

Department of Environment, Food and Agriculture

RECORDING OF MINISTERIAL DECISION

Date: 28th September 2021

File Number: 2021/09/10

Subject: Assessment of Ballacroak Farm and Outbuildings for entry on to the Protected Buildings Register

Complete relevant boxes as appropriate	Yes	No	N/A
Does the proposal comply with the principles of the Government Strategic Plan?	Yes		
Government Policy and Aim	We will have a built and natural environment which is enjoyed and nurtured by all for the future		
Departmental Policy and Aim	Promote the value and utilisation of our amenity, cultural and landscape resources		
Appropriate regulatory consultation taken place?			N/A
Resource/Personnel Implications		No	
Finance Director support obtained			N/A
Treasury Concurrence required			N/A
Inter-Departmental Implications		No	
Priority Level (High, Medium, Low)	High		
Responsible Department Officer	Name: Jennifer Chance Title: Director, Planning & Building Control		

DECISION(S) REQUIRED:-

The Department is invited to consider the content of this report, and is recommended to:

Support the decision not to enter Ballacroak Farm and Outbuildings on to the Department's Protected Buildings Register

1. Introduction and Purpose

- 1.1 The purpose of this paper is to seek endorsement of the recommendation report attached as appendix 1 of the decision not to enter Ballacroak Farm and Outbuildings on to the Protected Buildings Register.

2. Background

- 2.1 The Department was asked to endorse the issuing of a Proposal to Register notice on 2nd June 2021, which it did via the Department's Policy and Strategy Meeting.

3. Legal Issues

- 3.1 The means to designate Registered Buildings is set out within Section 14 of The Town and Country Planning Act 1999 which states:

14 The Protected Buildings Register

(1) The Protected Buildings Register, a register of buildings of special architectural or historic interest, previously maintained by the Department of Infrastructure, is to be maintained, after the coming into operation of the Transfer of Planning and Building Control Functions Order 2015, by the Department.

(2) In considering whether to enter a building in the register 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 ground of its architectural or historic interest, any feature of the building consisting of a manmade object or structure fixed to the building or forming part of the land and comprised within the curtilage of the building.

(3) Schedule 2 shall have effect with respect to the compilation and amendment of the register.

- 3.2 The Procedure by which a Notice of Proposals to Register a Building is issued is set out within section 6 of the Town and Country Planning (Registered Buildings) Regulations 2013

6 Notice of proposal to register or de-register building

(1) The Department must give public notice of any proposal to register or to de-register a building in at least one newspaper published and circulating in the Island or by such other means as the Department considers appropriate —

(a) identifying the building in question, and

(b) stating that any person may make written submissions to the Department with respect to the proposal before such date as is specified in the notice (not being less than 21 days after the date on which the notice is first published).

(2) The Department must give a copy of the notice and state that written submissions with respect to the proposal may be made to the Department as directed under paragraph (1)(b) to —

- (a) every owner or occupier of the building;
- (b) the local authority for the district in which the building is situated; and
- (c) Manx National Heritage.

(3) The Department must not register or de-register the building, as the case may be, until —

- (a) it has considered any representation duly made in pursuance of a notice under paragraph (1) or (2); and
- (b) the period referred to in paragraph (1)(b) has elapsed.

4. Policy

- 4.1 The Policy context for Registration is outlined in the Department's operational policy *Principles of Selection for the Registration of Buildings in to the Protected Buildings Register* attached as appendix 3.

5. Assessment

- 5.1 An advice report for Ballacroak Farm and Outbuildings has been compiled by the Registered Buildings Officer and Registered Buildings Assistant assessing the potential special interest and outlining the comments received as part of the consultation. This report is attached as appendix 1; the comments received are attached as appendix 2.

6. Justification for Proposed Registration

- 6.1 Officers are of the view that Ballacroak Farm and Outbuildings are not of special architectural and/or historic interest and therefore are not worthy of registration (see appendix 1).

7. Resource Issues

- 7.1 The proposed registration will be undertaken by the Department as part of its planning function.

