

Planning and Environment
Supplementary Planning Guidance

Practice Note

November 2008

**The identification and designation of buildings
and places of architectural, archaeological,
historical or other interest**

About Supplementary Planning Guidance

The Minister may publish guidelines and policies (supplementary planning guidance) in respect of; development generally; any class of development; the development of any area of land; or the development of a specified site.

Supplementary planning guidance is intended to assist in dealing with development control considerations, ranging from the Minister's approach to policy considerations under the Island Plan, to guidance on how to make planning applications. Supplementary planning guidance is issued in three different forms.

1. **Policy Notes:** Policy notes build on the provisions of the Planning and Building (Jersey) Law 2002 and the policies in the Island Plan 2002.

Policy notes do not replace the law and do not have the same status as the policies in the Island Plan, which remains the first consideration when making decisions on development proposals. They will, however, be a material consideration in the determination of planning applications and can be given substantial weight.

2. **Advice Notes:** Advice notes provide detailed advice about the ways in which the provisions of the law and Island Plan policies are likely to be interpreted and applied by the Minister.
3. **Practice Notes:** Practice notes aim to provide information about how the planning system's protocols and procedures operate.

The current supplementary planning guidance is listed and can be viewed on the States of Jersey website www.gov.je/PlanningBuilding/Pages/default.aspx.

Documents which pre-date electronic production will be added to the website for viewing or downloading following review, as appropriate.

Hard copies of all supplementary planning guidance can be obtained from Planning and Building Services, Planning and Environment Department, South Hill, St Helier, JE2 4US. Telephone: 01534 445508 email: planning@gov.je

The identification and designation of buildings and places of architectural, archaeological, historical or other interest

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Purpose

The purpose of this guidance is twofold:

- To set out the process by which buildings and places of architectural, archaeological, historical or other interest in Jersey are protected because of their particular or special interest;
- To set out the criteria used to assess whether or not a building or place is of sufficient interest to warrant protection.

It is hoped that this guidance will be of interest and help to owners, architects, agents and others involved in working with and caring for Jersey's historic built environment.

Background and context

The protection of Jersey's historic built environment is, compared to places like the UK, a relatively recent phenomenon. Whilst earlier planning legislation, adopted in Jersey in 1964, made provision to designate sites of special architectural, archaeological, historical or other interest it was not until 1972 and 1974 that a selective 'listing' of some historic buildings in St Helier and at Gorey Pier in St Martin respectively was undertaken, followed by a more comprehensive survey in 1987 - 1989.

The Protection of Jersey's Architectural Heritage (October 1991), prepared by the Island Development Committee, set out the Committee's intent to use the Island-wide survey to identify and grade historic buildings in Jersey based primarily on their age, supplemented by criteria used by English Heritage to define townscape value. This resulted in the informal establishment of the Register of Buildings of Architectural, Archaeological and Historical Importance, comprising a schedule of all buildings and places considered to be of some particular interest, with an associated grade, based on the following categories:

Site of Special Interest = already listed

Grade 1 = best buildings in the Island proposed to be Listed as SSI and equivalent to UK Grade I, Grade II*, and Grade II

Grade 2 = buildings of architectural quality but altered and equivalent to UK borderline 'listability'

Grade 3 = buildings of local interest to the Island and equivalent to UK Grade III 'Local Interest'

L = buildings of local interest to the locality, but 'full' listing unwarranted

The existence of a building on the Register was to be used to highlight the particular interest of the building or place in the consideration of planning applications. It was also the Committee's intent to statutorily designate only those buildings and places in Jersey which were categorised as belonging in Grade 1, as Sites of Special Interest.

In place of this somewhat complex system of designation and grading of the Island's historic buildings and places, a simpler system was introduced by the Planning and Environment Committee in July 1998 as part of the *Interim policies for the conservation of historic buildings* which was prepared in advance of the 2002 Island Plan Review. This formally established the Register of Buildings and Sites of Architectural, Archaeological and Historical Importance, as the comprehensive schedule of the Island's historic buildings, but also sought to classify them into just two categories of designation:

- Sites of Special Interest:** being the most significant buildings and places; and
- Buildings of Local Interest:** being the remainder of buildings and places on the Register.

The introduction of these two grades of designation was accompanied by the publication of explicit principles and criteria used in the identification and assessment of their particular interest.

