
- 9.5. Where a conversion scheme to residential use in the countryside is considered acceptable any residential curtilage to be created, as part of the proposal should not have a harmful effect on the character of the countryside, particularly in Areas of Outstanding Natural Beauty and other areas of landscape quality. In certain cases it may be necessary to remove permitted development rights to protect the character of the converted buildings or the landscape generally.

10.0 Other Aspects of Planning Control

Environmental Impact Assessment

- 10.1. Certain developments fall within the scope of the Planning (Environmental Impact Assessment) Regulations (NI) 1999. Environmental Impact Assessment is mandatory for projects listed in Schedule 1 to the Regulations. Projects listed in Schedule 2 will require assessment if they meet or exceed the thresholds set out in that Schedule or are located in a "sensitive area". The definition of sensitive area includes scheduled monuments and World Heritage Sites. Further information is contained in revised Development Control Advice Note 10 "Environmental Impact Assessment" available from Divisional Planning Offices.

Planning Agreements

- 10.2. Article 40 of the Planning (NI) Order 1991 empowers the Department to enter into an agreement with any person who has an estate in the land for the purpose of facilitating, regulating or restricting the development or the use of the land. Such agreements, which are normally tied to a planning permission, are binding on future owners or occupiers of the land. They may be used in association with development proposals which affect the archaeological or built heritage. For example planning permission could be granted for a development, where by means of a planning agreement, the developer agrees to restore a listed building on the same site. Further information on planning agreements is contained in PPS1 "General Principles".

Enforcement

- 10.3. The general policy approach that the Department will follow in taking enforcement action against unauthorised development which may adversely affect the archaeological and built heritage is set out in a recently published consultation draft Planning Policy Statement, PPS9 "The Enforcement of Planning Control". This also contains advice on the Department's approach to the enforcement of additional aspects of planning control over listed buildings and conservation areas.

Annex A: Transport and Traffic Management

- A1 The Northern Ireland Transport Policy Statement “Moving Ahead” published in November 1998 promotes greater integration of transport with the environment and land-use planning in order to:
- reduce the need for travel;
 - encourage the use of alternatives to the private car; and
 - minimise the environmental impacts of transport.

- A2 This may lead to a greater concentration of development on existing centres, including towns and villages with conservation areas or other areas of townscape importance. This will require the Department to take full account of the wider costs of transport choices, including their potential impact on the archaeological and built heritage.

New Traffic Routes

- A3 Where existing infrastructure is not suitable for travel demand, the Department will consider the various transport choices open to it including new traffic routes or alternative packages of transport management such as parking and charging policies, park and ride schemes, and public transport priority. New traffic routes will not however be built just to facilitate more commuting into already congested areas. This is especially true for towns and villages with conservation areas where the historic character and layout cannot easily absorb radical change.
- A4 Where a new route is shown to be necessary or where alterations to the existing traffic network are needed the Department will initially identify and evaluate the significance of any archaeological remains and features of the built heritage including listed buildings, conservation areas and other historic sites. New routes, alterations and any other transport infrastructure should respect such features, but in each case a suitable balance needs to be struck between conservation, other environmental concerns, economics, safety and engineering feasibility.

Existing Historic Structures

- A5 Where work to transport structures which are listed or located in conservation areas is needed to meet new national or European requirements, the Department will carry this out with great care. For example many bridges are of considerable age and represent important features of the built heritage. Their survival to this day owes a great deal to the care of past generations, and, where remedial or strengthening works are found necessary, the Department will seek to retain the character of these structures for the benefit of future generations. Where new construction is the only realistic course of action, consideration will be given to the viability of retaining the historic structure for use by pedestrians and cyclists.

Traffic Management

- A6 The Department has the power to introduce pedestrian zones or vehicle-restricted areas and to introduce traffic-calming measures where appropriate. However there is an increasing recognition that the total exclusion of traffic combined with



extensive pedestrianisation can create sterile precincts in some historic areas, particularly at night. In some cases a combination of the above measures may be preferable to allow a safe and balanced mix of pedestrians and motorists, while at the same time maintaining the vitality of the area. Park and Ride or Park and Share schemes may also have a part to play in limiting car access to historic areas.

- A7 The Department has the flexibility to use a wide variety of traffic-calming measures, in addition to road humps, to constrain vehicle speeds. These include chicanes, build-outs, pinch points and rumble strips. It is recognised that some designs will be difficult to integrate into an older streetscape and there can be no standard solution. Each feature should relate in its design and materials to the overall townscape to ensure that traffic-calming reinforces rather than diminishes local character. Traffic calming using a combination of traditional materials and devices may help to secure the right balance. The Department will also need to have regard to the needs of people whose mobility is impaired and cyclists.

Floorscape, Road Signs and Street Lighting

- A8 Floorscape and street furniture make a vital contribution to the appearance of conservation areas and other areas of townscape importance. Wherever possible the Department will seek to retain traditional stone surfaces, features and layouts, while consideration will be given to their re-introduction where there is historical evidence to support this, it meets modern day requirements and resources permit. Where new surfacing is proposed the texture, colour and laying patterns of any new materials should be sympathetic to the areas appearance and its historic integrity. Small block paviers and arbitrary patterns of paving will normally be avoided. Where a street is to be pedestrianised in a historic area, a single wall-to-wall surface will often be unsuitable. In providing for new level surfaces consideration will therefore be given to the use of appropriate contrasting, textured or coloured materials to define the lines of the traditional street.
- A9 Road signs and markings can also have a significant impact on the appearance of streets. The Department will therefore take into account the character and quality of conservation areas and other areas of townscape importance in the location and design of traffic signs and ensure that there is no unnecessary duplication of signs or posts.
- A10 The selection of street lighting equipment appropriate to the age and character of its surroundings is also important in historic areas. Off-the-peg “period” columns and lanterns are not universally appropriate. In certain cases the Department may consider the use of special designs reflecting established local styles or motifs, but alternatively simple modern designs are often preferable.

