

Report on	Response to consultation from Department for Communities, Historic Environment Division on draft document - <i>'Information Guide for Local Councils: Listed Buildings'</i>
Date of Meeting	1 st December 2020
Reporting Officer	Michael McGibbon
Contact Officer	Chris Boomer, Planning Manager

Is this report restricted for confidential business?		Yes	
If 'Yes', confirm below the exempt information category relied upon		No	x

1.0	Purpose of Report
1.1	The purpose of this report is to provide the basis for a reply to the consultation sent to Mid Ulster District Council (MUDC) by Department for Communities, Historic Environment Division (DfC, HED) regarding their proposed draft guidance for Councils in relation to the listing building process. DfC, HED have stipulated a deadline for comment on the draft guidance document of 21 st December 2020.
2.0	Background
2.1	DfC, HED have a statutory duty to protect buildings through 'listing.' 'Listed Buildings' are those man-made objects and structures designated as being of 'special architectural or historic interest' under Section 80 of the Planning Act (NI) 2011. The legislation provides the overall test for assessing a building for listing and states that 'The Department – a) Shall complete a list of buildings of special architectural or historic interest, and; b) May amend any list so compiled
2.2	Members will be aware that DfC, HED have a statutory duty to consult with both Mid Ulster District Council and the Historic Buildings Council should they wish to include or remove a building on that list within the Council area. In an effort to

	<p>complement the listing process and demonstrate a sound approach to the protection of buildings of special architectural or historic interest HED have produced the draft guidance <i>'Information Guide for Local Councils: Listed Buildings'</i> as a means of ensuring Local Councils understand their role within the process. This report will provide observations and comment on the content and the proposed wording of the draft guidance.</p>
--	---

3.0	Main Report
	<p>Department for Communities, Historic Environment Division's Draft guidance for Local Councils on the 'listing' process</p>
3.1	<p>DfC, HED has a statutory duty to protect buildings through the listing process. There are currently around 8900 listed buildings in Northern Ireland, with Mid Ulster containing 14% these buildings. The SPPS highlights that we have a duty to further sustainable development by ensuring that identified built heritage assets are retained, conserved and enhanced.</p>
3.2	<p>Mid Ulster District Council takes its responsibility of conserving and enhancing its built heritage seriously and consequently has developed a suite of Historic Environment policies within our Draft Plan Strategy. Members will be aware that our draft policies (HE1 - HE16) seek to protect, conserve and, where possible, enhance the listed buildings within our district.</p>
3.3	<p>The draft guidance has been produced by HED to inform Local Councils in relation to a number of key issues relating to listed building process, namely;</p> <ul style="list-style-type: none"> a) Why are buildings listed? b) How are buildings listed? c) Understanding the Criteria for Listing d) Objecting to a listing / de-listing proposal e) Making changes to Listed Buildings
3.4	<p>HED's draft report also signposts further guidance and information for local councils available from a variety of sources, including DfC and Planning NI. The guidance sets out a step by step guide of the overall listing process from the prospective of the local councils.</p>
3.5	<p>Whilst Mid Ulster Council would broadly welcome the scope and content of the draft guidance, it is important to utilise this opportunity to highlight a number of points within the draft guidance that require amendment.</p> <ul style="list-style-type: none"> • Throughout the document the text refers to 'Articles'. E.g. Article 80. It is important to note, however, that Planning Act (NI) 2011 refers to 'Sections' and therefore the guidance should be amended accordingly. • There are a number of inaccurate web links contained within the draft guidance. Namely, there are a number of links to the withdrawn planning NI website. These references should be amended to refer to the Department for Infrastructure website. • Section 2, paragraph 2.1 advises that another route to listing is through a 'Building Preservation Notice' (BPN) and also states that this power was transferred from the Department to District Councils in April 2015. It is important to note however that this power was also retained by the Department for Communities under Section 81 of the Planning Act (NI) 2011 and this should also be referenced within the guidance.

