

Update for Conservation Area Appraisals

This update has been prepared to update the following Conservation Area Appraisals to reflect legislative changes introduced by the Historic Environment (Wales) Act 2023.

- Angle Conservation Area Appraisal and Management Plan (adopted 26 October 2022)
- Caerfarchell Conservation Area Appraisal and Management Plan (adopted 26 October 2022)
- Caldey Island Conservation Area Appraisal and Management Plan (adopted 26 October 2022)
- Little Haven Conservation Area Appraisal and Management Plan (adopted 26 October 2022)
- Manorbier Conservation Area Appraisal and Management Plan (adopted 26 October 2022)
- Newport and Newport Parrog Conservation Areas Appraisal and Management Plan (adopted 26 October 2022)
- Portclew Conservation Area Appraisal and Management Plan (adopted 26 October 2022)
- Porthgain Conservation Area Appraisal and Management Plan (adopted 26 October 2022)
- Saundersfoot Conservation Area Appraisal and Management Plan (adopted 26 October 2022)
- Solva Conservation Area Appraisal and Management Plan (adopted 26 October 2022)
- St Davids Conservation Area Appraisal and Management Plan (adopted 26 October 2022)
- Tenby Conservation Area Appraisal and Management Plan (adopted 26 October 2022)
- Trefin Conservation Area Appraisal and Management Plan (adopted 26 October 2022)

Historic Environment (Wales) Act 2023

The statutory framework for the protection, designation, and management of conservation areas in Wales is now set out in the Historic Environment (Wales) Act 2023. The 2023 Act consolidates and modernises the law relating to the historic environment in Wales and replaces and repeals provisions formerly found in:

- The Planning (Listed Buildings and Conservation Areas) Act 1990 (as it applied to Wales)

- The Ancient Monuments and Archaeological Areas Act 1979 (as it applied to Wales)
- The Historic Environment (Wales) Act 2016

The Act also restates provisions previously found in other Acts relevant to the historic environment to improve accessibility and clarity. These include:

- The Local Government Act 1972
- The Town and Country Planning Act 1990
- The Planning and Compulsory Purchase Act 2004

The Historic Environment (Wales) Act 2023 was passed by Senedd Cymru on 28 March 2023 and received Royal Assent on 14 June 2023. The Act came fully into effect on 4 November 2024.

From 4 November 2024, all powers and duties concerning the designation, review, and management of conservation areas in Wales are exercised under Part 4 of the Historic Environment (Wales) Act 2023.

The suite of supporting regulations to the Historic Environment (Wales) Act 2023 are currently:

- The Applications for Scheduled Monument Consent (Wales) Regulations 2024
- The Listed Buildings (Exempt Religious Buildings) (Wales) Regulations 2024
- The Listed Buildings (Partnership Agreements) (Wales) Regulations 2024
- The Listed Buildings and Conservation Areas (Procedure and Interest Rate) (Wales) Regulations 2024
- The Scheduled Monuments (Partnership Agreements) (Wales) Regulations 2024

Summary of changes

The table below updates references in the Conservation Area Appraisal and Management Plans as follows:

Section in SPG/Appraisal	Original Reference	Errata Revision
Appendix A: National Legislation, Policy and Guidance. Conservation Areas	Conservation Areas are defined under sections 91 (with reference to section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as: “areas of special architectural or historic interest the character and appearance of which it is	The Historic Environment (Wales) Act 2023, Part 4, Section 158 (1) defines conservation areas as “areas of special architectural or historic interest whose character or appearance it is desirable to preserve or enhance”.

