



Welsh Government

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

Annex 5

Draft

Managing Lists of Historic Assets of Special Local Interest 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This draft document has been published as part of a twelve-week consultation on proposals for secondary legislation and draft guidance documents that complement the Historic Environment (Wales) Act 2016.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 The consultation document, the response form and all of the associated draft guidance documents are available from the Welsh Government's consultation web pages (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

DRAFT

**Managing Lists of Historic
Assets of Special Local
Interest in Wales**

Managing Lists of Historic Assets of Special Local Interest in Wales

Statement of Purpose

Managing Lists of Historic Assets of Special Local Interest in Wales supplements *Planning Policy Wales — Chapter 6: The Historic Environment*¹ and *Technical Advice Note 24: The Historic Environment*.²

It sets out general principles and good practice for preparing and managing lists of local historic assets — including criteria, nomination, consultation, validation, appeals and monitoring — and provides guidance on their use in the planning system.

This guidance is aimed primarily at local planning authorities, but also at third sector organisations to encourage both sectors to work together to protect and enhance historic assets of special local interest and inspire people to care about their local heritage.

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

² *Technical Advice Note 24: The Historic Environment*

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Fast Facts

- Lists of historic assets of special local interest can help local planning authorities to protect locally important historic assets and conserve or enhance local character.
- Lists of historic assets of special local interest can complement historic assets identified as nationally important.
- Lists of historic assets of special local interest can recognise and celebrate local distinctiveness.
- Lists of historic assets of special local interest can empower communities to decide which local historic assets are important to protect.
- Lists of historic assets of special local interest can inspire people to value and care about their heritage.

Introduction

The historic environment is a vital part of our shared cultural heritage. It shapes our sense of place and identity, and contributes to our well-being and quality of life. Some elements of the historic environment have been identified as nationally important — our scheduled monuments, listed buildings, conservation areas and registered historic parks and gardens. But alongside these nationally recognised assets, there is a valued local heritage which is often cherished by the community and contributes to character, but has no formal recognition or protection.

Local listing provides the information base that enables local planning authorities to recognise local historic assets in the development management process through policies in the local development plan which can be supported by supplementary planning guidance. This allows local planning authorities to manage change so that local historic assets can remain responsive to present-day needs and contribute to the vitality of the area without an adverse impact on their character. Local listing also highlights historic assets of special local interest and provides an opportunity for a community to get involved in their identification and in caring for them appropriately. Together, these benefits will help 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.³

1. What is a List of Historic Assets of Special Local Interest?

Local planning authorities may choose to identify historic assets of special local interest and maintain a list of them. This list will include other, but not necessarily all,

³ [Well-being of Future Generations \(Wales\) Act 2015](#)

local historic assets which are not already designated scheduled monuments, listed buildings or conservation areas, or registered historic parks and gardens. These assets should make an important contribution to local distinctiveness and contribute to public knowledge.⁴ Their selection should be based on sound local evidence and consultation.

Where there is an adopted list of historic assets of special local interest, it must be included in the local historic environment record (HER), which is the primary source of information about the historic environment used for planning decisions and is publicly available.⁵

Historic assets of special local interest need not be limited to buildings, but can include all types of historic asset including parks, gardens and archaeological sites. Together, these elements make up the distinctive historic character of an area. This character is not just the sum of rare and important sites and structures, but also lies in the commonplace or everyday. Listing historic assets of special local interest complements statutory designation.

2. Developing a List of Historic Assets of Special Local Interest

2.1 Setting the Scene: Knowing the Area

Before identifying the selection criteria it may be helpful to prepare an overarching statement of significance which describes the local or regional historic character and what makes it distinctive.⁶ This statement should help the local planning authority to develop specific criteria related directly to local circumstances. The preparation of the statement could be a good opportunity to encourage community involvement. The statement could cover the following themes:

- the origins and growth of the area and significant periods in its history, such as industrial development
- people or events of local note
- patterns of settlement, for example, street patterns, the relationship between buildings and open spaces
- traditions of building, such as locally distinctive materials, techniques and styles
- social history, for example, traditions and religious practices, literary and artistic associations, or historic place names.

