



Welsh Government

## Historic Environment (Wales) Bill

Complementary document for consideration

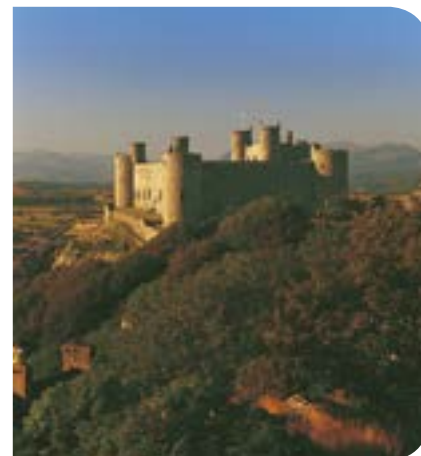
Draft

### Technical Advice Note 24: Historic Environment

This document is a draft that has been prepared for consideration alongside the Historic Environment (Wales) Bill. It is intended to provide Assembly Members, stakeholders and members of the public with an understanding of the policy, advice and guidance that will complement the legislation after its enactment.

Some sections of this document are dependent upon the provisions of the Historic Environment (Wales) Bill as introduced to the National Assembly for Wales on 1 May 2015. This document is therefore liable to changes following the scrutiny of the Bill by the National Assembly and any consequent amendments to the legislative provisions. Following those changes, the document will be subject to a full public consultation prior to publication. That consultation is likely to take place in 2016.

1 May 2015



1 May 2015.

***DRAFT***

## Technical Advice Note 24: Historic Environment

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# 1 Introduction

## Status of Technical Advice Note 24

1.1 This Technical Advice Note (TAN) should be read in conjunction with Planning Policy Wales (PPW) which sets out the land use planning policies of the Welsh Government, in particular Chapter 6: The Historic Environment. PPW, the TANs, and Cadw's best practice guides should be taken into account by local planning authorities in the preparation of their development plans. They may be material to decisions on individual planning and historic environment consent applications<sup>1</sup> and will be taken into account by the Welsh Ministers and Planning Inspectors in the determination of those applications that come before them.

1.2 Useful reference documents, listed in the reference column in the margin provide additional information which may be read in conjunction with this TAN. The TAN contains four annexes that deal specifically with the designation and consent procedures associated with scheduled monuments, listed buildings, conservation areas and the registers of historic areas.

1.3 Welsh Office Circulars 60/96 Planning and the Historic Environment: Archaeology; 61/96 Planning and the Historic Environment: Historic Buildings and Conservation Areas; and 1/98 Planning and the Historic Environment: Directions by the Secretary of State for Wales have been superseded by this TAN and are hereby cancelled.

## The Structure of Technical Advice Note 24

1.4 Six sections and associated annexes follow this introduction. These look at specific areas within the historic environment and reflect the different legislative and management regimes that apply. The six sections relate to

- local development plans
- World Heritage Sites
- archaeological remains
- listed buildings
- conservation areas
- historic parks, gardens and landscapes

## The Historic Environment, Sustainable Development and Climate Change

1.5 The historic environment is defined as:

All aspects of the environment resulting from the interaction between people and places through time, including all surviving physical remains of past human activity, whether visible, buried or submerged, and deliberately planted or managed.

A historic asset is defined as:

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<sup>1</sup> See the annexes to this document.

An identifiable component of the historic environment. It may consist or be a combination of an archaeological site, a historic building, or a parcel of historic landscape. Nationally important historic assets will normally be designated.<sup>2</sup>

Taken together and set within their cultural context, historic assets contribute to the character and sense of place of different parts of Wales.

1.6 Changes in the historic environment are inevitable. This can be the result of decay caused by natural processes, damage caused by wear and tear of use, and the need to respond to social, cultural, economic and technological changes.<sup>3</sup>

1.7 The Welsh Ministers have wide-ranging powers to protect and support the historic environment in Wales,<sup>4</sup> and have a duty to promote sustainable development.<sup>5</sup>

1.8 The multiple impacts of climate change on historic assets are a particular challenge. Some of these will be outside the planning process such as sea-level rise, flooding, changes in vegetation and agricultural land use. However, many measures that need to be taken in response to the impact of climate change, such as sea and flood defences, and renewable energy projects fall under the planning system and do need to be assessed for their impacts on the historic environment.<sup>6</sup>

## Conservation Principles

1.9 Cadw published *Conservation Principles for the Sustainable management of the historic environment in Wales* (Conservation Principles), in 2011. These principles provide the basis upon which Cadw discharges its statutory duties on behalf of the Welsh Ministers. *Conservation Principles* should also be used by others to assess the potential impacts of a development proposal on any historic asset/assets and to assist in decision making where the historic environment is affected by the planning process.

1.10 There are six principles.

1. Historic assets will be managed to sustain their values.
2. Understanding the significance of historic assets is vital.
3. The historic environment is a shared resource.
4. Everyone will be able to participate in sustaining the historic environment.
5. Decisions about change must be reasonable, transparent and consistent.
6. Documenting and learning from decisions is essential.

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<sup>2</sup> Cadw, *Conservation Principles for the sustainable management of the historic environment in Wales 2011*, definitions, p. 36.

<sup>3</sup> Cadw, *Conservation Principles for the sustainable management of the historic environment in Wales 2011*, para 1.1.

<sup>4</sup> Government of Wales Act 2006, section 61.

<sup>5</sup> Government of Wales Act 2006, section 79 and *Planning Policy Wales*, chapter 4.

<sup>6</sup> Historic Environment Group, [\*Climate change and the historic environment of Wales: A summary of potential impacts\*](#), National Trust 2013.

1.11 These principles should be applied when applicants are considering development proposals and other works to historic assets. It is important for those responsible to understand the heritage values and assess the significance of the historic assets that will be affected. There are four heritage values which need to be understood before the significance of the asset can be assessed.

- Evidential value
- Historical value
- Aesthetic value
- Communal value

Having understood the values, it is for the applicant to prepare a Statement of Significance for any designated historic assets to be affected by any proposed development. This Statement of Significance<sup>7</sup> is the basis of the Heritage Impact Assessment which will form part of any listed building consent, conservation area consent or scheduled monument consent application.<sup>8</sup> These two statements should be in proportion to the scale of the proposed work but should contain sufficient information to determine the likely impact. The direct and indirect impacts of any development proposal will then be judged on their effects upon the significance of the historic asset/assets.

1.12 The final part of *Conservation Principles* is entitled 'Conservation Principles in Action'. This identifies how to consider different levels of intervention at a particular site or historic asset. The advice ranges from routine management and maintenance, through repair, periodic renewal, where archaeological intervention is needed, restoration to new work and alteration. Consideration is also given to how the historic environment can be accommodated alongside other interests and where enabling development may be acceptable to secure the future of an important historic asset. This part of the document provides tests against which different aspects of a development proposal can be judged.

## Historic Character

1.13 Cadw recognises that every place has its own history, which has shaped its character and leaves tangible traces in its present form and fabric. This historic character makes each place unique and gives it a distinctive identity. Cadw recommends that historic character is taken into account in the management of change in order to sustain local distinctiveness and a sense of place. Cadw also recommends the use of an objective, structured approach to identify the elements of historic character and creating an evidence base.<sup>9</sup>

## Information on Historic Assets in Wales

1.14 Cadw is responsible for maintaining the information about designated historic assets: scheduled monuments, listed buildings and protected wrecks, and areas on the *Register of Historic Parks and Gardens* and the *Register of*

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<sup>7</sup> A Statement of Significance is defined in [Conservation Principles](#), p. 18.

<sup>8</sup> Needs the introduction of Heritage Impact Assessments.

<sup>9</sup> Cadw, *Managing Historic Urban Character*, forthcoming.

*Historic Landscapes in Wales*. The definitive information is available through the Cadw website.<sup>10</sup>

1.15 Local planning authorities are responsible for designating conservation areas and they hold the definitive information on their boundaries.

1.16 Designated and registered historic assets form only a small part of the wider historic environment. The most accessible and comprehensive information on all known archaeological sites, historic buildings and other components of the historic landscape is to be found in the regional Historic Environment Records (HERs).

1.17 Local planning authorities have a duty to maintain a HER, which meets the standards agreed by the Welsh Ministers,<sup>11</sup> to ensure evidence-based decision making regarding impacts on the historic environment in their areas.<sup>12</sup> They may choose to create, manage and maintain their own HER or adopt and support HER developed and maintained by another organisation to the Welsh Ministers' agreed standards. The local planning authority is also required to make its HER publically accessible, and ensure that advice and assistance is available to those wishing to retrieve and understand the information that it contains.<sup>13</sup>

1.18 The four Welsh archaeological trusts have developed their regional HERs about 40 years and these provide the most comprehensive and consistent information on the historic environment of Wales.<sup>14</sup> These HERs have had financial support from the Welsh Ministers and nearly all of the Welsh local planning authorities.

1.19 The regional HERs are complemented by the national collection of information about the historic environment, the National Monuments Record for Wales, held by Royal Commission on the Ancient and Historical Monuments of Wales (RCAHMW).<sup>15</sup>

## The Setting of Historic Assets

1.20 Chapter 6 of PPW identifies the desirability of preserving the setting of a World Heritage Site, a nationally important ancient monument (whether scheduled or unscheduled), a listed building, a conservation area and a site on the *Register of Historic Parks and Gardens in Wales*.<sup>16</sup> This desirability will be a material consideration when assessing the potential impact of a development proposal on the historic environment.

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<sup>10</sup> Add hyperlink here, when available.

<sup>11</sup> Standards being developed by RCAHMW and ALGAO Cymru to be published in Cadw, *Managing Historic Environment Records in Wales— Statutory Guidance* (forthcoming).

<sup>12</sup> Historic Environment (Wales) Bill, sections 33–36.

<sup>13</sup> Cadw, *Managing Historic Environment Records in Wales— Statutory Guidance* (forthcoming).

<sup>14</sup> The web portal to this information is Archwilio (<http://www.archwilio.org.uk>).

<sup>15</sup> The web portal to this information is [Coflein](#)

<sup>16</sup> [Planning Policy Wales](#), paras 6.5.2, 6.5.6, 6.5.11 and 6.5.23 as proposed.



1.21 The Welsh Ministers take the definition of the setting of a historic asset to be the surroundings in which it is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.

1.22 Setting always forms part of the aesthetic value of a historic asset and can contribute to the other heritage values (see para. 1.22 above). Setting is primarily a visual amenity. Consideration needs to be given to how the proposed development will appear in views out of and looking towards the historic asset, and in views where the proposed development and the historic asset are juxtaposed. How setting is to be addressed by the applicant should be considered as part of any pre-application discussions.

1.23 There are other factors which may affect the setting of a historic asset. Inter-visibility with other historic or natural features, or the need to retain a sense of enclosure or privacy may be significant for particular historic assets. Their tranquillity may be affected by allowing a noisy or other potentially polluting development to proceed though it has little visual impact, such as a major road in a cutting, or a new industrial process in an existing building. Setting can also be enhanced, by for example, the removal of traffic from part of a historic town or village, or by the opening up of views from or returning the sense of enclosure to particular sites where they have been lost.

1.24 It is for the applicant to present their case that the proposed development will not have an unacceptably damaging impact on the setting of designated and registered historic assets, or on other sites of national importance. The assessment needs to be made by visiting significant viewpoints and visualising the form and appearance of the proposed development within its landscape. For any development within the setting of a historic asset, there are other factors to consider and weigh in the assessment. These are:

- the prominence of the historic asset
- the expected lifespan of the proposed development
- the extent of tree cover and its likely longevity
- non-visual factors affecting the setting of the historic asset.

1.25 When making this assessment, the proposed situation will be compared to the existing and not against some past scenario. There will be cases where a proposed development will enhance the setting of a historic asset and this will be treated as a benefit resulting from the development. Mitigation of damaging effects can be achieved through design and in some cases screening.

1.26 Local planning authorities are required to consult Cadw on development proposals which in their opinion affect the setting of a scheduled monument, a grade I or II\* registered historic park and garden and a World Heritage Site.<sup>17</sup> It

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<sup>17</sup> Town and Country Planning (Development Management Procedure) (Wales) Order 2012, article 14 and schedule 4 (k). This order will need to be amended to allow for WHS and Registered Parks and Gardens to be added.

is for the local planning authority to consider the effects of proposed developments on the settings of listed buildings, conservation areas, grade II historic parks and gardens, and unscheduled monuments of national importance.

1.27 The local planning authority will need to make its own assessment of the impact on setting of a designated or registered historic asset having considered the responses of consultees. A judgement has to be made by the consenting authority, on a case-by-case basis, over whether a proposed development may be damaging to the setting of the historic asset, or may enhance or have a neutral impact on the setting by the removal of existing inappropriate development or land use.

