

CYNGOR SIR POWYS COUNTY COUNCIL.

**Portfolio Holder Delegated Decision
January 2012**

**REPORT AUTHOR: County Councillor Wynne T. Jones
Portfolio Holder for Regeneration & Culture**

**SUBJECT: Not to pursue the designation of a conservation area at
Llanwrtyd Wells at the present time.**

REPORT FOR: Decision

1 Summary

1.1 The purpose of this report is to seek authority to decide not to designate a conservation area at Llanwrtyd Wells.

2 Proposal

- 2.1 Llanwrtyd Wells Town Council requested that Powys County Council consider whether a conservation area should be designated in Llanwrtyd Wells.
- 2.2 An extensive programme of involvement and analysis informed a draft appraisal and management proposals document which was sent out for formal consultation between 19th September and 30th October 2011.
- 2.3 While there is no statutory requirement to consult prior to designation of a conservation area, Welsh Office Circular 61/96 suggests that there should be consultation with local residents, business and other local interests.
- 2.4 Section 71(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires proposals for the preservation and enhancement of a conservation area to be submitted for consideration at a public meeting in the area, with wider consultation being desirable.
- 2.5 Following receipt of 95 responses from the local community, the lack of support for conservation area designation has led to a recommendation not to designate a conservation area at Llanwrtyd Wells.
- 2.6 A summary paper of the responses to the consultation is appended.
- 2.7 A copy of the summary of responses paper will be held at the local library. It is felt that no additional resources will be affected as the paper will be available during normal opening hours.

- 2.8 The Local Planning Authority has the powers to designate a conservation area with or without public support. However, when considering the level of feeling that has been demonstrated through the consultation responses, it is thought that to designate without public support in this instance would be detrimental to the Planning Authority's relationship with the local community and result in an unmanageable conservation area.
- 2.9 This proposal seeks a decision not to pursue the designation of a conservation area at Llanwrtyd Wells at the present time.

3 Powys Change Plan / Options Considered/Available

- 4.1 The County Council could designate a conservation area in Llanwrtyd without further consultation; however this would work against the Council's value of engagement which is identified in the Powys Change Plan. This approach would also be against the best practice identified in Welsh Office Circular 61/96: *Planning and the Historic Environment: Historic Buildings and Conservation Areas* (Para. 25).

5 Preferred Choice and Reasons

- 5.1 The consultation process has given the local community the opportunity to inform the County Council's decision over whether to designate a conservation area. Their democratic decision has been that a conservation area should not be designated. It is felt that the full benefits of designation would not be gained without the support of the local community.
- 5.2 This will allow the process, started in March 2010, to continue through to a conclusion. This will ensure that the Town Council's initial request that the County Council considers whether a conservation area should be designated in Llanwrtyd Wells will be met and resolved.

Recommendation:	Reason for Recommendation:
To approve the proposal not to designate a conservation area at Llanwrtyd Wells as a result of the consultation process ending in October 2011.	To respect the responses of the local community and provide a definitive position on the designation proposal.

Relevant Policy (ies):	Powys Built Heritage Strategy (Oct 2010). Action point 5		
Within Policy:	Y	Within Budget:	Y

Relevant Local Member(s):	Cllr Tim Van-Rees
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Person(s) To Implement Decision:	Cyllene Griffiths
Date By When Decision To Be Implemented:	29th February 2012

Contact Officer Name:	Tel:	Fax:	Email:
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Background Papers used to prepare Report:

August 2011. *Llanwrtyd Wells: Conservation Area Appraisal & Management Proposals* – CONSULTATION DRAFT

August 2011. *Llanwrtyd Wells: Consultation Document*

Powys Built Heritage Strategy (Oct 2010).

