



Department for

**Communities**

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An Roinn

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## **Public Consultation Paper**

# **Conservation Principles**

Guidance for the sustainable  
management of the historic  
environment in Northern Ireland

**13 August – 08 October 2021**



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# 1. Minister's Foreword



It is important to appreciate the contribution that heritage makes to our communities and to our social and economic wellbeing. All heritage assets are a product of a rich and complex history that has made our landscape, villages, towns and cities unique and special.

To understand and appreciate the significance of these heritage assets is fundamental in realising the full potential of our historic environment. Making good decisions and managing our assets is something we can work together on, ensuring that they are well maintained and protected for future generations

We are in a difficult time, and it is vital that we all support communities, people and places to improve lives through the recovery from Covid-19 impacts. The Department wants to support communities at all levels, to ensure that heritage at the heart of communities is cared for and adapted sustainably, so that it can continue to have positive impacts for the people it connects.

I would very much value your consideration of the Conservation Principles framework document. My Department wants to work together with key stakeholders to ensure that appropriate decisions can be made in relation to heritage assets, and I hope the conservation framework for this work will ensure we provide this support consistently.

A handwritten signature in black ink that reads "Deirdre Hargey". The signature is fluid and cursive.

**Deirdre Hargey MLA**  
**Minister for Communities**  
**28 March 2021**

## 2. Background

Northern Ireland currently has around 52,000 recorded heritage assets, and approximately a quarter of these are protected by formal designation. The Department for Communities also has responsibility for 190 monuments in state care.

The Department's Historic Environment Division (HED) has drafted a paper entitled 'Conservation Principles; Guidance for the sustainable management of the historic environment in Northern Ireland'.

The principles within the document are based on internationally established conservation doctrine, and align with our obligations under Council of Europe Conventions on the protection of heritage, and ICOMOS (International Council on Monuments and Sites) charters laying out good practice and guidance for conservation of the historic environment.

The Conservation Principles guidance sets out a best practice conservation framework for all aspects of decision-making affecting our historic environment. It is intended that by setting out these overarching principles, our process and consistency in decision-making

and advice is transparent; it will clarify the Department's position on important matters affecting heritage assets across Northern Ireland, including those in relation to its statutory obligations as set out in the Historic Monuments and Archaeological Objects (NI) Order 1995, Planning Act (NI) 2011 and The Planning (General Permitted Development) Order (NI) 2015.

The six conservation principles set out within this publication are consistent with the approach by Historic England, Cadw (Wales), Historic Environment Scotland and the Department of Housing, Local Government and Heritage (Ireland) to ensure a clear, shared approach across these islands. This publication is tailored to the processes through which the historic environment is managed in Northern Ireland.

The well-informed change management and care of our heritage assets is essential to supporting outcomes within the Department's five year strategy (Building Inclusive Communities 2020-2025) and also has parallels in the draft Programme for Government and Regional Development Strategy 2035 (RDS).

### 3. Consultation Details

In this consultation document the Department for Communities (“the Department”) sets out a proposal for a Conservation Principles framework for the sustainable management of the historic environment in Northern Ireland.

The purpose of this consultation is to seek the views of all interested parties on the Department’s proposal. The consultation will run for eight weeks. The Department will give due consideration to all responses and a synopsis of responses will be published as soon as practicable following the consultation period.

Copies of this consultation document may be made without seeking permission. This document is also available in alternative formats; please contact us to discuss your requirements. The document is published on the Department’s website.

If you have any queries regarding this consultation please contact the Heritage Advice and Regulation team by e-mail, by post to the address below or by telephone through our enquiries line on (028) 9081 9226.

#### How to Respond

Early responses are encouraged but all responses should arrive no later than 5pm on 08 October 2021.

Complete the questions in the online survey found at <https://consultations.nidirect.gov.uk/dfc/hedconservationprinciples-publicconsultation>

Alternatively, responses may be sent by email to [HED.ConservationPrinciples@communities-ni.gov.uk](mailto:HED.ConservationPrinciples@communities-ni.gov.uk) or by post to:

#### Conservation Principles Consultation

Historic Environment Division  
Department for Communities  
Ground Floor  
9 Lanyon Place  
Town Parks  
BELFAST, BT1 3LP

When responding please state whether you are responding as an individual, or representing the views of an organisation. Before you submit your responses please read the “Confidentiality of Consultations” section below, which gives guidance on the legal position.

#### Equality Screening

Section 75 of the Northern Ireland Act 1998 requires that public authorities have due regard to equality issues in carrying out functions relating to Northern Ireland. We have completed an equality screening of the document being consulted upon and have concluded that they do not impact on equality of opportunity for any of the nine categories specified in section 75 (religious belief; political opinion; race; age; marital status; sexual orientation; men and women generally; disability; and dependants).

We have not identified any evidence of higher or lower participation or uptake by different groups; that different groups have different needs, experiences, issues and priorities in relation to the particular proposal; that there is an opportunity to better promote equality of opportunity or better community relations by altering the proposal or working with others in government or the community at large. Engagement with relevant groups, organisations or individuals has not indicated that particular proposals create problems that are specific to them.

The Equality Commission will receive copies of this document as part of the consultation exercise. We will take into account any comments the Commission might have.

### **Human Rights Act 1998**

The Human Rights Act 1998 incorporates the European Convention on Human Rights (“the Convention”) and makes it unlawful for a public authority to act in a way that is incompatible with these rights.