### **Nature Conservation and the Historic Environment**

1.28 There are inextricable links between the natural and historic environments. The habitats which support Wales' biodiversity have all been created to a greater or lesser extent by past human activity. It is the objective of the Welsh Government to conserve and enhance the whole of the environment of Wales as part of its commitment to sustainable development.<sup>18</sup>

1.29 The most common potential impacts when working on historic buildings are on roosting bats, breeding birds and flora associated with lime-mortared walls. Vegetation clearance or groundworks associated with works at an archaeological site or in extending a historic building may affect protected species such as dormice, reptiles and amphibians, or interfere with breeding birds.

1.30 Applicants for planning, listed building, conservation area or scheduled monument consent have a duty to ensure that their proposed works do not lead them to commit a criminal offence as set out in the Conservation of Habitats and Species Regulations 2010. When assessing an application for planning, listed building, conservation area or scheduled monument consent, the competent authority (a local planning authority or Cadw) must decide whether the applicant has given due regard to the impact of their proposals on nature conservation. The potential impact resulting from pre-determination archaeological evaluation also needs to be considered.<sup>19</sup>

1.31 It is important to identify where there is a need for any ecological survey at an early stage and this issue should form part of any pre-application discussion.<sup>20</sup> Should protected species be identified, then licences will need to be issued.<sup>21</sup> These licences may include conditions which lead to modifications to the intended works to be submitted for listed building, conservation area, or scheduled monument consent. Where possible, these modifications to the

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<sup>18</sup> [Planning Policy Wales](#), para 4.1.4.

<sup>19</sup> [Technical Advice Note 5: Nature Conservation and Planning](#)

<sup>20</sup> TAN 5 section 4.2.2 refers to Article 3 and Schedule 2, Town and Country Planning (General Permitted Development) Order 1995 S. I. 1995/418.

<sup>21</sup> Conservation of Habitats and Species Regulations 2010, [part 5](#).

design of works should be made before the submission of any consent application.

1.32 In the absence of the necessary level of ecological survey being undertaken before the submission of a listed building, conservation area or scheduled monument consent application, the competent authority may choose not to validate the application.

## 2 Local Development Plans

### Preparing the Local Development Plan

2.1 A Sustainability Appraisal (SA) is a mandatory requirement in the preparation of a local development plan (LDP), and must contain a Strategic Environmental Assessment (SEA).<sup>22</sup> It must consider the historic environment as part of its wider consideration of the environment of the plan area. The SA must use up-to-date information drawn from the local planning authority's HER (see 1.15 above).<sup>23</sup> Cadw is a statutory consultee on the SEA.

2.2 The SEA must include targets and indicators for the period covered by the LDP. There are a number of numerical indicators that can be adopted. For example:

- Number of records added to the local planning authority's HER resulting from the application of archaeological planning conditions.
- Number of listed buildings in the local planning authority's area removed from the 'at risk' category on the All-Wales Listed Building Condition Survey through repair or beneficial re-use.
- Number of new conservation areas designated.
- Number of conservation area character appraisals undertaken.
- The production of Supplementary Planning Guidance relevant to the historic environment of the local planning authority's area.

### Local Lists of Historic Assets

2.3 The local planning authority may choose to identify historic assets of special local interest or to develop a local list of historic assets. This will include other, but not necessarily all, local historic assets which are not already designated as scheduled monuments, listed buildings or conservation areas, or appear on the *Register of Historic Parks and Gardens*.<sup>24</sup> Policies for the preservation and enhancement of historic assets of special local interest must be included in the LDP.

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<sup>22</sup> Welsh Assembly Government, [Local Development Plan Manual June 2006](#), section 3 and [Planning and Compulsory Purchase Act 2004](#), section 62 (6). [Planning Policy Wales](#), section 2.4.

<sup>23</sup> Planning and Compulsory Purchase Act 2004, section 61.

<sup>24</sup> Cadw, *Managing Lists of Historic Assets of Special Local Interest in Wales*, (forthcoming).

## Supplementary Planning Guidance for the Historic Environment

2.4 Supplementary Planning Guidance (SPG) may be developed by a local planning authority to assist them in delivering policies in the LDP.<sup>25</sup> Specific policies relating to the historic environment might include:

- World Heritage Sites
- Archaeologically Sensitive Areas — where it is probable that archaeological remains will be a material consideration in the determination of any planning applications (see section 4).
- The preservation of historic assets of special local interest or on local list.
- The use of characterisation to inform regeneration or the enhancement of town centres and conservation areas.<sup>26</sup>
- Design guidance for development briefs containing significant historic assets.<sup>27</sup>

## 3 World Heritage Sites

3.1 World Heritage Sites (WHS) are inscribed under the UNESCO *Convention Concerning the Protection of the World Cultural and Natural Heritage* 1972 (normally referred to as the *World Heritage Convention*). The UK Government ratified the convention in 1984 and is the “State Party” for World Heritage Sites in the United Kingdom.

3.2 WHS are places of Outstanding Universal Value. Outstanding Universal Value is defined as meaning ‘cultural and/or natural significance which is so exceptional as to transcend national boundaries and to be of common importance for present and future generations of all humanity’.<sup>28</sup>

3.3 Some WHS have a buffer zone defined around or attached to their boundaries. The buffer zone itself is not of Outstanding Universal Value but should include the immediate setting of the WHS, important views and other areas or attributes that are functionally important as a support to the WHS and its protection.<sup>29</sup>

3.4 Currently there are three WHS in Wales: the Castles and Town Walls of Edward I in Gwynedd (inscribed 1986), Blaenavon Industrial Landscape (inscribed 2000), and Pontcysyllte Aqueduct and Canal (inscribed 2009).

### Principles and Policies for the Protection of World Heritage Sites

3.5 The UK Government is committed to protect, conserve, present and transmit to future generations its WHS. The Welsh Government’s policy objectives towards WHSs are presented in Planning Policy Wales chapter 6, paras. 6.4.4 and 6.5.1–6.5.5.

<sup>25</sup> PPW, sections 6.4.4 and 6.4.6.

<sup>26</sup> Cadw, *Managing Historic Urban Character*, (forthcoming).

<sup>27</sup> *Technical Advice Note 12: Design*, section 5.6 The Historic Environment

<sup>28</sup> *Operational Guideline for the Implementation of the World Heritage Convention*, para 49.

<sup>29</sup> *Operational Guidelines*, para 104

3.6 No additional statutory controls result from WHS designation but the Welsh Ministers require local planning authorities to establish specific policies to protect the Outstanding Universal Value, integrity and authenticity of WHSs by managing development within and adjacent to them, and that each WHS must have a management plan which specifies how the Outstanding Universal Value should be preserved.<sup>30</sup>

3.7 The Welsh Ministers' approach to the protection and management of WHS is through:

- Designation of specific historic assets within WHS (listed buildings, scheduled monuments and conservation areas);
- Recognition of WHS as an important material consideration in the determination of planning applications;
- Inclusion of policies in local development plans to protect the Outstanding Universal Value, integrity and authenticity of WHS; supported by the preparation of Supplementary Planning Guidance;
- Establishment and implementation of agreed management plans for each WHS;
- Establishment of stakeholder steering groups including key partners, major owners, managers and communities;
- Effective coordination, normally by a dedicated WHS Coordinator.

3.8 Local planning authorities must take account of the international and national policies for the protection of WHS. They should be worked into and reflected in their local development plan policies for economic development, regeneration and tourism. Policies should place great weight on the need to protect WHS for the benefit of future generations as well as our own. The effective management of a WHS is therefore concerned with the identification and promotion of change that will conserve and enhance its Outstanding Universal Value, integrity and authenticity and with the modification or mitigation of proposed changes that might alter those values.

3.9 Policies for the protection and sustainable use of a particular WHS should apply both to the site itself and, as appropriate, to its setting, including any buffer zone or equivalent.

3.10 All three WHS in Wales lie within more than one local planning authority, so cooperation between authorities is vital. This is most effectively achieved by the collaborative adoption of shared Supplementary Planning Guidance.<sup>31</sup>

### **World Heritage Site Management Plans**

3.11 The Welsh Ministers expect local planning authorities to follow UNESCO's *Operational Guidelines* where each WHS should have an

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<sup>30</sup> *Operational Guidelines*, para 108 and Cadw, *Managing Change in World Heritage Sites in Wales*, (forthcoming).

<sup>31</sup> A model for such guidance is the Pontcysyllte Aqueduct and Canal Supplementary Planning Guidance adopted in 2012, revised 2013.

appropriate management plan which should specify how the Outstanding Universal Value of a property should be preserved.<sup>32</sup>

3.12 The management plan should establish short-, medium- and long-term objectives to protect, conserve and present the WHS. An integrated approach to planning and management is essential to guide the evolution of properties over time, whilst retaining all aspects of their Outstanding Universal Value.

### **Development Proposals within World Heritage Sites**

3.13 A WHS is considered a 'sensitive area' under the *Environmental Impact Assessment Regulations*.<sup>33</sup> Schedule 3 (2) (viii) of these Regulations identifies 'landscapes of historical, cultural or archaeological significance' as one of the criteria for screening Schedule 2 developments. WHS are such landscapes. Local planning authorities will take this into consideration when asked to give a screening opinion on whether a proposed development falls within Schedule 2 and therefore requires an Environmental Impact Assessment.

3.14 A Heritage Impact Assessment should be produced for all planning applications likely to have a significant impact on the Outstanding Universal Value, integrity and authenticity of WHS. The need for such a Heritage Impact Assessment should be agreed as part of the pre-application discussions. When an Environmental Impact Assessment is required, the Heritage Impact Assessment should form part of this wider study. Guidance on the production of a Heritage Impact Assessment for a WHS is provided by ICOMOS.<sup>34</sup>

3.15 Where a buffer zone exists it defines the immediate setting of a WHS. There will be development proposals of a size, height or prominence which could also adversely affect the setting of a WHS and lie outside any buffer zone. Consideration of how to assess impacts upon the setting of a historic asset, such as a WHS, is discussed in paras. 1.21–1.28 of this Technical Advice Note.

## **4 Archaeological Remains**

### **The Importance of Archaeological Remains and their Records**

4.1 Archaeological remains are a finite and non-renewable resource. In many cases they are highly fragile and vulnerable to damage and destruction. Produced by human activity over thousands of years, they are the only evidence of our prehistoric past and complement historic records from the last 2,000 years. Archaeological remains include evidence buried below the ground and the surviving fabric of historic buildings and other structures. Their importance, as evidence of the past development of our civilisation and as part of Wales' identity, is not necessarily related to their size, visibility or popularity. Care must be taken to

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<sup>32</sup> *Operational Guidelines*, para 108.

<sup>33</sup> Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999, Part I, 2.

<sup>34</sup> ICOMOS *Guidance for Heritage Impact Assessments for Cultural World Heritage Properties* (2011).

ensure that the opportunities to record archaeological evidence are taken and that archaeological remains are not needlessly or thoughtlessly destroyed.

## Archaeological Remains and the Planning Process

4.2 Potential conflicts between development proposals and the preservation of significant archaeological remains can often be resolved through pre-application discussions with the local planning authority, their archaeological advisors, and, in cases where scheduled monuments may be affected, Cadw. Applicants are encouraged to make an enquiry to the relevant regional HER and seek advice from the local planning authority's archaeological advisor at an early stage in considering their development to see if the land contains or is close to known archaeological remains.

4.3 When considering development proposals that affect scheduled monuments or other nationally important archaeological remains, there should be a presumption in favour of their physical preservation *in situ*, i.e., a presumption against proposals which would involve significant alteration or cause damage, or would have a significant impact on the setting of visible remains (see Annex A).

4.4 Where archaeological remains are known to exist or there is a high potential for them to survive, the local planning authority should ask an applicant to undertake a desk-based archaeological assessment and, where appropriate, an archaeological evaluation. These should be done by a competent expert to the appropriate published standard.<sup>35</sup> The reports of these investigations will form part of the planning application. Applicants should show they have modified their development proposals to minimise the impact on the identified archaeological remains, and how they intend to mitigate or offset any remaining impacts.

4.5 The local planning authority may refuse to validate a planning application until it has received the reports of the desk-based assessment and where appropriate, the field evaluation. If it considers that additional archaeological assessment or evaluation is required before validation then the local planning authority must inform the applicant of what additional work is needed.<sup>36</sup> Failure to provide sufficient archaeological information of the appropriate standard may be a valid reason for the local planning authority to refuse planning permission.

4.6 When considering planning applications that affect known or potential archaeological remains, the local planning authorities should consult with their archaeological advisor<sup>37</sup> about the acceptability of the extent of the loss of

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<sup>35</sup> The Welsh Government endorses the use by Welsh local planning authorities of the Chartered Institute for Archaeologists' standards and guidance for desk-based assessment and field evaluation. (<http://www.archaeologists.net/codes/ifa>)

<sup>36</sup> Town and Country Planning (Applications) Regulations 1988, regulation 4.

