

# Criteria for Listing Review

April 2010





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## Summary

This Document sets out a review of the 'criteria for listing' which was carried out by NIEA during 2008. It considers the initial Ministerial direction, the situation in other parts of the UK and in the Republic of Ireland and the issues raised in correspondence with the Department or at Planning Appeals in recent years. It formed the basis for initial consultation within DoE and with the Historic Buildings Council of Northern Ireland during 2009 and has led to the current public consultation on new criteria for this important function.

This background review, which is referred to in the public consultation, is being published to aid public clarity in regard to the issues considered in drawing up the new proposals.

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## 1. Why a review?

The former Minister of the Environment announced her intention to carry out a review of the criteria for statutory listing in response to an Assembly Question on 18 February 2008. The question, which was tabled by Nelson McCausland MLA, followed a number of previous correspondence cases and Assembly Questions which had raised the issue of the criteria. A number of correspondents had queried the assessment of historic interest in particular in regard to the statutory listing of heritage buildings. At the very least this indicated a lack of clarity and understanding in the public mind in regard to the criteria currently governing the area.

The Ministers full reply to the following question was as follows:

*'To ask the Minister of the Environment, to outline her plans to (i) review the criteria under which buildings of historic and architectural significance are listed and (ii) take account of the criteria used in other parts of the UK as part of this review ?'*

*'I have asked the Environment and Heritage Service to review the criteria under which buildings of special architectural and/or historic interest are listed.*

*I recognise that the well established criteria used in Northern Ireland are in accord with those used throughout the UK as indeed is the legislation under which the buildings are listed, thus the review will take full account of the criteria used in other parts of the UK.*

*These criteria were – certainly until this year - the most detailed and transparent used anywhere in the UK. Which reflects the fact that the Second Survey was the last resurvey commenced in the UK and considered the experiences of elsewhere.*

*However, I am aware that there have been concerns raised in recent times in regard to the application of historical criteria in particular and that a clarification of these and the other criteria may be beneficial.*

*In regard to the rest of the UK, I understand that draft listing criteria have recently been issued in Scotland and England and I will keep these proposals under review. However I note that their proposals for historic interest are almost identical to those currently used in Northern Ireland. This reflects the fact that there is a common legislative basis.'*

Since June 2008 the Environment and Heritage Service has been replaced by the Northern Ireland Environment Agency which has taken on responsibility for heritage matters. The 'Second Survey' referred to is the Second Survey of Buildings of architectural and historic interest. Since 1997 this has been reviewing in detail the historic buildings of Northern Ireland on an area by area basis. Currently around a quarter of the region has been covered with a target for completion of 2016 (revised to 2020 from April 2010).

In subsequent questioning the Minister indicated that the opportunity offered by the review would be taken to provide guidance to local authorities on the criteria to be used to establish a 'local list'. The power to create such a list is to be devolved in 2012 to councils as part of the Reform of Public Administration. A local list can be understood as a group of historic buildings of lesser importance than those protected on the statutory list of buildings of special architectural or historic interest. Never the less they are considered of sufficient interest to apply some planning controls. It is intended that designation will be defined in Planning Policy as is currently the situation for Areas of Townscape Character and some other heritage controls rather than in the primary legislation which is currently the situation with Listing and Conservation Areas.

## 2. Issues to be addressed.

### **a. Legislation will not be altered as a result of this review**

The criteria for listing are derived from the legislative requirement of Article 42(i) of the Planning Order 1991. This states that:

*'The Department shall compile lists of buildings of special architectural or historic interest and may amend any list so compiled.'*

Though the governing legislation is currently being revised in England (postponed in March 2009 ) to incorporate historic monuments ,archaeological objects and historic parks gardens and battlefields into a revised and wider 'register of historic assets' there is no intention of following a similar route in Northern Ireland at present.

The Department will be also be publishing a draft Planning Reform Bill over coming months. The key aim of this Bill is to speed up decision making in regard to planning applications and to clarify the new role and responsibilities of Local Authorities in the Planning Process.

This review therefore will not be considering the legislative requirement. This will remain as Scotland and as it currently pertains in England and Wales. The review will concentrate solely on the criteria that interpret this legislative requirement.

### **b. Historic Interest**

The issue of historic interest will form a key focus of the review. This aspect has provoked more controversy than any other over the ten years since the introduction of the current criteria. In a number of high profile cases it has been argued that the fact that a historical person of note resided for a time in a building has increased its importance to society and that this should result in listing. A similar argument has been deployed by some individuals in regard to occupants – such as politicians- who may be regarded of lesser importance by society as a

whole. The refute used by the Department on some of these occasions, though consistent with other parts of the UK, that the building has to be key to any decision has not been widely accepted. Tourist trails and other community initiatives to highlight heritage rely upon structures to encourage users and illustrate good stories. The loss of buildings associated with individuals diminishes such potential.

### **c. Architectural Interest.**

Decisions by the Department in regard to architectural interest have provoked concern over the last ten years mainly in regard to the standard of 'special' which has been applied. Delisting of buildings no longer thought to meet the test as a result of inappropriate change has proved controversial (almost as many buildings have been delisted as added to the list in the Second Survey of Northern Ireland in contrast to Second Surveys in other parts of the UK). This has been perceived as a licence for further changes, loss of character and demolition. The argument has been made that effectively the standard should be lowered or at least that the new information uncovered by the survey on internal condition should be given less weight. This argument points out that Northern Ireland's heritage is finite and has been significantly affected by bomb damage and redevelopment in a difficult period in which heritage standards have not been the highest priority.

Northern Ireland however, still retains many buildings of high quality which we should be proud of. Its legislation is similar to other parts of the UK and though variations should reflect the differing nature of their architectural legacy of each region, major differences based upon the same legislation would be perverse.

### **d. Clarity**

The issue of clarity lies at the heart of any widely accepted criteria for the isolation of structures worthy of protection. The standard required and the approach taken have to be clear. They must be capable of being understood by the public on whose behalf this work is being carried out. At present the criteria are clear in that they have been set out in detail but there is the potential for confusion as two versions are in operation. Annex C of Planning Policy Statement 6 published in March 1999 gives the official Departmental Policy. The Second Survey reports

published on the NIEA website refer to criteria developed in 1997 at the start of the Survey. The official policy has less stand alone criteria. Its phrases closely mirror the language of policy in other UK regions particularly England.

**e. Consistency**

Consistency of decision making is important if the standard of building protected is to be accepted by society. This requires clear standards which can be referred to and understood by the widest number of people.

### 3. The current criteria.

#### a. Planning Policy

The following text is the current published policy in regard to the criteria for listing buildings. The outcome of this review will be a revision of this Annex.

#### **Annex C of Planning Policy Statement 6, March 1999: 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 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.*

This is followed by sections on: Owner Notification; Public Access to the List; List Description; and Fixtures and Curtilage Structures; Right of Appeal; Certificates of Immunity from Listing; and Delisting.

## **b. Second Survey Listing Criteria.**

The criteria for listing developed for the Second Survey and referred to in all associated reports are as follows:

### ***'LISTING CRITERIA.***

*The overall test for assessing a building's listability is whether it possesses 'special architectural or historic interest'.*

*Article 42 of The Planning ( Northern Ireland ) Order 1991 states that the Department may take into account not only the building itself but also :*

*a. any respect in which its exterior contributes to the architectural or historic interest of any group of buildings of which it forms part ; and*

*b. the desirability of preserving, on the grounds of its architectural or historic interest, any man-made object or structure fixed to the building or which forms a part of the land and which is comprised within the curtilage of the building.*

*The criteria below are not to be scored individually with the building being listed if it achieves a pass mark. They are intended to give guidance to the assessors to enable a consistent approach to be made to the process and to enable others including the owners and researchers to understand why a building has been deemed special enough to be protected.*

*A building will not have to meet all of the criteria but a listed building will normally meet several.*

## **AGE**

*The older a building is the fewer examples are likely to remain and the greater the historical perspective it allows. Each listed building will fall into one of the following categories.*

- a. All buildings pre 1830 that remain in a reasonably unaltered form.*
  
- b. Buildings constructed between 1830 - 1935 of definite quality and character. Including the best works of principal architects.*
  
- c. Buildings constructed between 1935 - 1965 outstanding buildings only. Including the very best works of principal architects.*

## **ARCHITECTURAL INTEREST.**

**A. Style** - *A building may fit within a particular distinctive style e.g. Gothic Revival or Neo-Classical or its style may be more eclectic such as the 'free styles' popular at the beginning of the 20th century. The assessment will gauge the design against the relevant conventions.*

**B. Proportion** - *Designed buildings exhibit systems of proportion both internally and externally, and the assessment will take into consideration the inter-relationship of elements within the overall composition, both in plan and in three dimensions, appropriate to the style. Not all buildings were formally designed and the informality of vernacular buildings have an interest and value of their own.*

**C. Ornamentation** - This should be appropriate to the style and will vary from the rich ornamentation associated with the High Victorian period to the clean lines and deliberate lack of ornamentation of the International style.

**D. Plan form** - This is often the most significant characteristic of a vernacular building where the entrance/ hearth relationship is very important. On a more formal level distinctive plan forms can also be associated with for instance schools, churches and courthouses.

**E. Spatial organisation** - This is an extension of the study of plan forms where more complicated buildings often have a planned three dimensional relationship between spaces.

**F. Structural system** - Load bearing construction is common to all ages and structural frames were used in later buildings. The arrangement of roof timbers may provide the main interest especially in the case of vernacular structures. All constructional types from mud-walling to ashlar stonework are of interest.

**G. Innovatory qualities** - Some buildings are important because they are examples of the early use of building techniques or materials such as patent glazing or they are examples of innovatory layouts such as the Wiltshire schools.

**H+ & h- Alterations** - Buildings may have added interest where they have been added to over the years and illustrate an historic development. Similarly inappropriate extensions and alterations can radically damage a buildings architectural and historical worth.

**I. Quality and survival of interiors** - Sometimes the interior of a building can be more important than the exterior. As in **H** the effect of any alterations will have to be assessed.

**J. Setting** - A building's setting can have a very important bearing on its worth. The assessment will take into account both the integrity of any planned setting, which could extend a considerable distance from the building, and the area immediately outside the site of the building if the curtilage is not

*extensive. Settings and hence buildings are often degraded by insensitive development from a later period.*

**K. Group value** - *A building's architectural interest may be increased when it forms part of a group such as a terrace, square or other planned architectural composition.*

## **HISTORIC INTEREST**

*Usually a building will meet other criteria as well as being of historic interest. Where this is not the case the historic associations must be strong and the following factors would contribute to the case :*

**V. Historic Association / Authorship.** - *The importance of the building in relation to an historic event or development. This development could be industrial, agricultural, commercial or social. The buildings of architects who are recognised as being the leading exponents of their era will be given special attention.*

*A transient association with owners, lodgers or tenants, however eminent, should not normally be considered important.*

**W. National /International interest** - *Some buildings will be of interest within the context of Northern Ireland or even in an International context. This will include vernacular building types particular to Northern Ireland as well as good examples of buildings than are common to many countries.*

**X. Local interest.** - *Most buildings will not be of national interest however they could be of particular local interest or be an example of a building type concentrated within a small geographical area.*

**Y. Social importance** - *Buildings such as churches, community halls and schools will often be of social importance to a community.*

**Z. Scarcity.** - Importance is attached to the rarity of a building type style or construction.

#### **4. LISTING CATEGORIES.**

*The current listing grades will be retained (without suffixes). The grades of listed buildings have no statutory basis and each listed building is protected to the same extent. The grades have historically been used within the grants system where higher levels of grant have been available for the higher grade buildings. The grading system also allows students of historic buildings to see which buildings are considered to be the most important.*

**Grade A** - Buildings of national importance including both outstanding grand buildings and the fine, little altered examples of some important style or date.

**Grade B+** - Buildings that might have merited A status but for relatively minor detracting features such as impurities of design, or lower quality additions or alterations. Also buildings that stand out above the general mass of grade B1 buildings because of exceptional interiors or some other features.

**Grade B1 and B2.** - Buildings of local importance or good examples of some period of style. Some degree of alteration or imperfection may be acceptable.

#### **c. Consideration**

It can be seen that in spirit both of these documents are very similar. However the planning policy has been developed to clarify associated issues to the criteria with reference to the legislation while the Second Survey Criteria is much more focused upon explaining the various facets of architectural and historic interest. Both are laudable aims – but they would be clearer as a single document.

This difference of emphasis is perhaps starkest in the consideration of 'group value'. This is specifically mentioned as a criterion in the legislation and is highlighted as a third primary criterion in the Planning Policy. In the Second Survey criteria it appears to be demoted to a facet of architectural interest.

'Age' by contrast is indicated as an overarching criterion in the Second Survey Listing Criteria whereas it is the first informative after the three main criteria in the Planning Policy.

The Planning Appeals Commission criticised the published policy in a determination in 2001. In its view there was a bias toward architectural interest which was not reflected by the legislation. This gives equal weight towards architectural and historic interest whereas the published policy implies that to be listed upon historic grounds alone the historic interest needs to be quite high:

*'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'.<sup>1</sup>*

However this, on consideration, is a reasonable statement. For the opposite is also true: for a building to be listed on architectural grounds alone ie – a recent building, it needs to be of pretty high architectural quality. This is also implied in the policy:

*'The older a building is, and the fewer surviving examples there are of its kind, the more likely it is to have historic importance.'<sup>2</sup>*

#### **d. Group Value**

The issue of group value was considered in more detail by the Environment and Heritage Service in 2005 in response to concerns from the Historic Buildings Council that the definition employed was too narrow. The following paper was produced to clarify the issue:

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<sup>1</sup> Planning Policy Statement 6, March 1999, P48, paragraph C7.

