

Heritage Appeal Statement

Land east of Tan y Bont, Main Road,
Rhosrobin, Wrexham

On behalf of Liberty Properties

November 2017

Total Heritage Project Ref: 17/009/ROS

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1.0 INTRODUCTION

- 1.1 This Heritage Appeal Statement has been prepared by Total Heritage on behalf of Liberty Properties. It relates to the effects of the proposed housing development across land to the east of Tan y Bont, Rhosrobin on historic assets and, in particular, the effects of the proposed development on the scheduled monument comprising a section of Wat's Dyke (CD151) which crosses the appeal site from southwest to northeast.
- 1.2 Whilst heritage issues were not part of the reason for refusal of the application, the appeal is at liberty to re-examine all elements of the refused application. Although heritage issues did form a reason for refusal of the 2014 application for the same site, revisions of the indicative masterplan, extensive discussions with Cadw and the production of a management plan led Cadw to withdraw their objection¹, recognising that the development would provide an opportunity to greatly enhance and conserve the section of Wat's Dyke running through the appeal site.
- 1.3 The purpose of this statement is to set out the significance of the scheduled monument and to explain its current condition, to summarise discussions with statutory heritage consultees and the measures taken by the appellant to enhance the significance of the designated heritage asset.
- 1.4 The effect of the proposals on designated heritage assets are limited to the setting of a single scheduled monument, Wat's Dyke west of Ty Gwyn (CD151). No other effects on other designated heritage assets were raised in a formal response to the application by CADW, in their role as statutory advisors to the Local Planning Authority (in this case, Wrexham County Borough Council) on matters relating to scheduled monuments.
- 1.5 The effects of the outline proposals on Wat's Dyke have been assessed as indirect; an effect on the setting of the scheduled monument.
- 1.6 This statement is informed by site visits carried out on 22nd June, 7th September and 12 October 2016. The second and third visits also included a meetings with Cadw officers on the appeal site.

¹ Letter from Cadw dated 08/02/2017 stating their intention to withdraw their earlier objection

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- 1.7 As the refusal of planning permission (06/03/2017) does not relate to cultural heritage, the proposals are considered to be in line with Welsh Government policy on heritage matters and that they meet the relevant objectives of TAN 24 and Planning Policy Wales in that the development would conserve and enhance the historic environment, recognise the contribution it makes, understand the significance of historic assets, contribute to the knowledge and understanding of the past.
- 1.8 The appellant's view is that the proposals represent an opportunity to protect and enhance a scheduled monument and that this in turn represents a significant benefit of the proposals.

2.0 SITE AND MONUMENT DESCRIPTION

The Appeal Site

- 2.1 The appeal site lies approximately 2km north of Wrexham town centre, adjacent to and north of the A483. It comprises fields to either side of the scheduled monument which divides the appeal site into two unequal parts. The larger part is to the west and would contain all the scheme's housing with the eastern part proposed as maintained pasture forming Permanent Green Barrier land. The roughly rectangular appeal site is bounded to the southeast by the A483, to the southwest by Ffordd Fawr, to the northeast by Ffordd Plas Acton and to the northwest by the deep cutting for the railway line from Wrexham to Chester.
- 2.2 The enclosed land for the most part comprises improved grassland with some scrubby woodland to the southwest. The land is divided into smaller parcels of land by a series of hedgerows and post and wire fences. The remains of Wat's Dyke forms an almost continuous boundary through the appeal site with occasional breaches along its length.

Monument description

- 2.3 Scheduled Monument (DE151) forms only a short part of a much more extensive archaeological feature. The dyke is believed to have formed a physical boundary between two territories during the 8th century. The identity of Wat is not clear although the monument as a whole is associated with the better known Offa's Dyke which extends along much of the border between England and Wales. This part of Wat's Dyke was designated in 1986 and the definitive area covered by the designation is illustrated at Appendix 4.1 of the Scheduled Monument Management Plan.²
- 2.4 The description of the scheduled monument held on the Clwyd Powys Archaeological Trust (CPAT) Regional Historic Environment Record notes that the monument has been badly damaged by quarrying and agricultural activity³. In its current form, the earthen embankment survives up to a maximum of 1.3m above the surrounding ground surface although in places, particularly in

² Scheduled Monument Management Plan (January 2017), Wat's Dyke: Section W of Ty-Gwyn (DE151) – Total Heritage

³ Scheduled monument description for this section of Wat's Dyke (Primary Ref. No. 106671) – from Archwilio
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 | Main Road, Rhosrobin, | Properties | © |

the northern/ southern extremes and in the central northern areas, the bank appears entirely removed. Conversely, the quarry ditch is likely to survive in much better condition although for the most part it is infilled with only occasional linear depressions indicating its general position.

- 2.5 The prominence of the earthwork is further diminished by vegetation and trees which have grown or been planted both along the bank and across the land immediately to the west. In the north of the application site, the bank survives to c.1m high and is capped by a broad and intermittent hedgerow of shrub plants such as hawthorn and holly, interspersed with areas of bracken and tall grass. Vegetation on the central and southern parts of the designation is typified by taller willow and bramble thicket interspersed with tall, mature deciduous trees such as oak, cherry and hazel.

3.0 RELEVANT PLANNING POLICY

Introduction

- 3.1 The following chapter summarises heritage-specific policy and guidance relevant to the proposal for a residential development on the appeal site.

Legislation

- 3.2 The Ancient Monuments and Archaeological Areas Act 1979 makes provision for the scheduling and management of (normally) unoccupied archaeological structures. In the case of the proposals considered by this appeal, this applies solely to the remains of a section of Wat's Dyke discussed above. The Act sets out a process for managing physical intervention known as scheduled monument consent, but it does not create a statutory framework for the consideration of the setting of an ancient monument.

TAN 24: The Historic Environment (2017)

- 3.3 Technical Advice Note 24: The Historic Environment superseded Welsh Office Circular 60/96 "Planning and the Historic Environment: Archaeology" in May 2017. The technical advice note is set out in several parts relating to different components of the historic environment of which Section 4 deals with the importance of archaeology and advises on the handling of archaeological matters in the planning process. Paragraph 4.1 of the technical advice note notes that archaeological remains are a finite and non-renewable resource which requires appropriate management.
- 3.4 Paragraph 4.2 advises that archaeological remains are a material consideration in the planning process and when considering proposals affecting scheduled monuments and other archaeological remains of national significance, there should be a presumption in favour of their preservation in-situ.

Planning Policy Wales

- 3.5 Planning Policy Wales (Edition 9, November 2016) Chapter 6 "The Historic Environment" contains guidance on managing change affecting listed buildings and archaeological monuments, and on the conservation of historic sites.

Cadw Guidance

- 3.6 Cadw's Conservation Principles 2011 sets out a number of helpful definitions and principles which help to establish the significance of historic assets and the effects of change, leading towards an assessment of impact within the overall planning balance.⁴ The key definitions are noted here:

Historic Asset:⁵ *"An identifiable component of the historic environment. It may consist or be a combination of an archaeological site, an historic building, or a parcel of historic landscape. Nationally important historic assets will normally be designated."*

- 3.7 Significance: "The sum of the cultural heritage values often set out in a Statement of Significance." Conservation Principles 2011 describes four heritage values,⁶ namely:

- Evidential Value: Value deriving from the potential of a place to yield evidence about past human activity.
- Historical Value: Value deriving from the ways in which past people, events and aspects of life can be connected through a place to the present.
- Aesthetic Value: Value deriving from ways in which people draw sensory and intellectual stimulation from a place.
- Communal Value: Value deriving from the meanings of a place for the people who relate to it, or for whom it figures in their collective experience or memory.

⁴ The general language and structure of Cadw's *Conservation Principles* 2011 is similar to that of English Heritage's *Conservation Principles* 2008. In England, some of the terminology was adopted in the now-cancelled PPS5, and it is now to be found in the NPPF. In Wales there is a greater gap between the language of *Conservation Principles* 2011 and the earlier Circulars 60/96 and 61/96, but the approach in *Conservation Principles* is nevertheless very helpful in creating a structure within which assessments can be made.

⁵ Broadly equating to a heritage asset in current terminology in England.

⁶ These four heritage values are broadly the same as those in English Heritage's *Conservation Principles* 2008. In England the advent of PPS5 in 2010 indicated that setting was also to be considered to be part of the significance of a heritage asset, and this has been more formally stated to be the case in the NPPF, almost as a fifth heritage value. In Wales the policy basis for this is less formal, but paragraph 11 of Circular 61/96 does state that setting is often part of a building's character, indicating a broadly similar approach.

Setting: "The surroundings in which an historic asset is experienced, its local context, embracing present and past relationships to the adjacent landscape."

- 3.8 *Conservation Principles* 2011 also sets out six principles within which historic assets should be managed and conserved when undergoing change, and it is made clear at a number of points that the setting of a historic asset is of considerable importance. In summary, the six principles set out by Cadw fall under the headings (1) Historic assets will be managed to sustain their values, (2) Understanding the significance of historic assets is vital, (3) The historic environment is a shared resource, (4) Everyone will be able to participate in sustaining the historic environment, (5) Decisions about change must be reasonable, transparent and consistent, and (6) Documenting and learning from decisions is essential.

Local Development Plan

- 3.9 The development plan covering the appeal site is the Wrexham Unitary Development Plan 1996 - 2011 from which, Policy CM11 relates to 'Archaeology' and includes scheduled monuments along with non-designated below ground remains.

Policy CM11: Archaeology

- 3.10 This policy seeks to preserve the 'site and setting of a Scheduled Ancient Monument or archaeological site of national significance'. The policy specifically mentions Wat's Dyke, stating that 'Before development is carried out on these [scheduled monuments] Scheduled Monument Consent would be required.

4.0 ASSESSMENT AND CONSULTEE DISCUSSIONS

- 4.1 This chapter provides an assessment of the significance of the scheduled monument produced by Total Heritage⁷ in response to Cadw's advice to the local planning authority relating to the heritage effects of the 2016 application. The assessment considers the part setting plays in that significance and the effect development of the appeal site would have on that significance. Subsequent correspondence and meetings with Cadw officers are relevant to the establishment of common ground concerning the significance of setting, the effect of the proposals on the scheduled monument and agreement of suitable compensation measures and so have been included, were relevant to this assessment
- 4.2 Following consultee responses to the 2014 application, a number of revisions were made to the masterplan in order to address concerns relating to the proximity of the housing to the scheduled area. As a result, prior objections received from Clwyd Powys Archaeological Trust relating to the setting of the scheduled monument and any archaeological remains on the appeal site were withdrawn⁸

Assessment of Significance

- 4.3 The earthwork in its current form is a much diminished remnant of the original early medieval land boundary. As noted in the CPAT Regional Historic Environment Record, 'The dyke is badly damaged by quarrying and agricultural activity', going on to state that the 'Southern end of this section of Dyke cut-through by the building of the Wrexham by-pass'.
- 4.4 As set out at 4.7 above, the significance of a monument can be defined by four components of heritage value, namely its evidential value, historical value, aesthetic value and communal value. The monument's setting also plays a part in its significance. The extent to which each of these components contributes to the monuments' significance is set out below.
- 4.5 The principal interest of the monument lies in its evidential and historic value, that is, it's potential to provide information on human activity in this area during the early medieval period. The dyke represents a physical boundary dividing two different cultures, probably during the 8th century AD. At that time, this landscape

⁷ Letter dated 06/06/2016 from Karl Hulka (Heritage Consultant T/A Total Heritage)

⁸ Email dated 16/03/2016 from Mark Walters (Development Control Archaeologist, CPAT)

would have comprised a mixture of close woodland and more open agricultural land. Archaeological evidence suggests that the land to the east of the dyke saw some form of occupation at various times in the past and it is likely that when newly constructed, the immediate vicinity of the earthwork was kept clear of trees and shrubs. Although its physical, above-ground form has undergone significant disturbance, it is likely that the quarry ditch, in this instance on the west of the bank, survives in relatively good condition albeit infilled. The fills of this ditch are also likely to retain evidence of period over which the boundary was maintained methods of construction and environmental conditions at the time.