<sup>37</sup> See Welsh Archaeological Trusts' *Curators Code of Practice* (<http://www.ggat.org.uk/archplan/curators>) and the Chartered Institute for Archaeologists' standards and guidance for archaeological advice by historic environment services: (<http://www.archaeologists.net/sites/default/files/node-files/lfasg-Archaeological-Advice-and-glosary.pdf>). .

archaeological remains, and/or the adequacy of the mitigation or offsetting that has been proposed. These two factors are material considerations in determining the planning application. Where a planning application directly affects a scheduled monument or its setting, then the local planning authority is required to consult the Welsh Ministers (through Cadw).<sup>38</sup>

4.7 The Welsh Ministers recognise that the extent to which archaeological remains can or should be preserved will depend upon a number of factors. The case for the preservation of archaeological remains that are not of national importance (see 4.3 above), must be assessed on the individual merits of each case. They should take into account the archaeological policies in the local development plan together with all other relevant policies and material considerations, including the significance of the remains, and weigh these against the need for the proposed development. In cases where there are issues of more than local importance, applications may be called in for determination by the Welsh Ministers — a power that will be only be used exceptionally.<sup>39</sup>

### **Preservation of Archaeological Remains *in situ***

4.8 Preservation *in situ* may be achieved in a number of ways and allow a development to proceed. Damaging parts of the development, for example drains and other services, may be relocated within the existing plan; foundations may be redesigned so as not to penetrate archaeological layers, or augered piling may prove more acceptable than large-scale deep excavation. In considering these solutions, a local planning authority must consider both direct and indirect impacts, such as changes to the hydrology and soil chemistry of a site, and be confident that the development can be removed at a future date without additional impacts upon the buried remains. Design can also minimise the effect upon setting, through micro-siting components of the development, considering external appearances, the use of screening or by mitigating the visual impact of the proposals by removal of existing unsightly elements.

### **Recording and Furthering Understanding of Archaeological Evidence**

4.9 Having weighed all the other material considerations and the need for the development, the local planning authority may decide that the significance of the archaeological remains is not sufficient to justify their physical preservation. In these cases, the local planning authority must satisfy itself that the necessary arrangements for the excavation and recording of these archaeological remains are put in place, and the results of this archaeological work are properly analysed, published and archived.<sup>40</sup> This can be achieved by the local planning authority issuing a brief setting out the scope of the archaeological works.

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<sup>38</sup> The Town and Country Planning (Development Management Procedure) (Wales) Order 2012, Schedule 4(k).

<sup>39</sup> *PPW*, section 3.12.

<sup>40</sup> The Welsh Government endorses the use by Welsh local planning authorities of the Chartered Institute for Archaeologists' standard and guidance for excavation (<http://www.archaeologists.net/codes/ifa>). Add reference to Standard for the Curation of Archaeological Archives in Wales when published.



4.10 Planning conditions will normally require the applicant to commission a competent expert to submit a written scheme of archaeological investigation which describe the different stages of the work and demonstrating that it has been fully resourced and given adequate time.<sup>41</sup> In approving this written scheme of investigation (WSI), the local planning authority will identify who will act as the curator for the programme, how it will be monitored both during the excavation and post-excavation stages, and how each stage will be certified as fulfilling the planning conditions. The WSI may have to be amended between the outline and full planning applications.

4.11 Ideally, any programme of archaeological excavation and recording should precede the start of work on the development or be integrated into the initial phase of groundworks and demolitions. An archaeological watching brief may be agreed as part of the WSI or be the subject of a planning condition.<sup>42</sup> The developer must give sufficient time for the archaeological contractor to complete the site work to the appropriate professional standard before allowing the main contractor free access to that part of the development.

4.12 Failure to comply with archaeological planning conditions can be subject to enforcement in the same way as any other breach of planning control.<sup>43</sup>

### Unexpected Archaeological Discoveries

4.13 The objective of the previous guidance in this section is to minimise the occasions on which unexpected archaeological discoveries are made during development. Developers should have a contingency to deal with unexpected discoveries and be able to call on professional archaeological advice when needed. Conflicts can arise in these circumstances but in the majority of cases the issue can be resolved through discussion between the developer, the local planning authority and their archaeological advisors.

4.14 Where unexpected archaeological discoveries are considered to be of national importance, the Welsh Ministers have the power to schedule the site (see Annex A). In the event of scheduling, the developer would need to seek separate scheduled monument consent before work can continue. It is also open to the local planning authority and the Welsh Ministers to revoke or modify a planning permission under these circumstances, in which case there is a provision for the compensation of the developer for loss of value and expenditure incurred.<sup>44</sup>

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<sup>41</sup> Welsh Government Circular, The Use of Planning Conditions for Development Management, October 2014, conditions 22-4. May be subject to amendment.

<sup>42</sup> The Welsh Government endorses the use by Welsh local planning authorities of the Chartered Institute for Archaeologists' standard and guidance for an archaeological watching brief. (<http://www.archaeologists.net/codes/ifa>).

<sup>43</sup> PPW, section 3.8.

<sup>44</sup> Town and Country Planning Act 1990, section 97(1) and section 100(1).

## 5 Listed Buildings

### Listed Buildings

5.1 The Welsh Ministers have a statutory duty to maintain a list of any buildings which, in their opinion, meet the published criteria as being of special architectural and historic interest (see Annex B).<sup>45</sup>

5.2 Any person may apply in writing to the Welsh Ministers for a Certificate of Immunity (Col) against the listing of a particular building/s in their ownership or over which they have rights. A Col does not remove the requirement to apply for conservation area consent (see paras 6.12–6.14 below) for demolition in such a designated area. If a Col is issued, Cadw will notify the local planning authority and anyone who subsequently has an interest in the land covered by the certificate.

### Listed Building Consent

5.3 The Planning (Listed Buildings and Conservation Areas) Act 1990 requires any works of demolition, alteration and/or extension which would affect the character of a listed building to be authorised through the process of listed building consent (see Annex B8–B15).<sup>46</sup> When considering any applications for listed building consent (LBC), the local planning authority or the Welsh Ministers shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.<sup>47</sup> There will be repairs and minor alterations which may, in the opinion of the local planning authority, not affect the character and special interest of a listed building and can proceed without consent with their written agreement.

5.4 The controls that apply to a listed building also apply to any fixtures to that building and any other structures that lie within its curtilage.<sup>48</sup> Fixtures may include, for example, statuary, fireplaces and machinery, and curtilage structures may include boundary and garden walls, gates and outhouses. The exact definition of what constitutes a fixture and curtilage may have to be treated on a case-by-case basis and has been the subject of case law.<sup>49</sup>

5.5 There are some buildings which are both listed and scheduled. In these cases, its designation as a scheduled monument takes precedence and any consent application for works will be determined by Cadw on behalf of the Welsh Ministers (see Annex A).<sup>50</sup>

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<sup>45</sup> Planning (Listed Buildings and Conservation Areas) Act 1990, section 1, and by virtue of the Government of Wales Act 2006, section 162 and para 30 of schedule 11.

<sup>46</sup> Outlined in detail in Annex B.

<sup>47</sup> Planning (Listed Buildings and Conservation Areas) Act 1990, sections 7 and 16(2).

<sup>48</sup> Planning (Listed Buildings and Conservation Areas) Act 1990, section 1.5.

<sup>49</sup> See discussion in: Charles Mynors, *Listed Buildings, Conservation Areas and Monuments*, 4<sup>th</sup> ed., (London: Sweet & Maxwell, 2006), chapter 4.

<sup>50</sup> Planning (Listed Buildings and Conservation Areas) Act 1990, section 61.

5.6 Applicants for listed building consent must be able to justify their proposals in a Heritage Impact Assessment.<sup>51</sup> They will need to show why the works submitted were chosen and that they are desirable and necessary. They must provide the local planning authority with full information to enable them to assess the likely impact of their proposals on the special architectural or historic interest of the building and its setting.

5.7 When determining a listed building consent application, the local planning authority should consider the following issues:

- The importance and grade of the building and its intrinsic architectural or historic interest.
- The physical features of the building which justify its listing, including those, such as the interior which may have come to light after the building's inclusion on the list.
- The impacts of the proposed works on the archaeological significance of the building and its site.
- The building's setting and its contribution to the local scene.
- The extent to which the proposed works bring substantial community benefits by contributing to the area's economy or the enhancement of its local environment.

5.8 Many listed buildings can sustain a degree of sensitive alteration and extension to accommodate continuing or new uses. Past changes reflect the history of use and ownership that are often aspects of the special interest of the listed building. When applicants and the local planning authority assess the heritage values and significance of a listed building, which is the subject of a consent application, they must consider the sensitivity of that building to the proposed changes. The use of specialist expertise by the applicant and the local planning authority can allow for a more imaginative approach to considering the alteration, extension and re-use of a listed building whilst still retaining its special interest.

5.9 An application for the demolition of a listed building should be made in exceptional circumstances and only as an option of last resort. The Welsh Government would not expect consent for demolition to be given simply because redevelopment is economically more attractive than the repair and re-use of a historic building. The following factors need to be considered:

- The condition of the building, the cost of repair and maintenance in relation to its importance and the value derived from its continued use. Where a building has been deliberately neglected, less weight will be given to these costs.
- The efforts made to keep the building in use including the offer of the unrestricted freehold of the building for sale at a fair market price.
- The merits of the alternative proposals for the site.
- Consideration needs to be given to why the listed buildings could not be retained in the new development, the level of community benefit that

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<sup>51</sup> See Cadw, *Guidance on the preparation of a Heritage Impact Assessment*, forthcoming.

would derive from the proposal and whether the replacement buildings would meet the objectives of good design.<sup>52</sup>

Welsh Ministers do not normally consider the preservation of façades alone or the gutting and reconstruction of interiors as an acceptable approach to the re-use of a listed building.

### Notification to Welsh Ministers

5.10 Where a local planning authority is minded to grant listed building consent, the Welsh Minister can direct that the application is notified to him/her, before to its final determination.<sup>53</sup> The principal objective of notification is for the Minister to decide whether proper regard has been paid to national policy towards historic buildings and if the issues raised are of sufficient importance to “call” in the application for his/her determination. The Welsh Ministers are keen to have as many determinations as possible undertaken at a local level, where the local planning authority has demonstrated its competence to do so. Directions will require local planning authorities to notify Cadw of certain types of applications where they are minded to grant LBC (see Annex B15).<sup>54</sup> The Welsh Ministers, with specialist input from Cadw, will have 28 days to assess the application and notify the local planning authority of the Ministers’ decision, unless they request additional time. The local planning authority will be notified either to issue the consent that they have approved or that the application will be called in.<sup>55</sup>

### Local Authority and Government Applications for Listed Building Consent

5.11 The Welsh Ministers expect local authorities to provide examples of good practice to other owners in sustaining their listed buildings. They require that LBC applications made by a local authority should be submitted for determination to the relevant local planning authority. They encourage the local authority to undertake pre-application discussions with the local planning authority’s building conservation officer and a representative of Cadw. If the local planning authority is minded to grant consent for the proposed works then the application must be notified to the Welsh Ministers as in para. 5.10 and Annex B15. The Welsh Ministers require any of its divisions who are proposing works to a listed building in the Welsh Government’s ownership to apply for LBC to the relevant local planning authority, as set out in this chapter of the TAN. In these cases, the division is required to hold pre-application discussions with the local planning authority’s building conservation officer and a representative of Cadw. Divisions will abide by any conditions attached to the consent.

### Appeals

5.12 An applicant may appeal against a decision made by a local planning authority on a listed building consent application on the following grounds:

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<sup>52</sup> TAN 12: Design, section 5.6 The Historic Environment

<sup>53</sup> 1990 Act Sections 12, 13 and 15.

<sup>54</sup> New directions required.

<sup>55</sup> For call in see *PPW*, section 3.12.