⁴ *Planning Policy Wales*: Chapter 6 — The Historic Environment, para. 6.4.8

⁵ [Historic Environment \(Wales\) Act 2016, section 35](#)

⁶ For more information about statements of significance, see [Conservation Principles for the Sustainable Management of the Historic Environment in Wales](#), Cadw, Welsh Assembly Government, 2011

*Managing Historic Character*⁷ explains the significance of a sound evidence base to understand and evaluate local character. Civic Trust Cymru and the Design Commission for Wales have produced toolkits to help identify historic urban character.⁸

2.2 Developing Selection Criteria

To establish a firm foundation for a local list, it is essential to have clear criteria that have been subject to public consultation and formally adopted.

The criteria used for national designation and registration can be readily adapted and extended for local use. Some suggestions for criteria are shown in the accompanying table.

Details of the criteria used for designating listed buildings, scheduled monuments and registered historic parks and gardens are in *Technical Advice Note 24: The Historic Environment*⁹ and may provide a helpful generic framework for developing locally specific criteria. Local planning authority conservation area selection criteria may be helpful too.

Sample criteria suitable for assessing the special local interest of historic assets adapted from national designation and registration criteria	
Criterion	Description
Aesthetic Interest: Architecture and Designed Landscapes	Historic assets of importance to the locality or region for the interest of their design, decoration or craftsmanship, including well-preserved examples of locally representative building types or styles, or locally distinctive techniques of construction or use of materials. Parks, gardens and places of recreation whose design contributes to local character and distinctiveness.
Archaeological Interest	Sites with compelling and identifiable archaeological evidence; monuments of a category of site or period that is regionally or locally characteristic.
Historic Interest	Historic assets of all types which illustrate important aspects of the past life of the region or locality, particularly its social, economic, or cultural history.
Historical Association	Historic assets of all types which have close historical association with people, events or movements important to the region or locality.
Group Value	Historic assets of all types which have a clear visual, design or historical relationship, or which make a positive contribution to the setting of other historic assets, or to the character of a settlement.
Social and Communal Value	Historic assets which have social value as a source of local distinctiveness or social interaction; assets that contribute to local identity or collective memory; assets that have spiritual value, or symbolic significance.
Age	The age of any historic asset of any type is relevant, but certain historical periods, including the more recent, may have particular local significance.
Rarity	Historic assets that provide rare surviving evidence of a particular aspect of the history and development of the locality.

⁷ *Managing Historic Character*, Welsh Government, Cadw, forthcoming

⁸ [Exploring your Town](#), Civic Trust Cymru, 2013; [Shape my Town](#), Design Commission for Wales, 2014

⁹ *Technical Advice Note 24: The Historic Environment*, Annexes A.2, B.2–B.6 and C1

3. Creating and Managing a List of Historic Assets of Special Local Interest

It is good practice for policies in the local development plan to highlight the value of local heritage and state how its protection should be considered in the planning process. To apply these policies successfully, an objective evidence base firmly linked to the local development plan and supporting guidance is necessary and this can take the form of a list of historic assets of special local interest.

3.1 How to Identify Historic Assets of Special Local Interest

Historic assets of special local interest should be identified through systematic survey linked to the local development plan preparation and review process. The survey process should bring together interested stakeholders and encourage community interest and involvement from the outset. Public meetings, exhibitions, web launches and social media can be effective ways of engaging the widest possible audience.

Systematic Survey

Local planning authority areas may include very large numbers of historic assets which would make it impractical to carry out a survey of everything all at once. There are several ways in which local planning authorities can organise surveys to manage the process, for example:

- in **geographical** areas, such as community council areas, or relating surveys to other activity such as conservation area appraisals or a historic characterisation exercise
- by **asset type** as identified in the overarching statement of significance
- by **historical theme** as identified in the overarching statement of significance.

