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Planning Policy Wales
Chapter 6 : The Historic
Environment

PLANNING POLICY WALES – CHAPTER 6: THE HISTORIC ENVIRONMENT

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6.1 Introduction

6.1.1 The whole of Wales contains historic assets which illustrate how past generations have shaped the world around us. The historic environment is central to Wales' culture and its character, and contributes to our sense of place and cultural identity. It enhances our quality of life, adds to regional and local distinctiveness and is an important economic and social asset. It is vital that the historic environment is appreciated, protected, actively maintained and made accessible for the general well-being of present and future generations.

6.1.2 The historic environment of Wales is made up of individual historic features, archaeological sites, historic buildings and historic parks, gardens and landscapes, collectively known as historic assets. The most important of these historic assets have statutory protection through scheduling, listing or designation as a conservation area. Other assets are included in formal registers, which identify them as being of special historic interest. Many others make a positive contribution to local character and sense of place. Some, such as buried archaeological remains, have still to be identified. It is important to protect what is significant about these assets and sustain their distinctiveness. Historic assets should be the subject of recording and investigation when they are being altered or destroyed. Historic assets are a non-renewable resource.

6.1.3 The historic environment must remain relevant to and be a vibrant part of the culture and economy of Wales. In making and determining planning applications relating to historic assets, applicants and consenting authorities must provide information and take action in proportion to the impact of the proposals, and the effects on the significance of the assets and their heritage values.¹

6.2 Objectives

6.2.1 It is important that the historic environment is protected, managed and conserved. The Welsh Government's objectives in this field are to:

- conserve and enhance the historic environment, which is a finite and non-renewable resource and an important part of the historical and cultural identity of Wales
- recognise its contribution to economic vitality and culture, civic pride, local distinctiveness and the quality of Welsh life, and its importance as a resource to be maintained for future generations
- base decisions on an understanding of the nature and significance of Wales' historic assets

¹ Welsh Government/Cadw, *Conservation Principles for the sustainable management of the historic environment in Wales*, 2011.

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- contribute to the knowledge and understanding of the past by making an appropriate record when parts of a historic asset are revealed or are to be lost, and ensuring that this record or the results of any investigation are securely archived and made publicly available.

and specifically to:

- protect the Outstanding Universal Value of the World Heritage Sites in Wales
- conserve archaeological remains, both for their own sake and for their role in education, leisure and the economy
- safeguard the character of historic buildings and manage change so that their special architectural and historic interest is protected
- preserve or enhance the character or appearance of conservation areas, while at the same time helping them remain vibrant and prosperous
- protect and enhance sites on the register of historic parks and gardens in Wales, and conserve areas on the register of historic landscapes in Wales.

6.2.2 Local planning authorities have an important role in protecting and conserving the historic environment while helping it accommodate and remain responsive to present-day needs. This is a key aspect of an authority's wider sustainable development responsibilities which should be taken into account in both the formulation of planning policies and the exercise of development management functions. It also contributes to the Welsh Government's seven well-being goals for a sustainable Wales.²

6.2.3 Local planning authorities should seek to reuse or modify historic assets in order to reduce carbon emissions, secure sustainable development and respond to the impact of climate change. Some conflict between the conservation of historic assets and climate change objectives may be unavoidable, but this can often be mitigated by careful design, for example through the siting of renewable energy equipment and infrastructure.³ The public benefit of taking action to reduce carbon emissions, or to adapt to the impact of climate change, should be weighed against any harm to the significance of historic assets.

6.3 Roles and Responsibilities in Wales' Historic Environment

6.3.1 The Welsh Ministers have duties for protecting, conserving and promoting an appreciation of the historic environment of Wales which are exercised through the Welsh Government's historic environment service (Cadw). The Welsh Ministers have the power to 'call in' applications for listed building consent for their determination, and may also 'call in' planning

² Well-being of Future Generations (Wales) Act 2015.

³ *Renewable energy and your historic building*, Welsh Assembly Government/Cadw 2010, (hyperlink)

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applications with a more than local impact upon other types of designated historic assets, or which meet criteria set out in *Planning Policy Wales*.