Whilst the interim policies were superseded by the planning policy regime established by the 2002 Island Plan, the principles and criteria for the identification, assessment and designation of historic buildings and places remain and still apply and are set out in this guidance (where they have been amended only to reflect the introduction of the new Planning and Building (Jersey) Law 2002, where relevant).

These criteria were supplemented, in February 2002, by the introduction of criteria to assess the potential interest of twentieth century buildings and places.

Specific criteria, and new categories of designation, were also introduced in January 2008 specifically to deal with sites of archaeological interest. The criteria for archaeological sites can be found in Policy Note 1 *Archaeology and Planning* (January 2008).

Process of assessment and designation

The need to identify and protect all of the Island's special buildings and places of architectural, archaeological, historical or other relevant interest is set out in law and international conventions, to which Jersey is party.

To do this, the Minister for Planning and Environment maintains the Register of Buildings and Sites of Architectural, Archaeological and Historical Importance (the Historic Buildings Register), which contains details of all of these sites: it defines where they are and what makes them special.

Because of change, there is a need to ensure that the Register's content remains up-to-date and robust. In deciding whether or not to add, maintain or remove a building or site from the Register, the Minister for Planning and Environment seeks the advice of Jersey Heritage.

Jersey Heritage is able to provide professional and independent advice to the Minister about what makes a building or place special: it is able to expertly assess the history, architecture and archaeology of a site, and to judge this

against the Minister's own criteria for designation. Jersey Heritage undertakes independent assessments and makes recommendations about designation to the Minister.

The Minister can also seek other expert views, and the Minister ensures that this happens by requiring Jersey Heritage to consider the views of a group of local people who are knowledgeable about the Island's history, architecture and archaeology (the Ministerial Registration and Listing Advisory Group: MRLAG) before presenting its recommendations, together with the views of MRLAG, to the Minister. Other expertise, such as that of English Heritage specialists in particular building types, will also be sought, where necessary.

Before the Minister decides whether to add or remove a building or place from the Register, the Minister will also consult owners, and provide them with an opportunity to make their views known to him about whether their building warrants designation.

Principles for Listing as Sites of Special Interest

Sites of Special Interest are defined as buildings and places of 'public importance', having 'special archaeological, architectural, artistic, historical, scientific or traditional interest' (Planning and Building (Jersey) Law 2002, Art 51(2) (b)), or a combination of these.

The essential criterion for the designation of an historic building as a Site of Special Interest is that its special interest extends substantially to its authentic fabric, plan form, interior features, or historical associations of the interior: in other words, it is not substantially confined to the exterior of the building and the contribution which it makes to the character or appearance of its townscape or landscape setting.

The relevant general criteria may be translated into criteria for Listing of buildings as follows:

Archaeological interest: Where the fabric of the building and the land beneath and around it, which is the primary document for its history and antecedents, contains, or can be expected to contain, unique and valuable evidence about its development, and the culture which produced it, which can be understood through systematic investigation. This will be an important consideration for any building originating before about 1800, and tends to increase with age. It can also be important for some more recent industrial buildings, where the rate of change tends to be rapid, in response to technological change, the evidence for which often remains encapsulated in the fabric. Archaeological interest can be increased by the building's association with a larger archaeological site.

Architectural interest of the exterior: Where buildings are of special interest for their architectural design or style, artistic decoration, craftsmanship, composition, or use of materials and details, whether it be in the vernacular tradition, or as a result of conscious design. Such architectural interest may be enhanced by the contribution of the building to a larger group, or to a townscape or rural setting, or its role as a landmark.

Architectural and scientific interest of the structure: Where the structure of the building contributes significantly to its special interest, because of its distinctive character (for example, the traditional timber-framed interior structure of some warehouses) or technological innovation or virtuosity (for example, the early or experimental use of particular materials or techniques, like cast iron roofs in the early 19th century, or reinforced concrete before the early 20th), whose interest may not necessarily be expressed in high aesthetic quality.

Architectural or traditional interest of the plan form: Where the internal plan form contributes significantly to the special interest of the building, by virtue of its distinctiveness, innovation, or ability to shed light on the cultural traditions of Jersey. The latter will normally be important in domestic buildings dating from before 1700, and in many cases in those dating from before 1800.

Architectural or artistic interest of the interior: The survival of substantially complete domestic rooms from before 1700, the major elements of historic interiors from before 1840, and domestic interiors of particular quality and interest of later date, are likely to justify Listing, as are the existence of works of art, sculpture, carving etc which are integral and fixed elements of the design or decoration of historic interiors.