A good starting point for a systematic survey is information that is already available in the local historic environment record, which is maintained by the appropriate regional Welsh archaeological trust, and the National Monuments Record of Wales, which is maintained by the Royal Commission on the Ancient and Historical Monuments of Wales. The Welsh archaeological trusts also have expertise which will be an invaluable resource. The Welsh Government's Historic Environment Service (Cadw) also maintains Cof Cymru — an online record of the national historic assets of Wales.¹⁰

Existing characterisation studies, conservation area appraisals and other surveys may also be helpful. Publications and databases held by community, third sector, government and non-government organisations may also be potential sources of information. During the survey cycle, local planning authorities could invite nominations from the public based on the published criteria.

¹⁰ [Cof Cymru — National Historic Assets of Wales](#)

Site visits are essential to supplement the desk-based research and improve understanding of the physical characteristics and environment.

The ad hoc identification and consideration of sites through the development management process, in response to planning applications or pre-application enquiries, is not an appropriate way to identify historic assets of special local interest.

Working in Partnership

Involving stakeholders in the preparation of a list of historic assets of special local interest captures a breadth of knowledge, experience and opinion, fosters learning and involvement, and encourages a sense of ownership.

A strong partnership between local authorities and the community is well-placed to identify historic assets of special local interest and curate a list that does justice to local heritage. Potentially, town and community councils, local groups, civic and history societies, schools and colleges, and independent volunteers all have a role to play.

Partnerships established to survey local historic assets, according to agreed objectives and criteria, will need coordination and some training may be needed.

Funding

Some financial support for survey activity that involves community participation may be available, for example, from Cadw or the Heritage Lottery Fund. Contact details are in the Contacts section.

3.2 Supporting Evidence

Local lists must be based on accurate and reliable evidence. Recommendations should be supported by information of sufficient detail and accuracy to demonstrate that the selection criteria have been met. A template for the recording of information may be helpful. It could include:

- a statement of significance
- an assessment of the asset against the agreed criteria
- administrative and locational information
- photographs.

The local listing process may sometimes identify historic assets of potential national importance. Cadw is happy to consider requests for national designation and registration on behalf of the Welsh Ministers. Contact details are in the Contacts section.

3.3 Validation

It is the responsibility of the local planning authority to validate sites for inclusion on a list of historic assets of special local interest, but there are different ways in which this might be done:

- validation could be carried out internally by local planning authority conservation staff
- where a conservation advisory panel already exists, it could be used to provide independent assessments of nominations
- a special selection panel could be established, drawing on local history, architecture, archaeology and conservation experts (including from neighbouring planning authorities), members of amenity societies and representatives of the local community.

Nominations should be assessed against the agreed criteria and any deficiencies or errors in supporting information should be identified. Public consultation to test the validity, reliability and credibility of nominations will encourage local commitment both to the process and the list of historic assets of special local interest.

3.4 Notification, Consultation and Review

When the local planning authority is minded to include historic assets on a local list, it should consult with the owners/occupiers and give them an opportunity to put their views forward. If the local planning authority wishes to go ahead and include a historic asset, the owner/occupier should be given the opportunity to ask for a review of the decision. The grounds for the review should be limited to:

- new evidence has come to light that was not available at the time of the assessment which shows that the building or site in question does not meet the locally agreed criteria
- existing valid planning or other permissions are in existence which allow for demolition or alteration.

Where an independent selection panel has been set up, it may be the appropriate body to handle reviews. Alternatively, another local planning authority could be nominated as the review body, or regional conservation officers' forums may be able to undertake this task.

3.5 Adoption and Ratification

Once the nominated historic assets have been validated, the local planning authority should ratify the list to gain public confidence and to secure its place within the planning system. Local authorities have well-established processes for supporting the local development plan; ratification and adoption of a list of historic assets of special local interest should be aligned with them. Once ratified, it is good practice for the local list to be included within supplementary planning guidance.¹¹

3.6 Monitoring and Review

It is important that the list of historic assets of special local interest remains relevant, so a mechanism for ongoing monitoring and review is a good idea.

