



Welsh Government

Consultation on proposals for secondary legislation to support the Historic Environment (Wales) Act 2016 and various best-practice guidance documents

Annex 2

Draft

Managing Change to Listed Buildings in Wales

The Historic Environment (Wales) Act 2016 was enacted to make important improvements to the existing systems for the protection and management of the Welsh historic environment. It also stands at the centre of an integrated package of secondary legislation, new and updated planning policy and advice, and best-practice guidance on a wide range of topics. Taken together, these will support and promote the careful management of change in the historic environment in accordance with current conservation philosophy and practice.

This draft document has been published as part of a twelve-week consultation on proposals for secondary legislation and draft guidance documents that complement the Historic Environment (Wales) Act 2016. It will close on 3 October 2016. The consultation document, the response form and all of the associated draft guidance documents are available from the Welsh Government's consultation web pages (<http://gov.wales/consultations/cultureandsport/?lang=en>).

This document has been prepared alongside a revised chapter 6, 'The Historic Environment', of *Planning Policy Wales* and the new *Technical Advice Note 24: The Historic Environment*. It can profitably be read in conjunction with them.

A public consultation on chapter 6 of *Planning Policy Wales* closed on 13 June 2016 and the responses are now being analysed. The chapter is still available on the consultation web page (<http://gov.wales/consultations/planning/proposed-changes-to-planning-policy-wales-chapter-6-the-historic-environment/?lang=en>) but changes may be made following the publication of the consultation results later this year. Any citations of *Planning Policy Wales* in the current document refer to this version.

In parallel with the present consultation, the Welsh Government's Planning Division is seeking views on *Technical Advice Note 24*. The twelve-week consultation will also close on 3 October 2016 and any views that you might care to offer would be gratefully received. Visit the Welsh Government's consultation pages (<http://gov.wales/consultations/planning/?lang=en>) to download *Technical Advice Note 24*, the consultation document and the response form. Any citations of *Technical Advice Note 24* in the current document refer to this version.

11 July 2016

Mae'r ddogfen yma hefyd ar gael yn Gymraeg.
This document is also available in Welsh.

11 July 2016

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Managing Change to Listed Buildings in Wales

Managing Change to Listed Buildings in Wales

Statement of Purpose

Managing Change to Listed Buildings in Wales supplements *Planning Policy Wales* — Chapter 6: The Historic Environment¹ and *Technical Advice Note 24: The Historic Environment*.²

Managing Change to Listed Buildings in Wales sets out general principles to consider when making changes to listed buildings and explains how to apply for listed building consent, including the roles and responsibilities of owners, local planning authorities and the Welsh Government's Historic Environment Service (Cadw).

This best-practice guide is aimed principally at owners of listed buildings and agents acting on their behalf to help them understand the implications of owning a listed building and making changes to it. It should also help owners and agents take account of Cadw's *Conservation Principles for the Sustainable Management of the Historic Environment in Wales*³ (*Conservation Principles*) to achieve high-quality sensitive change.

Decision-making authorities should also use this guidance alongside *Planning Policy Wales* — Chapter 6: The Historic Environment, *Technical Advice Note 24: The Historic Environment* and Cadw's *Conservation Principles* to inform their own policies and when considering individual applications for planning permission and listed building consent, including pre-application discussions.

¹ *Planning Policy Wales* — Chapter 6: The Historic Environment

² *Technical Advice Note 24: The Historic Environment*

³ [*Conservation Principles for the Sustainable Management of the Historic Environment in Wales*, Cadw, Welsh Government, 2011](#)

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Fast Facts

- Listed buildings are a finite resource to cherish and protect for future generations.
- Change may be desirable or necessary, but needs to be well managed.
- A deep understanding of the significance of your listed building goes a long way towards ensuring that any changes you propose respect what's special about it.
- Understanding the condition and performance of your listed building can help you to maximise the benefits of change and minimise the harm.

Introduction

Buildings are listed when they are considered to be of special architectural or historic interest.⁴ This means that not only is your listed building important to you, but it is also important to your local community and to the cultural heritage of Wales. It is part of the historic environment that we need to cherish and protect for future generations. Protection, however, need not prevent change which can increase the long-term sustainability and economic viability of your listed building. Positive change can bring improvements to our understanding and appreciation of the historic environment as well as social and economic benefits through increased regeneration and tourism. Together, these benefits will help to create the Wales we want in the future by meeting the well-being goals set out in the Well-being of Future Generations (Wales) Act.⁵

Your listed building is a valuable asset that cannot be replaced, but it has probably already changed over time and you may need to make further changes. Conservation is about the careful management of change. This means finding the best way to protect and enhance the special qualities of your listed building so that present and future generations can appreciate and enjoy it. Caring for listed buildings appropriately, and retaining them in sustainable use, helps ensure that they continue to contribute to the value of Wales and the lives of its people.

The underlying philosophy of conservation is set out in Cadw's *Conservation Principles for the Sustainable Management of the Historic Environment in Wales (Conservation Principles)*.⁶ This makes it clear that every conservation decision should be based on an understanding of its likely impact on the special qualities that contribute to the significance of your listed building.

The focus of this guidance is on change to the physical fabric of listed buildings and on understanding the significance of the fabric, but buildings may also have social, economic, symbolic or spiritual value. This communal value is also important in conservation practice.

