



**Cynulliad Cenedlaethol Cymru
The National Assembly for Wales**

Chief Planning Officers
Unitary and National Park Authorities (Wales)

Parc Cathays / Cathays Park
Caerdydd / Cardiff
CF10 3NQ

Eich cyf / Your Ref
Ein cyf / Our Ref A - PP08-10-078

Dyddiad / Date 29 September 2000

Dear Colleague

**PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990
PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) REGULATIONS 1990
APPLICATIONS BY LOCAL AND NATIONAL PARK AUTHORITIES**

I wrote to you, in May last year, to explain why responsibility for processing local authority applications listed building and conservation area consent applications had been transferred from Cadw to Planning Division and to send you a copy of a guidance note on the information needed when applying to the Assembly for lbc or cac. That guidance has now been expanded and I enclose a copy for you to copy to officers responsible for initiating and handling lbc and cac applications within your Authority. The text will be available, shortly, on the National Assembly's web-site.

As you know, delays in the determination of local authority applications are still occurring. There are many reasons for this not least the volume of listed building and grant applications - and other related work - being referred to Cadw's conservation architects. With Cadw, we are looking at ways in which we can remedy this.

Another cause of delay is that many local planning authorities are treating their own applications in the same way as those from private developers (often resolving to grant consent subject to Cadw not calling them in for determination). This is contrary to the provisions of Regulation 13 of the 1990 Regulations which makes it clear that, following advertisement and consultation, such applications have to be referred to the National Assembly for determination. When local planning authorities fail to recognise this requirement, considerable delays can occur whilst papers are returned and resubmitted in the appropriate way.

There are, however, other factors that lead to delays and as many of these within your control it may be useful if I set these out:

- local authorities are using the checklist for the referral of private applications to Cadw (under Section 13 of the 1990 Act) and thus not providing the information required to enable their own applications to be determined by the Assembly (under Regulation 13 of the 1990 Regulations). Because of this papers are being sent to Cadw, in error, under cover of letters which are misleading. By the time the error is picked several days, at least, will have been lost.
- drawings are ambiguous
- no justification for the works is provided
- applications are not accompanied by ownership certificates or the prescribed form of certificate is not used
- proposals are submitted which have not been advertised as the 1990 Regulations require.
- proposals have not been completely thought through as some have been completely revised after they have been submitted to the Assembly for determination - often following pre-application discussions with Cadw.

Action to overcome these difficulties would see a big reduction in the time taken to deal with individual applications.

Could you please bring this to the attention of all your colleagues who handle these applications.

Yours faithfully

Ms K S M Powell
Head of Planning Division