6.3.2 Cadw identifies buildings of special architectural or historic interest for listing, and schedules monuments of national importance. It is responsible for adding sites to the register of historic parks and gardens in Wales, and, in partnership with Natural Resources Wales, including areas on the register of historic landscapes in Wales.

6.3.3 Cadw determines applications for scheduled monument consent and is a statutory consultee for certain types of developments affecting scheduled monuments, World Heritage Sites and registered historic parks, gardens and landscapes,⁴ Strategic Environmental Assessments and scoping opinions for Environmental Impact Assessments.

6.3.4 Cadw published *Conservation Principles for the sustainable management of the historic environment in Wales* in 2011. These principles provide the basis upon which Cadw discharges its statutory duties, makes decisions or offers advice about changes to historic assets. *Conservation Principles* should also be used by others to assess the potential impacts of a development proposal on the significance of any historic asset/assets and to assist in decision-making where the historic environment is affected by the planning process.

6.3.5 Cadw's *Conservation Principles* recognises that the whole of the historic environment is a finite and shared resource. Cadw therefore encourages an understanding of historic character to highlight the distinctiveness of urban and rural areas in Wales, and to guide decisions about their future.⁵

6.3.6 Local planning authorities have responsibilities for determining listed building and conservation area consents in their areas. They are required to formulate and publish proposals for the preservation and enhancement of conservation areas.⁶ The positive management of conservation areas is necessary if their character and appearance are to be preserved or enhanced, and their heritage value is to be fully realised. Local planning authorities should establish their own criteria against which existing and/or new conservation areas and their boundaries should be reviewed.⁷ The preparation of conservation area appraisals and management plans can assist planning authorities in the exercise of their development management functions.

⁴ The Town and Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016 Articles 14 and 15, Schedule 4 (I)
Technical Advice Note 12: Design para 5.6.2

⁶ Planning (Listed Buildings and Conservation Area) Act 1990

⁷ This designation should only be amended or cancelled, when part or the whole of the area has lost its special interest.

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6.3.7 The Planning (Wales) Act⁸ introduces a mandatory requirement to undertake pre-application consultation for certain types of development. The requirement places the onus on the developer to undertake pre-application consultation with consultees identified in legislation.⁹ Local planning authorities will be able to advise applicants on whether their development proposal requires pre-application consultation under the requirements of the Act and also the bodies required to be consulted in these circumstances.

6.3.8 The Royal Commission on the Ancient and Historical Monuments of Wales (RCAHMW) is the investigative body and national archive for the historic environment in Wales. It compiles and makes available a comprehensive collection of records on the historic assets of Wales (the National Monuments Record) for use by individuals and bodies concerned with understanding, conserving and managing the historic environment.

6.3.9 The curatorial sections of the Welsh archaeological trusts manage and maintain regional historic environment records (HERs). They can provide archaeological advice to the local planning authorities and should be contacted, as appropriate, in the exercise of plan preparation and development management functions.

6.4 Local Development Plans and the Historic Environment

6.4.1 Local development plans (LDPs) must have regard to national policies on the historic environment.¹⁰ Development plans should also set out proposals for re-use or new development affecting historic areas and buildings, which may assist in achieving the Welsh Government's objectives for urban and rural regeneration.

6.4.2 In preparing plans and assessing proposals for development, local planning authorities must keep under review their access to records of the historic environment in their area.¹¹ Historic environment records represent indispensable tools for the formulation of development plans and the determination of planning applications.

6.4.3 When preparing an LDP, local planning authorities are required to undertake a Strategic Environmental Assessment and a Sustainability Appraisal. An assessment of the cultural heritage is one of the baseline studies in this process and requires consultation with Cadw.¹² In undertaking the appraisal, an up-to-date evidence base, such as that provided by the HER

⁸ Planning (Wales) Act Section 17

⁹ The Town and Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016

¹⁰ Planning and Compulsory Purchase Act 2004, chapter 6, section 62 (5)

¹¹ Planning and Compulsory Purchase Act 2004, chapter 5, section 61 (2)

¹² Planning and Compulsory Purchase Act 2004; Environmental Assessment of Plans and Programme (Wales) Regulations 2004, SI 2004/1656, sections 4, 5 (2), 5 (4) and Schedule 2, 6 (k); Welsh Government Local Development Plan Manual 2006, sections 3.5 and 5.4.3.

