



NATIONAL PARKS WALES
Britain's breathing spaces

Committee Clerk
Communities, Equality and Local Government Committee
National Assembly for Wales
Cardiff Bay,
Cardiff,
CF99 1NA.
By Email: celg.committee@wales.gov.uk

18 July 2012

National Parks Wales' Response to the Inquiry by the Communities, Equality and Local Government Committee of the National Assembly for Wales into the Welsh Government's Historic Environment Policy

National Parks Wales is grateful for the opportunity to provide evidence to the Inquiry into the Welsh Government's Historic Environment Policy. The three National Park Authorities (NPAs) in Wales work in partnership as National Parks Wales to collectively respond to policy issues which may potentially influence the management of Wales' National Parks. This evidence has been informed by National Park Authority Members and Officers, who are able to draw from their experience of supporting the Historic Environment within the National Parks.

The National Parks of Wales are rich in historical assets. They are a key feature of each Park's special qualities and contribute to the outstanding conservation value of each area. The first purpose of National Park designation was expanded in the 1995 Environment Act to include the conservation and enhancement of the Park's cultural heritage and each National Park has a responsibility to conserve and enhance its historic landscapes, archaeological and built features. In undertaking its responsibilities, each National Park Authority employs expert staff, raises awareness of the importance and value of the historic environment and works with others including Cadw, the Welsh Archaeological Trusts, land owners and local people to provide opportunities for the understanding and enjoyment of the resource.

The historic environment plays a key part in the identity of the National Parks in Wales and is a key driver in each National Park Management plan in terms not only of conservation but education, understanding and enjoyment. The contribution to the local economy should not be underestimated, both in terms of bringing tourism to the areas and generating local skill sets. It is therefore essential that any national policy proposals encompass the need to promote heritage led regeneration.



BRECON BEACONS
NATIONAL PARK



Parc Cenedlaethol
Arfordir Penfro
Pembrokeshire Coast
National Park



PARC CENEDLAETHOL ERYRI
SNOWDONIA
NATIONAL PARK

Parciau Cenedlaethol Bannau Brycheiniog, Arfordir Penfro ac Eryri yn gweithio mewn partneriaeth
Brecon Beacons, Pembrokeshire Coast, and Snowdonia National Parks. Working in Partnership.

Parciau Cenedlaethol Cymru
National Parks Wales

126 Stryd Bute / 126 Bute Street
Caerdydd / Cardiff, CF10 5LE

Ffôn / Tel 029 2049 9966
Ffacs / Fax 029 2049 9580

Ebost / Email nationalparkswales@anpa.gov.uk

Question 1 - How appropriate and successful are the current systems employed by the Welsh Government for protecting and managing the historic environment in Wales?

Built Environment

The need for referring all the Listed Building Consent applications to Cadw (except for only internal alterations) is questioned.

This requirement slows down the process of consent and frustrates applicants. If it is to continue, Cadw need to make sure it responds within the statutory 28 day period outlined in the Act. Our preference would be for only Grade 2* and Grade 1 to be referred to Cadw. We acknowledge that for this to work a duty would need to be placed on each Local Planning Authority (LPA) to have a suitably qualified professional in post. We would welcome this. Consideration should be given to introducing a charge for listed building consent to contribute to the cost of employing a suitably qualified person in the LPA.

If authority to determine Listed Building Consent for Grade 2 listed buildings is delegated down to the LPA, Cadw should have a far more robust approach to calling in applications where the protection of the architectural and historic interest of a nationally important listed building is being compromised due to local pressures [political or economic]. We appreciate the difficulties in being seen to go against the democratic process of determining applications, but the primary duty should be the protection of the historic asset.

Internal alterations can adversely impact on the building's character and should be included in any referral scheme. It would be helpful if Cadw could instigate a programme of re-inspecting all listed buildings which do not describe internal features and fixtures and for the listing description to be amended as necessary.

Advice on curtilage structures of listed buildings are often a very grey area, and the guidance in the Circular could usefully be clarified. Ideally curtilage structures should be identified in the listing descriptions, or at least for the Circular advice to be clearer.

Listed building consent at the moment is determined on the basis of the effect of the proposal on the historic fabric and special character of the building. A determination is arrived at on the basis of fact and professional expertise and not on interpretation. Little weight is given to the social significance of a building (which changes over time). It should be remembered that a building is an upstanding piece of archaeology with the layers of history and development on show to some extent. Therefore in addition to the effect on the building itself, it would be helpful if the LPA could consider in any proposals the level of changes to the original fabric of the building or change that any one building can take before it loses its social significance. The ability to consider this aspect could be included within the definition of the special character of a building.