Annex B: Legislative Arrangements for Archaeological Sites

Scheduling of Historic Monuments

- B1 Under the Historic Monuments and Archaeological Objects (NI) Order 1995 (the 1995 Order) the Department has a duty to compile and maintain a schedule of monuments. Monuments on the schedule have statutory protection and inclusion is at the Department's discretion. In practice most proposals for scheduling originate within the Department's Environment and Heritage Service and consultation is required with the Historic Monuments Council before a monument is added to or removed from the schedule. Occupied dwellings and churches still in ecclesiastical use cannot be scheduled. The non-statutory criteria for scheduling are set out in paragraph B12 below.
- B2 Owners are normally notified in writing before monuments are added to the schedule. Scheduled sites are registered as a charge in the Land Registries of Northern Ireland. Lists of scheduled monuments are published on an annual basis, and enquiries concerning these lists should be addressed to Environment and Heritage Service, 5 - 33 Hill St, Belfast BT1 2LA. Scheduled monuments are also identified in the Northern Ireland Sites and Monuments Record which is available for consultation through the Monuments and Buildings Record maintained by Environment and Heritage Service at the above address.
- B3 The present schedule of some 1,350 sites has been compiled over a period of 72 years, since the introduction of the Ancient Monuments (NI) Act, 1926 and work continues towards protecting a representative sample of all site types. Even so large numbers of known archaeological sites are likely to remain unscheduled, and whether or not they are preserved will depend on the value of the remains, the commitment of owners and the public and the policies of public agencies.

Control of Work to Scheduled Monuments

- B4 Once a monument has been scheduled, the consent of the Department is required before any works are carried out which would have the effect of demolishing, destroying, damaging, removing, repairing, altering, adding to, disturbing, flooding or tipping on the monument. Consent can be granted only for detailed proposals and unlike planning permission there is no provision for the granting of outline consent. The Department also has powers to revoke or modify a consent. Class consents are currently being prepared by the Department which will enable owners to proceed with certain specified types of work without application for consent.
- B5 Application forms for scheduled monument consent may be obtained from Environment and Heritage Service. Given the need for detailed proposals to be included in the application, it generally helps applicants to discuss proposals at the very earliest opportunity with Environment and Heritage Service, and also before making a planning application, where this is required.



- B6 Normally applicants are notified by the Department of the proposed decision before it is formally issued, and have the right to ask for a hearing. In some cases a public local inquiry may be held in front of the Planning Appeals Commission before a final decision is reached. Where such a hearing or inquiry is to be held regarding a proposal which is also the subject of a planning inquiry, every attempt will be made to ensure that the two inquiries are held simultaneously.

Offences Relating to Scheduled Monuments

- B7 The 1995 Order has created a number of offences relating to scheduled monuments. Successful prosecution of those who carry out unauthorised work to scheduled monuments can provide a valuable deterrent to the wilful damage or destruction of monuments, and it is the Department's policy to institute proceedings where it is considered that a good case can be sustained.
- B8 Environment and Heritage Service keeps a record of reported incidents and carries out preliminary investigation, if necessary with Police assistance. If there does appear to be a case for prosecution, the Department will approach the Crown Prosecution Service, to institute proceedings, providing such documentation and expert advice as may be required.

Metal Detectors

- B9 Metal detecting often causes serious damage to monuments, not only to the fabric of the monument, but also to its interpretation and understanding once archaeological objects have been removed from their archaeological context. It is an offence under Article 29 of the 1995 Order to possess and use a metal detector in a protected place (any place which is the site of a scheduled monument or any monument in the ownership or care of the Department) without prior consent from the Department. An Environment and Heritage Service guide entitled "Metal Detectors and the Law" explains the law and procedure for gaining consent. Consent is not normally given except for bona fide, non-destructive research purposes.

Monument Management

- B10 Environment and Heritage Service provides advice on the management of scheduled monuments through an Inspector and a team of Field Monument Wardens, assigned to individual areas. The Wardens inspect scheduled monuments on a regular basis, reporting on their conditions and are available to discuss with owners measures for the improved management of sites. Management agreements can be made under Article 19 of the 1995 Order. Such agreements may be used to encourage the beneficial management of field monuments on agricultural land. They may run for an agreed number of years and can include pest and weed control and stock management.

The Department's Criteria for Scheduling Monuments

- B11 The following criteria are used for assessing the importance of a monument and considering whether scheduling is appropriate. The criteria should not be regarded

as definitive, but rather as indicators which contribute to a wider judgement based on the individual circumstances of a case. The criteria are not in any order of ranking.

- (a) **period** - all types of monuments that characterise a category or period should be considered for preservation.
- (b) **rarity** - there are some monument categories which in certain periods are so scarce that all surviving examples which still retain some archaeological potential should be preserved. In general, however, a selection must be made which portrays the typical and commonplace as well as the rare. This process takes account of all aspects of the distribution of a particular class of monument in a Northern Ireland context.
- (c) **documentation** - the significance of a monument may be enhanced by the supporting evidence of historical records, or contemporary written accounts, or reports of previous investigations.
- (d) **group value** - the value of a single monument may be greatly enhanced by its association with related contemporary monuments or monuments of different periods. In some cases it is preferable to protect the complete group of monuments, including associated and adjacent land, rather than to protect isolated monuments within the group.
- (e) **survival / condition** - the survival of a monument's archaeological potential, both above and below ground, is a particularly important consideration and should be assessed in relation to its present condition and surviving features.
- (f) **diversity** - some monuments may be selected for scheduling because they possess a combination of high quality features, others because of a single important attribute.
- (g) **potential** - in some cases, it may not be possible to specify the precise nature of the archaeological evidence, but it may still be possible to document reasons anticipating its existence and importance and so to demonstrate the justification for its scheduling. This is usually confined to sites where there are no distinctive above-ground remains.
- (h) **fragility / vulnerability** - certain important archaeological remains may be particularly vulnerable to damage or careless treatment and therefore benefit from the statutory protection scheduling confers.



Annex C: The Selection of Listed Buildings

Identification of Buildings for Listing

- C1 The overall test for assessing a building for listing is whether it is of special architectural or historic interest. In applying the test of special interest the Department may take into account not only the building itself but also:
- (a) the contribution of the exterior of the building to the architectural or historic interest of any group of buildings of which it forms part; and
 - (b) the desirability of preserving, on the ground of its architectural or historic interest, any feature of the building which consists of a man-made object or structure fixed to the building or within its curtilage.
- C2 Buildings are added to the statutory lists normally as a result of systematic resurvey or review of particular areas or building types. On occasion the Department may consider suggestions made by members of the public. The first survey of Northern Ireland began in 1974 and was carried out on a district council basis. A resurvey is currently underway and as well as selecting new buildings for listing is including a review of those buildings already listed. The Department is required to consult with the Historic Buildings Council and the appropriate district council before including a building on a list or amending the list.

