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Fy Nghyf / My Ref: CM27433

Eich Cyf / Your Ref: P-04-539

Dyddiad / Date: 7th May 2014

William Powell AM
National Assembly For Wales
Cardiff Bay
Cardiff
CF99 1NA

Annwyl / Dear

Thank you for your letter dated 25th March 2014 regarding the petition received from Jon Avent.

It is important to first of all outline that the City of Cardiff Council does not own the Coal Exchange building. However, given the importance of the building, the decades of underinvestment, and the absence of any other party willing to undertake any meaningful actions to secure the future of the building, the Council has sought to work with partners and stakeholders to halt the years of neglect that has left the building in its current state.

The Council's actions relating to the use of Section 78 powers were undertaken in the interests of public safety and in the absence of any other body able to take responsibility for securing the safety and future of the building. The Cabinet Report 'Saving the Coal Exchange' of 29th January 2014 sets out the reasons for the use of Section 78 powers. The City of Cardiff Council remains committed to securing a sustainable future for the building, and will continue to work with all relevant stakeholders to deliver this outcome.

Previously the building was granted planning permission for a scheme that involved partial demolition of the building to enable a mixed use development, a decision that was referred to the National Assembly for Wales. Subsequently, a report by the Planning Inspectorate for Wales recommended that listed building consent be granted, subject to conditions outlined within the Inspector's report. Following this, the then Minister for Environment Sustainability and Housing accepted the recommendations, and granted listed building consent for the partial demolition and restoration of the [Coal Exchange] building to accommodate a mixed use

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development, subject to the conditions outlined. I have attached a copy of the correspondence that details the conditions and background to the case.

Following the outcome of the National Assembly for Wales' findings, and the granting of planning permission, it is my understanding that the property market crash in 2009 meant that the proposed scheme was no longer considered viable by the developer. As a result no further major investment in the building took place. However, given the building is clearly of significant interest to Cardiff and Wales, and the concerns (such as those raised in the Inspector's report) relating to prolonged lack of investment in the Coal Exchange Building, the City of Cardiff Council has been active in seeking to develop a sustainable use for the building working within the parameters set out within the Inspector's report that will maximise the amount of the building that can be retained. This work included the development of a vision document for the Coal Exchange titled 'Time for Change'.

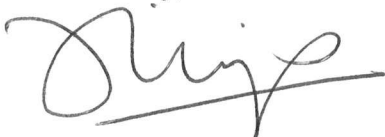
I am aware that some public opposition has been raised in relation to concepts that have been released to the public, which I understand relates to exercises that have been undertaken to explore viable options for the future of the Coal Exchange. The City of Cardiff Council anticipates that the cost of refurbishing to the building in line with the Inspectors Report will be in excess of £30m, and therefore a range of services have been explored to determine the extent of development required to realise the necessary development value. Rest assured however, that it is not the intention of the City of Cardiff Council to participate in a scheme that does not respect the building's heritage, and we would expect any scheme to adhere to the conditions set out in the previous Inspector's report. It is worth noting that the planning permission for the building has lapsed, and therefore new planning permission would be required for any new development.

It is important that we find a sustainable future for the building, and it is clear that a lack of action cannot persist if the building is to be saved. In particular, the City of Cardiff Council Cabinet Report 'Saving the Coal Exchange' of 29th January 2014 outlined the key issues that need to be addressed, namely:

- Whilst the short-term safety concerns have been addressed, concerns relating to the structure of the Coal Exchange building remain, and the building remains at significant risk without enabling assistance.
- As a result of the current state of the Coal Exchange building, the local community and economy derive little benefit from the building.

I will be more than happy to ask officers to arrange for a visit to the Coal Exchange building for the Petitioners, and I will ask officers to contact your Committee Clerk directly to arrange. I have also attached a copy of a letter on behalf of the Minister for Environment Sustainability and Housing outlining the response to the Inspector's Report, as well as the Cabinet Report of January 2014. Please contact me if you require any further detail.

Yn gywir,
Yours sincerely,



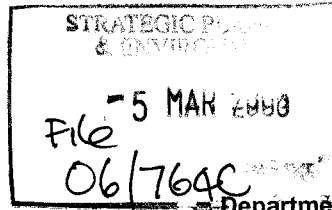
**CYNGHORYDD / COUNCILLOR PHIL BALE
ARWEINYDD, CYNGOR DINAS CAERDYDD
LEADER OF THE CITY OF CARDIFF COUNCIL**

COPY FOR INFORMATION



Llywodraeth Cynulliad Cymru
Welsh Assembly Government

Mr D Kerfoot
Messrs Eversheds
1, Callaghan Square
Cardiff
CF10 5BT



Adran yr Amgylchedd, Cynaliadwyedd a Thai
Department for Environment, Sustainability and Housing

Eich cyf . Your ref: KERFOOD/156027-000002
Ein cyf . Our ref: A-PP171-98-018
Dyddiad . Date: 4 March 2008

Dear Mr Kerfoot

**PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990 –
SECTIONS 12 AND 16
APPLICATION FOR LISTED BUILDING CONSENT MADE BY MACOB
EXCHANGE LIMITED FOR PROPOSED PARTIAL DEMOLITION AND MIXED USE
DEVELOPMENT COMPRISING RESIDENTIAL, COMMERCIAL OFFICE, RETAIL
AND CAFÉ/RESTAURANT SPACE, AND RESTORATION WORKS, INCLUDING
THE RETENTION OF THE EXCHANGE HALL FOR PUBLIC ACCESS AT THE
COAL EXCHANGE, MOUNT STUART SQUARE, BUTETOWN, CARDIFF**

1. Consideration has been given to the report of the Inspector, Clive Cochrane DipArch RegArch MSc MRTPI, who reported on your client's application for listed building consent for the above proposal. The application was heard at a public local inquiry.

2. On 9 November 2006 the National Assembly for Wales directed, under Section 12 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the 1990 Act) that the application be referred to it rather than be determined by the local planning authority. Under the transitional provisions of the Government of Wales Act 2006 the power to determine applications called in under Section 12 of the 1990 Act has been transferred to the Welsh Ministers and this function has been allocated to the Minister for Environment, Sustainability and Housing (the Minister).

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3. The Inspector's conclusions are set out at paragraphs 106 - 143 of his report, a copy of which is enclosed, and are reproduced as Annex A to this letter. The Inspector recommended that listed building consent be granted, subject to the conditions indicated at Annex A to his report.

4. The Inspector's overall conclusions on the application were as follows:

"The proposed works for the conversion of this listed building to a mixed use scheme are extensive and go well beyond the minimal intervention advocated in Circular 61/96. However, it is clear to me in this case that there are inherent problems with this large building which demand a fairly radical approach to its conversion. The poor structural condition of much of the building, its rigid cellular layout of offices and the manner in which the interior has been badly compromised by later alterations, lead me to the conclusion that its internal reconstruction to form residential apartments around a larger courtyard would not destroy any notable architectural or historic features.

The original layout of the building has largely been lost, due to recent alteration of the circulation areas, corridors and partitions, so that the planned layout and interconnectivity that existed between the trading floor and galleries of the Exchange Hall and the ranks of offices etc has long gone. The significant interest of the building is in my view limited to the ground floor public rooms; the foyer, Hall and ante-rooms, and the main façades of the architectural envelope of the building, including the roof features.

The effect of the proposed demolition and reconstruction of the interior, west wing and roof has to be weighed against the significant benefits of the proposed conversion, and a balanced view must be taken of the scheme as a whole. The special architectural and historic elements, particularly the Exchange Hall, the ante-rooms and the southern entrance and foyer would all be restored in a way that would recapture the grandeur of its original form and the building would once again be open to public use. The cleaning, repairing and restoring of the north, east and south elevations, and the creation of a new public urban piazza would improve the setting of the building and vitality of the Mount Stuart Square Conservation Area. Both the building and the conservation area would remain alive and prosperous, and the historic building would be preserved as an important resource for future generations."

5. The Minister agrees those conclusions and the reasoning employed by the Inspector in reaching them. Consequently she accepts his recommendation that the listed building consent be granted. She also agrees that the consent should be subject to the conditions indicated by the Inspector.

6. For the reasons given above the Minister for Environment, Sustainability and Housing hereby grants listed building consent for the partial demolition and restoration of the building to accommodate a mixed use development at the Coal Exchange, Mount Stuart Square, Butetown, Cardiff, in accordance with the terms of application reference 06/764/C, dated 31 March 2006, subject to the conditions set out in Annex B to this letter.

7. This letter, a copy of which has been sent to the Chief Officer of Strategic Planning and Environment, Cardiff County Council, does not convey any approval or consent which may be required under any enactment, bye law, order or regulation

other than section 7 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Yours faithfully

T. M. Davies

Teresa Davies
Decisions Branch
Planning Division

Signed under authority of the Minister for
Environment, Sustainability and Housing,
one of the Welsh Ministers

Encs: Leaflets 'HC(LBCA)' and 'H'



Adroddiad

Ymchwiliad a gynhaliwyd ar 04-06 September 2007
Ymweliad â safle a wnaed ar 06/09/07

Report

Inquiry held on 04-06 September 2007
Site visit made on 06/09/07

gan/by **Clive I Cochrane** Dip Arch Reg Arch MSc MRTPI

Arolygydd benodwyd y Gweinidog dros yr **an Inspector appointed by the Minister for
Amgylchedd, Gynaliadwyedd a Thai, un o Environment, Sustainability and
Weinidogion Cymru Housing, one of the Welsh Ministers**

Dyddiad/Date 25/10/07

PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990:

SECTION 12 CALL-IN

Cardiff County Council

Application for Listed Building Consent

by

Macob Exchange Ltd

Cyf ffeil/File ref: APP/Z6815/X/06/514904

File Ref: APP/Z6815/X/06/514904

Site address: The Coal Exchange, Mount Stuart Square, Butetown, Cardiff CF10 5EB

- The application was called in for decision by **the Minister for Environment, Planning and Countryside, one of the Welsh Ministers**, by a direction, made under section 12 of the Planning (Listed Buildings and Conservation Areas) Act 1990, on 09/11/06.
- The application is made by Macob Exchange Ltd to Cardiff County Council.
- The application Ref: 06/764/C is dated 31/03/06.
- The development proposed is partial demolition and mixed use development, comprising residential, commercial office, retail and café/restaurant space and restoration works, retaining the Exchange Hall for public access.
- The reason given for making the direction was that the proposals raise issues of exceptional significance or controversy, which may be in conflict with national planning policy.
- On the information available at the time of making the direction the following matters were considered relevant to the Minister's consideration of the application: -
 - i. The statutory duty to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
 - ii. Relevant national and development plan policies, including Welsh Office Circular 61/96 "Planning and the Historic Environment: Historic Buildings and Conservation Areas".
 - iii. Regard to the desirability of enhancing or preserving the character or appearance of the Mount Stuart Square Conservation Area.

