

## Protected Buildings: Frequently Asked Questions

You may be reading these Frequently Asked Questions (FAQs) because you have received a letter informing you that your property has been added to the protected buildings list, or that it has been maintained on the list. Alternatively you could own a protected building, or you are interested in Guernsey's heritage of buildings. We hope these FAQs will help in your understanding of why and how Guernsey protects its buildings. If you have any other questions, you can contact a Conservation & Design Officer on 01481 717200 or by email at: [pbsurvey.gov.gg](mailto:pbsurvey.gov.gg)

### Question 1. Why is my building protected?

We have a duty to protect and enhance Guernsey heritage of buildings. It fulfils this duty, in part, by keeping a list of buildings with special interest (which can be historic, architectural, traditional or other interest), which is known as the protected buildings list. The Authority considers buildings that are 'special' should be included on the protected buildings list.

### Question 2. How do we decide which buildings are 'Special'?

We have published criteria for deciding whether or not a building is special. The criteria are published in: *The Criteria for Selection of Buildings for the Protected Building List*, (available from [www.gov.gg](http://www.gov.gg)). The criteria are based on the areas of special interest that are laid out in the Law (historic, architectural, traditional, other interest). The Criteria provides a robust and transparent baseline against which all existing protected buildings, and those buildings with the potential to be added to the list, can be assessed on a consistent Island wide basis.

### Question 3. What is 'special' about my Building?

This is set out in the Building Survey. From 2013 onwards, as part of its project to review the protected building list, a Building Survey report will be written for all buildings that are added to or maintained on the list. The report sets out the relevant areas of special interest for the building and it informs the decision making process. It is sent to the owner of a building to help them understand what is special about the building. The report is not made public because it may contain confidential information about the building. It is not a legal document and is not a definitive list of the features of the building.

### Question 4. What part(s) of my Building are protected?

The Extent of Listing and the Site Plan Image, as shown on the Notice, define the extent of the protected building. The extent may be described as the whole of the building, the exterior, or a specific part (e.g. a façade). Also, outbuildings, structures, boundary walls or other features may be included. The guidance note CN1 *Your Protected Building* (available from [www.gov.gg](http://www.gov.gg)), provides further information on what is protected. It is important to note, however, that the Notice does not provide a definitive list of every part or every feature of a protected building.



#### Question 5. How did we make this decision?

From 2013, as part of its project to review the protected building list, we set in place a robust and transparent three stage process (summarised below). This process ensures that any decision is checked, so the list is consistent across Guernsey and proportionate so that only special buildings are on the list.

Stage 1. Survey	A survey is undertaken in order to obtain as much information as possible about the building, outbuildings, etc. At the site visit, notes are taken and photographs of the relevant exterior elevations, interior rooms and any features of the building.
Stage 2. Assessment and Report	<p>In addition to the observations at the site visit, the surveyor also looks at other evidence such as historic maps, publications (such as John McCormack's Channel Island Houses, 2015) all of which help to build a picture of the property and its historic development.</p> <p>A holistic approach is used to assess the whole property against The Criteria. This includes the principal building and also other buildings and structures. Surveyors also consider the elements of the building and whether these contribute to, are neutral or have a negative impact on the special interest of a property.</p>
Stage 3. Decision making processes	<p>The advice note CN7 Decision Making Procedure for the Review of the Protected Buildings List (available from <a href="http://www.gov.gg">www.gov.gg</a>), provides further detail on this stage. In summary, this is a three phase process. First, the surveyor reports and recommends. Second, the Protected Building Panel agree or disagree with the surveyor's recommendation. Finally, the Director of Planning, Policy and Environment Manager or the President of the Development &amp; Planning Authority, have the final say on whether or not the building should be protected.</p>

#### Question 6. Can I make changes to my Protected Building?

Contrary to popular belief you can make changes to a protected building. You can carry out repairs, maintenance and minor alterations without the need for planning permission, under what is known as Class 3 Exemption. There are also other exemptions for protected buildings, but they are limited. If planning permission is needed, the policy is that changes will be supported where they sustain the special interest of the building.

#### Question 7. Can I appeal against the decision to protect my building?

Yes. There is a right of appeal to the Planning Tribunal, which is independent of any States' Authority. An appeal can be made by building owners or interested parties against the decision to add a property to the list or amend the Notice. Further details of the appeal procedure are provided in the letter to the building owner and at Section 18 of the Special Controls Ordinance 2007. An appeal form can be



downloaded from the States' website ([www.gov.gg](http://www.gov.gg)). There is no appeal against a decision to keep a building on the list if the Notice has not been amended, or deleted a building from the list.