Principles of Selection

- C3 The following are the main criteria which the Department applies as appropriate in deciding which buildings to include in the statutory list. Not all these criteria will be relevant to every case, but a building may qualify for listing under more than one of them.
- (a) **architectural interest** - buildings of importance in the context of Northern Ireland for their architectural design, decoration or craftsmanship. Also important are examples of particular building types and techniques (e.g. buildings displaying technical innovation or virtuosity) and significant plan forms;
 - (b) **historic interest** - buildings which relate to important aspects of social, economic and cultural history or which have close historical associations with well known people or events;
 - (c) **group value** - especially where buildings comprise an important architectural or historic unity or a good example of planning (e.g. squares, terraces or a model village).
- C4 Age and uniqueness are important considerations, particularly where buildings are proposed for listing on the strength of their historic interest. The older a building is, and the fewer surviving examples there are of its kind, the more likely it is to have historic importance. In general buildings dating from before the early 19th century,

which survive in anything like their original form, will qualify for listing. After this period the choice is progressively more selective due to the greater number of surviving buildings. The proportion of post-1914 buildings that are listed is relatively small and normally only structures over thirty years old are considered for listing. Buildings are classified according to the use for which they were designed and built - industrial, educational, residential and so on. The choice of building within these types is made by a balanced evaluation using the criteria above.

- C5 Where a building qualifies for listing primarily on the strength of its intrinsic architectural quality or its group value, the fact that there are other buildings of similar quality elsewhere is not likely to be a major consideration. Comparative selection would only play a role where a substantial number of buildings of a similar type and quality survive, and in such cases the Department would select the best examples.
- C6 The external appearance of a building (both its intrinsic architectural merit and group value) is a key element in selecting buildings for listing, but the special interest of the building may not always be reflected in obvious visual quality. Buildings which are important for reasons of technological innovation, or as illustrating particular aspects of social or economic history, may well have little visual appeal.
- C7 In the case of historical associations, there will generally need to be some additional quality or interest in the physical fabric of the building itself to justify listing. Either the building will have architectural merit in itself or it should be well preserved in a form which directly reveals its historical associations (e.g. because of the survival of certain particular features).
- C8 Buildings of importance to Northern Ireland will normally be graded higher than those of more local importance based on a narrower context e.g. the townland. Similarly a well-designed building by a prominent British or Irish architect will be considered of higher status than say a modest 19th century terrace house, unless the sheer number of buildings of a particular category being lost increases the importance of those that survive. Northern Ireland's vernacular buildings are a case in point.

Grading of Listed Buildings

- C9 Buildings listed by the Department are divided into three grades; A, B+ and B to give an indication of their relative importance. The gradings are not statutory but they are used by the Department as a management tool to help in administering levels of grant to owners of listed buildings. The categories contained within the list can be briefly defined as follows:

Grade A : buildings of greatest importance to Northern Ireland including both outstanding architectural set-pieces and the least altered examples of each representative style, period and grouping. There are 193 buildings in this category (June 1997).



Grade B+ : buildings which might have merited grade A status but for detracting features such as an incomplete design, lower quality additions or alterations. Also included are buildings that because of exceptional features, interiors or environmental qualities are clearly above the general standard set by grade B buildings. A building may merit listing as grade B+ where its historic importance is greater than a similar building listed as grade B. There are 388 buildings listed in this category (June 1997).

Grade B : buildings of local importance and good examples of a particular period or style. A degree of alteration or imperfection of design may be acceptable. There are 7,439 buildings in this category (June 1997). Since 1987 the Department has been banding Grade B buildings into two groups namely B1 and B2.

- C10 Generally B1 is chosen for buildings that qualify for listing by virtue of a relatively wide selection of attributes. Usually these will include interior features or where one or more features are of exceptional quality and/or interest. B2 is chosen for buildings that qualify for listing by virtue of only a few attributes. An example would be a building sited within a conservation area where the quality of its architectural appearance raises it appreciably above the general standard of buildings within the conservation area.

Owner Notification

- C11 The Department will normally serve a non statutory advance notice of listing upon the owner which explains that it intends to list the property. This is followed by a statutory notice informing the owner and occupier(s) that the building has been listed. This includes an explanatory note which states that the building is subject to listed building control and that listed building consent is required from the Department for demolition of the building or any works either to the exterior or interior which would affect its character. It also states that it is an offence to carry out such works without listed building consent or not to comply with any condition attached to a listed building consent. The notice also states that conviction for such an offence can result in a fine or imprisonment. Listed building status may provide the owner with certain tax advantages and also the possibility of grant aid from the Department's Environment and Heritage Service for approved repairs and maintenance.

Public Access to the List

- C12 The list of buildings of special historic or architectural interest is available for the public to inspect at the Monuments and Buildings Record held by the Environment and Heritage Service at 5 - 33 Hill Street, Belfast. Sections of the list can also be inspected at the offices of the appropriate district council or at the appropriate Divisional Planning Office.

List Description

- C13 The list includes a Departmental reference number, the name and address of the building and a brief description, bibliographic references and the date of erection,

where known. In some cases the list may set out the most important features of the building. In such a case this description is not intended to be a comprehensive or exclusive record. Absence from the list description of any reference to a feature (whether external, internal or within the curtilage) does not indicate that it is of no interest, or that it can be removed or altered without consent. Where there is doubt, advice should be sought from the Environment and Heritage Service. The current re-survey will, where appropriate, enhance existing descriptions and information on listed buildings.

