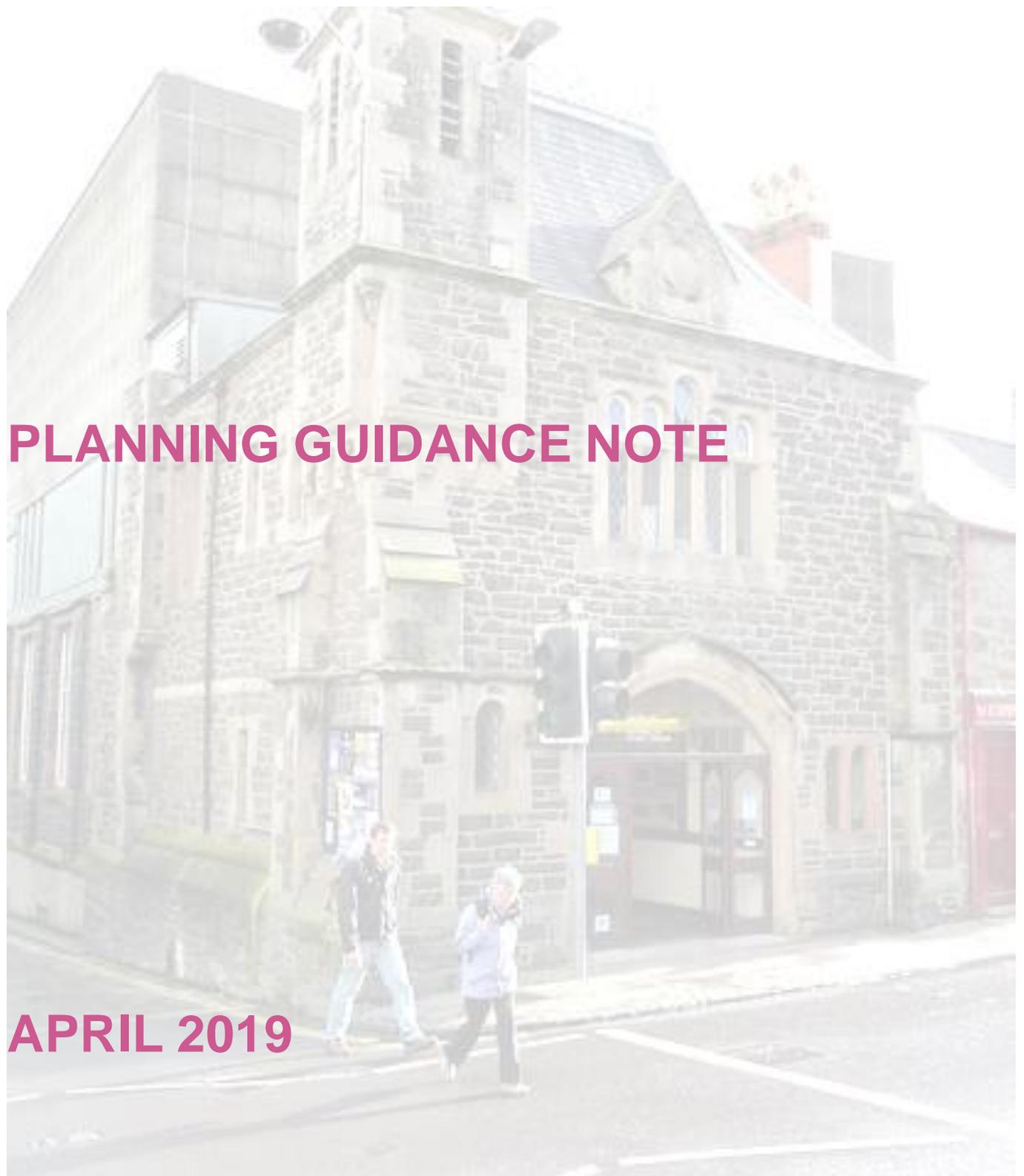


**CONWY CIVIC HALL  
CASTLE STREET  
CONWY**

**PLANNING GUIDANCE NOTE**

**APRIL 2019**



# CONTENTS

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1.0	Introduction.....	2
2.0	Purpose of the Guidance Note .....	3
3.0	Site Description .....	3
4.0	Applications .....	5
5.0	Preparation of Application .....	5
6.0	Design and Access and Heritage Impact Statement (DAS & HIA) ....	8
	APPENDICES.....	11
	APPENDIX A - SITE INFORMATION.....	11
	APPENDIX B - DESIGNATIONS AND POLICIES .....	12
	APPENDIX C - ENVIRONMENTAL IMPACT ASSESSMENT (EIA) .....	14
	APPENDIX D - DESIGN AND ACCESS STATEMENT GUIDANCE .....	16
	APPENDIX E - SITE PLAN.....	19
	APPENDIX F - DESIGN PROCESS .....	20