Summary of Recommendation: That listed building consent be granted subject to conditions.

Procedural Matters

1. The Coal Exchange is listed as being of special architectural or historic interest Grade II*, and it is situated in the centre of the Mount Stuart Square Conservation Area, designated in July 1980. In determining this application sections 16(2) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 require that special regard should be paid to the desirability of preserving the listed building, its setting and any features of special architectural interest that it possesses, and of preserving or enhancing the character or appearance of the conservation area.
2. The inquiry only considered the application for listed building consent. The Council resolved to grant planning permission for the proposed development (Ref: 06/0760C) in July 2006, with planning permission being granted in March 2007 following the completion of a section 106 planning agreement. The Council also resolved to grant listed building consent for the proposed works in July 2006, subject to there being no objections from Cadw.
3. This report contains a description of the listed building and surrounding area, a description of the proposed works, the cases for each party, and my conclusions and recommendations. Lists of those attending the inquiry and documents presented at the inquiry are appended. The Welsh Assembly Government call-in letter identified 3 areas for consideration in determining this application and I have dealt with the evidence from the parties on each of these matters, before reaching conclusions and making recommendations at the end of the report.

Site and Surroundings

4. The application site of the Coal Exchange building and its forecourt to the south covers an area of some 0.4ha and forms the centrepiece of Mount Stuart Square. It is located approximately 1.5km south of the city centre, linked to the centre by the railway to the old Bute Road Station, Bute Street and the recently constructed Lloyd George Avenue.
5. The site lies within the Butetown area, and forms part of its older 19th century development on the west side, comprising historic port-related businesses around Mount Stuart Square, with some original housing and workshops. Nearby lies the Inner Harbour to the south-east with remnants of docklands along the waters edge which are now converted to leisure uses with the new development of Mermaid Quay. This area has been recently transformed by the creation of the Cardiff Bay Barrage with new road links to the M4 and the Peripheral Distributor Road. Cardiff Bay has become a major civic area, home to the Welsh Assembly Offices and Senedd, the Wales Millennium Centre, Mermaid Quay restaurant quarter, Atlantic Wharf Leisure Village, hotels and other visitor attractions.
6. The Coal Exchange building forms a single mass that fills the centre of Mount Stuart Square. Its footprint is not square and the main elevations are not straight. The west elevation has a slight convex curve and the south elevation is built in a U-shape enclosing the original grand main entrance to the Exchange floor. There are additional entrances to the Exchange Hall from the north and east elevations.
7. The building is largely three storeys with attic accommodation, apart from the north elevation which has 4 full-height storeys and the west wing in part has only 2 storeys with dormer windows. It is built in an ornate French Renaissance style of Bath stone on the north, east and south elevations on a Pennant stone plinth. The later west elevation is built in yellow/buff brickwork with Bath stone dressings and corner sections. The ground floor level of the south front is dominated by a 1970s concrete semi-basement car park development. The ornate style of the original building has a complicated series of pitched, pyramidal and turreted slate roofs.
8. When fully in use, the Coal Exchange building provided some 9,755 sq m (105,000 sq ft) of offices, mainly in small rooms of about 20 sq m along corridors. These were occupied by importers, brokers, ship owners, agents and professionals associated with the coal and shipping trades. At the centre of the building, the floor of the Coal Exchange Hall and ante-rooms provided a stock exchange for the shipping trade of South Wales, of immense importance in the national economic and industrial history for over 20 years. These rooms are used today for occasional TV recordings, media events and concerts. The ground floor of the north-east corner of the building has been occupied by Barclays Bank since the building opened. There is a caretaker's flat on the top floor.
9. Commissioned in order to meet a growing need for local business trading facilities in the Docks, the Coal Exchange was designed by Edwin Seward of Seward & Thomas Architects. The first phase at the south end of the building was opened in 1886. This comprised the south wing with the main front entrance, grand entrance stairs and courtyard, which led to the main foyer, Exchange Hall and ante-rooms, together with the east wing of offices, which also provided a second entrance to the Hall and staircase to the upper floors from a narrow entrance hall.
10. The Exchange Hall comprises an oak panelled room 15m x 29.5m with 2 tiers of balconies above the trading floor. It had a glazed roof at the full 17.5m height of the Hall, supported on

iron trusses. The ante-rooms were also finished in panelling with stained glass windows and fittings in the architectural style of the day.

11. The first phase of the building was extended in 1893 by the addition of offices in the south-west wing. The north wing was added between 1894 and 1897 with an additional storey and a third entrance. This was followed by the north-eastern corner and finally the west wing was added in brick. These additions departed from Seward's original plans as a piecemeal development of the site. Instead of a fairly symmetrical 3-storey building, the additions were of four storeys at the north end and 2 storeys on the west side, which was constructed in buff brick with stone dressings. On the roof, domed corner roof turrets were omitted from the north-west and south-west corners of the building and the incremental nature of the development resulted in a complicated roof design, a maze of pitched roofs, valleys, flat roofs, domes, cupolas, gulleys and parapets.
12. Some unsympathetic alterations of the listed building have been carried out during the 20th century, including the insertion of a false acoustic ceiling in the Exchange Hall in the 1970s, which hides the upper level gallery and the roof trusses. The ante-rooms to the Hall, the ground floor bars and offices have been altered, some with suspended ceilings, walls removed and partitions added. Much of the office space and corridors in the north and west wings was revamped in the 1970s in an attempt to revitalise the building.
13. When the building was proposed as the new home for the Welsh Assembly in 1976, a blast-proof concrete bunker and car park was added to the south front. In September 1984 a fire gutted the east wing, destroying the main staircase to the upper floors, leaving this part of the building an empty and derelict shell.
14. The building has effectively been vacant since it ceased trading in 1961. Internally and externally, the building is currently in poor condition. The applicants' Structural Appraisal by Borroughs Consulting Engineers (2006) (Doc 4) provides details of extensive damage wrought to the building by water penetration and structural failure. These are: -
 - (a) Water ingress through the roof;
 - (b) Failure of internal timber joists and lintels due to water ingress;
 - (c) External cracking of stone window heads due to failed internal timbers;
 - (d) Wet rot in non-structural timber, e.g. window frames;
 - (e) Wet rot and collapse of floors due to water penetration;
 - (f) Damage to support walls from collapse;
 - (g) Collapse of lath and plaster ceilings;
 - (h) Extensive dry rot;
 - (i) Extensive fire damage to southern part of east wing, destruction of main staircase and internal fabric;
 - (j) Settlement in north-west corner of building;
 - (k) Loss of decorative features and non-structural elements.

As it stands today, the southern part of the east wing of the building is a burned out shell, partially supported by scaffolding, and Barclays Bank has recently vacated the ground floor of the northern end of this wing largely due to the poor state of the rest of the block. The north wing and the upper level of the west wing have suffered badly from water penetration and wet rot throughout the ceilings, walls, floors and windows. Despite the efforts of the owners to make the building weatherproof, in several of the upper floor rooms rainwater

leaking through the roof is channelled into makeshift polythene tanks on the floor below where it is collected and piped to the outside of the building.

15. Although the building is semi-derelict and vacant in part, it still contains some commercial office uses. It retains its impressive elevational presence in the Square even though its condition has deteriorated, and the decorative stone facades preserve a great deal of its former grandeur. The southern aspect of the building and the main entrance has been seriously disfigured by the addition of the concrete car park and raised forecourt, but the Exchange Hall, ante-rooms and foyer remain as the central feature of the Coal and Shipping Exchange building.
16. The Coal Exchange Building is the focal point of the Mount Stuart Square Conservation Area (plan in Doc 8, A11), which comprises the historic commercial and financial hub of Butetown, including Mount Stuart Square, Bute Street, West Bute Street, the north side of James Street and Bute Place. The special architectural and historic interest of the area derives from its place in the history of the commercial growth of Cardiff and the 19th century character and detailing in many of its buildings.
17. This is an area of import/export offices and banks that evolved during the massive increase in shipping trade during the latter half of the 19th century. The names of the original buildings evoke the historic character of the area; such as Baltic House, Empire House, Imperial Hotel, Cambrian Buildings, The Mercantile Marine Office and the Custom House. Many of the buildings and structures in the conservation area are listed, including 24 within Mount Stuart Square. Several of the original important buildings have declined and have been demolished in the conservation area. The Coal Exchange Building, Empire House, Bute Road Station and the National Westminster Bank are listed Grade II* and the remainder are in Grade II (see Doc 8, A14).

Planning Policy

18. The Council refers to policies B1, B2, B3, EV2, MV12, MV13, H1, H5 and MV11 of the South Glamorgan (Cardiff Area) Replacement Structure Plan 1991-2011, policies 03, 11, 19, 20, 17, 18, 24, 31, 34, 36 and 39 of the City of Cardiff Local Plan (1996), Supplementary Planning Guidance in the City Centre Strategy 2003-2006 and Consultation Draft 2007-2010, and policies 2.51, 2.53, 2.20, 2.21, 2.23, 2.24, 2.26, 2.31, 2.55 and 2.57 of the Deposit Cardiff Unitary Development Plan 2003 (see Document 9). All of these policies have been given due consideration by the Council in granting planning permission.
19. Whilst some of these policies deal with listed buildings and conservation areas and are therefore material considerations, they are mostly relevant to planning applications for development. As Planning Policy Wales 2002 (PPW) points out, there is no statutory duty under section 38(6) of the 2004 Act to have regard to development plan policies when determining listed building consent applications. Instead, there has to be clear regard to sections 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, and government guidance in Planning Policy Wales and Welsh Office Circular 61/96 regarding historic buildings.

The Proposals

20. The proposed scheme sets out to balance the exceptional costs associated with giving the Coal Exchange Building a new life with the benefits of an economically sound scheme. This involves the provision of additional floorspace, mainly in the form of residential units, to

provide a viable development. In order to achieve this, it is proposed to redevelop the west wing whilst respecting the architectural and historical qualities of the remaining listed fabric.