Fixtures and Curtilage Structures

- C14 Further guidance to what can be included on the list is given in Article 42(7) of the 1991 Planning Order. This article explains that the term “listed building” refers to any building included in the list and that the following is also treated as part of the building:
- (a) any object or structure within the curtilage of the building and fixed to the building; and
 - (b) any object or structure within the curtilage of the building which, although not fixed to the building, forms part of the land and has done so since before 1 October 1973.
- C15 The word “fixed” has the same connotation as in the law of fixtures, where any object or structure fixed to a building should be treated as part of it. It is a test therefore of fact in each case as to whether a structure is free-standing or physically fixed to the building. Generally it would be reasonable to expect some degree of physical attachment, the intention of which is to make the object an integral part of the land or building. Examples of fixtures to a building would normally include items such as chimney pieces, wall panelling and painted or plaster ceilings.
- C16 It may be difficult however to decide whether a particular object or structure is a fixture or not. Free standing objects, such as statues, may be fixtures if they were put in place as part of an overall architectural design: this would include objects especially designed or made to fit in a particular space or room. But works of art which were placed in a building primarily to be enjoyed as objects in their own right, rather than forming part of the land or building, are not likely to be considered as fixtures. However, each case must be treated in the light of its own facts, and owners that contemplate works are advised to contact the Department.
- C17 The listing of a building affords protection to those objects or structures contained within its curtilage which form part of the land and have done so since before 1 October 1973. Examples of such objects might include stables, mews buildings, garden walls, a gate lodge or stone setts. There is no exact legal definition of a building’s curtilage and this sometimes causes difficulties, but the following considerations may be of assistance in determining what is included within the curtilage:



- the historical independence of the building;
- the physical layout of the principal building and other buildings;
- the ownership of the buildings now and at the time of listing;
- whether the structure forms part of the land at present; and
- the use and function of the buildings, and whether a building is ancillary or subordinate to the principal building.

C18 Changes in ownership, occupation or use after the listing date will not bring about the delisting of a building which formed part of the principal building at the time of listing. Ancillary buildings which served the purposes of the principal building at the time of listing or at a recent time before the building was listed, and are not historically independent of the principal building, are usually deemed to be within the curtilage. Where a self-contained building was fenced or walled off at the date of listing, regardless of the purpose for which it was built or its use at the time of listing, it is likely to be regarded as having a separate curtilage. To be within the curtilage, the structure or building must still form part of the land at the time of listing, and this normally means that there must be some degree of physical connection to the land i.e. the curtilage building was part and parcel of the main property when it was listed. As with fixtures however this guidance does not purport to be definitive and the Department will often need to consider the facts of each case.

Right of Appeal

C19 There is no right of appeal against listing. However, an owner or occupier can write to the Department at any time, if they consider that the building is not of special architectural or historic interest sufficient to justify its listing. Such a claim must be supported by factual evidence relating only to the special architectural or historic interest ascribed to the building in the list description. The Department may then reassess the building's merit in light of the information supplied (see C21 below).

Certificates of Immunity from Listing

C20 Provided that planning permission is being sought or has been obtained, any person may apply to the Department to issue a certificate stating that it does not intend to list the building or buildings involved in the planning application (Article 43 of the 1991 Planning Order). Before issuing a certificate the Department will consult with the Historic Buildings Council and the local district council. Where a certificate is issued, the building cannot be listed for five years. However, if the Department does not grant a certificate, then it will normally add the building to the statutory list. This procedure gives greater certainty to developers proposing works which will affect buildings that might be eligible for listing.

Delisting

C21 Buildings are sometimes removed from the list. This may be because the Department has been seen fit to grant listed building consent to demolish or severely alter the building, or because an interested party (usually the owner) has demonstrated to the satisfaction of the Department that the building itself, or

documentary sources in support of listing, were incorrectly assessed at the time of the original listing decision. As with listing, the Department is obliged to consult the Historic Buildings Council and the appropriate district council before removing a building from the list. The Department will then serve a notice on the owner and occupier to the effect that the building has ceased to be listed, with an explanation for the decision.



Annex D: The Upkeep and Repair of Listed Buildings

Maintenance and Repair

- D1 Regular maintenance and repair are essential to the conservation of historic buildings. Owners who inspect their building regularly and are prepared to carry out routine maintenance and any necessary repairs to keep it weathertight, can prevent much more expensive work becoming necessary at a later date. It is a mistake to think that historic buildings have a fixed lifespan. In fact, unless there are intrinsic defects in design or materials, the lifespan of an historic building may be indefinite provided that routine maintenance and occasional replacement of individual elements, such as renewal of roof coverings and other features, are carried out before the failure of one element is allowed to adversely affect others. Major problems are most often the result of prolonged neglect, so it is essential that owners make regular inspections and adopt a systematic approach to maintenance.
- D2 Most repair work to historic buildings will require the use of traditional materials and in some cases may involve specialist/traditional skills, so when employing a builder it is essential to make sure he is prepared to take the correct approach. Listed building owners should not hesitate to seek expert advice from the Department's Environment and Heritage Service who can provide professional guidance on the use of materials and restoration techniques. Environment and Heritage Service has published "An Owner's Guide" to caring for listed buildings, a series of Historic Building Technical Notes and, in conjunction with the Ulster Architectural Heritage Society, has also published a "Directory of Traditional Building Skills". These three references should prove a useful source of information to all listed building owners and are obtainable on request from the Environment and Heritage Service.
- D3 While there is no specific duty on owners to keep their buildings in a good state of repair it will normally be in their interests to do so. The Department has statutory powers to take action where an historic building has deteriorated to the extent that its preservation may be at risk (see below). In practice the Department will normally try to enter into dialogue with the listed building owner in an attempt to find a way to rectify the situation before resorting to legal action.

Urgent Works

- D4 Article 80 of the 1991 Planning Order enables the Department to carry out urgent works for the preservation of a listed building. The owner of the building must be given at least seven days notice in writing before the Department takes any action and the notice must describe the nature of the proposed works. These powers can only be used in respect of an unoccupied building, or the unused part of a partly occupied building. Article 80 also enables the Department to direct that these powers shall apply to an unlisted building in a conservation area if it appears that its preservation is important for maintaining the character or appearance of the conservation area.

- D5 These powers are confined to urgent works and are intended to cover only emergency repairs, for example works to keep a building wind and weatherproof and safe from collapse, or action to prevent vandalism or theft. The steps taken would be the minimum required to achieve this objective.
- D6 The Department may serve a notice on the owner requiring payment for the costs of urgent works carried out under these provisions, which may include any continuing expenses involved in making available the apparatus or materials used; such as tarpaulins or scaffolding. The owner has 28 days from the service of the notice to appeal to the Planning Appeals Commission on any of the following grounds:
- (a) that some or all of the works were unnecessary for the preservation of the building;
 - (b) that temporary arrangements have continued for an unreasonable length of time;
 - (c) that the amount specified in the notice is unreasonable or that its recovery would cause the owner hardship.

The owner and the Department will be informed of the Commission's decision and its reasons, as well as the amount deemed recoverable. There is no further appeal after the Commission's determination.