⁴ *Understanding Listing in Wales*, Welsh Government, Cadw (forthcoming)

⁵ [Well-being of Future Generations \(Wales\) Act 2015](#)

⁶ [Conservation Principles for the Sustainable Management of the Historic Environment in Wales, Cadw, Welsh Assembly Government, 2011](#)

Many types of change will need special permission (listed building consent). If you are in any doubt, then it is better to enquire and consult rather than to make mistakes which can be both hard to rectify and expensive. You could be committing an offence as well.

Owners who take advice, gather evidence, make a realistic heritage impact assessment and submit a well-documented application are often surprised at what changes can be approved. Being innovative and imaginative in your approach to sustainability can lead to achieving your aims without compromising your building's significance.

1. Understanding your Listed Building

Historic buildings are important products of human creativity and a unique source of information about the past. Although there are strong shared traditions of design and construction in all the regions of Wales, every building is different: all historic buildings have their own story. Their fabric may contain valuable evidence about how and when they were built, how they were used, and how they have changed over time. All aspects of your listed building may be part of its story and contribute to its significance, including its setting, its form and layout, and its materials, construction and detail. Not all aspects, however, are necessarily of equal significance and each should be considered on its own merits.

It is especially important to understand that traditional or historic construction techniques are very different from those used in modern buildings. Traditional techniques made allowance for buildings to breathe and move in harmony with their environment; introducing modern techniques can disrupt this cycle and cause irreparable damage.

Making changes to your listed building can include everything from routine maintenance, repair and renewal, through to restoration, alteration and new work, and change of use. Understanding your listed building is the foundation for planning appropriate change that will sustain and enhance it.

2. Significance

Understanding why your listed building is of special architectural or historic interest and what is significant about it will not only help you care for the building on a day-to-day basis, but also help you to plan and make changes that will keep the building in long-term viable use without compromising its special architectural or historic interest.

The list description — available on the Cadw website⁷ — may explain why your building is listed, but more information about its history and development may be available from the Royal Commission on the Ancient and Historical Monuments of Wales (RCAHMW), your local historic environment record (HER) or record office.⁸

⁷ [Cof Cymru — National Historic Assets of Wales](#)

⁸ See Further Information

Documents and photographs as well as the physical evidence of the building will help you understand your building and inform the decisions you take.⁹

Changes that are likely to affect the fabric of the building or its setting may affect its significance and character as a building of special architectural or historic interest. If you are planning to make changes to your listed building, you will need to understand the impact of your proposals on its significance. To help you do this, you may need to prepare a heritage impact assessment.¹⁰

2.1 Setting

The setting is often an essential part of a building's character: the relationship between your listed building and other land or buildings may have aesthetic value, or may directly reflect the history of its use. Examples include the relationship between a farmhouse and its farm buildings; a country house and its park and garden; or a house and its neighbours in a terrace. Isolating historic buildings from their surroundings can affect their economic viability as well as their character, and can rob them of much of their interest and the contribution they make to townscape and countryside.

2.2 Form and Layout

The size and scale of listed buildings may be important aspects of their architectural character and aesthetic value. They may also contribute to historic interest because a building's size is often directly related to its use and status. A small cottage can be just as important as a big house.

The layout and plan of a building is often the basis of its design and provides evidence for its age and development. For example, there were strong regional conventions of domestic planning, which have changed slowly over time. Even where the original layout has apparently been lost, there may be physical evidence in the building which can help explain the original form and the sequence of change, such as empty peg and mortise holes, straight joints, or ghost features such as blocked doorways and windows. Understanding the plan and evolution of your building gives an insight into its history which may guide or inspire options for change.

Subsequent alterations and additions may enhance the quality of your listed building and be of interest in their own right as part of its history; equally, they may also detract from it.

Understanding the development of your listed building and its significance enables informed decisions about whether or not subsequent changes should be retained.

Retain wherever practicable; reinstate where appropriate; respect inherited character in new work and alteration.

⁹ *Understanding Listing in Wales*, Welsh Government, Cadw, forthcoming

¹⁰ *Heritage Impact Assessment in Wales*, Welsh Government, Cadw, forthcoming

2.3. Materials

The materials used in a historic building are not only integral to the performance and structure of the building, but they can also be an important part of its special interest. Materials can also provide evidence for the date of a building and how it developed as well as its status. The selection and handling of materials is often an important aspect of the aesthetic value of a building too.

Before the Industrial Revolution, the choice of materials was strongly influenced by what was available locally; only the wealthy could afford to import from further afield. This changed to some extent in the nineteenth century with the industrialised production and distribution of materials. However, regional traditions proved very durable and were even reinforced as different areas produced different manufactured products, for example, regional brick and tiles.

Timber framing dominated the eastern counties of Wales until the seventeenth and eighteenth centuries. Although stone is the dominant material elsewhere in Wales, here too there is evidence for an earlier timber tradition. Wales has a rich and complex geology; consequently there is a glorious variety of building stone.

As well as the selection of material, the way in which it was used also varied with time and resources. The coursing and dressing of stone, the bonding of brick, the method of timber framing and its in-fill panelling, the technique of thatching, the dressing and laying of slate and so forth may all contribute to the distinctive character of your building.

It is not unusual for more than one type of construction to be combined in a single building. Often this reflects different phases of building, but it sometimes signals an aesthetic decision; for example, using a higher status material for the main facade, or combining materials of contrasting colour and texture for decorative effect.