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for the local authority area and the National Monuments Record, should be used.

World Heritage Sites

6.4.4 Local Development Plans must reflect that World Heritage Sites have been inscribed by UNESCO because of their Outstanding Universal Value.¹³ These sites can also contribute to a national and local sense of community and to sustainable economic development and regeneration. They can cover more than one authority's jurisdiction and there is a need to ensure there are consistent planning policies in the relevant LDPs. The adoption of supplementary planning guidance, agreed by all relevant authorities, is considered to be the most effective way of implementing the conservation of World Heritage Sites.

Archaeological Remains

6.4.5 The historic environment comprises all the surviving physical remains of past human activity. The individually identified historic assets, which are the components of the historic environment, have archaeological significance. Such archaeological remains survive as both above and below ground evidence and include submerged marine as well as terrestrial assets. They are a finite and non-renewable resource.

6.4.6 Not all nationally important remains meriting preservation will necessarily be designated as scheduled monuments and much of the archaeological resource remains to be discovered. These remains and their settings and, in appropriate circumstances, other unscheduled archaeological remains of less significance and their settings, may be identified in LDPs as worthy of preservation. Local planning authorities may also develop supplementary planning guidance to respond to particular local circumstances, for example, by identifying local archaeologically sensitive areas where significant remains are likely to be revealed and damaged if development takes place.

Listed Buildings and Conservation Areas

6.4.7 LDP policies should include locally specific policies for the conservation of the built environment, including the protection or enhancement of listed buildings and conservation areas. LDP policies should also make it clear that development proposals will be judged for their effect on listed buildings and their settings, and on the character or appearance of conservation areas, as identified in the relevant appraisal documents for such designations.

¹³ *Convention Concerning the Protection of World Cultural and Natural Heritage*, UNESCO 1972.

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Local Historic Assets

6.4.8 Local planning authorities may determine that a historic asset is of special local interest and may develop and publish lists of local historic assets, that do not have statutory protection, but which make an important contribution to local distinctiveness and have the potential to contribute to public knowledge. Where a local planning authority chooses to identify historic assets of special local interest, policies for their preservation and enhancement must be included in the local development plan.

Historic Parks and Gardens, and Landscapes

6.4.9 In preparing their LDPs, local planning authorities must take account of the register of historic parks and gardens in Wales and they should develop policies that will contribute to their protection and enhancement. They should also take into account areas included in the register of historic landscapes in Wales and develop policies that will contribute to their conservation.

6.5 Development Management and the Historic Environment

World Heritage Sites

6.5.1 The impacts of proposed developments on a World Heritage Site and its setting and, where it exists, the World Heritage Site buffer zone, is a material consideration in the determination of any planning application.

6.5.2 Certain permitted development rights are restricted on land in a World Heritage Site.¹⁴

6.5.3 Cadw is a statutory consultee on planning applications likely to have an impact on the Outstanding Universal Value of a World Heritage Site¹⁵

Archaeological remains

6.5.4 The desirability of preserving archaeological remains is a material consideration in determining a planning application, whether those remains are a scheduled monument or not. Planning permission will only be granted in exceptional circumstances when a development has a negative impact on a scheduled monument (or an archaeological site shown to be of national importance) or a significantly damaging effect upon its setting. In cases involving less significant archaeological remains, local planning authorities will need to weigh the relative importance of the archaeological remains and their

¹⁴ The Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2014.

¹⁵ The Town and Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016 Articles 14 and 15, Schedule 4 (l) (v)

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settings against other factors, including the need for the proposed development.

