



PLANNING COMMITTEE – 14 SEPTEMBER 2016

**SUBJECT: WELSH GOVERNMENT CONSULTATION DOCUMENT TECHNICAL
ADVICE NOTE 24: THE HISTORIC ENVIRONMENT**

REPORT BY: CORPORATE DIRECTOR - COMMUNITIES

1. PURPOSE OF REPORT

- 1.1 The purpose of the report is to advise Members that Welsh Government (WG) launched a consultation document entitled Technical Advice Note 24: The Historic Environment (TAN 24) on 11 July 2016. It is seeking the Local Planning Authority's views by 3 October 2016.
- 1.2 A summary of the main components of the new TAN 24 are provided below and the report also provides the proposed officer response to the questions raised by WG for member consideration

2. SUMMARY

- 2.1 The report summarises the key considerations proposed in the consultation document and those most pertinent to Caerphilly County Borough Council.
- 2.2 This draft technical advice note reflects informal feedback received on an earlier version made available by WG to inform the scrutiny of the then Historic Environment (Wales) Bill. It complements the recent consultation on Chapter 6 of *Planning Policy Wales* and a parallel consultation on secondary legislation to support the Historic Environment (Wales) Act 2016 and various good-practice guidance documents.
- 2.3 Following the closing date (3 October 2016) all responses are to be analysed and considered by WG.

3. LINKS TO STRATEGY

- 3.1 In its strategic plan for 2011-16, the *Programme for Government*, the WG sets out its vision for the nation:

Healthy people living productive lives in a more prosperous and innovative economy; safer and more cohesive communities with lower levels of poverty and greater equality; a resilient environment with more sustainable use of our natural resources and a society with a vital sense of its own culture and heritage.

- 3.2 The importance of the historic environment in realising that vision for Wales is acknowledged in the *Programme*, with one of its specific aims being to 'enrich the lives of individuals and communities through culture and heritage.'

- 3.3 The WG's approach to the promotion of the sustainable management of the historic environment in line with the objectives of the *Programme for Government* is detailed in the *Historic Environment Strategy for Wales* and its associated 'Headline Action Plan.'
- 3.4 The goal of the *Strategy* is a well-protected and accessible historic environment that will contribute to the quality of life and quality of place and enhance people's life chances.
- 3.5 The WG's vision is that:
- The Welsh historic environment should be sustainably managed so it can continue to deliver meaningful social, economic and environmental benefits to the people of Wales.*
- 3.6 The historic environment is also recognised as an important factor in regeneration. This role is highlighted in *Vibrant and Viable Places*, the Welsh Government's regeneration framework, published in 2013.
- 3.7 The WG considers the historic environment to be central to Wales' culture and its character and contributes to our sense of place and cultural identity. It is vital that the historic environment is appreciated, protected, actively managed and made accessible for the general well-being of present and future generations.
- 3.8 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 suitable management of the Welsh historic environment.
- 3.9 The planning system plays a significant role in the protection and conservation of the historic environment while helping it to accommodate and remain responsive to present-day needs. TAN 24 will provide detailed planning advice on the historic environment of Wales.
- 3.10 The Key Objectives relevant in the Caerphilly County Borough Local Development Plan up to 2021 (Adopted November 2010) are to:-
- 22 Maintain the vitality, viability and character of the County Borough's town and village centres and re-establish them as a focus for economic activity and community pride.
 - 23 Maintain, enhance and develop a hierarchy of town and village centres which are easily accessible, and which meet the needs of all sections of the population.
 - 24 Protect and enhance the overall quality of the historic natural and built environment of the County Borough.
- 3.11 The Council adopted its Conservation Strategy for the Historic Environment 2014 – 2019 entitled 'The Value of Historic Places' in November 2014. This Strategy seeks to highlight the opportunities provided by the county borough's historic environment to help regeneration, tourism and education opportunities across the entire county borough. Importantly, it seeks to highlight opportunities to positively and beneficially conserve, enhance and where appropriate preserve the historic environment for its intrinsic value and as an important historic asset for the people and the communities that live alongside these features.

4. THE REPORT

- 4.1 The Welsh Government (WG) issued Technical Advice Note 24: The Historic Environment on 11 July 2016 for public consultation purposes.

- 4.2 This will be the first ever TAN specifically providing detailed planning advice on the historic environment in Wales. When approved the TAN will replace Welsh Office Circulars 60/96, 61/96 & 1/98 which were produced in 1996 and 1998. TAN 24 should be read in conjunction with the Historic Environment (Wales) Act 2016 which received Royal Assent on 21 March 2016, Chapter 6: The Historic Environment of Planning Policy Wales (PPW), a new tranche of emerging supporting SPGs and Cadw's Conservation Principles for the Sustainable Management of the Historic Environment in Wales, published in March 2011.
- 4.3 TAN 24 contains annexes that deal specifically with the designation and consent procedures associated with scheduled ancient monuments, listed buildings and the registers of historic areas.
- 4.4 It will reflect on how the historic environment contributes to the Welsh Government's (WG) seven well-being goals for a sustainable Wales as set out in the Well-being of Future Generations (Wales) Act 2015.
- 4.5 Central to the protection and enhancement of historic assets is 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 that they play in a vibrant culture and economy.
- 4.6 The detailed advice provided in TAN 24 for the protection, management and conservation of the historic environment will inform development management decisions that are sensitive to the significance of historic assets and proportionate to the impact of proposals. As well as protecting the built environment and historic parks and gardens, locally specific development plan policies may also identify positive opportunities for their conservation and enhancement during the consideration of development proposals.
- 4.7 The detailed advice provided in TAN 24 for the protection, management and conservation of the historic environment will inform development management decisions that are sensitive to the significance of historic assets and proportionate to the impact of proposals. As well as protecting the built environment and historic parks and gardens, locally specific development plan policies may also identify positive opportunities for their conservation and enhancement during the consideration of development proposals.
- 4.8 The purpose of TAN 24 is to provide guidance on how the planning system considers the historic environment during development plan preparation and decision making on planning applications. It provides specific guidance on how the following aspects of the historic environment should be considered:
- World Heritage Sites
 - Archaeological remains
 - Listed buildings
 - Conservation areas
 - Historic parks, gardens and landscapes
- 4.9 Section 1 recognises that measures need to be taken in response to the multiple impacts of climate change, such as sea and flood defences, and renewable energy projects for their impacts on the historic environment. It stresses the importance of the consideration that should be given to the impact of proposed developments on the setting of historic assets and provides new guidance on the factors that should be considered when assessing this impact. New advice is introduced regarding the relationship between nature conservation and the historic environment, recognising the important links that exist between the two. It strengthens the need to give nature conservation due regard when assessing proposals for development that also affect the historic environment.
- 4.10 Section 2 focuses on the need to prepare locally distinctive local development plan policies and adds new guidance in relation to the accompanying Strategic Environmental Assessment.

