

Planning Services
Wrexham CBC

By E-Mail

Eich cyfeirnod Your reference	P/2023/0318
Ein cyfeirnod Our reference	
Dyddiad Date	23 June 2023
Llinell uniongyrchol Direct line	0300 0257894
Ebost Email:	cadwplanning@gov.wales

Dear Sir/Madam

Planning Application – Discharge of conditions attached to planning consent P/2015/0337 at Bersham Bank Colliery Tip, Plas Grono Road, Rhostyllen, Wrexham

Thank you for your letter inviting our comments on the information submitted for the above planning application.

Advice

Having carefully considered the information provided, we have no objection to the proposed development, in regard to the scheduled monuments or registered historic parks and gardens listed in our assessment of the application below.

The national policy and Cadw's role in planning are set out an Annex A.

Assessment

DE199 Bersham Colliery: No 2 Winding Gear

Only one of the conditions (No.6) attached to planning consent P/2015/0337 has a potential to impact on the historic environment. This requires a Working Plan to be submitted prior to the commencement of the development.

The submitted working plan explains how it may be required to remove contaminated material to the interface with the underlying natural strata: However, if this has to occur in the area where it is proposed to reform the mound as a backdrop to the scheduled monument, inert material will be imported onto the site so that this landscaping can be carried out in accordance with the agreed plan. As such the works outlined in the submitted Working Plan will not prevent the agreed mitigation measures that will protect the setting of scheduled monument DE199.

Yours sincerely

Nick Segust



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-11.pdf](#) 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.