6.5.5 The needs of archaeology and development may be reconciled, and potential conflict very much reduced, if developers discuss their proposals with the local planning authority at an early stage in pre-application discussions. A desk-based archaeological assessment can be commissioned by a developer or required by the local planning authority (sometimes as part of a wider Environmental Impact Assessment) to provide information on the archaeological significance of a site before submitting a planning application. If there is a high potential for significant archaeological remains at a development site, the local planning authority should request that the prospective developer arrange for an archaeological field evaluation. The results of any assessment and/or field evaluation should be provided as part of a planning application and form part of the local planning authority's consideration of that application.¹⁶ The amount of information and analysis required should be proportionate to the proposal, and enough to determine the possible impact on the historic environment. If this information is not provided to an appropriate standard, local planning authorities should consider whether it is necessary to request the applicant to supply further information, or whether to refuse permission for an inadequately documented proposal.¹⁷

6.5.6 Local planning authorities may impose conditions to protect archaeological remains, if they are minded to approve an application. However, where a local planning authority decides that physical preservation of archaeological remains *in situ* is not justified, and the development resulting in the destruction of the archaeological remains should proceed, it must be satisfied that the developer has made appropriate and satisfactory provision for:

- the archaeological investigation and the subsequent recording of the remains
- the analysis, archiving and publication of the results
- organisation and deposition of the archive into an approved repository.

This will normally be achieved by the applicant's submission of a written scheme of investigation (WSI) for approval by the local planning authority secured, where necessary, by the use of planning conditions or obligations. A condition may be imposed prohibiting the start of work on the development until such time as the necessary works have been carried out by competent expert archaeologists to the appropriate standards.¹⁸ Archaeological investigations should be carried out before development commences, working to a project design agreed and monitored by the planning authority and its archaeological advisors.

¹⁶ Welsh Office Circular 60/96 Planning and the Historic Environment: Archaeology para.14

¹⁷ Welsh Office Circular 60/96 Planning and the Historic Environment: Archaeology para.14

¹⁸ Welsh Office Circular 60/96 Planning and the Historic Environment: Archaeology para.23

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6.5.7 Despite the best efforts of the applicant and the local planning authority, unforeseen archaeological remains may still be discovered during the course of a development. Any WSI should consider how to react to such circumstances or it can be covered through an appropriate condition for an archaeological watching brief. In the absence of either of these mechanisms, the developer and the local planning authority will need to negotiate an acceptable solution. In exceptional cases, the remains may be considered by the Welsh Ministers to be of national importance and be designated as a scheduled monument. In such cases, work should not re-commence until scheduled monument consent¹⁹ has been obtained by the developer.²⁰

6.5.8 Local planning authorities are required to consult the Welsh Ministers on any development proposal that is likely to affect the site or the setting of a scheduled monument.²¹ The local planning authority should inform applicants of the need to obtain scheduled monument consent for any works they propose which would have a direct impact upon the designated area. Scheduled monument consent can be granted only for detailed proposals and it is advised that this is obtained first, as planning permission alone is insufficient to authorise the works.

Listed buildings

6.5.9 There is no statutory requirement to have regard to the provisions of the development plan when considering **applications for listed building consent**, since in these cases the Courts have accepted that Section 54A of the Town and Country Planning Act 1990 (superseded by section 38(6) of the Planning and Compulsory Purchase Act 2004) does not apply.

6.5.10 There should be a general presumption in favour of the preservation of a listed building and its setting, which might extend beyond its curtilage. For any development proposal affecting a listed building or its setting, the primary material consideration is the statutory requirement to have special regard to the desirability of preserving the building, its setting or any features of special architectural or historic interest which it possesses.²² The aim should be to find the best way to protect and enhance the special qualities of listed buildings, retaining them in sustainable use. The continuation or reinstatement of the original use should generally be the first option, but not all original uses will now be viable or appropriate. The application of development and listed building controls should recognise the need for flexibility where new uses have to be considered in order to secure a building's survival.

¹⁹ Scheduled Monument Consent information: <http://cadw.gov.wales/historicenvironment/help-advice-and-grants/makingchanges/schedmonconsent/?lang=en>

²⁰ Ancient Monuments and Archaeological Areas Act 1979, section 7.

