

## **P-03-263 Save Stradey Park**

### **The purpose of the petition**

This petition was submitted by Mr V Jones in March 2010 and collected 4383 signatures:

*'We call upon the National Assembly for Wales to grant listed status to Stradey Park, in order to protect the heritage of this world famous rugby ground and cultural icon for the people of Wales.'*

Petitioners made the case that Stradey Park was a Welsh cultural icon and should be preserved for tourists and the local community alike. Petitioners felt that although listing Stradey Park may need a new listing category, or changes to an existing one, it was crucial to protect the park which was one of the 'key locations of modern Welsh heritage.'<sup>1</sup> The petitioners have been clear that they would not expect the buildings at Stradey Park to warrant listed building status: it is the pitch that should be preserved.

The petitioners approached Cadw in 2005 and report that a Cadw officer 'agreed that Stradey Park had the history that warranted recognition – probably as part of the "Historic Parks and Gardens" register – but the pitch did not meet the criteria as they currently stood.'<sup>2</sup>

### **Listing of Stradey Park and the non-statutory Register of Parks and Gardens of Special Historic Interest**

The Committee wrote to the Minister for Heritage in May 2010 to seek his views on the petition. His response<sup>3</sup> recognised and understood the support for the cultural significance of the pitch to be marked in some way. He felt this would be best achieved by including the site on the non-statutory Register of Parks and Gardens of Special Historic Interest. Although this in itself would not protect the pitch, it would help inform the local authority in charge of planning's assessment of development affecting the area and could affect its decision to allow planning permission to the developers who have applied to build houses on the site. However, he also pointed out that in the case of Stradey Park the value of this would be limited given the outline consent which already exists.

The Minister explained that in order for the pitch to be included on the register, Cadw would need to assess Stradey Park but this was not done before the local authority considered the planning permission application. The local authority could have deferred the planning process in order for the assessment to take place but although Cadw officials confirmed with the local authority that in their view the pitch has historic interest, the local authority has indicated that it will not reconsider the historic importance of the site until such time as it has been placed on the register.

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<sup>1</sup> Supporting information received from the petitioners alongside the petition

<sup>2</sup> Email from petitioner to Committee Staff, 17 May 2010

<sup>3</sup> Letter from Minister for Heritage to the Petitions Committee, 24 May 2010

In November 2010, the Committee received an extensive response from Carmarthenshire County Council on this issue<sup>4</sup>. The letter states that it had already held a public inquiry at its own expense to consider an application by residents to designate Stradey Park pitch as a village green. This application was subsequently refused. The letter also sets out the council's assertion that the petition is 'wholly misconceived' as the 'Planning (Listed Buildings and Conservation Areas) Acts 1990 (the statutory provision which is relevant in this matter) only provides the means to list **buildings** of special architectural or historic interest.' (*County Council's emphasis*) and therefore it is 'simply not possible on either a legal or practical basis to grant listed status to Stradey Park.' The letter goes on to point out that 'no additional statutory controls follow the inclusion of a site in the Register.'

The petitioner's strong response<sup>5</sup> to the Council's letter restates he chose to use the term 'list' as it is more recognisable to the public, but that what is called for is the inclusion of the Stradey Park pitch on the Register of Historic Parks and Gardens.

In July 2010, the Minister for Heritage stated that:

'the principles of selection which Cadw applies in assessing sites for inclusion on the non-statutory Register of Parks and Gardens of Special Historic Interest already encompass places of recreation. This would extend to sporting venues, although no specific criteria for making stand-alone assessments of sports grounds has been compiled nor any sites evaluated.'<sup>6</sup>

The local planning authority told the Committee that sporting grounds 'cannot be regarded as places of recreation but are by their nature sporting grounds used primarily by a private sporting club.'<sup>7</sup>

The Minister did add in his letter of July 2010 that Cadw is considering how the sporting heritage of Wales could be more readily recognised.

The latest correspondence on this issue<sup>8</sup> was sent by the Minister for Housing, Regeneration and Heritage on 31 August 2011 and reiterates that Cadw is still in the process of developing its guidance on the protection of sports heritage sites. The Minister also mentions in his letter the forthcoming Heritage Bill that the Welsh Government intends to introduce for consideration in 2014-15. He states that 'consideration of detailed guidance on locally important and sporting heritage will form part of the debate' surrounding that Bill.

### **Non-statutory local listing**

The Committee wrote to the Minister for Environment, Sustainability and Housing in June 2010 to ask if, in her view, local listing of historical sites should be a material view in planning

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<sup>4</sup> Letter from Carmarthen County Council to the Petitions Committee, 1 November 2010

<sup>5</sup> Email from HV Jones to Petitions Committee support staff, 12 November 2010

<sup>6</sup> Letter from Minister for Heritage to Petitions Committee, 8 July 2010

<sup>7</sup> Letter from Carmarthenshire County Council to the Petitions Committee, 11 January 2011

<sup>8</sup> Letter from Minister for Housing, Regeneration and Heritage to Petitions Committee 31 August 2011

decisions. Her response<sup>9</sup> confirmed that unlike the Register of Parks and Gardens of Special Interest which is held by Cadw, local listings are for local authorities to draw up, and to adopt a policy that would allow local buildings or places of special interest to be protected as a result of their inclusion on such local lists.