The finish is also an important component of the character and interest of historic buildings. It was unusual for stone to be left unfinished before the influence of the Gothic Revival in the nineteenth century. Until then, limewash and render were commonly applied to stone buildings. By the nineteenth century, there was a particularly lively architecture of render in some parts of Wales which had a stylistic repertoire all of its own. Details, such as mock jointing, grooving and rustication, and architectural elements like architraves and cornices are all part of this distinctive decorative tradition. Traditional limewashes and renders may not only be an important part of the architectural character of your property, but also play a vital role in its performance.

The primary feature of a wall is the building material itself and the pointing should not normally dominate visually, though it may be historical. Decorative pointing is used occasionally but it is relatively rare. Changes to the character of pointing can be physically as well as visually damaging.

Retain where practicable, repair where necessary; respect inherited character in any renewal.

2.4 Details

The design and craftsmanship invested in a building may be an important part of its special interest. Everything — from a porch to a parapet, or a shopfront to a signboard — may contribute to the overall character of the building. Features that are part of the significance of the building deserve careful treatment.

Doors and windows provide valuable evidence for the age, development and use of historic buildings. These elements are often also an integral part of the design of the building, in scale and positioning as well as in the detail of, for example, door cases, door furniture and the glazing pattern of windows.

Windows in particular varied with date, function and area. Different parts of the same building might have windows of different type which may be evidence of previous alterations or simply distinctions in use and status. Windows are often one of the most important architectural elements of any building and their style and proportion vitally affect character and appearance.

Shopfronts are features which may not only clearly signal historical building use, but also embody distinctive traditions of design and craftsmanship. Their variety is an important element in the character of historic settlements. Features of value such as blinds in blind boxes, shutters in shutter boxes and stall-risers (the walls below shop windows) are often concealed beneath later facings. They are worth looking out for when works to shopfronts are proposed.

Retain where possible, repair where necessary and respect historic character in any replacement.

UPVC windows will not normally be acceptable: they are assembled from factory-made components and have very different characteristics from traditional windows, which means that they are likely to be damaging to the character and appearance of the building.

2.5 Interiors

The layout and detail inside buildings can also be important evidence for their date and development as well as their function and status. Even where little detail survives, internal spaces and circulation patterns may be significant.

Staircases, panelling, shutters, doors and door cases, fireplaces, chimney breasts and chimneypieces, beams and joists, for example, are often important elements in the overall building design. The quality of craftsmanship is also a key to the status of the building. Historic wall finishes, such as traditional plasterwork, and floor surfaces, such as old boarded floors, plaster and pitched cobbles, are all precious survivals that are worth keeping.

Traditional plasterwork is worth retaining not only for its historic interest, but also because it has good insulation qualities and is better able to tolerate condensation than modern plasters. It is also a good idea to be alert to the possible survival of rare and fragile detail such as early colour schemes or painted decoration.

Retain where possible, repair where necessary.

3. Structure, Condition and Performance

It is important to understand the structure and condition of your listed building, and the way it was intended to perform **before** you consider making any changes so that you do not compromise its structural integrity or undermine its performance.

3.1 Understanding the Structure

Understanding the structure of your building, the nature of the materials and the way in which they have been used is an important starting point when considering repair, renewal and alteration, so that your proposals are compatible with the existing fabric. Understanding the impact of previous changes to the structure can help identify opportunities for change in the future.

It is also important to monitor and repair any structural problems before they result in failure. In traditionally constructed buildings, some movement is natural and can often be accommodated without difficulty. Sometimes, however, movement and settlement over time can cause structural problems. Other factors such as damp and rot can also affect structural integrity. Structural defects in historic buildings may be the result of age, the method of construction and past use. Alterations that have taken place over a building's lifetime, such as the removal of structural elements, may have caused harm.

3.2 Understanding Condition

Even before you begin to think about making changes, it is a good idea to understand what condition your listed building is in. A recent general report on its condition may be available from your local planning authority, but owners should consider commissioning their own more detailed survey from a specialist building adviser when considering works.

3.3 Understanding Performance

Buildings of traditional construction (irrespective of their architectural quality) use solid wall construction and porous materials. Stone, brick, timber and earth combined with lime-based mortars, limewash or render allow buildings to 'breathe' — this means that moisture can be absorbed and evaporated. In Wales, all of these materials were used in traditional buildings but their specific combination and the methods of construction varied with time, place and function. In general, buildings constructed before 1919 use traditional construction methods.

By contrast, modern construction methods (post-1919) use strong impervious materials, such as cement and concrete, which are designed to keep moisture out. Repairs or other interventions to buildings constructed using modern methods need to respect these characteristics, but if you use modern materials with traditional construction methods you may damage your building by trapping moisture and reducing permeability. Whatever the type of construction, changes to buildings need to respect their performance characteristics if they are to avoid harm.

4. Managing Change

It is a good idea to understand the significance of your listed building and take advice from a qualified and competent expert before you consider making changes to it.

An understanding of the fabric of the building, the historical evidence it presents, and its structural and performance characteristics can help to guide your decisions about change and inform your heritage impact assessment.¹¹

Cadw's *Conservation Principles*¹² are based on the premise that change is an inevitable part of the sustainable management of historic buildings. Changes involve many types of activity, ranging from routine maintenance on the one hand to new work or alteration on the other.

