

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO DEVELOPMENT CONTROL COMMITTEE

REPORT OF THE CORPORATE DIRECTOR – COMMUNITIES

Draft revisions to Planning Policy Wales Chapter 6: The Historic Environment

1. Purpose of Report

- 1.1 To advise Development Control Committee Members of the Council's draft response to the Welsh Government's (WG) consultation on proposed changes to planning policy for the historic environment (Appendix 1) following the DC Committee Member Workshop session held on 23 May 2016.
- 1.2 The draft policy document resulted from informal feedback received by the WG on draft planning policy documents made available to inform the scrutiny of the Historic Environment (Wales) Act 2016. It is intended that the WG will consult on a historic environment Technical Advice Note during Summer 2016.

2. Connection to Corporate Improvement Plan / Other Corporate Priorities

- 2.1 The Historic Environment (Wales) Act 2016 received Royal Assent on 21 March 2016. The Act forms part of a suite of legislation, policy, advice and guidance that makes important improvements to the existing systems for the protection and sustainable management of the Welsh historic environment.
- 2.2 Planning Policy Wales (PPW) provides national planning policy supporting the protection of the historic environment through the planning system. The planning policy contained within Chapter 6 has not substantially changed since the first version of PPW was published in 2002. Changes to the current Chapter 6 of PPW are proposed to ensure:
 - national planning policy fully meets objectives for a well-protected and accessible historic environment that contributes to quality of life and place
 - policy accounts for a suite of recent legislation and guidance that has or is in the process of being prepared for the protection and sustainable management of the Welsh historic environment.
- 2.3 The planning system plays a significant role in the protection and conservation of the historic environment while helping it accommodate and remain responsive to present-day needs. Chapter 6 of PPW sets out our national planning policy in relation to this role.
- 2.4 The delivery of the County Borough's statutory planning function has links to the Council's corporate priorities in particular number 1 – supporting a successful economy.

3. Background

- 3.1 Revisions to Chapter 6 of PPW are needed in order to reflect the Welsh Government's objectives for a well-protected and accessible historic environment

that contributes to quality of life and place. In particular the Chapter needs to take account of Cadw's *Conservation Principles* for the sustainable management of the historic environment, which were published in 2011 including an updated statement of purpose with a strong focus on the sustainable management of the historic environment. The revised chapter reflects how the historic environment contributes to the Welsh Government's seven well-being goals for a sustainable Wales as set out in the Well-being of Future Generations (Wales) Act 2015.

- 3.2 Protection and enhancement of historic assets is central to this, achieved through the positive management of change based on a full understanding of the nature and significance of historic assets, as well as recognition of the benefits that they can deliver and the role they play in a vibrant culture and economy.

4. Current Situation

- 4.1 The Local Planning Authority and Building Conservation Officers currently refer to advice contained with Chapter 6 of Planning Policy Wales (8th Edition – January 2016) and Welsh Office Circular 61/96: Planning and the Historic Environment: Historic Buildings and Conservation Areas.

5. Next Steps

- 5.1 The response to the WG's proposed revisions to Planning Policy Wales Chapter 6: The Historic Environment will be formally submitted to the WG before the deadline of 13 June 2016 under delegated powers.
- 5.2 The WG intends to publish a summary of the responses to this document and the Chapter will be revised to meet the needs of a modern and accountable system for considering how the historic environment is managed through the planning system

6. Effect upon Policy Framework & Procedure Rules

- 6.1 It is intended that Chapter 6 of PPW will be updated and used as guidance by all LPAs in Wales.

7. Equality Impact Assessment.

- 7.1 An Equality Impact Assessment Screening has been undertaken and the proposed recommendations are unlikely to have an impact on equality issues.

8. Financial Implications

- 8.1 None.

9. Recommendation

- (1) That Members note the content of this report and the LPA's draft response to the WGs consultation (Appendix 1).

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Contact Officer

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Background documents

Appendix 1: BCBCs Draft Consultation Response to the WG's proposed revisions to Planning Policy Wales Chapter 6: The Historic Environment

CONSULTATION FORM

Draft revisions to Planning Policy Wales Chapter 6: The Historic Environment

We want to know your views on the proposed changes to the Welsh Government's planning policy on the historic environment.

