



Listed Buildings in Wales

Listed Building Consent



Llywodraeth Cynulliad Cymru
Welsh Assembly Government



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Cadw is the historic environment division of the Welsh Assembly Government which carries out the statutory responsibilities of the National Assembly for Wales for protecting, conserving, and promoting the historic environment in Wales.

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What is listing?

The National Assembly for Wales is required by law to compile lists of buildings of special architectural or historic interest (see the Cadw leaflet, *The Listing of Buildings in Wales: What is Listing?*). The lists are used to help planning authorities make their decisions with the interests of the built heritage clearly identified.

While listing of a building is not a bar to future change, it places on local planning authorities the requirement to 'have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'.

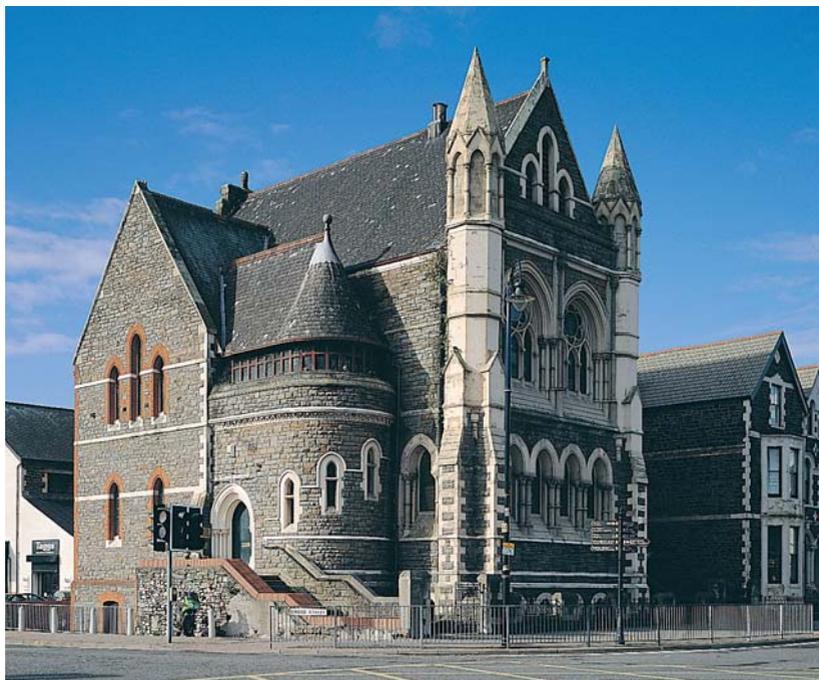
What is listed building consent?

As well as providing a ready reference of buildings of importance, listing provides an added level of protection. This is in a form of a special planning procedure, known as listed building consent. Before a listed building can be altered, extended or demolished, it may be necessary to obtain listed building consent. It is a criminal offence to alter, extend or demolish a listed building in any manner that would affect its character as a building of special architectural or historic interest without listed building consent.

The need for consent applies to works to all parts of the building, interior or exterior; regardless of grade and whether or not the feature is mentioned in the official list description. It may also apply to associated buildings that are within the curtilage of the principal building. Curtilage buildings are ones which form part of the land attached to the listed building and have done so since before 1 July 1948; this will also include boundary walls. Consent is not required for routine repairs or maintenance or work of like-for-like repair.

Who gives listed building consent?

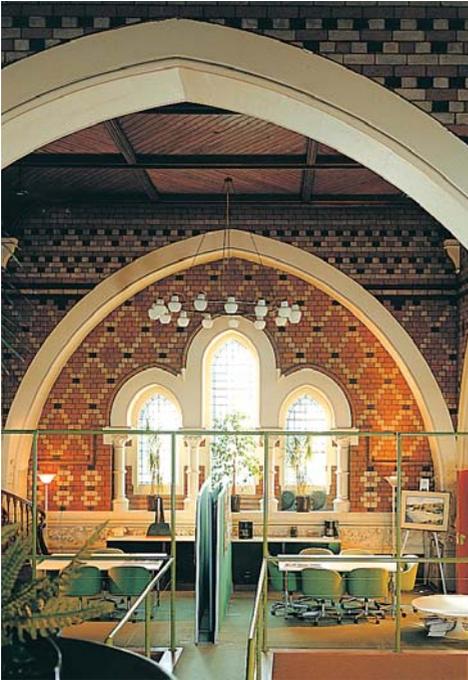
Applications, for which there is no fee, are made to the appropriate local planning authority in whose area the building is situated, and which will provide an application form. The authority will examine the case against national guidelines issued by the Welsh Assembly Government, and in the light of its policies for the protection of the historic environment. In all cases, there will be a presumption in favour of preservation. The application must be publicized, and, in the case of demolition (which may include partial demolition), national amenity bodies notified. In the majority of cases, once the local planning authority has decided to grant consent, the authority must provide the Welsh Assembly Government with the opportunity to 'call in' the application for further consideration. If consent is refused an appeal may be made to the National Assembly.