Repairs Notices

- D7 If a listed building has fallen into a poor state of repair and reasonable steps have not been taken to properly preserve it, the Department may serve a repairs notice on the owner under Article 109(4) of the 1991 Planning Order. This notice will specify the works which the Department consider reasonably necessary for the proper preservation of the building and must explain that should the owner fail to comply with the requirements of the notice, then proceedings to compulsorily acquire the building may be started. These powers are not confined to urgent works, nor to unoccupied buildings, and could be used where prolonged failure by an owner to keep a listed building in a reasonable state of repair has placed the building at risk.
- D8 The works will normally be limited to the preservation of the building as it was when listed. It can be used for repairs to deterioration in the building's fabric since that date but not to restore other features that were already missing or damaged. If, however, repairs are necessary to preserve what remains of the rest of the building, for example, repairs to a roof which was defective at the time of listing, then these can be included in the repairs notice. The Department has the right to withdraw a repairs notice at any time. If the notice is withdrawn then the owner will be notified immediately. Unlike urgent works, the Department has no power to issue repair notices in respect of unlisted buildings in conservation areas.



Compulsory Acquisition of Listed Buildings in Need of Repair

- D9 If at least two months have elapsed following the service of a repairs notice and it appears that the listed building owner has not taken any reasonable steps for the proper preservation of the building, then under Article 109 of the 1991 Planning Order the Department, if it considers it expedient in order to preserve the building, may begin vesting order proceedings to compulsorily acquire the building. The vesting order may include the building together with any neighbouring land required for preserving the building or its amenities or for allowing access to it or for its proper control or management. Articles 87-93 of the 1991 Planning Order shall, with any necessary modifications, apply in relation to compulsory acquisition proceedings. Scheduled monuments and other buildings the subject of a guardianship or protection order under the Historic Monuments and Archaeological Objects (NI) Order 1995 are excepted from the provisions of Article 109.
- D10 Compulsory acquisition is seen as a last resort. The Department's Environment and Heritage Service may be able to offer financial assistance for repairs, or may advise on other methods of funding. If the owner is not interested in restoring the listed building or does not have the means, then selling or leasing the building to a restoring purchaser should be considered and the Buildings at Risk Register produced by the Ulster Architectural Heritage Society in association with Environment and Heritage Service may prove very helpful in finding a potential purchaser.

Annex E: Guidelines for the Alteration, Extension and Maintenance of Listed Buildings

E1 These guidelines have been compiled primarily for the consideration of owners and their agents in the preparation of applications for listed building consent or Historic Building grant aid. In view of the considerable variety in the character and type of listed buildings these guidelines cannot be comprehensive. Nevertheless they do summarise the characteristics and features which make up the special interest of most listed buildings and will therefore be given full weight in the process of judging listed building consent applications alongside other considerations and in assessing grant applications. Every listed building has its own characteristics which are usually related to an original or subsequent function and these should as far as possible be respected when proposals for alteration are put forward. It must also be remembered that marks of special interest appropriate to a particular type of building are not restricted to external elements.

General Considerations

E2 It is always important to differentiate between statutory requirements, recommendations and the corporate policies of owners, insurers and others as the boundaries are often confused. Listed buildings are bound by the same statutory rules as is any other building unless the particular statute provides for an exemption or a waiver. For example, local councils have the power to relax certain requirements of the Building Regulations where their strict application would be unreasonable in a particular case and the Department would encourage the Building Control sections of councils to adopt a flexible approach in respect of work to listed buildings. The Department would similarly encourage the Fire Authority for Northern Ireland to adopt a sympathetic approach when exercising their responsibilities under fire safety legislation in respect of listed buildings. While British Standards are not statutory the Department would commend the advice and guidance set out in BS 7913:1998 "The Principles of the Conservation of Historic Buildings". It will often be possible therefore for proposals to meet the requirements of statutory regulations and other standards in a way which does little or no damage to the character of listed buildings and the Department will expect applicants for listed building consent to have fully investigated these matters.

The Guiding Principles for Conserving Historic Buildings

E3 There are three main guiding principles that will ensure that the character of the listed building is safeguarded when changes to its fabric are being proposed:-

- (1) The first principle is that of minimum interference and every scheme should therefore aim to conserve a maximum of the original fabric of the listed building, whether or not it will be seen. An historic building is like a coded book and every inch of it speaks to us about its past, its owners, its builders, fashions, customs, times of plenty and times of scarcity. Each piece of its fabric lost is like tearing a page out of this history book. A certain



amount of replacement is inevitable, but the practicalities of repair must always be weighed in the balance before that decision is finally made.

- (2) The second principle is that the listed building in its original form should remain the dominant feature in relation to any additions or extensions proposed to it. There are certain historic buildings where any extension would be damaging and such works will therefore not normally be acceptable.
- (3) The third principle relates to architectural styles when altering or adding to the listed building. Sometimes it will be essential for new work to match the existing architectural style. This would certainly be true where a relatively minor alteration, for example making a window into a door, was to be made to a building of one definite architectural style. However when more extensive changes are being considered, for example the addition of a substantial wing, then it may be acceptable for the new work to make its own architectural statement which could contrast, but must never compete, with the original building. Where an extension wishes to copy the original building it is critical that it does so accurately. A poor copy will always be unsatisfactory and can never exist in harmony with the original building. Whichever stylistic path is chosen, if the new work will finally form part of the architectural perception of the listed building then the most important factor in the design is that the quality of the new work is a match for the old.

Building Elements

- E4 The following paragraphs will look at each building element in turn and examine the general criteria that will be applied in assessing proposals for works to listed buildings. It is impossible to describe every situation and problem that can arise and the guidance does not purport to be a manual of good conservation practice and should not be used as such. Those seeking more detailed information about any aspect of conservation work referred to briefly in this annex should contact the Department's Environment and Heritage Service at 5 - 33 Hill Street, Belfast where further advice will be available.

Roofs

- E5 The roof is nearly always a dominant feature of a building and the retention of its original structure, shape, pitch, cladding and ornament is important. Natural slate and lead are the most common materials to be found on the roofs of listed buildings in Northern Ireland. Other roofing materials include thatch, tiles and copper. These traditional roof coverings should be retained wherever possible and their replacement with modern substitute materials will not normally be acceptable. The relationship of the roof to the supporting walls at verges, eaves and parapets are also important features and part of the historic character of most listed buildings. Such details should not be altered during renovations. Where original timber or metal framing remains in a roof this too can contribute greatly to the historic interest of the building as a whole.

