



Glandŵr
Cymru

The Canal & River Trust in Wales

Tuesday 23rd October 2018

Mared Rees
Wrexham County Borough Council
The Guildhall
16 Lord Street
Wrexham
LL11 1AY

Our Ref CRTR-PLAN-2018-
25790
Your Ref P/2018/0835

Dear Ms Rees,

Proposal: Side garage extension.
Location: Sycamore Cottage, The Slip, Wrexham
Waterway: Llangollen Canal

Thank you for your consultation.

Glandŵr Cymru, the Canal & River Trust in Wales, cares for Wales' historic canals, made up of the Swansea, Llangollen, Montgomery and Monmouthshire & Brecon Canals. Our canals perform many different functions and are a haven for people and wildlife and a national treasure. We are a statutory consultee in the development management process.

Glandŵr Cymru has reviewed the consultation. This is our substantive response under the Town and Country Planning (Development Management Procedure) (Wales) Order 2012, as amended. Based on the information available we have **concerns** relating to the encroachment of the development into an embankment on Glandŵr Cymru owned land and suggest that the scheme is **amended** as set out below:

The application site is located at the Trevor Basin end of the Pontcysyllte Aqueduct and within the World Heritage Site. The Pontcysyllte Aqueduct is a Grade I Listed, Scheduled Ancient Monument and is on the UNESCO World Heritage List for its Outstanding Universal Value. The application site is clearly visible from the aqueduct and adjacent towpath which are elevated in relation to the application site. It is noted that paragraph 6.1 of Pontcysyllte Aqueduct and Canal World Heritage Site Local Planning Guidance Note 33 (PGN33) states that '*all development proposals must demonstrate how they have considered the impact on the World Heritage Site*'. No such assessment seems to have been provided with this application, despite the sensitivity of its siting and location immediately adjacent to the grade I listed aqueduct, within the World Heritage Site and reference at paragraph 6.7 of PGN33 to the fact that that even '*small development such as an extension to a residential property can have a significant impact if it is directly next to a World Heritage Site*'.

According to the submitted location plans and our records, the proposed side extension would encroach onto land owned by Glandŵr Cymru. This land contains an embankment and also

Glandŵr Cymru, Fradley Junction, Alrewas, Burton-Upon-Trent, Staffordshire, DE13 7DN

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carries a public right of way. It would appear that the embankment is currently contained by a retaining wall. Glandŵr Cymru suggests that the plan should be **amended** so that the footprint of the development is contained within land owned by the applicant and set away from the embankment.

Based on the submitted plans it unclear how the development could be constructed without undermining the stability of the embankment. Construction work in close proximity to the toe (bottom) of an embankment has the potential to adversely affect the structural integrity of the embankment and the canal. Land stability and the consideration of the suitability of development with regard to ground conditions are material planning considerations as set in Planning Policy Wales Chapter 13 which states at paragraph 13.5.1 that the *“responsibility for determining the extent and effects of instability or other risk remains that of the developer,”* and at 13.8 that land instability must be considered by LPA to ensure that *“new development is not undertaken without an understanding of the risks including those associated with subsidence, landslip or rock falls”*.

Glandŵr Cymru consider that a robust structural report and detailed technical plans and cross sections are required to demonstrate that the proposed development is capable of being constructed without undermining the stability of the embankment and any existing retaining structures. The report also needs to consider the risk of harm from excavation for foundations or vibrations from plant or machinery.

If the submitted scheme is not amended or further details provided before the determination of this application, which can demonstrate that the proposed development can be constructed without undermining the stability of the embankment, then Glandŵr Cymru is likely to wish to object to this application.

I would therefore appreciate being kept informed of progress with this application.

Even with the amendment outlined above, the proposed extension would still be very close to the embankment and would potentially undermine it and any existing retaining structures. It is therefore likely that any amended scheme would require the provision and approval of a detailed risk assessment and method statement setting out how the canal embankment would be protected during construction works, prior to the commencement of any development. This could be secured by means of a suitably worded condition.

In addition to the above, and given the sensitivity of the location we would suggest that if the Council are minded to approve the application that the materials are conditioned to ensure quality of the building materials for the extensions are appropriate to this highly sensitive setting.

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Comment as landowner

The application site red line includes land owned by the Glandŵr Cymru. Notice has not been served on the Glandŵr Cymru. We therefore recommend that the applicant contacts our Estates Team on 0303 040 4040 directly to establish the position regarding this piece of land. We give no guarantees or assurances that we will sell them this land, especially given that it forms part of a canal embankment.

If the Council are minded to approve the application we request that the following informatives are included on the decision notice.

1, "The applicant/developer is advised to contact The Third Party Works Team ((01782 779909)) in order to ensure that any necessary consents are obtained and that the works comply with the Canal & River Trust "Code of Practice for Works affecting the Canal & River Trust".

2, The applicant/developer is advised to contact the Trust's Estates Team on 0303 040 4040 in order to ensure that any necessary consents are obtained.

For Glandŵr Cymru to effectively monitor our role as a statutory consultee, please send me a copy of the decision notice.

If you have any queries please contact me, my details are below.

Yours sincerely

Tim Bettany-Simmons (MRTPI)
Area Planner
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07342 057926

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