4.1 Maintenance

Appropriate and planned routine management and maintenance are the foundations of good conservation. Maintenance simply involves regular inspections to check the condition of your building and its surroundings, and making timely repairs if faults are found. It is probably the most important action that you can take to protect your listed building. By spotting minor problems early, you can prevent serious damage and the need for expensive repairs later on. For further information about maintenance, see [Maintenance Matters!](#)¹³

Responsibility for addressing the condition of any building rests with its owner and listing does not impose any additional obligation to maintain the building to a prescribed standard. However, legislation provides for the local planning authority to intervene with statutory notices to improve the condition of the land, or the listed building where it is considered appropriate.¹⁴

You should not normally need listed building consent for appropriate routine maintenance, but it is best to check with your local planning authority to be sure.

4.2 Repair

Repairs should be the minimum necessary to stabilise and conserve the building both for its long-term survival and to meet the needs of continuing use. Before you contemplate any repairs, it is important to establish the source of the problem so that you do not simply treat the symptom. There may be more than one contributing factor that is not obvious at first sight, such as water ingress or structural failure.

¹¹ *Heritage Impact Assessment in Wales*, Welsh Government, Cadw, forthcoming

¹² [Conservation Principles for the Sustainable Management of the Historic Environment in Wales](#), Cadw, Welsh Assembly Government, 2011

¹³ [Maintenance Matters!](http://cadw.gov.wales/historicenvironment/help-advice-and-grants/lookingafteryourproperty/maintenancematters/?lang=en) <http://cadw.gov.wales/historicenvironment/help-advice-and-grants/lookingafteryourproperty/maintenancematters/?lang=en>

¹⁴ [The Town and Country Planning Act, 1990, section 215](#); [Planning \(Listed Buildings and Conservation Areas\) Act 1990, section 48, repairs notices](#); [Planning \(Listed Buildings and Conservation Areas\) Act 1990, section 54, urgent works](#); [Historic Environment \(Wales\) Act 2016, section 30, urgent works: extension of scope and recovery of costs](#)

Seeking advice from a qualified and competent expert is highly recommended. This not only helps to avoid traps for the unwary, but also removes the risk of repeating an earlier mistake which may be inappropriate, cause harm to the building and possibly result in you incurring additional expense.

Repairs should usually be low key to reinstate and strengthen the structure where necessary. The use of materials or techniques that closely match those being repaired will generally be appropriate. It is important to match both the appearance and physical properties of the original work so that they react and perform in the same way over time. In some circumstances, modern materials may offer the best conservation solution; for example, if their use means that more of the historic fabric can be retained or if original materials have failed.

Your repairs should avoid the need for intensive maintenance which is likely to be difficult to sustain.

You do not normally need listed building consent for like-for-like repairs, but it is worth getting advice first because the criteria for like-for-like repair can be quite exacting. For example, stone or slate may have come from a quarry that no longer exists; finding the nearest match may not be like-for-like.

You will normally need listed building consent for repairs that do not match the existing historic fabric exactly, or which require the extensive removal of historic material. If in doubt, consult your local planning authority conservation officer.

4.3 Periodic Renewal

You may find that more extensive renewal activity (such as reroofing or rerendering) is sometimes necessary to keep a building in use. Renewal of any building element should be visually and physically compatible with the existing fabric to retain the architectural character of the building and to respect its traditional performance.

Recording may be necessary during renewal work both to compensate for the loss of original fabric and to take the opportunity to find out more about the building and its historical development. For example, the rerendering of a wall may reveal significant evidence of earlier phases of the building's history, or the replacement of a roof covering may reveal how it was originally laid.

You will normally need listed building consent for renewal works.

4.4 Restoration and Reconstruction

The restoration or reconstruction of lost, destroyed or superseded elements of a building will only be justified if it enhances the building, improves its viability and is based on authentic and compelling evidence. You should avoid speculative reconstruction and the reinstatement of features that were deliberately superseded by later historical additions, or which were lost as a result of a significant historical event. On the other hand, proposals to restore the damage arising from casual neglect and decay, abandonment and crude adaptation would normally be encouraged.

Small-scale work to reinstate missing detail may be justifiable where it is based on good evidence.

You will normally need listed building consent for restoration or reconstruction.

4.5 New Work or Alteration

New work or alteration may sometimes be appropriate to keep a historic building in long-term viable use or to give it a new lease of life. You must be able to justify the need for the work and provide sufficient information to explain the impact of your proposal on the significance of the building. The quality of design and execution should enhance the aesthetic value of the building and its setting, and additions should not dominate. Any new work should also respect the performance characteristics of the building. The choice of appropriate materials and craftsmanship is crucial. The need for quality in new work applies at every level, from small interventions in a historic room to major new buildings or developments.

You may need listed building consent for even relatively minor new work (such as the introduction of secondary glazing).

4.6 Demolition

You should consider the total demolition of a listed building only in exceptional circumstances and as a last resort. The factors to consider include the condition of the building, the cost of repair and maintenance relative to its significance and the value that could be derived from continued use, balanced against the merits of alternative proposals for the site. Efforts should be made to keep the building in use including, for example, the offer of the unrestricted freehold for sale at a fair market price. The preservation of facades alone, or the gutting and reconstruction of interiors is not normally an acceptable basis for reuse. You should consider reusing the entire listed building to meet your needs rather than assuming that you can start afresh with a cleared site.

You will need listed building consent for demolition. Listed building consent will not normally be granted simply because redevelopment is economically more attractive than repair or reuse.