- E6 The provision of roof ventilation will normally require listed building consent as it is likely to alter the appearance of the building. Where such work is proposed it should be undertaken without disfigurement to the roof, so thought will be required before deciding on a suitable method. There is a wide range of manufactured items to choose from. If it is the intention to use a standard item then it will be helpful if a section of trade literature is submitted with the listed building consent application in order that the precise item type, material, colour etc. can be established. An alternative is to copy the design of traditional ventilators.

Dormers and Rooflights

- E7 Original dormer windows should be retained and carefully repaired. If beyond repair they should be reconstructed with all details reproduced. Enlargement of existing dormers on principal elevations should normally be avoided. Any decision as to whether new dormers or roof lights can be added to a roof must be approached carefully. Historic roof structures must not be damaged by their insertion. This can be difficult to achieve as original ties and braces can get in the way and where alterations would result in large scale loss of original fabric they will not be acceptable. New dormers should not upset a symmetrical design of an historic building, while in terraces their introduction may be inappropriate in townscape terms. New rooflights may provide an alternative in such cases, although they should be in flush fittings and not located on prominent roof slopes.

Chimneys

- E8 These are essential elements for most listed buildings and are important to their silhouette and three dimensional character. In some instances they will be part of the formal architectural composition. In terraces and groups the exact form and detailing can be critical to the overall architectural concept. In many cases chimneys also perform a vital structural function and they should generally be kept whether or not they continue to have a functional use. When it is necessary to build a new chimney it must be considered as a positive part of the listed building. A stainless steel tube bracketed to the wall can only detract from the character and quality of the parent building. Chimney pots, especially in groups and terraces, are often an important architectural element in their own right and a traditional roofscape may be damaged if they are removed.

Rainwater Goods

- E9 Rainwater goods should not interfere with any mouldings or decorative features. The profile of guttering and the positioning of downpipes are often part of the formal architecture of a listed building and are to be respected in any scheme of work. Where the contribution of the guttering is less formal it will still be important to keep to original profiles and to use traditional materials.

External Wall Finishes

- E10 Most listed buildings are stone, brick or rendered, a few are faced in faience or terracotta or are half timbered. Of these finishes, render is the one most prone to inappropriate changes. The character of an historic building can be considerably altered by choosing a render that has not been based on a proper study of historic



mixes. To render over stone and brick finishes will not normally be acceptable because of the resulting change to the building's character. Equally it will be wrong to strip render to expose stonework if it is clear that the building was historically rendered. When considering a new render particular attention should be given to the choice of sand and aggregate in the mix, as this choice will affect both colouring and texture. Modern rendering techniques such as dry dashing are rarely appropriate.

Inscriptions and Other Features

- E11 Inscriptions, date stones, coats of arms etc. are all an important part of the history of a building and such features should be retained in situ wherever possible. Signs and advertisements will require listed building consent. Where considered acceptable in principle they should be carefully designed and positioned with appropriate fixings that will not damage the building.

Windows

- E12 As a rule, windows in historic buildings should be repaired, or if beyond repair should be replaced "like for like". In considering listed building consent applications for additional windows it is important that their design, scale and proportion should be sympathetic to the character of the building. The fact that owners so often wish to alter windows demonstrates that windows attract the attention of practically anyone who objectively looks at a building. They are the eyes of the building and they catch the eye. The finish, the material from which they are made, the method of opening, the subdivisions of the glass, the characteristics of the glass, the interplay of panes, the profiles of each component, the relation of sills, architraves, encasements, shutters etc. all play their part in the overall character of the window. The window plays a vital role in the overall appearance and character of the building internally as well as externally.
- E13 Old windows were generally made of sturdy materials, they may look shabby and rundown and they may fit badly and admit drafts but nevertheless it is possible, more often than not, to repair and restore the original units. Repair rather than replacement should be the first aim in any scheme for a listed building. Original timber sliding box sash windows and casement windows can be fitted with seals, gaskets and improved ironmongery to provide a performance that will match any modern window type.
- E14 Within the broad window types such as sash or casement there is a wide variation of detail according to date, function and region. Standardisation to one pattern should be avoided. The thickness and moulding of glazing bars, the size and arrangement of panes and other details should be appropriate to the date of the building or to the date when the aperture was made.

Replacement Windows

- E15 The insertion of factory made standard windows of all kinds, whether in timber, aluminium, galvanised steel or plastic is almost always damaging to the character and appearance of historic buildings. In particular, for reasons of strength the thickness of frame members tends to be greater in plastic or aluminium windows

than in traditional timber ones. Modern casements with top-opening or louvred lights or asymmetrically spaced lights are generally unsuitable as replacements for windows in historic buildings. Such alterations will not therefore be permitted be allowed. Architects' drawings and specifications should make clear the manner in which new windows are intended to open.

- E16 It is usually impossible to install double-glazed units in existing frames without altering the character or appearance of a listed building. Listed building consent is quite likely to be refused for such an alteration because the form and detailing of windows is so often a key architectural element of historic buildings. The more complicated the glazing pattern the more difficult it will be to double glaze and for the installation to meet acceptable conservation standards. Conversely, where there is a simple undivided single sheet of glass in each frame double glazing can usually be fitted without any appreciable change to the appearance and character of the window.
- E17 Where there are difficulties, the first step is to discover, by calculation, whether or not double glazing would provide a material benefit in controlling heat loss. Traditional internal timber shutters and good quality curtains will give an equal performance during the hours of darkness. However, heat may be lost through other routes. Commonly this is via the air gaps around badly fitting frames. The installation of draft strips and weather seals is a simple and very effective procedure. Reglazing with thicker single sheet glass or the installation of secondary glazing are other options that will not normally require listed building consent. Plastic strips simulating glazing bars and sandwiched into the cavity of the double glazed unit are not an acceptable conservation option.
- E18 In certain circumstances trickle ventilation will be a statutory requirement. There are a variety of ways to modify the designs of traditional windows to make this provision and there are ventilators available that have been specially designed to meet conservation criteria. Where difficulties arise it is as well to remember that the purpose of the ventilator is simply to ventilate the room; it is not a requirement that it be provided through the window. Other locations should therefore be assessed in difficult circumstances.

