

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



Llywodraeth Cymru
Welsh Government

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Abigail Phillips,
Clerk, Petitions Committee
Abigail.phillips@wales.gov.uk

7 February 2012

Dear Abigail

Thank you for the letters from William Powell AM, Chair of the Petitions Committee, of 13 January to me (received on 20 January), and Cadw (received on 23 January), asking for comments on the petition led by Dave Green seeking to save Roath Steam Laundry from demolition.

I think that there may be some misunderstanding about the current position because my officials in Cadw reconsidered the building for listing last August and concluded that it did not meet the criteria and so cannot be listed. I attach a copy of the assessment report which provides the background to that decision (Annex 1) and a brief summary of the role of the Welsh Government in the listing process and an explanation of the listing criteria (Annex 2).

Cardiff Council has responsibility for development control and I understand that the decision on the planning application to demolish the former Laundry and erect a building containing 58 sheltered housing apartments is imminent.

Demolition is a complex area in terms of statutory consents and it may help if I briefly summarise the current provisions concerning heritage consents and planning permission. Conservation area consent is needed to demolish an unlisted building in a conservation area. Cardiff Council has responsibility for determining which of its areas are of special architectural or historical interest, the character or appearance of which it is desirable to preserve or enhance, and to designate those areas as conservation areas. The Roath Mill Gardens conservation area is adjacent to the former Laundry and the Council is best placed to explain why the building was not included within the boundary of the conservation area.

Demolition of a building can fall within the scope of planning control. However, Part 31 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995 confers a permitted development right (a general planning permission) for any building operation consisting of the demolition of a building. This is subject (with some exceptions) to the need for a developer to apply to the local planning authority for a determination as to whether its prior approval will be required to the method of demolition and any proposed restoration of the site. Demolition on land which is the subject of planning permission granted for its re-development is likely to be exempt from the need for such an application to be made to the local planning authority.

There is continuing focus on buildings of local importance which have not met the criteria for listing at the national level, for example, the Customs House and Royal Buildings, Port Talbot, the Vulcan pub, Cardiff, and, of course, this Laundry. It is open to local planning authorities to produce a non statutory list of locally important buildings that have particular resonance in local communities. Local listing itself does not impose a requirement for consent for the demolition of such buildings but it can have validity as a material factor in an application for planning permission, and this is achieved through policies contained within the local development plan. Cardiff Council has a local list but it does not include the former Laundry. The Council is, again, best placed to advise why the Laundry building is not included on the local list.

Separately, you may be interested to know that in the case of the Custom House and Royal Buildings the local authority did not have a local list in place but nevertheless imposed a condition on the planning permission in order to retain some historic character of the existing buildings. The condition itself required that prior to the demolition of the buildings, a scheme for the salvage of architectural features from one or more of the buildings, and plans incorporating such features into the fabric of the proposed development, should be submitted and agreed in writing by the Council.

My officials in Cadw have been looking at preparing guidance to local authorities on the issue of local listing and will now take this work forward as part of the proposed new Heritage Bill for Wales which is included in the Welsh Government's legislative programme for introduction in 2014-15. I will arrange for the issue to be carefully considered as part of the research and discussion I plan to inform the contents of the Bill and associated measures. My aim is to identify the more clearly perceived weaknesses in the current systems and how they might be improved. My officials in Cadw have arranged discussion workshops to scope the proposed Heritage Bill over the coming months and issues around controlling the demolition of locally important buildings will be included as part of the overall review. A formal consultation on proposals for a Bill will begin in 2012-13

I hope that my reply is of help.

Best Regards

Huw

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