



Ulster Architectural Heritage written submission to DAERA Committee regarding the proposed Dilapidation Bill

Ulster Architectural Heritage thanks the Chair, Members and the Committee Clerk for the invitation to make representation to the Committee. To state the obvious, our concerns focus on further loss of historic buildings which we consider this Bill will facilitate.

For more than 57 years Ulster Architectural Heritage (UAH) has advocated and worked for the preservation, conservation and sustainable re-use/re-purposing of the built heritage of the 9 Counties of Ulster. Our experience with Heritage Policy and Planning, our decades of publishing books recording and documenting the built heritage of Ulster and our long-standing partnerships with the Department for Communities, and previously the DoE, in compiling and maintaining the Heritage at Risk NI (HARNI) register, leaves UAH uniquely placed to provide informed, independent NGO comment on the proposed Dilapidation Bill.

UAH were asked to meet the then Department of Agriculture lead on the Bill, ten years or more ago, and expressed then, the same concerns as summarised below, now considerably amplified since the RPA transfer and splitting of relevant powers in 2015. Unfortunately, there was no follow up request from the Department and no evidence in the Bill, as presented, that our concerns and advice were addressed at all in the drafting.

Across the world, built heritage is valued as a national asset, embodying the individuality, authenticity and pride of place, of regions, countries, landscapes and settlements. As a foundation for sustainable places, for those fortunate to have valued and retained the asset, built heritage is fundamental to integration with a sustainable future for communities, economies and well-being. With the possible exception of Craigavon, all NI settlements have, or have had, an historic core and rural 'vernacular' heritage buildings are, or were, widespread.

UAH is concerned that the Bill as presented will introduce duplication with well established (if sometimes, underused, misinterpreted or simply ignored) built heritage, Conservation Area and sustainability legislation as contained in the Planning Act (NI) 2011 and related policy and guidance.

UAH considers that there is considerable risk that the Bill will facilitate demolition, as an admittedly unintended consequence, of yet more of NI's dwindling national built heritage asset. Mainly in the form of *loss of unlisted rural and urban buildings* but easily extending to Listed Buildings, Conservation Areas, ATCs, AONBs etc. It is mostly heritage buildings that, whether intentionally or otherwise, this Bill will target.

'Dilapidated' historic buildings, both listed and unlisted, broadly speaking fall into a number of ownership categories:

- Developer land-banked neglected over long period
- Private owner 'stuck' with building with no interest or incentive to maintain or restore

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- As above, but actually concerned for the building, but unable to finance or physically undertake restoration despite being well intended.
- Publicly owned with no plan for future use and poorly maintained and secured.

If the Bill is passed in its present form, only the concerned owner is likely to wish to retain their building. As regards the other three categories, unfortunately demolition presents an easy way to make a problem disappear and deliver a clear site for profit, and in our view the Bill will facilitate this option.

UAH has observed the planning system as operated by local councils since 2015. Despite having considerable powers under the 2011 Planning Act it is emotive terms used by councillors and council officers..... '*derelict, eyesore, attracting vandalism and graffiti, a focus for anti-social behaviour*' that often determine applications, attracting media attention, rather than any considered discussion on the benefits of retaining the character and sense of place that heritage buildings embody. Councils are empowered to compile lists of unlisted heritage buildings which are of local importance, many of which in the owner categories above will be 'dilapidated' due to the absence of monitoring and enforcement by those same councils. There is no evidence that councils do this to any meaningful extent.

Existing relevant Council Powers under the Planning Act (NI) 2011 likely to be duplicated or in some cases weakened by, particularly, section 17 of the proposed Bill

- 81. Temporary listing: building preservation notices
- 82. Temporary listing in urgent cases
- 83. Lapse of building preservation notice
- 85. Control of works for demolition, alteration or extension of listed buildings
- 104. Conservation areas
- 105. Control of demolition in conservation areas
- 106. Grants in relation to conservation areas
- 157. Issue of listed building enforcement notices by councils
- 158. Issue of listed buildings enforcement notices by Department
- 159. Appeal against listed building enforcement notice
- 160. Effect of listed building consent on listed building enforcement notice
- 161. Urgent works to preserve building

Built Heritage is a National Asset. With the majority of historic buildings potentially threatened by this Bill dating from before Partition, incidentally, they are as much an Irish National Asset as equally an Ulster/British/UK National Asset. The protection and management of a National Asset in a sustainable form requires uniform policy, in this case

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for all 11 NI local councils. However, with 11 different LDPs in the mix, interpreted in 11 different ways by untrained planning committees and serving agendas often neither Heritage or Sustainability focused, chaos is already apparent. An upgraded Planning Policy Statement 6 applying to all council areas as the National Built Heritage policy should have been adopted with RPA. The upcoming DfI review of Planning must urgently consider this and there should be cross party consensus for its adoption.

This is a summary of UAH concerns which will be expanded at the Committee oral hearing on the 9th of October

Ulster Architectural Heritage

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Please acknowledge receipt to info@uahs.org.uk

Ulster Architectural Heritage:

Ulster Architectural Heritage is a charitable, non-profit membership organisation founded in 1967. It exists to promote appreciation, preservation conservation and sustainable re-use of historic architecture across the nine counties of Ulster. Over the last 58 years UAH has established itself as a fearless and independent campaigner for buildings and structures of merit, a generous resource of information on local architecture, and a fair and helpful source of advice. Its main activities include campaigning & lobbying, support & advice, publications and events. UAH works with the Historic Environment Division, (HED), of the Department for Communities, (DfC), to record and promote the conservation of listed buildings at risk through the Heritage at Risk NI, (HARNI) partnership.
www.ulsterarchitecturalheritage.org.uk

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