21. The proposed development aims to arrest the decay of the listed building and to secure its long term future use; to utilise the site to its full potential; to achieve a sustainable development through its change of use; to revitalise the building; and to enhance its urban environment. The development would provide a mixed-use redevelopment comprising 116 residential units of 1, 2 and 3-bedroom apartments, the refurbishment of the Exchange Hall as a venue for public use, the reintroduction of café/restaurant units at the lower ground floor level of the south entrance forecourt, commercial office space and retail units at ground level, and basement car parking and cycle parking, accessed by a ramped entrance from the north.
22. The Exchange Hall, the main ground floor foyer and ante-rooms and the Bath stone elevations of the south, east and north wings would be retained, restored and refurbished. This would include the removal of modern partitions and ceilings to allow the restoration of these spaces to their former grandeur. Most of the interior of the east and north wings and virtually the entire west wing would be demolished. This would allow for the reconstruction of the upper levels of accommodation around a larger internal courtyard, with a completely new design for the main section of the west wing.
23. The building would be completely re-roofed so as to reintroduce aspects of the original design of the building. It would provide a balanced symmetrical composition with corner turrets and central cupola on the east and south elevations. The additional floors of duplex loft apartments above the north and west façades would have modern metal-clad roofs, set back from the street, behind parapets.
24. The south forecourt proposals would provide a feature stone staircase up to a new balcony terrace in front of the main entrance to the foyer and Exchange Hall, with additional entrances to the residential units in the south wing. Below the ground floor terrace there would be a modern glazed façade to café/bar/restaurant facilities in the sub-ground floor level. The removal of the concrete bunker car park would allow the forecourt and street between the Coal Exchange entrance and Baltic House to be levelled and paved with tree planting to form a new urban space.

Case for the Applicants – Macob Exchange Ltd

The material points are: -

25. The applicants acquired the building in 2000 through a project presentation and shortlist selection from the Cardiff Bay Development Company (CBDC), who had failed to secure a viable scheme for the regeneration of the Coal Exchange building as part of their strategy for Cardiff Bay. The bid was accepted on the basis of the current proposed development scheme. The proposals presented to CBDC were similar, in terms of the amount of demolition required, to the media scheme that CBDC had already promoted and would have implemented had they secured grant aid.

Condition of the Listed Building

26. The Exchange buildings are only partly lettable due to fire damage and structural failures caused by damp, wet rot and water ingress. Their use is currently restricted to the main Exchange Hall and ancillary rooms, which are let for functions including TV shows, a small amount of B1 office space and, until recently, Barclays Bank. The useable floor area amounts to approximately 15% of the building. There is insufficient car parking space and

- the accommodation lacks the ability to provide modern offices with facilities such as ITC cabling and comfort cooling.
27. The structural appraisal (Doc 4) shows the failing condition of the building fabric due to the poor quality of the roofs of the various phases of building and the extensions, which have seriously compromised the water tightness of the building. It is concluded that the prime cause for concern is associated with the long term effects of water penetration through the complex, aggregated roof form.
 28. Since March 2006, temporary works have been installed to the external walls of the south-east elevations to prevent masonry falling from the structure. This part of the building has suffered recently from progressive failure of all its internal clinker covered wooden floors after the structural collapse of the top floor joist ends, leaving the external walls without lateral support over their full height. The roof over this area is inaccessible, and the walls have therefore been shored to prevent the roof and cupola from collapsing. Further collapses have recently occurred in the north-east corner of the building and supports have been inserted under window heads as internal timber lintels have failed, causing stress and cracking to external stone heads. More than £3/4m has been spent on repairs and maintenance of the building since its acquisition in 2000, including some £100,000 spent on essential maintenance and temporary works since the grant of planning permission in March 2007.

Justification for Demolition

29. The proposed partial demolition of the building is seen as a result of its overall condition and the costs of repairing and maintaining it in relation to its importance and the value to be derived from its current use. The Coal Exchange has suffered over many years through indecision about its future use since trading ceased in 1961. No new initiatives were forthcoming until 1976, when the building was considered as accommodation for the Welsh Assembly and the heavily reinforced concrete car park was built across the forecourt. The Devolution Referendum the following year was unsuccessful and the Coal Exchange was again redundant.
30. Following the designation of the Mount Stuart Conservation Area in 1981, two adjacent historic buildings collapsed in the bad winter of 1982. The Exchange was considered as a possible conference and exhibition centre in 1984, but a fire gutted the majority of the east wing in September of that year. In 1987 a proposal to convert the building into a 300 bed hotel came to nothing and throughout the period up to the present day, the fabric of the Exchange Building has slowly deteriorated, particularly due to water ingress as well as fire damage and vandalism.
31. Despite attempts by the current owners to secure commercial uses in the building, it still lacks a cohesive viable future and there remains an urgent need to address the years of neglect and decay. Various proposals have failed through lack of viability and this radical approach is now required in order to secure a viable future for the building.
32. Currently, the Coal Exchange building is a complete build out of the whole site, which finished with the construction of the west wing. In order to remove and rebuild the dilapidated parts of the building, the only effective and realistic method would be to undo the poor quality extensions so as to gain access from the west side. The west elevation also relates to the part of the conservation area and setting of the listed building that has been compromised by new residential developments nearby. This so-called "coal-face" approach

would be the only Health & Safety compliant method for the installation of temporary support and for the demolition elements of the proposed scheme.

33. The general approach would be to unify the reconstruction of Seward's missing elements to produce one building, as opposed to the piecemeal construction throughout the early 1900s. This approach would avoid the current pitfalls and problems affecting the lifespan of the building. It is intended to remove the cellular office space layout of much of the building and its small-span structure and to replace this with a wider span framed structure. There would be a 50:50 split between retained structure and new framed structure in the finished development. The new roof structure would reflect the form intended in Seward's original design, which would be rationalised to overcome the weather-proofing problems of the past.

Economic Viability

34. The proposals seek to achieve a balance between refurbishment and reconstruction. Costings show that it would not be economically or commercially viable to carry out a totally refurbished building (Doc 17, App 2), and the finished building would be technically flawed in terms of roof design. The preferred scheme would incorporate new-build, framed elements whilst retaining the quality stone facades. The alternative refurbished scheme indicates a loss of about £9m and a viable scheme would need to show an initial margin of about £3m. There is no possibility of grants being available to make up this shortfall in the mid to long term.
35. The consultations on the scheme make it clear that all the responses, apart from Cadw, can see the benefits in the £25m investment proposal in delivering a viable and successful development, whilst not only maintaining and enhancing the important and significant features of the Coal Exchange, but also improving and regenerating public interest in the building.

Conservation & Restoration

36. The existing main access to the Hall would be reinstated as an integral part of the new southern piazza, with a new stone staircase and terrace above the lower courtyard. Both this main entrance and the north access would lead to the public accommodation on the ground floor, giving flexibility of use for the Hall and the north and south ante-rooms for separate functions. These rooms and the Hall retain most of the building's internal original features, which the proposal would retain, restore and refurbish. The suspended ceiling would be removed from the interior of the Hall to allow the full restoration of the galleries, iron trusses, oak panelling and top light glazing.
 37. The Bath stone French Renaissance style elevations on the south, east and north sides of the building would be repaired and restored. The chimneys, corner domes and cupolas on the roof of the south and east wings would also be fully restored. With regard to the west wing, this would be completely demolished and replaced by French Renaissance style north-west and south-west corners of the building in the same materials as the south and north elevations so as to match Seward's original intended design. The central section of the west elevation would be rebuilt in a contemporary architectural style.
 38. Internally the layout of the original building has been subjected to substantial modernisation and alteration of the offices, partitions, doors and ceilings from the late 1950s to the 1970s. The introduction of fire regulation compartmentalisation of the offices and corridors altered their relationship to the Exchange Hall so that there are no direct links from the corridors to the galleries, and the Hall itself has been severed horizontally by the introduction of the suspended ceiling above the first floor gallery.
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New Building Works

39. The new construction would include additional roof level accommodation in the form of 2 added storeys on the east wing with new windows inserted in a mansard roof; additional roof level duplexes on the north elevation in a new roof form; additional roof duplexes in a new roof form on the new west wing; and the addition of 2 storeys of accommodation at roof level and the insertion of new windows in the mansard roof of the south elevation.
40. The new roof design would be rationalised, whilst still reintroducing aspects of the original intended design for a formal, axial approach to the roofscape with domes, corner cupolas and turret features. The new design would overcome technical problems of waterproofing, accessibility for maintenance and drainage provision. The more modern central roofs to the north and west wings would be folded and faceted to recede from view when seen from street level, whilst providing an articulated skyline. Raised seam zinc roofing is proposed for the new elements, to reflect some of the details of lead roofs with a muted metallic colour.
41. The proposed west wing elevation would be constructed with vertical and horizontal Bath stone elements, a Pennant stone plinth and white glazed screen panels with glazed areas. It is intended that its design would contrast with the original style of the building in a way that would be innovative, but in harmony with the principles of Seward's design. The new elevation is intended to be a modern interpretation of the architectural compositional principles of the south, east and north facades of the Coal Exchange. It would be a symmetrical façade with a vertical emphasis to emulate the effect of pilasters and bays of the Victorian building. The windows would have vertical, rectangular shaped groups and the horizontal divisions would reflect the positions of cornices, the raised ground floor plinth and parapets of the original building.
42. The modern façade insertion would be set between the reinstated north and south corners in the French Renaissance style of Seward, with cupola roof details. Visually, the north and south façades would turn the corner onto the west elevation and stop at the projecting modern insertion, which would have a raised parapet to provide emphasis to the centre of the façade.
43. Overall, the proposals would stem the further deterioration of the listed building and provide the funding to fully repair and restore the historic parts so as to provide a sustainable future for the building. The proposed scheme would also regenerate and revitalise Mount Stuart Square with an appropriate new mix of uses. It would improve the public areas around the building by removing the 1970s car park structure and creating a new pedestrian piazza to the south between the Coal Exchange and Baltic House.
44. Internally, the 2 existing small light-wells would be replaced by a single large light-well to form an internal courtyard for the apartments facing the repaired north side of the Exchange Hall. The original small light-wells were designed to provide light and air to the internal offices, but are not considered adequate to provide the necessary daylight and privacy for the proposed habitable rooms of apartments.
45. The proposals are supported by the Design Commission for Wales and the Pierhead and Mount Stuart Square Conservation Group. All the statutory consultees on the application, including the Victorian Society and the Ancient Monuments Society, have welcomed and accepted the need for a radical approach to the conservation and re-use of the building, which includes the demolition of the west wing and its rebuild in a contemporary style. Cadw alone, despite their earlier support in 2000, have now raised objections to the design and detail of the scheme, and to the principles behind the development.