	<ul style="list-style-type: none"> Section 6 advises that Local Councils can serve an Urgent Works Notice on unoccupied listed buildings, or the unused part of occupied listed buildings. This is of course correct however it should be noted that this power is also retained by the Department for Communities, Historic Environment Division, under Section 161 (3) and it is important that the guidance reflects this. As a general comment, MUDC would suggest that DfC consider the development of alternative legal mechanisms which would better address situations where the owner does not wish to repair the property or wishes to replace the property. <p>CONCLUSION</p>
3.6	<p>Mid Ulster District Council is grateful for the opportunity to comment on the draft guidance for Local Councils on the Listed Building process and we are broadly supportive of its content, which seeks to uphold the protection of our shared heritage assets. The guidance accords with MUDC's approach to built heritage and will ensure a consistent approach to listed buildings. We would however ask DfC, HED to note and give consideration to the above mentioned suggestions.</p>
4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications
	Financial: None identified at present.
	Human: None identified at present.
	Risk Management: None identified at present.
4.2	Screening & Impact Assessments

5.0	Recommendation(s)
5.1	Members are requested to note the contents of this report and agree that the attached response is issued to Department for Communities, Historic Environment Division.
6.0	Documents Attached & References
6.1	Consultation letter to Department for Communities, Historic Environment Division, in response to consultation on 'Draft Guide for Local Councils: Listed Buildings.'

***** DRAFT *****

ALL NUMBERING OR TITLES IN BRACKETS [1] ARE FOR EDITING PURPOSES
AND SHOULD NOT TO BE INCLUDED IN FINAL DOCUMENT

[DOCUMENT TITLE AND COVER]

Information guide for Local Councils: Listed Buildings

[COVER TEXT 1] The Protection of Buildings of Special Architectural or Historic
Interest – the Process of Listing

[INSIDE COVER TEXT 2] The Department for Communities (DfC), Historic
Environment Division (HED) is the government department you should contact if you
have any queries about listed buildings

This information guide has been created for Local Councils to explain the listing
process

IMAGE 01 – FRONT COVER – CAPTION: Rathlin East Light (Grade B+)

[SECTION 1 TITLE] 1. Why are buildings listed?

[1.1] In Northern Ireland, the Department for Communities has a statutory duty to protect buildings through listing (currently around 8,900 listed buildings in NI): “Listed Buildings” are those man-made objects and structures designated as being of ‘**special architectural or historic interest**’ under Article 80(1) of the Planning Act (NI) 2011, which gives the overall test for assessing a building for listing.

It states that: ‘The Department –

- (a) shall compile a list of buildings of special architectural or historic interest,
- and (b) may amend any list so compiled.

[1.2] Listing marks and celebrates a building's special architectural and historic interest, allowing us to highlight what is significant about a building. It also brings it under the consideration of the planning system, so that it can be protected for future generations. Buildings¹ are protected through listing throughout the world. The importance of legislative protection is also recognised by Historic England, Historic Environment Scotland, Cadw in Wales, and The Department of Culture, Heritage and the Gaeltacht in Ireland.

[1.3] ‘The List’ is a register recording all types of structures, ranging from grand houses and cathedrals to warehouses and small buildings.

The term ‘listed building’ refers to any building included in ‘the list’ and the following is also treated as part of the building:

- (a) Any object or structure within the curtilage of the building and fixed to the building
- and (b) Any object or structure within the curtilage of the building which, although not fixed to the building, forms part of the land and has done since before 1 October 1973.

It is important to note that the listing covers the complete interior and exterior of the building.

Buildings included in this statutory list are divided into different grades: A, B+, B, B1 and B2. However, the statutory controls apply equally to all listed buildings, irrespective of grade.

[1.4] Statutory listing of buildings began in Northern Ireland in 1974. This was called the ‘First Survey’ and it took over 20 years to complete. In 1996, the need for a ‘*Second Survey*’ was identified. This is being progressed on a systematic area basis, where buildings that were listed in the First Survey are reviewed, as well as other buildings being identified for listing.