<sup>2</sup> Planning Policy Statement 6, March 1999, P47, paragraph C4.

## **'BUILDING GROUPS AND TERRACES ADVISORY NOTE**

*A clarification of the approach taken in assessing groups and terraces of historic buildings in the Second Survey of Buildings of Architectural and/ or Historic Interest.*

### **1. LEGISLATION**

1.1. *Article 42 of the Planning Order 1991 states that: ' the Department shall compile a list of buildings of 'special architectural or historic interest.'*

1.2. *In considering whether to include a building in a list compiled under this Article the Order also states that the Department **may** take into account not only the building itself but also –*

- *“**any respect** in which its **exterior** contributes to the architectural or historic interest of **any group** of buildings of which it forms a part”*

### **2. PLANNING POLICY STATEMENT 6**

*2.1 Annex C of PPS6 sets out principles of selection of listed buildings. It states that consideration of group value is relevant 'especially where buildings comprise an important architectural or historic unity or a good example of planning (e.g. squares, terraces or a model village)',*

### **3. DEFINITION OF A GROUP**

3.1. *The legislation makes clear that any external group characteristics can be considered by the Department in its assessment of special interest.*

3.2. *The main types of group can be listed as follows:*

- *Terraces of buildings that were designed as a group.*
- *A group of buildings that were designed as a single entity, often in a classical style e.g: a terrace with a palace façade or coast guard stations.*

- *A group of buildings that relate to each other in a planned manner – Court House, Market House, Parish Church etc. e.g. Moneymore and Armagh*
- *Estate related structures eg main house, gate lodges, stables etc.*
- *A group of structures which were constructed as part of a single architectural scheme. eg: railway or canal routes.*

3.3. *The extent to which group value is relevant to any assessment of special interest will vary. The greater the element of design and the greater the proximity of structures, the more group value will be significant.*

3.4. *Groups can be located within larger groups, ie a designed terrace can have a formal relationship with other historic buildings. The group value between buildings in such a terrace will be more important than that between the terrace and the other buildings.*

#### **4. APPLICATION**

4.1. *When assessing a group as defined above each building is assessed separately against the listing criteria.*

a) *If all are considered listable they are then considered as a group and the grade may be raised as a result.*

b) *If some are not listable as individual buildings then they can be reassessed as part of a group and can be deemed listable as a result.*

4.2 *It is important to note that individual buildings can have different listing grades, or be deemed 'record only'. I.e. group value alone does not imply listed status.*

#### **5. EXPLANATORY NOTES**

5.1. *A terrace building as defined under guidance issued to accompany the Second Survey is understood as: 'one of three or more buildings forming part of a single uniform design but not necessarily all identical.' (See **Appendix M3**, page 3).*

5.2. *Where there is doubt about the listing of an individual building in a group, it is highly likely that other buildings in the group will need to be listworthy for the 'group' criterion to apply and raise the status of that building.*

5.3. *Paragraph 6.30 of PPS6 which relates to the setting of listed buildings states that: '... 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.' Such group value though potentially relevant to an assessment of special interest is unlikely to be a major factor. I.e: where the interest of a building is primarily as townscape, then Conservation Area or Area of Townscape Character protection is considered more appropriate.*

5.4. *Value or interest derived from groups of buildings such as:*

- *building typologies or:*
- *all the buildings designed by a particular architect or:*
- *groups of buildings defined by a geographical area,*

*are not considered in regard to 'group value' as defined above.*

It can be seen that this expansion of the group value criterion has substantially helped provide clarity on the Departmental interpretation. However it is a lot of text. Each of the criteria could similarly be expanded but this could lead to an unwieldy document – a balance has to be struck to ensure that clarity is not lost through good intentions.

Equally it is clear all of the criteria could potentially be found in most buildings. The issue is one of degree. Is the architectural, historical or group value of a structure of sufficient interest to meet the 'special' test of the legislation? Knowledge of how other regions cope with similar issues is relevant to such a consideration.

## 4. The situation elsewhere.

### a. England

Though a new designation system is to be introduced in England and Wales, the Government has given a commitment that this will not involve the loss of any of the heritage protections currently enjoyed. In advance of new legislation a package of reforms has been put in place one of which has been a revision to the 'Principles of Selection for Listed Buildings':

*'The Government believes that the revised Principles of Selection are clearer and more focused and will be of significant benefit to anyone who has any involvement with the listing process. These benefits make it worth introducing the reforms now, rather than waiting for new legislation. It is not intended that the revised Principles of Selection will change the types of building that are listed, or increase or reduce the overall number of buildings that are listed. Nor will they change the level of protection afforded to historic buildings'.<sup>3</sup>*

These are laudable aims focused mainly upon improving public clarity which have been supported by clear listing reports and better outreach provisions to owners. Similar reforms have been introduced in Northern Ireland following a detailed review of the Second Survey in 2006<sup>4</sup>. Reports here are now also shorter and more focused upon explaining architectural and historic value and communication with owners has been improved.

Revised criteria were issued for public consultation in July 2005 with a final paper adopted in March 2007.

A key point emphasised in the consultation and reflected in the final policy was that:

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<sup>3</sup> *Revisions to Principles of Selection for Listed Buildings: Planning Policy Guidance Note 15. Consultation Document*, DCMS, London, 2005, p5.

<sup>4</sup> The Second Survey Review. Environment and Heritage Service: Historic Buildings Unit. Internal document 2006. Final document presented to HBC and EHS Board in June 2007.

*'The Government considers that the fundamental principles set out in the existing Principles of Selection remain sound, and no radical changes are proposed to them.'*

These principles are very close to those currently set out in Northern Ireland's Planning Policy. However the new emphasis upon improving clarity resulted in the following additional statement:

*'by definition, they (the criteria) are very broad brush, and since they were written, a great deal of experience has been gained about how to apply the criteria in practice. In particular considerable work has been carried out by English Heritage to identify more clearly what makes particular types of building of special interest compared to another building of the same or differing type'.*

This was the fundamental new proposal of the revised principles of selection: that in effect criteria should be developed for specific types of buildings to supplement general overarching criteria. This would help increase clarity and explain better *'the finely judged assessments which are made in the listing process'*.

Thus the consultation proposed two sections. The first general principles: age and rarity; aesthetic merits; selectivity; national and local interest; the state of repair; and historical associations. These headings were largely unchanged from the previous criteria but much expanded and clarified. The second set out a comprehensive overview of 20 building types. These were summaries setting out what characteristics of a particular type of building are of special interest by comparison with others of the same type.

Detailed 'selection guides' were also proposed for each of the 20 types which would supplement this information but not be regarded as policy.

The final document however has removed the second section of the principles from the policy document. Following consultation it appears that the information provided was potentially too much and was thought to reduce clarity rather than increase it. The commitment to provide supplementary information through the medium of selection guides which would not have the status of policy continues however:

*'In addition to the criteria and general principles contained in this Circular, Selection Guides for different building types are published on English Heritage's website. The*

*Selection Guides provide detailed technical information about each building type, and are linked to the general principles contained in this Circular. They demonstrate what features are considered significant and likely to make a building of special architectural or historic interest when assessing buildings of a particular type from different periods, regions, or styles. It is recognised that some buildings are unique or will fall into more than one building type. Where a building is a composite of different types, then any relevant criteria from the Selection Guides will apply. The general principles outlined below take precedence over the Selection Guides, which are published as supplementary information. The Guides will be updated and revised when needed to reflect the growing understanding of the significance of particular types of building through further research.*

The current guidance is included as an appendix to this document but a comparison between the consultation and final document is instructive. Many of the changes deal with the issues which have also been previously raised in Northern Ireland.

A key point is that the initial plan to significantly increase the size of the criteria by providing guidance detailed to individual building types has been dropped. The 'broad brush' approach of the initial guidance has continued with some refinement. The idea that factories and houses may be considered important for different reasons is a good one but it is hard to tie down in practice. There are many different types of factories and houses. Generalisation is inevitable. This provides difficulties for statutory guidance. The idea of providing supplementary information to help explain decisions to the public and help consistency is however a good one.

A second change is that the amount of text used has been reduced particularly in the introductory sections. Mention of archaeology and other non listable features of the historic environment has been removed from here to be replaced by separate titled paragraphs at the end on such features. This helps clarity.

Perhaps of relevance to the discussion of the Northern Ireland texts above a clear section in both documents on 'Statutory criteria' is followed by a section with the derived 'general principles' In effect the expanded text of PPS6 on Architectural and historic interest is followed by the listing criteria.

One important change between the consultation and final document is that for the historical criteria the following text is added :

*'There should normally be some quality of interest in the physical fabric of the building itself to justify the statutory protection afforded by listing.'*<sup>5</sup>

However in an apparent reduction of clarity the paragraph proposed in the consultation and which has previously been the source of much controversy when reproduced in Northern Ireland has been removed from the final set of general principles. This is:

***'Historical Associations-*** *Well documented historical associations of national importance will increase the case for the inclusion of a building on the statutory list. They may justify a higher grading than would otherwise be appropriate, and may occasionally be the deciding factor. But in the Secretary of State's view there should normally be some quality or interest in the physical fabric of a building itself to justify the statutory protection afforded by listing. Either the building should be of some architectural merit in itself, or it should be well preserved in a form which directly illustrates and confirms its historical associations (e.g. because of the survival of internal features).'*

..

In Northern Ireland more clarity rather than less is required in regard to this point and is expected to be a key issue for discussion.

The English have also decided to give more weight than previously to the part of the legislation which states that a structure can be listed not only for its overall merit but because of a special feature it contains:

*'In considering whether a building is of special architectural or historic interest the Secretary of State may take into account the desirability of preserving, on the grounds of its architectural or historic interest, any feature of the building containing a manmade object or structure fixed to the building or forming part of the land and*

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*comprised within the curtilage of the building. The desirability of preserving such a feature is a factor which would increase the likelihood of the building being listed. However, in the absence of any other aspects of special architectural or historic interest, such features will justify the listing of the building only if they are of themselves of sufficient interest to render the building of special interest. The provision can be used for a variety of features; examples could include a finely panelled sixteenth century room, a fireplace and over-mantel that has been introduced from another building, or an elaborate plaster ceiling. This provision cannot be used to preserve in situ anything that is not a fixture, such as furniture or paintings'.<sup>6</sup>*

This is a departure from the previous guidance and is suggested to be necessary because in some buildings a very early room may be of key importance rather than the whole building. In Northern Ireland there has been no listing consideration over the last 30 years which has raised such a possibility. There are many buildings which may have a good historic door surround for example but which are not listed. This is in agreement with the English policy that such features would need to be pretty exceptional to justify protecting the whole building by listing.

A new criterion inserted with the existing general criteria is 'state of repair'. This was inserted because *'state of repair is regularly raised as a reason for not listing a building. The paragraph clarifies that state of repair is not a factor for the Secretary of State to take into account unless it has so detracted from the building as to remove its special interest.'*<sup>7</sup>

The final version is even tighter than this and has any mention of taking this into account removed:

**'State of repair.** *The state of repair of a building is not a relevant consideration when deciding whether a building meets the test of special interest. The Secretary of State*

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<sup>6</sup> Revisions to Principles of Selection for Listed Buildings: Planning Policy Guidance Note 15, 9 March 2007,p4.

<sup>7</sup> Revisions to Principles of Selection for Listed Buildings: Planning Policy Guidance Note 15 Consultation Document. Annex 5 p 53.

*will list a building which has been assessed as meeting the statutory criteria, irrespective of its state of repair.'*

Thus following consultation the English Criteria are largely as previous with more expansive explanations of the general principles. These principles are largely reproduced in Northern Ireland Planning Policy but not identified as such in the text (this has reduced potential confusion with the Second Survey criteria referred to in the listing reports). The more detailed subdivision of the Second Survey Criteria has not been followed and instead supplementary reports will be relied upon. The new criteria are slightly less clear on historic associations – an issue of particular interest in this region.

## **b. Wales**

Wales has is taking part in the same legislative reform of the listing system as England. Revised listing criteria have not been published.

## c. Scotland

Scotland has also reconsidered its criteria for listing in recent years and engaged in a public consultation. This has been one part of a wider consultation on the approach which should be taken to different parts of the historic environment. This has been published as a number of separate Scottish Historic Environment Policy (SHEP) notes over recent years and now consolidated as a single publication<sup>8</sup> which includes the final listing criteria. These are attached as an appendix.

The original consultation was published as *'Listing: the identification of Scotland's special buildings'* in 2007 and the final document is only changed in minor ways. In comparison to England it is much shorter and simpler. In format it has much in common with the criteria developed for the Second Survey. Text however is on occasion very similar to that examined for English and Northern Ireland Policy which betrays that it has evolved from similar source.

A key point of the criteria is that it is effectively defining the same standard as elsewhere. It does not differ in a significant way in terms of the sense it is trying to convey. It is just trying to explain this in a slightly different way. It does not distinguish between statutory criteria and guiding principles as in England. It gives three key principles which are then further explained. 'Group Value' is explained as a concept at the end of the document in a section entitled 'Working with the Principles'. There is no mention of the English concern with listing because of special parts of a building. As with Northern Ireland this may not be considered a factor of such significance that it needs to be highlighted.

Some of the definitions of concepts are very good and succinct and could beneficially be deployed in revised Northern Ireland guidance. Authenticity for example is defined in the working with principles section as:

*'authenticity, that is a building's closeness to the original fabric and therefore its ability to convey its significance, and levels of integrity, carries weight. It need not be*

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<sup>8</sup> Scottish Historic Environment Policy October 2008.