Appendix A: Summary Paper of the Responses to the Consultation for Designating a Conservation Area at Llanwrtyd Wells

Report on the Consultation for Designating a Conservation Area at Llanwrtyd Wells

**Date consultation issued: 19th September 2011
Response date: 30th October 2011**

The Consultation Process

Following Llanwrtyd Wells Town Council's request to Powys County Council's Built Heritage Team to consider whether a conservation area could be designated at Llanwrtyd Wells, an extensive programme of consultation and analysis was undertaken and a draft appraisal document produced. This document and its proposal for the designation of a conservation area at Llanwrtyd Wells was summarized in a consultation document which was sent by post to every household which might be affected by the proposal. As is often the case with these mailshots, it has since become obvious that some households received several copies and a few received none. On the whole it is considered that a good coverage was achieved.

The consultation was advertised on the 'Have your Say' pages of the Powys County Council website, in the local papers and a consultation webpage developed. Copies of the entire document, the consultation information and extra response forms were also available at Llanwrtyd Wells library, Builth Wells library and in the Planning Department at Llandrindod Wells. The local elected member and the Llanwrtyd Wells Town Council also had copies of the documentation.

A 'drop-in' session was held in Llanwrtyd Wells library on the 13th October, where the Built Heritage Conservation Officer was available between 10.00-13.00 and 14.00-19.00 to answer questions. Attendance was steady throughout the day. A public meeting, organized by the Town Council was held in Victoria Hall on the evening of 14th October with a good attendance of approx. 30 people. At this meeting it was again made clear that the decision whether to designate would be taken through a democratic vote process.

People were asked to respond / vote via the hard copy response form sent out within the consultation document or using the electronic copy of the response form on the website. A few people also provided their vote via telephone, via customer services or e-mail without the form. For the first five weeks of the consultation period a fair number of responses were received

and opinion was divided exactly equally between designation or not. In the last week an influx of negative responses was received, resulting in the outcome below.

Consultation Results

The consultation document included eleven specific questions, in order to try to provoke thoughtful answers and encourage people to read the documentation. Many respondents only answered question 3, which asked whether a conservation area should be designated or not. A copy of the response form questions and either a numerical indication of responses or a summary of comments are provided below. The responses are in **blue**.

In summary, the overwhelming response was not to designate a conservation area at Llanwrtyd Wells. However, all other indications throughout the period of working with the community at Llanwrtyd Wells showed a high level of support for the proposal and a 'straw poll' vote held at the end of one of the workshops showed unanimous support from attendees.

The responses show that there is clearly a misunderstanding between the role of the Town Council and the County Council as Local Planning Authority and also between the statutory designations of Listed Buildings and Conservation Areas. Despite the earlier boundary consultation exercise the lack of responses to this question mean that no clear agreement has emerged for a boundary from this consultation. Many responses were made against the making of an Article 4(2) Direction and the effects of such a Direction. The document states that an Article 4(2) direction will be made in the future, once funding has been secured to assist with any additional costs this may generate. The Article 4(2) Direction cannot be made until an additional consultation process has been undertaken. The LPA is obliged to take notice of responses to this consultation prior to making a Direction. None of the responses suggested having a Conservation Area without an Article 4(2) Direction.

The Local Planning Authority has the powers to designate a conservation area with or without public support. However, when considering the level of feeling that has been demonstrated through the consultation responses, it is thought that to designate without public support in this instance would be detrimental to the Planning Authority's relationship with the local community and result in an unmanageable conservation area.

Questionnaire Responses

Question 1. Do you agree with the assessment set out in the consultation document? If not, please state why and what changes you would suggest.

Yes: 28

No: 28

Comments: Strict rules would raise costs and hinder repair. Assessment not clearly defined. Loose phrasing. Lack of definition. Original

architectural features have gone. Don't want Article 4 Direction. Extant permissions for new developments not yet built are not discussed.

Question 2. Are there other reasons for valuing Llanwrtyd Wells that should also be considered here?

Yes: 2

No: 7

Comments: Lost buildings, trees and spa. Tourist attraction. Regeneration needed – conservation area designation will not achieve this. Needs preserving but not as a museum. Wider landscape.

