

BUILDINGS AT RISK

Questions you should ask House of Keys candidates

With the General Election imminent, **Frank Cowin** and **Dave Martin** of the Isle of Man Natural History and Antiquarian Society take a look at whether current planning policy is really safeguarding the island as a 'Special Place to Live and Work'.

The Alliance for Building Conservation started the 'Buildings at Risk' series of articles in summer 2016 to highlight the plight of the island's built heritage ahead of that year's Manx General Election.

Five years on, as we come to the 2021 General Election, we look at how things have fared during the last administration, what needs urgent/proper attention during the next administration, and matters which electors may wish to ascertain candidates' views on – in particular, their commitment to keep the island 'A Special Place to Live and Work'.

As Alistair Ramsay said in last week's Examiner: 'They want to be given ultimate responsibility for the environment, economy and employment opportunities.'

'If they get it wrong our families will pay the price in a poorer quality of life and standard of living.'

In 2016, Tynwald resolved that it 'encourages the review of government strategies, plans and policies to raise the quality of the Island's ar-



Developments like Glen Vine seem to be designed without thought of their impact on their surroundings

Photo: Peter Killley

chitecture and built environment, including those aimed to conserve its built heritage'.

In that Tynwald debate, Chris Thomas (then Minister) said: 'Although we might sometimes take much of it for granted, the Isle of Man is blessed with an important and varied architectural heritage... This is a key element in giving us our identity and our sense of place. There is a danger that we allow inappropriate building development and demolition.'

There was a review – but did it do anything? Was it just lip-service? Has the situation improved? Or gone backwards?

In the last five years:

- In 2016, we had a review of the planning system, but many felt the results were detrimental.

One outcome of the review was a change in the definition of 'Interested Parties' so as to exclude all those individuals living more than 20 metres away from the proposed development.

This rule was used, for example, to exclude the IoMNHAS from being an Interested Party in the proposals for Balladoole House, one of the island's most important buildings, both architecturally and historically.

Unless someone who actually lives on the site cares enough to object, these rule changes have effectively completely blocked any concerned private or concerned parties from taking it to appeal if necessary.

This rule could exclude those living across the road who have to face a proposed development every day. All a developer has to do now is make sure they own or

control a buffer strip 20 metres wide around a site and that virtually guarantees no third-party interest.

One encouraging feature of the review though was the stress given to development of Brownfield sites in preference to further incursion into the countryside.

Disappointingly though, despite submissions recommending the re-instatement of reviews prior to going to appeal, the opportunity was missed. Previously, 'reviews' were an intermediate stage between a decision by Planning and having to take it to appeal in front of an inspector. The review stage often

resolved problems quickly and at reduced cost.

- The island was awarded UNESCO Biosphere status in 2016.

The approval was received with great pleasure and pride; but some decisions since seem to sit poorly against the application's aspirations.

Our environment encompasses everything in the landscape – natural environment and the built environment.

All too often, developments seem to be designed without thought of their impact on the surrounding

landscape – be that at close quarters or more distantly.

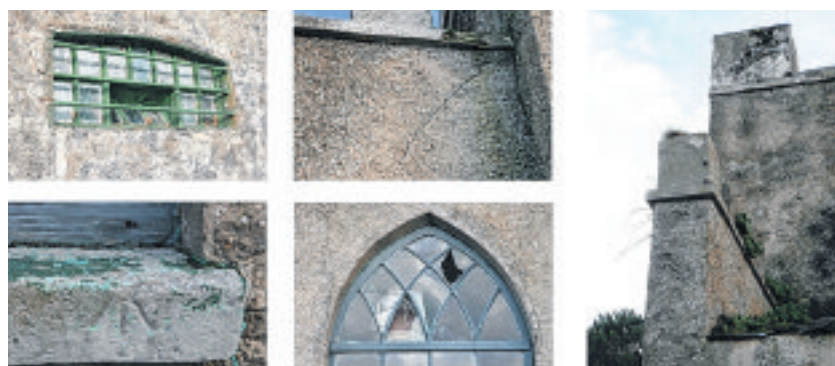
An example of this is Glen Vine, whereas from the main Peel Road bordering it you're not so conscious of an estate, but when viewed from the Plains of Heaven, its solid mass and hard edges jar the senses.

Whilst we have imperfect controls over buildings, there are a significant gap in relation to works which affect the natural environment / landscape.

Some works to the landscape can 'sneak through' in the detail of a planning application; many other changes need no consent.



Balthane Cottage in Ballasalla was demolished before any planning approval



Kirk Michael Courthouse (Registered Building no. 136), has been neglected and deteriorating for years



The former Leodest Methodist Chapel (Registered Building no. 2) near Andreas is proof that a registered building can be successfully and sympathetically given a new life



Glenfaba House which was demolished before any planning approval

One of the principal attractions – to both visitors and residents – is the Manx landscape.

That landscape was formed first by nature then by mankind whose hedges and walls are the pencil and brush strokes that make up the picturesque and also rich habitats.