4.7 Change of Use

Sometimes, buildings cease to be useful for their original purpose and new uses may be necessary to secure their long-term viability. This is particularly true of redundant farm buildings, industrial buildings, places of worship or large houses, for example. Change of use will almost invariably result in loss of historical form, fabric or detail, such as internal fittings, but these losses should be kept to the minimum necessary so that the original use can still be legible. The benefit of the proposed change must be balanced against any harm to the asset. In some circumstances, a change of use may present an opportunity to enhance the heritage value of the building — for example, by strengthening its communal value through greater accessibility.

You may need listed building consent for changes of use that involve alterations to the building.

4.8 Energy-efficiency Measures

There is growing recognition of the need to improve the thermal efficiency of buildings and to mitigate the adverse impact of climate change in line with Part L of the Building Regulations.¹⁵ Where these measures are undertaken correctly, there is a real opportunity to have a positive effect on the building.

Historic buildings can benefit from well-informed energy-efficiency measures, but measures designed for modern buildings will not necessarily be appropriate for traditional buildings, which perform in a very different way. The use of standard materials and methods risks damage to the fabric of historic buildings, as well as to the health of their occupants.

As with other interventions, understanding the building is the critical first step. This allows the thermal performance of the building to be analysed so that appropriate energy-efficient measures can be identified and designed to minimise the risk of harm. There may be some scope to upgrade the fabric through interventions that are sympathetic both to the appearance and the performance of traditional buildings, but there may also be simple, low-impact measures that you could undertake — for example upgrading heating systems, repairing windows, reusing shutters, draught proofing, or even using heavy curtains. This is a complex area and you are advised to seek advice before considering any retrofit measures that would affect historic fabric.

There may also be some scope to introduce micro-generation measures.¹⁶

You may need listed building consent for energy-efficiency measures.

4.9 Accessibility

Historic buildings should be accessible to everyone as far as possible — especially those that provide services for the public. In some buildings, however, features that are essential parts of the character of the building may present physical barriers to access, for example, the low doorways of a cottage or the grand stairs of a mansion. The strong architectural character of some buildings may also constrain the options for improvement. But, by being prepared to explore imaginative and innovative approaches, you can almost always achieve access without compromising a building's special interest.¹⁷

You will need listed building consent for alterations to improve access. In some circumstances, you may also need listed building consent for temporary improvements.

¹⁵ [Building Regulations, Part L \(Conservation of Fuel and Power\)](#)

¹⁶ [Renewable Energy and your Historic Building. Installing Micro-Generation Systems: A Guide to Best Practice](#), Cadw, Welsh Assembly Government, 2010

¹⁷ [Overcoming the Barriers: Providing Physical Access to Historic Buildings](#), Cadw: Welsh Historic Monuments, 2002

4.10 Cleaning

External cleaning of buildings with water and brushes does not require listed building consent. Care should be taken, however, not to damage the walls through water saturation.

Other methods of cleaning stone or brickwork may be appropriate but these too can have a marked effect on the character of the building. Cleaning will only be appropriate if it is both necessary and worthwhile, for example, to remove corrosive dirt or to bring about a major improvement in appearance. The cleaning of stone, brick or terracotta should be carried out only by specialist firms and under close supervision. Surfaces can be badly damaged and detail lost through crude techniques. Areas of the building not being cleaned should be protected.

You may need listed building consent for cleaning.

4.11 Documenting and Recording

It is important to document and learn from the decisions that are taken when changes are made to a listed building.

When part or even all of a historic building is to be lost or altered, it is good practice to take the opportunity to record, investigate and analyse the features of the building that are to be removed or altered. It is also good practice to record features revealed during the course of any work.

The information gathered in understanding and assessing the significance of a historic building should be retained and a copy put in the local historic environment record and the National Monuments Record of Wales which is the national archive for Wales maintained by the RCAHMW.

5. The Listed Building Consent Process

5.1 What is Listed Building Consent?

By law, you must obtain listed building consent for any alteration or extension that affects the character of your listed building as one of special architectural or historic interest. You must also obtain listed building consent for the demolition of a listed building.¹⁸

This requirement applies to all parts of the listed building, both outside and inside, as well as any objects and structures fixed to it, regardless of grade or whether the feature is mentioned in the list description. Fixtures may include, for example, wall panelling or fireplaces, which are clearly part of the building. Free-standing objects such as statues may also be fixtures if they were put in place as part of the overall architectural design. Each case should be treated on the basis of its own facts and is best discussed with the local planning authority when work is being planned.

¹⁸ [Planning \(Listed Buildings and Conservation Areas\) Act 1990](#), sections [7](#) and [8](#)

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You may also need listed building consent for changes to associated structures, which are not listed in their own right but lie within the curtilage of the principal listed building.

Curtilage structures are ancillary or subordinate to the listed building. They form part of the attached land and have done so since before 1 July 1948. By law, such curtilage structures are considered to be part of the listed building. Examples of curtilage structures include boundary walls and outbuildings.

The significance and value of curtilage structures will vary according to the nature of their relationship to the principal building, their integrity and intrinsic merit.

It is important to determine:

- whether a structure does fall within the curtilage of a listed building
- the significance of the structure in its relationship to the listed building
- the impact that changes to the curtilage structure may have on the principal building.