¹¹ *Technical Advice Note 24: The Historic Environment*, para. 2.4

A review may result in additions to the list, but also in the removal of assets, for example, when an asset has been altered in such a way as to reduce its special local interest.

3.7 Access to Information

It is important that lists of historic assets of special local interest are freely available and accessible. The list must be included in the local historic environment record,¹² which is kept up to date and made accessible to everyone.

Historic assets of special local interest complement nationally designated scheduled monuments, listed buildings and conservation areas, and registered historic parks and gardens. An integrated list that presents a complete picture of all the historic assets in an area may be beneficial for public understanding.

Linking the list of local historic assets to planning geographic information systems (GIS) will also ensure that information on the local list is readily available in the development management process.

Information about historic assets of special local interest should be presented in a standardised format as this will make it easier to use. This could include:

- a brief history and description of the property highlighting features of significance
- the reasons why it has been included on the list
- management objectives.

4. Managing Change to Historic Assets of Special Local Interest

4.1 National Planning Policy

Planning Policy Wales states that local planning authorities may develop and publish lists of historic assets of special local interest which do not already have statutory protection.¹³

Lists of historic assets of special local interest in Wales are not accompanied by any additional consent processes over and above those required for planning permission. The purpose of maintaining a list of historic assets of special local interest is not to prevent change, but to ensure that significance is taken into account in a proportionate way when change is being considered.

If lists of local historic assets are to contribute successfully to the conservation or enhancement of local character their status needs to be clear in the development management process. Changes which fall within the scope of permitted development, such as demolition and the extension and alteration of domestic

¹² [Historic Environment \(Wales\) Act 2016, section 35](#)

¹³ *Planning Policy Wales*: Chapter 6 — The Historic Environment, para. 6.4.8

buildings, can only be managed by introducing a requirement for planning permission through an Article 4 Direction.¹⁴ This can be a useful tool that could, for example, introduce control over the precise details of minor works, the precise location of development, or the protection of certain kinds of locally important features. It does however carry some risk, including increased numbers of applications (for which no fee would be payable), as well as potential compensation claims.

Historic assets of special local interest in conservation areas already benefit from the general control over demolition that is afforded by the Planning (Listed Buildings and Conservation Areas) Act 1990.¹⁵

4.2 Local Development Plans

When 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.¹⁶ Policies included in an adopted local development plan carry considerable weight in the planning process. They draw attention to the value of buildings and sites and can, for example, help reinforce local character and promote high design standards where alteration, extension and change of use come within the scope of the planning process, and where new development would have an impact on a historic asset of special local interest. These policies can also set out a framework in which Article 4 Directions could be introduced.

4.3 Supplementary Planning Guidance

Supplementary planning guidance linked to existing policies about local heritage in the local development plan is a material consideration in the planning process. Supplementary planning guidance provides clarity about these policies and helps to ensure that they are well understood and can be applied effectively.¹⁷

Supplementary planning guidance about historic assets of special local interest should include the list of assets and might also cover:

- the overarching statement of significance
- a statement of significance and management objectives for each historic asset
- the criteria used for the selection of those historic assets
- the procedures for the identification and validation of nominations, consultation, review, and record keeping
- general management objectives
- general design principles for alterations or extensions.

¹⁴ [Town and Country Planning \(General Permitted Development Order\) 1995, Article 4 \(1\)](#); [Town and Country Planning Act 1990, section 108 \(1\)](#)

¹⁵ [Planning \(Listed Buildings and Conservation Areas\) Act 1990, section 74](#)

¹⁶ *Planning Policy Wales*: Chapter 6 — The Historic Environment, para. 6.4.8

¹⁷ *Planning Policy Wales*: Chapter 6 — The Historic Environment, para. 6.5.21; *Technical Advice Note 24: The Historic Environment*, para. 2.4

There may be scope for local authorities to collaborate on the production of supplementary planning guidance for historic assets of special local interest.