- 4.6 The aesthetic value of the monument is considerably diminished by post-medieval activity including quarrying and agricultural practices which have reduced the height or totally removed the embankment. This is compounded by mature trees and shrub vegetation which obscure views from and towards the monument. Although Cadw's advice to the local planning authority in relation to the 2016 application⁹ stated that this scheduled monument *'is presently one of the last unenclosed sections of Wat's Dyke'*, in reality, the monument is enclosed by woodland along much of the southern part and barely recognisable in areas to the north due to the degradation of its form as described above.
- 4.7 The communal value is also recognised although this is qualified by acknowledging that relatively few members of the public who use the footpath along the embankment are likely to appreciate the full significance of the of the monument other than its physical presence as a landscape feature.
- 4.8 The setting of the monument is that of an improved agricultural landscape crossed by field boundaries. The southern part of the monument, on its west side, is enclosed by woodland and scrub vegetation and at its southern end the setting of the scheduled monument is dominated by the dual carriageway which cuts through it. The landscape is largely the product of the 19th and 20th centuries and whilst the dyke has probably served as a boundary throughout the period since its construction, the closeness of the woodland, presence of trees and shrubs along the embankment along with post and wire fences, gates etc. provide little context to the monument and add nothing to its significance.

⁹ Letter dated 19/04/2016 from Helen May (Protection and Policy, Cadw)
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 Wrexham | On behalf of Liberty
 Properties

- 4.9 In the initial consultation response¹⁰, Cadw concluded that the proposals would result in '*significant adverse impacts*' on this scheduled monument and its setting. In the appellant's written response to this¹¹, the extent of the impact was questioned, arguing that the role setting played in the significance of the scheduled monument had been overstated and that consequently, the overall effects of the proposals on that significance were also overstated. The setting was assessed as only playing a small part in the overall significance of the scheduled monument and the proposals would not in any meaningful way impact on the understanding and appreciation of its significance.
- 4.10 Subsequent email correspondence from Nichola Davies of Cadw¹² confirmed that the setting of the monument had been compromised and while continuing to assert that the development would result in '*significant change and therefore have a significant impact on the setting*', extended an invitation to meet on site and discuss the issues. A site meeting was arranged for the 22nd September 2016, attended by Will Davies of Cadw, Karl Hulka of Total Heritage and other members of the appellant's development team. At the meeting, it was agreed that the effect of the outline proposals on the significance of the scheduled monument were sufficiently limited that they would be acceptable provided that appropriate enhancement and conservation of the monument were formalised in a site specific Scheduled Monument Management Plan (SMMP) to be approved by Cadw.
- 4.11 A subsequent meeting was held between Karl Hulka of Total Heritage and Cadw's field monument warden, Dr. Fiona Grant in which the format and content of the SMMP were agreed and following formal submission of the approved document to the local planning authority, the Cadw objection was withdrawn on 8th February 2017.

Summary of Effects

- 4.12 In summary, the current setting of the scheduled monument contributes relatively little to its overall significance other than providing a sense of its original rural context. The current tree and shrub cover, particularly in the south of the scheduled area prevents all but close range views to and from the visible parts of the earthwork. In addition, the current condition of the monument along the full

¹⁰ Letter dated 19/04/2016 from Helen May (Protection and Policy, Cadw)

¹¹ Letter dated 06/06/2016 from Karl Hulka (Heritage Consultant T/A Total Heritage)

¹² Email dated 22/07/2016 from Nichola Davies (Protection and Policy, Cadw)

length of this designation is becoming increasingly unstable and undergoing continuous damage and erosion as a result of burrowing animals (principally rabbits), tree roots and human activity relating to agricultural practices and lack of maintenance. Due to the relatively small scale of the proposed development, namely residential housing and associated infrastructure along with its location in the far west of the appeal site, the effect of the proposals on the setting of the scheduled monument will be minor and nothing close to the 'significant adverse impact' suggested by the initial Cadw response to this application.

- 4.13 The proposals would bring about a change in in the setting of the monument, with housing being closer to the monument on the west. However, housing and other modern urban infrastructure are already visible in views west from the northern and central part of the scheduled area and the proposals maintain a substantial undeveloped buffer between the development and the scheduled monument which will serve to maintain the most important element of its setting. It should be noted that other changes to the setting of the monument such as the clearance of vegetation on and around the earthwork, brought about by the implementation of the Scheduled Monument Management Plan, are positive effects of the development.
- 4.14 The effects of the proposed development were greatly overstated in the original Cadw response. As a result of Cadw withdrawing their objection and agreeing the contents of the management plan, the proposals offer an opportunity to greatly improve the condition and appearance of this scheduled monument and thereby better revealing the significance of the monument. The agreed Scheduled Monument Management Plan provides a framework for repair, maintenance and archaeological investigation and interpretation of the monument which is currently under threat. The implementation of the management plan would result in a significant enhancement of the scheduled area and result in a better appreciation and understanding of this part of the dyke.

5.0 CONCLUSIONS

- 5.1 The assessment of effects on designated heritage assets has been agreed between the appellant and Cadw, the advisors to the local planning authority on matters relating to scheduled monuments.
- 5.2 Indirect, visual impacts deriving from the establishment of a housing development will have an effect on the setting of the scheduled monument. However, the setting of the monument has been compromised and currently plays only a limited role in the overall significance. Consequently, the effect on setting can be ameliorated by the adoption of an agreed Scheduled Monument Management Plan as part of the proposals.
- 5.3 As a result, these proposals would result in significant works of repair and conservation of this section of Wat's Dyke. This is in line with both local and national planning policies and represents a significant benefit of the proposals.

APPENDIX 1



Llywodraeth Cymru
Welsh Government

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Eich cyfeirnod
Your reference

P/2016/0189

Ein cyfeirnod
Our reference

Dyddiad
Date

8 February 2017

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amadminplanning@wales.gsi.gov.uk

Dear Mr Phillips,

189 Dwellings, Land East of Tan y Bont, Rhosrobin – Management Plan and Drainage Scheme

Thank you for your email of 2 February 2017 inviting our comments on the management plan and drainage scheme for the proposed development as described above.

The management plan has been produced in response to our previous letter of 19 April 2016, which set out our concerns about the adverse impact of this housing development on the setting of the scheduled monument known as Wat's Dyke: Section W of Ty-Gwyn (DE151). Our subsequent letter of 22 July noted that whilst we maintained our view that the proposed development will have a significant impact on the setting of this monument, we accepted that this impact could in principle be compensated for by a comprehensive management plan for the monument. The submitted management plan addresses the whole of this 410m scheduled section of Wat's Dyke, which falls within the same ownership. Having reviewed the management plan we consider that, if fully and successfully implemented, it will compensate for the impact of the proposed development on the setting of the southern end of the scheduled area of Wat's Dyke: Section W of Ty-Gwyn. The plan will also see the installation of interpretative materials that will help to raise local awareness of its significance and consequently aid its longer term conservation. We suggest that a suitably worded condition regarding the implementation of the submitted management plan should be attached to any planning consent for the proposed development.

Our comments have also been requested on the proposed drainage scheme for the development. The proposed scheme entailed the crossing of the Dyke by a conventional drainage pipe running to a pond towards the north-eastern side of the site. We had previously expressed concerns that the scheme would result in a direct impact on the upstanding earthwork and any associated buried archaeology and potential further impacts on undesignated archaeology in the vicinity of the proposed pond. However, having revisited the site in conjunction with the engineering report, it is

Mae'r 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



accepted that the proposed drainage option is likely to be the only viable option due to the topography of the site and the constraints preventing other forms of drainage

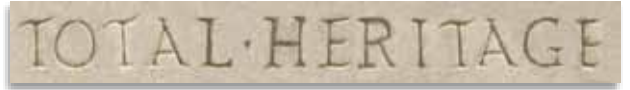
Discussions at the site meeting of 7 September established a potential crossing point for the drainage pipe at a point where a field access has entirely removed the earthworks of the Dyke above ground and where its original form and extent is now unclear. We consider the proposed laying of a conventional pipe, with the width of the affected section of the scheduled area subjected to a full archaeological excavation in advance, to be acceptable.

With reference to Cadw's Conservation Principles (Feb 2011) the limited localised destruction of buried remains by a pipe trench of 1.5m or less in width would in our opinion be outweighed by the information retrieved by an archaeological excavation about the character of the monument at this point and the potential for dating evidence from buried soils. The archaeological excavation followed by construction will require an application for scheduled monument consent from the Welsh Ministers (via Cadw). Information about scheduled monument consent is available online at www.cadw.gov.wales/historicenvironment

Yours sincerely

Nichola Davies
Diogelu a Pholisi/ Protection and Policy

APPENDIX 2



Scheduled Monument Management Plan (January 2017)

**Wat's Dyke: Section W of Ty-Gwyn (DE151)
(NGR: SJ 33317, 52871)**

On behalf of Liberty Properties

Under Instruction from L - P Archaeology

January 2017

Project Ref: ROS/16/002

Project Number: ROS/16/002

Authored by: Karl Hulka

Reviewed by: Dan Garner (for L-P Archaeology)
Fiona Grant/ Will Davies (for Cadw)

Date: January 2017

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- Appendix 1.1: Map showing the scheduled area in relation to the application boundary
- Appendix 1.2: Definitive map of Scheduled Monument DE151
- Appendix 1.3: List Description (From Archwilio)

1.0 INTRODUCTION AND SITE DESCRIPTION

- 1.1 This Conservation Management Plan (CMP) has been produced by Total Heritage on behalf of Liberty Properties under instruction from L-P Archaeology. It relates to an outline application for planning permission seeking consent in principal for a new housing development on land east of Tan y Bont and to the west of Scheduled Monument DE151, known as Wat's Dyke west of Ty Gwyn. The scheduled area extends along a north northeast – south southwest axis between the A483 in the south and Ffordd Plas Acton in the north.
- 1.2 For avoidance of doubt, this management plan does not include a strategy for dealing with below ground archaeological remains encountered either within the perimeter of the scheduled monument, or beyond, which are encountered as a result of intrusive works associated with the proposed development. The strategy for these will be dealt with separately by provision of appropriate mitigation measures prepared in response to detailed proposals. Nor does it include any advice or direction for works on the part of Designation DE151 which lies to the south of the dual carriageway (A483), only that part to the north which lies within the application site.
- 1.3 This management plan has been prepared in order to secure the upkeep and conservation of a section of a linear earthwork which survives across the application site as an infilled quarry ditch with an earthen embankment of varying quality to the east. The CMP also sets out a series of repairs and enhancements to the scheduled monument which are to be undertaken by the final developer on being granted consent for detailed proposals.
- 1.4 The CMP follows the format of a generic template provided by Cadw which has been adapted so as to provide site-specific advice and guidance. The document has been reviewed by Cadw so as to ensure it provides a clear and achievable management regime and it is intended that adherence to the measures and

directions contained within it will be enforced by means of a condition placed on any scheduled monument consent.

