

PLANNING AND BUILDING (JERSEY) LAW 2002 (as amended)

Appeal under Article 108 against a decision made under Article 51 to include a building on the List of Sites of Special Interest

REPORT TO THE MINISTER FOR THE ENVIRONMENT

made under Article 115(5)
by D A Hainsworth LL.B(Hons) FRSA Solicitor
the inspector nominated under Article 113(2) from the list of persons appointed
under Article 107

Appellant:

Mrs June St B Liebert

Historic site reference:

LA0059

Listed Building Grade:

Grade 2

Building type:

Residential (rural house)

Building name and address:

Badier Farm, Le Chemin des Montagnes, St Lawrence J3 1FW

Inspector's site visit date:

3 April 2017

Introduction, background and procedural matters

1. This is an appeal against the decision of the Chief Executive Officer for the Department of the Environment made on 1 February 2017 to add the building, Badier Farm, Le Chemin des Montagnes, St Lawrence, to the List of Sites of Special Interest maintained under Article 51. The decision was taken after considering advice provided by Jersey Heritage, who took into account the views and advice offered by the Listing Advisory Group, and after taking into account the written representations submitted by the appellant in response to the notice served under Article 52.
2. Article 51(2) states that the List shall include each building that the Chief Officer is satisfied has public importance by reason of the special archaeological, architectural, artistic, historical, scientific or traditional interest that attaches to the building. The sole matter to be taken into account when a decision is taken under Article 51(2) is whether or not the building in question

has public importance by reason of its special interest. If it does, there is an obligation to list it.

3. A document entitled "Criteria for the listing and grading of heritage assets", which was adopted in April 2011, sets out the framework that the Chief Officer uses when making a decision whether to list a building. The document states that the "ultimate aim is to conserve a carefully defined range of the extensive heritage on the Island".
4. The criteria state "Listings will cover five broad areas". Detailed criteria are set out for each of these areas, together with a list of issues that will be taken into account. The areas include the interests listed in Article 51(2), with the addition of age. The criteria indicate that age is "a major factor in the evaluation process", since "the older a building is and the fewer of its type that survive the more likely it is to present a special interest". Age in itself though is not one of the special interests referred to in Article 51(2).
5. The criteria include a non-statutory grading system (Grades 1 to 4), which is not a formal part of the listing decision, but exists to help to determine the significance of the heritage asset and assess any changes proposed in the future. The Chief Officer has allocated Grade 2 to Badier Farm. Grade 2 buildings are described in the criteria as: -

"Buildings or places of special public and heritage interest to Jersey, being important, high quality examples of a particular historical period, architectural style, building type or archaeological site, that are either substantially unaltered or whose alterations contribute to the special interest."

6. The Chief Officer's listing particulars for Badier Farm contain the following details:
 - **"Statement of significance:** An important, well preserved historic farmstead of early origins, dating back in parts to the 15th century and 1684, with interior and exterior features of note."
 - **"Historic interest:** An important historic farmstead of early origins, which preserves the medieval arrangement of a principal house with chamber block at right-angles to it, characteristically projecting forward and formerly entirely free-standing, with a courtyard at the front (once surrounded by other ancillary buildings). There are many notable historic features of interest including Jersey round arch doorways to the main house and chamber block, which also retains rare examples of ferramenta to the ground-floor store windows and a unique wooden transom and mullion window in the back gable of the first floor chamber; and an impressive double arch entrance to the courtyard. John McCormack 'Channel Island Houses' dates the main phases to the 15th century and 1684."
 - **"External Description:** An historic farmstead comprising a 3 bay, 2 storey main house with 2 storey kitchen wing to the west, and a 2 storey chamber block at right-angles to it enclosing a courtyard fronted by a high wall and double arch entrance. The 1960s / 70s extensions are in keeping with the original property, but are not of historical interest and excluded from the listing. The main house and west wing have a continuous pantiled roof (pantiles added in the 1970s), with dressed stone chimneystacks, with

