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By Email

Eich cyfeirnod Your reference	P/2025/0382
Ein cyfeirnod Our reference	
Dyddiad Date	16 June 2025
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Dear Sir/Madam

This advice is given in response to a planning application for the change of use from amenity land to residential garden on land adjacent to 19 Lower School Drive, Ruabon.

Thank you for your letter inviting our comments on the pre-planning application consultation for the proposed development described above.

The following comments are based on information made available to us as part of the pre-application consultation and we will review our comments when we are consulted on the final planning application. Our assessment of the pre-application is given below.

Advice

We consider that the application is inadequately documented and we recommend that additional information is required to enable a balanced decision to be taken against Planning Policy Wales, Technical Advice Note 24 Historic Environment and associated guidance. Full details of the additional information that is required are explained in the below assessment.

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The national policy and Cadw's role in the planning process is set out in Annex A.

Assessment

DE141 Offa's Dyke: Section SW from Tatham Bridge

The western boundary of the application area conjoins with the boundary of scheduled monument DE141 Offa's Dyke: Section SW from Tatham Bridge and it appears from the information contained in the application that a fence circa 1.8m high will be located on this boundary. This fence will interrupt view s of the scheduled monument and therefore

will have an adverse impact on its setting. This will be a material consideration in the determination of this application (see Planning Policy Wales 2024, section 6.1.23): However, no information on this issue has been submitted with the application and therefore we are currently not in a position to provide the LPA with advice. Consequently, the LPA should request more information on this issue to be provided. This will require an assessment of the impact of the proposed development on the setting of the scheduled monument to be prepared by a competent and qualified historic environment expert in accordance with the methodology outlined in the Welsh Government's best-practice guidance Setting of Historic Assets in Wales (2017). Once this information has been submitted to the LPA Cadw should be reconsulted on this application.

Yours sincerely

Nick Segust
Case Officer
Historic Environment Branch

Cadw

Annex A

Our role

Our statutory role in the planning process is to provide the local planning authority with an assessment concerned with the likely impact that the proposal will have on scheduled monuments, registered historic parks and gardens, registered historic landscapes where an Environmental Impact Assessment is required and development likely to have an impact on the outstanding universal value of a World Heritage Site. We do not provide an assessment of the likely impact of the development on listed buildings or conservation areas, as these are matters for the local authority.

It is for the local planning authority to weigh our assessment against all the other material considerations in determining whether to approve planning permission.

National Policy

Applications for planning permission are considered in light of the Welsh Government's land use planning policy and guidance contained in Planning Policy Wales (PPW), Technical Advice Notes and related guidance.

PPW Planning Policy Wales - Edition 12 (gov.wales) explains that it is important that the planning system looks to protect, conserve and enhance the significance of historic assets. This will include consideration of the setting of an historic asset which might extend beyond its curtilage. Any change that impacts on an historic asset or its setting should be managed in a sensitive and sustainable way.

The conservation of archaeological remains and their settings is a material consideration in determining a planning application, whether those remains are a scheduled monument or not. Where nationally important archaeological remains are likely to be affected by proposed development, there should be a presumption in favour of their physical protection in situ. It will only be in exceptional circumstances that planning permission will be granted if development would result in a direct adverse impact on a scheduled monument (or an archaeological site shown to be of national importance)

Technical Advice Note 24: The Historic Environment elaborates by explaining that when considering development proposals that affect scheduled monuments or other nationally important archaeological remains, there should be a presumption in favour of their physical preservation in situ, i.e. a presumption against proposals which would involve significant alteration or cause damage, or would have a significant adverse impact causing harm within the setting of the remains.

Historic Parks and Gardens

PPW also explains that local authorities should value, protect, conserve and enhance the special interests of parks and gardens and their settings included on the register of historic parks and gardens in Wales and that the effect of a proposed development on a registered park or garden or its setting should be a material consideration in the

determination of a planning application.