*the case that a building is as originally built, because changes made to it may have added to its significance. What is added or taken away will be considered for the overall benefit or detriment to its character.'*

A similar assessment is carried out in Northern Ireland but is not as clearly explained.

Scotland defines its three broad principles for selection into : a.age and rarity; b. architectural or historic interest; c. close historical associations. Thus in Scotland as in the Second Survey Criteria, Age is mentioned in advance of the other criteria. However architectural or historic interest become a single issue and the issue of associations (dropped as a detailed paragraph in the revised English guidance) is elevated to a key principle. The text of this in the same spirit as the lost English paragraph but perhaps more clearly defined:

*'Close associations with nationally important people, or events whose associations are well-documented, where the physical fabric of the building is also of some quality and interest, can be a significant factor. In consideration of such cases the association must be well authenticated and significant. The fabric should reflect the person or event and not merely be a witness to them. Local traditions are not always trustworthy. In most cases the building in question will have other qualities which combine to give it special interest, such as Walter Scott's house in Castle Street, Edinburgh, which forms part of a fine classical terrace. Where architectural interest is weak the case for listing on historical association must be strong. The building must be well preserved in a form and condition which directly illustrates its historical associations with the person or event in question. The transient association of short term guests, lodgers and tenants, however eminent, will not usually justify listing'.*

Contrast this with the current Northern Ireland version which copies that now dropped in England:

*'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).'*

Historic Scotland does mention the importance of building types as an aid to determining value but it does not attempt to define these as in England:

*'In choosing buildings within the above broad principles:*

*a. particular attention is paid to the special value within building types, either for architectural or planning reasons, or as illustrating social and economic history';*

Interestingly under the key principle of architectural or historic interest the key attributes appear to be assumed. There is no talk of aesthetics or proportion in a way which would emphasise the true importance of such decisions for listing. Historic rarity is also covered under 'age'. The titles concentrate on the extra elements which might not have been so clear in the past ie: 'Interior'; 'Plan Form'; 'Setting' and 'Regional Variations'. Aesthetics and proportion are included in an all encompassing criteria which might have benefited from being split into three: 'Technological excellence or innovation, material or design quality'. It is noted that: *'Style will be considered against relevant conventions particularly for its quality or exceptional interest'*.

Thus in Scotland a broadly similar approach to that taken in the Listing Criteria developed in Northern Ireland for the Second Survey in has been adopted. This focuses more closely than in England on subsets of the general criteria but though it mentions the importance of thematic work, it does not suggest that further supplementary guidance will be published.

#### **d. Republic of Ireland**

In ROI the subdivision of criteria has been taken a step further and is arguably becoming too complex. Their governing legislation is different from that employed in the regions already discussed with a key point being that there are 8 rather than 2 legislative criteria. The concept of a 'protected structure' is however very comparable

to that of a listed building in the UK. Part IV of the Planning and Development Act 2000 is the relevant legislation. As in the UK those structures included on the list must have '*characteristics of special interest*'. Unlike the UK in addition to architectural and historical interest, archaeological, artistic, cultural, scientific, technical and social interest are also included. The categories are not mutually exclusive and a protected building could be important for a number of the criteria.

Some UK commentators have expressed envy of this wider definition which accords more clearly with the more recent appreciation of heritage and the historic value associated with old buildings. Indeed archaeological interest is a criteria which will be added to the revised list of heritage assets in England and Wales in the proposed new legislation.

However in Northern Ireland most of these values have been previously understood to derive from the existing legislation (for example social importance has been regarded as a historic interest category) and are reflected in the Second Survey Criteria. The clear advantage of inclusion in legislation is that the approach is enshrined in law. The Second Survey criteria were not subject to public consultation when introduced and this revised policy allows a way of confirming any interpretation.

The criteria interpreting the legislation is published in '*Architectural Heritage Protection- Guidelines for Planning Authorities*' by the Department of the Environment Heritage and Local Government in 2004. It is a very comprehensive and well illustrated book which is much more visually readable than its counterparts in the UK. This is perhaps because in ROI the local district council decides upon the final list. It is therefore vital that the official advice is accessible to non experts. Such an approach may be equally applicable in Northern Ireland in regard to local listing (which will become a district council function).

One key difference with the UK however is that it is clearly implied that a structure could be protected even if this information is not directly revealed by the structure as it currently stands. It is implied however that this should be rare:

*'The purpose of protection- the control and management of future changes to a structure- should be borne in mind when evaluating those special interest categories which may not relate directly to the physical fabric, such as historical , social and cultural interests. This would occur where, for example, a building is of interest because of its connection with a historic figure although the structure may have been largely altered since that figure lived there.'.....'Some events or associations may be so important that the place retains its significance regardless of subsequent alteration. Where an otherwise unremarkable structure has historical associations, it may be more appropriate to commemorate the association with a wall mounted plaque. Where the decision is difficult it is helpful to discover whether other buildings connected with the personality or event still exist (and if they are protected) and to make an assessment of the value of such a group.'*<sup>9</sup>

The statutory criteria are each expanded and clarified by up to nine sub sections (See Appendix C) in the guidance document. This provides a comprehensive consideration of the subject area but one which is perhaps a little too long to allow a clear and easy understanding of the differences.

Detail such as this however does serve to reinforce the complex nature of value and the many possible contributing factors. The categories deserve closer examination.

### **Architectural.**

This is similar to that used by the Second Survey: good architectural design; exemplar of a building type, plan form style or styles, positive setting, good interior- are all similar to the Second Survey. That a structure is the work of a known and distinguished architect, engineer, designer or craftsman is also included here while it has been regarded as part of the historical criteria in Northern Ireland.

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<sup>9</sup> Architectural Heritage Protection Guidelines for Planning Authorities p25.

## **Historical.**

This section is perhaps a little better explained than that in Northern Ireland. There are eight subsections. A structure may have interest because of its association with: a historical event; a historic figure; it may help explain a past age; be an example of change over time; have features which are important evidence of past; be structures which are primarily historically important; be a very rare structure.

In the Second Survey Criteria much of this is implied as it is elsewhere in the UK.

## **Archaeological**

*'Special archaeological interest is essentially defined by the degree to which material remains can contribute to our understanding of any period or set of social conditions in the past.'*<sup>10</sup>

Thus using such a definition this interest could be regarded as part of the historic interest of a structure. In Northern Ireland such value is not clearly reflected in the current criteria but it could potentially be included as a historical criterion. The section also points out that some buildings may contain fragments from elsewhere which add value as well as some industrial buildings having the potential:

*'to reveal artefacts and information about the evolution of the industry that may be useful to archaeologists, historians and the public.'*<sup>11</sup>

## **Artistic Interest**

This criterion is essentially subsumed within the 'ornamentation' criteria of the Second Survey:

*'Special artistic interest may be attributed to a structure itself or to a part of a structure for its craftsmanship, design or decoration.'*<sup>12</sup>

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<sup>10</sup> Architectural Heritage Protection Guidance to Planning Authorities p26.

<sup>11</sup> Ibid.

<sup>12</sup> Architectural Heritage Protection Guidelines for Planning Authorities p27.

A useful clarification which is reflected in UK case law is:

*‘ For an artistic work to be given protection under the act, its degree of annexation to the structure should be taken into account. If the work of art is effectively fixed to the structure, it can be considered a part of the structure and therefore protected.’<sup>13</sup>*

### **Cultural Interest.**

This is largely similar to the social interest criterion used in the Second Survey however cultural interest is a wider concept as all buildings contribute in some way to setting the scene for the society that we are or once were. The issue being highlighted here is that it can be argued that some buildings – such as thatched houses- can become culturally more significant because of the passing of time. Other buildings may be of interest because they illustrate the development of society or have associations with important cultural events.

### **Scientific Interest.**

This is a criterion that is not specifically highlighted in the UK but could be argued to be both part of a structure’s architectural and historic interest. There are three aspects to the ROI definition. The results of scientific research may be seen in the structure; a structure itself may be of research value; or the structure may be associated with scientific research. The first is architectural interest, the second not normally regarded in the UK as a criteria for listing, the third is a historical interest.

### **Technical Interest.**

This criteria is directly comparable with the Structural Interest and Innovative Qualities and Historical Association criteria set out by the Second Survey. The three main subsections given are similar: structural or engineering innovation; work of a known or distinguished engineer and exemplar of engineering design practice of its time. Also included are innovative construction, innovative fixtures, and an

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<sup>13</sup> Ibid.

interesting clarification for use when a structure is perhaps not particularly beautiful or fit for purpose:

*'Purely special technical interest can be ascribed to the innovative engineering qualities of a structure, as distinct from the building's appropriateness for use, or its appearance or form.'*<sup>14</sup>

## **Social Interest**

*'The characteristic of special social interest embraces those qualities for which a structure, a complex or an area has become a focus of any spiritual, political, symbolic or other sentiment to any group of people'*<sup>15</sup>

Thus the difference with cultural interest is very subtle. This difference is not really clear enough in the criteria. Cultural appears to be understood as structures which may or may not be of social interest but have acquired a wider significance whereas social is associated with clear groups of people.

A very good clarification in regard to future usage which could be a more general note is however:

*'This category of special interest may sometimes not be directly related to the physical fabric of a structure or structures and may survive physical alteration. Care should be taken to recognise the pattern of internal relations of the parts of the structure that constitute its special interest, in order to ensure that they be conserved'.*

Four subsections of social interest are defined as: fixtures and fittings that testify to community involvement such as memorials; structure may display social characteristics such as vernacular architecture;

## **Conclusion**

The criteria evolved in the ROI are challenging in the depth of their definitions. This helps the full significance of such buildings to be understood. Some arguments particularly in the exploration of wider historical significance might be usefully deployed in Northern Ireland. However some of the definitions – such as the four

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<sup>14</sup> Architectural Heritage Protection Guidelines for Planning Authorities p29.

<sup>15</sup> Architectural Heritage Protection Guidelines for Planning Authorities p30.

variations of innovatory technical qualities and the division between social and cultural importance appear unnecessary or too subtle. The reference to important associated personages in a number of categories perhaps reflects the fact that the criteria are a little too complex.

## 5. A detailed consideration of the issues

It can be seen from the previous discussion that issues of clarity have been very important to those tackling this issue recently. Reflecting the logic of the legislation as a starting point also appears sensible in terms of clearly defending any criteria. The public can then easily understand the connection between the two and how they relate. In this regard the English definition of statutory criteria followed by principles is attractive.

The balance to be achieved however is between an expansive explanation which helps clear public understanding with a document which is sufficiently short to allow an easily comprehensible overview. In this regard the current Second Survey and Scottish criteria are attractive in offering short clear explanations.. A short document with longer explanatory notes might provide one option for the future.

The following section explores some of the associated issues with the criteria from a Northern Ireland standpoint and reviews their fitness for purpose.

### a. Age – the 30 year rule.

There is close conformity in the present criteria across the UK and Ireland in the approach to defining the importance of age. Similar introductory text is used across the UK and the same approach to isolating categories with the proviso that the dates are not hard cut off points. In reality these categories can only act as guides as age will be only one of many criteria. In this respect the summary paragraph in the published NI policy gets at the nub of the issue:

*'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.'*

Differences between the regions in the cut off points picked should not be considered significant. They reflect the fact that in places like England there are much more buildings existing from before 1700 and that in Northern Ireland 1830 is a good cut off point as it is the approximate date of the first Ordnance Survey maps of the area. This is reflected in the English decision to reduce the number of categories after consultation.

One issue that has become of increasing importance over the last ten years has been the consideration of recent buildings. There is no legislative bar to the listing of any structure no matter how recently constructed. It is clear however that it is very hard to make a true assessment of value the younger a building is. To be listed such a building would need to be very exceptional. The '30 year rule' has therefore evolved to deal with this issue. This is an agreed timeframe when it is thought that a minimum of historical perspective has been provided. Current Northern Ireland Policy states that *'normally only structures over thirty years old are considered for listing'*. In the last ten years there have been a few examples where this has been put to one side but this has mainly been where the Second Survey has encountered buildings close to this date of clear quality.

A final issue to emerge is: should Age be included within the general criteria ie- why should it be overarching and not indicated on the listing report as a relevant criteria? Currently this is because of the practical issue that it is not a simple criterion rather it is a ramping scale which increases importance. Northern Ireland is the only part of the UK or Ireland which indicates relevant criterion on the listing report. Elsewhere a descriptive evaluation is solely relied upon. Therefore while it can be regarded as a criterion in England they do not have to indicate the age category. This is a difficulty of the current NI approach.

**Conclusion:** The understanding of Age employed in Northern Ireland is consistent with that employed elsewhere in the UK and is reasonable.

Thought however, should be given to highlighting age better on the listing report where this has been a significant determinant of the perceived value of a structure.

## b. Criteria on the Listing Report

As indicated above Northern Ireland is the only region in the UK or Ireland which indicates relevant criteria on its listing report. The idea behind this is that it can help ensure consistency by indicating the criteria which were thought most relevant to a decision:

*'They are intended to give guidance to the assessors to enable a consistent approach to be made to the process and to enable others including the owners and researchers to understand why a building has been deemed special enough to be protected'*<sup>16</sup>

The relevant criteria are then explained and expanded upon in the written evaluation of the structures' architectural and historic interest.

The argument against such an approach is that such references may be open to misinterpretation i.e. if setting is not felt to be sufficiently important to be recorded as an influential criterion in the listing decision the argument may be made and perhaps accepted at an appeal that the setting is of little worth. A similar argument could be deployed in regard to interior interest etc.