[1.5] DfC has a statutory duty to consult with the Historic Buildings Council and the Local Council before including a building on a list or amending the list.

IMAGE 02 – CAPTION: The Ashby Institute, South Belfast (Grade B+)

¹ The term ‘Buildings’ also encompasses listed structures such as telephone kiosks, pumps, bridges, railway signals etc.

[SECTION 2 TITLE] 2. How are buildings listed?

[2.1] The following steps explain what happens at each stage of the listing process (refer to <https://www.communities-ni.gov.uk/publications/listing-process-buildings>):

Initial decision to determine if a survey is required: HED will decide to investigate if a building is worthy of listing as a result of three normal routes: the 'Second Survey', in response to a 'Listing Query' or through a 'Thematic Survey'.



Choice of 'Route': The 'Second Survey' (www.communities-ni.gov.uk/publications/information-guide-2nd-survey-historic-buildings-listed-historic-buildings-northern-ireland) is the most holistic and efficient method to carry out surveys as it is systematic and area-based.

'Listing Queries' (www.communities-ni.gov.uk/articles/nominating-building-listing-northern-ireland) are progressed to a full survey only after an initial investigation has been carried out to assess if it is worthy of further research.

'Thematic surveys' are carried out to record a specific building 'type' eg. thatched buildings and water pumps etc.

Another route to potential listing is through the use of a 'Building Preservation Notice' (BPN). This power was transferred from DoE to District Councils in April 2015. A BPN is defined under Article 81 of the Planning Act 2011. It 'may' be issued if: '... it appears to the Council that a building which is not a listed building -

- (a) is of special architectural or historic interest; and
- (b) is in danger of demolition or of alteration in such a way as to affect its character as a building of such interest'.

This protects a building, as if it were listed, for a period of up to six months.

If a building is considered to be at high risk of loss or significant alteration then HED will advise the District Council, providing details on the case and requesting that they consider serving a BPN:

www.planningni.gov.uk/index/advice/northern_ireland_environment_agency_guidance/practice_guide_-_building_preservation_notice_complete-2.pdf



The Survey: The survey is carried out by HED surveyors (or their contractor) and consists of a written internal and external description, historical research and photographs. An evaluation of the architectural and/or historic value of the structure is made relative to the Criteria for Listing. Understanding this criteria is vital in appreciating what 'special architectural or historic interest' means – refer to Section 3 for more detail and Section 7 for a typical survey report.



Evaluation Meeting: A forum of Conservation Architects and Architectural Historians meets to evaluate the survey against the listing criteria and form a 'proposal' to list the building.



Consultation: Under Section 80(3) of the Planning Act (NI) 2011, the Department is required to consult with the Historic Buildings Council (HBC) and the Local Council before including a building on a list or amending The List. Formal consultation papers are normally issued simultaneously to these consultees. As a matter of routine, HED presents listing proposals to the HBC. The owner and the District Council's planning section are also advised of the Department's intention at the same time. While there is no statutory obligation to consult owners, they are kept informed throughout the process and are sent copies of the listing report along with an advisory note to (a) help them to confirm its accuracy and (b) to increase their understanding of the case being made for listing and alleviate any concerns. Representation from these groups is considered by the Department before a final decision is made. The Department can only take into consideration representation against the Criteria for Listing, and for no other reason; refer to Section 4. DfC gives district councils six weeks to reply to the written consultation. If they do not reply or seek an extension of time within the 6-week period, then their support for the proposal is assumed.



Evaluation of Consultation: Representations received may involve a detailed reconsideration of the proposal, provided the case is based upon the Criteria for Listing. As a result further research could be commissioned at this stage. The record may then be updated.



Delays in the listing process: In rare circumstances, the processing of a record may have been delayed after the consultation period. If the time since consultation exceeds twelve months, the owner/occupier will receive a further reminder notice of the Department's intention to list, and therefore be given the opportunity to present any new information with regard to the listing. The record is then assessed to evaluate whether this information may affect the proposal to list. The scale of any change to the record may require the building to be re-surveyed, re-evaluated against the listing criteria and/or for HBC and the district council to be re-consulted.