8. Options

8.1 Having considered the content of this report to support the addition of Ballacroak Farm and Outbuildings to the Protected Buildings Register;

or;

8.2 Not to proceed with the Registration of Ballacroak Farm and Outbuildings.

9. Conclusion

9.1 Having considered the content of the advice report (as set out in appendix 1) and the comments (set out in appendix 2), Ballacroak Farm and Outbuildings are not considered of sufficient architectural and/or historic interest to warrant the inclusion on the Register by reason of: S14 of the Town and Country Planning Act 1999.

10. Recommendation

10.1 The Department is recommended to agree the issue of a Notice of Registration for Ballacroak Farm and Outbuildings to formally endorse the decision not to enter Ballacroak Farm and Outbuildings on to the Protected Buildings Register.

AUTHORISATION

Supported by relevant Director:	
Signature: Redacted	Date: 05/10/2021
Chief Executive: APPROVED / NOT APPROVED / REFERRED BACK	
Signature: Redacted	Date: 6/10/21
Minister: APPROVED / NOT APPROVED / REFERRED BACK	
Signature: Redacted	Date: 6/10/21

COMMENTS

(Continue overleaf if necessary)

Case Name:	Ballacroak Farm	
Case Number:	RBINV1373	
Background		
The Department for Planning & Building Control has been asked to survey Ballacroak Farm as a candidate for inclusion into The Register of Protected Buildings.		
Asset (s) under Assessment		
Facts about the asset (s) can be found in the Annex (es) to this report.		
Annex	Name	Category
1	Draft Register Entry Summary	Registration proposals
Visits		
May 2021	Visit Type: External and Internal	
Context		
Assessment		
Consultation		
<p>The formal Notice proposing entry was issued 9th June 2021. A Consultation report including facts about the farm as the Department understands them was produced and made available alongside the proposals to register notice.</p> <p>Statutory Consultees:</p> <p>Owner/Occupiers: OT One Limited and their agents have provided several submissions regarding the proposed registration. Their complete submission includes a rebuttal letter, heritage assessment, comments regarding the intactness of the farm complex, and comments regarding internal features. The full submission is included within an appendix to this report, with a brief summary below:- The Heritage Assessment concludes with three conclusions:-</p> <ul style="list-style-type: none"> • <i>The assessment has demonstrated that the architectural and historic interest, and thus heritage significance, of Ballacroak Farm is very limited.</i> • <i>Whilst potentially originating in the early 19th century, only four of the structures now present within the complex could be of this date, with the others being 20th century extensions. It is more likely that many of the structures are from the mid-19th century. These 19th century structures have also undergone substantial 20th century alteration.</i> • <i>The architectural and historic interest, and thus heritage significance, of the Ballacroak Farm complex is not equal across its component parts, and based upon the assessment undertaken in line with the Department of Environment, Food and Agriculture and Isle of Man Policy, it is considered that whilst some of the structures at Ballacroak Farm display some qualities of merit, they are of limited value by virtue of their lack of rarity, and of insufficient architectural and historic interest as to warrant inclusion on the National Register.</i> <p>The comments regarding the intactness of the landholding are summarised as follows:-</p> <ul style="list-style-type: none"> • <i>The original land holding which correlates with that shown in Woods Atlas as c90 acres and the current landholding is c40 acres. That is a 56% reduction in holding.</i> • <i>It should be noted, of the many other quarterland farms in existence on the island, many</i> 		

retain their original landholding to this day.

The comments regarding internal features includes the following points:-

- *The remaining historic fabric is limited to only the balustrade, some internal doors and some mouldings (many of which have been removed).*
- *The limited remaining internal features at Ballacroak would not satisfy the criteria of special architectural interest as envisaged under the Opps Criteria as they are not of any rare design nor are they of any particular quality with simple detailing.*

Local Authority: Malew Parish Commissioners

The Commissioners have stated that they feel there is no benefit to have the property registered or preserved. The Commissioners consider the current planning application to develop the site would enhance the site.

Manx National Heritage: No comments have been received.