# CONWY CIVIC HALL CASTLE STREET, CONWY

## Planning Guidance Note

### 1.0 INTRODUCTION

- 1.1 Conwy County Borough Council is looking to work with a developer to bring forward proposals to regenerate and enhance this waterside development.
- 1.2 Conwy is an important World Heritage Site situated on the north Wales coast, just off the A55, and the gateway into the Snowdonia National Park. The outstanding feature of Conwy is its castle and walls constructed as part of the 'iron ring' by Edward I between 1283 and 1289 and attracts between 150,000 and 200,000 visitors per year.
- 1.3 The Quay, once a small and important trading port, is now an attraction in itself with a multitude of businesses trading all year round and the focal point for a number of events such as Gwledd Conwy Feast, Conwy Half Marathon, Pirate Weekend, Rally and many others.
- 1.4 The building and site is adjacent to the north eastern section of the historic walled town of Conwy and adjacent to structures of outstanding historic and architectural interest.
- 1.5 As an UNESCO World Heritage site the town is a major tourist destination and the site sits at the junction of the main arterial route through the town and the High Street leading from the Quay up through the centre of the town's retail sector. The nature of future redevelopment of the site, if acceptable in principle, is therefore a major consideration from the perspective of both the key economic driver for the town but also the sensitivity and quality of design required in the context of the site's location.
- 1.6 The Civic Hall building is a Grade II Listed Building (ID 3253) and is situated on the site of the former town hall (damaged by fire) and was rebuilt in the 1960s.
- 1.7 Great sensitivity and quality of design in context is required due to the location of the whole site along the river frontage to the historic town of Conwy, the castle, and adjacent to structures of outstanding historic and architectural interest.
- 1.8 A full recording exercise of the building prior to development should be carried out at the request of Cadw and the Royal Commission on the Ancient and Historical Monuments of Wales. The recording should be high quality photography and catalogue the key aspects of the building and its previous uses.

## 2.0 PURPOSE OF THE GUIDANCE NOTE

- 2.1 The purpose of the guidance is to provide information about the factors that are likely to be material to the consideration of any redevelopment proposal. The guidance note also provides guidance to enable redevelopment proposals to be realistically and sensitively formulated.
- 2.2 The site adjoins a number of planning and historic conservation assets and their settings that are subject to a variety of important designations. These are likely to be affected to varying degrees by any future redevelopment proposal. Other factors such as flood risk, archaeology and highway matters also need to be carefully evaluated.

## 3.0 SITE DESCRIPTION

- 3.1 The site lies next to the Medieval Conwy Town Walls and Porth Isaf and is within the setting of Conwy's Edwardian castle and defensive walls. These are well preserved medieval structures of global importance. (The site is shown in Appendix E - Site Plan).
- 3.2 The main site premises is the Conwy Civic Hall although it should be noted that there is right of way at the rear of the site, providing access to a neighbouring property.
- 3.3 The context of the site is of overriding importance and the castle and walls of Conwy and other historic structures are within the zones of visibility of and from these buildings. The site also lies within a short distance of individual listed buildings and proposed redevelopment of the site will have an impact on the settings of these designated buildings and the Conwy Conservation Area.
- 3.4 The Civic Hall building has long been regarded as a detracting element in relation to historic designations and is not considered conducive to the overall appearance of the area.
- 3.5 Conwy is a globally important historic visitor attraction and the Conwy castle and walls attract thousands of visitors annually. The site lies only a short distance and below these destinations and can clearly be seen in foreground views from the castle towers and ramparts and northern stretches of the town walls. The landscape in the vicinity of the site plays an integral part in establishing the character of the setting to these historic assets. This landscape is also recognised for its outstanding historic interest
- 3.6 The castle at Conwy and its contemporaneous thirteenth century defensible town wall are part of the North Wales World Heritage Site designation and are of international importance in conservation terms. These assets must be preserved and their immediate and wider setting must also be safeguarded. Any redevelopment of the site should be very carefully assessed in relation to direct physical and visual impacts on the World Heritage Site structures. This will include undertaking a rigorous examination and analysis of the effect of any new structure or adaptation on the fabric of these assets.

- 3.7 It will be necessary to identify key viewpoints of the World Heritage Site structures from the quay area and within the town walls. Alterations and redevelopment of the site could have a significant adverse impact on the site and setting of the town when the locality and town are seen from more distant views from the north, the approach embankment across the river and from the walls and Conwy Castle themselves. There should be a careful analysis of redevelopment options to analyse their comparative visual impact. Proposals should not detract from views of the castle from within the town walls and the quay.
- 3.8 Consideration should also be given to the on-going practicalities of repair and maintenance of the World Heritage Site assets, and in particular the castle walls.
- 3.9 The World Heritage Site structures have historically dominated the townscape when viewed with the town and views towards the town from the surrounding countryside. The visual dominance in character, impact and scale of these assets must be maintained. Any redevelopment should respect the visual importance and primacy of these structures of universal interest.
- 3.10 There is a statutory planning duty under the Town and Country Planning Act 1990 to preserve, or if possible, enhance the special defining character of designated conservation areas. Conwy is one of the most distinctive and precious conservation areas in Wales. Any redevelopment must meet these criteria. The prevailing character of the locality is complex and multi-faceted; for instance the special character of areas adjoining the site within the town walls differs significantly from the character of the quayside. The particular character of these areas will need to be analysed so that redevelopment options can be narrowed down and designed with the local historic and architectural context in mind. The height, building shape, massing scale of architectural features and decorative detail, the colour, nature and texture of materials, architectural style and fenestration and the siting of any new building will all need to be carefully considered and refined to complement but not necessarily replicate the historic context(s).
- 3.11 It is inevitable that any development is likely to have an effect on heritage assets or its setting and therefore proposals would be expected to enhance the asset.
- 3.12 Where any proposal incorporated the provision of public access to conveniences, in accordance with Policy CTH/2 of the Local Development Plan, the Local Planning Authority would seek betterment in design terms. Any such proposal could be considered as an 'enabling development' and could benefit from a contribution from the section 106 reserves towards this aspect of the scheme.