Your local planning authority will be able to advise whether structures fall within the curtilage of a listed building, but, ultimately, it may be a matter for the courts to decide. Each case needs to be treated on the basis of its own facts but the main issues to consider are:

- the physical layout of the principal listed building and the other structures
- whether the structures were built before 1948
- the ownership of the listed building and the other structures now and at the time of listing
- the use and function of the structures and how they relate to the listed building now and in the past.

Certain repair work to listed buildings and all renewal, new work and alteration, restoration and demolition will require consent. It is always a good idea to check with the local planning authority whether listed building consent is required.

It is a criminal offence to carry out such works without receiving listed building consent before you begin any work.

Listed building consent applications are made to local planning authorities. Local planning authorities must have special regard to the desirability of preserving the building, or its setting,¹⁹ or any features of special architectural or historic interest which it possesses.²⁰ Applications will be considered on their merits with a presumption in favour of the preservation of listed buildings and their settings.

¹⁹ *Technical Advice Note 24: The Historic Environment*, paras 1.20-1.27; *The Setting of Historic Assets in Wales*, Welsh Government, Cadw, forthcoming

²⁰ [Planning \(Listed Buildings and Conservation Areas\) Act 1990, section 16](#)

According to Cadw's *Conservation Principles*,²¹ public authorities are expected to make decisions about changes by applying expertise, experience and judgement in a consistent and transparent process, guided by law and policy. They should undertake sufficient assessment and public engagement to inform and justify the decisions that they make. Public authorities are expected to give due importance to the heritage values of a site when considering the suitability of proposals submitted to them.

If you own or manage a number of listed buildings, it may be possible to establish a heritage partnership agreement (HPA)²² to put in place a plan for medium- to long-term management of one or more designated historic assets so that repeated consent applications are not required.

5.2 Getting Professional Advice

It is a good idea to get appropriate advice when preparing your proposals for change. Due to the specialist nature of works to listed buildings, a qualified architect or surveyor, who has experience in historic buildings work in Wales, should be engaged from the outset. A conservation accredited professional will have appropriate knowledge and be able to offer you guidance on all of the above issues.

Similarly, anyone carrying out work on historic buildings should have the appropriate specialist craft skills to undertake the work. Work on historic buildings plays an important role in the development and maintenance of valuable specialist craft skills.

5.3 Getting Pre-application Advice

Before submitting an application for listed building consent, it is a good idea to seek advice from the local planning authority. This should steer you in the right direction and avoid surprises later in the process.²³

Where the proposed changes are likely to have a major impact on the significance of the building, Cadw can be involved in pre-application meetings alongside the local planning authority. Cadw will be able to discuss the general policies and principles against which your proposals should be considered, and can also provide advice on the significance of the listed building. Cadw is not able to discuss the merits of particular cases once an application has been submitted.

5.4 Is Planning Permission Needed?

You may also need planning permission and building regulation approval for some works to listed buildings. Listed building consent is additional to and separate from planning permission. The granting of planning permission will not mean that listed building consent will necessarily be granted. If other permissions are required, you should make the applications concurrently.

²¹ [Conservation Principles for the Sustainable Management of the Historic Environment in Wales, Cadw, Welsh Assembly Government, 2011](#)

²² [Historic Environment \(Wales\) Act 2016, section 28](#), heritage partnership agreements; *Managing Heritage Partnership Agreements*, Welsh Government, Cadw, forthcoming

²³ [Realising the Potential of Pre-application Discussions, Welsh Government Practice Guide, May 2012](#)

5.5 Submitting your Application

Your application must be complete and well documented so that it can be considered in an effective and timely way by the local planning authority. You should make your application on the form provided on each local planning authority's website or the Welsh Government's 1APP online form.²⁴ Your application must be accompanied by a certificate identifying you as owner, or as having served notice on the owner.

You should provide the local planning authority with sufficient information — but no more than is necessary — to allow the assessment of the likely impact of the proposals on the special architectural and/or historic interest of the listed building and on its setting. You will need to conduct a heritage impact assessment and justify your proposals in a heritage impact statement.

Your heritage impact statement should explain the proposed work, with reference to any accompanying photographs, plans and drawings, and what you intend to achieve — this is your justification for your proposals. You should describe the significance of the affected part of your listed building and assess the impact of the proposed work. You will need to show how and why the preferred design for the alterations or extensions was chosen, including any mitigation measures. If your proposed work affects the access arrangements, you will also need to include an access statement. The assessment should be proportionate to the proposals and their likely impact; for example, a major restoration scheme will need more detailed consideration than minor repairs to existing windows. There is more information about heritage impact statements in *Heritage Impact Assessment in Wales*.²⁵

If any nature conservation interests or European protected species are likely to be affected by the proposals, then you must include with your application the results of any ecological survey and recommendations for mitigation which might affect the fabric of the listed building.

If you are making an application to demolish a listed building, you will have to document how you have made all reasonable efforts to sustain existing uses or find viable new uses, and why these have failed. This is in addition to the information required by the checklist below. You can also present arguments about how redevelopment would produce substantial community benefits that would outweigh the loss of the listed building.²⁶

Always check with your local planning authority to establish whether it requires additional information, for example, a schedule of works, a structural report or a historical assessment.