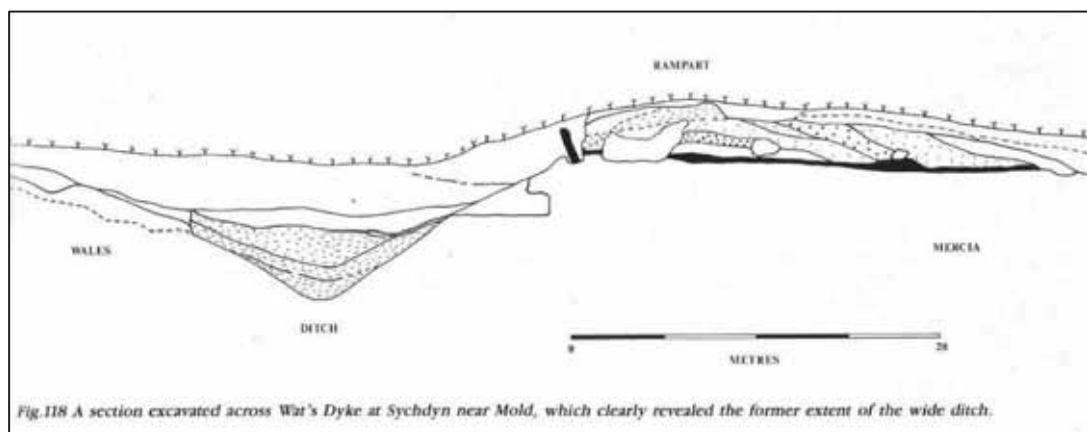
The Monument and its surroundings

Scheduled Monument (DE151) forms only a short part of a much more extensive archaeological feature. The dyke is believed to have formed a physical boundary between two territories during the 8th century. The identity of Wat is not clear although the monument as a whole is associated with the better known Offas Dyke which extends along much of the border between England and Wales. This part of Wat's Dyke was designated in 1986 and the definitive area covered by the designation is illustrated at Appendix 4.1.

- 1.5 The listing description notes that the monument has been badly damaged by quarrying and agricultural activity such as ploughing and boundary maintenance etc. The embankment survives up to a maximum of 1.3m above the surrounding ground surface although in places, particularly in the north/southern extremes and in the central northern areas, the bank appears entirely removed. Conversely, the quarry ditch is likely to survive in much better condition although for the most part it is infilled with only occasional linear depressions indicating its general position.
- 1.6 The prominence of the earthwork is further diminished by vegetation and trees which have grown or been planted both along the bank and across the land immediately to the west. In the north of the application site, the bank survives to c.1m high and is capped by a broad and intermittent hedgerow of shrub plants such as hawthorn and holly, interspersed with areas of bracken and tall grass. Vegetation on the central and southern parts of the designation is typified by taller willow and bramble thicket interspersed with tall, mature deciduous trees such as oak, cherry and hazel.

- 1.7 Although no archaeological investigations have taken place on this designated length of the dyke, works have been undertaken on the same feature at other locations. One such investigation carried out at Sychdyn near Mold bears great similarity to the monument within this application site, described by Greuter et al¹ as:

The Wat's Dyke here near Mold, consists of a low earthen bank crowned with hedges or trees about 1 – 1.5m high with a shallow, sometimes waterlogged ditch in front of it. The whole construction is some 2.4m across. When excavated however the shallow ditch turns out to be 6m wide and some 2.4m deep with a cleaning slot at the bottom. Behind this considerable obstacle the bank appears to consist of a turf front to an earth bank itself stabilised with layers of turf. From a reconstruction of the shape of the bank it probably stood originally some 2m high.



- 1.8 The significance of the monument lies largely in its evidential value, serving as it does as tangible evidence of the hostilities between the Brythonic speaking people and the Saxons during the early medieval period.

¹ 'The Archaeology of Clwyd'. Greuter S, Manley J and Gale F (ed) 1991

2.0 CURRENT CONDITION

- 2.1 The monument is not currently under any management scheme and is in a generally poor state of preservation. Although much of the embankment is covered with turf which is serving to reduce erosion, the invasive actions of mature tree roots and burrowing animals along with focused erosion through the footfall of both horses and people have and continue to damage the remains. Overall the monument is in need of urgent works to stabilise and improve its condition. The key management issues are set out below and a map and schedule of works are included in Section 3.

Trees

- 2.2 Mature trees are established in both the central and southern sections of this monument. Damage to the monument is being caused from shading, which has reduced the sward and exposed the ground surface to erosion. Standing and fallen trees also encourage stock sheltering and rabbit burrowing, leading to further erosion. Uprooting trees, either as part of deliberate clearance or through natural events, can cause significant damage to sub-surface archaeologically sensitive deposits.

Scrub

- 2.3 There is scrub cover from hawthorn, blackthorn etc. across the majority of the monument. Damage to the monument is being caused from shading, which has reduced the sward and exposed the ground surface to erosion. Scrub also encourages sheltering stock and rabbit burrowing, leading to further erosion.

Stock Erosion

- 2.4 Severe stock erosion is evident in many places along the monument. Stock erosion can cause serious damage to a monument, and lead to collapse of earthworks and a loss of archaeological material.

Boundaries

- 2.5 Several fence boundaries have been constructed within the scheduled area without or prior to the need for Scheduled Monument Consent. It is clear that the line of the scheduled monument has continued as a land boundary through to the current time and consequently the crest of the embankment along the central and southern sections is marked by a post and wire fence dotted with gates and other openings. Construction and subsequent removal of boundaries such as fences and gates impact upon sub-surface archaeological material. Wherever fencing within the scheduled area is no longer required for stock management, it should be carefully removed. Any new fencing required to prevent stock accessing the monument should be outside the scheduled area.

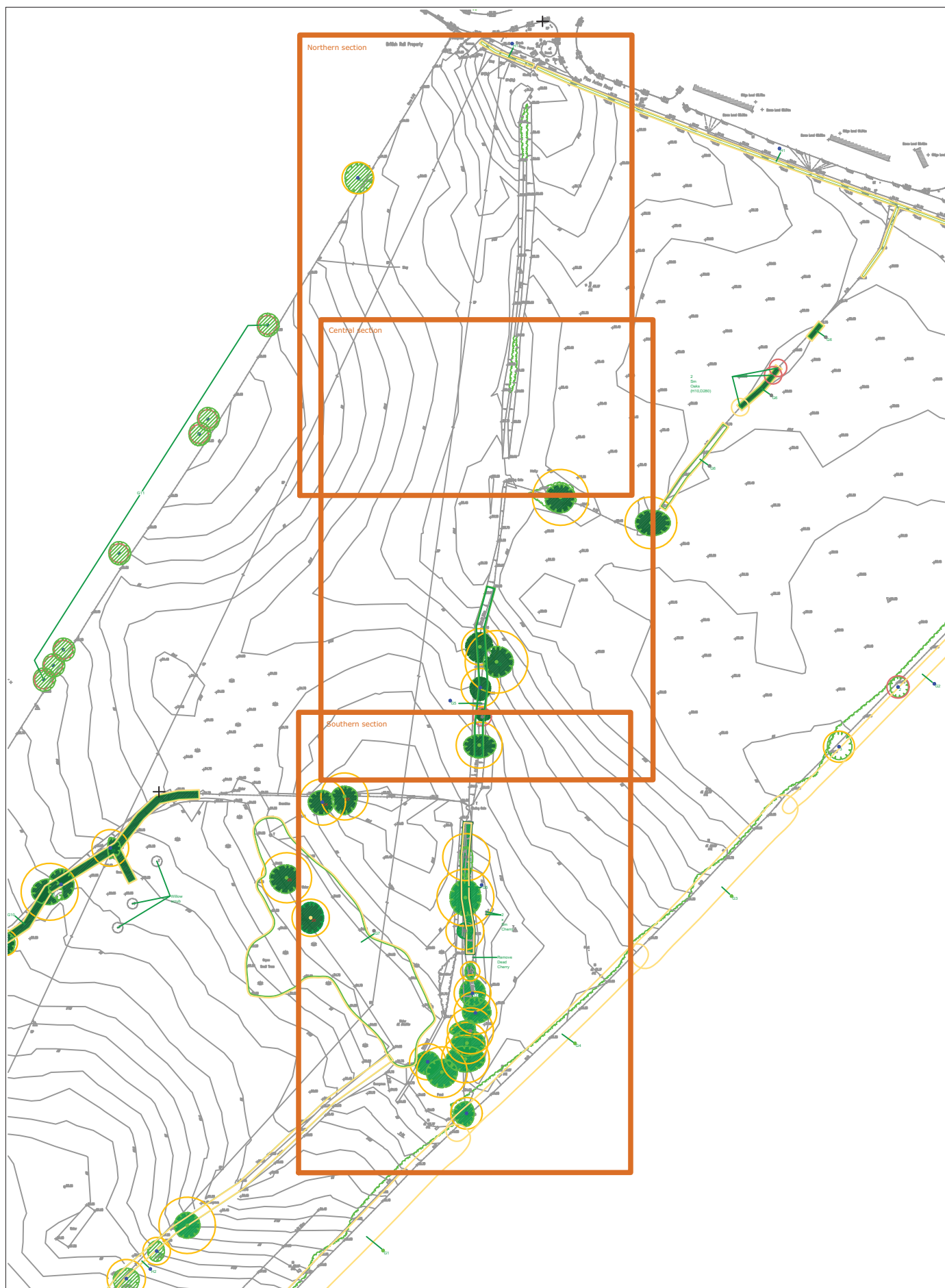
Burrowing Animals

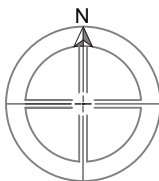
- 2.6 Rabbit burrowing damage is evident along the full length of the surviving embankment but appears particularly severe in the northern section of the monument. Animal burrowing on archaeological sites results in the disturbance and sometimes destruction of artefacts, ecofacts and buried land surfaces. It also leads to the destabilisation of monuments, which in turn can lead to an altering of a monuments profile. Damage by burrowing should be prevented or avoided because our archaeological resource is finite and contains irreplaceable information that is important to the study of the human past.

Dumping

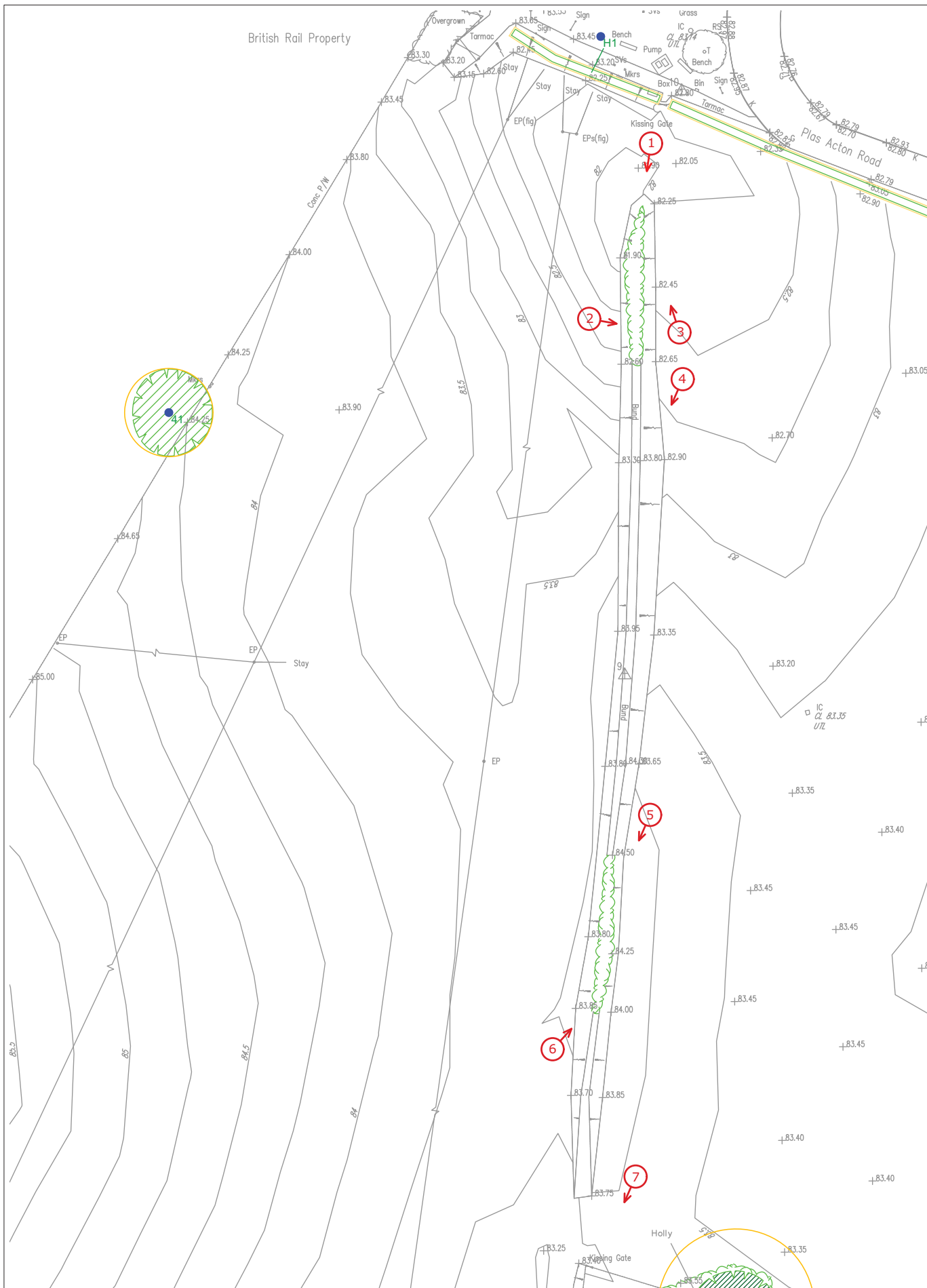
- 2.7 There are several heaps of dumped hardcore or construction waste at the southern end of the monument. These dumped materials diminish the visual importance of the monument and so have a negative effect on its significance.