## 4.0 APPLICATIONS

- 4.1 A full planning application will be required, the development will also need Listed Building Consent and/or Scheduled Ancient Monument Consent if any part of the development is to be fixed to or will alter a designated structure. There is unlikely to be a need for Conservation Area Consent. As the adjoining Town Walls are a Scheduled Ancient Monument this control regime takes precedent over Listed Building Consent and a Scheduled Monument Consent will be required (considered and determined by the Welsh Government and Cadw only if any new development is directly fixed onto the Scheduled Ancient Monument).
- 4.2 An application that provides the creation of 1,000 square metres or more of floor space will be determined as a “major application”. From 1st January 2017 onwards, all planning applications for major development must be accompanied by the relevant requirements (known as 'validation requirements') in the attached schedule. If any of these requirements are missing, the applications will be deemed to be invalid and will not be registered. The LPA’s Local Validation List<sup>1</sup> is available from its website.
- 4.3 It is strongly advised that any new development should maintain, as a general guide at this stage, a clear distance of a minimum of 2.5 metres so as not to have to submit a Scheduled Monument Consent application. Subject to detailed consideration it is likely that a freestanding structure that does not connect with the town walls will only require a planning application. The Town and Country Planning Act 1990 and S.16, 66, and 67 of the Planning (Listed Buildings and Conservation Areas) Act 1990 creates a legal obligation to assess the impact of any development on the setting of a listed building.

## 5.0 PREPARATION OF APPLICATION

- 5.1 A preferred design process should be followed for any proposal, see Appendix F
- 5.2 In view of the importance of the site the Local Planning Authority (LPA) may consult with the Design Commission for Wales on any future development proposals. Similarly and in view of the potential impact of any development on the setting of the World Heritage Site, the LPA will consult with Cadw and ICOMOS UK.
- 5.3 If an application for planning permission is anticipated, potential developers should take advantage of the Local Planning Authority’s pre-application enquiry system and should engage with officers at an early stage. A Design and Access Statement (DAS) will be required to support an application and should include information and analysis specified by the Regulations. In addition, the application will need to be supported by a statement that addresses the contents and requirements of this guidance note.
- 5.4 As well as drawings, other documents must be presented for consideration and may include:
- (a) Investigation and gathering of the information about the site that may influence the design and placement of the building, consideration of this document and analysis
  - (b) Concept designs, including materials and finishes, with an explanation of some of the options that have been discarded and the final one chosen in relation to the analysis carried out in (a)

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<sup>1</sup> <http://www.conwy.gov.uk/en/Resident/Planning-Building-Control-and-Conservation/Planning-Applications/Local-Validation-List-LVL.aspx>

## 5.5 EIA Requirements

- 5.5.1 Due to the sensitivity and location of the site adjoining a World Heritage Site structure it is recommended that any developer seeks a screening opinion in accordance with the Town and Country Planning EIA Regulations 1999 (as amended). This can be done prior to the formal submission of an application. Refer to Appendix C for further information.

## 5.6 Application Information

- 5.6.1 It is vital that a close and early dialogue should be established with the LPA prior to the submission of any formal applications. This dialogue should seek to evolve an appropriate design in its context in line with the process described herein. The application information should concentrate on developing an understanding of the site and its immediate surroundings with important aspects of this concept and the analysis of potential impact of any development on the setting of designations described in this Guidance Note. There will also be a requirement to not only preserve but to enhance the quality of the place. Another key stage is to look at the development itself, to make sure the design (siting, scale, form etc) of the development achieves the objectives identified above.
- 5.6.2 On a site such as this one it is expected to have detailed drawings and other illustrative material submitted as early as possible to be considered by the Development Management and Conservation Officers, as well as other consulting bodies. It is expected that any developer will engage the department at a pre application stage to open up dialogue on the way forward with the site. Drawings must be submitted to scale with details of construction methods, materials to be used etc. Cadw will be consulted on the proposals at the earliest stage due to the importance of the site.

## 5.7 The Development itself

- 5.7.1 Any new development must be designed to carefully complement the special historic and architectural context of this site; one of the most important in Wales. The overall style of any new building or redevelopment of the Civic Hall should be contemporary in nature and should reflect the period of its construction. Straight forward reproductions of historic styles or pastiche creations should be avoided. Having stated this, it will be of equal importance in achieving a successful scheme to ensure that the design is sensitive to its historic context and pays due respect to the history of this area and surrounding place and its special buildings and spaces. Technical Advice Note 24: The Historic Environment gives guidance on new development design. In this case it is considered that the massing, shape (including roof design) height, scale of architectural features and choices in materials should be subject to careful selection based on context to ensure that the eventual scheme successfully blends into its surroundings whilst providing an exciting contemporary development that enhances the distinctive character and appearance of the area. Careful consideration needs to be given to the following aspects:

**Form** - The overall form, external materials and detailing should reflect the context of the site. There is an opportunity to break up elevations and to provide architectural interest rather than a single plane frontage.