- The refusal of the application by the authority.
- One or more conditions attached to a listed building consent.
- The refusal of the local planning authority to vary or discharge the conditions attached to a listed building consent.
- The non-determination of a listed building consent application within eight weeks of its validation by the local planning authority.<sup>56</sup>

An appeal is made to the Welsh Ministers on a form,<sup>57</sup> normally within six months of the applicant being notified of the local planning authority's decision or from the end of the non-determination period, and by following the procedures set out in law and regulations.<sup>58</sup>

### Heritage Partnership Agreements

5.13 A local planning authority may enter into a Heritage Partnership Agreement (HPA) with a land owner whose estate includes a number of listed buildings. The purpose of HPA is to identify a range of works which would normally be the subject of individual listed building consent applications over a fixed period of time. HPAs are most suitable when there is a long-term Conservation Management Plan prepared by the site owner that sets out both conservation and development objectives for the estate. The objective of the HPA, once established, is to reduce the time and uncertainty involved in the owner making a number of LBC applications and a consequential saving of time for the local planning authority. The HPA needs to be time limited, and subject to periodic monitoring; it may also be capable of renewal.<sup>59</sup>

### Purchase Notices

5.14 In addition to the right of appeal, an applicant who has been refused listed building consent or, who considers that the conditions imposed make the land 'incapable of reasonably beneficial use', may serve a listed building purchase notice on the local planning authority requiring it to purchase an interest in that land.<sup>60</sup>

### Revocation of Listed Building Consent

5.15 There are circumstances where a local planning authority, or in certain cases, the Welsh Ministers, have the power to make an order revoking or modifying a listed building consent. In making such an order, they must have regard to the policies in their local development plan and any other material considerations that are relevant.<sup>61</sup> Compensation may be payable for abortive expenditure or other loss or damage caused by the order.<sup>62</sup>

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<sup>56</sup> 1990 Act, section 20.

<sup>57</sup> Link to form.

<sup>58</sup> 1990 Act, sections 21 and 22, and 2012 Regulations, section 12.

<sup>59</sup> Cadw, *Managing Heritage Partnership Agreements* (forthcoming).

<sup>60</sup> 1990 Act, sections 32-37.

<sup>61</sup> 1990 Act sections 23-26

<sup>62</sup> 1990 Act, section 28.

## Building Recording

5.16 Works undertaken as the result of a listed building consent will often present the opportunity to make a record of features of the building that are to be removed or altered, or which may be revealed during the course of works. Groundworks associated with a LBC may also reveal archaeological remains of earlier phases of the building or its appurtenances. When considering a LBC application, the local planning authority must decide whether a programme of building recording and/or archaeological excavation is required to record the features that might be revealed. They may seek the advice of their archaeological advisors and impose a suitable condition (see 4.10). Applicants should contact the local planning authority when unexpected discoveries are made during the course of works.

## Ecclesiastical Exemption

5.17 There are exemptions from listed building and conservation area consent processes for certain Christian denominations<sup>63</sup> when undertaking changes to their ecclesiastical buildings. These denominations must have demonstrated to the Welsh Ministers that they have an internal control mechanism that provides the same level of consultation and scrutiny as applied by local planning authorities when considering applications for the demolition, alteration and extension of the listed buildings in their care, and enforce their decisions.<sup>64</sup>

## **General Considerations**

5.18 Local planning authorities should exercise their responsibilities for the safety of listed buildings under the building regulations and fire legislation with sympathy, when programmes of repair and conversion have been proposed. They should try to find a balance between meeting those objectives and retaining the character of the building.<sup>65</sup> Conversely, local planning authorities should be sympathetic towards the alteration of listed buildings to help them meet the building regulations regarding the conservation of fuel and power. The same approach should be applied to considering proposals for access for the less able and meeting other requirements under the Equality Act 2010.<sup>66</sup>

5.19 For general advice, the Welsh Ministers commend the use of British Standard 7913:2013 *Guide to the conservation of historic buildings*.<sup>67</sup> Some general guidelines on the approach to the alteration of listed buildings are contained within Annex B of this document.

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<sup>63</sup> The Church of England, the Church in Wales, the Roman Catholic Church, the Methodist Church, the Baptist Union of Great Britain and the Baptist Union of Wales, and the United Reformed Church.

<sup>64</sup> See Dept of National Heritage and Cadw, *The Ecclesiastical Exemption: What it is and How it works*, September 1994. This guidance is under review to put in line with that published in England in 2010.

<sup>65</sup> See Building Regulations Part L 2011 as applied to historic and traditionally constructed buildings.

<sup>66</sup> Cadw, *Overcoming the Barriers: Providing Physical Access to Historic Buildings*, 2002. (hyperlink)

<sup>67</sup> Published by the British Standards Institute in 2013.

## 6 Conservation Areas

### Designation and Review of Conservation Areas

6.1 Local planning authorities have a duty to identify, designate and review conservation areas (see Annex C).<sup>68</sup> The Welsh Ministers also have powers to designate conservation areas after consultation with the local planning authority. This is a reserved power that is used in exceptional cases, for instance, where an area is of more than local interest.

6.2 Local planning authorities should review their conservation areas from time to time, consider further designations, assess the justification for designation and identify opportunities for enhancement. Where a conservation area or part of an area is no longer considered to possess the special interest, which led to its designation, it may be cancelled.

### Assessment and Characterisation of Conservation Areas

6.3 Legislation requires that local planning authorities publish proposals for the preservation and enhancement of conservation areas. Preparation of these proposals should include an appraisal of strategies for the future and relate these to an appraisal of the area's special interest, including those unlisted buildings, which make a positive contribution to the special interest of the area. An assessment of the effectiveness of current planning controls in the area and the need for supplementary protection, including a direction under Article 4 of the Town and Country Planning (General Permitted Development) Order<sup>69</sup>, should be included. Local development plan policies and development management decisions which relate to conservation areas will have a sounder basis and make more positive contributions to long-term aims if the character of each conservation area is defined and policies for its enhancement set out in detail.

6.4 Local planning authorities should take into account the resources likely to be required for the administration of conservation area controls, for consultation with local stakeholders and formulation of policies for a new area. An authority's justification for designation, as reflected in its assessment of an area's special interest and its character and appearance, is a factor which a local planning authority and the Welsh Ministers should take into account when considering planning applications.

6.5 Conservation area designation is not likely to be appropriate as a means of protecting landscape features, except where they form an integral part of the historic built environment. This needs to be taken into account in considering any planning applications that would affect them. Designation is not a means of controlling activities (for example, agricultural operations) which do not fall within the definition of development. Trees are best protected by means of a tree preservation order.

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<sup>68</sup> 1990 Act, section 69.

<sup>69</sup> SI 1995/418

6.6 The character or appearance of many conservation areas is heavily dependant on the treatment of roads, pavements and other public spaces. It is important that conservation policies are fully integrated with other policies for the area, e.g. for shopping and traffic management. Account should also be taken of wider policies (for example, house renovation grants), which may affect the area's character or appearance.

### **Planning in Conservation Areas**

6.7 The local development plan should make clear that development proposals will be judged against their effect on the character or appearance of a conservation area as identified in the assessment and proposal document.

6.8 Whilst the scope for new development may be limited in many conservation areas, all will present some opportunities for enhancement. Most will contain buildings, vacant sites or inappropriate street furniture that have negative impacts on the character and appearance of the area. These represent opportunities for improvement and, when managed effectively, can act as a catalyst for economic, community and environmental regeneration.

6.9 Many conservation areas include the commercial centres of towns and villages. Generally, there will be an emphasis on controlled and positive management of change to allow the area to remain alive and prosperous, and ensure that any new development accords with the area's special architectural and historic qualities. Many conservation areas include gap sites or buildings that make no positive contribution to, or indeed detract from the character or appearance of the area; their replacement should be a stimulus to imaginative, high-quality design and an opportunity to enhance the area.<sup>70</sup>

### **Advertisement Control**

6.10 One of the purposes of the advertisement control system is to encourage the display of outdoor advertisements which make a positive contribution to the appearance of an attractive environment. So it is reasonable to expect that the local planning authority's duty to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area will result, in practice, in more exacting standards when the authority considers whether to grant consent for a proposed advertisement in such an area.

6.11 In conservation areas it is important for local planning authorities to be flexible in their use of their powers under the Town and Country Planning (Control of Advertisements) Regulations 1992, because many areas include retail and commercial premises ranging from small corner shops to thriving commercial centres. Outdoor advertising is essential to commercial activity in a free and diverse economy, and the success of local businesses will usually help

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<sup>70</sup> TAN 12: Design, section 4 and sections 5.5 and 5.6. Check when revised TAN is issued.



owners and tenants of commercial premises to maintain buildings in good repair and attractive in appearance.<sup>71</sup>

## Conservation Area Consent

6.12 Conservation area consent is required for the demolition of an unlisted building in a conservation area.<sup>72</sup> However, there are some exceptions to the need for conservation area consent before demolition, which are set out in Annex C5.<sup>73</sup> Applications for consent to demolish must be made to the local planning authority using the Application for Conservation Area Consent for Demolition in a Conservation Area form.<sup>74</sup>

6.13 There should be a general presumption in favour of retaining buildings, which make a positive contribution to the character or appearance of a conservation area. Proposals to demolish such buildings should be assessed against the same broad criteria as proposals to demolish listed buildings (see 5.9). In cases where a building makes little or no contribution, the local planning authority will normally need to have full information about what is proposed for the site after demolition. Consent for demolition should not be given unless there are acceptable and detailed plans for redevelopment. The local planning authority is entitled to consider the broad principles of a proposed development, such as its scale, size and massing, when determining whether consent should be given for the demolition of an unlisted building in a conservation area.

6.14 It is appropriate to impose a condition on the grant of consent for demolition so that it does not take place until planning permission has been granted and a contract for carrying out the development work has been made.<sup>75</sup>

## Tree Preservation Orders in Conservation Areas

6.15 Trees are valued features of our towns and countryside, and contribute greatly to the character and quality of many conservation areas. As woodlands, planted avenues, or individual specimens, they can enhance the landscape setting of conservation areas. Local planning authorities have the power to protect trees and woodlands by making tree preservation orders. In addition, there is a special provision for trees in conservation areas which are not the subject of tree preservation orders.<sup>76</sup> Anyone proposing to cut down, top or lop a tree in a conservation area<sup>77</sup> is required to give the local planning authority six weeks notice, during which time the local planning authority can decide whether to protect that tree with a tree preservation order.<sup>78</sup>

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<sup>71</sup> TAN 7: Outdoor Advertisement Control

<sup>72</sup> 1990 Act, section 74.

<sup>73</sup> 1990 Act, section 75

<sup>74</sup> <http://www.planningportal.gov.uk/planning/applications/paperforms>.

<sup>75</sup> Section 17(3) of the 1990 Act — as applied by Section 74(3).

<sup>76</sup> Town and Country Planning Act 1990, section 211.

<sup>77</sup> Excludes small trees and ones that are dead, dying or dangerous.

<sup>78</sup> Technical Advice Note 10: Tree Preservation Orders, section 13.

6.16 When considering whether to extend protection to trees in conservation areas, local planning authorities should always take into account the visual, historic and amenity contribution of trees. In some instances, new or re-plantings may be desirable where this would be consistent with the character or appearance of the area.<sup>79</sup>

## Enforcement

6.17 Enforcement has a key role to play in the protection of conservation areas and local planning authorities should consider a more proactive approach, including monitoring development activity and ensuring compliance with the terms of regulatory controls, rather than just investigating when a formal complaint is made. A positive and active approach to enforcement will help to reduce the number of contraventions and secure sustained improvements in environmental quality.<sup>80</sup>

## 7 Historic Assets of Local Interest

7.1 Historic assets that the local planning authority may consider to be of special local interest are not accompanied by any additional consent processes over and above those required for planning permission. However, if such assets are to contribute successfully to the conservation or enhancement of local character their status needs to be clear in the development management process. Supplementary planning guidance, which is a material consideration in planning decisions, can be effective to deliver the policies in the local development plan relating to such assets.

7.2 Local historic assets in conservation areas already benefit from the general control over demolition that is afforded by the Planning (Listed Buildings and Conservation Areas) Act, 1990.

## 8 Register of Historic Parks and Gardens and the Register of Historic Landscapes in Wales

### The Register of Historic Parks and Gardens in Wales

8.1 There is a statutory duty on Welsh Ministers to maintain a *Register of Historic Parks and Gardens in Wales* (see Annex D1–D4).<sup>81</sup> This new register is published on Cadw's website.

8.2 It is recommended that an applicant holds a pre-application discussion with the local planning authority about proposed works that would require planning permission and affect a historic park and garden on the register, or its

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<sup>79</sup> Welsh Office Circular 64/78 and Technical Advice Note 10: Tree preservation orders.

<sup>80</sup> Planning (Listed Buildings and Conservation Areas) Act 1990, Sections 38, 74 and Paragraph 12.

<sup>81</sup> Historic Environment (Wales) Bill, section 18.

setting.<sup>82</sup> The authority can invite Cadw to attend the pre-application meeting to give their advice to the applicant.