3.0 MAP AND PHOTOGRAPHS OF THE SCHEDULED AREA HIGHLIGHTING MANAGEMENT ISSUES



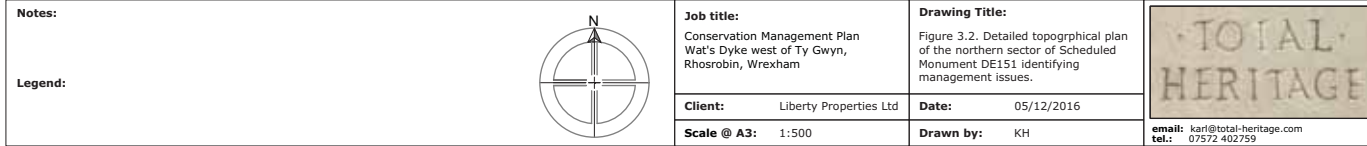
	Job title: Conservation Management Plan Wat's Dyke west of Ty Gwyn, Rhosrobin, Wrexham	Drawing Title: Figure 3.1: Plan showing the location of detailed maps in Section 3	
	Client: Liberty Properties	Drawn by: KH	
	Scale @ A4: 1:2000	Date: 05/12/2016	
		Checked by:	

email: karl@total-heritage.com
 tel.: 07572 402759



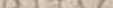
Notes:		Job title: Conservation Management Plan Wat's Dyke west of Ty Gwyn, Rhosrobin, Wrexham	Drawing Title: Figure 3.2. Detailed topographical plan of the northern sector of Scheduled Monument DE151 identifying management issues.	
Legend:		Client: Liberty Properties Ltd	Date: 05/12/2016	email: karl@total-heritage.com tel.: 07572 402759
		Scale @ A3: 1:500	Drawn by: KH	

Legend:					
		Client:	Liberty Properties Ltd	Date:	05/12/2016
		Scale @ A3:	1:500	Drawn by:	KH
				 email: karl@total-heritage.com tel.: 07572 402759	



Job title: Conservation Management Plan Wat's Dyke west of Ty Gwyn, Rhosrobin, Wrexham	Drawing Title: Figure 3.2, Detailed topographical plan of the northern sector of Scheduled Monument DE151 identifying management issues.	
Client: Liberty Properties Ltd	Date: 05/12/2016	
Scale @ A3: 1:500	Drawn by: KH	email: karl@total-heritage.com tel.: 07572 402759

Job title: Conservation Management Plan Wat's Dyke west of Ty Gwyn, Rhosrobin, Wrexham	Drawing Title: Figure 3.2, Detailed topographical plan of the northern sector of Scheduled Monument DE151 identifying management issues.	
Client: Liberty Properties Ltd	Date: 05/12/2016	
Scale @ A3: 1:500	Drawn by: KH	email: karl@total-heritage.com tel.: 07572 402759

Client: Liberty Properties Ltd		Date: 05/12/2016	
Scale @ A3: 1:500		Drawn by: KH	

Scale @ A3: 1:500	Drawn by: KH	email: karl@total-heritage.com tel.: 07572 402759
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Drawing Title: Figure 3.2. Detailed topographical plan of the northern sector of Scheduled Monument DE151 identifying management issues.	
Date: 05/12/2016	
Drawn by: KH	email: karl@total-heritage.com tel: 07572 402759

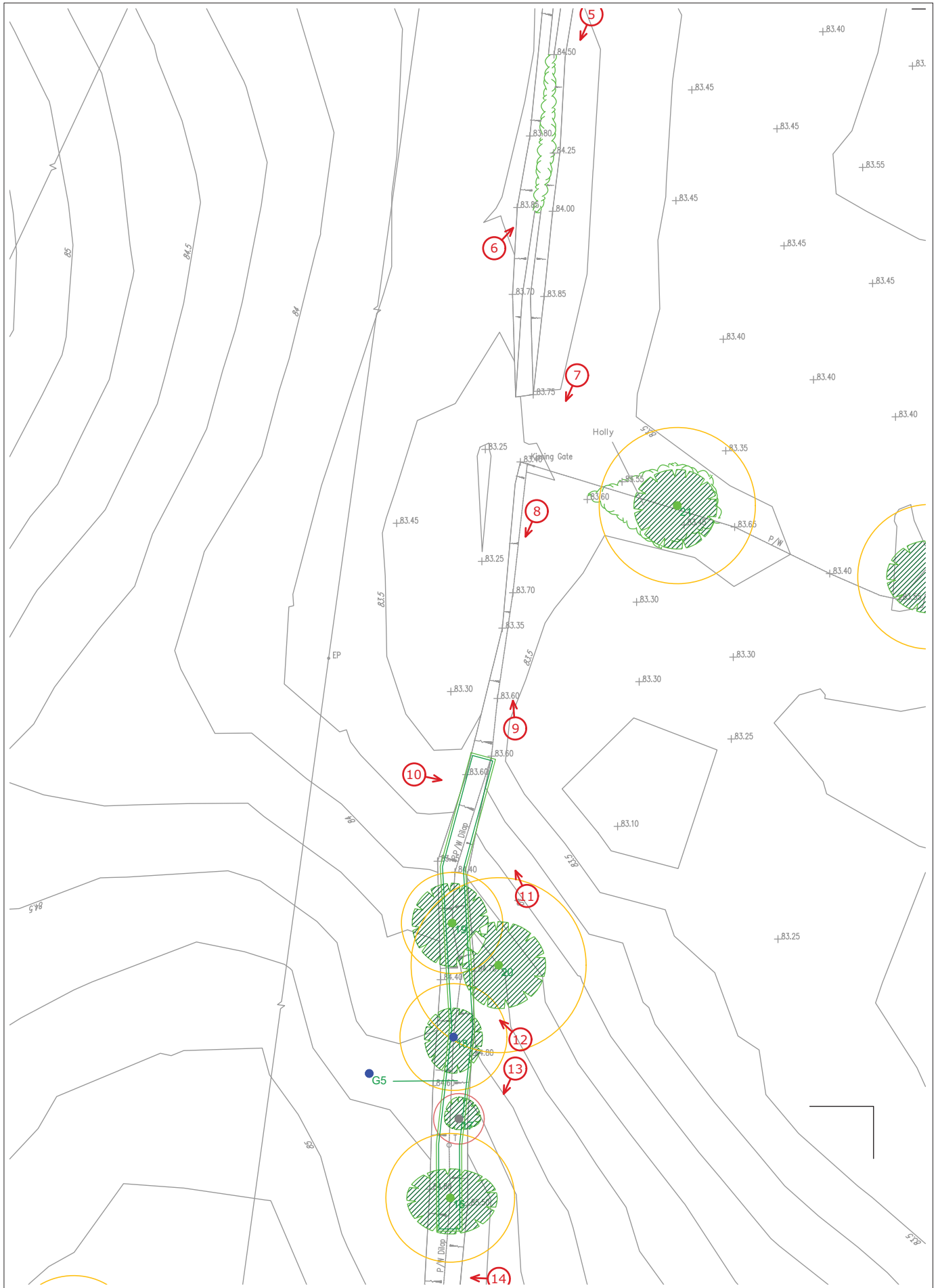
Drawing Title:	
Figure 3.2. Detailed topographical plan of the northern sector of Scheduled Monument DE151 identifying management issues.	
Date: 05/12/2016	
Drawn by: KH	email: karl@total-heritage.com tel: 07572 402759

management issues.	
Date: 05/12/2016	
Drawn by: KH	
email: karl@total-heritage.com tel: 07572 402759	

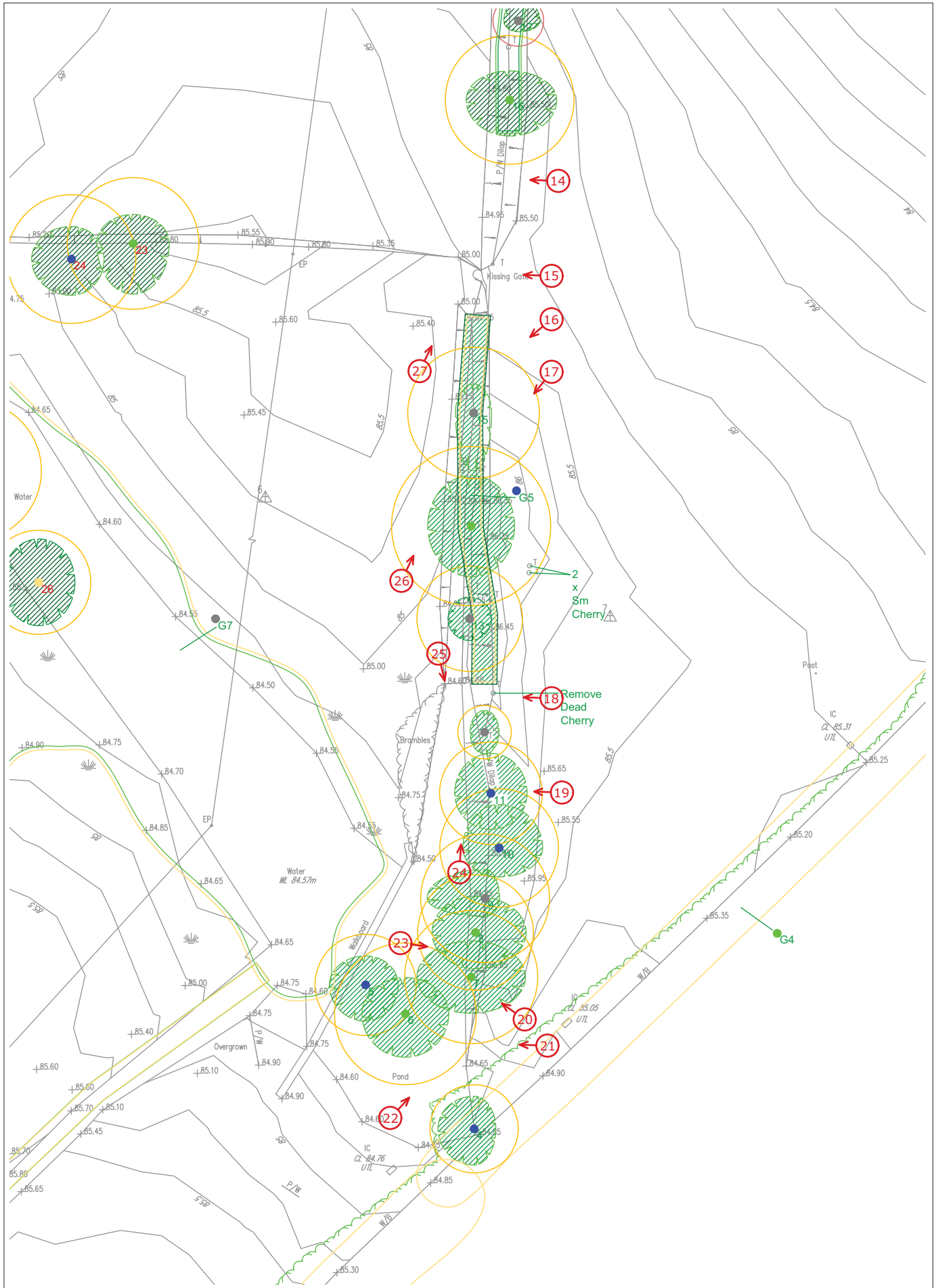
Drawn by: KH	email: karl@total-heritage.com tel.: 07572 402759
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email: karl@total-heritage.com
tel.: 07572 402759