**Elevation Treatment** - All sides of any structure on the site are going to be important and will need to be of the highest standard of composition, materials and design. The rear elevation and the roof are just as important as the main elevations as these elements are visible from listed buildings along Castle Street as well as the medieval walls and castle. Careful consideration needs to be given to the rear aspect of the development. The Town Walls are particularly low along the quay and there may be issues of overlooking to the rear of the site (Castle Street). As stated above, high standards of design and material use should be maintained throughout the development. Any development should allow for a reasonable transparency in its design, glimpses of the Town Walls and wider vistas should be incorporated and maintained from the quay side and events space. Any development that affects the north elevation will require Scheduled Monument Consent, this may also include works to the public conveniences and adjoining walls.

**Illumination** - Lighting within the site and the building that is visible from outside view points and external lighting will need to be integrated with the building and landscaping concepts. Light intrusion is a potentially harmful impact on views of designations and if these elements are not designed with sensitivity the dramatic night time visual emphasis on medieval structures could be detrimentally affected.

**Advertisement** - Signage needs to be properly integrated in the overall design with architectural signs of high quality used. Illuminated signs are unlikely to be acceptable due to their potential adverse impact on the setting of the World Heritage Site and listed structures.

**Storage and Services** - Storage of waste and equipment should be incorporated into the design. The preference would be for internal refuse store and equipment storage space. Mechanical and electrical systems should also be incorporated into the main structure of any development. There will be a strong preference for no external ducting or flues to be visible from any highlighted vantage points

**Hard Landscaping** - Surfacing materials should be in keeping with those already in place, complementary materials will be considered if of a high standard and do not detract from the area. A clear area to the rear of the development should be maintained (approximately 2.5m) for access and ongoing repairs to the castle walls. This area should be designed to sit with the building using the highest standard of material expected within a site of this stature.

**Appropriate Uses** - Appropriate uses of the area may include:

- Residential (C3) – Ground and Upper Floors
- Retail (A1) - Ground Floor with Residential (C3) – Upper Floors
- Hotel (C1) - Ground and Upper Floors

To support the existing town centre retail offer and encourage combined trips, new retail uses should be concentrated towards the southern end of the site to complement and improve Castle Street and Lower High Street offers.

## 5.8 The Impact on the Setting of Designations - Enhancing the Place

5.8.1 You are advised that the supporting documents should include:

- 1) A design statement for the development.
- 2) A Heritage Impact Statement.
- 3) A visual impact analysis on designations with supporting illustrative material including viewpoint impact assessments - a plan showing identified principal views should be included
- 4) Flood consequences assessment
- 5) Traffic impact assessment
- 6) Contamination Analysis

5.8.2 When the above information is formulated and options are identified the LPA will expect discussions to take place at an early stage prior to formal submission of a planning application.

## 6.0 DESIGN AND ACCESS AND HERITAGE IMPACT STATEMENT (DAS & HIA)

6.1 Planning and Listed Building Consent applications (with defined exceptions) submitted will require a DAS and HIA to accompany the application. Design and Access Statements in Wales<sup>2</sup>, prepared for the Welsh Government by the Design Commission for Wales is available from the WG website and in Appendix D of this document. The purpose of a DAS and HIA is primarily for explaining –

(a) the design principles and concepts that have been applied to the development; and

(b) how issues relating to access to the development have been dealt with.

6.1.1 Apart from covering the heading described in Appendix D the LPA would also expect guidance within TAN 24 to be followed. Because of the role and responsibility of Cadw with the adjacent World Heritage Site and Scheduled Ancient Monuments and their direct role in the ongoing maintenance of these structures the LPA will consult and liaise with Cadw at an early stage in the process.

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<sup>2</sup> <https://beta.gov.wales/sites/default/files/publications/2018-09/design-and-access-statements.pdf>

## 6.2 Information to include in a Statement

### 6.2.1 Archaeological Background

6.2.2 The Edwardian town of Conwy has in recent years revealed evidence of its medieval past. Most urban centres of this period retain archaeological information in the fabric of surviving buildings as at Beaumaris and Harlech. However, Conwy retains a number of early buildings which provide visible evidence of the past such as the castle, town walls and Ty Aberconwy but also evidence is increasingly being found for well preserved and deeply stratified archaeological deposits below ground. The discovery of remains associated with Plas Porter were found on Castle Street in 2012 along with 13th century pottery at the Black Lion and recent archaeological interventions elsewhere in the town show good potential for further significant discoveries.

6.2.3 The area around the Civic Hall and Porth Isaf is one of significant archaeological potential, particularly in light of recent discoveries within the walled town. The Holland Estate papers 1777 identify that the area is one which at the end of the 18th Century retained 'fine dwelling houses' with gardens and stables. Numerous buildings and structures are evident on this and later historic maps.