Impact on the Listed Building

46. The proposals would meet the criteria set out in Welsh Office Circular 61/96, as the scheme acknowledges the importance of the building in terms of its intrinsic architectural and historic interest and rarity, particularly through the restoration of its features and the regeneration of the site. The architectural features and plan form are to be incorporated into the proposals. Elements of the original design, plan and materials would be reinstated and restored in an enhanced location through the removal of the concrete car park and the restoration of its setting in the street scene.
47. The mixed use scheme would bring new life to the building with a viable and sustainable future. With regard to the need to justify the amount of demolition involved in the proposed scheme, as set out in paragraphs 91 and 92 of the Circular, the failure during the last 50 years to deliver a meaningful future for the Exchange Building demonstrates that all reasonable efforts have been made to sustain existing uses or to find viable alternative uses, and these efforts have failed. The partial demolition proposed would be essential to deliver a mixed use scheme that would breathe new life into the listed building and to deliver substantial benefits for the community.
48. The proposed works take into account the guidance set out at paragraphs 93-99 of the Circular regarding alterations and extensions to listed buildings. In particular, a balance has been struck between the effect of the changes on the special interest of the building and the viability of the proposed uses, or any alternative less-damaging uses. This is a listed building that has already sustained a great many changes and alterations over the years. The proposed alterations are based on specialist expertise and the current proposals would have a positive effect on the building and arise from a committed long-term ownership.
49. The original Seward design for the whole building was severely compromised by changes to the north and west wings and the roofscape. Cadw's view that the evolution of the building as we see it today is important is not accepted. The proposed scheme should be judged as a completed work of architecture rather than as archaeological reconstruction. The north-west corner of the building is a meeting point of two facades with different architectural treatment, such that the materials and fenestration change, and the west façade is demeaned further by the lack of a roofscape to match the rest of the building. The west elevation does not follow the style or composition of the template set by the richly ornamented and symmetrical east façade.
50. Contrary to Cadw's views, it is argued that the west wing is architecturally the weakest part of the building, and it provides an opportunity for new development to evolve from the historical fabric of the whole building to replace this wing through to roof level. The modern central section of the elevation would be flanked by new "bookends" in the French Renaissance style where the south and north elevations would turn the corners onto the west elevation. This is described by Cadw as inappropriate replication of the original design in the form of "pastiche". It is not accepted that this derisory term applies to this proposed copy of the earlier style rooted in the Classical idiom. It would be the genuine restoration of Seward's intended building to give solidity to these important corners, complete with cupolas.
51. Having criticised this replication of the original design for the corners as pastiche, Cadw also criticises the proposed non-pastiche, contemporary approach taken with regard to the design of the central section of the west elevation. Cadw's objections to this part of the design fail to take account of the fundamentally flawed roofscape and inherent failing of the original design

to provide a secure and sustainable future for the Exchange Building, and the new roof design reinstatement of the unexecuted elements of Seward's design, notably the replacement of 2 bland modern dormers and the completion of the façade and roofscape of the original design.

52. Although Cadw has criticised the proposed removal of the 2 existing small light-wells, the creation of a larger open light-well is considered essential to secure the future residential use of the Exchange Building. This is the only way to provide acceptable standards of natural light and ventilation, whilst also providing privacy for the new units. It has the added advantage of allowing the opening up of original windows in the Exchange Hall itself onto the northern galleries above the original trading floor.
53. Replacement car parking would be introduced into the basement and lower ground floor levels to the rear of the listed building. This would have a ramped access from the north of Mount Stuart Square through a former service access. The spaces would serve the new residential units and also provide service access and staff spaces for the other uses in the building.
54. Examples of schemes where a similar approach to the restoration, refurbishment, extension and rejuvenation of listed buildings through a change of use is given from the Architect's portfolio. These are: St Andrew's the Great, Cambridge; Prince of Wales Road, Norwich; George Street/Castle Street, Edinburgh; The Lanesborough Hotel, Hyde Park Corner, London; The Royal Exchange, London; Crowne Plaza, Blackfriars, London; The Grove, Chandlers Cross, Hertfordshire; and David Morgan Department Store, Cardiff.

Effect on the Conservation Area

55. The regeneration and enhancement of the building and its immediate setting would bring new life to this central part of the conservation area. The removal of the disfigurement of the main entrance courtyard caused by the 1970s concrete car park bunker and the reintroduction of retail and restaurant/bar frontages with community involvement in a landscaped outdoor piazza would enhance considerably the public realm.
56. The building would be reinstated as the focal heart of the Mount Stuart Conservation Area. The mixed use of residential and food/drink/retail uses and the restoration of the Exchange Building as the centrepiece of a communal open space would allow this commercial and residential area to remain alive and prosperous. The restoration of the historic façades and the Exchange Hall rooms would enhance the area's special architectural and historic qualities.

Case for the Local Planning Authority – Cardiff County Council

The material points are: -

57. Following extensive consultations and discussions with the applicants from 2000 to March 2006, and negotiation for certain changes to the proposals, the Council finally granted planning permission for a revised scheme on 19/07/06 (Ref: 06.0760C). A section 106 agreement was also submitted for the provision of a sum of £100,000 for an off-site affordable housing contribution and public open space and improvements to the public areas.
58. In determining the listed building consent application the Council has followed the guidance set out in Welsh Office Circular 61/96 "Planning and the Historic Environment: Historic Buildings and Conservation Areas", particularly paragraphs 70, 91 and 92. Although paragraph 91 advises that the demolition of a Grade II* listed building requires the strongest justification, paragraph 6.5.10 states that "there will very occasionally be cases where

demolition is unavoidable". With regard to paragraph 92 of the Circular the Council has had regard to the condition of the building, the cost of repairing it and maintaining it in relation to its importance and to the value to be derived from its continued use; the adequacy of efforts made to retain the building in use; and the merits of alternative proposals for the site.

Condition of the Listed Building

59. The Exchange Building has deteriorated to a poor condition over the last 40 years due to water ingress, infestation, subsidence, fire damage and vandalism. The fire damage in the east wing has resulted in large areas of dereliction, and the current problems include extensive wet rot and dry rot, structural timber failure, collapse of floors and ceilings, damage to supporting walls, settlement and cracks in window heads. The integrity of the listed building has also been damaged over decades by intrusive building works and alterations, particularly the concrete bunker in the south forecourt and the suspended ceiling in the Exchange Hall. The applicants have carried out extensive maintenance of the building over the last 7 years.
60. The applicants submitted a Structural Appraisal (Doc 4) which concludes that whilst the foundations of the building are sound, a radical solution is needed that would provide a watertight covering whilst respecting the façades and setting of the building. A 'do nothing' approach is not an option for this building as it would inevitably lead to further dereliction and possible loss of the listed building. All parties, including Cadw, agreed in 2005 to advise the owners that the building should not go through one more winter in its present state, and it was placed on the Council's register of 'Listed Buildings at Risk'.
61. The approach adopted for the development has been informed by the current condition of the building. The strategy for the submitted scheme is to demolish much of the interior of the building and the west wing. There is a fundamental need to rationalise the roof to overcome water penetration problems, which would be achieved by a replacement roof structure. The internal structure of the fire-damaged east wing would be demolished and rebuilt.
62. The Council accepts that the cost of repairs and restoration alone would be in the region of £6m, and that the current proposals for the Exchange Building would invest some £25m into the building and its surrounds.
63. It is accepted that a refurbished existing building would be unlikely to be viable for reuse for office space. The cellular layout of the original small offices, access and floor to ceiling heights fail to meet today's expectations for office accommodation. The present day lack of demand for cellular office space, compared to the large availability of new hi-tech offices in Cardiff Bay, make a return to refurbished offices untenable. Therefore new uses for the building had to be explored.
64. In the light of this, the Council concludes that the current scheme is justified in the terms set out in the Circular. It is accepted that substantial demolition of existing fabric would be justified and necessary to arrive at a viable scheme that would restore as much of the existing character of the building as possible and to ensure the long term preservation of the building.
65. Having considered the desirability of preserving the listed building, its setting and its features, and the removal of the frontage concrete bunker, the Council finds the level of demolition of the west wing and part of the internal structure would be justified by the retention, repair, restoration and refurbishment of the grandeur of the French Renaissance architecture of the Exchange Building, the Hall itself and the rooms associated with it on the ground floor.

66. The applicants have shown that significant intervention would be necessary, and that the amount of demolition involved would be justified. Following the lack of a viable comprehensive proposal for the use of the building for over 40 years, its current condition means that substantial demolition is now unavoidable.

Impact on Setting and Conservation Area

67. With regard to the effect of the proposals on the setting of the Exchange Building and the character of the conservation area, the poor condition of the exterior of the building is compounded by its mass and scale in the centre of the square. The surrounding footways, highway and street furniture are unattractive and dated, and the south front is disfigured by the concrete car park bunker. The proposed works to remove the ugly additions, clean and restore the stone elevations and to create a re-landscaped entrance forecourt would make a major contribution to the character of the conservation area.
68. The listed building schedule description refers to the main architectural features of the Exchange Hall. This concentrates on the ornate Classical style of the main elevations and the grand internal rooms and the Exchange Hall. The proposed scheme includes the restoration and reinstatement of the main features, the Exchange Hall and associated rooms, the three stone façades and the south entrance and entrance foyer.
69. The scheme would transform the south elevation by recreating the original open paved approach, with flights of stairs to the entrance terrace and down to the restaurant and bars from the new piazza. The combined restoration and reinstatement of architectural features and new works in this area would result in a functional reinstatement of the building and the visual enhancement of its architectural features. The proposals would restore the Hall to its former splendour, uplift the French Renaissance architecture of the stone façades and it would reinstate the formal grandeur of the main entrance, thus reconnecting the Exchange Building with the public realm.
70. The proposed new mix of uses would increase the vitality of the Square and the whole conservation area through the introduction of Class A3 uses on the ground and lower ground floor levels. The proposed cafés and restaurants would recreate the original A3 uses in these locations and the use of the outdoor space for café tables would provide a meeting place and bring additional activity and vitality into the conservation area.

Demolition

71. The list description refers to the west elevation as a "less ambitious treatment in yellow brick with bathstone dressings, three storeys, but bays behind wing of entrance front two storeys with dormers in attic", and Cadw considers this elevational treatment to be subordinate but not inferior to the other three stone elevations. The Victorian Society describes the west elevation as "lower down in the hierarchical treatment of the facades", but has some concern about the loss of this elevation whilst accepting that its demolition may be crucial to the viability of the project. The Ancient Monuments Society expresses concern about the loss of the west elevation, and their view is that "the language of the west wing is very much in sympathy with the general Italianate of the remainder and the fact that it is in brick with stone dressings, rather than wholly in stone, is merely a sign that it is meant to be subordinate".
72. The west elevation is considered to be of historic interest in terms of the evolution of the Exchange, but it is subordinate architecturally to the highly ornamented stone elevations. Its redevelopment received the support of the Design Commission for Wales and the Pierhead and Mount Stuart Square Conservation Group. The removal of this west wall of less

architectural significance would facilitate a viable scheme for the restoration of the more significant elements of the building.

73. None of the national amenity bodies has objected to the removal of the 2 small light-wells and parts of the internal structure. A significant amount of internal demolition is proposed, but it is accepted that its removal would facilitate a viable scheme. Efforts to find users for the existing office space have failed over many years and the cellular office structure is inappropriate for modern office accommodation. The loss of the internal spaces has to be weighed against the need to attract investment in the building as a whole and to protect against its further deterioration.
74. The Council concludes that, given the length of time that the building has remained vacant and the efforts made to attract new uses, a radical approach to its refurbishment is justified. A significant amount of demolition would be necessary to achieve a comprehensive scheme. In terms of their relative importance and architectural interest, the Exchange Hall and central rooms and the stone façades would be preserved in the scheme, whilst the removal of the internal structure and the west elevation would be the most appropriate way of delivering a considered and viable development. The proposed scheme would ensure that the most important architectural and historical features of the building would be preserved and its group value in the Square maintained and enhanced.

