



Isle of Man
Government

Reiltys Ellan Vannin



Operational Policy on the Principles of Selection for the Registration of Buildings in to the Protected Buildings Register

Department of Environment, Food and
Agriculture

Planning and Building Control Directorate Murray House

November 2018

1.0 PURPOSE OF THIS DOCUMENT

- 1.1 This Operational Policy document sets out the criteria the Department will follow when assessing buildings for including in to the Protected Buildings Register, a register of buildings of special architectural or historic interest. It is issued by the Department of Environment, Food and Agriculture with the approval of the Minister.

2.0 LEGAL AND ADMINISTRATIVE CONTEXT FOR REGISTRATION

- 2.1 Most European countries have systems to protect and to control change on important historic buildings. The system in the Isle of Man operates under the Town and Country Planning Act 1999. Registration ensures that a building's special character and interest are taken into account where changes are proposed. The Protected Buildings Register is compiled for the purposes of the 1999 Act and for guidance of the Department in its performance of its duties set out in the 1999 Act. The 1999 Act places a duty on the Department to maintain a register of buildings of special architectural or historic interest.
- 2.2 The Protected Buildings Register is available on the Department's website. Registration is the statutory process by which buildings are added to the Protected Buildings Register. Once included on the Register both exterior and interior has statutory protection under the provisions of the 1999 Act. Registration is intended to maintain the character of the Island's built heritage and to guard against unnecessary loss or damage.
- 2.3 Any building or man-made structure could be considered for entry into the Protected Buildings Register.

3.0 STATUTORY CRITERIA

- 3.1 As set out in Section 14(1) of the Town and Country Planning Act, the Department uses the criteria set out below when assessing whether a building is of special interest and therefore should be added to the Register.

3.2 Architectural Interest.

- 3.2.1 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.

3.3 Historic Interest.

- 3.3.1 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.

4.0 WIDER CONSIDERATIONS

4.1 As set out in Section 14(2) of the Town and Country Planning Act, the Department will also take into account when considering whether to enter a building onto the register the following:

4.2 Group Value

4.2.1 When making a decision to register, the Department 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 Department 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 estates) or where there is a historical functional relationship between a group of buildings (e.g. farm complexes). If a building is designated because of its group value, protection applies to the whole of the property, not just the exterior.

4.3 Objects and structures

4.3.1 When considering whether a building is of special architectural or historic interest the Department may take into account the desirability of preserving, on the grounds of its architectural or historic interest, any feature of the building containing a man-made 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 registered. However, in the absence of any other aspects of special architectural or historic interest, such features will justify the registration 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.

5.0 GENERAL PRINCIPLES

5.1 In applying the statutory criteria and considerations, as set out above, the Department will also consider the following principles:

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 1800, all buildings that contain a significant proportion of their original fabric are likely to be registered;
- from 1800 to 1860, many buildings may be worthy of consideration for Registration;

- after 1860¹, because of the greatly increased number of buildings erected and the much larger numbers that have survived, progressively selection is necessary;
- particularly careful selection is required for buildings from the period after 1945;
- buildings of less than 30 years old are normally registered only if they are of outstanding quality and under threat.

Aesthetic merits. The appearance of a building – both its intrinsic architectural merit and any group value – is a key consideration in judging registration 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.

Selectivity. Where a building qualifies for registration 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 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.

National Context. The Isle of Man is a separate entity to the UK and the unique context of the Island's historic development must be taken into consideration as part of the selection process. Special interest is likely to be conferred on buildings which may not be the case if they were in the UK, given the Island's unique context.

State of Repair. The Department should register a building which has been assessed as meeting the statutory criteria, irrespective of its state of repair or other factors such as implications for future use or financial issues.

6.0 IDENTIFICATION OF BUILDINGS FOR CONSIDERATION FOR REGISTRATION

6.1 Buildings may be identified for entry in to the register in several ways:-

- The building may already appear in the provisional list drawn up by the Department for the purpose of recommending buildings for registration;
- Buildings judged worthy of investigation with a view to registration may also have been identified in an area plan;
- Buildings may also be added to the provisional list following proposals from Local Authorities, special interest groups or other bodies or individuals, that a particular building or buildings should be considered for registration, or protection by way of a building preservation order pending registration; and

¹ *The year 1860 was selected because of the change which followed, in terms of the of the increase in building due to the boom of the island's tourist industry which saw building on an unprecedented scale.

- If it comes to the notice of the Department that a particular building may merit registration and may satisfy the criteria set out above, then the Department may itself propose such a building for registration.

7.0 PRIORITY OF THE CONSIDERATION OF BUILDINGS FOR REGISTRATION

7.1

The Department will generally prioritise the consideration of buildings for registration in the following way:-

Priority	Category
High	Buildings that are at risk of demolition or significant alteration
Medium	Buildings identified in the provisional list
Medium	Buildings identified in area plans
Low	Buildings not at risk and that have been proposed by any other means

- 7.2 In certain circumstances the Department may prioritise buildings for consideration by means other than the above. For example, as part of a particular theme or when important information or evidence is uncovered that makes a clear case for a building being of special interest.