Question 3. Do you think Llanwrtyd Wells should be designated as a conservation area? If not, please state why and what alternative approach could be considered for managing the historic and architectural interest of Llanwrtyd Wells.

Yes: 32

No: 58

Comments: Too late - important things in town already lost. Designation would not be beneficial to the town. Ineffectual town council would be unable to control it. Amplification of existing problems. Additional costs. Fundraising should be undertaken to repair buildings of interest. Planning department should already be conserving the town. Enough controls. Nothing historic in town. People who support this live outside. 'List' buildings of interest. This would stop regeneration. Detrimental to tourism.

Question 4. Do you agree with recommendation for the boundary of the conservation area? If not, please state why and what changes you would propose.

Yes: 21

No: 24

Boundary 3: 10

Comments: a boundary would be divisive and cause friction. Whole town should be included. Include St. David's Church. Reflect the group value mentioned. Disagree with both. Include Dol-y-Coed and Abernant. Include new developments. Extend well beyond town boundaries. Smaller the better. Jobs and affordable housing needed instead. Fountain and 'wells' areas. Include station in boundary 1. Scheme to protect whole Cambrian area.

Question 5. Taking into account the information provided here and in the appraisal document, do you think Llanwrtyd Wells should have an Article 4 Direction...

a)...now (at or soon after designation)?

Yes: 8

No: 30

Comments:

b)...in the future (when finance for grant schemes etc is available)?

Yes: 16

No: 23

Comments: Depends on how people will be affected. 'List' buildings at threat. Increased costs will result in deterioration of properties. Would limit / prevent regeneration. Grants difficult to apply for. Grants should be available to help people use traditional materials.

Question 6. Do you think the management proposals would help to preserve and enhance the 'special interest' of Llanwrtyd Wells, if the area were designated? If not, please provide suggestions for amendments.

Yes: 27

No: 19

Comments: Town Council cannot be trusted. 'Special interest' is ambiguous. Buildings of interest should be listed. Heritage centre. Special interest is location. Review extant permissions. Each building assessed on its own merits. Parking, traffic flow. Can be changed / added to later if required.

Question 7. If you support designation, taking into account minor changes may be made as a result of this consultation, would you recommend adoption of this document by the Council?

Yes: 28

No: 13

Comments:

Question 8. Would guidance on best practice within the conservation area be useful for the future and if so who should take the lead or be involved in developing any guidance?

Yes: 18

No: 8

Comments: Powys County Council. Built Heritage Conservation Officer. Local community / residents. Not the Town Council. Llanwrtyd Town Council. Local historical society. Full consultation. Excellent idea.

Question 9. How do you think the appraisal and management plan would best be disseminated?

Comments: Public meeting / display. Written information to all households. Websites. Hand delivery. Grapevine. Library. Through a range of channels. Not limited to Internet.

Question 10. Do you have any other concerns or observations you would like to make regarding the designation of a conservation area at Llanwrtyd Wells?

Comments: Areas adjacent should not detract from conservation area. Negative impact on affordable housing, attracting new people, businesses & investors. Designation put on hold for now. Extra cost for residents. Government money better spent on other things / waste of taxpayers money. Too restrictive. Only PCC will benefit. Emphasis on benefits of grants is overstressed. Increased house prices will be a problem for young local people. Limited local support due to perception of implications for householders. More bureaucracy. Better late than never. Need tighter controls over advertisements and agricultural developments. Availability of funding for grants?

Question 11. Do you think this consultation document is laid out and explained clearly? Please identify any parts you find hard to understand or that are unclear to you.

Yes: 23

No: 6

Comments: Confusing. Hard to follow. Big document. Over complicated. Management proposals should be consulted on separately. Fewer questions. Too many issues to consider at once. Maps should be the same size, colour and orientation. Very clear. Well laid out. All questions answered by Built Heritage Officer in person.