

# Legislation and Principles of interventions to heritage assets

1. Planning Permission
2. Building Regulations
3. Conservation Area Consent
4. Scheduled Ancient Monument Consent
5. Listed Building Consent
6. Philosophies
7. Specialist advice

# 1. Planning Permission

- To protect the environment, towns, cities and the countryside.
- Only covers things which affect the external appearance of a building (other than change of use)
- Additions, extensions and conversions
- Is generally not required for demolition – except when it is to a Listed Building, a Scheduled Ancient Monument or within a Conservation Area or National Park
- Is not required if a proposal comes within Permitted Development Rights

**Who?**      ***The Local Authority Development Manager***

## 2. Building Regulations

**Building Regulations are minimum standards for design, construction and alterations to virtually every building**

Practical guidance on how to comply with the Building Regulations is provided within 'Approved documents'.

Approved Documents provide guidance on the performance expected of materials and building work.

Examples and solutions on how to achieve compliance for some building situations.

**Guidance:** *The Planning Portal - Wales*

## 2. Building Regulations

**Part A – Structural Safety**

**Part B – Fire Safety**

**Part C - Resistance to Contaminants and Moisture**

**Part D – Toxic Substances**

**Part E – Resistance to the Passage of Sound**

**Part F – Ventilation**

**Part G – Sanitation, hot water safety and water efficiency**

**Part H – Drainage and Waste Disposal**

**Part J - Heat producing appliances**

**Part K – Protection from falling, collision and impact**

**Part L – Conservation of fuel and power**

**Part M – Access to and use of buildings**

**Part N – Glazing Safety**

**Part P – Electrical Safety**

**Part Q – Security**

**Part R – Physical infrastructure for high-speed electronic communications networks**

**Document 7. Materials and Workmanship**

# 2. Building Regulations

## Full Plans

In advance of work commencing detailed plans are submitted for approval. The Inspector/Officer will carry out inspections at set stages of work once it is in progress. A completion certificate can be provided once they are content that the completed work complies with the Building Regulations.

## Building Notice

Plans are not required with this process. It is quicker and less detailed than the full plans application and best suited to small work. The Inspector/Officer will carry out inspections at set stages of work once it is in progress

## Regularisation

Where works are carried out without Building Regulations approval a retrospective application can be made relating to previously unauthorised/unconsented works

**How?** *Full Plans*    **OR**    *Building Notice*    **OR**    *Regularisation*

### 3. Conservation Area Consent

To control development by:

- Preserving the character and appearance of a designated area
- Enhancing a designated area by ensuring good quality design
- Restricting the felling or lopping of trees
- The issuing of an Article 4 Direction which removes Permitted Development Rights

**Who?**      *The Local Authority Development Manager*  
**OR**         *The Local Authority Conservation Officer*

# 4. Scheduled Monument Consent

To control development by:

A scheduled Ancient Monument can be:

- A building
- A ruin
- A structure
- An archaeological site

The most restrictive of all controls:

Consent is required for any work which may affect a scheduled monument, above or below ground.

**Who?**     ***Cadw***



# 5. Listed Building Consent

Classification based upon a building's significance with regards to its:

- Age and rarity (pre 1700)
- Architectural interest
- Historical interest (social, economic, cultural, military)
- Historical association (people or events)
- Group value (model villages)

**Who?**     ***The Local Authority Conservation/Built Heritage Officer***

# Listed Building Consent cont'd

Grading is based upon a building's character:

- Grade I – Exceptional interest, often of international importance
- Grade II\* – Particularly important, of more than special importance
- Grade II – Specially important, generally nationally
- Local lists - Locally important heritage assets identified by Local Authorities and the community

# Listed Building Consent cont'd

What is listed?

- The exterior of the building
- The interior of the building
- Any object or structure fixed to the building
- Any structure within the curtilage of the building

# Listed Building Consent cont'd

What works require consent?

Anything that affects the character of the building or its setting

- Demolition
- Alterations
- Extensions

# Listed Building Consent cont'd

What works do not require consent?

- Routine Maintenance
- Like-for-like repairs
- Emergency repairs or protection – if danger of loss of fabric, collapse or danger to health

# 6. Conservation philosophies and guidance

## Cadw

Welsh Government – protect and manage the historic environment

## Historic England

England - tasked with protecting the historical built environment of England

## Society for the Protection of Ancient Buildings (SPAB)

Overarching Amenity Society

## International Council on Monuments and Sites (ICOMOS)

A non-governmental international organisation dedicated to the conservation of the world's monuments and sites.



## Cadw

### Conservation Principles – March 2011

- Historic assets will be managed to sustain their values
- Understanding the significance of historic assets is vital
- The historic environment is a shared resource
- Everyone will be able to participate in sustaining the historic environment
- Decisions about change must be reasonable, transparent and consistent
- Documenting and learning from decisions is essential

# **Society for the Protection of Ancient Buildings (SPAB)**

Overarching Amenity Society

The others are.....