6.2.4 As well as settlement evidence the area also retains the potential for the discovery of human remains. Burials have been discovered in the area around Berry Street, formerly Burial Street, which are thought to have been associated with the Black Death, which documentary sources identify as affecting Conwy in 1607. Also, during the 1990s several burials were discovered further up the High Street thought to pre-date the Edwardian town, presumed to be associated with the monastic community.

6.2.5 The area identified within the Planning Guidance Note on the quay is located at the junction between the medieval quay (which runs to the north west) and the Provis Quay (constructed in 1833 and running from Porth Isaf to the south east). This area is therefore likely to consist mainly of 19th century and later deposits but retains some archaeological potential depending on the extent of ground disturbance proposed.

6.2.6 Most of the more recent history of the development of the quay was investigated by the Gwynedd Archaeological Trust prior to recent demolitions (GAT report 815, 2009). However, reference to the Holland Estate Map (1777) clearly shows that the route through the town wall to the rear of the chip shop on Castle Street is a historic one and probably marks the southern extent of the medieval quay.

6.2.7 The designation of the Conwy town walls, gates and towers as a Scheduled Ancient Monument means that more detailed controls apply to these structures. These are standing monuments of national/international importance. Any physical work to the fabric of the monument or development that is likely to affect its setting will be subject to detailed scrutiny. The jurisdiction afforded to control of works to Scheduled Ancient Monuments currently lies with the Welsh Government, advised by Cadw. Applications for Scheduled Ancient Monument consent must be made directly to Cadw. The statutory provisions relating to these aspects are contained in the Ancient Monuments and Archaeological Areas Act 1979. There is a presumption in favour of the physical preservation of scheduled monuments. Further advice is contained in Technical Advice Note 24: The Historic Environment.

6.2.8 The Scheduled Ancient Monument itself and the surrounding area which includes this site is considered to be of the highest archaeological interest. Any development options on this site will require a full assessment to be carried out at the outset by a professionally qualified archaeological organisation or consultant.

## 6.2.9 Archaeological Requirements

- 6.2.10 The setting of the World Heritage Site and Scheduled Ancient Monument must be considered in detail in relation to any future development proposals. Cadw have prepared and published guidance<sup>3</sup> within the World Heritage Management Plan for the Castles of Edward 1<sup>st</sup>. Photomontage views of any proposals will need to be prepared to inform decision making and it is likely that a detailed Heritage Impact Assessment will be required to accompany any future proposals. Such an assessment will need to be prepared in accordance with ICOMOS Guidance<sup>4</sup>. As Scheduled Monument Consent will be required for any works affecting the ancient monument Cadw should be consulted directly for detailed pre-application advice.
- 6.2.11 If any ground investigation work is undertaken in advance of any future application a watching brief should be maintained throughout. Should any more extensive ground disturbing works be proposed then a comprehensive programme of intrusive archaeological investigation would be required. The level of archaeological work required will depend to some extent on the nature of the proposed development but it is likely that further desk based assessment work and archival research will be required which will most likely include a programme of archaeological trial trenching. The results of any assessment and trial trenching would be used to inform future design/decision making as well as appropriate mitigation in accordance with policy (Planning Policy Wales Chapter 6 and Technical Advice Note 24: The Historic Environment). The Gwynedd Archaeological Planning Service should be consulted for further guidance on the archaeological requirements.
- 6.2.12 Given the potential for nationally important remains to be discovered, consultation with Cadw and the Gwynedd Archaeological Planning Service should begin from the earliest possible stages. The scale of development may also be such that an Assessment of the Significance of the Impact of Development on Historic Landscape areas on the Register (ASIDOHL2) is required.

## 6.3 Sustainability

- 6.3.1 To move towards more sustainable and zero carbon buildings in Wales, the Welsh Government expects that the applications received on or after *1<sup>st</sup> September, 2009* for non-residential development which will either have a floorspace of 1,000 m<sup>2</sup> or more, or will be carried out on a site having an area of one hectare or more to meet the Building Research Establishment Environmental Assessment Method (BREEAM) 'Very Good' standard and achieve the mandatory credits for 'Excellent' under issue *Enel – Reduction of CO2 Emissions*.

## 6.4 Highway and Parking Requirements

- 6.4.1 Any design will need to pay close attention to servicing requirements. Dependant on the proposals, amendments may be required to existing Traffic Regulation Orders. It is advised that any discussion with the LPA should include a traffic and parking strategy for the redevelopment of the site.

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<sup>3</sup> <https://cadw.gov.wales/historicenvironment/protection/worldheritage/cstlisedward1/?lang=en>

<sup>4</sup> [http://www.icomos.org/world\\_heritage/HIA\\_20110201.pdf](http://www.icomos.org/world_heritage/HIA_20110201.pdf)

## APPENDICES

### APPENDIX A – SITE INFORMATION

#### A.1 Present Use

A.1.1 The Civic Hall building's main use has been as the town library and community venue.