However this is to misunderstand the criteria. Setting may not be a fundamental determinant of the awarding of special interest to a building but it is likely to be still important in understanding its character. It is a matter of degree. When should criteria be considered sufficiently important to be indicated on the report? A similar issue occurs with listing in general. Some think that because a building is not listed and therefore of special interest that it is of no architectural or historic interest at all. This is clearly not the case.

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<sup>16</sup> Second Survey Criteria for listing 1997,p 1

Thus indicative criteria can sometimes be a double edged sword.

A further problem will emerge in the interpretation of Second Survey reports from the period 1997 to 2008 if the criteria significantly change as a result of this review.

**Conclusion.** Indicative criteria should in principle remain as they help increase public clarity and help ensure consistency from those making the decisions. This is a fundamental thrust in the Departments approach to the heritage – the widest number of people should be able to understand why a building is important. The associated guidance however should make absolutely clear the weight and meaning that are to be accorded to their inclusion on the listing report.

### c. Group value.

Should it be one of many criteria or given greater prominence?

The issue of group value has been discussed already. The current Second Survey criteria imply that group value is a subset of architectural interest. This is reasonable but perhaps reduces its status as a legislative criterion. The paper discussed already indicated that much more clarity was needed in this area. One way to do this and comply with the spirit of the legislation would be to indicate group value as a separate criteria distinct from the non statutory categories of architectural or historic interest.

**Conclusion:** The group value criterion should be explained clearly on the final revised document in a way that reflects its statutory importance.

#### d. Consistency

The listing of buildings is not an exact science. Over the last thirty years the value attributed by society to vernacular buildings, industrial buildings, Victorian and Twentieth Century buildings has all increased. Even in the ten years since the Second Survey of buildings of Special Architectural and Historic Interest commenced, the demolition of vernacular buildings has increased significantly and the relative value of those remaining has increased. How then can the Department make consistent decisions in the light of such changes?

The only true answer is that it cannot -if decisions are taken over a long time period. Taking all the decisions at the one time is not possible and therefore the only equitable thing to do is to instead ensure that the reasons given for the original decision are as clear as possible and related to the clearly defined criteria of a particular time. The Department must be able to argue that at the time of the decision a view that the building met the test of special architectural or historic interest was reasonable.

One way of doing this is through the typological reports suggested in England which will set out the value understood for particular building types at particular times. However listing decisions are often more subtle than merely typological considerations and can be of value for many reasons as the ROI criteria illustrate. A building may be a good example of a mill but be given added interest by historical or other criteria. The only other way is by ensuring that the evaluation section of the report is clear in how it has established value and interpreted the criteria. Since 2007 this section of the NI listing report has been expanded and better cross checks have been put in place to ensure that it can be relied upon to be clear for such a consideration.

It follows that over time it will be appropriate to review listing decisions to take account of the impact of significant changes, increased knowledge and changing values and ensure that the evaluation reflects the current understanding of the value of a structure. This is the implication of the Second Survey. However there

is no acknowledgement of this in the current NI policy. When considering delisting it is put as follows:

*'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'.*

It is often not that the original decision was incorrect but that the relative value attributed to a structure has changed over time. In the case of the Second survey this may be as a result of better information but it would equally be true if at the end of the survey it was found that there were much more examples of a type of building than previously thought – the rarity of a structure would have reduced.

In the Republic of Ireland detailed listing reports are not made available to the public until requested by the owner. These 'declarations' are drawn up at the time of the request and therefore allow clarity to owners on value at the time they require it. However there may be an increased danger that consistency will vary as those drawing up the reports will not have as wide an overview as surveyors covering many buildings.

In Northern Ireland in the past the Planning Appeals Commission has suggested that because the list description either did not indicate that part of the building was of importance (Castletown House, 2000) or that it was clear that it had not considered an interior (Anglia House 1997), that these qualities were not relevant to the consideration of a Listed Building Consent application. The arguments made based upon more recent research by the Department were not accepted on this basis. However in many more appeals (e.g. Comfort Hotel 2004 where new information on rare internal steelwork was accepted) such information has been regard as relevant to a determination. Indeed PPS6 in paragraph 6.5 (p23) implies such an approach when it places:

*'the importance of a building, its intrinsic architectural and historic interest and rarity, in the context of Northern Ireland and in local terms'*

at the start of the four 'general criteria' which should be considered in regard to every listed building consent application. Absolute clarity in this regard would however be helpful in any revised criteria.

**Conclusion:** Consistency is an elusive goal. While this must be striven for by criteria which are as clear as possible at any one time it has to be accepted that values will also change with time. Thus, the listing report must be clear on the reasons why a building was considered of value at a particular time and the criteria must stress that this assessment is not absolute.

#### e. Scoring criteria

One way of dealing with the misunderstanding of the relative importance of criteria in a decision is to give them a figure between one and ten or one and one hundred to indicate how relevant they are. This may help improve clarity to the public. Rather than indicating relevant criteria therefore the relative importance of all the criteria in arriving at a decision could be illustrated. One further development would be to say that unless a building met a pre defined score then it should not be regarded as special. A similar approach is employed for criteria based interviews for the Northern Ireland Civil Service. In this technique a minimum score is required on some predefined criteria with a total pass mark set to indicate competence for the job. The best candidate will have the highest marks. The comments of the interviewers to explain the marks are recorded for future reference.

Such an approach has an advantage that it uses a technique used to understandable benefit elsewhere and thus reduces some of the mystique associated with the decision making process. In an interview situation however value is really relevant to a benchmark set following the first few interviews.

Everything subsequent is compared to this to ensure consistency. 8500 listed buildings are a much more complex task. Benchmarks are difficult to set. Even though it is difficult to retain comparative knowledge of so many buildings, the value of some structures such as Castle Coole are not directly comparable to completely different ones such as a pump. English Heritage has suggested that a solution to this is sub criteria for types but even this is not holistic.

This is the reason why elsewhere in the UK strong reliance has been placed upon the written evaluation which should refer to the criteria.

A second problem is that one or two criteria may in rare cases be strong enough to mean that a building is of special interest while in most cases many criteria will be relevant. This would imply a very high score for such criteria – which is reasonable. However the converse is not necessarily true i.e. that a reasonable score over a lot of points should result in listing. A structure has to be of special interest to meet the legislative test and this implies that it should stand out from its peers. The decision making process is therefore more subtle than a scoring based system would reflect.

A final point mitigating against such a development is clarity itself. Would a number beside a letter on a listing report help improve clarity or would it make the decision appear more complex or academic?

**Conclusion:** Clarity is important on listing reports to clearly explain the reasons for listing but the benefit of scoring the listing decision to increasing consistency has not been proven and may add an unnecessary level of complexity to reports.

#### f. Consistency of Language.

It has been noted already that the use of similar language across the UK reinforces the fact that in all areas the criteria are interpreting the same legislation. There is benefit in continuing with such an approach were relevant to help reinforce this fundamental consistency of approach to the same designation across the UK.

#### g. Architectural criteria clear enough?

The Second Survey architectural criteria currently in use in Northern Ireland are very clear and relative to elsewhere in the UK probably explain the nuances of architectural interest best. Some of the associated text could however benefit from being expanded to increase clarity further as could the provision of introductory text on the statutory criterion. Craftsmanship and artistic qualities could for example be better highlighted. The Scottish approach of further notes of clarification after the main criteria could also be beneficially employed. The understanding of the setting criteria has expanded over the ten years of the Second Survey. Initially this was indicated only where a formal planned setting was influential in the architecture of the building. In the past five years the criteria has been indicated where a good setting even if not formally designed has significantly added to the interest of a building.

**Conclusion:** Architectural criteria are reasonable but could benefit from further clarification.

## h. Historical criteria

How could they be clarified?

The historic criteria currently employed are perhaps most in need of a revamp. The issue of age being not part of the highlighted group has already been discussed. One way of highlighting the current issue is to consider the following discussion of the interest of thatch buildings from a forthcoming study on the subject by this Agency.

*'Value should not be reduced to a consideration of age or appearance – though both are important- but widened to consider all pertinent factors while staying true to the legislation. This is not an exact science, as every person is moulded by their own experience, cultural influences and development, however common themes can be isolated and applied.*

*For **architectural quality** buildings which exhibit good **proportions** (B), are good examples of a particular architectural **style** (A), are well detailed, or have good surviving historic detail (**ornamentation** (C), will be considered of higher value than those which do not. But buildings may also be of importance because they exhibit an interesting **plan form** (D) or (particularly for vernacular buildings) are good examples of a historic type or its development. Sometimes a building is spatially complex and this adds greatly to its internal architectural character and interest (**spatial organisation** (E). The **structural system** (F) may also be of importance as the preceding discussion of cruck trusses and the rarity of historic thatched roofs in general has made clear. Some buildings can also be considered architecturally important because they demonstrate **innovatory qualities** (G) which influenced later buildings or have extensions or historical **alterations** (H) which have added to their interest. Many buildings may also have added architectural interest because of the quality **and survival of their interiors** (I) or surviving features of note. Buildings can in addition be of increased architectural interest because of a complementary or deliberately designed **setting** (J) and be given increased importance by being part of a **group** (K) of buildings.*

*For **historic interest** a building which is of great **age** or has a particular **historical association** (V) will be of more interest than one which is not. If the building is preserved in a fashion which helps to reveal its history it will be of much more interest than one which is not. If it has more actual 'historic fabric' and not replica features it will be of higher historic interest. If it was directly involved in an important historic act or can be shown to have influenced the famous person who resided there in a clear way then this will also give it added interest. Sometimes a building will be an early example of a historical function or type and important for this reason. The fewer examples that remain of a particular type of building the more important it is likely to be regarded (**rarity** (Z)).*

*A building may also be considered an example of **national interest** (W) in comparison to other similar buildings of the type even if it is not of high architectural quality or it may be considered of **local interest** (X) as an important survivor of a historic type in a local area. Buildings may also be of historic interest for their **social importance** (Y) as buildings which contributed to communal life or are important signifiers of the culture of past generations.*

*All of these criteria were considered in regard to the buildings recorded in this thematic study. Those highlighted were recorded as headings to summarise this interest and noted on each listing report (by a representative letter). These reports can be accessed on the NIEA website.<sup>17</sup>*

It can be seen that while the discussion of architectural interest is well represented by highlighted criteria the discussion of historic interest is not. Issues like the relative importance of surviving historic fabric in a listing decision are not well served by the current criteria. It is similar if a structure is an early example of a particular type. Rarity is not quite the same. The importance of historical associations to a building because of previous controversy around this clearly needs to be better clarified. The PPS6 criteria also mention economic and cultural history as well as social history. This is exactly the same as in the English criteria. The previous discussion of the subtle differences between social and cultural significance in the Republic of Ireland criteria when it comes to

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<sup>17</sup> A Thematic Study of Thatched Buildings, NIEA 2009, (Not yet published)

buildings is relevant here ie there is probably not enough difference for a separate historic criterion.

National interest and Local interest are not really historical criteria -they are summarising points. A building may have national or local architectural or historic interest or both. The Second Survey criteria as currently employed however regards these as mutually exclusive. Either a structure is of local interest or it is of national interest. This is not clear on the current guidance.

**Conclusion:** More historic criteria should be added to help clarity and the current criteria should be expanded. Consideration should be given to regarding national and local interest as criteria covering both of the main statutory criteria.

## i. Neighbours approach

Should 'condition' be a criterion?

The criteria of neighbouring regions has been considered in detail above and general conclusions drawn. Clarity and consistency has evolved from this discussion as the key to any revised set of listing criteria. In this regard all relevant issues raised should be incorporated in revised guidance for this region, however, this should not be at the cost of clarity.

**Conclusion:** The final document should be one which has been reviewed against the issues highlighted by the criteria of neighbouring regions but this should not be at the expense of clarity.

## j. Thematic studies

Should these further define value?

The route followed in England has some merits in that it provides a clear reference point to those seeking to understand why the Department should consider one house special but another apparently similar building not as special. There have been a number of thematic studies carried out on Northern Ireland's Buildings in the past both by the Department and by architectural historians. Departmental publications in particular can seek to deliberately explain listing decisions by dealing with issues such as rarity which will be of less concern to a general historian. At present NIEA has thematic reports in preparation on Thatched buildings, Belfast roof trussed buildings, the Mourne Water Scheme, and pumps. Papers have also been produced in the past on bridges and mill buildings. Such information could help explain the decisions of the Department as long as the criteria made clear that for individual buildings other considerations can also influence a final decision.

**Conclusion.** Thematic reports can help public understanding of the Departmental view but the listing report and criteria should clearly explain the value of a building.

## k. Local Listing.

A separate report will consider local listing in more detail. However, it is clear that there should be sufficient clarity in the revised criteria in regard to special interest to allow one to naturally become a subset of the other.

Between 1973 and 1997 the Environment and Heritage Service and its predecessors identified some surveyed buildings as '*non statutory grade C*' and put these on the '*supplementary list*'. These were buildings of architectural and historic interest which though note worthy did not meet the '*special*' architectural

or historic interest standard required by the legislation for statutory listing. This category is equivalent to the standard used for the drawing up of 'local lists' by District Councils in England and Wales. If, as proposed by the RPA, a similar power is to be introduced in Northern Ireland, then it is reasonable that this would form an appropriate standard for this category.

NIEA currently records such buildings as part of its assessment of buildings for listing and this will provide a ready source for District Councils seeking to draw up such lists. However, no attempt has been made to differentiate between these and lower grade historic buildings which do not merit such status. All of these are noted as '*record only*' on the Northern Ireland Buildings Database which can be inspected on NIEA's website at [www.ni-environment.gov.uk](http://www.ni-environment.gov.uk).