The proposed framework will have a positive impact with regard to human health, public safety and environmental quality. The new document will enhance rather than be detrimental to applicants’ Convention rights. There is no obligation to avail of the benefits available under the new framework. The Department’s view is that the document is fully compliant with Convention rights.

The Human Rights Commission will receive copies of this document as part of the consultation. We will take into account any comments the Commission may make.

### **Rural Needs Impact Assessment**

The Rural Needs Impact Assessment (RNIA) is a process to ensure that all relevant Government outputs are examined carefully and objectively to determine whether or not they have a different impact in rural areas from that elsewhere, because of the particular characteristics of rural areas. Where necessary the process should also examine what adjustments might be made to reflect rural needs and in particular to ensure that, as far as possible, public services are accessible on a fair basis to the rural community.

The Department has considered this framework in relation to the rural community and has found no potential differential impacts.

### **Confidentiality of Consultations**

For this consultation, we may publish all responses, withholding personal information such as names, email addresses, postal addresses and phone numbers from responses, but apart from that we may publish them in full. For more information about what we do with the information please see our privacy notice: **DfC GDPR**

### **Privacy Notice**

Responses to this consultation may be disclosed in accordance with Freedom of Information Act 2000 (FOI) and Environmental Information Regulations 2004 (EIR); however all disclosures will be in line with the Data Protection Act 2018 and the General Data Protection Regulations EU 2016/679.

The Freedom of Information Act 2000 gives the public a right of access to any information held by a public authority (the Department in this case). This right of access to information includes information provided in response to a consultation.

The Department cannot automatically consider information supplied to it in response to a consultation, as confidential. However, it does have the responsibility to decide whether any information provided by you in response to this consultation, including information about your identity, should be made public or treated as confidential.

This means that information provided by you in response to the consultation is unlikely to be treated as confidential, except in very particular circumstances.

DfC is the data controller in respect of any personal data that you provide and DfC privacy notice gives details in respect of your rights in respect of handling your personal data:

### **DfC Privacy Notice**

## 4. Proposals - HED Conservation Principles (Consultation) Paper

Link to **Conservation Principles** paper

## 5. Questions

- Q1:** Are you responding to this consultation on behalf of an organisation or as an individual? Please specify organisation.
- Q2:** What connection do you/does your organisation have with heritage matters?
- Q3:** Do you agree with the overall approach to the Conservation Principles as outlined within its introduction? (Please provide any comments to explain your answer)
- Q4:** Do you agree or disagree with each of the proposed six key principles and their associated aims on a scale of 1-5, 1 (strongly disagree), 2 (agree), 3 (neutral), 4 (agree) to 5 (strongly agree)?
- Please provide any comments to explain your answer and indicate to which Principles (1-6) your comments refer.
- Q5:** Do you agree or disagree with the approach to Understanding Significance, and the three key interests of archaeological, architectural and historic? (Please provide any comments to explain your answer)
- Q6:** Do you agree or disagree with the approach to Assessment of Significance? (Please provide any comments to explain your answer)
- Q7:** Do you agree or disagree with the approach to Managing Change to a Heritage Asset? (Please provide any comments to explain your answer)
- Q8:** Is there any other comment you would like to make on the document content?
- Q9:** In responding to this consultation, please highlight any possible unintended consequences of the proposals and any practical difficulties you foresee in implementing them.

## 6. The consultation process and how to respond

FRAMEWORK FOR CONSULTATION	SUMMARY DETAIL
Topic of this consultation	Introduction of a Conservation Principles document is to set out a best practice conservation framework to inform all aspects of decision-making affecting our historic environment.
Scope of this consultation	The consultation will help inform and refine the Conservation Principles document
Audience	Anyone with an interest in this area is welcome to respond. The Department encourages central government, local authorities, heritage asset owners, developers and their agents/advisers to refer to these Conservation Principles when considering changes which impact on a designated or non-designated heritage asset.
Body responsible for the consultation	The Department for Communities
Duration	The consultation will run for 8 weeks. It will begin on 13 August and will end on 08 October 2021
Enquiries	e-mail: <a href="mailto:HED.ConservationPrinciples@communities-ni.gov.uk">HED.ConservationPrinciples@communities-ni.gov.uk</a> telephone: (028) 9081 9226
How to respond	<p>Please respond to the consultation in one of the following ways:</p> <p>Complete the questions in the online survey at: <a href="https://consultations.nidirect.gov.uk/dfc/hedconservationprinciples-publicconsultation">https://consultations.nidirect.gov.uk/dfc/hedconservationprinciples-publicconsultation</a></p> <p>By email to <a href="mailto:HED.ConservationPrinciples@communities-ni.gov.uk">HED.ConservationPrinciples@communities-ni.gov.uk</a> including CONSULTATION RESPONSE in the title line</p> <p>By post to:  <b>Conservation Principles Consultation</b>            Historic Environment Division            Department for Communities            Ground Floor            9 Lanyon Place            Town Parks            BELFAST, BT1 3LP</p>
After the consultation	The views and advice expressed in responses to this consultation may be placed in the public domain. Each response will inform the Department in its consequential publication.





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# Helping communities to enjoy and realise the value of our historic environment

## **Historic Environment Division**

Ground Floor  
9 Lanyon Place  
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**Email:** [HED.ConservationPrinciples@communities-ni.gov.uk](mailto:HED.ConservationPrinciples@communities-ni.gov.uk)

**Web:** [www.communities-ni.gov.uk/topics/historic-environment](http://www.communities-ni.gov.uk/topics/historic-environment)