Notes: Legend:	Job title: Conservation Management Plan Wat's Dyke west of Ty Gwyn, Rhosrobin, Wrexham Client: Liberty Properties Ltd Scale @ A3: 1:500 Drawing Title: Figure 3.3. Detailed topographical plan of the central sector of the scheduled monument identifying conservation issues. Date: 05/12/2016 Drawn by: KH	email: karl@total-heritage.com tel: 07572 402759
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Notes: Legend: 	Job title: Conservation Management Plan Wat's Dyke west of Ty Gwyn, Rhosrobin, Wrexham Client: Liberty Properties Ltd Scale @ A3: 1:500	Drawing Title: Figure 3.4. Detailed topographical plan of the southern sector of the scheduled monument identifying conservation issues. Date: 05/12/2016 Drawn by: KH  email: karl@total-heritage.com tel.: 07572 402759
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View 1

Management Issues

- Hedge removal
- Scrub clearance
- Rabbit control
- Repair of vacant burrows (see Erosion Repair in Category 2 Works [p.47])



View 2

Management Issues

- Hedge removal
- Scrub clearance
- Rabbit control
- Repair of vacant burrows (see Erosion Repair in Category 2 Works [p.47])



View 3

Management Issues

- Hedge removal
- Scrub clearance
- Rabbit control
- Repair of vacant burrows (see Erosion Repair in Category 2 Works [p.47])



View 4

Management Issues

- Scrub clearance
- Rabbit control
- Repair of vacant burrows (see Erosion Repair in Category 2 Works [p.47])



View 5

Management Issues

- Hedge removal
- Scrub clearance
- Rabbit control
- Repair of vacant burrows (see Erosion Repair in Category 2 Works [p.47])



View 6

Management Issues

- Scrub clearance
- Rabbit control
- Repair of vacant burrows (see Erosion Repair in Category 2 Works [p.47])



View 7

Management Issues

- Fence/ gate removal
- Scrub clearance



View 8

Management Issues

- Fence removal
- Scrub clearance



View 9

Management Issues

- Fence removal
- Scrub clearance



View 10

Management Issues

- Hedge/ fence removal
- Scrub clearance
- Rabbit control
- Repair of vacant burrows (see Erosion Repair in Category 2 Works [p.47])



View 11

Management Issues

- Hedge/ fence removal
- Scrub clearance



View 12

Management Issues

- Tree surgery to lift crowns
- Fence removal
- Scrub clearance
- Rabbit control
- Repair of vacant burrows (see Erosion Repair in Category 2 Works [p.47])



View 13

Management Issues

- Tree surgery to lift crowns
- Hedge/ fence removal
- Scrub clearance
- Rabbit control
- Repair of vacant burrows and eroded ridgeline (see Erosion Repair in Category 2 Works [p.47])



View 14

Management Issues

- Tree surgery to lift crowns
- Hedge/ fence removal
- Scrub clearance
- Rabbit control
- Repair of vacant burrows and eroded ridgeline (see Erosion Repair in Category 2 Works [p.47])



View 15

Management Issues

- Tree surgery to lift crowns
- Hedge/ fence/ gate removal
- Scrub clearance
- Rabbit control
- Repair of vacant burrows and eroded ridgeline (see Erosion Repair in Category 2 Works [p.47])



View 16

Management Issues

- Tree surgery to lift crowns
- Hedge/ fence removal
- Scrub clearance
- Repair of eroded ridgeline



View 17

Management Issues

- Tree surgery to remove Tree 15 (category 3) and lift crowns of those remaining
- Hedge/ fence removal
- Scrub clearance



View 18

Management Issues

- Tree surgery to Trees 12 and 13 (category 3) and to lift crowns of any remaining
- Hedge/ fence removal
- Scrub clearance
- Repair of eroded ridgeline



View 19

Management Issues

- Tree surgery to remove smaller trees and lift the crowns of the larger trees
- Hedge/ fence removal
- Scrub clearance
- Repair of eroded ridgeline



View 20

Management Issues

- Tree surgery to lift crowns
- Hedge/ fence removal
- Scrub clearance
- Repair of eroded ridgeline



View 21

Management Issues

- Tree surgery to lift crowns
- Hedge/ fence/ gate removal
- Scrub clearance
- Remove dumped construction debris
- Repair of eroded ridgeline



View 22

Management Issues

- Tree surgery to remove willow thicket and lift the crowns of larger trees
- Hedge/ fence removal
- Scrub clearance
- Removal of dumped debris
- Repair of eroded ridgeline



View 23

Management Issues

- Tree surgery to remove willow thicket and lift the crowns of larger trees
- Hedge/ fence removal
- Scrub clearance
- Removal of dumped debris
- Repair of eroded ridgeline



View 24

Management Issues

- Tree surgery to remove willow thicket and lift the crowns of larger trees
- Hedge/ fence removal
- Scrub clearance
- Removal of dumped debris
- Repair of eroded ridgeline and scarp slope of embankment



View 25

Management Issues

- Tree surgery to remove willow thicket and lift the crowns of larger trees
- Hedge/ fence removal
- Scrub clearance
- Rabbit control
- Repair of vacant burrows and eroded ridgeline (see Erosion Repair in Category 2 Works [p.47])



View 26

Management Issues

- Tree surgery to remove smaller trees and lift the crowns of larger trees
- Hedge/ fence removal
- Scrub clearance
- Rabbit control
- Removal of dumped debris
- Repair of vacant burrows and eroded embankment (see Erosion Repair in Category 2 Works [p.47])



View 27

Management Issues

- Tree surgery to remove smaller trees and lift the crowns of larger trees
- Hedge/ fence removal
- Scrub clearance
- Rabbit control

1.9 Repair of vacant burrows and eroded ridgeline (see Erosion Repair in Category 2 Works [p.47])

4.0 MANAGEMENT ADVICE

4.1 Category 1 Works

4.1.1 These are works that can be carried out without the need for separate scheduled monument consent and without the requirement that the works be monitored by a suitably trained archaeologist, provided and only if the works are carried out in accordance with the guidance specified.

4.1.2 In this case those works which fall into Category 1 are as follows:

- a. Tree Surgery – An arboricultural survey of trees along the length of the scheduled area has been carried out by a specialist contractor. The resulting report, dated March 2016, identifies a number of trees which are considered to be of low value, either because of their age or through disease/damage and which can be removed from the scheduled area. The remaining trees should have their crowns lifted in order to allow more light to the ground below. Any other work that a specialist tree surgeon considers necessary to ensure the stability of the remaining trees should also be carried out provided that does not involve any below ground work.
 - Trees that are to be felled should be cut down to ground level, leaving stumps to decay in situ.
 - Stumps should be treated to prevent regrowth.
 - All cut material must be from the scheduled area for disposal. Felled timber should be cut to a size whereby it can be removed from site without damaging the existing ground surface. Large tree trunks should not be dragged across the scheduled area.

- All works must be carried out with minimal impact upon the monument, i.e. under dry conditions to avoid ground surface disturbance.
 - Vehicles should not be driven or tracked within the scheduled area.
 - A digital photographic record showing the site before and after completion of the works must be submitted to the Cadw Field Monument Warden within 1 month of completion of the work.
- b. Scrub Clearance – The scrub vegetation along much of the length of the scheduled area should be removed. This relates to scrub growing outside of formal boundaries such as hedges.
- Scrub should be cut at ground level, leaving stumps/ roots to decay in situ.
 - Stumps should be treated to prevent regrowth.
 - All cut material must be from the scheduled area for disposal.
 - All works must be carried out with minimal impact upon the monument, i.e. under dry conditions to avoid ground surface disturbance.
 - Vehicles should not be driven or tracked within the scheduled area.
 - A digital photographic record showing the site before and after completion of the works must be submitted to the Cadw Field Monument Warden within 1 month of completion of the work.
- c. Stock Erosion – The issues of stock erosion will be significantly reduced as a result of other measures within this plan such as the removal of redundant fencing and scrub undergrowth which encourage livestock to congregate, either for shelter or to pass from fields on one side of the monument to those on the other. However, the type of stock is also an issue and in general terms, the scheduled monument should not be stocked with larger animals such as horse or cattle.

Sheep have a much lower impact on the ground and if encouraged to shelter away from the monument, could serve effectively to keep grass cropped.

- d. Boundaries— A timber post and wire fence runs along much of the central and southern crest of the scheduled embankment. In many places this is ineffective either through damage caused by falling trees or through age and neglect. There is also a number of metal fence/ gate posts as well as a pedestrian ‘kissing-gate’. As a result of any development on the surrounding land, it should be possible to remove most, if not all the man-made fencing within the scheduled area

- Wire fencing to be cut at each post to avoid disturbing the posts themselves
- Timber fence posts should be sawn at ground level, leaving the lowest portion to decay in-situ.
- Metal fence/ gate posts to be ground off at ground level and the bases, along with any concrete footings, left in-situ.
- All cut material must be removed from the scheduled area for disposal.
- All works must be carried out with minimal impact upon the monument, i.e. under dry conditions to avoid ground surface disturbance.
- Vehicles should not be driven or tracked within the scheduled area.
- A digital photographic record showing the site before and after completion of the works must be submitted to the Cadw Field Monument Warden within 1 month of completion of the work.

- e. Rabbit Control – The scheduled monument currently lies within land parcels which would not be eligible for inclusion in a Glastir Advanced contract and therefore the option for

government funded rabbit traps is not thought to be available. Rabbit control along the full length of this scheduled monument is vital to its long term conservation and so should be implemented. Under the Pests Act 1954 every occupier of land is responsible for the killing or taking of wild rabbits on his land. Occupiers must take the necessary steps to prevent them causing damage. The chosen method of control should not include any ‘digging out’ of burrows or otherwise disturbing the ground.

f. **Removal of Dumped/Redundant Material**

- The piles of dumped construction debris across the southernmost part of the scheduled monument must be removed.
- Care must be taken to avoid damage to the monument.
- Whilst it is appreciated that the use of a mechanical excavator will be necessary, this should be sited as far from the scheduled embankment as possible.
- Loading to dumpers or other vehicles should be carried out on the opposite side of the excavator to the monument so as to minimise the risk of causing wheel/ track damage to any associated below ground remains.
- Clearance will not exceed below current ground level

4.2 Category 2 Works

- 4.2.1 These are works which are considered to be ‘significant and/ or intrusive, and as such, require separate and full scheduled monument consent, to be granted by Cadw prior to the works being undertaken.

4.2.2 Schedule monument consent can be applied for by using the appropriate form at: <http://cadw.wales.gov.uk/historicenvironment/help-advice-and-grants/makingchanges/schedmonconsent/?lang=en>

4.2.3 Upon gaining scheduled monument consent, the works outlined below must then be carried out according to the conditions specified in the consent.