## The Register of Historic Landscapes in Wales

8.3 The *Register of Historic Landscapes in Wales* is non-statutory and advisory only (see Annex D5–D7). Its purpose is two-fold. Firstly, when major change might be contemplated, it is intended to inform policy making and decision making at a strategic level about the historic importance of the areas identified. Secondly, information on the register should be taken into account when determining planning applications where the development is, in the opinion of Welsh Ministers, of a sufficient scale to have more than a local impact on the historic landscape. The register should ensure that necessary change is accommodated without sacrificing the essential integrity and coherence of historic landscape areas. The wider purpose of the register is to promote the value of the historic landscape as a resource for social and economic well-being.<sup>83</sup>

8.4 Any developments that require Environmental Impact Assessment (EIA) and will affect an area on the *Register of Historic Landscapes* will have to take the register entry into account in the production of the Environmental Statement.<sup>84</sup> The regulations differentiate between Schedule 1 developments, which all require EIA, and Schedule 2 developments, which require EIA ‘if it is likely to have significant effects on the environment by virtue of factors such as its size, nature or location’.<sup>85</sup> To assist local planning authorities in deciding whether a development falls into Schedule 2, annex B of the Circular reproduces Schedule 3 of the England and Wales Regulations. Paragraph (2)(c)(viii) of schedule three of the Regulations (headed “location of development”) identifies ‘landscapes of historical, cultural or archaeological significance’ as particular areas of environmental sensitivity. In Wales, an area on the *Register of Historic Landscapes* should be considered to meet this criterion.

8.5 Best practice guidance has been developed to assist local planning authorities and the Planning Inspectorate in their consideration of planning proposals affecting areas on the *Register of Historic Landscapes*. Those developments which require an Environmental Impact Assessment and affect an area of the *Register of Historic Landscapes* should be required to undertake an appropriate assessment as part of the production of their Environmental Statement.<sup>86</sup> Cadw and Natural Resources Wales are the statutory consultees

<sup>82</sup> PPW Chapter 6, para 6.5.23.

<sup>83</sup> This paragraph derives from ‘Using the Register’ part of the introductory sections to both parts of the published Register. This needs to be retained when it goes on line.

<sup>84</sup> *Welsh Office Circular 11/99* remains the current guidance on the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999-SI 1999 No 293 which implements the *Council Directive No 85/337 EEC*.

<sup>85</sup> *Welsh Office Circular 11/99*, Para 28.

<sup>86</sup> As described in Cadw and CCW *A Guide to Good Practice on Using the Register of Landscapes of Historic Interest in Wales in the Planning and Development Process* revised (2<sup>nd</sup>) edition (2007).

on such developments.<sup>87</sup> They may draw upon the expertise of the Welsh archaeological trusts when preparing their response to such a consultation.

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<sup>87</sup> Need to amend this in the schedule in the Town and Country Planning (Development Management Procedure) (Wales) Order.

## 9 Annexes

### Annex A: Scheduled Monuments

#### *Designating Historic Assets as Scheduled Monuments*

A.1 The Historic Environment Records (HERs) of Wales contain over 175,000 records of historic assets. Those considered to be of national importance can be designated by the Welsh Ministers as scheduled monuments.<sup>88</sup> There are over 4,000 scheduled monuments in Wales, the vast majority of which are in private ownership. Cadw maintains and presents to the public 130 of these monuments on behalf of the Welsh Government.<sup>89</sup> Scheduling archaeological remains ensures that the case for preservation is fully considered when any proposals for development or other work which might damage the monument are being considered (see 4.2–4.8). Not all nationally important archaeological sites are scheduled. Nationally important sites can be found by chance or as the result of systematic archaeological surveys and may be considered for scheduling by the Welsh Ministers.<sup>90</sup>

A.2 The following criteria (which are not in any ranking order) are used for assessing the national importance of an ancient monument and considering whether scheduling is appropriate. The criteria should not however be regarded as definitive; rather they are indicators which contribute to a wider judgement based on the individual circumstances of a case.

- a. *Period*: all types of monuments that characterise a category or period should be considered for preservation.
- b. *Rarity*: there are some monument categories, which are so scarce in certain periods that all surviving examples, which still retain some archaeological potential, should be preserved. In general, however, a selection must be made which portrays the typical and commonplace as well as the rare. This process should take account of all aspects of the distribution of a particular class of monument, both in a national and a regional context.
- c. *Documentation*: the significance of a monument may be enhanced by the existence of records of previous investigation or, in the case of more recent monuments, by the supporting evidence of contemporary written records.
- d. *Group Value*: the value of a single monument (such as a field system) may be greatly enhanced by its association with related contemporary monuments (such as a settlement and cemetery) or with monuments of different periods. In some cases, it is preferable to protect the complete group of monuments, including associated and adjacent land, rather than to protect isolated monuments within the group.
- e. *Survival/Condition*: the survival of a monument's archaeological potential both above and below ground is a particularly important consideration

<sup>88</sup> Ancient Monuments and Archaeological Areas Act 1979 Part 1, section 1. The Secretary of State's responsibilities passed to the Welsh Ministers under the Government of Wales Act 2006, section 162 and paras 30 and 32 of Schedule 11.

<sup>89</sup> Ancient Monuments and Archaeological Areas Act 1979, sections 12-16.

<sup>90</sup> Link to Cadw website for explanation of designation procedure.

and should be assessed in relation to its present condition and surviving features.

- f. *Fragility/Vulnerability*: highly important archaeological evidence from some field monuments can be destroyed by a single ploughing or unsympathetic treatment; vulnerable monuments of this nature would particularly benefit from the statutory protection which scheduling confers. There are also existing standing structures of particular form or complexity, whose value can be severely reduced by neglect or careless treatment, which are similarly well suited by scheduled monument protection, even if these structures are already listed historic buildings.
- g. *Diversity*: some monuments may be selected for scheduling because they possess a combination of high-quality features; others because of a single important attribute.
- h. *Potential*: on occasion, the nature of the evidence cannot be specified precisely but it may still be possible to document reasons anticipating its existence and importance, and therefore demonstrate the justification for scheduling. This is usually confined to sites rather than upstanding monuments.

### *Scheduled Monument Consent*

A.3 Works that would directly affect a scheduled monument require the prior consent of the Welsh Ministers.<sup>91</sup> This is in addition to any planning permission required for a development. There are no permitted development rights<sup>92</sup> over a scheduled monument which can be undertaken without scheduled monument consent, but there are ten class consents in place that allow specified types of work at such sites (see A.9 below).

A.4 Applications for scheduled monument consent are made to Cadw acting on behalf of the Welsh Ministers.<sup>93</sup> Applicants are encouraged to request a pre-application meeting on site to discuss their proposals with one of Cadw's officers. When submitting their applications they must show that they have understood and considered the significance of the monument when designing the programme of works, and include sufficient information and drawings to illustrate the direct effects on the significance of the site. This information forms the basis of the Heritage Impact Assessment. Applications for scheduled monument consent will normally require the same level of information as that required for full planning consent.

A.5 When considering an application for scheduled monument consent, Cadw may require an applicant to commission a competent expert to undertake a desk-based archaeological assessment and/or a field evaluation to the appropriate standard (see 4.4 above), before its determination. Any programme of archaeological excavation and recording will be established by conditions (see 4.9–4.12). Applicants will be offered the right of appeal against refusal of, or against conditions attached to, a scheduled monument consent.

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<sup>91</sup> Works that have the effect of demolishing, destroying, removing, repairing and altering, adding to, flooding or burying the monument all need prior scheduled monument consent.

<sup>92</sup> See *Planning Policy Wales*, section 3.2.

<sup>93</sup> Link to guidance for applicants for scheduled monument consent.

A.6 The Welsh Ministers, through Cadw, can enter into a Heritage Partnership Agreement (HPA) with an owner of a large and complex scheduled monument or a number of monuments. The purpose of a HPA is to identify a range of works which would normally be the subject of individual scheduled monument consent applications over a fixed period of time. HPAs are most suitable when there is a long-term Conservation Management Plan prepared by the site owner that sets out both conservation and development objectives for the estate. The objective of the HPA once established, is to reduce the time and uncertainty involved in the owner making a number of SMC applications and a consequential saving of time for Cadw. The HPA needs to be time limited, and subject to periodic monitoring it may be capable of renewal.<sup>94</sup>

A.7 The Welsh Ministers, through Cadw, can also enter a management agreement with the occupier of a scheduled monument to carry out an agreed programme of maintenance and/or capital works to benefit, or facilitate public enjoyment of, the site.<sup>95</sup> Management agreements for scheduled monuments are normally time limited and may attract grant aid. Certain works which are executed in accordance with such a management agreement will benefit from class consent (see A.9 below)<sup>96</sup>

A.8 Where a scheduled monument is on Crown Land, the relevant Government department will follow a non-statutory procedure known as scheduled monument clearance when proposing works at such a site. The procedures for clearance will follow those for scheduled monument consent and Government departments are required to abide by any conditions attached to such a clearance.

#### *Ancient Monuments Class Consents*

A.9 Classes or descriptions of works for the execution of which scheduled monument consent is granted by article 2 of the Ancient Monuments (Class Consents) Order 1994

Class	Permitted works
1	<p>Agricultural, horticultural and forestry works of the same kind as those previously carried out lawfully in the same location and on the same spot within that location within the period of six years immediately preceding the date on which the works commence; but excluding works falling into one or more of the following categories—</p> <ul style="list-style-type: none"> <li>a) in the case of ploughed land, any works likely to disturb the soil of any part of that land below the depth at which ploughing of that part has previously been carried out lawfully;</li> <li>b) in the case of land other than ploughed land, any works likely to disturb the soil below the depth of 300 millimetres;</li> <li>c) sub-soiling, drainage works, the planting or uprooting of trees, hedges or shrubs, the stripping of top soil, tipping operations, or the commercial cutting and removal of turf;</li> </ul>

<sup>94</sup> Cadw, *Managing Heritage Partnership Agreements* (forthcoming).

<sup>95</sup> Ancient Monuments and Archaeological Areas Act 1979, section 17.

<sup>96</sup> SI 1994/1381

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	<ul style="list-style-type: none"> <li>d) the demolition, removal, extension, alteration or disturbance of any building, structure or work or of the remains thereof;</li> <li>e) the erection of any building or structure;</li> <li>f) in the case of works other than domestic gardening works, the laying of paths, hard-standings or foundations for buildings or the erection of fences or other barriers.</li> </ul>
<b>2</b>	Works executed more than 10 metres below ground level by the Coal Authority, or any person acting pursuant to a license granted under section 36(2) of the Coal Industry Nationalisation Act 1946. <sup>97</sup>
<b>3</b>	Works executed by the Canal & River Trust in Wales, in relation to land owned or occupied by them, being works of repair or maintenance, not involving a material alteration to a scheduled monument, which are essential for the purpose of ensuring the functioning of a canal.
<b>4</b>	Works for the repair or maintenance of machinery, being works which do not involve a material alteration to a scheduled monument
<b>5</b>	<p>Works which are urgently necessary in the interests of safety or health provided that:</p> <ul style="list-style-type: none"> <li>a) the works are limited to the minimum measures immediately necessary; and</li> <li>b) notice in writing justifying in detail the need for the works is given to the Welsh Ministers as soon as reasonably practicable.</li> </ul>
<b>6</b>	Works executed by Cadw on behalf of the Welsh Ministers.
<b>7</b>	<p>Works of archaeological evaluation carried out by or on behalf of a person who has applied for consent under section 2 of the Act being works carried out:</p> <ul style="list-style-type: none"> <li>a) in order to supply the Welsh Ministers with information required by him for the determination of that application;</li> <li>b) under the supervision of a person approved for that purpose in writing by the Welsh Ministers; and</li> <li>c) in accordance with a written specification approved for that purpose by the Welsh Ministers.</li> </ul>
<b>8</b>	Works for the maintenance or preservation of a scheduled monument or its amenities being works executed in accordance with the terms of a written agreement between the occupier of the monument and the Welsh Ministers under section 17 <sup>98</sup> of the Act.
<b>9</b>	Works for the preservation, maintenance or management of a scheduled monument being works executed in accordance with the terms of a written agreement under which the Welsh Ministers defray, or contribute towards, the cost of those works pursuant to their powers under section 24 <sup>99</sup> of the Act.
<b>10</b>	Works consisting of the placing of survey markers to a depth not exceeding 300 millimetres for the purpose of measured surveying of visible remains undertaken by the Royal Commission on the Ancient and Historical Monuments of Wales.

<sup>97</sup> 1946 c. 59; section 36(2) was amended by the Opencast Coal Act 1958 (c. 69), section 46(1); the Coal Industry Act 1977 (c. 39), Schedule 4, paragraph 1(5) and the Coal Industry Act 1987 (c. 3), section 1(2) and Schedule 1, paragraph 1.

<sup>98</sup> Section 17 was amended by the National Heritage Act 1983 (c. 47), Schedule 4, paragraph 43.

<sup>99</sup> Section 24 was amended by the National Heritage Act 1983 (c. 47), Schedule 4, paragraph 48.