In the interests of transparency and openness the process of listing buildings would benefit from including an opportunity to appeal against the proposed listing. While we acknowledge that there is a desire not to introduce new requirements, this would provide



an opportunity for greater engagement. The opportunity to provide a role for the local planning authority in any such decision would be welcomed.

The quality of listed building consent applications could be improved. Clearer advice (e.g. in a policy annex) could be given to those applying for listed building consent with regard to the preparation of Design and Access Statements. This would assist in terms of reducing lengthy negotiations and achieving better outcomes.

We would consider that the current listing regime has been successful, however the response time to spot listing requests could be improved to ensure buildings are safeguarded in time.

Dealing with cumulative change in conservation areas can be problematic. This is mainly due to unsuitable alterations to domestic buildings. Although this can be somewhat ameliorated by the introduction of Article 4(2) Directions, it would be more expedient to include the removal of permitted development rights in conservation areas in the legislation.

Public consultation should be carried out before a conservation area is designated. At present this is recommended, professional good practice but not essential. This could be included as a requirement in the Act. To protect areas under threat consideration could be given for the LPA to have the ability to designate an area (similar to a Building Preservation Notice) during the consultation period.

There are no statutory timescales relating to when the LPA should be expected to carry out reviews of conservation areas and monitoring of the changes that have taken place. We recommend that this is rectified.

Highway improvements, and the work of utilities firms in Conservation Areas, can have a significant adverse impact on Conservation Areas and this is an area where greater control is needed.

The regulations for adverts and shopfronts are also a weak link in the protection of conservation areas. Even when there is approved local guidance for such items as shopfronts and adverts, the lack of proper recognition of approved local guidance within the legislation needs to be addressed.

The ability to access Cadw for pre-application advice etc on listed buildings, particularly Grade I and 2* buildings and on major applications for demolition or development within conservation areas would be of great benefit. Cadw are an invaluable source of advice and expertise and it should be easier to access.

The grant system that Cadw has run has also been extremely important in helping to maintain the historic environment and is much appreciated. We ask that it should continue but with some modification. We believe that it would be more appropriate for LPA's to administer grants to historic properties on behalf of Cadw. Apart from streamlining the processes, LPA's can have more of a local overview and can tie in any grant regime with their Heritage Strategy and Buildings at Risk Strategy.



Enforcement and listed buildings is area that could be clarified and strengthened. Related to this is the ability to encourage/force owners to repair and keep their buildings in a state of good repair. The system of enforcement could be truncated and the legislation clarified as to the responsibilities of owners and LPA's with regard to repair and maintenance. This is a significant issue for the historic environment throughout the UK. However, care is needed in terms of the approach taken as some owners do not have the funds to invest in improvements to the fabric of buildings.

Archaeology

Current systems are unable to deal with heritage crime sufficiently. One example concerns quad biking on Dinas Mountain, in Pembrokeshire. The course used is damaging a scheduled bronze age ring cairn. The National Park Authority Ranger tried to reason with the quad-bike owners but was ignored. The Police were called but did nothing other than issue an incident form. Quad bikes continue to damage the monument. Similarly when Bedd Morris, also in Pembrokeshire, was toppled it was the National Park Authority who took action, not the Police.

Streamlining of Scheduled Ancient Monument (SAM) consent would be beneficial.

One significant issue in the scheduling system is that some Scheduled Ancient Monuments are listed as well as scheduled. This needs to be reviewed urgently as it is confusing and does not benefit the heritage asset.

Greater recognition of non-statutorily recognised heritage assets play in local communities would be helpful. There should be a system where such items, buildings, sites etc could be recognised and have due weight in management regimes.

We would welcome a clearer definition regarding the responsibilities of the Trusts and appropriate recognition of the role of National Parks. Archaeological Trusts have been used successfully for the management of the archaeological resource. However they are not statutory bodies and should not take that place or be used to bypass the LPA. National Parks have a statutory responsibility to conserve and enhance the cultural heritage of an area. Both these roles need to be clarified. The Trusts role in undertaking private work while undertaking work for Cadw and Local Planning Authorities could also usefully be clarified.

Agricultural class consents, particularly for ploughing, also damage historic remains. The Ancient Monuments and Archaeological Areas Act (1979) should be strengthened to ensure this damage does not occur.