Grade C was dropped in Northern Ireland because it provided very little protection. It was not defined in policy or legislation and therefore had little relevance in the consideration of planning applications for such properties. If local listing is to be introduced as a useful local power therefore, such issues will need to be addressed. This will be the subject of a separate report and future consultation.

**Conclusion.** Based upon the above discussion it is clear that similar assessment criteria should apply for local listing but that these should be of a lower standard. Reference to this standard could be beneficially included within the revised statutory listing criteria.

## 6. Draft Revised Listing Criteria

The preceding sections have made clear the issues which have to be addressed in any revised criteria for Northern Ireland. It is proposed that the following criteria will replace paragraphs C1 to C10 of Annex C of Planning Policy Statement 6, Planning Archaeology and the Built Heritage.

To avoid any confusion the criteria reproduced here are those which are subject to public consultation. Minor changes deriving from discussions following the initial circulation of this document within DoE in December 2008 and the sharing of conclusions with the Historic Buildings Council during 2009 are summarised in the next chapter.

# Annex C: The Selection of Listed Buildings

## Criteria for Listing (Revised 2010)

### Introduction

- C1 The protection of historic buildings and structures by listing is only one part of a suite of controls that help the Department to influence and manage the Historic Environment. Important historic structures may be more appropriately protected as for example Monuments in State Care; Scheduled Historic Monuments; or as part of Conservation Areas. Many listed buildings are located in Conservation Areas. Designation of a structure as both a listed building and as a scheduled historic monument is normally avoided by deciding which form of protection is most appropriate.
- C2 Other controls guide planning decisions that affect historic structures within Areas of Townscape Character, Areas of Village Character, and Local Landscape Policy Areas. These designations are identified through location or area-based development plans.
- C3 Buildings are added to the lists normally as a result of systematic resurvey or review of particular areas or building types. The Department may also consider suggestions made by members of the public. However as an area based approach is more holistic and cost efficient, such 'listing queries' will be subject to a risk assessment before being added to any programme of work. 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.

## Legislation

### Statutory Criteria

- C4 Article 42(1) of the Planning (NI) Order 1991 gives the overall test for assessing a building for listing. It states that:

*‘The Department - (a) shall compile a lists of buildings of special architectural or historic interest’ and (b) may amend any list so compiled.*

The key criteria for listing are, therefore, **architectural interest** and **historic interest**. A building can be listed for either criteria but in most cases it will have both. The overall test is that this interest must be considered **‘special’**. It should be noted that the same criteria will be applied to buildings whether the Department is considering adding or removing them from the list.

- C5 It is highly likely, therefore, that if a structure is to be listed based on one of these key criteria alone that this should be of major importance, eg, a modern building of relatively little historic interest would need to be of very high architectural interest to be listed, and a historic building of very poor architectural interest would need to have very high historic interest to merit listing.

- C6 **Architectural Interest** is understood to encompass a broad spectrum which ranges from style, character and ornamentation to internal plan form and functionality. Also important are examples of particular building types and techniques used in their construction. Where buildings have been changed over time (as many have) it is the consideration of its current architectural interest that is important, rather than what it may have been like in the past.

- C7 **Historic Interest** is understood to encompass a broad spectrum which ranges from age and rarity, through the amount of historic material left in a building, to its importance as a historic structure, and to the stories, historical events and people associated with the building. It is important that associations are linked in a clear and direct way to the fabric of the building

if they are to be regarded as major grounds for listing. Aspects of social, economic and cultural history revealed by the building may also be considered important.

- C8 Buildings of importance to the whole of Northern Ireland will normally be graded higher than those of more local importance based on a narrower context eg 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. However the loss of large numbers of a particular building type, may increase the importance of those that survive. Northern Ireland's vernacular buildings provide a case in point.
- C9 The heritage and culture of all parts of Northern Ireland's society are relevant to the consideration of the historic interest associated with a structure. This includes structures associated with different religious beliefs, political opinions, racial or other groups etc.

## Group Value

- C10 In considering whether to include a building in a list. Article 42 (2) of the Planning (NI) Order 1991 states that the Department **may** take into account not only the building itself but also –

*“any respect in which its exterior contributes to the architectural or historic interest of any group of buildings of which it forms a part”*

The main types of group can be listed as follows:

- Terraces of buildings that were designed as a group.
- A group of buildings that were designed as a single entity, often in a classical style eg: a terrace with a palace façade.
- Estate-related structures eg main house, gate lodges, stables etc.
- A group of buildings that relate to each other in a planned manner – Court House, Market House, Parish Church, etc, eg, the Main Street of Moneymore or the Mall in Armagh

- A group of structures which were constructed as part of a single architectural scheme eg: many railway or canal related structures.
  - Vernacular groups such as clachans or structures within an industrial complex.
- C11 The extent to which group value is relevant to any assessment of special interest will vary. The greater the element of design and the greater the proximity of these structures to one another, the more group value will be significant.
- C12 Groups of buildings can be located within larger groupings of buildings, ie a designed terrace can have a formal relationship with other historic buildings such as across a square. Group value between buildings in such a terrace will normally be more important than that between the terrace and other buildings.
- C13 The value or interest within groups of buildings such as: building types or all the buildings designed by a particular architect, or groups of buildings defined by a geographical area, are not considered in regard to 'group value' as defined above.
- C14 When assessing a group, as defined above, each building is first of all assessed individually against the listing criteria. If all are considered individually listable they are then considered as a group and their grade may be raised as a result. Some that are not individually listable can be reassessed as part of a group and be deemed listable as a result.
- C15 It is important to note that individual buildings can have different listing grades (see section C24), or be deemed not list-worthy, ie, group value alone does not imply listed status.

## Features

- C16 Under Article 42 (2) of the Planning (NI) Order 1991The Department **may** also take into account not only the building itself but also –
- ‘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 which forms a part of the land and which is comprised within the curtilage of the building’.*
- C17 The desirability of preserving such a feature is a factor which would increase the likelihood of the building being listed. However, in the absence of any other aspects of special architectural or historic interest, such features will justify the listing of the building only if they are of themselves of sufficient interest to render the building of special interest. An example is an otherwise unremarkable industrial building designed to house a highly important piece of fixed machinery.
- C18 NB. Fixtures and Curtilage are precise legal terms- see paragraph C33 to C36 for a detailed consideration.

## Derived Criteria

- C18 Each listed building has an associated record, part of which, the *‘evaluation’* explains the reasons for listing. Since 1997 this evaluation has been separated from the description of the building and supplemented by letters indicating relevant criteria. The aim has been to improve the clarity and consistency of the decisions made.
- C19 The following paragraphs provide the criteria against which the Department compares all current listing decisions. Not all of these will be relevant to every case, and a building may qualify for listing under more than one of them. However, the criteria provide a framework within which professional judgment is exercised in reaching individual decisions. Criteria are not

scored individually, with the building being listed if it achieves a certain pass mark; rather, the aim is for the criteria to act as a framework for a full assessment and understanding of a structure's architectural and/or historic interest.

- C20 Criteria with a significant influence on a listing decision have been recorded since 1997 within all listing records. However, the lack of a recorded criterion should not be taken as a complete lack of importance. For example, Setting may not be a significant determinant of the special architectural interest of a building in itself, but it will often still be of interest and be important to the understanding of key features.

## Architectural Interest

**Style ( criterion A )** – A building may fit within a particular and distinctive style, eg, Gothic Revival or Neo-Classical, or its style may be more eclectic such as the 'free styles' which were popular at the beginning of the 20th century. The assessment will gauge the design against the relevant conventions and more weight will be given to the best examples which will provide the most effective or consistent interpretation. A building such as a vernacular house may also be less formally designed but still be a good example of a recognised style.

**Proportion (criterion B)** - Designed buildings exhibit systems of proportion both internally and externally, and the assessment will take into consideration the inter-relationship of elements within the overall composition, both in plan and in three dimensions, appropriate to the style. Not all buildings were formally designed and the informality of vernacular buildings can have an interest and proportion of their own. The best proportioned examples will be those which display this quality most consistently.

**Ornamentation (criterion C)** - This should be appropriate to the style and will vary from architectural styles that include rich ornamentation to those that deliberately avoided such decoration. The quality of such ornamentation and detailing will also be considered. Some buildings will be significant because of both of these attributes or because the quality of their detail stands out from those of their peers. They may also be significant because they have features which are of high artistic quality.

**Plan form (criterion D)** – The plan form of a formally designed building can be as carefully designed as its façade and may be of equal significance. Plans which are intact and display the intentions of the designer are of greater significance those which do not. The same is true for a vernacular building which follows the traditional layout or is an interesting variation. Plans may be important because of their architectural quality, as an elegant solution to a complex function, or because they display an important architectural concept. The most significant plans will be those which clearly contribute to the interest of the building.

**Spatial organisation (criterion E)** - This is an extension of the study of plan forms where more complicated buildings often have a planned three dimensional relationship between spaces. The more significant examples of this occur when the potential of such space has been fully exploited in the architecture - such as in a gothic cathedral. Industrial buildings can also be significantly organised as a result of a sophisticated spatial understanding. Fortified houses provide another example where the sequence of security from the front door to main rooms in some structures is carefully designed. The best examples take full advantage of this potential.

**Structural system (criterion F)** – This may be an important part of the interest of a historic building where the structure is unusual or an early example. It may also be important as a very good example of a more common type. Structure may be a significant determinant of the architectural form. Bridges often exhibit this interest for the way they have solved the problem of crossing a space or river. The best examples, on structural grounds, will be the most elegant designs or the most efficient

solutions. Vernacular roofs can also be as important for their minor differences as for their underlying standard approach. All constructional types from load bearing mud-walling to ashlar stonework are of interest.

**Innovatory qualities (criterion C)** - Some buildings are important because they are examples of the early use of building techniques or materials such as patent glazing or they are examples of innovatory layouts - such as the Wiltshire schools.

**Alterations (criteria H+&H-)** - Buildings may have extra interest where they have been added to over the years and illustrate an historic development.(H+) Similarly inappropriate extensions and alterations can radically damage a building's architectural and historical worth (H-).

**Quality and survival of interiors (criterion I)** – Buildings can be given added significance because of the quality and survival of their interiors. Sometimes the interior of a building can be more important than the exterior. Interiors may be regarded as significant if they are largely intact or if they add to and reinforce the holistic character of the building. They may also be considered important in their own right because of the quality and standard of constituent elements such as a plaster ceiling or staircase. Industrial buildings with surviving machinery will often be regarded as more significant than similar structures with such features removed.

**Setting (criterion J)** - A building's setting can have a very important bearing on its architectural interest The assessment will take into account both the integrity of any planned setting, which could extend a considerable distance from the building, and the area immediately outside the site of the building. Settings can be important to the special interest of a building even if they were not part of the original design - for example, the wider landscape setting of a vernacular house. Even if not a significant influence on special interest, the loss of setting can have an adverse influence on the character and importance of a historic building.

**Group value (criterion K)** - A building's architectural interest may be increased when it forms part of a group such as a terrace, square or other planned architectural composition, as explained in paragraphs C10 – C15.

## Historic Interest

NB. Criteria in this section have been reordered to reflect their relative importance in assessment terms.

**Age (criterion R)** The older a building is, and the fewer surviving examples there are of its kind, the more likely it is to have historic importance. The most significant examples of any age will be those which most clearly reveal this association. Buildings may however also be regarded as significant because of the way their fabric reveals the effects of change over time or illustrates changing values. An example is changes in the eighteenth century to make an old building conform to classical ideals of beauty.

In general, buildings dating from before the early 19th century, ie indicated on the the Ordnance Survey 6 inches to one mile County Series maps drawn in the 1830s, which survive in anything like their original form, will qualify for listing.

After this period the choice is progressively more selective, not least because of the greater number of surviving buildings. Buildings constructed between 1830 - 1935 should be of definite quality and character, and will often be the best works of important architects. Buildings constructed after 1935 but not normally younger than 30 years will generally be outstanding buildings including the very best works of important architects.

**Rarity (criterion Z).** Importance is attached to the rarity of a building type, style or construction. This will be most significant when there are few examples of a particular building type left.

**Authenticity (criterion S)** - A building's extent of original fabric and therefore its ability to convey its significance, and levels of integrity, is important. This will add to the interest of a building when compared to its peers. It need not be the case that a building is as originally built, because changes made to it may have added to its interest. However a building even with a high quality reproduction of historic fittings will be less important than a similar example were the fabric is historic.

**Historic Importance (criterion T).** A building may be significant because it is a good, early, example of a particular architectural type or structural development- such as the first cast iron structure- or because it forms an important part of the history of a particular style, type, or feature, and its development. The earliest known examples of a style, type or feature will be the most important.

**Authorship. (criterion V)**The buildings of architects who are recognised as being the leading exponents of the architecture of their era will be given special attention.

**Social, cultural or economic importance (criterion Y).** Buildings such as churches, community halls and schools are of social and cultural importance to a community. The more significant examples will be those with long associations on one site or of particular importance or significance to a group. Some structures may be important because of their contribution to economic development. The most important examples will have made a major contribution to the development of an industry or business of major importance to Northern Ireland. The configuration of a group of buildings where they have facilitated important social interaction such as a market square may also be of social, economic or cultural importance.