A. 1.2 The adjoining quayside will continue to host events on the remainder of the site and, on occasion, bigger events such as the annual Gwledd Conwy Feast and River Festival. The vision is for an integrated tenant benefiting from the activities organised on the quayside and Conwy town and contributing to the strategic support of the area where appropriate.

A. 1.4 Neighbouring properties to the Civic Hall are:

1. Conwy Gift Shop - Grade II Listed
2. Eagles Building (Fish and Chips) – Grade II Listed
3. Aberconwy House – Grade I Listed
4. The Galleon Fish and Chips – Grade II Listed
5. Tan Lan Bakery – Grade II Listed

Also on the quayside are:

1. The Liverpool Arms Public House – Grade II Listed
2. Harbour Masters Office – Grade II Listed
3. RNLI
4. Public Conveniences and Telephone Kiosk – Kiosk Grade II Listed
5. Ice cream concession
6. The 'Smallest House' attraction – Grade II Listed
7. Boat and fisherman's storage compound
8. Helen II restoration project
9. Interpretation area

#### A.2 Planning History of Site

The site benefits from a varied planning history and listed below is a summary of the relevant planning applications:

*1/1/B599* - Reconstruction to accommodate a public hall and main library with ancillary facilities.

Other relevant applications on the adjoining quayside include:

Scheduled Monument Consent – Granted 2006

*0/31760* – Demolition of buildings and redevelopment of the site (Conservation Area Consent) – Granted 2007

*0/32731* – Demolition and redevelopment to form commercial office, bar/restaurant and retail units – Approved 2007 (Full)

*0/35233* – Proposed demolition of buildings (Conservation Area Consent) – Granted 2009

## APPENDIX B – DESIGNATIONS AND POLICIES

### B.1 Designations

B.1.1 There are several important conservation designations within the vicinity which include:

- 1) UNESCO World Heritage Site / North Wales Castles and Defensive Walls of Edward I (including Conwy Castle and Town Walls) -1981.
- 2) Conwy Conservation Area (designated in 1975).
- 3) The Scheduled Ancient Monument comprising Conwy Castle and Walls
- 4) The following listed buildings –
  - a. Conwy Castle (Listed / 23/09/1950)
  - b. Town Walls (Listed / 23/09/1950)
  - c. The Suspension Bridge (Listed / 23/09/1950)
  - d. Aberconwy House (Listed / 23/09/1950)
  - e. The Railway Bridge (Listed // 08/10/1981)
  - f. The Quay (Listed // 08/10/1981)
  - g. Telephone Kiosk (Listed // 30/12/2005)
  - h. Harbour Master's Office (Listed // 08/10/1981)
  - i. Liverpool Arms (Listed // 06/05/1970)
  - j. 11-12 Lower Gate St (Listed // 06/05/1970)
  - k. Smallest House (Listed // 06/05/1970)
  - l. Public Library (Listed // 08/10/1981)
  - m. 1 Castle Street (Listed // 23/09/1950)
  - n. 3 - 9 Castle Street (Listed // 30/12/2005)
  - o. 11 Castle Street (Listed // \* 23/09/1950)
- 5) The former Yard Walls - not listed structures
- 6) The Outstanding Historic Landscape of Conwy and Creuddyn – 1998.

### B.2 Planning Policies and Guidance:

#### B.2.1 General

The following documents are relevant:

- Conwy Local Development Plan (LDP)<sup>5</sup>
  - Policy DP/1 – Sustainable development principles
  - Policy DP/3 – promoting design quality and reducing crime
  - Policy DP/4 – development criteria
  - Policy DP/5 – infrastructure and new developments
  - Policy DP/6 – national planning policy and guidance
  - Policy CTH/1 – cultural heritage
  - Policy CTH/2 – development affecting heritage assets
  - Policy TOU/1 – sustainable tourism
  - Policy CFS/1 – community facilities and services
  - Policy CFS/4 – shopping zones

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<sup>5</sup> [www.conwy.gov.uk/ldp](http://www.conwy.gov.uk/ldp)

- LDP 14: Conservation Areas SPG
- LDP 15: Conwy Conservation Area Management Plan SPG
- Planning Policy Wales (PPW)<sup>6</sup>
  - PPW 10 Chapter 6
- Technical Advice Notes<sup>7</sup>
  - TAN 4 Retailing and Town Centres
  - TAN 8 Renewable Energy
  - TAN 12 Design
  - TAN 13 Tourism
  - TAN 15 Development and Flood Risk
  - TAN 18 Transport
  - TAN 24 The Historic Environment
- Welsh Government Practice Guidance
  - Sustainable Buildings<sup>8</sup>
  - World Heritage Management Plan<sup>9</sup>
  - Heritage Impact Assessment in Wales<sup>10</sup>
  - Setting of Historic Assets in Wales
  - Traffic Management in Historic Areas
  - Managing Change to Listed Buildings
  - Understanding Listing in Wales
- Planning (Listed Buildings and Conservation Areas) Act 1990<sup>11</sup>

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<sup>6</sup> <https://beta.gov.wales/sites/default/files/publications/2018-12/planning-policy-wales-edition-10.pdf>

<sup>7</sup> <http://gov.wales/topics/planning/policy/tans/?lang=en>

<sup>8</sup> <https://beta.gov.wales/sites/default/files/publications/2018-09/planning-sustainable-buildings.pdf>