4.2.4 In this case those works which fall into Category 2 are as follows:

a. Fencing – Repair, replacement and Construction

- All fencing within a scheduled area requires Scheduled Monument Consent prior to repair, replacement or construction. Fencing which simply requires removal does not require scheduled monument consent provided the operation is carried out as described in the Category 1 works above.
- Assess areas of standing fencing, including other boundary structures such as gates and gateposts, to identify areas requiring replacement or repair.
- Where fencing along the ridge of the scheduled embankment is no longer required, the wire fencing should be removed and the timber fence posts sawn off at ground level. No attempt should be made to dig out the buried part of the fence posts. Metal fence/ gate posts to be ground off at ground level and the bases, along with any concrete footings, left in-situ.
- If fencing remains in use but requires replacement/repair, the line should be moved away from the crest of the embankment, to the boundary of the scheduled area. If this is necessary the line of new fencing must be agreed in advance with a representative from Cadw, during a site meeting. At this meeting the line will be marked out. No

new fencing or access gate construction must take place without the exact line being agreed in advance with a representative from Cadw.

- The fence-line within the outgrown hedge at the northern end of the north section should be removed entirely (see Section 3).
- All old timber posts should be drawn or cut at the ground surface, not dug out. Metal posts should not be drawn due to the likelihood of poured concrete footings but should be cut as per 4.1 d.
- New posts should be placed within the existing post-holes wherever possible.
- New posts should be knocked in, not dug in.
- Re-use existing straining posts wherever possible. If not possible, reuse existing pit.
- For all works, all waste materials must be removed from the scheduled area for disposal.

b. Erosion Repair, slope re-profiling, and surface protection

- Erosion repair is required upon all those areas of the monument with active scars. Principally these areas are across the crest and along the western face of the embankment in the central and southern section, as detailed in Section 3. However additional areas may be assessed as incapable of self-healing in other areas, and should be repaired accordingly.
- Erosion repair and surface protection (with associated drainage where necessary) is not required for those areas at the extreme north and south of the monument where there are vehicular accesses between the two sides of the monument. Here the upstanding bank has been completely lost and low frequency movement of farm vehicles across these areas will have minimal impact during normal weather conditions.

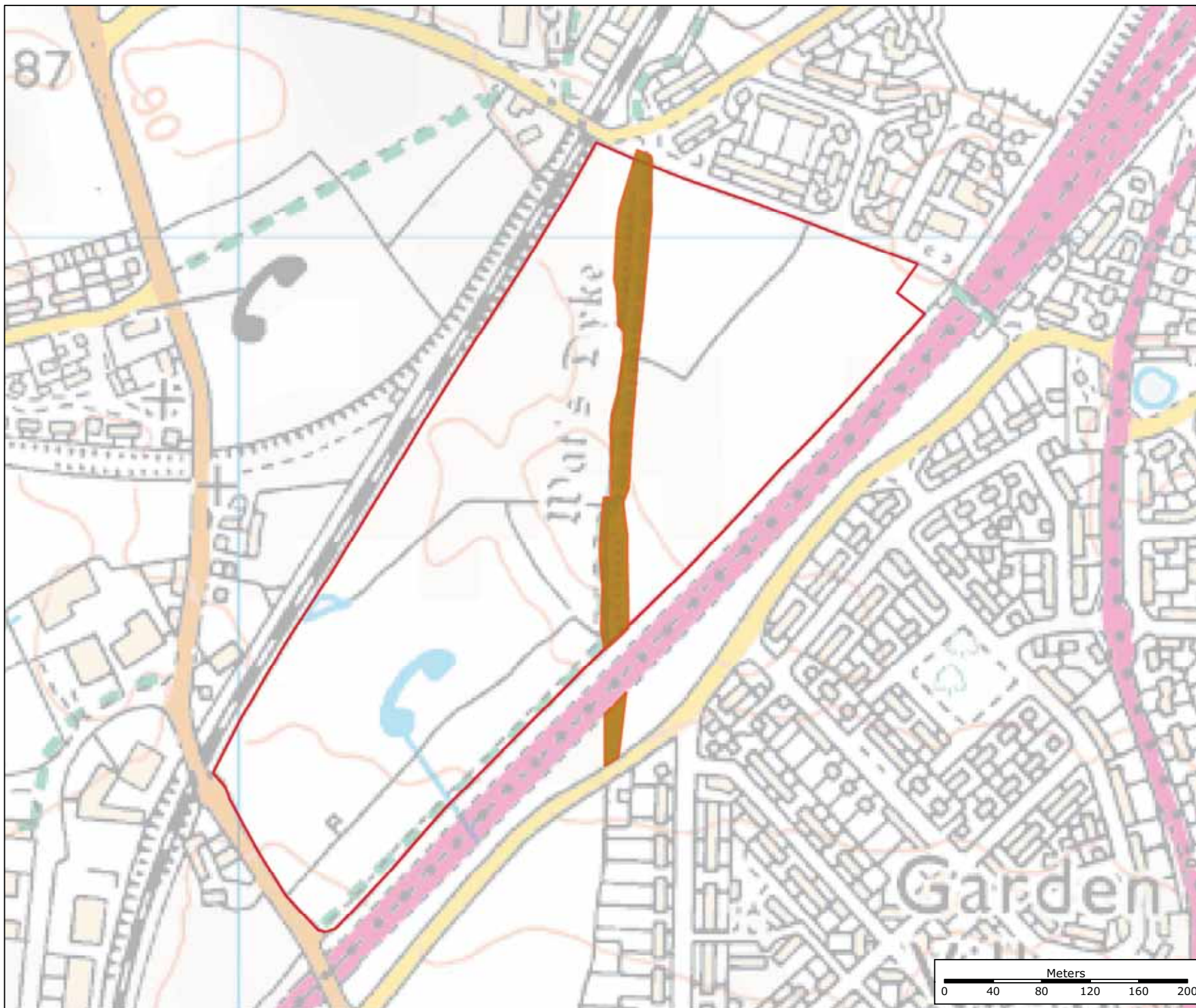
- Specialist conservation advice will be required for this work which will involve soil infilling and profiling, prior to dressing and re-seeding.
- A specification detailing the works to be undertaken during the repairs will need to be submitted with the Scheduled Monument Consent application. This will need to be written by the specialist undertaking the works.
- The Cadw Field Monument Warden can provide further information on request.

4.3 Long-term Management Recommendations / Best Practice

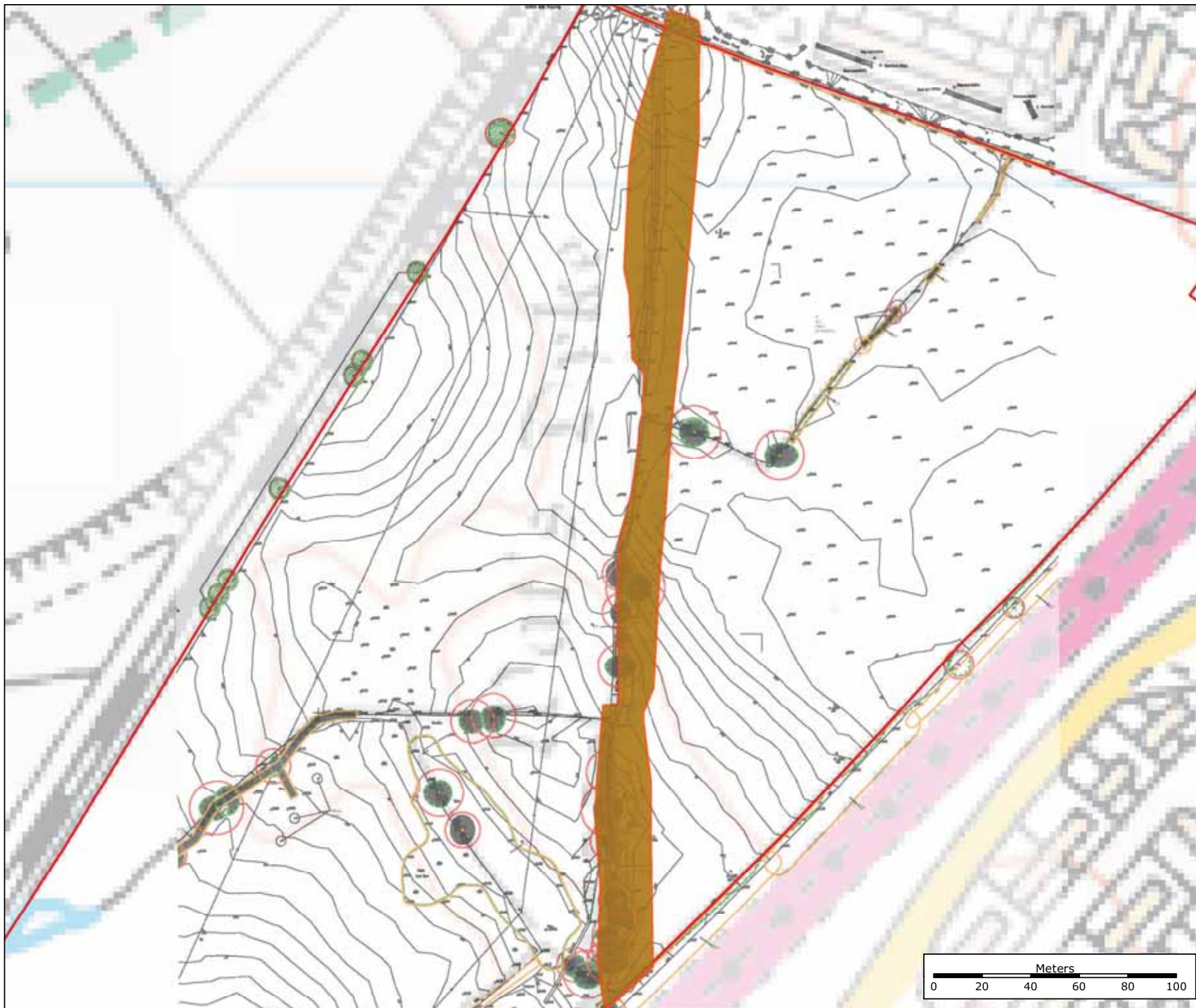
4.3.1 Following completion of the tasks detailed above and in Section 3, the long term conservation of the scheduled monument can be secured by implementing the following measures. In all cases the appropriate methodology for any task should be in accordance with this plan or following consultation with Cadw's Field Monument Warden.

- Maintain the monument in a stable and visible condition.
- Monitor the monument, and report any damage (visitor, natural or stock) to the Cadw Field Monument Warden.
- Scheduled Monument Consent must be applied for and approved by Cadw before any repair or replacement of fencing takes place within or bordering the scheduled area.
- Encourage an even, low ground cover within the scheduled area.
- Prevent the spread of coarse vegetation such as bramble, nettles, gorse etc. by means of an appropriate grazing regime and/ or cutting. If cutting, vegetation should be cut manually at ground level, leaving the roots to rot in situ. All brash must be removed from the scheduled area for disposal.

- Prevent stock erosion occurring within the scheduled area. If necessary, exclude stock using temporary electric fencing to allow the ground surface to recover.
- Ploughing or land improvement should not take place within the scheduled area. It is good practice to allow a buffer zone of 5m from the edge of the scheduled area to prevent damage.
- Do not feed stock within the scheduled area.
- Do not store machinery, bales, or other items within the scheduled area.
- Minimise the movement of vehicles within the scheduled area and restrict to the northern and southern extremes of the scheduled area (ie adjacent to the boundary with Plas Acton Road and the A483 respectively). No vehicle movement when the ground conditions are soft/wet.
- No burning to take place within the scheduled area.
- No dumping of any material within the scheduled area. Removal of material is restricted to, but must include, all materials produced as a result of routine maintenance (eg brushwood, timber, bramble etc.) and clearance of illegally dumped material.