Scheme Benefits

75. The proposed scheme would restore the Coal and Shipping Exchange Hall, the most important part of the building. The false ceiling inserted to accommodate 20th century events has reduced the Hall to a panelled room of 2 storeys, rather than the original grand void of 4 storeys. Above the ceiling, the Hall has a glazed roof supported by arched iron trusses, reaching to a height of 17.5m. This height and 2 tiers of balconies, and the ornamentation added by Seward in 1911, created a dramatic space, befitting the purpose of the building. The proposals would allow for public use of the Hall and access to it, whereas the building is not currently open to the public and the Exchange Hall is not generally accessible. The proposed development would provide an exceptional venue with public access, thus allowing public appreciation of the building's architecture and history.
76. The external façades of Seward's French Renaissance design would be restored for public appreciation and the renovation of the south front to expose the lower floors and reintroduce the grandeur of the main approach to the building would benefit the public aspect of the building. The access and approach to the building would be improved by reinstatement of the front entrance and foyer.

Consultations

77. The Council consulted the statutory amenity bodies on the application for listed building consent (see Document 11): -
 - The Ancient Monuments Society did not object to the principle of a radical approach but had concerns about the loss of the west elevation rather than the loss of the wing itself and about the design of the new west elevation. It was suggested that the new elevation should not project forward and its design should be more contextual in its rhythm and architectural language. Also expressed concerns about the new roof design, which should be quieter and more polite. The Society supported the replica corner sections in the French Renaissance style, and welcomed the restoration of the Exchange Hall.

- The Victorian Society also supported the need for radical intervention and expressed concern at the proposed loss of the west elevation. The replacement design of the west elevation should be calmer, and objections were made about the new French Renaissance style corners. There was support for the restoration of the Exchange Hall and the removal of the concrete bunker car park, but an objection was raised to the new roof form.
 - The Royal Commission on the Ancient and Historic Monuments of Wales only commented on the historical significance of the structure and the adequacy of the record. The proposal and restoration works were supported in principle.
 - The Pierhead and Mount Stuart Square Conservation Group support the approach and welcomed the scheme for the restoration of the building. There was no objection to the roof form or the new west elevation, and the new Victorian style corner blocks were welcomed. There was also support for the removal of the car park subject to the design of the lower ground floor of the south elevation.
 - The Design Commission for Wales supports the radical approach and proposals. There are no objections to the demolition of the west elevation although some concerns were expressed about the design of the new elevation. The new replica corner buildings were considered to be acceptable and proposals for the removal of the bunker car park and creation of a new piazza were welcomed.
78. In response to these comments the scheme was revised by amendments to the design of the west elevation and its relationship to the corner sections. The new roof of the north and west wings was softened by flattening the outer sections and the fenestration to the south and east elevation amended. On the south front, the lower ground floor elevation was revised to give more solidity and parking in the new piazza was removed. The amended drawings were submitted on 15/06/06 and new perspective drawings on 22/06/06. These were considered to address the concerns of the amenity bodies, the advice given by the local planning authority and the pre-application advice given by Cadw.
79. Amendments have been made to the scheme to meet the pre-application comments of Cadw, who it is felt have not given sufficient weight to the poor condition of the building and the high costs of essential repairs and restoration work. Similarly, Cadw does not appear to have taken a balanced view of the length of time the building has been without a proper use and the financial viability of the proposed scheme. Nor have the benefits of the scheme for the restoration of the building and the Hall been taken properly into account. The Council concludes that Cadw's objections do not warrant refusal of the application. Consequently, the application for listed building consent was reported to the Planning Committee with recommendation for approval on 19/07/06 (Doc 11, D68).

Conditions

80. In the event that listed building consent is granted for the proposed scheme, the Council suggests the use of 10 conditions, some of which require the approval of details of the new build sections of the development, the restoration of the façades and the Exchange Hall and careful controls over demolition works (Doc 6, section F).

Case for Cadw

The material points are: -

81. It is pointed out that the initial phase of the Seward & Thomas design for the Coal Exchange was executed between 1884 and 1886. The south-west wing was added in 1893 and further additions to the north and west were undertaken between 1894 and 1897. That it is an important and significant building for the City of Cardiff and for the Welsh nation is reflected in the Grade II* listing and its list description as "*one of the most historically important commercial buildings in Wales, illustrating the region's immense commercial power in the late 19th and early 20th centuries*".
82. It is recognised that the building is in poor condition, having suffered from fire damage and vandalism during the latter part of the 20th century. A major concern is that the building has been allowed to fall into a state of disrepair with no planned maintenance or repair programme for many years. Cadw has not surveyed the structural and other defects in the building, and no estimates have been made about how much historic fabric remains internally following the 1950s-1970s alterations.
83. The main areas for proposed intervention in the building are the demolition of the west wing and rebuilding of new accommodation, the removal of internal structural fabric and roofscape alterations. Whilst the repair and re-use of the building is considered a laudable objective, Cadw objects to the loss of so much historic fabric and the introduction of additional accommodation at roof level and within the west wing.
84. The parts of the building which are proposed to be demolished are not unimportant or insignificant. The evolution of the design of the building is important and later works undertaken about a decade later than the initial phase of construction are no less important historically or architecturally. This view is supported by paragraph 71 of Circular 61/96 "Planning and the Historic Environment: Historic Buildings and Conservation Areas".
85. It is accepted that the current owners have spent a total sum of about £3/4m on repairs and maintenance of the building since 2000. The purchase price of £1/2m should have reflected the state of repair of the building, and the cost of the necessary repair and refurbishment works could not have been a surprise for the owners. Cadw suggested in an earlier meeting that the owners should make a grant-aid application for the repair of the building. This would be part of a total budget for all listed buildings in Wales, which is in the region of £1.5m to £2m and some 50 grants are taken up each year. Such grant-aid could have rendered the whole roof watertight and alleviated current defects, in advance of the commencement of a viable use for the building.

Demolition of the West Wing

86. The proposed demolition of the west wing and its replacement with a modern elevation is a major concern for Cadw. The west wing was constructed approximately 10 years after the south front of the building. Its architectural language accords with the details and style of the original design, but the west elevation was built of yellow brick with dressed stone. It is well detailed and constructed, particularly with regard to the fenestration, window heads, pilasters and chimneys. It is not clear why there was a change in material to brick from the Bath stone of the original façades. It could have been due to a lack of availability of materials, or to identify the west elevation as a later phase of the development. The choice and use of materials suggests that it was designed to appear subordinate to the earlier phases, and not

inferior, as the applicants have suggested. There is no suggestion in the structural survey that the wing is beyond repair or that repair would be a major undertaking.

87. The forward projection of the new elevation insertion would exaggerate it as a dominant element compared to Seward's building line, and the modern elevation could visually dominate the listed building. The design lacks "contextualism" and appreciation of the horizontal and vertical composition of the original façade. The end parts of the new elevation intend to replicate the original design on each side of the contemporary façade insertion. Contrary to Circular advice, this would introduce a pastiche approach, with the proposals not being distinguishable from the original design.

Internal Demolition

88. A great deal of internal structural historic fabric would be removed around the two original light-wells, with the creation of a large void near the centre of the building. This would sacrifice the conservation principle of minimal intervention and the building would undergo major changes due to the proposed change of use. In contrast, one of the principles of listed building legislation and government guidelines is to provide redundant historic buildings with new uses that should be adapted to fit the historic building. The approach taken in this application does not attempt to recognise the restraints of the existing structure, which is to be removed wherever it does not suit the new design. There is no clear indication by the appellants as to the precise extent of the proposed internal demolition.

Proposed Roof Alterations

89. The existing roofscape would be dramatically altered to provide additional floors and accommodation. The existing balanced composition would be compromised by alien modern additions. The result would be an unresolved combination of contemporary roof design in some places and a replica of the original concept in others. The result would be unsympathetic to the original building, and the scale of the extended building would dominate its surrounding built environment. The alien and inappropriate top-heavy building would affect its overall character.

Details of Design

90. There are many unresolved areas in the design and application drawings, which require approval of numerous items by conditions. In particular, the Council's suggested condition No. 3 requires: -
- Full design details of the contemporary section of the west elevation;
 - Full details of the north-west and south replica corners to the west elevation;
 - A scheme for the main front entrance (south elevation) and entrances to the north and east elevations;
 - Details of the south-facing terrace, balcony, stairs, lift and lower ground floor glazed frontage;
 - Details of the car park entrance (north elevation);
 - A scheme for the inner residential courtyard;
 - A fully detailed scheme for the new and replacement roofs and extensions plus restoration works to original roofs including rainwater goods.

This represents a significant number of alterations or changes that may be detrimental to the character of the listed building. These matters should be considered before a fully informed decision can be made on the application for listed building consent.

91. It is concluded that the proposals would be detrimental to the special character of the listed building. The argument put forward in support of the partial removal of so many elements of the historic fabric lacks justification. Cadw has requested, but has not seen, drawings of a rationalised scheme within the existing structure that would retain more of the historic fabric currently proposed for demolition.

Case for Interested Persons

The material points are: -

92. On behalf of the **Central Area/Mount Stuart Square & Pierhead Conservation Group, Mr S Evans** (Doc 19) expressed the view that the proposals are a competent and sensitive design, based on a well-researched assessment of the architectural quality of the Grade II* listed building and the history of its construction. The proposals would fulfil the need to create new functional spaces in order to fund the restoration of the fabric. The proposed elevational treatment would introduce a modern intervention without devaluing the architectural integrity of the existing building.
93. The removal of the unfortunate alterations and the proposed treatment of the main (south) façade and entrance would be a major improvement. Internally the spaces have been reorganised or newly created to ensure that the scheme would be a workable and marketable residential and commercial building. Although this would require the removal or adaptation of some of the original structural elements, in particular the loss of the 2 internal light-wells, it is accepted that the degree of alteration would be consistent with the need to reorganise the interiors.
94. Public access to the restored Exchange Hall, which would be retained for public use, would be an improvement. This is considered to be one of the most iconic elements in the whole building as it symbolises the maritime and industrial heritage of Cardiff.
95. The "part-demolition" of the brick west elevation is considered to be justifiable in view of its present condition and appearance which is poor in comparison to the remainder of the building constructed largely in Bath stone. The new elevation is considered to be acceptable in that, although it is modern it would be well-mannered and carefully inserted with a considered vertical junction detail between the old and new.
96. Although the proposed intervention at roof level would be most dramatic in its form, due to the narrow angle of views from the street level surrounding the building and the interface with the new west elevation, it would not appear incongruous if detailed properly and linked to the retained roof structures.