Doors

- E19 Original doors, both external and internal, and their encasements are important elements in listed buildings and wherever possible they should be retained. Their replacement or defacement is often entirely unnecessary. The main features that characterise doors are their size, shape, proportions, the method of construction and individual details such as fanlights or knockers. Timber doors may be sheeted or panelled. The panels may be flush, recessed, fielded and may be decorated with mouldings. Finishes are important as are ironmongery and fittings. Replacement doors should copy the original in the materials, the detail of design and the paint finish. Modern off-the-peg doors are not generally acceptable for use in listed buildings, nor are doors with incongruous design features such as integral fanlights. or furniture such as knockers, letter boxes or moulded details should not be removed or mutilated but retained even if the doorway is redundant.



- E20 A modern threat to original doors is protection against fire. Consideration should always be given to ways of retaining original doors. These may include fitting a second door to create a lobby, providing additional escape routes, or investigating a fire engineering approach. Sometimes work to original doors cannot be avoided, but there are techniques that provide the required fire ratings with only minor loss of character. It should also be noted that it is now possible to obtain a waiver for listed buildings from the requirement under fire safety legislation to raise door heights to modern standard heights.

Changing Openings

- E21 Door and window openings establish the character of an elevation and should not generally be altered in their proportion or details. Alterations will only be considered where all reasonable alternatives for continued use have been carefully examined. Sometimes such alteration is unavoidable, but it should be noted in load bearing masonry walls this will almost always create a structural weakness for all time. Where it is proposed to close existing openings it will be important that evidence of that opening is featured in the new work. Sometimes this will entail the retention of the window or door and blocking in behind. This is particularly important in terraces for the sake of the overall design of the terrace. On other occasions it may be acceptable to simply recess the blocking to maintain the outline of the old opening or to conserve a sill or an architrave as evidence of the change. In this way the pattern of change can add to the historic interest of the building.

Shop Fronts

- E22 Old shop fronts are already very rare. Wherever shop fronts of merit survive they should be retained and any alterations will require the greatest care and attention. Features of value such as blinds in blind boxes, shutters in shutter boxes against an upright and stall-risers should be retained. Often such features are concealed behind later alterations and premises where works to shop fronts are proposed should be checked for the possible survival of such features. The major threats to old shop fronts are security, fashion, advertising and the corporate image. However, there are almost always ways to meet reasonable working needs without resorting to wholesale change and increasingly, in the commercial world, it is now being recognised that individualism, when it is of good quality, is often better for business than thoughtless standardisation.

Shop Blinds and Security Grilles

- E23 Retractable apron blinds covered in canvas are often characteristic features of historic shopfronts and should be retained. Modern plastic canopies are not acceptable. External steel roller shutters are not suitable for historic shopfronts. Acceptable alternatives include laminated glass and internal shutters.

New Shop Fronts

- E24 New shop fronts should be designed in sympathy with the rest of the elevation and incorporate any ground floor details of interest. Large inserted plate-glass shop fronts without any visual support for the upper part of the premises can have an unfortunate effect, and shop fronts should not extend into the storey above or alter

the proportion of first floor windows. Modern materials such as plastics are to be avoided as facings. The fascia board should not be out of scale with the building as a whole and should usually be finished at the top with console brackets and a cornice or other capping. Not only is this the traditional treatment for shop fronts but the cornice provides an architectural division between the modern shop front and the old upper floors.

- E25 Depending on the nature of a proposed commercial or office use, it is very often unnecessary to provide display windows and thus alter an intact ground floor. Existing openings should be retained wherever possible, and if alteration is necessary it should only be to the minimum extent required. Standard corporate shop fronts are seldom appropriate for historic buildings, nor are internally illuminated fascia boxes or signs. The prestige value of listed building premises and their distinctive detailing can be emphasised instead.

Ironwork

- E26 Where original ironwork exists it is often an important feature sometimes giving unity to a group or terrace of historic buildings. Local foundries and blacksmiths developed individualism in their work and this local flavour can give a particular character to an area or locality. Broken cast iron can be repaired and damage should not be regarded as an excuse for removal. In some areas there is pressure to convert gardens and yards to parking but if this means loss of ironwork or other important features or if the proposal intrudes into a unified landscape, proposals are likely to be refused.

Conservatories

- E27 A new conservatory is a new extension and the same criteria for a successful listed building consent application pertain as for any other extension. The first consideration is the relationship of the proposed new structure to existing architectural features. The second is the intrinsic quality of the new design and the third is the sympathetic choice of materials and finishes. The design can be thoroughly traditional or thoroughly up to date. Whichever is chosen it must have a quality that will equal the qualities of the parent building.

Parapets and Other Features

- E28 Parapets (solid or balustraded), pediments, parapeted or coped gables and saddlestones, eaves, cornices and moulded cappings are essential terminal features in the articulation of an elevation of an historic building. If they have to be replaced, it should be in facsimile and in the same materials.

Porches

- E29 Porches are sometimes the dominant feature of an elevation; their detailing should always be respected. Open columned porches of the classical type should not normally be enclosed (e.g. with glazed sides and doors to the front), but should be left open. In those instances where new porches are considered acceptable, their design should be undemonstrative and should not challenge the integrity of the facade.



Balconies and Verandas

- E30 Balconies and verandas are very often formal components in the design of an elevation. They should be maintained and repaired wherever possible; and if they have to be replaced, facsimiles should be erected using matching materials. As with porches they should not normally be enclosed with glazing.

Interiors

- E31 Doors have been discussed separately at E19 above. Equally important to the special interest of many historic buildings are other internal features such as original floorboards, stairways, dadoes, balustrades, panelling, skirting, chimneypieces, chimneybreasts, decorative plasterwork and in some of the more important interiors the paintwork, gilding, gesso etc. Very often important early features may be brought to light during refurbishment works. Fittings too are often of considerable historic and/or architectural importance; for example curtain fittings, early light fittings, sanitary and kitchen fittings, mirrors and built in paintings. While it is more difficult to generalise about interiors than the external elements of an historic building, all internal features and fittings of interest should be respected and left unaltered as far as possible.