However, as the local authority concerned has already indicated that it will not reconsider the historic importance of Stradey Park unless it is placed on a register by Cadw, voluntary local listing is unlikely to be an option for Stradey Park.

In July 2010, the Minister for Heritage wrote to the Petitions committee stating:

‘Local authorities have a statutory duty to designate conservation areas and may compile lists of buildings of local interest which would be a material consideration in any planning application. Cadw expects to be in a position to publicise draft guidelines for local designation later in the year... There are currently no plans to place a statutory duty on local planning authorities to compile a local list but I hope that those authorities without one will see the benefit, voluntarily, of doing so and will back this up with appropriate planning policies to protect these important historic assets and help maintain an element of local distinctiveness in the urban and rural environment’<sup>10</sup>

In November 2010, the Minister for Heritage advised<sup>11</sup> the Committee that Cadw had begun to prepare draft guidelines on local lists for local planning authorities’ use and that they were expected to go out to consultation in the spring of 2011. However, a further letter from the Minister in March 2011<sup>12</sup> stated that officials were now working on guidance that would be fuller than originally planned. This guidance would be, in part, informed by research being undertaken by the Royal Commission on the Ancient and Historical Monuments of Wales into the history of sport in modern Wales. The Minister stated in his letter that research was expected to be published in October 2011 and Cadw expects to consult on its comprehensive guidance on the protection of sports heritage at that time. However, the Welsh Government now anticipates that the consultation will not take place until April 2012.<sup>13</sup>

### **The calling in of the planning decision**

The Welsh Government told the Committee<sup>14</sup> that although it had intended to ‘call in’ the planning permission decision for Stradey Park, the call in notice had subsequently been withdrawn as the letter calling in the application was flawed in that the reasons for the decision to call in the application were not as clear as they could have been. Instead, the Welsh Government issued a direction under Article 14 of the Town and Country Planning

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<sup>9</sup> Letter from Minister for Environment, Sustainability and Housing to Petitions Committee, 30 June 2010

<sup>10</sup> Letter from Minister for Heritage to Petitions Committee, 8 July 2010

<sup>11</sup> Letter from Minister for Heritage to Petitions Committee, 2 November 2010

<sup>12</sup> Letter from Minister for Heritage to Petitions Committee, 29 March 2011

<sup>13</sup> Telephone call between Welsh Government Committee Business Unit and Committee staff, 24 November 2011

<sup>14</sup> Letter from Minister for Environment, Sustainability and Housing to Petitions Committee, 11 January 2011

(General Development Procedure) Order 1995 – commonly referred to as a ‘stopper direction’ – that meant that the local authority could not issue approval of the plans until such time as the Welsh government had further considered ‘calling in’ the application. The Minister subsequently confirmed<sup>15</sup> that both the direction and the ‘call in’ had been withdrawn. In any case, it is worth noting that the reservations regarding the application related to concerns regarding a potentially increased risk of flooding, rather than the protection of the Stradey Park pitch.

### **Comments from other stakeholders in the Stradey Park pitch**

Correspondence from the Llanelli RFC Scarlets Former Players Association<sup>16</sup> lists the details of agreements it has with the developers of Stradey Park and with Carmarthenshire County Council which combine to create a ‘virtual Llanelli Heritage Trail.’ They do not make any reference to the loss of Stradey Park pitch.

### **Possible future action for Stradey Park pitch**

Given the clear stance of the local planning authority, which has stated in correspondence to the Committee that they consider the matter to have been held in abeyance for a considerable period of time and that there is nothing left of worth on the site to merit any Preservation Orders being made, the possibility of non-statutory local listing of Stradey Park seems slight.

The petitioner has requested that the petition should stay open until Cadw has decided whether or not to amend the criteria and allow inclusion for historic sports pitches on the Register of Historic Parks and Gardens. He also noted that the pitch area is included in phase three of the development and so it could be in excess of 5 years until it is built on. The petitioner recognises that should Stradey Park pitch be included on the register by then, it would be up to the developers to amend their plans or not. However, until such time as Cadw’s draft guidelines are released for consultation, it is difficult to say if they will make provision for stand-alone sports grounds to be included on the Register of Parks and Gardens of Special Historic Interest or if they will only make provision for them to be included on local lists.

### **Committee Service November 2011**

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<sup>15</sup> Letter from Minister for Environment, Sustainability and Housing to Petitions Committee, 25 February 2011

<sup>16</sup> Letter from Llanelli RFC Scarlets Former Players Association to Petitions Committee, 28 February 2011