Legend  DE151  Application Boundary	
Data Source: SM Area: CADW dataset issued June 2015 Basemaps: OS 1:25,000 (Sheet 256 - Wrexham)	
	
Site Name: Land west of Ty Gwyn, Rhosrobin, Wrexham	
Scale: 1:3,000 @ A3	
On Behalf of: LIBERTY PROPERTIES	
 karl@total-heritage.com	
Appendix 1.1: Map showing the scheduled area in relation to the application boundary	
Date: 25/11/2016	Revision: v.1



Legend

- DE151
- Application Boundary

Data Source:

SM Area:

CADW dataset issued June 2015

Basemaps:

Topographical/ arboricultural survey
(by Tree Solutions - August 2014)

OS 1:25,000 (Sheet 256 - Wrexham)



Site Name:

Land west of Ty Gwyn,
Rhosrobin,
Wrexham

Scale:

1:1,500 @ A3

On Behalf of:

LIBERTY PROPERTIES



Appendix 1.2:

Definitive map of Scheduled
Monument (DE151)

Date:	Revision:
25/11/2016	v.1

APPENDIX 1.3: List Description (From Archwilio)

CPAT Regional Historic Environment Record

The following information is from the [on-line database Archwilio](#)
Use the icons in the sources section below to download further digital information.



Wat's Dyke - Gwersyllt De151

Primary Reference Number (PRN) : 106671

Trust : Clwyd Powys

Community : Gwersyllt

NGR : SJ3330452794

Site Type (preferred type first) : Early Medieval Linear earthwork

Legal Protection : scheduled ancient monument

Description :

The dyke is badly damaged by quarrying and agricultural activity. Present for c150m to north of A483 road. Further to north line marked by hedgebank. Remains consist of bank max 1.3m high, hollow to west.

Southern end of this section of Dyke cut through by the building of the Wrexham by-pass.

Sources :

Fox, C , 1955 , Offa's Dyke

Phipps, R J , 2003 , Tir Gofal Management Plan: Heritage Management Information (HE1). Clapper Farm - NE/06/3926

Clwyd Archaeology Service , 1982 , Site visit record - PRN106671

Cadw , 1986-96 , Cadw Field Monument Wardens Report - De151(WRE)

Cadw , 2003 , Cadw Field Monument Wardens Report - De151(WRE)

Cadw , 1997 , Scheduling map - De151(WRE)

Cadw , 1992 , title unknown - Wat's Dyke - Gwersyllt De151

Events :

Related PRNs : 17774

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Please contact the HER if you have any further questions regarding this information. Please quote the Primary Reference Numbers (PRNs) in any correspondence.

November 24, 2016, 5:47 pm - File produced for Archwilio from CPAT's Regional HER.
Clwyd Powys Archaeological Trust, Curatorial Section, 41 Broad Street, Welshpool, Powys SY21 7RR.
tel (01938) 553670, fax (01938) 552179, website www.cpat.org.uk

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APPENDIX 3

CPAT Regional Historic Environment Record

The following information is from the [on-line database Archwilio](#)
Use the icons in the sources section below to download further digital information.



Wat's Dyke - Gwersyllt De151

Primary Reference Number (PRN) : 106671

Trust : Clwyd Powys

Community : Gwersyllt

NGR : SJ3330452794

Site Type (preferred type first) : Early Medieval Linear earthwork

Legal Protection : scheduled ancient monument

Description :

The dyke is badly damaged by quarrying and agricultural activity. Present for c150m to north of A483 road. Further to north line marked by hedgebank. Remains consist of bank max 1.3m high, hollow to west.

Southern end of this section of Dyke cut through by the building of the Wrexham by-pass.

Sources :

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Clwyd Archaeology Service , 1982 , Site visit record - PRN106671

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Cadw , 1997 , Scheduling map - De151(WRE)

Cadw , 1992 , title unknown - Wat's Dyke - Gwersyllt De151

Events :

Related PRNs : 17774

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November 24, 2016, 5:47 pm - File produced for Archwilio from CPAT's Regional HER.
Clwyd Powys Archaeological Trust, Curatorial Section, 41 Broad Street, Welshpool, Powys SY21 7RR.
tel (01938) 553670, fax (01938) 552179, website www.cpat.org.uk

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APPENDIX 4

35 Hunts Hall Cottages.
Leigh Road,
Holt,
BA14 6PP

6th July 2016

Ms Helen May
CADW,
Plas Carew,
Unit 5/7 Cefn Coed,
Panc Nantgarw,
Cardiff,

Dear Ms May

RE: Proposed 189 dwellings, Land East of Tan y Bont, Rhosrobin

I write as the recently appointed advisor to the applicant's heritage consultant, to provide further information and assessment of the potential effects of the above proposals on the significance of the scheduled monument (DE151), comprising part of Wat's Dyke.

I understand you have received the heritage statement¹ which accompanied the application and have also been supplied with a report from one of your regional officers and it is on the basis of the latter that you have formed your objection to the scheme.

I was asked to review your advice to the local planning authority alongside the material prepared in support of the application and to provide further opinion on the potential effects of the proposals on designated heritage assets, in particular, the scheduled section of Wat's Dyke. My opinion is informed by a site visit carried out in overcast weather with good visibility on the 22nd June 2016.

In my view, CADW have overstated the anticipated effects of the proposals on the significance of the scheduled monument. Firstly, I do not agree that there will be a 'significant adverse impact' on the setting of the monument, nor that the setting of the monument forms a sufficiently large part of the significance of the monument that some change within that setting would warrant an objection to the proposals. In other words, my view is that the setting of the dyke forms only a small component in the overall significance of the monument and the proposed development would not in any meaningful way impact on the understanding and appreciation of its significance . I will address these two associated issues in more detail below.

1. Williams M. (2016) Heritage Statement—Wat's Dyke, Rhosrobin (L-P Archaeology)



Before setting out the basis of my assessment, it is of note that my view is broadly in line with comments received from the Clwyd-Powys Archaeological Trust (CPAT) who in response to the revised proposal, commented by email (16th March 2016): *'The new layout is a significant improvement'*, going on to qualify that statement by saying: *'Offa's Dyke is no longer hemmed in on both sides by housing and there appear to be no new or enhanced pedestrian crossings of the dyke. The principal open views to and from the scheduled monument are largely preserved although there will be some visual impact to the southwest which may be partly alleviated by appropriate natural screening.'* In conclusion CPAT state: *'The Trust would therefore support this initial layout design in principal'*.

The previous heritage statement correctly states that the principal components of the significance of the scheduled monument lie in its evidential and historic interest. The community interest is also recognised although this is qualified by acknowledging that relatively few members of the public who use the footpath along the earthwork are likely to appreciate the full significance of the monument beyond its physical presence as a landscape feature.

The CADW response to consultation on the revised application also acknowledges the evidential and historic interest of the scheduled monument but in the 'Statement of Significance'², little is offered in respect of the setting other than that the dyke in its entirety has both rural and urban settings at different points along its length. This, in fact, is illustrated in the immediate area of the application site. The scheduled area to the north of the A483 and east of the application site (DM151) lies in open fields divided by well established hedgerows and containing numerous mature trees whilst that to the south of the road (DM221) is contained within a narrow corridor, tightly drawn along the west side of the infilled ditch and eastern side of the bank.

It is therefore implicit that the monument as a whole is worthy of designation, wherever it is known to survive above ground, regardless of its setting. While this does not in itself suggest that the setting of any particular designated length is not important, it does imply that the other elements of its significance, namely evidential and historic interest, form the major components.

Consequently it is important to consider how setting adds to our appreciation of the significance of the designated asset. With regard to the scheduled area most likely to be affected by the proposals (DM151), the components of the monument's setting are identified in the heritage statement³. In summary, the southern part of the scheduled area is defined by the A483 which comprises a dual carriageway in this area, the construction of which reduced

2. CADW consultation response (19.04.2016), p2

3. Williams, M. (2016) Heritage Statement—Wat's Dyke, Rhosrobin (L-P Archaeology)

the monument to at least ground level. North of this the countryside changes from being semi-enclosed with many mature trees, to a more open and scrubby landscape. The best physically preserved and therefore the most readily appreciable part of the designation is at the southern end, close to the dual carriageway but this part also has the most confined views towards the proposed development as a result of mature trees and smaller enclosed fields. In this southern part it is also not possible to appreciate this scheduled monument without acknowledging the modern elements of the landscape which already exist in close proximity, including significant noise from the dual carriageway. Consequently, it is my assessment that where the designation is closest to the proposals, the original context of the earthwork is not particularly well represented by its existing setting.

By way of clarification, the CADW response notes that in their view, the 30m 'no build buffer' will be compromised by the extreme southeast corner of the proposed housing area. In response it is important to make clear that the masterplan is illustrative only and there is no intention to develop within the aforementioned buffer. The current masterplan has been amended⁴ to more clearly represent that commitment.

Returning to the issue of setting, the archaeological investigations which were carried out in support of the application revealed evidence of activity in the vicinity of the earthwork, particularly to the east, which indicated that this area had been occupied on a number of occasions and for different purposes. Geophysical survey indicated a number of linear and curvi-linear features which were subsequently 'ground-truthed' by intrusive investigation.

The results of the latter showed a later prehistoric ritual use followed by a Romano-British agricultural landscape of enclosed fields, set on a different alignment to the later dyke. The intrusive investigations indicate that the geophysical survey was providing an accurate representation of below ground features and although the non-intrusive survey was carried out across the entire application site, only limited remains of a similar nature were shown to exist to the west of the dyke, with none indicated in the area of the current proposals. The intrusive investigations identified no remains relating to the early medieval period and consequently the concept of this part of the earthwork cutting across a semi enclosed rural landscape may not be as representative as is assumed in the CADW assessment. Furthermore, long distance views to the western horizon would only be clear enough, regardless of the season, from the northern and central part of the designated area where the proposals are furthest away and where the existing fields create a sufficiently broad buffer as to preserve that element of the setting. While the scheduled monument was created as a physical boundary, there is nothing to suggest that views of the horizon were of importance to those building it or that the horizon was not obscured by distant woodland at the time of construction.

4. 160706_c3429 Revised Illustrative Masterplan

It is agreed that no works of 'landscaping' should take place in fields which lie immediately to the west of the earthwork as these have been shown to contain limited evidence of the field system which preceded the construction of the dyke and may contain more ephemeral evidence of subsequent land-use.

In conclusion, the setting of the scheduled monument has undergone significant change, particularly during the late 20th century and consequently only plays a minor part in the overall significance of the asset. There would be some change to the setting west of the earthwork although this would not be the first introduction of housing into views from the monument towards the west and a green space would be preserved between it and the proposed development. Immediately to the north of the main road, where the earthwork and proposed development are in closest proximity, the setting of the monument (and indeed the monument itself) has undergone the greatest alteration and it is argued here that the setting plays least part in the significance of the designated asset.

As part of the application, it was proposed to enter into a management agreement whereby the scheduled monument and its setting would be maintained and where appropriate, enhanced. This represents a very positive benefit of the proposals and secures preservation of a designated monument which has been woefully lacking until now.

Archaeological investigations indicate that any below ground remains which may be encountered during the proposed development can be mitigated through an appropriate programme of archaeological investigation and recording. The overall significance of the designated asset would undergo only very minor adverse effects and as a result, the proposals would not be in conflict with policies contained within Planning Policy Wales⁵.

I trust the above is of use in considering your response to the application but I would welcome the opportunity to discuss the issues further, preferably on the site of the scheduled monument itself. My contact details are given below if you wish to contact me either to arrange such a meeting or should anything be unclear.

Regards



Karl Hulka (ACIfA)
+44 (0)7572 402759

5. Planning Policy Wales, Edition 8 (January 2016) - Section 6

APPENDIX 5

From: Matthew Phillips
Sent: 16 March 2016 08:38
To: planning_admin
Subject: FW: P/2016/0189 - Proposed 189 dwellings, Land east of Tan Y Bont - Rhosrobin

Consultation response – P/2016/0189

From: Mark Walters [mailto:Mark@cpat.org.uk]
Sent: 16 March 2016 08:34
To: Matthew Phillips
Subject: RE: P/2016/0189 - Proposed 189 dwellings, Land east of Tan Y Bont - Rhosrobin

Dear Matthew

Thank you for the consultation on the revised application at this location.