A sound and consistent process for local listing, tested through public consultation, will give weight to supplementary planning guidance which aims to protect historic assets of special local interest. It also gives transparency, which is important not least in giving assurance to the owners of historic assets.

4.4 Information and Advice for Owners

A list of historic assets of special local interest is more than a planning policy tool. By drawing attention to the value of local heritage and celebrating local character, local planning authorities can also encourage owners to preserve the special qualities of their buildings and sites.

It is important to explain to owners why their building or site is of special local interest and included on a local list. It is also important to explain the consequences of local listing and that it is not a barrier to change. A set of management objectives can help to explain the implications of local listing and identify objectives for conservation, repair and enhancement.

To help meet these objectives, local planning authorities should offer information and advice to owners and other interested parties on how best to care for historic assets of special local interest. General principles may be included within supplementary planning guidance, but local planning authorities should also consider offering informal advice to owners, including pre-application discussions when planning permission is required for proposed changes.

Owners can also be referred to other sources of information including the Cadw website — especially the section about maintaining your historic property — Maintenance Matters!¹⁸ Cadw's guidance about managing change to listed buildings also contains useful general principles to consider when making changes to a historic building.¹⁹

Owners can also be encouraged to participate in the Open Doors scheme or similar heritage open day schemes, which not only highlight the special local interest of the building or site, but also encourage public engagement with their local heritage.²⁰

A list of useful sources is included in Further Information and Contacts.

¹⁸ [Maintenance Matters!](http://cadw.gov.wales/historicenvironment/help-advice-and-grants/maintenancematters/?lang=en) <http://cadw.gov.wales/historicenvironment/help-advice-and-grants/maintenancematters/?lang=en>

¹⁹ *Managing Change to Listed Buildings*, Welsh Government, Cadw, forthcoming

²⁰ [Open Doors](http://cadw.gov.wales/opendoors/?lang=en) <http://cadw.gov.wales/opendoors/?lang=en>

Further Information

Planning Policy and Guidance

[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 Assembly Government, 2011

Managing Change to Listed Buildings in Wales, Welsh Government, Cadw, forthcoming

Managing Change to Scheduled Monuments in Wales, Welsh Government, Cadw, forthcoming

Managing Change to Registered Historic Parks and Gardens in Wales, Welsh Government, Cadw, forthcoming

Managing Conservation Areas in Wales, Welsh Government, Cadw, forthcoming

Managing Historic Character in Wales, Welsh Government, Cadw, forthcoming

Understanding Listing in Wales, Welsh Government, Cadw, forthcoming

Understanding Scheduling in Wales, Welsh Government, Cadw, forthcoming

Conservation and Characterisation

[Civic Trust Cymru — Exploring your Town Toolkit](#)

[Design Commission for Wales — Shape my Town Toolkit](#)

[Maintenance Matters!](#)

Historical Information

[Archwilio](#) — The historic environment records of the Welsh archaeological trusts.

[Coflein](#) — The online index for the National Monuments Record of Wales (NMRW), the national collection of information about the historic environment of Wales.

[Cof Cymru](#) — Cadw's online record of the national historic assets of Wales.²¹

Historic Wales portal www.historicwales.gov.uk

²¹ Registered historic parks and gardens will be added to Cof Cymru during 2017

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
www.coflein.gov.uk

Local Planning Authorities

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

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

The Heritage Lottery Fund

James William House, 9 Museum Place, Cardiff CF10 3BD

Tel: 029 2034 3413

wales@hlf.org.uk

www.hlf.org.uk

Design Commission for Wales

4th Floor, Cambrian Buildings, Mount Stuart Square, Cardiff CF10 5FL

Tel: 029 2045 1964

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<http://dcfw.org/>

Civic Trust Cymru

1/07 Creative Quarter, Morgan Arcade, Cardiff CF10 1AF

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www.civictrustcymru.org.uk