²¹ The Town and Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016, Article 14 and 15, Schedule 4 (I)(i) and (ii)

²² Planning (Listed Buildings and Conservation Areas) Act 1990, section 66.

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6.5.11 Local planning authorities will determine applications for consent for the demolition of a listed building and for any works of alteration or extension which would affect its character as a building of special architectural or historic interest. Controls apply to all works, both external and internal, including fixtures and curtilage structures that would affect a building's special interest. It is strongly recommended that pre-application discussions are undertaken between the applicant, the local planning authority and, where appropriate, Cadw to clarify what works will require listed building consent, what level of information will need to be provided and what other issues, such as duties towards nature conservation,²³ need to be resolved. Where directed, planning authorities must notify the Welsh Ministers before listed building consent is granted to enable consideration of whether the correct procedures and guidance have been followed, or whether the application raises issues of more than local interest, which would warrant 'call in' for determination by the Welsh Ministers.²⁴

6.5.12 Applicants for listed building consent must be able to justify their proposals and show why the alteration or demolition of a listed building is desirable or necessary. This should be included in a Design and Access Statement, which will be proportionate both to the significance of the building and to the degree of change proposed. It is generally preferable, for both the applicant and the local planning authority, if related applications for planning permission and listed building consent are considered concurrently. Consideration of proposals for a listed building should be made on the basis of a full, rather than an outline planning permission. Planning permission alone is insufficient to authorise works to a listed building. Appropriate conditions may also be attached to any listed building consent. These might for example include the submission of a conservation method statement for specific works or the protection of historic fabric, or archaeological recording work.²⁵

6.5.13 Occasionally, applications will be made for the demolition of a listed building. These must be fully justified and scrutinised before any decision is taken. The demolition of any listed building should be considered as exceptional and require the strongest justification. In determining applications for total or substantial demolition of listed buildings, authorities should take into account: the condition of the building, the cost of repairing and maintaining it in relation to its importance and to the value derived from its continued use, the adequacy of efforts made to retain the building in use and the merits of alternative proposals for the site. The Welsh Government would not expect consent to be granted without robust evidence from the applicant that all reasonable efforts to sustain existing uses, or to find viable new uses have failed; that preservation in some form of charitable or community ownership is not possible or suitable; or that redevelopment would produce

²³ Planning Policy Wales, chapter 5.

²⁴ Planning (Listed Buildings and Conservation Areas) (Wales), Regulations 2012

²⁵ Welsh Government Circular 016/2014: The Use of Planning Conditions for Development Management, para. 79 - 80

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substantial benefits for the community that would clearly outweigh the loss resulting from demolition. The relevant national amenity society should be consulted on these applications.²⁶

6.5.14 Local planning authorities should not authorise demolition of a listed building to make way for new development unless it is certain that the new development will proceed. This requirement can be secured by condition.²⁷ Conditions may also be used to require the preservation of particular features and/or to require works to be carried out in a certain way.²⁸

6.5.15 The Royal Commission on the Ancient and Historical Monuments of Wales must be notified of all proposals to demolish listed buildings and be allowed access for at least a month²⁹ to buildings which it wishes to record before demolition takes place. In all cases of alteration or demolition local planning authorities should consider, whether to make the archaeological recording, analysis and publication of features that would be destroyed, obscured or temporarily revealed by the works a condition of listed building or planning consent. This archaeological programme should be proportionate to the scale of the works being undertaken.

6.5.16 Local planning authorities have the power to serve Building Preservation Notices (BPN) on unlisted buildings if those buildings are considered to be of special architectural or historic interest and are in danger of demolition or alterations which will affect their character.³⁰ A BPN is the statutory mechanism to secure a temporary listing and applies for a six-month period. Most of the legislative provisions relating to listed buildings apply to the building concerned and take effect immediately when a BPN is served.³¹

Conservation areas

6.5.17 There is no statutory requirement to have regard to the provisions of the development plan when considering **applications for conservation area consent**, since in these cases the Courts have accepted that Section 54A of the Town and Country Planning Act 1990 (superseded by section 38(6) of the Planning and Compulsory Purchase Act 2004) does not apply.