Written Representations

97. **The Ancient Monuments Society** (Doc 11) expressed concern at the proposals for the west wing and the external elevation. Although the existing building lacks coherence due to its stages of construction, the existing west elevation is regarded as being in sympathy with the general 'Italianate' style of the rest of the building. The use of brick with stone dressings is considered a sign that it was merely subordinate, not downgraded from the original. The new elevation design lacks 'contextualism' and although the new domed features are welcomed, the proposed rhythm and language of the new elevation would be at odds with Seward's design.
98. The proposed new roofscape and the forward projection of the west elevation are considered unacceptable. The new roof on the west side would be composed of substantial, but rather

misshapen lumps that would break through onto the south elevation. This is considered to be ugly and alien, competing with, rather than complementing the existing composition. The projection of the contemporary façade would exaggerate its role in slicing into the existing elevation. If the principle of redevelopment of this side is accepted, the new elevation should be more 'polite', with a quieter roof line, and pushed back to be flush with the existing building.

99. It should be clarified which elements of the building would be salvaged, with particular concern about the stairs in the fire damaged east wing. The proposed retention of the Exchange Hall and removal of the suspended ceiling is applauded. Following the modified plans the Society still considers the new roof shape to be alien and therefore sustains the objection.
100. Due to the poor condition of the building, **the Victorian Society** accepts the need for considerable intervention to safeguard its future. The proposals are considered reasonable in that the proposed internal demolition would be offset by the restoration of the Hall and the removal of the concrete parking bunker from the south front.
101. There are three concerns about the proposals. Firstly, the west elevation, although later than the others and despite its unfinished roofline, has a design rationale and quality of detailing, particularly to the window heads, pilasters and chimneys. If its demolition is crucial to the viability of the project, it should be replaced with a design more in sympathy with the building. Secondly, the insertion of replica stone façades at each end of the elevation, although based on Seward's original drawings, is contrary to Circular advice. Thirdly, the Society's greatest concern is reserved for the proposed roof form, extending above the retained façades, which would be a significant, unwelcome change from the original design.
102. **The Design Commission for Wales** supports the principle of the refurbishment as a mixed use scheme, combining respect for the original building with the new elements. It is considered an acceptable solution to the brief and the requirements of the site, in particular:
 - It is accepted that the current west façade is redundant and should be replaced with a new design of elevation and roof form;
 - The design of the west elevation should be developed further by lowering and staggering if possible;
 - The proposed demolition of the concrete car park and terraces and the opening up of the lower ground floor for sociable uses is greatly welcomed;
 - The attempt to re-animate the square, provide active frontages and extend pedestrian use is supported;
 - The new public forecourt should be treated as an urban open space with minimal shading, and the treatment of the stairs and entrance balcony need careful detailing;
 - The disabled access needs to be relocated and details of the front entrance and forecourt façades faithfully reproduced.

Conditions

103. In resolving to grant listed building consent for the works, the Council drew up a list of 10 conditions, including the statutory 5 year time limit for the commencement of the works (Doc 20). The Council also requests an additional condition regarding the chimney stacks, requiring the submission of details of those to be retained and removed, those to be replaced, and details of their replacement.

104. Cadw consider it necessary to attach further conditions requiring an approved landscaping scheme for the paved forecourt, and details of the vertical and horizontal service runs to be provided as part of the mixed use scheme (water, electricity, mechanical, lifts, and gas) and their intervention in the building before the works commence. However, the applicants consider it unnecessary to require landscape details, as this is already required by the planning permission for the development and the paved areas lie outside the listed building.
105. As the proposals include the removal of much historic fabric, the Council suggest a condition requiring the submission of a schedule of all the features and areas of the building to be retained and protected during demolition works. The applicants would be content to abide by an appropriately worded condition.

Conclusions¹

106. The starting point in the consideration of this application for listed building consent is the statutory duties set out under sections 16 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. These require that special regard should be had to the desirability of preserving the listed building, its setting and any features of special architectural interest that it possesses, and to the desirability of preserving or enhancing the character or appearance of the Mount Stuart Square Conservation Area. These duties are enlarged upon through the advice and guidance set out in Welsh Office Circular 61/96 "Planning and the Historic Environment: Historic Buildings and Conservation Areas" (the Circular).
107. The proposed works to the listed building for the creation of the mixed use development would involve substantial alteration of the structural fabric of the building. This would involve a significant amount of demolition of the existing office accommodation and the reconstruction of large parts of the interior and the west wing to produce a largely residential scheme. Externally, there would be significant changes to the south façade, west elevation and north, in terms of the new roof and other changes to the form and composition of the roofscape. Landscape improvements are planned for the southern courtyard, with the creation of a new paved piazza across the street.
108. Although it is proposed to retain the Exchange Hall and ante-rooms internally, and the south, east and north elevations intact, this is clearly a scheme that involves substantial demolition of the listed building. Government guidance for dealing with proposals for this scale of intervention with a listed building is set out in paragraphs 91 and 92 of the Circular. This states that "*the demolition of any Grade I or II* building should be wholly exceptional and require the strongest justification*", and that the Secretary of State (Welsh Minister) "*would not expect consent to be given for the total or substantial demolition of any listed building without convincing evidence that all reasonable efforts have been made to sustain existing uses or find viable new uses, and these efforts have failed*".
109. In order to assess the merits of the proposals, paragraph 92 of the Circular requires the following matters to be considered:
 - (i) *The condition of the building, the costs of repairing and maintaining it in relation to its importance and to the value derived from its continued use. In those case where it is clear that a building has been deliberately neglected, less weight should be given to the costs of repair;*
 - (ii) *The adequacy of efforts made to retain the building in use. This should include the offer of the unrestricted freehold of the building on the open market at a price reflecting the building's condition;*
 - (iii) *The merits of alternative proposals for the site.*

Condition of the Building

110. As described and photographed in the 2006 Structural Appraisal^{14, Doc.4}, the building is in poor condition. Structurally, the main areas of concern are the southern half of the east wing, which is a fire-gutted shell, supported by scaffolding; the lower ground floor of the south section which has suffered progressive collapse and dereliction; parts of the north

¹ The superscript numbers etc refer earlier paragraphs and documents which are the sources for factual statements.

wing badly affected by wet rot and structural failure; and the upper level of the west wing where rainwater ingress has badly affected the roof and floor structures. Many of the timber roof and floor members and window lintels have failed or are on the point of failure in these areas.

111. Of over-arching importance with regard to the condition of the building, the whole of its roof structure, which appears to be a complicated maze of pitched and turreted forms with hidden gutters and flat roof areas, has failed in numerous locations. Apart from the 1984 fire, the roof is a major contributory cause of the poor structural condition of the building, with outbreaks of wet rot and dry rot throughout the unoccupied parts. As a result, approximately 85% of the building is unlettable and empty.
112. It is accepted by the Council⁵⁹ and Cadw⁸⁵ that some 40 years of neglect took place before the applicant company took over the building in the year 2000, when it was already in very poor condition. It is also acknowledged that the applicants have already spent a considerable sum on maintenance in the latter period²⁸. It is clear on any inspection however, that these maintenance works have not, and will not halt the steady decline in the state of the building. Such problems are on a huge scale in this vast building, and parts of the structure already represent health and safety hazards.

The importance of the building

113. The architectural value of the building lies in the grandeur of its external envelope comprising the Bath stone elevations in the French Renaissance style and, to a slightly lesser extent, the brickwork western elevation; the domed and turreted slate roofscape; and the major internal spaces of the Exchange Hall, the foyer entrance rooms and the ante-rooms on the north side. Apart from these architectural features, it has to be said that the rest of the interior is disappointing, due to the extensive modern alterations carried out over the years.
114. It is a building of enormous historic interest in the economic and commercial development of Cardiff and South Wales, worthy of every effort being made to preserve it as an important part of the Butetown area. It has to be accepted however, that the use it was designed to accommodate has gone forever, and that the cellular layout of the offices and corridors does not lend itself to adaptation for modern office suites. The original Seward layout was centred on the Exchange Hall as the hub of activity with corridors and offices linked directly off the upper galleries and the trading floor. However, the connectivity and physical relationship between the offices and the Exchange Hall was irrevocably altered in the late 1950s and 1970s when fire partitioning was introduced within and around the Hall and corridor escape routes. This effectively closed the upper galleries off from the rest of the offices, and later alterations and re-modelling in the 1970s appear to have removed much of the original fabric from the interior.
115. From my inspection of the interior, there appears to be very little of the original fabric left above ground floor level, particularly in the wings most affected by the current proposals. Although paragraph 98 of the Circular advises that "*the preservation of façades alone, and the gutting and reconstruction of interiors, is not normally an acceptable approach to the reuse of listed buildings; it can destroy much of the building's special interest and create problems for the long-term stability of the structure*", in this instance much of the interior is either gutted by fire or destroyed by water penetration, and the existing west and north wings contain a large proportion of modern and bland partitioning and staircases. The current condition of the building and the necessity to renew sections of the interior presents an opportunity to remodel the accommodation so as to achieve the best return from the floor space, through residential and office uses compatible with the exterior of the building.

Costs of Repair and Refurbishment

116. The applicants' figures indicate that it would not be an economically viable proposition to carry out a total refurbishment of the building in its current form^{34, Doc.17}, and the resultant building would be likely to be technically flawed without a redesign of the roof form. The refurbishment option would be some £9m short of being a viable scheme and it would not provide the required initial profit margin of £3m.
117. The proposed scheme includes approximately £6m of repairs and refurbishment of the retained parts of the historic building, and these figures, based on the proposed scheme costing £25m, are not disputed by the Council or Cadw^{35, 62}. Although Cadw suggests the possibility of grant-aid for the repair/restoration option⁸⁵, it is clear from the current national budget even a maximum level of grant would not sufficiently offset the £9m shortfall to make the refurbishment scheme viable. Even then the final scheme would not produce a profit.
118. On a building of this scale, it is clear to me that pursuance of a non-viable, unprofitable scheme would be likely to store up future maintenance and repair problems for the future, just as it has in the past. Although Cadw suggest that the purchase price in 2000 ought to have taken into account the costs of repair of the Grade II* building, which implies that the new owners should have been able to proceed with the refurbishment of the building to a standard that would allow its full use, the evidence shows that expenditure so far is well in excess of the purchase price, and it has not secured a viable use. In fact, the use of the building has declined rapidly in recent years, and the recent loss of the bank lease in the north-east corner has dealt the owners a severe economic blow.