Historical interest: Buildings which illustrate significant aspects of or innovations in Jersey's social, economic, cultural or military history, or where there is close, documented, historical association with significant people or events. This includes interiors associated with such a significant event, or occupation or use by a key figure in the Island's history, particularly when the interior concerned has survived with little significant change.

Clearly, not all designated buildings will qualify under all these headings, but many will qualify under more than one.

Principles for Registration: Buildings of Local Interest

Buildings included in the Register are those which substantially retain their historic form and detail, or sufficient for that form and detail to be readily recovered from surviving evidence, and so make a significant and positive contribution to the architectural and historical identity, character and amenity of Jersey.

The main criteria for selection are therefore:

Architectural interest: Buildings which are of significance for their architectural design or style, decoration and craftsmanship, composition, or use of materials and details, whether it be in the vernacular or 'polite' traditions; but also significant examples of particular building types and techniques, for example those showing technological innovation or virtuosity, whose interest may not necessarily be expressed in high aesthetic quality;

Historic interest: Buildings which illustrate significant aspects of Jersey's social, economic, cultural or military history. This includes close, documented, historical association with significant people or

events, although normally there should be some quality or interest surviving in the physical fabric;

Scenic and group value, particularly where a group of buildings together, or an individual building in its landscape setting, comprise a formal or informal ensemble whose collective quality is more than the sum of the parts.

Not all of these criteria will be relevant to every case, but a particular building may qualify for registration under more than one of them.

The older a building is, the fewer examples of its kind are likely to survive, and thus the more likely it is to have historic importance. Thus, the more recent and numerous the building or type, the more rigorous is the selection, so that whilst it is reasonable to protect all surviving pre-1700 buildings (which of course represent only a small fraction of those originally constructed), registration tends to become increasingly selective as age decreases. In Jersey, any building which survives in recognisable form from before the middle of the 19th century will normally be of registerable quality for its historic interest, as well as, normally, meeting at least one of the other principal criteria.

After the middle of the 19th century, because of the greatly increased numbers of buildings constructed, and the larger proportion which has survived, selectivity is necessary, normally based on thematic assessment of particular building types. Architectural quality, or the extent to which particular buildings or types define or make a major contribution to local character and identity, or represent the tangible legacy of formative trends, trades or events, become more significant.

Uniqueness and rarity are also important. Public buildings like the States Building or the Public Abattoir are unique, in the sense of being the sole example of the building type represented in Jersey; but rarity can be due to a high attrition rate, leading to few examples surviving of once-common and locally distinctive building types, like warehouses. The overwhelming similarity to English design is distinctiveness in itself, although there are also some French designs: the blend is striking.

After 1920, the number of surviving buildings increases still further and local distinctiveness is less evident. Only a small number of buildings of exemplary architectural quality or great historical interest will be appropriate for registration and the following criteria will be considered. Buildings less than 30 years old will not normally qualify for registration.

Where twentieth century buildings are to be included in the Register, it will be a requirement that a high proportion of the original fabric will have survived. In addition, one or more of the following criteria should be satisfied – the criteria are illustrated by examples but these do not represent an exhaustive list:

The building might be a representative example of a recognisable design or stylistic movement, for example in plan form, spatial arrangement or decorative treatment (eg Les Lumieres, St Brelade or Collins Headquarters in Don Road, St Helier);

The building might display innovative use of materials (eg patent glazing at Romeril's showroom in Dumaresq Street) or structural techniques (eg timber Lamella hangar at Jersey Airport);

The building might be by a well-known architect or designer, in a local or wider context, or be notably individualistic in its design that is outside the mainstream (eg Eric Baker's Soroptimist House, Pomona Road or Arthur Grayson's Green Court, Green Street);

The building might be an unusual building type or a rare survivor (eg Odeon Cinema, Bath Street or Forum Garage, First Tower)

Useful contacts

Planning and Building Services

Planning and Environment Department, South Hill, St Helier, Jersey, JE2 4US

t. 01534 445508 f. 01534 445528

e: planning@gov.je

w: www.gov.je/PlanningBuilding/Pages/default.aspx

Jersey Heritage

Jersey Archive, Clarence Road, St Helier, Jersey, JE2 4JY

t. 01534 833301 f. 01534 833300

e: archives@jerseyheritage.org

w: www.jerseyheritage.org