	desirable to preserve or enhance”.	
	Section 69 of the Act, requires Local Planning Authorities to identify these areas, and under section 71 of the Act, from time to time, to formulate and publish proposals for the preservation and enhancement of these areas.	Section 158 of the Historic Environment (Wales) Act also requires planning authorities to designate conservation areas. Section 159 of the Act places a duty on planning authorities to formulate and publish proposals for preservation and enhancement of conservation areas.
	Section 72 of the Act places a general duty on Local Planning Authorities to pay ‘special attention to the desirability of preserving or enhancing the character or appearance of that area’.	Section 160 of the Historic Environment (Wales) Act 2023 places a general duty relating to conservation areas that “in exercising a planning function in relation to a building or other land in a conservation area, a person must have special regard to the desirability of preserving or enhancing the character or appearance of that area”.
Demolition Consent	Section 74 of the Act controls demolition in Conservation Areas by requiring Conservation Area Consent from the Local Planning Authority for the demolition of buildings within Conservation Areas subject to certain exemptions made under section 75 of the Act. This requirement does not apply to Listed Buildings, Scheduled Ancient Monuments (SAMs) or to demolition of ecclesiastical buildings in use for ecclesiastical purposes, as such works are subject to controls under separate legislation.	Section 161 of the Historic Environment (Wales) Act controls demolition in Conservation Areas by requiring Conservation Area Consent from the Planning Authority for the demolition of buildings within Conservation Areas subject to certain exemptions made under the section. This requirement does not apply to listed buildings, which are instead dealt with under section 88, and for Scheduled Monuments refer to Section 11.
Heritage Impact Statements	The Historic Environment (Wales) Act 2016 makes changes to legislation relating	The Historic Environment (Wales) Act 2023 requires all applications for Listed Building

	to the protection and management of the historic environment in Wales. It introduces measures for the positive management of change to the historic environment, such as requiring all applications for Listed Building Consent and for Conservation Area Consent to be accompanied by Heritage Impact Statements (see section 6). It also places a duty on the Welsh Government to compile and keep up-to-date a Historic Environment Record.	Consent to be accompanied by a Heritage Impact Statement (Section 90 (4)). The Listed Buildings and Conservation Areas (Procedure and Interest Rate) (Wales) Regulations 2024 includes measures for the positive management of change to the historic environment, such as requiring all applications for Listed Building Consent and for Conservation Area Consent to be accompanied by Heritage Impact Statements.
Planning Policy Wales	Planning Policy Wales (PPW) (11th Edition) contains national planning guidance that recognises Conservation Areas as historic assets and acknowledges the need for the planning system to protect, conserve and enhance the significance of historic assets, including consideration of their settings. The need for decisions to be based on an understanding of the impact of a proposal on the significance of an historic asset is emphasised. It explains that the protection, conservation and enhancement of historic assets is most effective...when designing new proposals. The Welsh Government's objectives in respect of Conservation Areas is to preserve or enhance their character and appearance, whilst the same time helping them remain vibrant and	Planning Policy Wales (PPW) (12th Edition) contains national planning guidance that recognises Conservation Areas as historic assets and acknowledges the need for the planning system to protect, conserve and enhance the significance of historic assets, including consideration of their settings. Chapter 6, 'Distinctive and Natural Places', explains how the planning system must consider the Welsh Government's objectives to protect, conserve, promote and enhance the historic environment as a resource for the general well-being of present and future generations. It also sets out the planning policies for the sustainable management of specific categories of historic assets. The need for decisions to be based on an understanding of the impact of a proposal on the significance of an historic asset is emphasised. It explains that

	prosperous. It refers to the 'general presumption in favour of the preservation or enhancement of the character or appearance of conservation areas or their settings' and sets a 'strong presumption against the granting of planning permission for developments, including advertisements, which damage the character or appearance of a conservation area or its setting to an unacceptable level...'. This presumption applies unless, in exceptional circumstances, where a development is desirable on the grounds of public interest. PPW also explains that Conservation Area Character Appraisals and Management Plans can assist in development management functions and that design decisions relating to character should be based on site and context analysis.	the protection, conservation and enhancement of historic assets is most effective.....when designing new proposals. The Welsh Government's objectives in respect of Conservation Areas is to preserve or enhance their character and appearance, whilst the same time helping them remain vibrant and prosperous. It refers to the 'general presumption in favour of the preservation or enhancement of the character or appearance of conservation areas or their settings' and sets a 'strong presumption against the granting of planning permission for developments, including advertisements, which damage the character or appearance of a conservation area or its setting to an unacceptable level...'. This presumption applies unless, in exceptional circumstances, where a development is desirable on the grounds of public interest. PPW also explains that Conservation Area Character Appraisals and Management Plans can assist in development management functions and that design decisions relating to character should be based on site and context analysis.
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Technical Advice Note 24 (TAN 24) Historic Environment is currently under revision and will be re-issued by the Welsh Government to align with the Historic Environment (Wales) Act 2023.

Cadw's Conservation Principles for the Sustainable Management of the Historic Environment in Wales (Conservation Principles) (2011) will be amended to reflect forthcoming TAN 24 update and current alignment with the 2023 Act.