How do I apply?

Applications should be made on a form provided by the local authority. The need for the works must be justified. A properly documented application should show why works that would affect the character of a listed building are desirable or necessary. It must provide the local planning authority with full information, to enable it to assess the likely impact of the proposals on the building and its setting.

There is no provision for consent to be granted in outline. Where there is uncertainty about the need for consent, it would be advisable to contact the local planning authority before preparing detailed plans to avoid incurring unnecessary costs. In addition, it may be appropriate to consult or employ an architect or surveyor with conservation experience. The Royal Institute of British Architects, for example, will be able to supply lists of suitable architects or practices.



*Far left and left:
The chapel at Pembroke Terrace,
Cardiff, 1877, designed by
Henry C. Harris, was converted
to an architect's office.*

How does this all fit in with a grant of planning permission?

Work involving extensions or change of use, may also need planning permission and building regulation approval. 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, applications should be made concurrently.

What is Cadw's role in the listed building consent process?

Cadw is a division within the Welsh Assembly Government that carries out the Assembly's responsibilities in respect of the historic environment. It has no identity separate from the Assembly and will not take any action that may prejudice any future involvement of the Assembly in the planning process.

When a local authority is disposed to grant listed building consent, it must first notify the Welsh Assembly Government (i.e. Cadw) of the application*. If the planning authority decides to refuse consent, it may do so without any reference to Cadw. The notification process presents the opportunity for calling in the application for decision by the Welsh Assembly Government. Cadw has a period of twenty-eight days from receipt of the application in which to decide either to refer the application back to the local authority for determination or give notice that further time is required in which to consider whether the application should be called in. Cadw generally deals with over 90% of all applications within twenty-eight days.

*** Delegation**

The Assembly Government has delegated responsibility to some authorities for determining listed building consent applications for works to grade II listed buildings (other than demolition) without reference to Cadw. Your local authority will be able to confirm whether it has delegated authority.



Dolgellau is a small Welsh market town boasting one of the highest concentrations of listed buildings anywhere in Wales. The significance of Dolgellau's architectural and historic heritage has been further recognized by conservation area status.



Aberaeron is characterized by its gaily painted houses clustered around the harbour. The town has been designated a conservation area to prevent any unsympathetic developments.

What is ‘calling in’?

A decision to ‘call in’ means that an application will be decided by the Welsh Assembly Government, and not by the local planning authority. It is the policy of the Welsh Assembly Government to be very selective about calling cases in. Applications considered for ‘call-in’ are those which raise issues of exceptional significance or controversy. In some cases, informal discussions between Cadw’s conservation architects, the local planning authority and the applicant can resolve minor difficulties without resort to ‘call-in’.

What happens after ‘call-in’?

There are alternatives: either the applicant, or the local planning authority, may ask that the proposal be examined at a local public inquiry, conducted by an inspector appointed for that purpose; or, an application can be decided on the basis of written representations. An appointed inspector may also be asked to visit the site and to submit a brief report to assist in the decision-making.

At an inquiry the inspector will consider all the relevant facts and hear objections to the application before reporting to the Welsh Assembly Government. The inspector’s report will recommend whether consent should be granted with or without conditions or refused.

Is there any financial assistance?

Grants for the repair of buildings of outstanding historic or architectural interest and for works to buildings in conservation areas may be available from Cadw. Relatively few listed buildings reach the criteria for ‘outstanding’. These criteria are set out in Cadw’s leaflet: *Historic Buildings Grants and Conservation Areas Grants*.

What if I require further information?

The local planning authority should be contacted for advice, in the first instance. Cadw’s specialist staff will offer informal advice to the local authority if it seeks specific guidance to assist in its decision making process. Cadw staff cannot advise applicants directly.



The once dilapidated farmhouse of Nanmerth Ganol, Rhayader, has been restored to become a habitable building again.

Note

The procedures described in this leaflet derive from provisions contained in the Planning (Listed Buildings and Conservation Areas) Act 1990. They are intended only to give a broad outline and should not be considered as a definite interpretation of the law. Circulars 61/96 and 1/98 set out the relevant policies and procedures in more detail and should be consulted.