Minor Additions to Listed Buildings

- E32 There are also some external fixtures that require listed building consent when they affect the character of a listed building. These include satellite dishes and aerials, burglar alarms, sensors, exit signs, security and other floodlighting. Only non-damaging and visually unobtrusive positions for such fixtures will normally be permitted. The principle when proposing such fixtures will be to put the building first and maximum use should be made of existing cavities and clearways such as disused flues, roof spaces and cellars. Where it is unavoidable that such features will be seen, they should be designed to integrate with the older features of the building by the careful choice of fitting, location and colour. Acceptable alternative locations for satellite dishes include outbuildings, yard and garden walls and separate and detached purpose built low level mounting cradles.

Escape Stairs in Case of Fire

- E33 The requirement for escape stairs may originate in a change of use or the need for a fire certificate. If additional stairs have to be provided then listed building consent will be required. The preferred option will always be to provide escape stairs in a new extension to the building where this is acceptable in principle. The next best option will be to locate them discretely inside the envelope of the listed building while the least satisfactory solution will be to provide a staircase externally. Any external staircase comprises an extension to a listed building and a location and design that is sympathetic to the character of the listed building will be required. The use of appropriate materials and finishes as well as a positive relationship to existing architectural features will be critical considerations. A well designed staircase can be a positive enhancement, but a cheap, basic steel ladder will never be appropriate.

Ramps and Access for People with Disabilities

- E34 It is often essential for the continuing use of historic buildings that people have access to them. In many cases provision of access for people with disabilities is mandatory. Alterations to a listed building to provide such access will normally require listed building consent.
- E35 Many listed buildings have been designed to have elevated processional entrances. Often these are the most impressive elements of the entire architectural composition. In these instances the greatest care must be taken in the design of the new works. Where there is symmetry it is essential that this is maintained. Where there is a natural slope across a site it may be possible to take advantage of this in the design process. In some cases permanent ramps to optimal standards are just not practically or aesthetically acceptable and in these instances alternatives will have to be investigated. Such alternatives include, the use of a temporary ramp, a hydraulic platform lift, a chairlift, assisted access or access by way of another entrance.

Cable Services

- E36 If the installer holds a licence granted by the Secretary for Trade and Industry under the Telecommunications Act 1984 then the installer is bound to notify the Department's Environment and Heritage Service in advance of any proposed works that may alter the appearance of a listed building. If the installer does not hold such a licence then listed building consent will normally be required. The design for such an installation should be formulated with the aim that it will have a minimal impact on the appearance of the listed building. There will however be the occasional instance when the prospective impact will be so great that the installation can not be approved.

External Cleaning

- E37 Cleaning a building normally requires listed building consent. This is not only because cleaning can have a marked effect on the character of buildings, but also because cleaning processes can affect the historic fabric. The cleaning of a building within a homogeneous terrace would obviously affect the appearance of the terrace as a whole. Certain efforts to clean historic buildings have created long term problems of discoloration and decay. It is equally true that some historic buildings have been enhanced by good quality cleaning. The pros and cons for cleaning buildings are therefore the basis for an ongoing debate. The keyword is care; care in assessing the work at the start, care in specifying methods and materials and care in execution and supervision.

Protection of Listed Buildings during Building Works

- E38 Protection is always necessary to a greater or lesser extent when work to a listed building is underway. This may be as little as providing a few dust sheets and sealing communicating doors to prevent dust and dirt from invading the whole building. Especially vulnerable features will need greater protection. Stairs are one element commonly damaged and abused during building work. If work is so

extensive that the user has to leave the building empty then security measures against vandalism and theft must be considered; this may entail the removal of important and valuable fittings to safe storage elsewhere. Due consideration should always be given to the wording of the Building Contract to protect fittings and features during the works.



Annex F: List of Useful Addresses

| District Council Area | Divisional Planning Offices |
|--|---|
| Antrim Ballymena Carrickfergus Larne Magherafelt | Ballymena Divisional Planning Office County Hall 182 Galgorm Road BALLYMENA, BT42 1QF Tel No: (01266) 653333 Fax No: (01266) 662127 E-mail: divisional.planning.office.ballymena@nics.gov.uk |
| Armagh Banbridge Craigavon Newry & Mourne | Craigavon Divisional Planning Office Marlborough House Central Way CRAIGAVON, BT64 1AD Tel No: (01762) 341144 Fax No: (01762) 340165 E-mail: divisional.planning.office.craigavon@nics.gov.uk |
| Derry Limavady | Londonderry Divisional Planning Office Orchard House 40 Foyle Street LONDONDERRY, BT46 6AT Tel No: (01505) 319900 Fax No: (01504) 319777 E-mail: divisional.planning.office.londonderry@nics.gov.uk |
| Belfast Castlereagh Newtownabbey | Belfast Divisional Planning Office Bedford House 16 – 22 Bedford Street BELFAST BT2 7FD Tel No: (01232) 252800 Fax No: (01232) 252828 E-mail: divisional.planning.office.belfast@nics.gov.uk |
| Ards Down Lisburn North Down | Downpatrick Divisional Planning Office Rathkelter House Market Street DOWNPATRICK, BT30 6EJ Tel No: (01396) 612211 Fax No: (01396) 618196 E-mail: divisional.planning.office.downpatrick@nics.gov.uk |
| Cookstown Dungannon Omagh Strabane | Omagh Divisional Planning Office County Hall Drumragh Avenue OMAGH, BT79 7AE Tel No: (01662) 254000 Fax No: (01662) 254010 E-mail: divisional.planning.office.omagh@nics.gov.uk |

**District Council Area****Sub-Divisional Planning Offices**

Ballymoney
Coleraine
Moyle

Coleraine Sub-Divisional Planning Office
County Hall
Castlerock Road
COLERAINE, BT51 3HS
Tel No: (01265) 41300 Fax No: (01265) 41434
E-mail: divisional.planning.office.coleraine@nics.gov.uk

Fermanagh

Enniskillen Sub-Divisional Planning Office
County Buildings
15 East Bridge Street
ENNISKILLEN, BT74 7BW
Tel No: (01365) 327270 Fax No: (01365) 328016
E-mail: divisional.planning.office.enniskillen@nics.gov.uk

Planning Service Headquarters

Clarence Court
10-18 Adelaide Street
BELFAST, BT2 8GB
Tel No: (01232) 540540 Fax No: (01232) 540665
E-mail: planning.service.hq@nics.gov.uk

Environment and Heritage Service

Built Heritage
5-33 Hill Street
BELFAST, BT1 2LA
Tel No: (01232) 235000 Fax No: (01232) 543111
E-mail: hmb.ehs@nics.gov.uk