- 4.11 Section 3 is concerned with World Heritage Sites (WHS), and the principles and policies for their protection. As there are currently no WHS in Caerphilly county borough, this is not a matter that concerns us.
- 4.12 Section 4 updates previous guidance on the importance of archaeological remains and strengthens the requirement to create an appropriate record and archive.
- 4.13 Section 5 expands on the protection of listed buildings and managing change to preserve and enhance their special qualities and retain them in sustainable use. There will be a new requirement for a heritage impact statement' to replace design and access statements for listed building consent applications.
- 4.14 Section 6 updates previous advice on the requirement to preserve and enhance conservation areas and introduces a new requirement for a heritage impact statement to accompany an application for conservation area consent.
- 4.15 Section 7 builds on the existing requirement to take into account the entries on the register of historic parks and gardens and the register of historic landscapes when preparing development plans and during decision making on planning applications. It provides information on policies and processes that local planning authorities should adhere to, in order to ensure that they contribute to the protection and enhancement of registered historic parks and gardens and the conservation of historic landscapes.
- 4.16 Section 8 provides new advice to local planning authorities to help them manage assets of special local interest, so that they can contribute successfully to the conservation and enhancement of local character. The section explains the status of these assets and that they can be a material consideration in the planning process.
- 4.17 The consultation form asks 7 questions which are outlined below and gives an opportunity to also highlight any related issues that have not been addressed in the document or in the questions.

Q 1: Do you agree that the approach taken achieves a balance between the sustainable management of change and the protection of the historic environment in Wales? If not, how do you think this can be done?

Recommended answer: Yes, it seeks to replace outdated Welsh Office Circulars and expands on the planning guidance and advice now required.

Q 2: Do you agree that the advice regarding the relationship between nature conservation and the historic environment is clear? If not, how do you think the advice can be improved?

Recommended answer: Nature conservation and the historic environment are inextricably linked and often overlap. Often it is simpler to refer to the 'Historic Built Environment' when referring only to built heritage assets than simply to the Historic Environment.

Q 3: Do you agree that the advice to local planning authorities to develop locally distinctive policies and guidance on the historic environment is clear? If not, how can it be improved?

Recommended answer: No, this remains quite vague. It would help if there were examples given of such locally distinctive policies which could be considered for inclusion in the LDP.

Q 4: Do you agree that the advice on how World Heritage Sites are to be considered in the planning process is clear? If not, how do you think this can be improved?

Recommended answer: This is not applicable within Caerphilly county borough.

Q 5: Do you agree that the advice on how archaeological remains are to be considered through the planning process is clear? If not, how do you think the advice can be improved?

Recommended answer: yes, it is quite self-explanatory.

Q 6: Do you agree that the advice on how particular historic assets, namely 'historic parks and gardens' 'historic landscapes' and 'assets of special local interest', are to be considered through the planning process is clear? If not, how do you think the advice can be improved?

Recommended answer: Yes, the advice is clear. However, it must be pointed out that there are no additional resources available to allow councils to develop lists of historic 'assets of special local interest' within their areas and this work would have to compete with other priorities that concentrate on those designated assets that are protected by the consents process.

Q 7: If you have any related issues which we have not addressed, please let us know.

Recommended answer: No further comments.

5. EQUALITIES IMPLICATIONS

5.1 There are no specific equalities implications arising as a result of this report.

6. FINANCIAL IMPLICATIONS

6.1 There are no financial implications arising as a result of this report.

7. PERSONNEL IMPLICATIONS

7.1 None.

8. CONSULTATIONS

8.1 Comments received are covered in the body of the report.

9. RECOMMENDATIONS

9.1 That Members note the status and purpose of TAN 24 in relation to the historic environment; and

9.2 That Members recommend Welsh Government be advised of the answers set out in this report.

10. REASONS FOR THE RECOMMENDATIONS

10.1 To make Members aware of the Welsh Government's Consultation document 'TAN 24: The Historic Environment' and

10.2 That a formal response as outlined be made on behalf of Caerphilly County Borough Council by the 3 October 2016 deadline.

11. STATUTORY POWER

11.1 As part of key objectives set out in the CCBC LDP up to 2021, Adopted November 2010.

11.2 The Historic Environment (Wales) Act 2016 received Royal Assent on 21 March 2016

11.3 Planning (Listed Buildings and Conservation Areas) Act 1990

11.4 Welsh Government's Planning Policy Wales, Chapter 6, Edition 8, January 2016

11.5 Local Government Act 1972.

11.6 Local Government Act, 2000.

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Background Papers:

TAN 24: The Historic Environment (draft) 1 July 2016