



Llywodraeth Cymru
Welsh Government

Planning
Wrexham County Borough Council

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Eich cyfeirnod Your reference	P/2021/0200
Ein cyfeirnod Our reference	
Dyddiad Date	23 March 2021
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Ebost Email:	Cadwplanning@gov.wales

Dear Sir / Madam,

Discharge of Condition 6 (Noise Report), 8 (Drainage), 9 (Flood Assessment), 10 (Construction Management Plan), 11 (Arboricultural Method Statement), 13 (Landscape Plan), 14 (Landscape Management Plan), 15 (Archaeology Report), 16 (Transport Statement) Of APP/HY955/A/17/3182282 Planning Reference P/2016/0189 LOCATION: Land off Tan Y Bont Main Road Old Rhosrobin Wrexham

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

Advice

DE151 Wat's Dyke Section W of Ty-Gwyn

This advice is given in response to an application to discharge conditions 6 (Noise Report), 8 (Drainage), 9 (Flood Assessment), 10 (Construction Management Plan), 11 (Arboricultural Method Statement), 13 (Landscape Plan), 14 (Landscape Management Plan), 15 (Archaeology Report), and 16 (Transport Statement) attached to a planning consent granted by appeal decision APP/HY955/A/17/3182282 Planning Reference P/2016/0189 at Land off Tan Y Bont Main Road Old Rhosrobin Wrexham

Two of the above conditions (Nos. 10 and 15) have components that relate to the historic environment. However, condition 15 was attached to the consent on the advice of the Clwyd-Powys Archaeological Trust and therefore they should provide the advice as to whether or not that condition can be discharged. Condition 10 required a Construction Method Statement (CMS) to be submitted and approved by your authority. A list of specific issues that the CMS would need to address including item VI *"measures to prevent damage to Wat's Dyke Scheduled Ancient Monument during the construction works"*.

Mae Gwasanaeth Amgylchedd Hanesyddol Llywodraeth Cymru (Cadw) yn hyrwyddo gwaith cadwraeth ar gyfer amgylchedd hanesyddol Cymru a gwerthfawrogiad ohono.

The Welsh Government Historic Environment Service (Cadw) promotes the conservation and appreciation of Wales's historic environment.

Rydym yn croesawu gohebiaeth yn Gymraeg ac yn Saesneg.
We welcome correspondence in both English and Welsh.



BUDDSODDWR MEWN POBL
INVESTOR IN PEOPLE



A CMS dated 11 February 2021 has been submitted with this application. This identifies, in section 2, the presence of the scheduled monument, but provides no measures to prevent damage to it. Whilst condition 7 (which is not included in the conditions the current application is seeking to discharge) refers to the implementation of specific measures in regard to the scheduled monument, the CMS needs to include other measures that will ensure that accidental damage does not occur to the scheduled monument, possibly including temporary fencing to prevent vehicles driving over it and preventing any temporary works taking place in the designated area.

The submitted CMS does not meet the requirements of condition 10 and therefore should be revised and resubmitted once measures to prevent damage to Wats Dyke during the construction works have been included.

Yours sincerely,

Nichola Davies
Casework Manager

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.