Preparation of Listing Papers: The legal listing papers are prepared, the extent of listing is checked on site (including the listing map) and the report is checked and finalised.



Departmental Consideration: The Director of HED is the delegated officer who acts on behalf of the Department to authorise and to sign off legal papers. The Director is presented with the proposal, consisting of the statutory listing schedule for signature, the recommendation for listing, a summary of the various consultation responses and any other correspondence on the case. In rare occasions the Director may consult further with other senior Departmental colleagues in cases that are high profile or particularly sensitive.

The Director may decide that there is insufficient information or may disagree with the proposal. In this case he may request that further research is carried out and/or the proposal re-evaluated by the Forum of Conservation Architects.

The Director may, in exceptional circumstances, overrule the view of the Architect's Forum and decide that a case for listing has not been made, or that some modification of the recommendation is required.



Amendment of the List: The Director's signature means the final decision to list or de-list has been made, and the list is formally amended. The Departmental Seal is affixed to the new list entry and a record is placed on, or modified at, Land Registry. Under Section 245 of the Planning Act, an entry in a list compiled under Section 80 must be registered in the 'Statutory Charges Register' of the Land Registry. As required under Article 80(4) the District Council is issued with a copy of the amendment to the list for its area. The owner receives a formal notification of the decision regarding the designation.

The survey record is also transferred onto the DfC website (NI Buildings Database: www.communities-ni.gov.uk/services/buildings-database), for public information purposes. Information on the interior of private buildings is withheld to respect owner's privacy rights and other security considerations.

'The list' is held on public access in the Historic Environment Register of Northern Ireland (HERoNI): (www.communities-ni.gov.uk/topics/historic-environment/historic-environment-record-northern-ireland-heroni), and deposited in the Public Record Office (PRONI).

IMAGE 03 – CAPTION: Portrush Railway Station (Grade B1). This was the first Listed Building in Northern Ireland, listed in March 1974

[SECTION 3 TITLE] 3. Understand the Criteria for Listing

[3.1] The general principles that the Department applies when deciding whether a building is of special architectural or historic interest are set out in the '**Criteria for the Scheduling of Historic Monuments and the Listing of Buildings of Special Architectural or Historic Interest, with associated procedures**' published 03 June 2019: <https://www.communities-ni.gov.uk/publications/criteria-scheduling-historic-monuments-and-listing-buildings-special-architectural-or-historic>.

The key criteria for listing are, therefore, architectural interest or 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'.

[3.2] **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.

[3.3] **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.

Architectural Interest Criteria:

Criterion A	Style
Criterion B	Proportion
Criterion C	Ornamentation
Criterion D	Plan form
Criterion E	Spatial organisation
Criterion F	Structural system
Criteria H+ & H-	Alterations
Criterion I	Quality and survival of interiors
Criterion J	Setting
Criterion K	Group value

Historic Interest Criteria:

Criterion R	Age
Criterion Z	Rarity
Criterion S	Authenticity
Criterion T	Historic Importance
Criterion V	Authorship
Criterion Y	Social, cultural or economic importance
Criterion U	Historic Associations

Architectural and Historic Interest Criteria:

Criterion W	Northern Ireland/ International interest
Criterion X	Local interest

[SECTION 4 TITLE] 4. Objecting to a listing / de-listing proposal

[4.1] Should the local council wish to object to a proposal for listing or de-listing, HED will **only** consider an objection if it is based on the Criteria for Listing. **Any other reasons** for objecting will not be considered.

