

Huw Lewis AC / AM  
Y Gweinidog Tai, Adfywio a Threftadaeth  
Minister for Housing, Regeneration and Heritage



Llywodraeth Cymru  
Welsh Government

Eich cyf/Your ref P-04-322  
Ein cyf/Our ref HL/05332/11

William Powell AM  
Chair Petitions Committee

committeebusiness@Wales.gsi.gov.uk

19 July 2011

*Dear William*

Thank you for your letter of 29 June asking for my comments on a Petition led by Graham John which refers to Cadw and controls on listed places of worship.

Chapels are a particularly important part of our heritage and help to make Wales distinctive and special. I am anxious to ensure that they are protected and that their contribution to Welsh life and communities is appreciated. At the same time I do not want to suggest that they should be preserved without any changes so they are not relevant to modern day worship.

I think there may be an element of misunderstanding of Cadw's role in this particular Petition. The current legislation places a responsibility on the Welsh Ministers to list a building which has been assessed as being of special architectural or historic interest, at the national level. This statutory responsibility is exercised through Cadw and, if a building is found to have that special interest, it has to be listed – there is no discretion not to list.

Once a building has been listed, any proposals to alter it that would affect its character will need a listed building consent (lbc) from the local planning authority. There are some exceptions to this for listed buildings in the care of 6 prescribed denominations where it has been agreed that they have satisfactory internal controls governing changes to their listed buildings. This is known as ecclesiastical exemption and approved denominations are the Church in Wales, the Church of England, the Roman Catholic Church, the United Reform Church, the Methodist Church and the Baptist Union of Great Britain and of Wales.

The places of worship mentioned in the Petition are generally independent churches which do not come within the exemption and which are generally governed by the secular listed building consent arrangements. In such cases, applications for alterations which affect the building's character are made to the local planning authority.

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
CF99 1NA

*Wedi'i argraffu ar bapur wedi'i ailgylchu (100%)*

English Enquiry Line 0845 010 3300  
Llinell Ymholiadau Cymraeg 0845 010 4400  
Correspondence.huw.lewis@wales.gsi.gov.uk

*Printed on 100% recycled paper*

If a local authority is minded to approve an application, it has to notify Cadw of its intention so that Cadw can consider whether to recommend that the application is called in for determination by the Minister for Environment and Sustainable Development. Applications are called in if they raise controversial or contentious issues and, in practice, very few - a handful - are called in. If an application is refused by the local authority, there is a right of appeal, similarly to the Minister for Environment and Sustainable Development.

Cadw is not the decision maker on applications for lbc; neither is it responsible for taking enforcement action or instigating court orders if unauthorised works have taken place. However, local authorities, in considering applications, should take into account guidance that Cadw has issued in published circulars (61/95 and 1/98) and its own Conservation Principles

[[http://www.cadw.wales.gov.uk/upload/resourcepool/Conservation\\_Principles\\_ENG.pdf](http://www.cadw.wales.gov.uk/upload/resourcepool/Conservation_Principles_ENG.pdf)].

These seek not only to protect buildings which have been recognised as being of national heritage importance but also to be pragmatic in appreciating the needs of present day congregations in worship. For many churches and chapels, particularly those which have been listed at grade II rather than the rarer grade I or II\* buildings, it is often possible to find an acceptable solution through discussion between the owner and the local authority.

The mandatory design statement required to accompany all applications for lbc provides the opportunity for applicants to address the case for proposed works in terms of a listed building's appearance, layout, scale and environmental sustainability. This provides the means, on a case by case basis, for the use of modern materials in listed buildings to be articulated. It will be for the local planning authority to consider this in the framework of planning policy when deciding whether such consent should be granted. The Welsh Assembly Government has produced guidance – Technical Advice Note 12, Design – on the production of design statements and is available online at <http://wales.gov.uk/topics/planning/policy/tans/tan12/?lang=en>

As for the use of double-glazing, circular guidance explains that windows form one of the most significant constructional elements of any building, and their style and proportion affect the character and appearance of elevations. Therefore, as a rule, original windows in historic buildings should be repaired, or if totally beyond repair, should be replaced exactly like for like. This does not impose a bar on new windows but, if lbc is to be given by local planning authorities for new windows, it is important that their design, scale and proportion should be sympathetic to the historic character of the building. Double glazed PVC windows can compromise the historic and architectural character of historic buildings because of the thickness required for the frames and detailing, and by the use of a non-traditional material. In terms of energy efficiency and heat retention, weather or draught proofing and secondary glazing in a removable inner frame are generally considered to be thermally efficient and cost effective alternatives to PVC windows. If it is thought to be helpful, Cadw is also willing to participate in pre-application discussions with the local authority and those responsible for the listed building.

Listed places of worship may be eligible for grant from the Welsh Government or other organisations. Cadw is able to offer grants for repairs to historic fabric if the building is of particular architectural or historic interest. Indeed, the lead Petitioner's own chapel, Ebenezer Baptist Church, Swansea, received grant of over £17,000 for the renovation of windows in its front elevation last year and has been offered a further grant of almost £5,000 for repairs to the east elevation windows, which it is currently pursuing. The Welsh Government's Communities Directorate can offer grants if the building is used by the local community and several places of worship have benefited from such grants. In addition, organisations such as the Heritage Lottery Fund offer grants, although I appreciate that some congregations may not wish to pursue this route.

Finally, you ask about the Heritage Protection Bill. Our Legislative Programme for the next 5 years was, of course, announced by the First Minister on 12 July and includes provision for a Heritage Bill in the fourth year. I can assure the Committee that, in working up proposals, we will look at all aspects of the protection systems, including the current circulars and other guidance, in discussion and debate as well as a formal consultation. I want to have a wide ranging debate with all those with an interest in the historic environment, including church and chapel representatives or congregations, and clearly will want to keep in view the points made by the Petitioners.

I hope that this is helpful.

*Best wishes*

*Huw*

**Huw Lewis AC / AM**

Y Gweinidog Tai, Adfywio a Threftadaeth  
Minister for Housing, Regeneration and Heritage