The new layout is a significant improvement on the previous design with all development confined to a smaller area to the south west of the scheduled monument. Offa's Dyke is no longer hemmed in on both sides by housing and there appear to be no new or enhanced pedestrian crossings of the dyke. The principal open views to and from the scheduled monument are largely preserved although there will still be some visual impact to the south west which may be partly alleviated by appropriate natural screening.

There are no impacts to the prehistoric ring ditch burial features located on the eastern margin by the evaluation work.

We note that landscaping is proposed within the permanent green barrier area on the west side of the dyke. There should preferably be no new groundworks here with the area preserved more or less as it is with existing tree cover, pasture and hedgerows. New tree or hedge screening would be approved on the eastern development boundary only.

Overall the Trust finds this proposal to be more sympathetic to the setting of the dyke and it will have no significant impact upon non-designated archaeology. The Trust would therefore support this initial layout design in principle.

The comments of Cadw must be sought with regard to the setting of the dyke and the proposed landscaping on the western side. Cadw's comments will take precedence over ours with regard to the scheduled monument.

Kind regards

Mark Walters

Mark Walters
Development Control Archaeologist / Swydddog Rheoli Datblygiad

Ffôn / Tel: 01938 553670, Mobile: 07736 163148

E-bost / E-mail: markwalters@cpat.org.uk

Ymddiriedolaeth Archaeolegol Clwyd-Powys, 41 Stryd Lydan, Y Trallwng, SY21 7RR Swyddfa Gofrestredig fel yr uchod. Rhif Cwmni 1212455, Rhif Elusen 508301, Sefydliad Cofrestredig IfA, Rhif 6.

Clwyd-Powys Archaeological Trust, 41 Broad Street, Welshpool, SY21 7RR Registered Office as above. Company No 1212455, Charity No 508301. Chartered Institute for Archaeologists Registered Organisation No 6.

Please note that I do not work Fridays

<http://www.cpat.org.uk>

From: Matthew Phillips [<mailto:Matthew.Phillips@wrexham.gov.uk>]

Sent: 09 March 2016 10:47

To: Mark Walters <Mark@cpat.org.uk>; Ashley.Batten@Wales.GSI.Gov.UK

Subject: P/2016/0189 - Proposed 189 dwellings, Land east of Tan Y Bont - Rhosrobin

Mark/Ashley,

We have received a new application for the above site – you will recall that an application for 300 dwellings (400 initially) was determined last year (reference P/2014/0876). The previous application was refused for the following reasons:

- 1. The site lies outside of a settlement limit and within a Green Barrier. The development will result in the coalescence of Wrexham, Old Rhosrobin and Pandy. It is therefore contrary to policies PS1 and EC1 of the Wrexham Unitary Development Plan.*
- 2. The site will not be provided with adequate means of access to the highway and the development will have a detrimental impact upon the free flow of traffic along the local highway network and upon highway safety. It is therefore contrary to policy GPD1(d) of the Wrexham Unitary Development Plan.*
- 3. The development will have a significant and detrimental impact upon Wat's Dyke, a scheduled ancient monument, and its setting. Accordingly the development does not accord with policy EC11 of the Wrexham Unitary Development Plan.*

The current application proposes fewer dwellings and the indicative plan shows a smaller area subject to development.

I would be grateful for consultation responses from CPAT and Cadw on the current application. If possible, please could these be forwarded to me within 21 days of the date of this letter.

Regards

Matthew Phillips

Planning Officer/Swyddog Cynllunio

Community Wellbeing and Development/Adran Lles Cymunedol a Datblygu

Wrexham County Borough Council/Cyngor Bwrdeistref Sirol Wrecsam

Telephone/Ffôn: 01978 298780

Rydym yn croesawu gohebiaeth yn Gymraeg. Byddwn yn ymateb i unrhyw ohebiaeth yn Gymraeg ac ni fydd hyn yn arwain at unrhyw oedi.

Ewch i weld - mi fedrwch chi dalu, rhoi gwybod, gwneud cais, dweud eich dweud, a dod o hyd i wybodaeth ar-lein yn www.wrecsam.gov.uk. Arbedwch bapur - meddyliwch cyn argraffu!

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We welcome correspondence in Welsh. We will respond to any correspondence in Welsh and this will not

lead to any delay.

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APPENDIX 6



Llywodraeth Cymru
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Email cadw@wales.gsi.gov.uk
Web www.cadw.wales.gov.uk

Matthew Phillips
Wrexham County Borough Council

Matthew.phillips@wrexham.gov.uk

Eich cyfeirnod
Your reference

P/2016/0189

Ein cyfeirnod
Our reference

Dyddiad
Date

19 April 2016

Llinell uniongyrchol
Direct line

01443 336007

Ebost
Email:

Helen.may2@wales.gsi.gov.uk

Dear Sir / Madam,

Proposed 189 dwellings, Land east of Tan Y Bont – Rhosrobin

Thank you for your email of 9 March 2016 inviting our comments on the planning application for the proposed development as described above.

Background

Our role in the planning process is to provide the local planning authority with an assessment concerned with the likely impact that a proposal will have on scheduled monuments or registered historic parks and gardens. It is a matter for the local planning authority to then weigh our assessment against all the other material considerations in determining whether to approve planning permission, including issues concerned with listed buildings and conservation areas.

The application is for the proposed construction of 189 dwellings on what are presently pasture fields to the west of Wat's Dyke: Section W of Ty-Gwyn. We provided detailed comments on a previous version of this application for 400 dwellings on 13 February 2015 and on 7 September 2015 following the reduction in the number of proposed dwellings to 338. We expressed concerns that the development would have a significant adverse impact on Wat's Dyke: Section W of Ty-Gwyn and its setting.

Our views are expressed without prejudice to the Welsh Ministers' consideration of the planning application, should it come before them formally for determination.

Conclusion

The proposed development is located within the vicinity of the scheduled monuments known as Wat's Dyke: Section W of Ty-Gwyn (DE151) and Wat's Dyke: Garden Village Section (DE221). In our view the proposed development is likely to have a significant adverse impact on the setting of Wat's Dyke: Section W of Ty-Gwyn,

Mae'r 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.

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We welcome correspondence in both English and Welsh.



BUDDSODDWR MEWN POBL
INVESTOR IN PEOPLE



which is presently one of the last unenclosed sections of Wat's Dyke in the area. We therefore object to the impact of the proposed development on Wat's Dyke: Section W of Ty-Gwyn as it is considered to be contrary to national policy concerned with the historic environment. Our reasoning is set out below.

Planning 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 circular guidance. PPW explains that the desirability of preserving an ancient monument and its setting is a material consideration in determining a planning application whether that monument is scheduled or not. Furthermore, it explains that where nationally important archaeological remains, whether scheduled or not, and their settings are likely to be affected by proposed development, there should be a presumption in favour of their physical preservation in situ. Paragraph 17 of Circular 60/96, Planning and the Historic Environment: Archaeology, elaborates by explaining that this means a presumption against proposals which would involve significant alteration or cause damage, or which would have a significant impact on the setting of visible remains.

Significance

The monument (DE151) consists of the remains of a length of Wat's Dyke, a substantial early medieval defensive bank and ditch of substantial dimensions presumed to have been constructed in the 8th century AD. It is of national importance as a well preserved relic from the period and for its potential to enhance our knowledge of early medieval defensive organisation and settlement. It retains significant archaeological potential, with a strong probability of the presence of associated archaeological features and deposits.

This early medieval boundary earthwork known today as Wat's Dyke ran for almost 60km from Maesbury (Shropshire) to Basingwerk (Flints.) and comprised a substantial bank and with a ditch on its western side. Over the centuries since its construction agricultural activity and encroachment, particularly where it passes through urban areas, have resulted in damage and loss of some sections. Nevertheless, the overall extent of the dyke survives and it remains an important landscape feature, often preserved and utilised as modern parish and property boundaries. Wat's Dyke is one of the longest linear monuments of its kind in Western Europe. Along with Offa's Dyke it represents a remarkable feat of historic engineering and provides important evidence of the nature of early medieval territorial boundaries. This national importance is emphasised by the designation of the surviving upstanding sections of the earthwork as scheduled monuments. Today, some sections of the monument are situated within narrow corridors in an urban context and others survive in a rural position, the preservation of bank and ditch varying with location. Each section is of importance for the archaeological value it holds and also contributes to the wider significance of the Dyke in its landscape context. In all cases the position of the dyke with respect to the topography of the land around is of particular importance and reflects the purpose behind its construction.

Assessment

The section directly affected by the proposed development (DE151) survives as an upstanding earthen bank with intermittent traces of the ditch to its west, now predominantly back-filled and levelled off. The section runs roughly north-south for almost 400m. The context or setting in which it is experienced is one of open fields and green space with a well-used footpath flanking its east side, one of the few such

stretches of the monument to survive in open land in the Wrexham area. The A483 severs the southern end of this section monument leaving an island of bank within woodland to the south of the road.

Whilst the outline development layout presents a marked improvement on previous versions of this scheme, retaining distant views west towards the hills at the northern end of the monument, the development of the open space to the west and south-west of this section of the Dyke will dramatically and adversely change views over what is presently open ground, notably towards the southern end of the scheduled area by the A483 where the monument is in greater proximity to the development site. The development will introduce alien modern housing into an environment which is primarily rural in appearance and adversely affect appreciation of this nationally important historic monument. It is notable that whilst a 'no development' buffer zone of 30m is proposed to the west of the Dyke, the plans sent suggest that the apex of the eastern area of medium density development encroaches upon the buffer at the southern end of Wat's Dyke: Section W of Ty-Gwyn (DE151) removing that protection. In addition, views south along the line of the Dyke and footpath towards the A483 will also be adversely affected as the monument becomes effectively confined between the road and the proposed housing. Whilst the retention of the existing trees will offer some degree of screening this is likely to be only partial and seasonal.

The application states that the monument is to be improved as a feature in the green area to the east of the development site, but no further information has been provided. It should be noted that any proposed improvement requiring physical intervention with the monument would require scheduled monument consent from the Welsh Ministers, (in practice, the Historic Environment Service Cadw). We would welcome further details of what improvements are proposed.

Yours sincerely

Helen May
Diogelu a Pholisi/ Protection and Policy

APPENDIX 7



Llywodraeth Cymru
Welsh Government

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Matthew Phillips
Wrexham County Borough Council

Matthew.phillips@wrexham.gov.uk

Eich cyfeirnod
Your reference

P/2016/0189

Ein cyfeirnod
Our reference

Dyddiad
Date

22 July 2016

Llinell uniongyrchol
Direct line

01443 336007

Ebost
Email:

amadminplanning@wales.gsi.gov.uk

Dear Mr Phillips,

Thank you for your email of 15 July 2016.

Having read the letter and examined the revised masterplan we offer the following advice:

Mr Hulka raises a number of points in support of the proposed scheme, conceding that there is likely to be 'some change' to the setting of the monument but that in this instance setting makes a relatively minor contribution to the significance of the monument and that the presence of the main road to the east and housing further west have to some degree already diminished the setting of the Dyke.

Whilst we accept that the setting of the monument at this location has to some degree been compromised, we stand by our advice (letter dated 19 April 2016) that the proposed development will still result in significant change and will therefore have a significant impact on its setting; there will be a housing estate directly in front of part of the Dyke that is not there now.

However, we welcome the confirmation that the proposed development will respect the 30m 'no-build' zone at the southern end of the site, as set out on the revised plan. We accept that in this instance a comprehensive management plan for the monument could in principle compensate for the localised impact of the development on the setting of this particular section of the monument. However, we would need to see and approve such a management plan, which should provide a viable model for the long-term sustainable management of the monument before making any formal comments to that effect.

Mr Hulka is welcome to meet with our senior planning officer and the inspector of ancient monuments to discuss this further at our offices.

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

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We welcome correspondence in both English and Welsh.



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Yours sincerely

A handwritten signature in black ink, appearing to read 'Nichola Davies'. The signature is fluid and cursive, with the first name 'Nichola' and last name 'Davies' clearly distinguishable.

Nichola Davies
Diogelu a Pholisi/ Protection and Policy