Efforts Made to Retain the Use

119. The applicant's and Council's evidence indicates that the layout and condition of the building has been responsible for the various owners' failure over 50 years to secure a long term and adequate level of use of the accommodation to make the building a viable proposition. This is regarded by the Council as evidence to show that successive owners have made strenuous efforts to secure the use of the building. Whilst Cadw does not agree that sufficient effort has been made to re-use the building, it is clearly the case that the various owners had been attempting to secure lettings throughout the period since the Coal Exchange ceased trading²⁹⁻³¹.
120. The Exchange Building was built for a specific use in the 19th century, and although its main architectural spaces and features are preserved through the listing, neither these nor the ancillary offices are in a useable form today. The unconventional layout, combined with the poor state of the building and the large scale nature of the problems appear to render the building quite unusable in today's commercial market place. The applicants' costings demonstrate that a radical solution is needed to preserve the best architectural features of the building to secure its future through a change of use within its structure. This approach to its conservation, adaptation and reuse was also adopted by the CBDC in the years prior to 2000, and I do not doubt that if the building was to be sold freehold today, the new owners would be forced to adopt a similar approach to the problems of refurbishment and reuse.

Merits of the Proposals

121. Although a substantial amount of renewal of the building would be involved, the submitted scheme is far from being a proposal for a replacement building on the site, and it needs to be judged as to whether it would preserve the character of the listed building, its setting and its architectural features. The main benefits of the scheme are that it would preserve and fully restore the south, east and north elevations of the building, the Exchange Hall, foyer and ante-rooms internally, and it would remove the concrete car park bunker and create a paved courtyard and public piazza on the south side.
122. Clearly, the proposals aim to incorporate the listed building into the new development; and the notable historic architectural features of the building would define and enclose the new uses within the building. This would be a scheme led by the need to conserve the best features of the Exchange Building. There are more controversial elements to the proposed scheme, particularly the insertion of a contemporary west elevation with its replica corners, and the proposed contemporary roof extensions, and I deal with these aspects below.

Demolition

123. Apart from the Hall and important public rooms on the ground floor, which would be preserved and restored, I can confirm that the majority of the rest of the interior that would be removed in order to construct the new accommodation is unprepossessing and mundane. Although Cadw objects to the demolition of internal features⁸⁸, there is little of architectural or historic interest remaining in the corridors of small offices and the two small light-wells are fairly unattractive, utilitarian features intended to provide ventilation and a little light for the internal offices. Clearly, if these light-wells were to be retained, they would not provide sufficient light or privacy for the proposed residential apartments^{44,52}. In my view these are not of such historic or architectural importance that should be allowed to stand in the way of a mixed use scheme that would revitalise this badly run-down building.
124. In order to construct the new apartments, it is proposed to create a larger open internal courtyard, exposing to view the north side of the Exchange Hall. Although it is not clear from the submitted plans, it appears that in order to achieve this, a large proportion of the interior of the east, north and west wings would be reconstructed over the ground floor ante-rooms level. Due to the built-out nature of the whole site, and the depth of the floor plans, this appears to be a reasonable solution to the conversion of this large building.
125. Whilst the proposal to demolish the south front car park has received universal approval, as it would clearly enhance the building, the proposed demolition and replacement of the west elevation has had a mixed reception.

West Elevation

126. The existing west elevation is described in the Grade II* listing as "a less ambitious treatment" compared to the other façades. Cadw points out that although constructed 10 years after the original Bath stone elevations, the west side displays the same architectural language and although of yellow brick, it has dressed stone details to match⁸⁶. It is claimed to be 'subordinate' rather than 'inferior' to the earlier phases of the building. The applicants on the other hand, claim that the west wing is the weakest part of the architectural composition⁴⁹⁻⁵⁰, and it is clearly unfinished at roof level.
127. One of the aims of the new scheme is to add 2 floors and a proper roof to the west wing. The applicants explain that if the scheme is to be carried out with health and safety concerns in mind, there has to be a breach of the 'perimeter wall' of the site to allow access for the removal and reconstruction of damaged parts of the building³². The west elevation was

selected for this so called 'coal face approach' because it was felt to be the weakest in terms of architectural style and materials⁴⁹.

128. Whilst it is not unattractive in terms of its character and architectural composition, to my mind the brick west elevation definitely lacks the scale, grandeur, warmth and colour of the rest of building. It appears somewhat utilitarian and the craftsmanship of the other Bath stone façades is missing. It looks very much as though it was conceived as the rear of the building. This impression is reinforced by there not being an entrance to the Coal Exchange on this side (in contrast to each of the other elevations), and at only 2 storeys high, the roof remains truncated and unfinished. I conclude that if there has to be intervention on the scale proposed in order to put the building right, this is the one side where it would inflict least damage on the character of the building.
129. With regard to the replacement elevation, Cadw and the Ancient Monuments Society take the view that the proposed contemporary design for the central part of this elevation lacks "contextualism"^{87, 97}, in that it would not relate well to the style and composition of the original façades. It is explained by the applicants however, that the modern design of the projecting elevation follows the proportions, vertical rhythm and horizontal lines used by Seward throughout the building⁴¹. The slight forward projection of this façade is a device designed to divorce the contemporary section from the replica corner sections that would link with the north and south-west elevations.
130. In my view, the new elevation is well-mannered and follows the proportions and symmetry of the other main elevations. The corner 'book ends' are intended to replicate Seward's designs for these in Bath stone, and I find it difficult to fault this approach, particularly as it allows for the restoration of the cupolas at each corner of the roof and it would provide an appropriate transition from the 19th century façades on the adjoining north and south elevations to the modern central section.
131. In contextual terms, it would be difficult to justify an entire replica façade in the French Renaissance style, because the west side of Mount Stuart Square opposite the Exchange Building already contains some modern residential buildings, and the general approach to the redevelopment of the west wing with a predominantly contemporary design would not look out of place in this street scene.

Roof Design

132. Cadw, the Ancient Monuments Society and the Victorian Society object to the proposed new roof form on the west side^{89,98,101} on the grounds that it would be top-heavy, alien and unsympathetic. However, it has to be borne in mind that the whole building would be re-roofed, mainly in the original pitched slate roof style with domes, turrets and cupolas to form symmetrical compositions on each elevation, as envisaged in Seward's original plans^{39,40}. Additional floors of accommodation would be provided in new, contemporary roof forms on the north and west elevations.
133. Whilst these new zinc covered roofs appear to be substantial additions to the building on the elevational drawings, in fact they would be set back behind parapets and balconies from the front face of the main elevations (see Plans B, Sections 10465-PL-02-10 to 12). The computer generated images (Plans C, Photos 3) show how in street level views from the south-west, north-west and north-east, the modern roof form would be so far recessed and pitched at such an angle, as to have little impact upon these views.

134. The additional accommodation in the roofs must also be considered as an important part of the economic viability of the overall scheme, and it is therefore valuable in order to secure the future preservation of the listed building. Although these modern roof forms would be visible in some longer distance street views and from the upper floors of nearby listed buildings, such as Empire House, I find the design to be acceptable in terms of the neutral appearance and the natural grey zinc colour, which would blend well with the rest of the slate roof and façades of the building. On the west side, the roof would complement the modern design of the new façade, whilst on the north it would be set back to respect the main elevation.
135. Due to its inherent problems of water penetration, the existing roof would have to be removed and rebuilt to a design that would reflect Seward's original plans. In the proposed scheme, the roof of the building would be replaced in a more rational form that would ease future maintenance problems and ensure that the building would have sound weatherproof covering that would protect and secure the structure of the building. The new roofs on the south and east elevations would accurately reflect the original, symmetrical design by Seward, which was not properly implemented, and the result would be in keeping with what was intended for the listed building. The new zinc roofs on the other hand are a contemporary approach to finish the north and west elevations with duplex loft apartments, but I find these to be acceptable additions that would respect the impressive stone elevations.

Effect on Conservation Area

136. It is generally agreed that the improvement of the existing Coal Exchange building would bring a much needed lift to the character and appearance of the conservation area. The removal of the disfiguring modern concrete extension on the south frontage and the reinstatement of a new design for the lower forecourt, with a retail/restaurant frontage, stone stairs to the entrance terrace and a paved area across the street would give the conservation area a new focal heart.
137. The restoration of the external envelope of the building and the opening up of the Exchange Hall rooms to the public, the creation of an accessible paved frontage for eating and drinking and the new piazza area would undoubtedly breathe life into this commercial/leisure/residential area of Butetown. The proposed mixed uses would complement the character of the area and the scheme would restore those elements of the building that give it an important place in the commercial history of the region. I conclude therefore that the proposals would preserve the setting of the listed buildings in the vicinity, whilst preserving and enhancing the character and the appearance of the Mount Stuart Square Conservation Area.

Conditions

138. In addition to the Council's 10 conditions ^{103-5, Doc 20}, I consider it necessary to attach the 2 further conditions suggested by the Council. These are outlined in paragraphs 103 and 105 above, and require the approval of further details regarding the retention and replacement of chimney stacks, and a detailed schedule of all the parts of the building to be retained, protected and preserved during the demolition phases of the development. A full list of these suggested conditions is attached below at Annex A to my report.
139. Cadw claim⁹⁰ that the details required by the Council's suggested condition No. 3 are matters that should be considered as part of this application, rather than later. However, I consider that the details already provided are sufficient to determine the effect of the

proposals on the listed building, and the approval of further details required by the condition would ensure that the work would be carefully controlled and carried out in a sympathetic manner.

140. The submission of paving and landscaping details is required already by the planning permission, and as it falls mainly outside the building, it is not part of the listed building consent. Details of the service runs through the building would be unnecessary as these would form part of the new build internally, which would be unlikely to affect the historic fabric that is retained.

Final Conclusions

141. The proposed works for the conversion of this listed building to a mixed use scheme are extensive and go well beyond the minimal intervention advocated in Circular 61/96. However, it is clear to me in this case that there are inherent problems with this large building which demand a fairly radical approach to its conversion. The poor structural condition of much of the building, its rigid cellular layout of offices and the manner in which the interior has been badly compromised by later alterations, lead me to the conclusion that its internal reconstruction to form residential apartments around a larger courtyard would not destroy any notable architectural or historic features.
142. The original layout of the building has largely been lost, due to recent alteration of the circulation areas, corridors and partitions, so that the planned layout and interconnectivity that existed between the trading floor and galleries of the Exchange Hall and the ranks of offices etc has long gone. The significant interest of the building is in my view limited to the ground floor public rooms; the foyer, Hall and ante-rooms, and the main historic façades of the architectural envelope of the building, including the roof features.
143. The effect of the proposed demolition and reconstruction of the interior, west wing and roof has to be weighed against the significant benefits of the proposed conversion, and a balanced view must be taken of the scheme as a whole. The special architectural and historic elements, particularly the Exchange Hall, the ante-rooms and the southern entrance and foyer would all be restored in a way that would recapture the grandeur of its original form and the building would once again be open to public use. The cleaning, repairing and restoring of the north, east and south elevations, and the creation of a new public urban piazza would improve the setting of the building and the vitality of the Mount Stuart Square Conservation Area. Both the building and the conservation area would remain alive and prosperous, and the historic building would be preserved as an important resource for future generations.