²⁴ [The Standard Application Form \(1APP form\)](#)

²⁵ *Heritage Impact Assessment in Wales*, Welsh Government, Cadw, forthcoming

²⁶ *Technical Advice Note 24: The Historic Environment*, para 5.15

Listed Building Consent Application: Checklist of Supporting Documents

<i>Item</i>	<i>Content and scale</i>
Heritage Impact Statement	Your heritage impact statement should summarise the proposed work and the significance of the fabric it would affect. It should consider whether the proposals would damage the fabric and whether there are other ways of achieving the objectives. The assessment should be proportionate to the proposals and their likely impact.
Access Statement	An access statement will only be necessary if your proposed work affects the access arrangements to, or within, your listed building.
Location Map	At scale 1:1,250 or 1:2,500. Buildings to be affected should be outlined in red and 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.
Elevations and 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 scale 1:2 or 1:1.
Photographs	Dated photographs 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 shopfronts and signage. The wider setting of the listed building should be shown on more distant photographs.
Ecology	A statement must be included on what ecological constraints were considered. Ecological survey results and recommendations should be attached to the application.

5.6 What Happens Next?

Validation Once a local planning authority has received your listed building consent application, it will validate its contents against the checklist above. If the application is complete, the authority will write to let you know that your application will be determined and offer you a right of appeal if you have not received a decision within **8 weeks**. If the application is incomplete, you may be asked for additional information, but a local planning authority can refuse an inadequate application.

Advertisement The local planning authority must advertise listed building consent proposals in a local newspaper and on, or near, the site. These notices offer a **21 day** period for interested parties to make representations, which must be taken into account in the determination process. Applications affecting only the interior of a grade II listed building do not need to be advertised, nor do applications to vary or discharge conditions attached to such a listed building consent.

Consultation In the case of applications for total or partial demolition, the local planning authority must consult with the relevant national amenity society,²⁷ giving them **21 days** in which to offer their advice. These amenity societies have specialist knowledge of particular periods and building types, and their advice is expected to carry weight in the determination process. Local planning authorities can choose which society to consult, based on the date of the building to be affected.

²⁷The amenity societies are listed in Contacts

5.7 Conditions

If listed building consent is granted, conditions may be attached. You will need to read them carefully and make sure that you can comply with the conditions before starting work. You should give your builder or contractor a copy of the consent, and any other approvals, before work starts or before anyone tenders for a contract. It is a criminal offence not to comply with any conditions attached to a listed building consent.

Conditions might include a requirement for additional specified details, or the submission of a conservation method statement for specific works, or the protection of historic fabric. If the local planning authority considers that an essential part of the character or a substantial part of the historic fabric of the building will be lost, a condition requiring recording before you begin work will be part of your listed building consent. Details of what recording is required will be provided after you receive your decision notice.

You may also need to notify the RCAHMW before you can start work. By law, you must give the RCAHMW one month's notice of works of demolition or substantial alteration and allow its staff reasonable access to the building so that they may, if necessary, make a record of the building before work begins.

5.8 Notification

If the local planning authority proposes to grant listed building consent, in some cases, it must first notify Cadw of the application.²⁸ Cadw has **28 days** from receipt of the application in which to decide either to recommend that the Welsh Ministers call in and determine the application, or to allow the local planning authority to determine the application itself. If no such decision is taken within 28 days, the time frame may be extended.²⁹ If the planning authority decides to refuse consent, it does not need to notify Cadw.

Applications considered for 'call in' are those which raise issues of exceptional significance or controversy, which would warrant determination by the Welsh Ministers. In most circumstances, pre-application discussion between you, your local planning authority and Cadw is likely to avert the possibility of 'call in'.

A called-in application will normally be determined by an independent inspector of The Planning Inspectorate who is appointed for that purpose. The inspector will consider all the relevant facts and consider objections to the application before making a decision.

²⁸ Delegation — The Welsh Government has delegated responsibility to some local planning authorities for determining listed building consent applications for works to grade II listed buildings (other than demolition) without notifying Cadw. Your local authority will be able to confirm whether it has delegated authority. [Planning \(Listed Buildings and Conservation Areas Act\) 1990, sections 12, 13 and 14](#)

²⁹ *Planning Policy Wales*: Chapter 6 — The Historic Environment, para. 6.5.17

5.9 How to Appeal

You have a right of appeal to the Welsh Ministers (in practice, The Planning Inspectorate) where a local planning authority:

- refuses consent for works to a listed building
- issues listed building consent subject to conditions
- refuses an application to vary or discharge conditions attached to a listed building consent
- does not decide your application within 8 weeks, or a different period that has been agreed between you and the local planning authority
- serves a listed building enforcement notice.

You must normally appeal within six months of the local planning authority's decision, or lack of it.

5.10 During the Work

Features of interest such as fireplaces, panelling and even wall paintings are sometimes discovered during the course of alterations, especially in older or larger buildings. If you find any features like these, you should ask your local planning authority for advice. If there is any likelihood that hidden features will be revealed, the local planning authority may attach a condition to the listed building consent which requires their retention or proper recording.

5.11 Unauthorised Works

It is a criminal offence to carry out work to a listed building which affects its character as a building of special architectural or historic interest without listed building consent.³⁰ Works likely to affect the character of a listed building are outlined in section 4 (Managing Change). It is also an offence not to comply with any conditions of a listed building consent.

When faced with a breach of listed building control, local planning authorities will consider whether to take enforcement action or to prosecute, or both.³¹ Although enforcement may be a sufficient response to the offence and benefit the building, unauthorised work often destroys historic fabric, the special interest of which cannot be regained by enforcement.