6.5.18 There should be a general presumption in favour of the preservation or enhancement of the character or appearance of a conservation area or its setting. It is preferable, for both the applicant and the local planning authority, for related applications for planning permission and conservation area consent to be considered concurrently. Consideration of proposals for

²⁶ Welsh Office Circular 61/96 Planning and the Historic Environment: Historic Buildings and Conservation Areas

²⁷ Planning (Listed Buildings and Conservation Areas) Act 1990, section 17(3).

²⁸ Welsh Government Circular 016/2014: The Use of Planning Conditions for Development Management, para. 79 - 80

²⁹ Planning (Listed Buildings and Conservation Areas) Act 1990 Section 8(c)(i)

³⁰ Planning (Listed Buildings and Conservation Areas) Act 1990, section 3.

³¹ Planning (Listed Buildings and Conservation Areas) Act 1990 Section 3

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development in a conservation area should be made on the basis of a full, rather than an outline, application.

6.5.19 There will be a strong presumption against the granting of planning permission for developments, including advertisements, which damage the character or appearance of a conservation area or its setting to an unacceptable level.³² In exceptional cases, the presumption may be overridden in favour of development considered desirable on the grounds of some other public interest. Preservation or enhancement of a conservation area can be achieved by a development which either makes a positive contribution to an area's character or appearance or leaves them unharmed. Mitigation measures can also be considered which could result in an overall neutral or positive impact of a proposed development in a conservation area.

6.5.20 Conservation area designation introduces control over the total or substantial demolition of unlisted buildings within these areas, but partial demolition does not require conservation area consent. Procedures are essentially the same as for listed building consent. When considering an application for conservation area consent, account should be taken of the wider effects of demolition on the building's surroundings and on the architectural, archaeological or historic interest of the conservation area as a whole. Consideration should also be given to replacement structures. The general presumption should be in favour of retaining buildings which make a positive contribution to the character or appearance of a conservation area. Proposals should be tested against local planning authorities' conservation area appraisals, where they are available.

6.5.21 Authorities should take into account the visual, historic and amenity contribution of trees in conservation areas. New planting or replanting may be appropriate where consistent with the character or appearance of the area. Special provisions apply for trees in conservation areas which are not the subject of Tree Preservation Orders.³³

6.5.22 The General Permitted Development Order³⁴ requires planning applications for certain types of development in conservation areas which otherwise would be classified as permitted development. In exceptional circumstances, to help to protect features that are key elements of the character and appearance of particular conservation areas and where there is a real and specific threat, local planning authorities can also withdraw specific permitted development rights through the use of Article 4 Directions.³⁵ The designation of a conservation area does not in itself automatically justify making an Article 4 Direction.

³² Planning (Listed Buildings and Conservation Areas) Act 1990, section 72; TAN 7: Outdoor Advertisement Control.

³³ Town and Country Planning Act 1990, section 211; TAN 10: Tree Preservation Orders.

³⁴ The Town and Country Planning (General Permitted Development) Order 1995

³⁵ Town and Country Planning (General Permitted Development) Order 1995, sections 4–6.

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Local Historic Assets

6.5.23 Where a local planning authority has identified historic assets of special local interest or produced a list of local historic assets and included a policy in its LDP for their preservation and enhancement, any supporting supplementary planning guidance will be a material consideration when determining a planning application.

Historic Parks and Gardens

6.5.24 Local planning authorities should protect and conserve parks and gardens and their settings included in the register of historic parks and gardens in Wales. Cadw must be consulted on all planning applications where development is likely to affect the site of a registered historic park or garden or its setting.³⁶ The effect of a proposed development on a registered park or garden, or its setting should be a material consideration in the determination of a planning application.