[4.2] Below are some common reasons for objections received by the Department. None of these can be taken into consideration when considering listing / de-listing as they are not based on the Criteria for Listing:

- **Condition:** The condition of a building is not taken into account.
- **Personal circumstances:** Personal circumstances cannot be taken into consideration.
- **Perceived negative effect on property prices:** Whilst no statistical research has yet been completed in Northern Ireland, UK-wide investigation shows that listing has had no impact on the property value of period homes.
- **Cost of repairs:** Regular maintenance should be no more costly than looking after any building, and should save on repairs in the long run. In terms of materials, for example historic timbers used in sliding sash windows are of superior quality compared to modern timber and it is often less costly to repair the windows than replace them.
- **Future development proposals:** The impact of listing on future planning considerations, such as development proposals, cannot be considered.

Please note a building will not normally be considered for listing by the Department once planning permission which will affect its special architectural or historic interest has been granted and is still valid, or while works which have received such planning permission are under way.

- **And any other reason which is not based on the Criteria for Listing will not be considered**

[4.3] Relevant HED guidance (see links in Section 6):

- 'Owning or buying a listed building – myths and queries' which outlines common misconceptions about listing and sets out the facts (*in progress*)
- 'Making a de-listing application' (*in progress*)

[SECTION 5 TITLE] 5. Making changes to Listed Buildings

HED is a statutory consultee to Local Councils when determining Listed Building Consent applications. It also advises on development within the setting of listed buildings, which is specifically protected.

Relevant guidance (see links in Section 6):

- Historic Environment Advice and Guidance in the Planning Process: www.communities-ni.gov.uk/articles/historic-environment-advice-and-guidance-planning-process
- Guidance on Setting and the Historic Environment: www.communities-ni.gov.uk/publications/guidance-setting-and-historic-environment
- Guidance on making changes to Listed Buildings: Making a better application for listed building consent: www.communities-ni.gov.uk/publications/guidance-making-changes-listed-buildings-making-better-application-listed-building-consent

IMAGE 04 – CAPTION: Arcadia, Portrush (Grade B2).

The circumstances in which HED is consulted on applications are set out in the Planning Act (Northern Ireland) 2011 and are further explained in the 'Consultation Guide: A guide to consulting HED on development management applications': www.communities-ni.gov.uk/publications/consultation-guide-guide-consulting-hed-development-management-applications.

Listing does not prohibit future proposed work; all listed buildings can be adapted for future use and can be altered in an appropriate manner, where the 'special interest' or 'significance' of the building is retained. Understanding the special interest helps inform and assist in the decision-making process.

Proposals are assessed against the Strategic Planning Policy Statement (www.planningni.gov.uk/index/policy/spps_28_september_2015-3.pdf) and Planning Policy Statement 6: Planning, Archaeology and the Built Heritage (PPS 6), policies BH7–11 & 15, until such time as Local Development Plans are adopted:

www.planningni.gov.uk/index/policy/planning_statements_and_supplementary_planning_guidance/pps06.htm.

[SECTION 6 TITLE] 6. Further guidance & information

- For all HED guidance visit: www.communities-ni.gov.uk/topics/historic-environment/listed-buildings
- Development Management Practice Note 05 Historic Environment (Sept 2017) <https://www.planningni.gov.uk/index/advice/practice-notes/dmpn05-historic-environment.pdf>
- The most recent changes to the List of Buildings of Special Architectural or Historic Interest: <https://www.communities-ni.gov.uk/publications/changes-list-buildings-special-architectural-or-historic-interest>
- 'Owning or buying a listed building – myths and queries' (*in progress*)
- 'Making a de-listing application' (*in progress*)
- Under the Planning Act (NI) 2011, Local Councils can serve an Urgent Works Notice on unoccupied listed buildings, or the unused part of occupied listed buildings, that have deteriorated to the extent that their preservation may be at risk. Costs for this work can be reclaimed from the owner.
Refer to: 'Urgent Works Notices – a good practice guide for District Councils': <https://www.communities-ni.gov.uk/sites/default/files/publications/communities/hed-urgent-works-notices.pdf>

[SECTION 7 TITLE] 7. Case study / survey report example

When reading a survey report, the best way to understand the 'special interest', or the 'significance' of the building, is to read the 'evaluation' (currently located near the end of the survey report - highlighted in red below. Note: The layout of survey reports is currently under review, with plans to relocate the statement to the beginning).

