

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-04-365  
Ein cyf/Our ref HL/05624/12

William Powell AM

c/o Abigail Phillips  
[petition@wales.gov.uk](mailto:petition@wales.gov.uk)

22 May 2012

Dear William

Thank you for your letters of 8 May to me, and Cadw, seeking comments about whether temporary measures will be put in place to protect buildings of note, like those at the site of the former Mid Wales Hospital, from demolition prior to the proposed Heritage Bill in 2014-15. I am replying to both letters as Cadw has no legal identity separate from the Welsh Ministers and is within my portfolio.

The local planning authority can safeguard the buildings on the site of the former Mid Wales Hospital through the requirement for conservation area consent. If conservation area consent or planning permission for development at the site is refused by the local planning authority, or granted subject to conditions, the developer will have a right of appeal to the Welsh Ministers. In view of this it is inappropriate for me to comment on proposals for demolition or the development of the site. However, the temporary protection measures currently being sought by the Petitions Committee seem to relate more generally to unlisted buildings located outside a conservation area but which are locally important.

Demolition of a building can fall within the scope of planning control but 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. Where a local authority is concerned to protect a building of local interest it can produce a list of such buildings and introduce local policies to protect them. While that in itself does not protect such buildings from demolition, it does provide the basis upon which a local authority could make a Direction under Article 4 of the 1995 Order which would require an application for planning permission to demolish a building included on the local list. This would seem to provide the protection being sought by the Petitions Committee and enable a local planning authority to regulate works to locally important buildings while the issues around protecting such buildings are further considered through the development of a Heritage Bill.

The work that has started on developing the proposed Heritage Bill provides the earliest available opportunity for my officials in Cadw to consider any additional measures of protection that may be required for such buildings. Workshops with external organisations and consultees on the heritage environment are under way and these issues will be explored further in the forthcoming Thematic Bill workshops and my Heritage Conference on 19 July.

A handwritten signature in black ink, appearing to read 'Huw Lewis', written in a cursive style.

**Huw Lewis AC / AM**

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