*Offences Relating to Scheduled Monuments*

A.10 It is a criminal offence to destroy or damage a scheduled monument or undertake works without scheduled monument consent.<sup>100</sup> The Welsh Ministers (through Cadw) will take the lead in the investigation into reports of damage and report substantiated incidents to the police. The final decision to take a case for damage to the courts lies with the Crown Prosecution Service. A conviction for any offence can be punishable by a fine and in the case of intentional or reckless damage or destruction can also result in imprisonment.

A.11 Where Cadw has identified that damage is occurring at a scheduled monument it will seek an immediate cessation of works and will be able to issue a formal temporary stop notice requiring the specified works to cease for up to 28 days.<sup>101</sup> In line with temporary stop notices in planning enforcement, a copy of the notice will be posted on the site and copies served on the person carrying out the works, the occupier and anyone else considered to have an interest in the site. Non-compliance with a scheduled monument temporary stop notice is a criminal offence punishable by fine.

A.12 Where damage or unauthorised works to a scheduled monument have taken place, as well as considering the potential for prosecution, the Welsh Ministers, through Cadw will have the power to serve a scheduled monument enforcement notice. The enforcement notice can require the restoration of the monument to its former state or, where this is not practical or desirable, require works to take place to alleviate the effects of the damage or unauthorised works. Such works might include an appropriate scheme of archaeological investigation and works to stabilise the monument. A notice will be served as in A.11. If the works specified in the enforcement notice have not taken place within the period required by the notice, the Welsh Ministers may enter the monument to carry out the works themselves and recover costs reasonably incurred.

A.13 On rare occasions, the Welsh Ministers through Cadw can grant scheduled monument consent to authorise works that have already been carried out and have proved to be in the interest of the scheduled monument.<sup>102</sup> Most unauthorised works will not be approved retrospectively and will remain unauthorised. Potentially they will be subject to prosecution or enforcement even if it is likely that scheduled monument consent would have been granted had it been applied for.

A.14 The Act provides a number of defences including genuine and reasonable ignorance of the scheduled status of the site, and the need to undertake urgently necessary work in the interests of health and safety.<sup>103</sup> Where someone has undertaken unauthorised works, they will have to demonstrate that they took all reasonable steps to find out whether there was a scheduled monument in the area affected by the works and that they had no

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<sup>100</sup> Ancient Monuments and Archaeological Areas Act 1979, sections 28 and 2.

<sup>101</sup> Historic Environment (Wales) Bill, section 13.

<sup>102</sup> Historic Environment (Wales) Bill, section 6.

<sup>103</sup> Ancient Monuments and Archaeological Areas Act 1979, section 2(8) and (9).

reason to believe that it was protected. Definitive information on the location and extent of all scheduled monuments is available on the Cadw website.<sup>104</sup>

A.15 It is an offence to use a metal detector or undertake a geophysical survey which can identify metal objects on a scheduled monument without the prior consent of the Welsh Ministers. Most metal detector users act responsibly. However, illegal metal detecting can cause serious damage to an scheduled monument—not only to its fabric, but also to its interpretation and understanding once artefacts have been removed from their archaeological context. A written application to use a metal detector or geophysical survey equipment should be made to Cadw. Consent is not normally given except for non-destructive geophysical research projects, or to assist in the recovery of metal objects during consented archaeological excavations or for the recovery of valuable items of modern lost property.

## Annex B: Listed Buildings

### *Statutory List of Historic Buildings*

B.1 Following a systematic geographical resurvey, which was completed in 2005, there are now over 30,000 listed buildings in Wales. The list of historic buildings is published on a database and maps on Cadw's website.

B.2 The following are the main criteria in deciding which buildings to include in the statutory lists:

- a. *Architectural interest*: the lists are meant to include all buildings which are of importance to the nation for the interest of their architectural design, decoration and craftsmanship; also important examples of particular building types and techniques (for example, buildings displaying technological innovation or virtuosity) and significant plan forms.
- b. *Historic interest*: this includes buildings that illustrate important aspects of the nation's social, economic, cultural, or military history.
- c. *Close historical associations*: with people or events of importance to Wales.
- d. *Group value*: especially where buildings contribute an important architectural or historic unity or are fine examples of planning (for example, squares, terraces or model villages).

B.3 Age and rarity are relevant, particularly where buildings are proposed for listing on the strength of their historic interest. The older a building is and the fewer the surviving examples of its kind, the more likely it is to have historical importance. Thus, all buildings built before 1700 which survive in anything like their original condition are listed. Most buildings of about 1700 to 1840 are also listed, though some selection is necessary. After about 1840, because of the greatly increased number of buildings erected and the much larger numbers that have survived, greater selection is necessary to identify the best examples of particular building types and only buildings of definite quality and character are listed. Buildings which are less than 30 years old are normally listed only if they

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<sup>104</sup> Provide link when available.

are of exceptional quality and under threat. The approach adopted for twentieth Century listing is to identify key examples for each of a range of building types — industrial, educational, hospitals, etc. — and to treat these examples as broadly defining a standard against which to judge proposals for additions to the lists.

#### Selectivity

B.4 Where a building qualifies for listing primarily on the strength of its intrinsic architectural quality or its group value, the fact that there are other buildings of similar quality elsewhere is not likely to be a major consideration. The listing of buildings primarily for historical reasons is to a greater extent a comparative exercise, and, where a substantial number of buildings of a similar type and quality survive, needs to be selective. In such cases the Welsh Ministers' aim will be to list the best examples of the type.

#### Aesthetic Merits

B.5 The external appearance of a building — both its intrinsic architectural merit and any group value is a key consideration when judging listing proposals, the special interest of a building, for example those which are important for reasons of technological innovation, or as illustrating particular aspects of social or economic history, will not always be reflected in obvious visual quality.

#### Historical Associations

B.6 Buildings may be listed on grounds of architecture or history and listing selection takes both into account. The claims of a building for listing largely on historical grounds will usually lie in its association with people and events significant in Welsh history. Assessment will consider the extent to which elements of a building's original contemporary character are retained. Well documented historical associations of a building's importance to Wales will increase the case for its inclusion in the statutory lists or for a higher grading to be given. The Welsh Ministers' view is that normally there should be some quality or interest in the physical fabric of the building itself to justify the statutory protection afforded by listing. This may lie in the architectural merit of the building itself or in the preservation of features which directly illustrate and confirm its historical associations (for example, because of the survival of internal features).

#### *Alterations to Listed Buildings Requiring Listed Building Consent*

#### General Guidelines

B.7 These guidelines are intended to assist local planning authorities and others in deciding on the suitability of proposed alterations to listed buildings. They are concerned only with works that affect the special character and interest of a building and which therefore require listed building consent. The principles behind different kinds of interventions to a historic building are set out in the section on 'Conservation Principles in Action' in Cadw's *Conservation Principles for the sustainable management of the historic environment in Wales*, 2011, pp. 21–33.

1. Historic buildings are important both as products of human creativity and for what they can tell us about the past. Successful conservation lies in

the maintenance and like-for-like repair of the existing fabric and retaining the buildings in sustainable use.

2. Each type of historic building has its own characteristics, which are usually related to its original or former function. These should be respected when proposals for alterations or a change of use are put forward. They are not restricted to its external appearance and features alone, but may include anything from its orientation and plan to its internal fittings. Local planning authorities should attempt to retain the characteristics of distinct types of building, especially those which are particular to their area. The use of appropriate local materials is very desirable.
3. Information can be gained from several sources about the history and development of a building which will be of value when considering proposed alterations. There may be physical evidence in the building itself which can elucidate the original form and construction, such as empty peg and mortise holes, straight joints in the masonry, edges where components have been cut away and ghost features in the plasterwork. There may be documentary information, such as early photos, drawings and written documents, relating to its construction or use.
4. Alterations should be based on a proper understanding of the structure. Many listed buildings suffer from structural defects arising from their age, methods of construction and past use, but can still give adequate service providing they are not subject to major disturbance. Repairs should usually be low-key, re-instating and strengthening the structure where necessary. New work should be fitted to the old to ensure the maximum survival of the historic fabric and ideally these repairs should be reversible. Such repairs may require listed building consent. The objective should be to do the minimum necessary to stabilise and conserve the building to ensure its long-term survival and meet the requirements for any agreed new use.
5. Significant features are often revealed during the course of alterations, especially in older or larger buildings. These can include chimney-pieces, fireplaces, blocked windows and doorways, panelling, wattle and daub partitions and even wall-paintings. Applicants for listed building consent should be made aware of these possibilities and seek immediate advice from the local planning authority, when such things are found. If there is any likelihood that hidden features will be revealed, the local planning authority should attach an appropriate condition to the listed building consent to allow for their retention or for proper recording.
6. Subsequent additions to historic buildings, such as conservatories, porches, balconies, verandas, door dressings, barge boards or chimneys, will often add to the quality of the building and reflect its history. The significance of these features and the impacts of any proposed works need to be considered as part of the listed building consent.
7. The restoration of lost, destroyed or superseded elements of a building or parts of its interior has to be carefully considered. In such cases there should always be adequate information confirming the detailed historical authenticity of the work proposed. Tests are given in the sections on 'Restoration' and 'New work and alteration' in 'Conservation Principles in Action' (see 1 above) against which such proposed works can be assessed.
8. Modern extensions should not dominate an existing listed building in either scale, material or situation. There will be some historic buildings

where any extensions would be damaging and should not be permitted. Successful extensions require the application of an intimate knowledge of the building type to be extended, together with a sensitive handling of scale and detail. Modern extensions should be reversible wherever possible.

### *Listed Building Consent Process*

B.8 The Listed Building Consent (LBC) process is divided into seven stages: pre-application, application, validation, advertisement, consultation, the imposition of conditions, and in some cases the notification of decisions to the Welsh Ministers. These are looked at in turn.

#### Pre-application

B.9 Pre-application discussions about any proposed changes to a listed building have been shown to be beneficial to both the applicant and the local planning authority, and are strongly recommended by the Welsh Government.<sup>105</sup> They may be held in parallel with similar discussions about planning consent or separately. They provide an opportunity for both the applicant and the local planning authority to consider what issues are raised by the proposed works — especially the need for an ecological survey, what local and national government policies will apply, whether any works will not require LBC, and what the content of any application should be to ensure a timely decision. At the local planning authority's request, Cadw should be given the opportunity to join them in attending pre-application discussions, especially where a grade I or II\* listed building is involved, or if the proposal is for demolition, or substantial alteration or extension. The Welsh Government recommends that pre-application discussions are most effectively held on site. A record must be made by the local planning authority of all pre-application discussions for LBC, with copies circulated to all parties at the meeting and a copy attached to the records of the land for future reference.

#### Application

B.10 An LBC application must be complete and well documented to ensure that it can be considered in an effective and timely way by the local planning authority. Applications can be made on the form provided on each local planning authority's website or the Welsh Government's 1APP on-line form.<sup>106</sup> It must be accompanied by a certificate identifying the applicant as owner, or as having served notice on the owner.<sup>107</sup> In addition, the applicant must identify in the Heritage Impact Assessment the significance of the listed building to be affected, show how and why the preferred design for the alterations or extensions was chosen,<sup>108</sup> describe and illustrate the existing situation, and how the proposals will change this. If any nature conservation interests or European protected species are likely to be affected by the proposals, then the results of

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<sup>105</sup> Welsh Government Practice Guide, *Realising the potential of pre-application discussions*, May 2012.

<sup>106</sup> Hyperlink for 1APP.

<sup>107</sup> Planning (Listed Buildings and Conservation Areas) Act 1990 section 11, and 2012 Regulations, section 7.

<sup>108</sup> TAN 12; Design, section 5.6. Historic Environment.

any ecological survey and recommendations for mitigation which might affect the fabric of the listed building should be included with the LBC application.

Table B.1: Listed Building Consent Application: Checklist of Supporting Documents

<b>Item</b>	<b>Content and scale</b>
HIA <sup>109</sup>	This must address the historical and archaeological significance of the building and its site, present the range of alternatives considered and explain why the option submitted is the most suitable in preserving the building's character and special architectural or historic interest. <sup>110</sup>
Location Map	At scale 1:1250 or 1:2500. Buildings to be affected outlined in red, owner's neighbouring land in blue.
Plans	At each floor level, scale 1:50 (1:100 for large buildings). Separate drawings to showing existing and proposed situations.
Sections	External alterations must be shown on existing and proposed elevations, and internal alterations on similar sections, both at the same scale as the plans.
Details	For works affecting larger-scale features, for example, doors, windows, railings, and staircases, drawings at 1:10 and 1:20. For fine and more decorative details, for example, stone mouldings, wooden glazing bars, plaster details, and intricate metalwork, at scales 1:2 or 1:1.
Photos	Dated photos showing the existing appearance of areas of the building to be affected must be included. Photomontages showing the visual effects of proposed changes can be used for minor works, for example, addition of lights, aerials, alarms, or changes to shop fronts and signage. The wider setting of the listed building will be shown on more distant photos.
Ecology	A statement must be included on what ecological constraints were considered. Ecological survey results and recommendations to be attached to application.