Other organisations, groups:

Isle of Man Antiquarian and Natural History Society (IMANHS):

The Society submitted comments stating they consider that Ballacroak farm, as a largely intact traditional Quarterland farm, helps to represent a group of buildings which is greatly under represented on the Protected Buildings Register. The Quarterland farms form the backbone to vernacular and traditional rural architecture on the island, and the Society fully support the proposal to register it. The Society include information regarding the farm's history in terms of tenants, and describe the importance of the farm's form and architecture, emphasising that the plainness of style does not mean that it is not important. The Society also includes a detailed submission regarding Quarterland farms in the area between Douglas and Castletown, and how local geography impacted the field pattern and crops/animals that were farmed.

Discussion

It is my view that the potential special interest of the building can be summarised by the following main issues:-

Age and rarity

It is not disputed that the farmhouse and the majority of the stone outbuildings date from the early to mid-19th century as this is the view of myself the owner and IOMNHAS it is therefore right that the complex is worthy of consideration particularly when the complex is at risk from total loss. What is disputed however is the extent that the buildings are of special interest to warrant registration.

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.

The owners argue that building A-C are of some architectural interest, with this principally associated with their overall design intent. Structure A's original design intent with its symmetrical frontage and bookend chimneys also contribute to its architectural interest. The overall architectural interest is considered to be enhanced by the 'group value' of the buildings. With regard to architectural detailing of the exterior elevations, whilst this is considered to be of aesthetic merit, the detailing is not unique nor particularly rare. Moreover, the original appearance of the building

has not survived in full due to later alterations to facilitate the ongoing use of the buildings, most of which have not been sensitive to the traditional buildings, including the cementitious render of Structure A or the modern metal lintel of the window in Structure B
IOMNHAS argue that Ballacroak farm is a largely intact traditional Quarterland farm, helps to represent a group of buildings which is greatly under represented on the Protected Buildings Register. The Quarterland farms form the backbone to vernacular and traditional rural architecture on the island.

When considering the intactness of the complex against its rarity and quality the issue of selectivity is a key concern a building may be registered primarily because it represents a particular historical type in order to ensure that examples of such a type are preserved. Registration 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 Department's policy is to register only the most representative or most significant examples of the type.

In this matter I cannot with confidence conclude that Ballacroak is sufficiently rare nor is it the most representative or most significant of its type. It is clear that Quarterland farmhouses are underrepresented on the protected buildings register and that a comparative exercise is required to establish the most representative or significant examples.

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 Registration.

The owner argues that Structures A-C are considered of some historic interest in association with the contribution that they make to the understanding of the development and importance of agricultural complexes in the local area. This is emphasised by the positioning of the building within open fields and the associations with the quarterland system which is unique to the Isle of Man. However, this interest is limited due to the prevalence of these building types and dates nationally, and the absence of any innovative building techniques.

IOMNSAS argue that Quarterland farms are historically important part of the islands cultural traditional rural history of the island.

It is not suggested or disputed that known individuals or events that have occurred or associated with the farm of such national importance as to suggest the building is of special historic interest of these reasons. The matter is therefore once again an issue of selectivity. It is clear that building relating to the agricultural and quarterland system which is unique to the island do illustrate an important aspect of the Nation's history the matter being is Ballacroak of sufficient rarity, or the most representative or significant to be considered of special historic interest

Again I cannot conclude that Ballacroak is sufficiently rare nor is it the most representative or most significant of its type and that comparative exercise is required to establish the most representative or significant examples.

Conclusion

After examining the available records and other relevant information, and having carefully considered the architectural and historic interest of this case, the criteria for entry to the Register of Protected Buildings are not fulfilled and the property should not be added to the Register.

Ross Brazier, Registered Buildings Officer.

Reasons for Registration Decision

Ballacroak Farm referenced RBINV1373 is not recommended for entry into the Protected Buildings Register for the following reasons:

●ARCHITECTURAL INTEREST:

- Although a Quaterland farm, Ballacroak is not sufficiently rare nor is it the most representative or the most significant of its type to be of special interest

●HISTORIC INTEREST:

- Although a Quaterland farm, Ballacroak is not sufficiently rare nor is it the most representative or the most significant of its type to be of special interest

Countersigning comments:

Agreed, Jennifer Chance, Director Planning and Building Control.