These are both valuable and vulnerable, but they can be swept away, leaving parts of the island looking like the Kansas prairies. The environment – both natural and built – is vulnerable as once destroyed it is gone for ever.

● In 2018, the Manx Government promoted the 'Year of our Island' – 'Celebrating our island' as a 'special place to live and work'.

The island has changed over many centuries, and indeed today's buildings are different to that of a 100 or 200 years ago.

It is absolutely true that we cannot, indeed should not, 'preserve' or fossilise all our existing buildings – but we do need to ensure we don't blindly destroy all our buildings that are more than a few years old, or just because they are of traditional construction.

The island doesn't have

traditional resources (raw materials, energy) and our island location – whilst bringing other benefits – is a significant barrier to many industries, agriculture etc with freight costs and higher cost of living.

The island does have significant modern 'e' industries (e-gaming, cryptocurrencies etc), but they can leave as fast as they came, and their business propositions are vulnerable to legislation and whim, sometimes far from the island – so bubbles can burst and we need to ensure the island remains an attractive place to live and work.

REGISTRATION

It is good that we now have a Registered Buildings Officer and assistant; but they inherited a backlog of buildings already suggested or proposed for registration; and as a consequence a number of important buildings have been lost and many other buildings have not yet been brought forward for addition to the Protected Buildings Register.

Being on the Protected Buildings Register does not prohibit all change, it merely seeks to ensure that changes are sympathetic.

Ultimately the only way to protect any building is for it to fulfil a function and have a life of its own.

Registration applies to individual buildings or properties; wider protection is achieved by designating Conservation Areas, which again only ensures that any change is sympathetic.

We have at present got Registered Buildings and Conservation Areas, but without any funding to support them.

Without funding any form of Registration is seen as an impediment, whereas if funding is available, it should be seen as a property which is valued by the community.

DERELICTION (OF DUTY?)

Even without improvements in policy, there are a number of areas where policies and indeed legislation were in place before the 2016 MHKs took office – but a number of those were not, and still are not, being followed.

Buildings that are already on the Protected Buildings Register should not be allowed to deteriorate. Government has long been – and has increasingly appeared to be – unwilling to use its powers to compel owners to take the often small steps needed



Constructive new life for a brownfield site – new apartments on the site of the former Athol Garage on Peel Road, Douglas

to arrest deterioration of buildings before it gets too bad (though 'demolition by neglect', by means of leaving a building to become derelict until it is declared unsafe, is not unknown).

Adding a property to the Protected Buildings Register isn't the only way to ensure an area isn't destroyed or despoiled without at least prior consideration. Conservation Areas involve a light touch, requiring consent to be sought before any building in a conservation area is demolished, or certain changes are carried out; and changes must do no harm to, or if possible improve, the Conservation Area. Creating Conservation Areas does not stop change, but it should help ensure that any change in those areas is sympathetic.

There have been a number of Conservation Areas which were proposed or recommended in reports and area plans adopted by Tynwald – but which the Government has resolutely neglected or refused to implement.

TRANSPARENCY

If a planning application involves demolition or tree removal – it should say so, in the title.

Tree removal for planned development (new build or changes) should always be subject to the same high standard, and decided only – and independently - by arboricultural officers, not

approved by planning. Furthermore, in the interests of transparency, any application to fell trees – irrespective of whether planning will be involved – should be publicised before approval.

The spirit of the Manx planning system, where Inspectors make recommendations at appeal but the Minister makes the final decision, was intended to allow Government to over-ride expert opinion in very restricted nationally strategically important cases.

Even in England, where Inspectors' decisions are immediately binding, they can be over-ridden by a Minister – but a decision to allow a tunnel under Stonehenge by UK Transport Secretary Grant Shapps, against expert advice, was recently quashed and ruled unlawful. Here, Inspectors' decisions should become binding rather than recommendations which can only be politically over-ruled in exceptional nationally-important cases.

There should though be a mechanism when planning permission is granted (by Planning, or at appeal) that if significant issues come to

light within, say, 21 days, the Planning Committee can call the matter back in for review.

DEMOLITION

Unlike adjacent jurisdictions, demolition on the Island is largely un-controlled by planning.

In some cases it is subject to Building Control, but that is largely around how demolition is done and safety of neighbouring properties etc – not on whether buildings should be demolished.

Demolition is the ultimate form of 'planned' change, and is irreversible; and it is increasingly recognised, by both environmental groups and bodies such as the Royal Institute of British Architects, that we should refurbish old buildings rather than scrap them, because of the pollution that would be involved in constructing a replacement building, otherwise known as embodied carbon.

We have lost many many buildings – possibly only a very small proportion might have merited saving, but a very 'light' process would give a chance for concerns to be raised in those few cases.

If you are interested in the appearance of the island and quality of life, consider asking your MHK candidates these three questions:

- **If elected, what will you do to keep the island 'A Special Place to Live and Work'?**
- **What will you do to look after our environment – natural and built – as once destroyed it is gone for ever?**
- **There is a danger that we allow inappropriate building development and demolition' – what are you going to do to prevent this?**