When making an application to demolish a listed building, and in addition to the information required by the checklist above, the applicant will have to document how all reasonable efforts have been made to sustain existing uses or find viable new uses and why these have failed. Arguments can be presented over how redevelopment would produce substantial community benefits which would outweigh the loss of the listed building.

### Validation

B.11 Once the local planning authority has received a LBC application it will validate its contents against the checklist in Table B.1. If the application is complete, the local planning authority will send the applicant a letter informing them that it will be determined and offer the applicant a right of appeal if they do not receive notice of a determination within eight weeks of the issue of the letter.

<sup>109</sup> HIA=Heritage Impact Assessment.

<sup>110</sup> Cadw, *Guidance on the preparation of a Heritage Impact Assessment*, (forthcoming).

If the LBC application is incomplete, the local planning authority will send the applicant a letter identifying what additional information is required before the application can be validated and the eight-week period commence.<sup>111</sup> If in the opinion of the local planning authority, the application is inadequate then it can consider refusing the application and give the applicant the reasons for that refusal in any decision letter.

### Advertisement

B.12 Once an LBC application has been received and validated, the local planning authority is required to advertise the proposals in a local newspaper and on a notice displayed on or near the building to which the proposals relate. These notices will offer a 21-day period during which representations can be made by any interested parties. These representations must be taken into account when the local planning authority determines the application.<sup>112</sup>

### Consultation

B.13 In the case of applications for the demolition of a listed building, the Welsh Ministers hereby direct that the local planning authority shall consult with the relevant national amenity society and give them 21 days in which to offer their advice.<sup>113</sup> These amenity societies have specialist knowledge of particular periods and building types, and Welsh Ministers would wish that their advice be given due weight in the determination of such LBC applications. Local planning authorities can choose which societies to consult, based upon the date of the fabric to be affected and the nature of the building.

Table B.2: The National Amenity Societies Specialist Areas.

<b><i>National Amenity Society</i></b>	<b><i>Date Range</i></b>	<b><i>Specific Interests</i></b>
Council for British Archaeology (CBA)	All periods	Impacts on fabric and archaeological remains
Ancient Monument Society	All periods	Churches
Society for the Protection of Ancient Buildings (SPAB)	Pre 1700	
Georgian Group	1700-1840	
Victorian Society	1840-1914	
Twentieth Century Society	1914 onwards	

In addition, the RCAHMS must be notified of all proposals to demolish a listed building and allowed access for at least one month to any of those buildings that it wishes to record.<sup>114</sup>

<sup>111</sup> 2012 Regulations Schedule 1 Part 1.

<sup>112</sup> Planning (Listed Building and Conservation Areas) (Wales) Regulations 2012 Section 10.

<sup>113</sup> 1990 Act Section 15(5)

<sup>114</sup> When Regulations are amended an upper limit should be given to give applicants certainty.

### Conditions

B.14 Conditions may be attached to a listed building consent<sup>115</sup> and meet the tests for planning conditions in general.<sup>116</sup>

Potential subjects for conditions are:

#### Prior to commencement of works

- Consent limited to five years from date of notification, unless a shorter time is specified.
- Statement that works to be limited to the approved scope of works (listing approved drawings to avoid confusion)
- Requirement to submit additional specified details of work for approval by the local planning authority before commencement.
- Requirement to submit conservation method statements about specific works and for the protection of the remainder of the historic fabric.
- Requirement for a listed building not to be demolished until the new development is about to proceed.
- The submission of a written scheme of investigation for a programme of building recording and/or archaeological excavation for the approval of the local planning authority before the commencement of works.<sup>117</sup>

#### During the course of works

- Requirement to undertake building recording as part of the programme of building works.
- The monitoring of works by the local planning authority, and where appropriate, Cadw.

#### On the completion of works

- Notification to the local planning authority of the completion of works.
- Submission of reports on the building and archaeological recording to the local planning authority and the HER.

### Notification to the Welsh Ministers

B.15 Section 13 (1) of the Planning (Listed Building and Conservation Areas) Act 1990 requires the local planning authority to notify the Welsh Ministers (in practice Cadw) of any application for listed building consent, which they propose to approve. So far as applications are concerned, the Welsh Ministers are empowered under Section 15(1) of the Act to direct that notification shall not apply to specified descriptions of applications.

The Welsh Ministers hereby direct that Section 13 shall not apply to an application for listed building consent for the carrying out of work affecting the interior only of a Grade II (unstarred) building. Section 13 will still apply to any application which involves:

- the demolition of a listed building;

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<sup>115</sup> 1990 Act, sections 17, 18 and 19.

<sup>116</sup> *Planning Policy Wales*, section 3.6.

<sup>117</sup> The Welsh Government endorses the use of the Chartered Institute for Archaeologists' standard and guidance for the archaeological investigation and recording of standing buildings or structures (<http://www.archaeologists.net/codews/ifa>).<sup>118</sup> 1990 Act, section 59



- a grade I or II\* listed building;
- works to the exterior of a grade II (unstarred) listed building; and
- any application made by the local authority to itself, (see 5.11 above);

The Welsh Ministers also direct that, subject to the local planning authority obtaining prior agreement from Cadw, Section 13 shall not apply to any application affecting the exterior of a Grade II (unstarred) building providing that the local planning authority obtains the advice of a specialist building conservation officer. If the local planning authority's proposed decision to approve the application is not strictly in accordance with the advice provided by the specialist building conservation officer, or where, for whatever reason, the specialist building conservation officer will not be able to offer advice on that application, then Section 13 will continue to apply and the Welsh Ministers must be notified of the application.

### *Prosecution and Enforcement*

B.16 It is a criminal offence to execute, or cause to execute, work to a listed building which affects its character as a building of special architectural or historic interest without listed building consent. It is also an offence to fail to comply with any conditions of a listed building consent.<sup>118</sup>

B.17 When faced with a breach of listed building control, local planning authorities will need to consider whether to take enforcement action<sup>119</sup> or to prosecute or both. Enforcement may be desirable for the benefit of the building in question, while the work entailed by enforcement may represent a sufficient response to the offence without the additional need for prosecution. Unauthorised work may often destroy historic fabric, the special interest of which cannot be regained by enforcement.

B.18 In exceptional circumstances, applications can be made to retain unauthorised works. Local planning authorities will follow the same procedures described above for listed building consent and will consider the merits of the case against the same tests. If consent is granted then the works can remain; if not, then enforcement might follow seeking to rectify any damage or remove the works and, in extreme cases, a prosecution might be initiated.<sup>120</sup>

### *Listed Buildings in Need of Repair*

B.19 Local planning authorities have the power to undertake urgent works to ensure the preservation of a listed building in their area.<sup>121</sup> In exceptional circumstances, the Welsh Ministers can use the same power to have urgent works undertaken to a listed building where the local authority is reluctant to take action, or the building is owned by a local authority itself. Urgent works should be restricted to emergency repairs, such as, making the building safe from collapse, wind and weather tight, and safe against vandalism and theft. The

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<sup>118</sup> 1990 Act, section 59

<sup>119</sup> 1990 Act, section 38.

<sup>120</sup> 1990 Act, section 8 (3).

<sup>121</sup> 1990 Act section 54, to be amended by the Historic Environment (Wales) Bill.

steps taken should be the minimum necessary to achieve these objectives. Local planning authorities may recover the cost of carrying out the urgent works from the building owners, though the owners do have the right to make representations to the Welsh Ministers on the grounds of whether some or all of the works undertaken by the local planning authority were necessary, the costs were reasonable and that their temporary arrangements have continued for an unreasonable length of time.

B.20 Local planning authorities also have the power to issue a Repairs Notice on the owner of a listed building that it considers is not being properly preserved.<sup>122</sup> A Repairs Notice must specify the works that the local planning authority considers necessary for the proper preservation of the building and must explain to the owner how this part of the legislation works. A Repairs Notice may be issued for any listed building where the local planning authority considers that there has been a protracted failure by an owner to keep the building in reasonable repair and so places the building at risk. The Welsh Ministers have the same powers, but these will only be used in exceptional circumstances.

B.21 If, after two months has passed following the serving of a Repairs Notice and it appears that no reasonable measures have been taken to secure the preservation of the building, the local planning authority may begin compulsory purchase proceedings after receiving confirmation from the Welsh Ministers. In giving their confirmation, the Welsh Ministers must be satisfied that the means and resources are in place to secure the building's repair. Private listed buildings which are the subject of compulsory purchase, should, wherever possible, remain in the private sector. The local planning authority should reach an agreement with a private individual or a body, such as a building preservation trust, which has access to the resources necessary to undertake the repairs. Covenants will need to be negotiated to ensure the repairs are carried out. Local planning authorities may sell or grant a long lease on a compulsorily purchased listed building, to an appropriate body within two years, at no capital gain to themselves, without penalty.

B.22 Local planning authorities may not consider the use of a dangerous structure order<sup>123</sup> for a listed building, a building subject to a Building Preservation Notice or a building in a conservation area, without first considering the use of an urgent works or building Repairs Notice. If a dangerous structure order is issued it must have been the subject of a listed building or conservation area consent.

## **Annex C: Conservation Areas**

C.1 Conservation areas are defined as 'areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance'.<sup>124</sup> Whilst listing involves the protection of individual buildings, conservation area designation provides the basis for preserving or enhancing

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<sup>122</sup> 1990 Act, section 48.

<sup>123</sup> Buildings Act 1984, section 77(1)(a).

<sup>124</sup> Planning (Listed Buildings and Conservation Areas) Act 1990, Chapter 9, Part II

the character or appearance that define an area's special architectural or historic interest.

C.2 Local planning authorities should seek to establish their own consistent criteria against which they should periodically review existing conservation areas and their boundaries. In designating a conservation area, consideration should also be given to the reasons why it is felt that it should be protected. These may include:

- its special architectural and historic importance
- its distinct character
- its value as a good example of local or regional style
- its value within the wider context of the village or town
- and its present condition and the scope for significant improvement and enhancement.

C.3 Whilst there is no statutory requirement to consult on proposals to designate, cancel or redefine the boundaries of a conservation area, there should normally be a period of public consultation. Local planning authorities are required to submit proposals for the preservation or enhancement of a conservation area to a public meeting in the area, but wider consultation with local stakeholders will always be desirable.<sup>125</sup> The greater the stakeholder support of the proposed designation, the more likely it is that policies for the area will be implemented voluntarily and without the need for additional statutory controls.

#### *Consent for Demolition*

C.4 Conservation area designation introduces control over the demolition of most buildings within conservation areas (Section 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990).

C.5 Exemptions to conservation area control over demolition are specified in Section 75 of the Act and in the following direction. The Welsh Ministers hereby direct that Section 75 shall not apply to the following descriptions of buildings.

- i. Any building with a total cubic content not exceeding 115 cubic metres or any part of such a building.
- ii. Any gates, wall, fence or railing which is less than 1 metre high where abutting on a highway (including a public footpath or bridleway) or public open space, or less than 2 metres high in any other case.
- iii. Any building erected since 1 January 1914 and used, or last used, for the purposes of agriculture or forestry.
- iv. Any part of a building used, or last used, for an industrial process, provided that such part (taken with any other part which may have been demolished) does not exceed 10% of the cubic content of the original building (as ascertained by external measurements) or 500 metres<sup>2</sup> of floor space, whichever is the greater.

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<sup>125</sup> 1990 Act, section 71 (2).

- v. Any buildings required to be demolished by virtue of discontinuance order made under Sections 102 and 103 of the Town and Country Planning Act 1990.
- vi. Any building required to be demolished by virtue of any provision of an agreement made under Section 106 of the Town and Country Planning Act 1990.
- vii. Any building in respect of which the provisions of an enforcement notice served under Section 172 of the Town and Country Planning Act 1990 or Section 38 of the Planning (Listed Buildings and Conservation Areas) Act 1990 required its demolition, in whole or in part, however expressed.
- viii. Any buildings required to be demolished by virtue of a condition of planning permission granted under Section 70 and 71 of the Town and Country Planning Act 1990.
- ix. Any building included in an operative clearance order or compulsory purchase order made under Part III of the Housing Act 1988 or to which a demolition order made under Part II of that Act applies.
- x. Any building purchased by a local authority by agreement where Part III of the Housing Act 1988 applies to that building.
- xi. A redundant building (within the meaning of the Pastoral Measure 1983) or part of such a building where the demolition is in pursuance of a pastoral or redundancy scheme (within the meaning of that Measure).

