
WELSH STATUTORY INSTRUMENTS

2017 No. 638

The Planning (Listed Buildings and Conservation Areas) (Wales) (Amendment No. 2) Regulations 2017

Amendments to the Planning (Listed Buildings and Conservation Areas) (Wales) Regulations 2012

2.—(1) The Planning (Listed Buildings and Conservation Areas) (Wales) Regulations 2012⁽¹⁾ are amended as follows.

(2) In regulation 3(3) for sub-paragraph (c) substitute—

“(c) the heritage impact statement required by regulation 6;”.

(3) For regulation 6 and its heading substitute—

“Heritage impact statements

6.—(1) Any application to a local planning authority for listed building consent or conservation area consent must be accompanied by a heritage impact statement.

(2) In relation to an application for listed building consent, a heritage impact statement must contain—

- (a) a description of the proposed works (“the works”), including design principles and concepts and a schedule of works;
- (b) an explanation of the objective that the works are intended to achieve and why they are desirable or necessary;
- (c) a statement that describes the special architectural or historic interest of the building to which the application relates and its significance with particular reference to the part of the building affected by the works;
- (d) an assessment of the impact of the works on the special architectural or historic interest of the building and its significance, including a description of any potential benefits or harm to that interest;
- (e) a summary of the options considered for the purpose of achieving the objective referred to in paragraph (2)(b) and the reasons why the proposals to which the application relates are preferred; and
- (f) subject to paragraph (4), a description of how any issues relating to access which arise in relation to the works have been dealt with.

(3) In relation to an application for conservation area consent, a heritage impact statement must contain—

- (a) a description of the proposed works (“the demolition works”), including a schedule of works;
- (b) an explanation of the objective that the demolition works are intended to achieve and why demolition is desirable or necessary;

⁽¹⁾ S.I. 2012/793 (W. 108), to which there are amendments not relevant to this instrument.

- (c) a description of the contribution any building which is proposed to be demolished makes to the character or appearance of the conservation area;
 - (d) an assessment of the impact of the demolition works on the character or appearance of the conservation area, including a description of any potential benefits or harm to the character or appearance of the area;
 - (e) a summary of the options considered for the purpose of achieving the objective referred to in paragraph (3)(b) and the reasons why demolition is preferred.
- (4) Paragraph (2)(f) does not apply in relation to applications for listed building consent for works which would affect the means of access to, or within, any part of a listed building which is used as a private dwelling.”
- (4) In regulation 13(1) for “under sections 28 or 29 of the Act,” substitute “under sections 28, 29 or 44D of the Act,”.
- (5) After regulation 13(1) insert—
- “(1A) A claim for compensation made to the Welsh Ministers under section 28B of the Act must be in writing and must be served on the Welsh Ministers by delivering it at the offices of the Welsh Ministers or by sending it to those offices by prepaid post.”
- (6) In the opening words of regulation 13(2) for “paragraph (1)” substitute “paragraph (1) or (1A)”.