In exceptional circumstances, applications can be made to retain unauthorised works. To assess an application, local planning authorities will follow the same procedures described for listed building consent and they will consider the merits of the case against the same tests. If consent is granted, it is not retrospective; the works are authorised only from the date of the consent. If consent is not approved, enforcement might follow to put right any damage or remove the works. In some cases, prosecution might be initiated.³²

³⁰ [Planning \(Listed Buildings and Conservation Areas\) Act 1990, section 59](#)

³¹ [Planning \(Listed Buildings and Conservation Areas\) Act 1990, section 38](#), building enforcement notice; [Historic Environment \(Wales\) Act 2016, section 29](#), temporary stop notices

³² [Planning \(Listed Buildings and Conservation Areas\) Act 1990, section 38](#)

Further Information

Legislation, Planning Policy and Guidance

[Planning \(Listed Buildings and Conservation Areas\) Act 1990](#)

[Historic Environment \(Wales\) Act 2016](#)

[Planning Policy Wales](#)

Planning Policy Wales: Chapter 6 — The Historic Environment

Technical Advice Note 24: The Historic Environment

[Technical Advice Note 12: Design](#)

Best-practice Guidance

[Conservation Principles for the Sustainable Management of the Historic Environment in Wales, Cadw, Welsh Government, 2011](#)

Setting of Historic Assets in Wales, Welsh Government, Cadw, forthcoming

Heritage Impact Assessment in Wales, Welsh Government, Cadw, forthcoming

Managing Heritage Partnership Agreements in Wales, Welsh Government, Cadw, forthcoming

[Realising the Potential of Pre-application Discussions, Welsh Government Practice Guide, May 2012](#)

Understanding Listing, Welsh Government, Cadw, forthcoming

Maintenance and Conservation

[BS7913 Guide to the Conservation of Historic Buildings](#)

Institute of Historic Building Conservation <http://www.ihbc.org.uk/>

[Maintenance Matters!](#)

Historical Information

Archives Wales www.archiveswales.org.uk — An online catalogue that allows you to search information in more than 7,000 collections of historical records in the holdings of the 21 archives in Wales.

Archwilio www.archwilio.org.uk — public access to the historic environment records maintained by the Welsh archaeological trusts.

Coflein www.coflein.gov.uk — the online index for the National Monuments Record of Wales, the national collection of information about the historic environment of Wales.

[Cof Cymru](#) — Cadw's online record of the national historic assets of Wales, which includes listed buildings, scheduled monuments, protected wrecks, World Heritage Sites and registered historic landscapes.³³

Historic Wales portal www.historicwales.gov.uk

The National Library of Wales www.llgc.org.uk

Sourcing Appropriate Materials

There are a wide variety of suppliers of many different types of material for traditional construction, for example: lime for mortars; hair for plasters and clay roofing tiles. Details can be found in specialist directories such as *The Building Conservation Directory*.

³³ Registered historic parks and gardens will be added to Cof Cymru during 2017

DRAFT Managing Change to Listed Buildings in Wales

Your local authority conservation officer may be able to help in sourcing a material that is particular to the area, such as a type of brick that was produced locally, or a particular type of stone.

Contacts

Welsh Government

Historic Environment Service (Cadw)

Plas Carew, Unit 5/7 Cefn Coed, Parc Nantgarw, Cardiff CF15 7QQ

Tel. 01443 336000

cadw@wales.gsi.gov.uk

gov.wales/cadw

Royal Commission on the Ancient and Historical Monuments of Wales

Ffordd Penglais, Aberystwyth, Ceredigion SY23 3BU

Tel. 01970 621200

nmr.wales@rcahmw.gov.uk

www.rcahmw.gov.uk

National Monuments Record of Wales

nmr.wales@rcahmw.gov.uk

The Planning Inspectorate

Crown Buildings, Cathays Park, Cardiff, CF10 3NQ

Tel. 029 2082 3866

wales@pins.gsi.gov.uk

www.planninginspectorate.wales.gov.uk

Local Planning Authorities

Local planning authorities' conservation officers can be contacted via the relevant local authority website.

Amenity Societies

National Amenity Society	Date Range	Specific Interests
Council for British Archaeology (CBA) http://new.archaeologyuk.org/	All periods	Impacts on fabric and archaeological remains
Ancient Monuments Society http://ancientmonumentsociety.org.uk/	All periods	Churches
Society for the Protection of Ancient Buildings (SPAB) www.spab.org.uk/	Pre-1700	
Georgian Group www.georgiangroup.org.uk	1700–1840	
Victorian Society www.victoriansociety.org.uk	1840–1914	
Twentieth Century Society www.c20society.org.uk	1914 onwards	

Welsh Archaeological Trusts

Clwyd-Powys Archaeological Trust
41 Broad Street, Welshpool SY21 7RR
Tel. 01938 553670
trust@cpat.org.uk
www.cpat.org.uk

Dyfed Archaeological Trust
Corner House, 6 Carmarthen Street, Llandeilo SA19 6AE
Tel. 01558 823121
info@dyfedarchaeology.org.uk
www.dyfedarchaeology.org.uk

Glamorgan-Gwent Archaeological Trust
Heathfield House, Heathfield, Swansea SA1 6EL
Tel. 01792 655208
enquiries@ggat.org.uk
www.ggat.org.uk

Gwynedd Archaeological Trust
Craig Beuno, Garth Road, Bangor LL57 2RT
Tel. 01248 352535
gat@heneb.co.uk
www.heneb.co.uk