Historic Landscapes

6.5.25 Information on the register of historic landscapes in Wales should be taken into account by local planning authorities in considering the implications of developments which meet the criteria for Environmental Impact Assessment,³⁷ or, if on call in, in the opinion of the Welsh Ministers, they would have more than local impact.³⁸ Cadw should be consulted on development within a registered historic landscape area that requires an Environmental Impact Assessment.³⁹

6.5.26 Cadw and the former Countryside Council for Wales (now part of Natural Resources Wales) have issued a 'guide to good practice' on using the register of historic landscapes.⁴⁰ It includes a method for assessing the effects of proposed development on an area of historic landscape (ASIDOHL2). This method should be followed by applicants when preparing the relevant part of the Cultural Heritage chapter of their Environmental Statement.

³⁶ The Town and Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016, Schedule 4 (I)(iii).

³⁷ Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999, schedule 3, 2 (viii).

³⁸ Planning Policy Wales Section 3.12

³⁹ The Town and Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016 Schedule 4 (I)(iv)

⁴⁰ Cadw and Countryside Council for Wales, *Guide to Good Practice on using the Register of Landscapes of Historic Interest in Wales in the Planning and Development Process*, Revised (2nd) edition (2007).

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Enabling Development

6.5.27 Enabling development can deliver substantial heritage benefit that would be contrary to other objectives of national or local planning policy. It is an established planning principle that such development may be appropriate if the public benefit of rescuing, enhancing, or even endowing an important historic asset decisively outweighs the harm to other material interests. Tests setting out when enabling development might be acceptable are given in *Cadw's Conservation Principles*.⁴¹ Enabling development must always be in proportion to the public benefit it offers.

6.5.28 When considering a scheme of enabling development, planning permission should be granted only if:

- the impact of the development was precisely defined in the application at the outset, and normally through the granting of full, rather than outline, planning permission
- the achievement of the heritage objective is securely and enforceably linked to the enabling development
- the place concerned is repaired to an agreed standard, or the funds to do so are made available, as early as possible in the course of the enabling development, ideally at the outset and certainly before completion or occupation of the enabling development
- the local planning authority closely monitors implementation, if necessary acting promptly to ensure that obligations are fulfilled.

Figure 6.1 Conserving the Historic Environment

Guide to the application of national planning policy statements in LDPs

Locational Considerations

For the most part, policies to be applied within areas for protection, such as conservation areas, and to listed buildings or scheduled monuments, will be clear from national legislation and guidance and will not need to be repeated in a LDP unless there is a locally distinct application.

Topic-based Policies

The national planning policy statements on the historic environment which should be included, or considered for inclusion, in topic-based policies in the LDP can be found in the following paragraphs. Such policies should focus on any locally distinct element that differs from national guidance or would benefit from elaboration.

⁴¹ See 'Conservation Principles in Action', paras 49–52, pp. 32–33.

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Paragraph	Policy Issue
6.4.1	Historic environment
6.4.4	World Heritage Sites
6.4.6	Archaeological remains
6.4.7	Listed buildings and conservation areas
6.4.8	Local Historic Assets
6.4.9	Historic Parks, Gardens and Landscapes in Wales

National Development Management Policies

The following paragraphs contain statements of national development management policy which should not need to be repeated as local policy in LDPs.

Paragraph	Policy Issue
6.5.1	World Heritage Sites
6.5.4	Archaeological remains and scheduled monuments
6.5.5	Assessment and evaluation of archaeological remains
6.5.6	Archaeological investigation before development commences
6.5.8	Proposals affecting a scheduled monument or its setting
6.5.10, 6.5.11 and 6.5.12	Proposals affecting a listed building or its setting
6.5.13, 6.5.14 and 6.5.15	Consent to demolish a listed building/use of conditions
6.5.18	Preservation and enhancement of a conservation area
6.5.19	Proposals affecting the character or appearance of a conservation area
6.5.20	Conservation area consent
6.5.21	Trees in a conservation area
6.5.23	Historic Assets of Local Interest
6.5.24	Proposals affecting sites on the <i>Register of Historic Parks and Gardens in Wales</i>
6.5.25	Proposals affecting sites on the <i>Register of Historic Landscapes in Wales</i>
6.5.27 and 6.5.28	Enabling development and the historic environment

Topics relevant to the local area may simply be mentioned with a cross-reference to Planning Policy Wales