<sup>9</sup> <https://cadw.gov.wales/historicenvironment/protection/worldheritage/cstlsedward1/?lang=en>

<sup>10</sup> <https://cadw.gov.wales/historicenvironment/publications/?skip=1&lang=en>

<sup>11</sup> <http://www.legislation.gov.uk/ukpga/1990/9/contents>

## APPENDIX C – ENVIRONMENTAL IMPACT ASSESSMENT (EIA)

### C.1 EIA Requirements

- C.1.1 The site occupies a very significant position in relation to the medieval settlement of Conwy. Any redevelopment of this site is likely to have an effect on historic designations in the locality. Views out from historic designations and towards these iconic and internationally important assets are crucially influenced by the site. The site can also be seen from the railway mainline. Detailed viewpoint analysis will need to be rigorous to make sure that all significant views are identified with any potential development proposals assessed in relation to potential visuals.
- C.1.2 Developments may have significant environmental impacts that require careful assessment due to the location of the site and its relationship with internationally important World Heritage Site structures, Listed Buildings and Scheduled Ancient Monuments, together with the designation of the area as an Outstanding Historic Landscape.
- C.1.3 The Town and Country Planning (Environmental Impact Assessment) Regulations (SI 1999/293) state that a screening opinion may need to be sought for certain developments whose nature, location or scale indicate that there is likely to be significant effects on the environment. This stipulation is particularly meant to apply to geographical areas that are environmentally sensitive due to their historic landscape, cultural or archaeological significance.
- C.1.4 An applicant may wish to apply for a screening of development proposals in accordance with the Town and Country Planning EIA Regulations 1999 (as amended). Advice relating to requests for screening opinions of the local planning authority is as follows: -
- (1) A person who is minded to carry out development may request the relevant planning authority to adopt a screening opinion.
  - (2) A request for a screening opinion shall be accompanied by —
    - (a) a plan sufficient to identify the land;
    - (b) sufficient information to enable the relevant planning authority to identify any planning permission granted for the development in respect of which a subsequent application has been made;
    - (c) a brief description of the nature and purpose of the development and of its possible effects on the environment;
    - (d) such other information or representations as the person making the request may wish to provide or make;
    - (e) A description of the likely significant effects of the development on the environment directly, indirectly, cumulatively and in the short, medium and long term. These include positive as well as negative effects; and
    - (f) A description of preventative, reduction measures and those that can offset any significant adverse effects on the environment.

- (3) An authority receiving a request for a screening opinion shall, if they consider that they have not been provided with sufficient information to adopt an opinion, notify in writing the person making the request of the points on which they require additional information.
- (4) An authority shall adopt a screening opinion within three weeks beginning with the date of receipt of a request made pursuant to paragraph (1) or such longer period as may be agreed in writing with the person making the request.
- (5) An authority which adopts a screening opinion pursuant to paragraph (4) shall forthwith send a copy to the person who made the request.
- (6) Where an authority -
  - (a) fail to adopt a screening opinion within the relevant period mentioned in paragraph (4); or
  - (b) adopt an opinion to the effect that the development is EIA development;The person who requested the opinion may request the Welsh Ministers to make a screening direction.
- (7) The person may make a request pursuant to paragraph (6) even if the authority has not received additional information which is has sought under paragraph (3).

## APPENDIX D - DESIGN AND ACCESS STATEMENT GUIDANCE

### D.1 Planning Permission

D.1.1 A Design and Access Statement in accordance with the requirements of The Planning (Listed Buildings and Conservation Areas) (Amendment) (Wales) Regulations 2009 (“the Act”) will need to be submitted for any Listed Building or Conservation Area Consent applications. The requirements of these regulations will be rigorously applied and application(s) will not be validated until the information specified in the regulations has been supplied.

D.1.2 Any qualifying planning application must be accompanied by a statement (Design and Access) explaining:

- a. The design principles and concepts that have been applied to the development; and
- b. How issues relating to access to the development have been dealt with.

D.1.3 Paragraph (4) of the Act indicates that a Design and Access statement must, in relation to design:

- a. Explain the design principles and concepts that have been applied to the following:
  - 1.) aspects of the development :
  - 2.) environmental sustainability;
  - 3.) movement to, from and within the development;
  - 4.) character;
  - 5.) community safety; and
- b. Demonstrate the steps taken to appraise the context of the development and how the design of the development takes that context into account in relation to its proposed use and each aspects specified in sub-paragraph (a).

D.1.4 Paragraph (5) of the Act indicates that a Design and Access statement must, in relation to access, explain:

- a. The policy or approach adopted as to access in the development plan have been taken into account;
- b. How any of the specific issues which might affect access to the development have been addressed; and
- c. How features which ensure access to the development will be maintained.

D.1.5 Paragraph (6) of the Act relates to definitions where:

“amount” means:

- a. In relation to residential development, the number of proposed units for residential use; and
- b. In relation to all other forms of development, the proposed floor space for each proposed use forming part of the development.

“character” includes any landscaping comprised in the development and the amount, layout, scale and appearance of the development; and

“context” means the physical, social, economic and policy context of the development”.