In this direction, 'building' has the meaning assigned to it by Section 91 of the Act. Sub-paragraph ii of this direction means that consent is not required for the demolition of buildings of the type described whenever erected, if the re-erection of what has been demolished would be permitted development under the specified classes of the General Development Order, for example, any wall less than 1 metre high abutting a highway or 2 metres elsewhere. Authorities are not required to notify the Welsh Ministers before granting consent to applications for the demolition of an unlisted building in a conservation area but their own applications are required to be made to the Welsh Ministers.<sup>126</sup>

## Annex D: Registered Historic Assets

### *The Register of Historic Parks and Gardens in Wales*

D.1 The definition of a historic park and garden by which sites are selected for the register is:

Gardens, parks, designed grounds, designed ornamental landscapes and places of recreation are of historic interest when they:

- a. illustrate some particular aspect of the history of gardens, parks, designed grounds, designed ornamental landscapes and places of recreation, or the history of gardening, ornamental landscaping or horticulture
- b. have significant historic associations (for example, with a particular person or event)

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<sup>126</sup> There is the desire for these applications to be determined by the local planning authority.

- c. have a group value with buildings or other land and the group value is of historic interest, for example, they may provide a historic setting for a building of historic interest.<sup>127</sup>

D.2 Sites that conform with the traditions of gardens, parks, designed grounds, designed ornamental landscapes and places of recreation are included within the definition. For general purposes it is convenient to use the terms 'gardens and parks of historic interest' and 'site' as abbreviations for 'gardens, parks, designed grounds, designed ornamental landscapes and places of recreation of historic interest'.

D.3 Originally, in Wales, historic parks and gardens formed part of a more extensive *Register of Landscapes, Parks and Gardens of Special Historic Interest in Wales*. Work to create this part of the register was undertaken by Cadw in partnership with ICOMOS UK (the International Council on Monuments and Sites). The part of this register covering historic parks and gardens in Wales was issued in county volumes between 1994 and 2002. A supplementary register of 14 additional sites was published in 2007. Since that date new entries to the register have been notified individually to owners and local planning authorities directly. There are about 400 sites on this register.

D.4 A grading system similar to that used for listed buildings (I, II\*, II) is used for parks and gardens. Grades indicate the following qualities:

Grade I Parks and gardens which by reason of their historic layout, features and architectural ornaments considered together make them of exceptional interest.

Grade II\* Parks and gardens which by reason of their historic layout, features and architectural ornaments considered together make them of great quality.

Grade II Parks and gardens which by reason of their historic layout, features and architectural ornaments considered together make them of special interest.

#### *The Register of Historic Landscapes in Wales*

D.5 This register was published in two parts. *Part 2.1 Landscapes of Outstanding Historic Interest* was published in 1998 and contained 36 areas and *Part 2.2 Landscapes of Special Historic Interest*, published in 2001, contained a further 22 areas, generally of smaller size. These two parts will be combined to form the *Register of Historic Landscape in Wales*. The boundaries of areas on the *Register of Historic Landscapes* are those depicted on the Cadw website.<sup>128</sup>

D.6 The European Landscape Convention came into force in the UK on 1 March 2007. Under the convention, member states are required to undertake general and specific measures through its own legislative powers and

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<sup>127</sup> Developed by the University of York, and adopted in Wales, as well as in England and Scotland

<sup>128</sup> Hyperlink when known.

administrative arrangements.<sup>129</sup> The general measures require each party to recognise landscapes in law, establish and implement landscape policies, ensure widespread participation and integrate landscape into planning and other policies. The specific measures include; awareness raising, training and education, identification and assessment, defining landscape quality objectives and implementation. The Welsh Government considers that the publication of the *Register of Historic Landscapes* and its use in development planning and management goes towards meeting this undertaking.

D.7 The criteria for identifying, either singly or in combination, landscapes of outstanding or special historic interest are:

Intensively developed or extensively remodelled

Landscapes in which development or change as a result of human activity (land use) has been so intense, resulting in substantial alterations to the natural (landform) and semi-natural (land cover) elements: large towns, cities, conurbations, industrial areas, large-scale civil engineering projects, landscapes showing human endeavour on a grand scale.

Period

Landscapes in which development or change as a result of human activity has been arrested at one or more stages and subsequent material alteration restricted: relict (or fossil) landscapes showing human activity within one or more periods, perhaps abandoned or essentially unchanged after the principal activity ceased.

Historic diversity/Multi-period

Landscapes in which development or change as a result of human activity continues, and into which past evidence from more than one period has become cumulatively assimilated with the natural (landform) and semi-natural (land cover) elements, with particular regard for those areas in which evolution over time is shown by a variety of archaeological or historic features with one or more of the following attributes:

- a. different forms of the same type of class of feature
- b. range of different features
- c. density of related features
- d. particular group value
- e. continuity through several periods
- f. features relating to the development of a particular theme or process.

Buried/Subsumed or destroyed

Landscapes with historic (events, traditions, legends, folklore), artistic, literary, architectural, technological, religious, or other important cultural association, either singly or in combination.

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<sup>129</sup> *European Landscape Convention*, treaty series no. 36 (2012) Cm 8413, articles 5 and 6.

## Annex E: Glossary of Terms

Term	Definition
Aesthetic value	Value deriving from the ways in which people draw sensory and intellectual stimulation from a place.
All-Wales Listed Building Condition Survey	A programme of surveys of listed buildings across Wales using a consistent methodology.
Applicant	An individual or organisation either applying to a local authority for planning consent, or Welsh Ministers for Scheduled Monument, Listed Building or Conservation Area consent.
Archaeological evaluation	A limited programme of non intrusive and/or intrusive fieldwork which determines the presence or absence of archaeological features, deposits or artefacts within a specified area or site on land, intertidal zone or underwater.
Archaeological excavation	A programme of controlled intrusive fieldwork with defined research objectives which examines, records and interprets archaeological structures and as appropriate, retrieves artefacts, ecofacts and other remains within a specified area or site on land, intertidal zone or underwater.
Archaeological site	A place or group of physical sites in which evidence of past human activity is preserved; the place where a historic asset is located.
Archaeologically sensitive areas	Areas where there is a concentration of archaeological sites.
Buffer Zone (World Heritage Site)	An area surrounding the nominated property which has complementary legal and/or customary restrictions placed on its use and development to give an added layer of protection to the property.
Building Preservation Notice	Temporary listing of a building that is of special architectural or historic interest that is in imminent danger of demolition or of alteration in such a way as to affect its character.
Characterisation	Capturing the local distinctiveness by identifying how places have been shaped over time.
Communal value	Value deriving from the meaning of a place for the people who relate to it, or from whom it figures in their collective experience or memory.
Conservation	A process of maintaining or managing change to a historic asset in its setting in ways that will best sustain its heritage values, while recognising opportunities to reveal or reinforce those values for present and future generations.

## Technical Advice Note 24: Historic Environment

Conservation Area	An area of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance, designated under what is now S69 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
Designated heritage asset	A World Heritage Site, Scheduled Monument, Listed Building, Protected Wreck Site, Registered Park and Garden, Registered Battlefield or Conservation Area designated under the relevant legislation.
Desk based assessment	A programme of study of the historic environment within a specified area or site on land, the inter-tidal zone or underwater that addresses agreed research and/or conservation objectives. It consists of an analysis of existing written, graphic, photographic and electronic information in order to identify the likely heritage assets, their interests and significance and the character of the study area, including appropriate consideration of the settings of heritage assets and, the nature, extent and quality of the known or potential archaeological, historic, architectural and artistic interest. Significance is to be judged in a local, regional, national or international context as appropriate.
Developer	One who builds on land or alters the use of an existing building for some new purpose.
Environmental Impact Assessment (EIA)	An analytical process that systematically examines the possible environmental consequences of the implementation of projects, programmes and policies. EIA is a key instrument of European Union environmental policy. The assessments are reported in an Environmental Statement (ES).
Evidential value	Value deriving from the potential of a place to yield evidence about past human activity.
Geophysical Survey	Archaeological geophysical survey uses non-intrusive and non-destructive techniques to determine the presence or absence of anomalies likely to be caused by archaeological features, structures or deposits, as far as reasonably possible, within a specified area or site on land, in the inter-tidal zone or underwater. Geophysical survey determines the presence of anomalies of archaeological potential through measurement of one or more physical properties of the subsurface. (IFA).
Heritage asset	A building, monument, site, place, area or landscape positively identified as having a degree of significance meriting consideration in planning decisions. Heritage assets are the valued components of the historic environment. They include designated heritage assets and non designated heritage assets.



## Technical Advice Note 24: Historic Environment

Heritage Partnership Agreement (HPA)	Non-statutory agreement which sets out an understanding of the significance of a heritage asset or assets.
Historic Environment	All aspects of the environment resulting from the interaction between people and places through time, including all surviving physical remains of past human activity, whether visible, buried or submerged, and deliberately planted or managed.
Historic Environment Records (HERs)	A public, map-based data set, primarily intended to inform the management of the historic environment. In Wales these are maintained by the four archaeological trusts.
Historic fabric	The material substances which make up a historic asset, including the upstanding physical remains and the buried archaeological deposits.
Historic value	Value deriving from the ways in which past people, events and aspects of life can be connected through a place to the present.
Local Development Plan (LDP)	Sets out proposals and policies for future development and use of land in local authority and national park areas across Wales.
Mitigation	Measures taken to avoid, cancel or reduce negative impacts.
Nature Conservation	The preservation, protection, wise use, sustainable management, restoration and enhancement of flora, fauna and geological and physiological features.
Preservation	To keep safe from harm.
Scheduled monument	Means any monument which is for the time being included in the Schedule [ compiled by the Welsh Ministers ] Ancient Monuments and Archaeological Areas Act 1979.
Scheduled monument consent	Required for any from of works affecting the monument. In addition to any planning permission required.
Setting	The surroundings in which a historic asset is experienced, its local context, embracing present and past relationships to the adjacent landscape.
Significant	Extensive or important enough to merit attention.
Situ	<i>in situ</i> refers to an artifact that has not been moved from its original place of deposition
Statement of significance	The sum of the cultural and natural heritage values of a place, often set out in a statement of significance
Strategic Environmental Assessment (SEA)	Is a process which looks at the effects that a plan or program is likely to have on the environment before it is started. The SEA regulations require certain proposed plans and programs that may have an impact on the environment to assess their likely effect. This is done through the production of an Environmental Report and subsequent consultation with Cadw, Countryside Council

#### Technical Advice Note 24: Historic Environment

	for Wales and Environment Agency Wales (the Consultation Bodies for Wales).
Sustainable development	Development capable of meeting the present needs without compromising the ability to meet the needs of future generations
World Heritage Sites	A natural or manmade site, are or structure recognised as being of outstanding international importance and therefore as deserving special protection

## Annex F: Contacts and sources of further information

### Welsh Government

Website : [www.gov.wales](http://www.gov.wales)

### Cadw

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Unit 5/7 Cefn Coed  
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Cardiff  
CF15 7QQ  
Tel: 01443 336000  
Email: [Cadw@wales.gsi.gov.uk](mailto:Cadw@wales.gsi.gov.uk)  
Web site: [www.gov.wales/cadw](http://www.gov.wales/cadw)

### Royal Commission on the Ancient & Historical Monuments of Wales (RCAHMW)

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Aberystwyth  
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Web site: [www.rcahmw.gov.uk](http://www.rcahmw.gov.uk)

### Council of British Archaeology (CBA)

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Y030 7BZ  
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### The Chartered Institute of Field Archaeologists

Miller Building  
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### Clwyd-Powys Archaeological Trust

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### Dyfed Archaeological Trust

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### Glamorgan-Gwent Archaeological Trust

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### Gwynedd Archaeological Trust

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**The Society of the Protection of Ancient Buildings (SPAB)**

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London  
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Tel: 020 7377 1644  
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Website: [www.spab.org.uk](http://www.spab.org.uk)

**The Georgian Group**

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**The Victorian Society**

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**The Civic Trust for Wales**

1/07 Creative Quarter  
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**The Architectural Heritage Fund**

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Website: [www.ahfund.org.uk](http://www.ahfund.org.uk)

**Ancient Monuments Society**

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**The United Kingdom Association of Preservation Trusts (Wales)**

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**Campaign for the Protection of Rural Wales**

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Website: [www.cprw.org.uk](http://www.cprw.org.uk)

**Welsh Historic Gardens Trust**

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**Garden History Society**

70 Cowcross Street  
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**Historic Buildings Council**

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Waterman House  
5-33 Hill Street  
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**The Institute of Historic Building Conservation**

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**ICOMOS UK**

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**The Royal Society of Architects in Wales**

66 Portland Place  
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**Royal Town Planning Institute**

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**Theatres Trust**

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**Natural Resources Wales**

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**Historic Houses Association in Wales**

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**Representative Body of the Church in Wales**

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**UNESCO**

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**The Twentieth Century Society**

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**ALGAO (Association of Local  
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