thatch dripstones. Front (south) elevation is squared coursed rubble granite with large irregular quoins and quoined window surrounds. Moulded gable kneeler. Jersey chamfered round arch doorway with double voussoirs, heightened at base, with IRM incised on the keystone. Replacement 12 pane (6/6) sash windows with horns; modern door. Modern extensions east and rear. The chamber block has a matching pantiled roof with a dressed stone chimneystack with thatch dripstones to the south gable, and brick bell tower on the north end. Front (west) elevation is random granite rubble. At first floor is a chamfered Jersey round arch doorway with restored outer voussoirs accessed by restored external stone steps; with a small window to the side of the door. 3 windows on first floor and 1 on the ground floor with accolade lintels, one with inscription. Ground floor chamfered window lintel and door lintel with inscription IRM within shield. Window openings have chamfered sills and uprights that have been heightened. South gable and rear (east) elevation pierre perdu render with tapered long quoins visible. Gable has square window with chamfered surround to first floor chamber, and small ventilation opening to attic. The rear elevation has first floor window openings with stone sills, lintels and uprights; with 2 modern openings at north end; modern windows. 4 smaller openings to ground floor, 2 with original iron cross bars (ferramenta). North gable end has original wooden transom and mullion window. Double arch entrance to courtyard, both chamfered with acorn chamfer stops. Incised keystone on carriage arch dated 1686 with IRM SGC within a shield."

- **“Internal Description:** The interior of the main house is single pile, 2 room wide, with a kitchen wing to the west; originally with a central passage. The main house chambers and passage have now been joined together to form a single room on the ground floor. The ground floor kitchen wing has fireplace with decorated chamfered stone corbels and a timber beam resting on joggle stones. The main house ground floor fireplace on the west wall has been covered up. The east wall fireplace has single-piece chamfered uprights and decorated moulded corbels; straight stone lintel with a thin groove at the top. Ceiling beams with chamfers interrupted by stops. Dressed stone doorways to rear (link to tourelle no longer surviving). Main house first floor has a corbelled fireplace with chamfered jambs and decorated moulded corbels with acorn/rounded chamfer stops. Chamfered beams. The ground floor of the chamber block retains few features of interest. Formerly the location of the cider press, the grooves on the wall survive; a corbelled fireplace on ground floor north wall has been much altered. The first floor chamber retains a fine stone fireplace with single-piece uprights, chamfered on both sides with acorn / rounded chamfer stops; the chamfered decorated moulded corbels also with incised zig-zag pattern. The patterned plaster hood was added 1960s.”

The case for the appellant

7. The appellant maintains that Badier Farm is not truly representative of a traditional Jersey farmstead, since only limited original features are intact externally or internally and the original farm buildings no longer exist. She adds that whilst sympathetic additions have been made, they have not added to the architectural interest. She recognises that Badier Farm is a beautiful and much-admired property, but considers Grade 2 listing to be excessive.

8. The appellant has expressed concern about the restrictions that would be placed on her ability to carry out repairs and alterations that could affect Badier Farm as a listed building, or its setting, and maintains that they could result in delays to urgent works and additional expenditure.

The case for the Chief Officer

9. The Chief Officer relies on the listing particulars set out in paragraph 6 above. He considers Badier Farm to be an important and notable example of a Jersey farmstead of medieval origins, of which few survive, and that it has build-phases from the 15th century onwards including significant additions from the 17th century, with well-preserved interior and exterior features of note.
10. The Chief Officer indicates that the 1960s / 70s extensions are in keeping with the original property, but are not of historical interest and were excluded from the listing following receipt of the appellant's Article 52 representations. In addition, the interior interest was further detailed and clarified at this stage.

Representations made by other persons

11. No other representations have been drawn to my attention.

Inspector's assessment and conclusion

12. I inspected Badier Farm internally and externally and viewed its setting. The visit confirmed the detailed descriptions set out in the listing particulars.
13. The matters of interest relating to Badier Farm are historical and architectural. It has historical interest because (a) its form and layout illustrate significant aspects of Jersey's social and economic agricultural development from the 15th century onwards, (b) the farmstead has survived predominantly in its original form and layout and (c) there are few remaining examples of its kind on the Island. It has architectural interest because of the features referred to in the listing particulars, such as the windows and doorways, the fireplaces and the arched courtyard entrances.
14. The sole matter to be taken into account when a decision is taken under Article 51(2) is whether or not the building in question has public importance by reason of its special interest. The appellant's concerns as set out in paragraph 8 above are not therefore a well-founded argument against listing. These restrictions apply to all listed buildings and their settings and Badier Farm would not be affected any differently to the others. The Department of the Environment has already given detailed advice to the appellant on these matters, and will continue to be available if she needs assistance.
15. My conclusion, applying the Listing Criteria summarised in paragraphs 3 and 4 above and taking into account everything I have seen and read about Badier Farm, is that it has historical and architectural characteristics that are special and of public importance sufficient to justify its inclusion on the List of Sites of Special Interest.

Inspector's recommendation

16. For the above reasons, I recommend that, in exercise of the power contained in Article 116(2)(c) of the Planning and Building (Jersey) Law 2002 (as amended), the appeal should be dismissed.

Dated 4 May 2017

D.A.Hainsworth
Inspector