Question 2 - How well do the Welsh Government's policies promote the historic environment in Wales (for instance, in terms of interpretation, accessibility, attracting new audiences and tourism)?

Cadw sites such as Tretower Court in the Brecon Beacons National Park are very well managed and the interpretation and events offered are excellent.



However we believe that the importance of the historic environment could have greater recognition across Government in terms of its importance to Wales' identity and economy. Wales is extraordinarily rich in historic assets. The establishment of a pan-Wales interpretation plan followed by the Heritage Tourism Project has been positive and central policy should be aimed at targeting Wales and particularly National Parks, as a major tourist destination because of its historic environment. National Parks provide an excellent model for what can be achieved in terms of landscape and walking tourism. There is no reason that this could not be duplicated for the historic environment and succeed across Wales. Heritage regeneration should be a major policy objective for Wales, particularly in rural areas. Heritage is very often an afterthought or seen as a hindrance to traditional economic development models. We would welcome more recognition and support for heritage as a key regeneration tool.

To help with this the website for Cadw could be reviewed to help ensure it provides excellent examples of interpretation of their historic assets.

Question 3 - How well do the policies for the historic environment tie in with wider Welsh Government policy objectives (such as the regeneration of communities)?

We believe it is too early at present to provide an informed opinion on whether the current role of Heritage within the Housing, Regeneration and Heritage portfolio will be effective.

Greater recognition within central policies of the value of the historic environment to regeneration will help. Planning, building and economic policies should clearly stress the value of the historic environment as key to unlocking more sustainable communities and regeneration, as opposed to an encumbrance to development.

We believe that the Welsh Government needs to invest time and energy to ensure that the synergies between the Heritage Bill and other legislation such as the proposed Planning Bill and the Environment Bill are realised.

Question 4 - What would be the advantages and disadvantages of merging the functions of the Royal Commission on the Ancient and Historical Monuments of Wales with the functions of other organisations, including Cadw?

Cadw and the Royal Commission play a different role in the protection and management of the historic environment.

Cadw is an arm of Government and carries out the function of providing guidance and policy advice relating to legislation. The Royal Commission provides the necessary research that allows Government to understand our heritage assets. The Royal Commission is therefore the scientific, analytical, recording and archive service that allows Cadw, the LPA's, amenity bodies, Universities, professionals and the Welsh public to discover our heritage.

We agree that there may be a need to look at each bodies area of work to make certain that there is no duplication but we believe that merging the two bodies will not assist in protecting or managing the historic environment. Rather it could well dilute our knowledge base and weaken our ability to conserve and manage the resource. There is a risk that



financial pressure may result in Cadw directing the Royal Commission away from their principal objectives.

However, if by merging the two organisations they will sit outside central government this could have benefits. If it would lead to a National Heritage Agency for Wales with the ability to work more independently of government then we would welcome this (subject to adequate funding, retention of the recording and archive service and an enhanced profile). Currently, there is a strong perception that Cadw's closeness to the Welsh Government precludes it from championing the environment which it is charged to designate and regulate.

Question 5 - What role do local authorities and third sector organisations play in implementing the Welsh Government's historic environment policy and what support do they receive in this respect?

The Unitary Authorities as local planning authorities and National Park Authorities play a significant role in implementing the Welsh Government's historic environment policies as they are the first port of call for most of the general public to find out about and gain advice on various aspects of the historic environment as well as discharging its planning responsibilities. Not all LAs have in-house provision for the historic environment and depend on small planning service level agreements with their regional archaeological trusts.

Cadw has a huge level of expertise, but does not possess sufficient resources or in-depth local knowledge to operate effectively on the ground as local planning authority and Trust Officers currently do. As an example, field monument wardens should visit and assess every SAM in their area every five years but this is difficult to achieve. Given the statutory purposes of National Park Authorities the vital role of historic environment protection should be strengthened rather than reduced.

With Cadw's budget shrinking we are increasingly reliant on capital funding sources from the Strategic Capital Investment Fund and Heritage Tourism Project to enhance the historic environment.

There is a role for Cadw or a National Heritage Agency for Wales, local planning authorities, including National Park Authorities and the Archaeological Trusts, but we consider the roles need redefining for greater clarity, efficiency and effectiveness.

Once again, thank you for the opportunity to contribute to the Inquiry. If, in the near future you wish to take oral evidence from colleagues working for the National Park Authorities please contact me in the first instance.

Yours sincerely



Tegryn Jones
Chief Executive,
Pembrokeshire Coast National Park Authority

