

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:

Hazel Mary Lakeman

Historic site reference:

HE1670

Listed Building Grade:

Grade 3

Building type:

Residential (town house, terrace)

Building name and address:

Lonsdale, 33 West Park Avenue, St. Helier

Inspector's site visit date:

5 July 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 25 April 2017 to include the building, Lonsdale, 33 West Park Avenue, St. Helier, on 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 made 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 note that the state of repair of a building is not a relevant consideration in determining whether it meets the test of special interest.
6. The criteria include a non-statutory grading system (Grades 1 to 4), which 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 3 to Lonsdale. Grade 3 heritage assets are described in the criteria as: -
7. "Buildings or places of special public and heritage interest to Jersey, being important, good quality examples of a particular historical period, architectural style, building type, or archaeological site; but with alternations that reduce the special interest and/or have particular elements worthy of Listing."
8. The Chief Officer's listing particulars for Lonsdale contain the following details:
 - **"Special interest:** Architectural
Historical"
 - **"Statement of significance:** A good example of a late Victorian terraced property, which retains its original character and many original features, and has group value as part of one of St Helier's most distinctive streets of decorative Victorian properties."
 - **"Description:** Mid-terrace 2 storey, 2 bay house. Slate pitched roof with red brick chimneystack decorated with burnt headers; remnant of decorative roof ridge tiles. Front (northwest) façade is rendered with lined ashlar effect. First floor has a narrow 2 pane (1/1) sash window above the entrance, and a 4 pane (2/2) sash window, with voussoir effect to lintels. The entrance has a decorative door hood with ornate console brackets framing a vermiculated moulded panel. The door is four panel, with glazed upper panels and painted overlight 'Lonsdale'. Canted bay window with wide moulded cornice; with a 4 pane (2/2) sash window flanked by 2 pane (1/1) sash windows. The house is fronted by a low rendered wall with copings and elaborate cast iron railings and gate.

A late Victorian terraced house. Part of West Park Avenue, which was developed in the 1880s and 1890s."

The case for the Chief Officer (supported by Jersey Heritage)

9. The Chief Officer states that Lonsdale is a late 19th-century building, which along with other listed buildings in West Park Avenue demonstrates the significant growth of St. Helier's economy and population during that time in the Island's history. He indicates that it illustrates the architectural styles and fashions of England which were brought to the Island during that period.
10. The Chief Officer acknowledges that Lonsdale's exterior is plainer than others in West Park Avenue, but maintains that it displays many ornamental architectural features of the period, as set out in the listing particulars. He observes that Lonsdale is one of a number of properties in West Park Avenue that collectively display a high degree of "exuberant" Victorian architecture and character. As a consequence he considers that the building not only has inherent special historical and architectural interest, but also contributes to the local character and special interest of the group of buildings in the Avenue and of this part of St. Helier.

The case for the appellant

11. The appellant maintains that the condition of Lonsdale is "borderline poor" and that it is not a good example of its kind, there being many better examples to be found. She indicates that it was built during a building boom and on land that appears to have been left over at the end of the Avenue after other houses on this side of the Avenue had been completed. She states that the listing particulars relate only to Lonsdale's façade, which she does not regard as adding value to the Island's heritage interest, and she maintains that there are better examples.
12. The appellant refers to other buildings that have been demolished, which she maintains had an architectural and historical interest of much more value to Jersey's culture. Lonsdale, she states, is an example of a style of architecture imported during the economic boom from outside the Island, which has no relation to the Island's authentic culture and heritage.

Representations made by other persons

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

Inspector's assessments and conclusions

14. As stated in paragraphs 2 and 3 above, the sole matter to be taken into account in a listing decision is whether or not the building in question has public importance by reason of its special interest, the ultimate aim being to conserve a carefully defined range of the extensive heritage on the Island. There is therefore no reason in principle why a terraced house erected during the rapid expansion of St. Helier during the late 19th century cannot be considered for listing, in spite of it being characteristic of an English style of building at that time and being unlike Jersey's 'traditional' buildings; it can still illustrate a significant aspect of Jersey's social and economic history.
15. Lonsdale is a typical two-storey, two-bay terrace house, of which there are many examples in St. Helier dating from that period. Only its frontage to the Avenue is identified by the listing particulars as being of interest. The listing particulars specify the original features of this frontage that it has retained,

but they recognise that most of its decorative roof ridge tiles are missing. It is a good example of its kind but, as indicated by the appellant, there are likely to be better examples in St. Helier.

16. In these circumstances, I do not consider that Lonsdale, if it were to be assessed purely in isolation, would have sufficient special characteristics to justify its listing. However, an important consideration to be taken into account in this instance is the extent to which its frontage contributes to the special architectural and historical interest of the Avenue as a whole.
17. All the buildings in the row of houses to the south-west of Lonsdale are listed, including The Villa next door, which is a house very similar to Lonsdale. The only other building in the row is on Lonsdale's north-eastern side; it is designated as a 'potential Listed Building'. The row contains many distinctive, ornamented late 19th-century buildings. The buildings opposite to Lonsdale are also listed. The Avenue as a whole is one of St. Helier's most imposing and attractive townscapes.
18. Lonsdale does not display the same ornate qualities as other buildings in the row, but it is important to the integrity and connectivity of the row as a whole. In particular, it is part of a townscape that is enhanced by the continuous ornate cast iron railings that embellish the forecourts of all the buildings in the row, including Lonsdale's, and provide visual continuity throughout the length of this side of the Avenue.
19. In the ways I have described, Lonsdale does in my opinion have public importance by reason of its special interest, as it is an essential constituent of the special historical and architectural interest of the row of buildings as a whole on this side of the Avenue. The criteria recognise that listing is appropriate in these circumstances.
20. The appropriate grading for Lonsdale, however, is not Grade 3, which focuses on the inherent qualities of buildings, but Grade 4, which includes a building's contribution to townscape and group value, and reads as follows: -

"Buildings and places of special public and heritage interest to Jersey, being good example of a particular historical period, architectural style or building type; but defined particularly for the exterior characteristics and contribution to townscape, landscape or group value."

21. For the above reasons, I have concluded that Lonsdale should be retained on the list maintained under Article 51, but that its grading should be changed from Grade 3 to Grade 4.

Inspector's recommendations

22. I recommend that in exercise of the powers contained in Article 116 of the Planning and Building (Jersey) Law 2002 (as amended): -
 - (a) The allocation 'Grade 3' given to Lonsdale, 33 West Park Avenue, St. Helier (Historic site reference HE1670) on the grading system in the "Criteria for the listing and grading of heritage assets" should be changed to 'Grade 4'.
 - (b) Subject to this change, the appeal should be dismissed.

Inspector's Report – Appeal by Hazel Mary Lakeman - Site Ref. HE1670

Dated 4 August 2017

D.A.Hainsworth
Inspector