This short, factual statement summarises the building's architectural and/or historic importance, as well as its development over time. It makes an objective and informed assessment of the relative merits or 'significance' of aspects or features of the building or group of buildings. It draws together and supports the reasons for a recommendation to list or not to list, and is based on the Criteria for Listing.


***** DRAFT *****

[start this report at top of page like this to avoid the 'front page' running over 2 pages]

Historic Environment Division – Protecting Historic Buildings
Historic Building Details

HB05/16/022

(Available on request. Web database report does not currently display photographs)

Address South Light Rue Point Rathlin Island Co. Antrim	HB Ref No HB05/16/022
Extent of Listing Lighthouse and 29no. Metal posts on approach	
Date of Construction 1920 - 1939	
Townland Roonivoolin	
Current Building Use Light House/ Navigation Mark	
Principal Former Use Light House/ Navigation Mark	

Conservation Area	No	Current Grade	B1	OS Map No	03/16
Industrial Archaeology	Yes			IG Ref	D1505 4724
Vernacular	No	Date of Listing	25/05/2017	IHR No	03711:000:00
Thatched	No	Date of Delisting			
Monument	No	Delisted/Relisted	Not Required	SMR No	
Area of Townscape Character					
Local Landscape Policy Area				HGI Ref	
Historic Gardens Inventory					
Derelict	No				

Owner Category

Building Information

Exterior Description and Setting

South (or Rue Point) Lighthouse is a four-stage octagonal concrete lighthouse dating from 1921. It is accessed down a grassy/concrete footpath from the end of the public road down the E side of the island. On its final approach to the lighthouse, the path becomes a slightly raised concrete footpath as it crosses the rocks. Along one side of it is a modern plastic/wire handrail supported on regularly-spaced painted original metal posts.

*** DRAFT ***

The four-stage 35ft high octagonal concrete tower sits on a low concrete platform cast directly on top of the rocky foreshore. Each stage is delineated by a shallow string course and alternately painted black and white to give a banded effect. The base of the tower is slightly advanced and painted black.

Flat concrete roof with two-bar metal handrail around. A low parapet runs atop a plain cornice around the edge of the roof, on which is mounted a two-bar metal handrail. There are small rectangular openings in the parapet for rainwater run-off. An omni-directional light rises 17ft from the centre of the roof (no protective lantern). It makes two white flashes every five seconds and has a range of 14 nautical miles (16.1 miles). A small radio aerial sits beside it.

The landward (N) cant has a vertical metal ladder up to a cantilevered concrete platform in front of a sheeted timber door (with small louvered ventilator) at stage 2 level (stage 1 being GF). The top of the ladder can be pulled out to facilitate access to the outer end of the platform. The doorway is flanked to each side by a projecting curved metal handrail. Above the doorway is a window opening at stage 4 level. It has slightly advanced jambs and horizontal stucco head; the string course doubles as its cill. There are identical window openings at this stage to the E, S and W cants. All four opes have been blanked off and are painted black.

Just SE of the lighthouse is a low concrete platform on which was originally mounted a fog gun. It was reused between 1917 and 1921 for a temporary light whilst the present one was being constructed.

Setting:

The lighthouse is located on the wave-swept rocky shore at the very SE tip of Rue Point, the southern-most extremity of Rathlin Island. The access track down to it passes a modern single-storey standby block housing a back-up electricity generator (grid D1511 4738). This building is aligned NE-SW and has a pitched roof with painted eaves boards and boxed eaves; no rainwater goods. Cement-rendered walls and flat-headed painted t&g door to NE gable and modern one-pane window (with shallow concrete cill) to NW elevation. The SW gable is blank. A galvanised metal ventilation duct and pipe project from its SE elevation.