Recommendation

144. I recommend that listed building consent be granted subject to the conditions set out in Annex A below.

Clive I Cochrane

INSPECTOR

ANNEX A

SCHEDULE OF SUGGESTED CONDITIONS: LISTED BUILDING CONSENT 06/764/C

1. The works hereby authorised shall begin not later than 5 years from the date of this consent.
2. Before any work hereby authorised begins, a schedule and plans showing all parts and architectural features of the building to be retained and protected during the demolition works and the measures to be taken to protect those parts/features, shall be submitted to and approved in writing by the local planning authority. Steps shall be taken to secure the safety and stability of those parts of the building or architectural features which are to be retained. Such steps shall, where necessary, include measures to strengthen any wall or vertical surface; to support any floor, roof or horizontal surface; and to provide protection for the building against the weather during the progress of the works.
3. No works shall take place until a scheme showing the architectural and construction detailing of the building has been submitted to and approved in writing by the Local Planning Authority and the development shall not be brought into use until the approved scheme is implemented including but not exclusively:
 - Full design details of the contemporary section of the west elevation,
 - Full details of the north west and south west replica 'corners' to the west elevation,
 - A scheme for the main front entrance (south elevation) and entrances to the north and east elevations,
 - Details of the south facing terrace, balcony, stairs, lift and lower ground floor glazed frontage,
 - Details of the car park entrance (north elevation),
 - Details of all new doors, windows and balconies to the residential apartments,
 - A scheme for the inner residential courtyard,
 - A fully detailed scheme for the new and replacement roofs and extensions plus restoration works to original roofs including rainwater goods.
4. Before any work hereby authorised begins, samples of the external finishing materials shall have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
5. Before any demolition work hereby authorised begins, details of the chimney stacks to be retained, removed and replaced, and details of the design of the replacement stacks, shall have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
6. Prior to commencement of the works a Phased Programme of the demolition and construction works shall be submitted to and approved by the local planning authority. The works shall accord with the approved timetable unless otherwise agreed in writing with the local planning authority.
7. The demolition works shall be carried out in accordance with a Method Statement to be submitted to and approved by the Local Planning Authority prior to any demolition works commencing. The Statement shall include for the removal of demolition materials from the

- site, and storage of those materials to be re-used on site, and the works shall be carried in accordance with the approved statement.
8. No demolition shall take place until a contract has been signed, completed and let for the re-development of the site hereby approved.
 9. The consent relates to the application as amended by the revised plans received on 15th June, 2005 and 22nd June, 2006, and letter received 15th June, 2006, attached to and forming part of this planning application.
 10. Before any work hereby authorised begins, a detailed scheme of cleaning and restoration works to the external stonework, windows, lintels, doors, steps and railings shall have been submitted to and approved in writing by the local planning authority and the approved scheme shall be implemented prior to beneficial use of the development.
 11. Before any work hereby authorised begins, a fully detailed scheme including scaled 1:50 drawings of the proposed restoration works for the Exchange Hall and ancillary ground floor rooms shall have been submitted to and approved in writing by the local planning authority and the approved works shall be implemented in full prior to beneficial use of any part of the site.
 12. Before any work hereby authorised begins, detailed scaled drawings of the proposed internal redevelopment scheme shall have been submitted to and approved in writing by the local planning authority and the approved works shall be implemented in accordance with the details.

INQUIRY APPEARANCES

FOR THE LOCAL PLANNING AUTHORITY:

Mr N J Hanson BSc DipTP MRTPI - Cardiff County Council

FOR THE APPLICANT:

Mr D Kerfoot - Solicitor, Eversheds, 1 Callaghan Square, Cardiff CF10
5BT

He called:

Mr G Cohen BA BArch RIBA - Design Director, Aukett Fitzroy Robinson, Architects

Mr J M Blake BA(Hons)
BArch(Hons) RS RIBA AABC - Purcell Miller Tritton, Architects

Mr P Morgan - Chief Executive, Macob Group

FOR CADW:

Mr P Ashby - Principal Conservation Architect, Cadw

INTERESTED PERSONS:

Mr S Evans - Architect, Mount Stuart Square & Pierhead
Conservation Group

INQUIRY DOCUMENTS

- 1 List of persons present at the inquiry
- 2 Letter of notification and addresses
- 3 Design Statement
- 4 Structural Appraisal Volumes 1 and 2 by Burroughs Consulting Engineers + CD
- 5 Listed Architectural Fabric Appraisal – Jeremy Blake
- 6 Proof of Evidence and Summary of Mr N J Hanson
- 7 Planning Permission 06/00760/C of 23/03/07 (finally approved 19/07/06 on submission of S106 Agreement)
- 8 Mr Hanson's Appendices A1-23 – Background Documents
- 9 Mr Hanson's Appendices B24-30 – Planning Policy & Strategic Framework
- 10 Mr Hanson's Appendices C31-62 – Planning History

- 11 Mr Hanson's Appendices D63-70 – Development Proposal Consultations
- 12 Mr Hanson's Appendices E71-72 – Council's Case
- 13 Proof of Evidence of Mr G Cohen
- 14 Appendices 1-3 to Mr Cohen's Evidence
- 15 Mr Blake's Proof of Evidence
- 16 Appendices to Mr Blake's Evidence
- 17 Proof of Evidence of Mr Morgan, including Appendices 1 & 2 (Cost Analysis)
- 18 Applicants' Bundle of Appendices TBA1-TBA19 and TBA JMB
- 19 Statement by Mr S Evans on behalf of the Central Area/Mount Stuart Square & Pierhead Conservation Group.
- 20 Council's suggested list of conditions for Listed Building Consent 06/764/C

PLANS

Plan A Existing Floor Plans, roof general arrangement and Elevations (10465-PL-03-01 to 16), size A1, scale 1:200.

Plan B Proposed floor Plans, Site Plan, Roof Plan and Elevations at A1, scale 1:200

10465-PI-00-08	Basement Level
10465-PI-00-09A	Lower Ground Level
10465-PI-00-10A	Ground Level
10465-PI-00-11A	Level 1
10465-PI-00-12A	Level 2
10465-PI-00-12A/A	Upper Level 2
10465-PI-00-13A	Level 3
10465-PI-00-14A	Level 4
10465-PI-00-15A	Level 5
10465-PI-00-16A	Roof Level

Plan C North, South, East and West Perspective Drawings (10465-PL-03-10B, 20B, 30B & 40B) and Aerial view of Building at A1.

Plan D A3 Set of Plans and Elevations (10465-PL-00-09A to 16A), including Roof Comparison Plan.

Plan E Proposed Sections

PHOTOGRAPHS

Photo 1 Existing Views of Building and Exchange Hall

Photo 2 Computer Generated Image (CGI) of Refurbished Exchange Hall

Photo 3 CGIs of West Elevation and South Elevation

RIGHT OF APPEAL TO THE HIGH COURT

1. The decision of the Welsh Ministers on any of the appeals or objections listed in the appendix to this leaflet may be challenged in the High Court in accordance with the provisions of either Section 63 or Section 65 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Procedures

Section 63

2(i). Any challenge against an order or a decision covered by this Section must be made within 6 weeks from the date on which the order is confirmed or takes effect or the date of the decision. As that period is specifically stated in the Act it cannot be extended by the Welsh Ministers or the Courts. Consequently, any decision or action not challenged within that period is, as far as the 1990 Act is concerned, unimpeachable.

2(ii). A challenge may be brought under this Section only on the grounds that

- (a) the action was not within the powers of the 1990 Act (this includes, for instance, failure to take into account material considerations); or
- (b) there has been a failure to comply with any of the relevant requirements (see paragraph 4 below).

Section 65

3(i). The procedures for challenging decisions covered by this Section are governed by rules of Court. These, in turn, require that the leave of the High Court be obtained in order to challenge any of the decisions covered by the Section. Notice of application for leave to appeal has to be submitted within 28 days of the decision challenged or good reason has to be shown to the Court why the notice was not lodged within that period. If leave to appeal is granted Notice of Motion has to be lodged and served within 7 days of the decision to grant leave.

3(ii). A challenge under this Section may be made only on a point of law.

Relevant requirements

4. The "relevant requirements" referred to in paragraph 2 above are the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990 or the Tribunals and Inquiries Act 1992 (or any other enactment replaced thereby) and the requirements of any order, regulation or rules made under those Acts. These include

- (i) The Town and Country Planning (Inquiries Procedure) Rules 1992 [SI 1992 No 2038];
- (ii) The Town and Country Planning (Enforcement)(Inquiries Procedure) Rules 1992 [SI 1992 No 1903];
- (iii) The Town and Country Planning (Enforcement Notices and Appeals) Regulations 1991 [SI 1991 No 2804];
- (iv) The Town and Country Planning (Enforcement Notices and Appeals)(Amendment) Regulations 1992 [SI 1992 No 1904];
- (v) Planning (Listed Buildings and Conservation Areas) Regulations 1990 (SI 1990 No. 1519)

Appeals and decisions covered by Section 63 of the 1990 Act

- (a) Applications for listed building or conservation area consent referred to the Welsh Ministers for determination (Section 12 of the Act) (where a local planning authority is the applicant Section 12 is applied by Regulation 13 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990);
- (b) Decisions on appeal in respect of applications for listed building or conservation consent (Section 20 of the Act);
- (c) Revocation and modification orders made by local planning authorities in respect of listed building or conservation area consents (Section 23 of the Act);
- (d) Revocation and modification orders made by the Welsh Ministers in respect of listed building or conservation area consents (Section 26 of the Act);
- (e) Any decision to confirm or not confirm a listed building or conservation area purchase notice (Section 35 of the Act);
- (f) Decision to grant listed building or conservation area consent or to discharge conditions or limitations or impose others on appeals against listed building or conservation area enforcement notices (Section 41(6)(a) and (b) of the Act);

NOTE: The provisions relating to conservation areas are applied by Section 74(3) of the Act.

Appeals covered by Section 65 of the 1990 Act

- (a) Any decision of the Welsh Ministers on an appeal against a listed building or conservation area enforcement notice except that relating to the grant of listed building or conservation area consent or the discharge or imposition of conditions or limitations.

Leaflet H

Welsh Assembly Government
Cathays Park
Cardiff
CF10 3NQ

RIGHT TO INSPECT DOCUMENTS

Under the provisions of the Inquiries Procedure Rules any person entitled to be notified of the decision given in the accompanying letter and who has received a copy of the Inspector's report may apply to the Welsh Ministers within 6 weeks of the decision for an opportunity of inspecting any documents appended to the Inspector's report.

Any application under these provisions should be sent to Planning Division of the Welsh Assembly Government at the above address, quoting the Welsh Ministers' reference number shown on the decision letter and stating the date and time (in normal office hours) when it is proposed to make the inspection. At least 3 days notice should be given.