Please submit your comments by 13 June 2016

If you have any queries on this consultation, please email:
planconsultations-j@wales.gsi.gov.uk or telephone: 029 2082 3524

Data Protection

Any response you send us will be seen in full by Welsh Government staff dealing with the issues which this consultation is about. It may also be seen by other Welsh Government staff to help them plan future consultations.

The Welsh Government intends to publish a summary of the responses to this document. We may also publish responses in full. Normally, the name and address (or part of the address) of the person or organisation who sent the response are published with the response. This helps to show that the consultation was carried out properly. If you do not want your name or address published, please tick the box below. We will then blank them out.

Names or addresses we blank out might still get published later, though we do not think this would happen very often. The Freedom of Information Act 2000 and the Environmental Information Regulations 2004 allow the public to ask to see information held by many public bodies, including the Welsh Government. This includes information which has not been published. However, the law also allows us to withhold information in some circumstances. If anyone asks to see information we have withheld, we will have to decide whether to release it or not. If someone has asked for their name and address not to be published, that is an important fact we would take into account. However, there might sometimes be important reasons why we would have to reveal someone's name and address, even though they have asked for them not to be published. We would get in touch with the person and ask their views before we finally decided to reveal the information.

Confidentiality

Responses to consultations may be made public on the internet or in a report.

If you do not want your name and address to be shown on any documents we produce please indicate here

If you do not want your response to be shown in any document we produce please indicate here

CONSULTATION FORM

Draft Revisions to Planning Policy Wales Chapter 6: The Historic Environment (Consultation)

| Date | | |
|--|--|-------------------------------------|
| Name | Claire Hamm | |
| Organisation | Bridgend County Borough Council | |
| Address | Civic Offices Angel Street Bridgend | |
| E-mail address | claire.hamm@bridgend.gov.uk | |
| Telephone | 01656 643164 | |
| Type <i>(please select one from the following)</i> | Businesses | <input type="checkbox"/> |
| | Local Planning Authority | <input checked="" type="checkbox"/> |
| | Government Agency/Other Public Sector | <input type="checkbox"/> |
| | Professional Bodies/Interest Groups | <input type="checkbox"/> |
| | Voluntary sector (community groups, volunteers, self help groups, co-operatives, enterprises, religious, not for profit organisations) | <input type="checkbox"/> |
| | Other (other groups not listed above) | <input type="checkbox"/> |

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| Q1 | <p>Do you agree with our objectives for the historic environment? If not, what objectives would you like to see or how would you change the existing objectives?</p> <p>Section 6.2 of draft PPW Chapter 6 refers to our revised objectives for the historic environment.</p> | X |
| Agree | | √ |
| Neither Agree nor Disagree | | |
| Disagree | | |
| Further comments | | |
| <ul style="list-style-type: none"> • The move towards a more flexible approach based on the “sustainable management of change” is welcomed, particularly where the original use of historic buildings is no longer viable e.g. chapels. • The objective to recognize the contribution of the historic environment to economic vitality and quality of life is noted but it should be made clearer what proposals are planned by Welsh Government to communicate this and to what audiences. Will this result in additional resources being allocated to this sector particularly in light of conservation staff resources in local authorities. • In order to preserve and enhance Conservation Areas as far as possible, automatic article 4 Directions would lessen the burden on local authorities to serve individual directions and this is seen as a missed opportunity in the Historic Environment (Wales) Act 2016 and subsequent regulations. It is hoped that the guidance relating to conservation areas is detailed enough, particularly in relation to demolition of buildings is clear and detailed enough to assist local authorities in consistency of decision making. • The impact of renewable energy equipment on the character of historic buildings is often a difficult balance to strike, particularly in the case where the impact cannot be mitigated by careful design and there are very few options available. | | |

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| Q2 | <p>Do you agree that the roles and responsibilities of those involved in the planning process relating to the historic environment are clear and well defined? If not, how would you clarify them?</p> <p>Section 6.3 of draft PPW Chapter 6 provides information on the roles and responsibilities of those involved in the planning process relating to the historic environment.</p> | X |
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| Agree | √ |
| Neither Agree nor Disagree | |
| Disagree | |
| Further comments | |
| <ul style="list-style-type: none"> Local Planning Authorities are required to formulate and publish proposals for the preservation and enhancement of the area and review their areas from time to time. It is clearly a statutory duty but the requirement is vague, will be subject to the Authority's Corporate Priorities and will ultimately be dictated by resources available. More clarity should be provided in the TAN or the Conservation guidance if these actions are going to be considered as a priority by LA's. Difficulties in use of Local Authorities powers when the issue is general lack of maintenance by owners of historic buildings, where the building is generally a visual detractor from the environment rather than being considered "at risk" or in poor condition. The introduction of interest rates and land charges to recover costs is insufficient to encourage some Local Authorities to bear the costs of urgent works as the resource is not available for local authorities to spend. The role of the new Advisory panel is unclear, will there be repetition with Historic Environment Group? Role/responsibilities of the owners / occupiers/developers is omitted which can strongly influence how effective the planning process is in the protection of the historic environment. Is there an overarching role that Welsh Government via Cadw can play in the communication/ awareness raising with owners/developers in light of overstretched conservation Officer resource. | |