- Ancient Monuments Society
- Council for British Archaeology
- Garden History Society
- Georgian Group
- Twentieth Century Society
- Victorian Society.



## **SPAB Principles:**

**Repair not restoration**  
**Complement not parody**  
**Information**  
**Integrity**  
**Workmanship**  
**Respect for age**

**Responsible methods**  
**Regular maintenance**  
**Essential work**  
**Fit new to old**  
**Materials**

## **Conservation Principles:**

**Minimum intervention**

**Retain patina**

**Repair using like-for-like materials and methods**

**Reversibility.**

**Restoration**

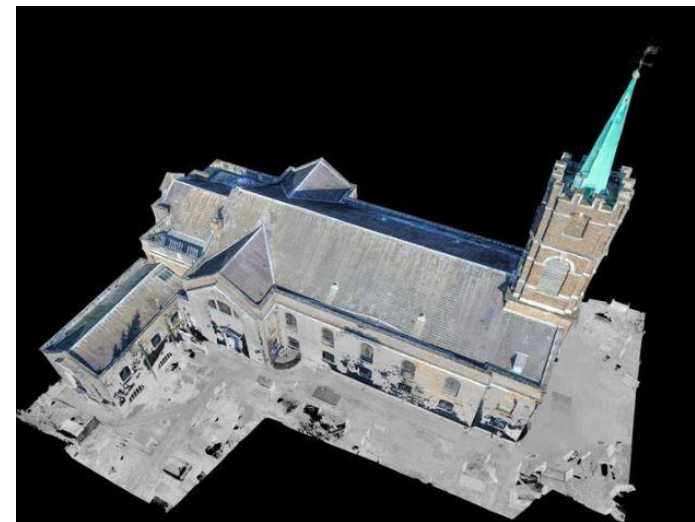
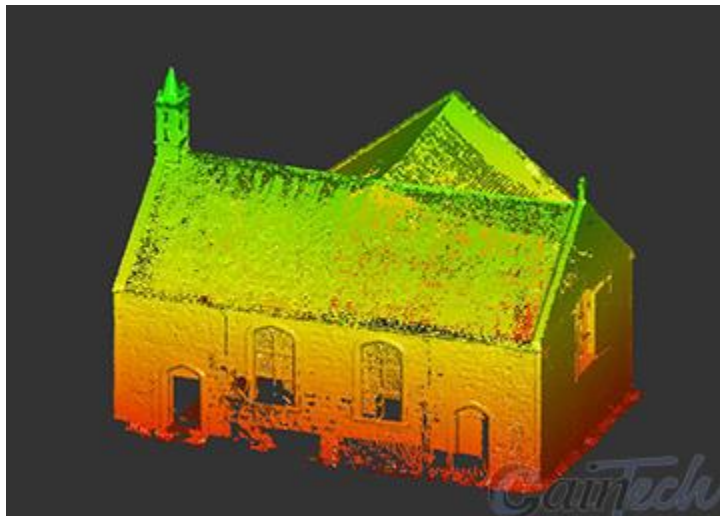
**Maintenance**

**Compatibility**

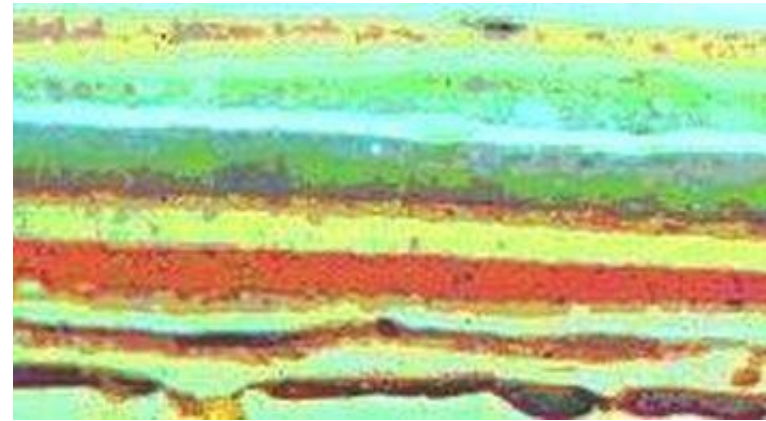
**Re-use, re-cycle, salvage**

# 7. Specialist advice

- Archaeologists
- Historians
- Structural surveyors



- Paint Analysis specialists
- Mortar analysis
- Timber/joinery specialists
- Dendrochronology
- Asbestos surveyors



# CONSERVATION MANAGEMENT PLAN

- What
- Why
- How
- Sets out the policies for managing the significance of an asset

# CONSERVATION MANAGEMENT PLAN

Not just an assessment of what exists  
Is also a “living document” that assesses and records the impact of changes continually, before, during and after they occur