Concrete floor platforms in the vicinity of this building indicate the positions of the wooden huts, one of which was used by the keepers until the site was demanned in the mid-1900s. The other housed two diesel engines for generating electricity.

On its final approach to the lighthouse, the path becomes a slightly raised concrete footpath as it crosses the rocks. Along one side of it is a modern plastic/wire handrail supported on regularly-spaced painted original metal posts.

Architects

Scott, Charles William

Historical Information

The present lighthouse at Rue Point is one of three on Rathlin Island and the last to have been erected; the East Light was the first in 1856, followed by the West Light in 1919. The present structure dates from 1921 and replaced a previous one of 1915.

The original Rue Point lighthouse was a temporary structure erected by the Board of Trade on behalf of the Admiralty following a petition from the Londonderry Chamber of Commerce in 1914. It was first exhibited on 19 November 1915. It was augmented by an adjoining acetylene-powered fog gun from 12 April 1917.

A storm in November 1917 washed the temporary light away, so a replacement was erected on the fog gun platform.

It was not until 1920 that the Board of Trade began the construction of the present permanent lighthouse. It was probably designed by Charles William Scott, Engineer to Commissioners of Irish Lights from 1900 to 1930. It was completed the following year and had an acetylene lamp and fog gun on its roof. The gas was generated by an internal calcium carbide plant (when water is added to the carbide, inflammable acetylene gas is produced). As there was no room for them in the actual lighthouse, the two men who apparently looked after the lighthouse were accommodated in a wooden hut on less exposed ground to NE.

The lighthouse is first shown on the 1922 OS map, being captioned "Southern Lighthouse (white light flashing)".

The fog gun proved unreliable and was withdrawn on 1 January 1931; it was subsequently transferred to Barr Point, at the entrance to Larne Lough.

On 9 October 1955 the acetylene lamp was replaced with an electric one which was monitored from the East Light. The electricity was supplied by batteries located inside the lighthouse. They were recharged using electricity generated by a diesel engine housed in a building some 160m NE.

On 25 March 2004, a new optic was installed.

Since the inception of the National Grid cable from the mainland in 2008, the batteries powering the light have been recharged using mains electricity rather than a diesel engine. However, an emergency back-up generator is still maintained in a purpose-built standby block in the vicinity of where the previous generating station once stood.

References - Primary Sources:

1. PRONI: OS/6/1/1/4. Fourth edition OS 1:10,560 map, Co Antrim sheet 1 (1922).

References - Secondary Sources:

1. Forsythe W. & McConkey R. 2012. An Archaeological Survey of a Maritime Landscape, pp 305-307 and 444-445 (Belfast: Northern Ireland Environment Agency).

2. Commissioners of Irish Lights website, <<http://www.cil.ie/safety-navigation/our-lighthouses/rue-point.aspx>>.

3. Irish Architectural Archive, Dictionary of Irish Architects, 1720-1940, <http://www.dia.ie/architects/view/6517/SCOTT-CHARLESWILLIAM#tab_biography>.

4. Mr Noel McCurdy, Irish Lights' Attendant, Rue Point Lighthouse (1 June 2015).

Criteria for Listing

Architectural Interest

A. Style
B. Proportion
C. Ornamentation
J. Setting
K. Group value

Historical Interest

X. Local Interest
Y. Social, Cultural or Economic Importance
R. Age
S. Authenticity
T. Historic Importance
V. Authorship

Evaluation

The small size and shape of this structure makes for an unusual style of lighthouse compared with most others, which are taller, wider, and round. The painted horizontal banding also accentuates its distinctive appearance. Its fabrication in concrete reflects its post World War 1 date (dressed masonry was the norm before this) Its setting, at sea level on exposed wave-swept rocks, underscores its purpose in warning passing ships of the presence of Rue Point.

The fabric of this structure is completely authentic. It is the last of the three lighthouses to have been built on the Island; the others are East Light (HB05/16/010A) and West Light (HB05/16/016). Until the recent inception of GPS navigation, it was also of social and economic importance in safeguarding passenger and cargo ships passing between Rathlin and Fair Head en route to and from Britain. Finally, it is also of local interest, most probably designed by Charles William Scott.