**Historic Associations (criterion U)** Close associations with national, world or internationally recognised figures such as founders of important businesses and industries, scientists, writers, etc, or events whose associations are well-documented, can add to the significance of a building. This could be industrial, agricultural, commercial or social. In consideration

of such cases the association must be well authenticated and important. If the fabric reflects the person or event and is not merely a witness to them the association will be of higher significance than if it is not. Associations should be linked in a clear and direct way to the fabric of the building if they are to be regarded as the main grounds for listing. Though homesteads, factories and any other buildings associated with such people can be considered, those which can be shown to have influenced or contributed to a persons' historic importance will be considered most significant. Transient association of short term guests, lodgers and tenants, however eminent, will not usually justify listing.

## Architectural and Historic Interest

(These criteria were included under historic interest between 1997 and 2010 and though it is appropriate that they be identified as joint criteria their reference letters remain the same to avoid any confusion.)

**Northern Ireland/International interest (criterion W)** -Some buildings will be of interest within the context of Northern Ireland or even in an International context. This will include vernacular building types particular to Northern Ireland as well as exceptionally good examples of buildings that are common to many countries. If a building is of significant regional or international interest it will not also be recorded as of local interest. This will be assumed.

**Local interest (criterion X)** Although most buildings will not be of regional or international interest they could be of particular local interest or be an example of a building type concentrated within a small geographical area.

## General Notes

- C22 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.
- C23. It is important to stress that when buildings are being considered for listing, no factors other than architectural or historic interest as defined above can be taken into account. For example, the condition of a property is not a factor in the evaluation unless it detracts so significantly from the architectural or historic interest that it can no longer be defined as special. Similarly, proposals for the future of a building are not relevant to a determination of listing.

## Grading of Listed Buildings

- C24 Buildings listed by the Department are divided into four grades; A, B+, B1 and B2 to give an indication of their relative importance. Gradings in Northern Ireland are not statutory. 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 type.

**Grade B+:** high quality buildings that because of exceptional features, interiors or environmental qualities are clearly above the general standard set by grade B1 buildings. Also buildings which might have merited grade A

status but for detracting features such as an incomplete design, lower quality additions or alterations.

**Grade B1:** good examples of a particular period or style. A degree of alteration or imperfection of design may be acceptable. 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.

**Grade B2:** special buildings which meet the test of the legislation. A degree of alteration or imperfection of design may be acceptable. 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 or interior raises it appreciably above the general standard of buildings within the conservation area.

### Locally listed Buildings (Former Non Statutory Grade C)

C25. Some important buildings of architectural or historic interest do not meet the 'special' standard required for listed buildings. These were formerly recorded by NIEA as 'Non Statutory Grade C', and their records were collectively known as the 'Supplementary List'. This category was discontinued in 1997. The devolution of powers to compile a non statutory 'local list' to District Councils has recently been proposed as part of the Reform of Public Administration. Though this power will be the subject of a separate consultation it is envisaged that such lists will be made up of buildings which fall into this category. Buildings of this standard are still recorded as part of the survey work needed to isolate buildings for statutory listing and are included within the 'Record Only' category of the NIEA Historic Buildings Database.

## 7. Postscript – developments during 2009

During 2009 this document was circulated to relevant officers within NIEA, Planning Service and the Department's Planning and Environmental Policy Group for comment. It was also presented to the Historic Buildings Council for similar reasons. A Regulatory Impact Assessment and Equality Impact Screening was also carried out.

As a result the draft proposal was further developed to reflect these comments. The main developments have been as follows:

- The draft criteria have been developed and clarified in regard to references to historic monuments and other heritage protections in paragraphs C1 – C3.
- A further paragraph has been added (C9) to emphasise that heritage associated with all sections of society *'are relevant to the consideration of the historic interest associated with a structure'*.
- The derived criteria have been further refined and reduced in length.
- The 'historic' criteria have been reordered to reflect their relative importance.
- In regard to historic associations, the importance of some industrialists, scientists and writers from Northern Ireland on the world stage has been referred to while still making the point that it is the buildings themselves that must be important because of this (not the person) to justify listing.
- The explanation of listing grades has been further refined.

The criteria have been prepared for a public consultation which will take place over 12 weeks from April 12<sup>th</sup> to July 5<sup>th</sup> 2010. This document entitled 'Criteria

for Listing' can be downloaded from the NIEA website at [www.ni-environment.gov.uk](http://www.ni-environment.gov.uk).

## Appendices



## Appendix 1. English Criteria for Listing

### REVISIONS TO PRINCIPLES OF SELECTION FOR LISTING BUILDINGS

#### Introduction

1. Planning Policy Guidance Note 15 *Planning and the Historic Environment* (PPG 15) sets out the Government's policies for the identification and protection of historic buildings, conservation areas and other aspects of the historic environment. This Circular updates Section 6, Identifying and Recording the Historic Environment, of PPG 15 to provide greater clarity on the general principles used in a listing decision.

2. The general principles have been updated to provide clarity to the listing system to ensure it is transparent and accountable. The statutory criteria and general principles set out the factors taken into account when assessing a building for listing.

#### COMMENCEMENT AND EXTENT

3. With effect from 8 March 2007 the guidance contained in this Circular, set out below under the heading *Principles of Selection for Listing Buildings*, replaces Section 6, paragraphs 6.1 – 6.40, of PPG 15 and the existing paragraphs 6.1 – 6.40 are revoked.

4. In paragraphs 6 and 8 of the Introduction to PPG 15, the words 'Secretary of State for National Heritage' are to be read as referring to the Secretary of State for Culture, Media and Sport and in paragraph 8 the words 'Secretary of State for the Environment' are to be read as referring to the Secretary of State for Communities and Local Government.

5. This Circular applies only to England.

### DEPARTMENT FOR COMMUNITIES AND LOCAL GOVERNMENT

*Communities and Local Government Circular 01/2007*

#### PRINCIPLES OF SELECTION FOR LISTING BUILDINGS

##### Identifying and Recording the Historic Environment

6.1 In its broadest sense, the historic environment embraces all those aspects of the country that reflect the shaping hand of human history. Scarcely any part of England is untouched by the interaction between people and nature, which has taken place over thousands of years. Some of the most obvious features of this environment are historic buildings. England is exceptionally rich in these - great churches, houses, and civic buildings - but our understanding of the historic environment now encompasses a much wider range of features, and in particular stresses the relationship between individual buildings, and also the value of historic townscape and landscape as a whole.

6.2 There is growing appreciation not just of the architectural set pieces, but of many more structures, especially industrial, agricultural and other vernacular buildings that, although sometimes individually unassuming, collectively reflect some of the most distinctive and creative aspects of English history. More than this, our understanding and appreciation of the historic environment now stretches beyond buildings to the spaces and semi-natural features that people have also moulded, and which are often

inseparable from the buildings themselves. For example, the pattern of roads and open spaces and the views they create within historic townscapes may be as valuable as the buildings. In the countryside, the detailed patterns of fields and farms, of hedgerows and walls, and of hamlets and villages, are among the most highly valued aspects of our environment. England is particularly rich in the designed landscapes of parks and gardens, and the built and natural features they contain: the greatest of these are as important to national, and indeed international, culture, as are our greatest buildings.

6.3 Processes of classification are necessary for the practical purposes of identifying and protecting individual sites and areas. This is achieved through the statutory systems for scheduling ancient monuments, listing historic buildings and designating conservation areas. Scheduling and listing are undertaken by the Secretary of State; designation of conservation areas is the responsibility of local planning authorities. In addition, English Heritage compiles registers of parks and gardens of special historic interest, and of historic battlefields. Once identified in these ways, the historic environment may be protected through the planning system.

### **Listing Buildings of Special Architectural and Historic Interest**

6.4 Section 1 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) imposes a duty on the Secretary of State to make a list or lists of buildings of special architectural or historic interest as a guide to the planning authorities when carrying out their planning functions. The planning system is designed to regulate the development and use of land in the public's interest. The designation of historic sites enables the planning system to protect them, through the complementary systems of listed building consent and conservation area control, coupled with controls over scheduled monument consent.

6.5 The statutory criteria for listing are the special architectural or historic interest of a building. Many buildings are interesting architecturally or historically, but, in order to be listed, a building must have "special" interest.

6.6 Buildings on the list are graded to reflect their relative architectural and historic interest. Buildings of historic interest may justify a higher grading than would otherwise be appropriate.

- Grade I buildings are of exceptional interest;
- Grade II\* buildings are particularly important buildings of more than special interest;
- Grade II buildings are of special interest, warranting every effort to preserve them.

6.7 This guidance sets out the general principles that the Secretary of State follows when assessing whether a particular building meets the statutory criteria set out above, and therefore should be listed. The Secretary of State cannot take any other factors into account when considering her decision.

6.8 In addition to the criteria and general principles contained in this Circular, Selection Guides for different building types are published on English Heritage's website. The Selection Guides provide detailed technical information about each building type, and are linked to the general principles contained in this Circular. They demonstrate what features are considered significant and likely to make a building of special architectural

or historic interest when assessing buildings of a particular type from different periods, regions, or styles. It is recognised that some buildings are unique or will fall into more than one building type. Where a building is a composite of different types, then any relevant criteria from the Selection Guides will apply. The general principles outlined below take precedence over the Selection Guides, which are published as supplementary information. The Guides will be updated and revised when needed to reflect the growing understanding of the significance of particular types of building through further research.

## **Statutory Criteria**

6.9 The Secretary of State uses the following criteria when assessing whether a building is of special interest and therefore should be added to the statutory list:

- **Architectural Interest.** To be of special architectural interest a building must be of importance in its architectural design, decoration or craftsmanship; special interest may also apply to nationally important examples of particular building types and techniques (e.g. buildings displaying technological innovation or virtuosity) and significant plan forms;

- **Historic Interest.** To be of special historic interest a building must illustrate important aspects of the nation's social, economic, cultural, or military history and/or have close historical associations with nationally important people. There should normally be some quality of interest in the physical fabric of the building itself to justify the statutory protection afforded by listing.

6.10 When making a listing decision, the Secretary of State may take into account the extent to which the exterior contributes to the architectural or historic interest of any group of buildings of which it forms part. This is generally known as group value. The Secretary of State will take this into account particularly where buildings comprise an important architectural or historic unity or a fine example of planning (e.g. squares, terraces or model villages) or where there is a historical functional relationship between a group of buildings. If a building is designated because of its group value, protection applies to the whole of the property, not just the exterior.

6.11 In considering whether a building is of special architectural or historic interest the Secretary of State may take into account the desirability of preserving, on the grounds of its architectural or historic interest, any feature of the building containing a manmade object or structure fixed to the building or forming part of the land and comprised within the curtilage of the building. The desirability of preserving such a feature is a factor which would increase the likelihood of the building being listed. However, in the absence of any other aspects of special architectural or historic interest, such features will justify the listing of the building only if they are of themselves of sufficient interest to render the building of special interest. The provision can be used for a variety of features; examples could include a finely panelled sixteenth century room, a fireplace and over-mantel that has been introduced from another building, or an elaborate plaster ceiling. This provision cannot be used to preserve in situ anything that is not a fixture, such as furniture or paintings, (see also paragraphs 3.30 – 3.36 in PPG15).

## **General Principles**

6.12 **Age and rarity.** The older a building is, and the fewer the surviving examples of its kind, the more likely it is to have special interest. The following chronology is meant as a guide to assessment; the dates are indications of likely periods of interest and are not absolute. The relevance of age and rarity will vary according to the particular type of

building because for some types, dates other than those outlined below are of significance. However, the general principles used are that:

- before 1700, all buildings that contain a significant proportion of their original fabric are listed;
- from 1700 to 1840, most buildings are listed;
- after 1840, because of the greatly increased number of buildings erected and the much larger numbers that have survived, progressively greater selection is necessary;
- buildings of less than 30 years old are normally listed only if they are of outstanding quality and under threat.

**6.13 Aesthetic merits.** The appearance of a building – both its intrinsic architectural merit and any group value – is a key consideration in judging listing proposals, but the special interest of a building will not always be reflected in obvious external visual quality. Buildings that are important for reasons of technological innovation, or as illustrating particular aspects of social or economic history, may have little external visual quality.

**6.14 Selectivity.** Where a building qualifies for listing primarily on the strength of its special architectural interest, the fact that there are other buildings of similar quality elsewhere is not likely to be a major consideration. However, a building may be listed primarily because it represents a particular historical type in order to ensure that examples of such a type are preserved. Listing in these circumstances is largely a comparative exercise and needs to be selective where a substantial number of buildings of a similar type and quality survive. In such cases, the Secretary of State's policy is to list only the most representative or most significant examples of the type.

**6.15 National interest.** The emphasis in these criteria is to establish consistency of selection to ensure that not only are all buildings of strong intrinsic architectural interest included on the list, but also the most significant or distinctive regional buildings that together make a major contribution to the national historic stock. For instance, the best examples of local vernacular buildings will normally be listed because together they illustrate the importance of distinctive local and regional traditions. Similarly, for example, some buildings will be listed because they represent a nationally important but localised industry, such as shoemaking in Northamptonshire or cotton production in Lancashire.

**6.16 State of repair.** The state of repair of a building is not a relevant consideration when deciding whether a building meets the test of special interest. The Secretary of State will list a building which has been assessed as meeting the statutory criteria, irrespective of its state of repair.

### **Notifying owners and occupiers**

**6.17** When a building is included in the statutory list, the Department notifies the appropriate local planning authority. That authority must then notify the owner and occupier of the building. As it is a criminal offence to carry out any works (either to the exterior or interior) which would affect the character of a building once it is listed (unless listed building consent has been obtained), notice of listing must be given to the owner as soon as possible. The statutory notice is prescribed in the Planning (Listed Buildings and Conservation Areas) Regulations 1990. Owners and occupiers are also notified by English Heritage.