## **D.2 Listed Building Consent**

D.2.1 Paragraph 2(2)(1) of the Act indicates that any application for Listed Building Consent must be accompanied by a statement (Design and Access) explaining:

- a. The design principles and concepts that have been applied to the works; and
- b. Subject to paragraph (4), how issues relating to access to the building have been dealt with.

D.2.2 Paragraph 2(2)(2) of the Act indicates that a Design and Access Statement must in relation to design:

- a. Explain the design principles and concepts that have been applied to the following aspects of the works:
  1. appearance;
  2. environmental sustainability;
  3. layout;
  4. scale; and
- b. Explain how the principles and concepts referred to in sub-paragraph (a) take account of:
  1. the special architectural or historic importance of the building;
  2. the particular physical features of the building that justify its designation as a listed building;
  3. the building’s setting.

D.2.3 Paragraph 2(2)(3) of the Act indicates that subject to paragraph (4) a Design and Access statement must in relation to access, explain:

- a. The policy or approach adopted as to access, including:
  1. what alternative means of access have been considered; and
  2. how policies relating to access in the development plan have been taken into account.
- b. How the policy or approach adopted as to access takes account of:
  1. the special architectural or historic importance of the building;
  2. the particular physical features of the building that justify its designation as a listed building; and
  3. the building’s setting.
- c. How any specific issues which might affect access to the building have been addressed.
- d. How features which ensure access to the building will be maintained.

D.2.4 Paragraph (4) of the Act indicates that Paragraphs (1) (b) and (3) do not apply in relation to an application for Listed Building Consent to carry out works affecting only the interior of a building.

D.2.5 Paragraph (5) of the Act relates to definitions in this regulation:

“appearance” in relation to the works and the building to which the works relate, means the aspects of the works and the building which determine the visual impression they make, including the external built form of the works and the building, their architecture, features, materials, decoration, lighting, colour and texture.

“layout” means the way in which the works are situated and orientated in relation to the building to which the works relate and to other buildings, routes and spaces; and

“scale” means the extent and dimensions of the works in relation to the building and its surroundings.”

### **Note**

- a. If any Design and Access statement does not include all of the elements referred to above the application will be made invalid.
- b. The Design and Access statement should have an appropriate level of information to complexity of proposals, including illustrations/plans.
- c. Please refer to TAN 12 Design - June 2009.
- d. A copy of the Assembly Interim Guidance on Design and Access Statements can be obtained from the Development Management section of the Regulatory and Housing Services, Coed Pella, Conway Road, Colwyn Bay

## **D.3 Heritage Impact Assessment**

D.3.1 A Heritage Impact Assessment in accordance with the requirements of The Historic Environment (Wales) Act 2016 (“the Act”) will need to be submitted for any Listed Building or Conservation Area Consent applications. The requirements of these regulations will be rigorously applied and application(s) will not be validated until the information specified in the regulations has been supplied.

D.3.2 Further guidance is available at:

<https://cadw.gov.wales/docs/cadw/publications/historicenvironment/20170531Heritage%20Impact%20Assessment%20in%20Wales%2026917%20EN.pdf>

or at:

<https://goo.gl/BUB3rn>

# APPENDIX E - SITE PLAN

NOT TO SCALE



## Ystadau a Rheoli Asedau Estates & Asset Management

### Site location Plan

Estates and Asset Management  
Town Hall  
Lloyd Street  
Llandudno  
LL30 2UP

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# APPENDIX F - DESIGN PROCESS

The Design and Access Statement and Heritage Impact Assessment for the development should be prepared from the offset and forms the basis of any concept for development of the site. The DAS and HIA is vital to the evolution of an appropriate contextual development for the site. The design/development process shown below is intended to develop an understanding of the site and its important contextual constraints/opportunities to develop suitable concepts and steer detailed design options.

STAGE	WHO'S INVOLVED	NEXT STEP(S)
<p><b>SITE ANALYSIS:</b> Investigation and gathering of all the information about the site that may influence the design and placement of the building, based on the planning guidance note as prepared by CCBC</p>	<ul style="list-style-type: none"> <li>• Architect</li> <li>• Specialist Consultant</li> <li>• LPA</li> </ul>	<p>Preparation of documentation to support the concept design to be prepared for assessment by key individuals involved in the project</p>
<p><b>PRELIMINARY DESIGN PREPARATION:</b> Preparation of draft Design and Access Statement for discussion, concept designs, presentation of findings from analysis stage, sourcing and preparation of concept boards for presentation</p>	<ul style="list-style-type: none"> <li>• Architect</li> <li>• LPA</li> <li>• Cadw</li> <li>• Design Commission for Wales</li> <li>• Key Stakeholders</li> </ul>	<p>Further discussions/meetings may be required following minor changes to preliminary concept drawings. Once preliminary concepts have been agreed preparation of a final design should begin</p>
<p><b>DETAILED DEVELOPMENT/DESIGN OPTIONS:</b> Formulation of detailed development scheme for formal submission of Planning application and Listed Building Application if deemed necessary.</p>	<ul style="list-style-type: none"> <li>• Architect</li> <li>• LPA</li> </ul>	