General Comments

Monitoring Notes – since Date of Survey

Date of Survey 04/03/2015

[SIDE BY SIDE IMAGES]:

IMAGE 05 – BACK COVER – CAPTION: Edward VII Post Box, Ulsterville Avenue, Belfast (Grade A).

IMAGE 06 – BACK COVER – CAPTION: ‘K6’ Telephone kiosk, Waring Street, Belfast (Grade B2).

“Supporting people, Building communities, Shaping places”

Historic Environment Division
Ground Floor
9 Lanyon Place | Town Parks | Belfast
BT1 3LP

Tel: 028 9081 9226 / 028 9081 9212
Email: hed.secondsurvey@communities-ni.gov.uk
Web: www.communities-ni.gov.uk/topics/historic-environment

end



Comhairle Ceantair
Lár Uladh
Mid Ulster
District Council

Mid Ulster District Council
Planning Department
Local Development Plan Team
50 Ballyronan Road
Magherafelt
BT45 6EN
Tel – 03000 132 132

Anne Menary
Assistant Director
Head of Heritage Buildings Designation Branch
Historic Environment Division
Department for Communities
Ground Floor
9 Lanyon Place
Belfast
BT1 3LP

Date: 2nd December 2020

Dear Ms Menary,

Consultation on Draft information Guide for Local Councils – Listed Buildings

I write with reference to the above subject and further to your recent consultation of 16th November 2020. Mid Ulster District Council welcomes this consultation and opportunity to respond to your draft information for local councils on the subject of the listed buildings process.

The draft guidance has been produced to inform Local Councils in relation to a number of key issues relating to listed building process, namely;

- a) Why are buildings listed?
- b) How are buildings listed?
- c) Understanding the Criteria for Listing
- d) Objecting to a listing / de-listing proposal
- e) Making changes to Listed Buildings

The draft document also signposts further guidance and information for local councils available from a variety of sources, including DfC and Planning NI. The guidance sets out a step by step guide of the overall listing process from the prospective of the local councils.

Whilst Mid Ulster Council would broadly welcome the scope and content of the draft guidance, it is important to utilise this opportunity to highlight a number of points within the draft guidance that require amendment.

- Throughout the document the text refers to 'Articles'. E.g. Article 80. It is important to note, however, that Planning Act (NI) 2011 refers to 'Sections' and therefore the guidance should be amended accordingly.
- There are a number of inaccurate web links contained within the draft guidance. Namely, there are a number of links to the withdrawn planning NI website. These references should be amended to refer to the Department for Infrastructure website.
- Section 2, paragraph 2.1 advises that another route to listing is through a 'Building Preservation Notice' (BPN) and also states that this power was transferred from the Department to District Councils in April 2015. It is important to note however that this power was also retained by the Department for Communities under Section 81 of the Planning Act (NI) 2011 and this should also be referenced within the guidance.
- Section 6 advises that Local Councils can serve an Urgent Works Notice on unoccupied listed buildings, or the unused part of occupied listed buildings. This is of course correct however it should be noted that this power is also retained by the Department for Communities, Historic Environment Division, under Section 161 (3) and it is important that the guidance reflects this.
- As a general comment, MUDC would suggest that DfC consider the development of alternative legal mechanisms which would better address situations where the owner does not wish to repair the property or wishes to replace the property.

CONCLUSION

Mid Ulster District Council is grateful for the opportunity to comment on the draft guidance for Local Councils on the Listed Building process and we are broadly supportive of its content, which seeks to uphold the protection of our shared heritage assets. The guidance accords with MUDC's approach to built heritage and will ensure a consistent approach to listed buildings. We would however ask DfC, HED to note and give consideration to the above mentioned suggestions.

Yours sincerely,

Michael McGibbon
Senior Planning Officer
On behalf of Dr Chris Boomer, Planning Manager