## **Public access to the list**

6.18 The list and copies of individual entries can be obtained at local council planning departments, county council offices and most local reference libraries. A complete set of lists for the whole country is available for inspection at the National Monuments Record, Kemble Drive, Swindon SN2 2GZ.

6.19 LB Online provides up-to-date access to the statutory List of Buildings of Special Architectural and Historic Interest and is made available by English Heritage and the Department. The site is currently only for the use of staff of local planning authorities, national amenity societies and some other authorised government agencies.

6.20 Photographs of many buildings that were on the statutory list in 2001 and their list entries, can be viewed at the Images of England website: [www.imagesofengland.org.uk](http://www.imagesofengland.org.uk).

## **List descriptions**

6.21 The lists include a description of each building. This is principally to aid identification. While list descriptions will include mention of those features which led English Heritage to recommend listing, they are not intended to provide a comprehensive or exclusive record of all the features of importance, and the amount of information given in descriptions varies considerably. Absence from the list description of any reference to a feature (whether external or internal) does not, therefore, indicate that it is not of interest or that it can be removed or altered without consent. Where there is doubt, the advice of the local planning authority should be sought.

## **Listing applications**

6.22 Requests for individual buildings to be listed can be made at any time. English Heritage administers the listing system on behalf of the Secretary of State.

6.23 Requests to list buildings should be sent to English Heritage, 1Waterhouse Square, 138-142 Holborn, London, EC1N 2ST. The application should be supported by as much information as possible, including:

- the address of the building;
- any information about the building (e.g. its date);
- details of specialised function (e.g. industrial building);
- historical associations;
- the name of the architect (if known);
- its group value in the street scene;
- details of any interior features of interest;
- clear, original external and internal photographs;
- name and contact details of the owner; and
- a location map (such as an Ordnance Survey map extract) showing, wherever possible, the position of any other listed buildings nearby.

6.24 Difficulties can arise where proposals for listing are made at a very late stage of redevelopment proposals, when buildings are under imminent threat of demolition. Listing in such cases can often mean delay, sometimes with serious practical and financial consequences for the developer. The Department will consider all requests for listing, but it is preferable from all points of view that buildings should be assessed for possible listing before planning permission has been granted for redevelopment. Local planning authorities should draw the Department's attention at the earliest possible stage to any buildings affected by redevelopment proposals (including their own) which

appear to them to merit listing. A building preservation notice served by the authority may be a quicker means of protecting a threatened building than a request for listing (see below for further information).

6.25 Where the building in question has recently been the subject of a listing decision, there is provision for that decision to be reviewed if it is suggested that it was wrongly made (see paragraph on reviews below). However, after the period for reviews has expired the Secretary of State will not generally be disposed to reconsider earlier decisions unless there is significant new evidence about the special architectural or historic interest of a building, or a material change of circumstances affecting the assessment of its architectural or historic interest.

### **Building preservation notices**

6.26 Under Section 3 of the Act, district planning authorities and national park authorities (and English Heritage in respect of buildings in London) have the power to serve building preservation notices in respect of buildings which are not listed, but which they consider are of special architectural or historic interest and are in danger of demolition or alteration in such a way as to affect their character as buildings of such interest. A building preservation notice applies to the building all the provisions of the Act relating to listed buildings (except section 59). It takes effect immediately it is served, and is often a quicker and so more expedient short-term measure than asking the Department to list a building.

6.27 A copy of the building preservation notice, a location plan and photographs of the building should be sent to the Department as soon as the notice has been served. The notice remains in force for up to six months, but will lapse if within that period the Department either includes the building in the statutory list or notifies the authority in writing that it does not intend to do so. The authority must notify the owner and occupier if the Department decides not to list the building, and may not serve another building preservation notice in respect of that building within 12 months of the Department's notification.

6.28 In deciding whether to serve a building preservation notice, authorities will be aware that they become liable to pay compensation for any loss or damage resulting from the service of a notice which the Secretary of State does not uphold by listing. Neither the Department nor English Heritage can indicate in advance whether the service of a notice in a particular case is likely to result in a listing, though obviously the same general principles of listing, set out above, will apply in these cases as in others. It should not however be assumed that listing will automatically follow the inclusion of a building by English Heritage in a draft list, since that list may be corrected or amended before it is approved.

### **Review of listing decision**

6.29 If someone considers that the decision about a building has been wrongly made, they may write to the Department's Listing Branch at: Department for Culture, Media and Sport, 2-4 Cockspur Street, London, SW1Y 5DH, requesting that it be reconsidered. This should be done within 28 days of notification of the decision. An example of a wrongly made decision would be where there has been a factual error or some irregularity in the process affecting the outcome. The Department will then be able to indicate the likely timescale for consideration of the request, which will depend on the nature of the particular case.

6.30 If the objection to listing is (for instance) related to a building's condition and the cost

of repairing or maintaining it, or to plans for redevelopment, the appropriate application should be made under the listed building consent procedures described in Annex B. The local authorities concerned and the national amenity societies (listed in Annex A) will be notified by English Heritage of any requests the Department receives to de-list buildings.

### **Removing a building from the statutory list**

6.31 The Secretary of State will remove a building from the list if it no longer meets the statutory criteria. This may be because of new evidence about the special architectural or historic interest of the building, or a material change of circumstances (for example, fire damage that has affected the special interest of the building). The Secretary of State can only take into account a building's architectural or historic interest when considering an application for de-listing. Applications for de-listing will not generally be considered if the building is currently the subject of an application for listed building consent, or an appeal against refusal of consent, or if action by a local planning authority is in hand. This is because both listed building consent and enforcement appeal procedures give appellants the right to argue that a building is not of special interest and should be removed from the list. Where one of these processes is already underway, the issue of de-listing is more properly addressed in that process. Applications for de-listing should be made to English Heritage in the same way as listing applications.

### **Certificates of immunity from listing**

6.32 Provided that planning permission is being sought or has been obtained, any person may ask the Secretary of State to issue a certificate stating that she does not intend to list the building or buildings involved in the planning application. Once a certificate is issued, the building cannot be listed for five years, nor may the local planning authority serve a building preservation notice during that time. However, if she does not grant a certificate, the Secretary of State will normally add the building to the statutory list, and listed building controls will then apply. This procedure gives greater certainty to developers proposing works which will affect buildings which may be eligible for listing: they will know either that they must seek listed building consent in the normal way, or that they have five years to carry out their development without the possibility of disruption by listing.

6.33 Because a certificate of immunity is valid for five years, a building is normally completely reassessed when an application for a certificate is made: an earlier assessment might have been based on a restricted inspection, or new information may have come to light since then. It should not be assumed therefore, that even a recent decision by the Secretary of State not to list a building necessarily means that she will grant a certificate of immunity.

6.34 Even if a certificate of immunity is granted, a building in a conservation area will still normally need consent for demolition. It is not practicable to extend the certificate procedure to provide immunity from the effects of conservation area designation (but conservation area consent is not required where planning permission was granted prior to designation).

6.35 Applications for certificates of immunity should be made to the Department's Listing Branch. There is no application form and no charge. Applicants should supply a copy of the planning application or planning permission, as well as the information requested for listing applications.

6.36 Applicants are required to notify the local planning authority in whose area the building is situated of the application at the same time as it is submitted to the Department. In London, applicants must notify English Heritage as well as the London Borough Councils. Applicants should confirm that they have notified these authorities.

6.37 When a certificate is issued, the Department will notify English Heritage and both the district and county council (in London, the London Borough Councils). The existence of a certificate and its expiry date should be disclosed in response to enquiries by prospective purchasers of the building or land, together with other information relating to planning matters.

### **Relationship between listing and scheduling**

6.38 Some buildings are scheduled as ancient monuments as well as listed. These are for the most part unoccupied buildings, such as medieval barns or dovecotes, some bridges, and some urban buildings (e.g. guildhalls) and industrial monuments. Some areas of overlap reflect the fact that scheduling pre-dated the listing legislation. Where a building is scheduled and listed, scheduling – which introduces closer controls (e.g. over repairs) than does listing – takes priority and listed building controls do not apply. For the future, the policy will be to accord buildings and monuments the type of protection which is most appropriate to them, and where possible to avoid overlaps between listing and scheduling.

### **World Heritage Sites**

6.39 The World Heritage Convention (adopted by UNESCO in 1972) was ratified by the United Kingdom in 1984. The Convention provides for the identification, protection, conservation and presentation of cultural and natural sites of outstanding universal value, and requires a World Heritage List to be established under the management of an inter-governmental World Heritage Committee, which is advised by the International Council on Monuments and Sites (ICOMOS) and the World Conservation Union (IUCN). Individual governments are responsible for the nomination of sites, and for ensuring the protection of sites which are inscribed in the List.

6.40 The significance of World Heritage designation for local authorities' exercise of planning controls is set out in Section 2. Local planning authorities are also encouraged to work with owners and managers of World Heritage Sites in their areas, and with other agencies, to ensure that comprehensive management plans are in place. ICOMOS can provide advice and assistance in carrying forward this work. These plans should:

- appraise the significance and condition of the site;
- ensure the physical conservation of the site to the highest standards;
- protect the site and its setting from damaging development;
- provide clear policies for tourism as it may affect the site.

### **Historic parks and gardens**

6.41 The Register of Parks and Gardens of Special Historic Interest in England is maintained by English Heritage, to whom all enquiries about its compilation should be made. Sites of exceptional historic interest are assessed as grade I, those of great historic interest as grade II\* and those of special historic interest as grade II. The grading of these sites is independent of the grading of any listed building which falls within the area.

### **Historic battlefields**

6.42 The English Heritage Register of Historic Battlefields identifies forty-three important English battlefields. Its purpose is to offer them protection and to promote a better

understanding of their significance. They are not graded. Each Register entry is based on the available evidence and includes a map of the battlefield area showing the position of the armies and features which were part of the original battleground. These maps are intended to be the starting point for battlefield conservation and interpretation by identifying the most visually sensitive areas.

### **The wider historic landscape**

6.43 Suitable approaches to the identification of the components and character of the wider historic landscape are being refined by English Heritage through its programme of Historic Landscape Characterisation (HLC). Appraisals based on assessment of the historic character of the whole countryside will be more flexible, and more likely to be effectively integrated with the aims of the planning process, than an attempt to define selected areas for additional control. It is unlikely therefore to be feasible to prepare a definitive register at a national level of England's wider historic landscape. The whole of the landscape, to varying degrees and in different ways, is an archaeological and historic artefact, the product of complex historic processes and past land use. It is also a crucial and defining aspect of biodiversity, to the enhancement of which the Government is committed. Much of its value lies in its complexity, regional diversity and local distinctiveness, qualities which a national register cannot adequately reflect.

## Appendix 2 Scottish Criteria for Listing

### SHEP ANNEX 2: CRITERIA FOR DETERMINING WHETHER A BUILDING IS OF 'SPECIAL ARCHITECTURAL OR HISTORIC INTEREST' FOR LISTING

1. The criteria can only provide a framework within which professional judgement is exercised in reaching individual decisions.
2. To be listed, a building need not be functioning for the purpose originally intended. For example, a redundant railway viaduct may have continued its life as a walkway or cycle path, even a wildlife sanctuary.
3. The principles of selection for statutory listing are broadly:
  - a. age and rarity;
  - b. architectural or historic interest;
  - c. close historical associations.

#### **Age and Rarity**

4. The older a building is and the fewer of its type that survive the more likely it is to present a special interest. Age is a major factor in the evaluation process but its weight differs across the building types. Period definitions are given to facilitate the assessment but these are not intended to be watersheds or cut-off points.
5. All buildings erected before 1840 (pre-Victorian and the arrival of the railways) which are of notable quality and survive predominantly in their original form have a strong case. The year 1840 was selected because of the change which followed, in terms of the greater standardisation of materials and design, improved communications and the birth of the architectural press.
6. Buildings put up between 1840 and 1945 which are of special architectural or historic interest and of definite character either individually or as part of a group may be listed. As the survival rate increases after 1914, greater selectivity will be applied to take account of lesser rarity and relative age.
7. Those erected after 1945 may merit inclusion on the lists if their special architectural or historic interest is of definite architectural quality.
8. The listing of buildings less than 30 years old requires exceptional rigour because those making the judgement do not have the advantage of a long historical perspective. Threats to building types are often a trigger for advance consideration of buildings from this period.

#### **Architectural or Historic Interest**

9. Selection for architectural or historic interest is assessed under a range of broad headings, summarised below.

10. *Interior*: Interior design and fixed decorative schemes of houses or business premises in all their variation can add to the case for listing. Examples include skirting boards, plasterwork, dado rails, chimney-pieces, staircases, doors and over-door panels, ornate radiators, floor grilles, sanitary ware, the existence of box-beds, vaulted basement or wine cellar divisions, slate shelving, servant bell systems, shop or pub fittings and fixed internal machinery.

11. *Plan Form*: The internal planning of buildings is instructive and can be ingenious although it may not be evident on the exterior. For example, the original flatting arrangement in terraced houses and tenements may not be obvious from the street and the plan of a farm steading, hospital or prison may reflect the latest theories in the design of each of these structures and therefore give the property additional significance.

12. *Technological excellence or innovation, material or design quality*: Evidence of structural or material innovation adds weight to a decision. Exceptional structural form can be significant and is found across the wide variety of building types from a cruck-framed barn to an early iron-framed jute mill or steel-framed office block. Exceptional use of materials or use of fine material may be a factor. Style will be considered against relevant conventions particularly for its quality or exceptional interest.