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| Q3 | Do you agree that the approach to be taken in the preparation of development plans fully considers the historic environment? If not, how would you suggest that this is overcome? | X |
| | Section 6.4 of draft PPW Chapter 6 refers to consideration of the historic environment in the Local Development Plan process. | |
| | Agree | √ |
| | Neither Agree nor Disagree | |
| | Disagree | |
| Further comments | | |
| <ul style="list-style-type: none"> This response does depend on what stage the Local Development Plan is at and at | | |

what stage these changes / guidance can be built into any review.

- Need to consider the inclusion of the HER in the LDP and also additional training in the use of the HER due to its raised profile for the the day to day development management process
- Inclusion of relevant policies for the preparation of local lists is straightforward. However locally listed buildings have no statutory protection from demolition (unless they are in a conservation area) and are we in danger of raising expectations of the local community?

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| Q4 | Do you agree that the approach to be taken during the Development Management process when determining applications relating to historic environment designations fully considers the historic environment? If not, how could this be improved? | X |
| | Section 6.5 of draft PPW Chapter 6 refers to the approach to be taken during the Development Management process when determining applications relating to historic environment designations. | |
| | Agree | √ |
| | Neither Agree nor Disagree | |
| | Disagree | |
| Further comments | | |
| | <ul style="list-style-type: none"> • Welcome Heritage Impact Assessments and associated guidance to replace Design and Access statements • Exemplar schemes often rely on funding assistance and the understanding and imagination of owners / architects. Is it time that good examples are pooled to provide an invaluable resource for agents / architects – as was discussed for Church and Chapels – Strategic Action Plan for Churches and Chapels. • Concern over the impact of statutory undertakers on Conservation Areas e.g. Installation of broadband cabinets • Minor alterations in a Conservation Area can occur which are not classed as development | |

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| Q5 | Do you agree that it is appropriate to include text on Enabling Development as national planning policy? If not, is this a matter more appropriate to set out within Cadw's guidance on the historic environment? | X |
| | Paragraphs 6.5.27 and 6.5.28 of draft PPW Chapter 6 provide text on the consideration of enabling development during the determination of planning applications. | |
| | Agree | √ |
| | Neither Agree nor Disagree | |
| | Disagree | |
| Further comments | | |
| Could be used in exceptional circumstances and by referencing in National Policy a stronger case can be made where necessary. | | |

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| Q6 | We have asked a number of specific questions. If you have any related issues which we have not addressed, please let us know. | X |
| Further comments | | |
| <ul style="list-style-type: none"> • Planning / Conservation staff resources are already overstretched and concerns are raised over additional expectations on the Authorities e.g. local list. Resources are stretched to the extent that Listed buildings cannot be regularly monitored in terms of condition and Officers are often forced into providing a reactive rather than proactive service. • Buildings at Risk – will any of the changes in chapter 6 (or Historic Environment (Wales) Act 2016 assist local authorities in dealing with those buildings most at risk? They are unlikely to in reality due to resource levels and adversity to risk | | |

How to respond

Please submit your comments by 13 June 2016, in any of the following ways:

| Email | Post |
|---|---|
| <p>Please complete the consultation form and send it to : planconsultations-j@wales.gsi.gov.uk [Please include Planning Policy Wales Chapter 6: The Historic Environment consultation in the subject line]</p> | <p>Please complete the consultation form and send it to: Planning Policy Wales Chapter 6 Consultation Planning Policy Branch Planning Directorate Welsh Government Cathays Park Cardiff CF10 3NQ</p> |

| Additional information |
|---|
| <p>If you have any queries about this consultation, please Email: planconsultations-j@wales.gsi.gov.uk Telephone: 029 2082 3524</p> |