13. *Setting*: The context in which a structure sits can be a critical factor in its evaluation. It invariably accounts for its form and should not be under-rated. A structure whose setting has changed adversely, removing the original contextual character, or which has been removed from its context, has one less factor in support of its case for designation.

14. *Regional Variations*: The best examples of local vernacular buildings will normally be listed because together they illustrate the importance of distinctive local and regional traditions. It is important to ascertain distinctive regional variations in type, material and form.

### **Close Historical Association**

15. Close associations with nationally important people, or events whose associations are well-documented, where the physical fabric of the building is also of some quality and interest, can be a significant factor. In consideration of such cases the association must be well authenticated and significant. The fabric should reflect the person or event and not merely be a witness to them. Local traditions are not always trustworthy. In most cases the building in question will have other qualities which combine to give it special interest, such as Walter Scott's house in Castle Street, Edinburgh, which forms part of a fine classical terrace. Where architectural interest is weak the case for listing on historical association must be strong. The building must be well preserved in a form and condition which directly illustrates its historical associations with the person or event in question. The transient association of short term guests, lodgers and tenants, however eminent, will not usually justify listing.

## **Working with the Principles**

16. In choosing buildings within the above broad principles:

a. particular attention is paid to the special value within building types, either for architectural or planning reasons, or as illustrating social and economic history;

b. a building may be listed for its contribution to an architecturally or historically interesting group, such as a planned burgh, town square or model village as well as its intrinsic merit considered in isolation;

c. the impact of vernacular buildings in particular is often made not only by individual buildings but by their grouping. At the other end of the spectrum, a major country house may well be enhanced by adjacent buildings such as stables, lodges, gatepiers and bridges in its curtilage, and vice versa;

d. authenticity, that is a building's closeness to the original fabric and therefore its ability to convey its significance, and levels of integrity, carries weight. It need not be the case that a building is as originally built, because changes made to it may have added to its significance. What is added or taken away will be considered for the overall benefit or detriment to its character.

17. It is important to stress that when buildings are being considered for listing, no factors other than architectural or historic interest as defined above can be taken into account. The condition of a property, for example, is not a factor in the evaluation unless it detracts significantly from the architectural or historic interest so that it can no longer be defined as special.

## Appendix 3. Criteria used in the Republic of Ireland.

### Stage 2: Assessment

#### Using Part 2 of these guidelines

2.5.1 A planning authority must decide whether a structure is worthy of inclusion in the RPS by identifying the characteristics of special interest which would merit its inclusion. Part 2 of these guidelines indicates features which may contribute to the character and special interest of a structure, under the heading 'Identifying special features for protection'. The criteria given below should be applied when selecting proposed protected structures for inclusion in the RPS. Illustrative examples are also provided. Although there is no statutory requirement to do so, it is recommended that reference to the relevant category, or categories, of special interest be included in the file of the RPS.

#### Protecting part of a structure

2.5.2 Although it is possible to give protection to part only of a structure, the initial assessment should include the whole of the structure including the interior and rear of the structure, the land within its curtilage and any structures in the curtilage before it is established that only a specified part of the structure is worthy of protection. Where only a part of a structure is currently listed for protection, consideration should be given to extending protection to the entire structure. For example, where the protected structure is a plaque, a shopfront or a façade, the entire structure of which the element is part may also be of interest and worthy of protection. The protection of a façade alone should generally only be considered where there is no surviving interior of any interest, for example where the building has previously been gutted and the façade is the only remaining feature of the original historic building. Generally a façade relates integrally to its building, which may retain interior detail of note including, for example, the original spatial plan, shop-fittings or decorative elements such as chimneypieces, staircases, window shutters or cornices. Elements of the external envelope and/or within the curtilage may also be of intrinsic interest and worthy of protection; these might include the roof, the rear elevation, outbuildings or other site features.

#### Assessing structures of local interest

2.5.3 It is the responsibility of the planning authorities to make their own assessment of the most appropriate way to protect structures that have not been inspected by the NIAH or those given a rating of 'local importance' by the inventory. In light of the authority's own assessment of the special interest of a structure, it may decide whether it is more appropriate to protect the structure by inclusion in the RPS or within an ACA. Protection by inclusion within an ACA may be more appropriate where a group of structures is of value because of its contribution to the streetscape or other area and where the interiors and curtilages do not merit the level of protection afforded by the RPS.

#### Categories of special interest

2.5.4 The Act requires that a protected structure be of special interest under one or more of the following categories.<sup>7</sup>

- a) Architectural;
- b) Historical;
- c) Archaeological;
- d) Artistic;
- e) Cultural;
- f) Scientific;
- g) Technical;
- h) Social.

2.5.5 These categories are not mutually exclusive, for example, a structure may be of historical, as well as architectural, interest. The RPS should represent the diversity of the architectural heritage within a planning authority's functional area and include structures with various special interests. The strength of an RPS depends on the clarity of the assessment procedures, which should be impartial and objective.

2.5.6 The purpose of protection – the control and management of future changes to a structure – should be borne in mind when evaluating those special interest categories which may not relate directly to the physical fabric, such as historical, social and cultural interests. This would occur where, for example, a building is of interest because of its connection with a historic figure although the structure may have been largely altered since that figure lived there.

### Architectural interest

2.5.7 The characteristics of architectural interest may be attributed to a structure or part of a structure with

such qualities as the following:

- a) a generally agreed exemplar of good quality architectural design;
- b) the work of a known and distinguished architect, engineer, designer or craftsman;
- c) an exemplar of a building type, plan-form, style or styles of any period but also the harmonious

interrelationship of differing styles within one structure;

- d) a structure which makes a positive contribution to its setting, such as a streetscape or a group of

structures in an urban area, or the landscape in a rural area;

- e) a structure with an interior that is well designed, rich in decoration, complex or spatially pleasing.

## Historical interest

2.5.8 The notion of historical interest underpins a general belief that it is worthwhile to preserve and conserve structures, sites and information from past centuries. The level of importance of the historical connection and its relationship to the existing fabric of the structure should be assessed. The historical interest relating to a structure or parts of a structure may be identified in various ways.

a) A structure may have historical interest as the location of an important event that occurred in, or is associated with it, or by its association with a historic personality. Some events or associations may be so important that the place retains its significance regardless of subsequent alteration. Where an otherwise unremarkable structure has historical associations, it may be more appropriate to commemorate the association with a wall-mounted plaque. Where the decision is difficult, it is helpful to discover whether other buildings connected with the personality or event still exist (and if they are protected) and to make an assessment that takes account of the value of such a group.

b) A structure may have influenced, or been influenced by, an historic figure. Important people may have lived in the structure or have been otherwise associated with it – for example its patron, designer or builder. Places in which evidence of an association with a person survive, in situ, or in which the settings are substantially intact, are of greater significance than those which are much changed or in which much evidence does not survive.

c) Historical interest can be attributed where light is thrown on the character of a past age by virtue of the structure's design, plan, original use, materials or location.

d) A structure may be a memorial to a past event;

e) A structure itself may be an example of the effects of change over time. The design and fabric of the structure may contain evidence of its former use or symbolic meaning. This may be the case with former gaols or churches that have since changed and, in so doing, illustrate a historic development.

f) Some fixtures and features may survive, for example in consistory courts and courts of law, that are important evidence of former liturgical or legal practice and may have special historical interest for that reason.

g) Some unusual structures may have historical or socio-historical interest, for example, early electricity substations, 'Emergency' era military pillboxes or sentry-boxes. Although not yet of popular heritage significance, such structures can nonetheless have special historical and social interest.

h) Special historical interest may exist because of the rarity of a structure. Either few structures of an identifiable type were built at a particular time, or few have survived. In either case, the extant structure may be one of the few representative examples of its time that still exists in the national, regional or local area. The rarity of surviving examples of a building type can ensure that special historical interest accrues to them. A planning authority should give careful consideration to protecting any examples of rare structures in its area, bearing in mind the degree to which past interventions may have altered their character.

### Archaeological interest

2.5.9 Special archaeological interest is essentially defined by the degree to which material remains can contribute to our understanding of any period or set of social conditions in the past (usually, but not always, the study of past societies). The characteristic of archaeological interest in the context of the RPS must be related to a structure. Structures of special archaeological interest may also be protected under the National Monuments Acts.

2.5.10 Structures can have the characteristics of both archaeological and architectural interest as these are not mutually exclusive. For example, the party walls or basements of houses of later appearance may contain mediaeval fabric and reveal information of archaeological interest. The standing walls of a sixteenth-century towerhouse will have both characteristics of interest. Fragments of early fabric, including carved or worked stone, may have been re-used in later buildings giving these structures archaeological significance as the current context of historically significant material. A complex of industrial buildings may have archaeological interest because of its potential to reveal artefacts and information about the evolution of industry that may be useful to archaeologists, historians and the public.

### Artistic interest

2.5.11 Special artistic interest may be attributed to a structure itself, or to a part of a structure, for its craftsmanship, design or decoration. Examples could include:

- a) examples of good craftsmanship;
- b) decoratively carved statuary or sculpture that is part of an architectural composition;
- c) decoratively-carved timber or ceramic-tiled shopfronts;
- d) ornate plasterwork ceilings;
- e) decorative wrought-iron gates;
- f) religious art in a place of public worship such as the Stations of the Cross or stained-glass windows;
- g) fixtures and fittings such as carved fireplaces, staircases or light-fittings;
- h) funerary monuments within a graveyard;
- i) the relationship of materials to each other and to the totality of the building in which they are situated, if these have been designed as an ensemble.

2.5.12 For an artistic work to be given protection under the Act, its degree of annexation to the structure should be taken into account. If the work of art is effectively fixed to the structure, it can be considered a part of the structure and therefore protected.

### Cultural interest

2.5.13 The characteristic of cultural interest permeates the architectural heritage and can, in the broadest terms, include aesthetic, historical, scientific, economic or social values of past and present generations. Special cultural interest apply to:

- a) those structures to which the Granada Convention refers as 'more modest works of the past that have acquired cultural significance with the passing of time';
- b) structures that have literary or cinematic associations, particularly those that have a strong recognition value;
- c) other structures that illustrate the development of society, such as early schoolhouses, library buildings, swimming baths or printworks. If these associations are not related to specific aspects of the physical fabric of a structure, consideration could be given to noting them by a tourism plaque or other such device.

#### Scientific interest

2.5.14 The scientific interest, or research value, of a structure will depend on the importance of the data involved and on its rarity and/or quality. Its scientific interest should also be assessed as to how well it represents the area of research in question and the degree to which the structure may contribute further objective information. For example:

- a) the results of scientific research may be seen in the execution of the structure;
- b) the materials used in the structure may have the potential to contribute to scientific research, for example extinct pollen or plant species preserved in the base layers of ancient thatch roofs;
- c) the structure may be associated with scientific research that has left its mark on the place, such as early Ordnance Survey benchmarks carved into stonework.

#### Technical interest

2.5.15 Special technical interest in a structure relates to the art of the structural engineer in devising solutions to problems of spanning space and creating weatherproof enclosures. It may be found in structures which are important examples of virtuoso, innovative or unusual engineering design or use of materials. A structure may be of special technical interest for one or more of the following reasons:

- a) it displays structural or engineering innovation evidenced in its design or construction techniques such as the use of cast- or wroughtiron prefabrication or an early use of concrete;
- b) it is the work of a known and distinguished engineer;
- c) it is an exemplar of engineering design practice of its time. For example, a bridge may be a masonry arch, an iron suspension or a concrete span;

d) it displays technically unusual or innovative construction or cladding materials, such as early examples of glazed curtain walling, prefabricated concrete plank cladding or Coade stone;

e) contains innovative mechanical fixtures, machinery or plant or industrial heritage artefacts that describe the character of production processes. The specifically industrial aspect of some sites like mill buildings, millponds, tailings or derelict mines can often have a technical heritage value;

f) purely special technical interest can be ascribed to the innovative engineering qualities of a structure, as distinct from the building's appropriateness for use, or its appearance or form.

### Social interest

2.5.16 The characteristic of special social interest embraces those qualities for which a structure, a complex or an area has become a focus of spiritual, political, symbolic or other sentiment to any group of people. A community may have an attachment to a place because it is an essential reference point for that community's identity, whether as a meeting place or a place of tradition, ritual or ceremony. The configuration, disposition or layout of a space or group of structures, where they facilitate behaviour that would otherwise be difficult or impossible, may be of social interest. This category of special interest may sometimes not be directly related to the physical fabric of a particular structure or structures and may survive physical alteration. Care should be taken to recognise the pattern or internal relations of the parts of the structure that constitute its special interest, in order to ensure that they be conserved.

2.5.17 The fixtures and features that testify to community involvement in the creation of a structure, or have a spatial form or layout indicating community involvement in the use of a structure, could include such elements as memorials, statues or stained-glass panels.

2.5.18 A structure may display vernacular traditions of construction and may be set in a group or area which illustrates the social organisation of the inhabitants. Most obviously this would include thatched cottages. In vernacular buildings, elements of the plan-form (for example, direct-entry, lobbyentry, doors opposite one another, bed outshotsetc), as well as the roofing material of otherwise ordinary structures may be distinctive and have special social interest.

2.5.19 Types of decoration may have artistic as well as social interest, such as shell houses or the local manifestation of exuberant or astylar stuccodecoration where it is particular to a town or region.

2.5.20 A social interest could also be attributed to structures illustrating the social philosophy of a past age, as in the case of philanthropic housing developments. Structures which illustrate a particular lifestyle or social condition, for example holy wells, are to be found in many parts of the country. Care must be taken to ensure that there is sufficient physical fabric to such places for them to be defined as 'structures'.



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