

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

Your Ref P/2018/0835

Our Ref CRTR-PLAN-2018-26039

Wednesday 19 December 2018

Dear Ms Rees

Proposal: Side Garage Extension

Location: Sycamore Cottage, The Slip, , Wrexham

Waterway: Llangollen Canal

Thank you for your consultation on the amended plans.

We are the charity who look after and bring to life 109 miles of canals in Wales. Our waterways contribute to the health and wellbeing of local communities and economies, creating attractive and connected places to live, work, volunteer and spend leisure time. These historic, natural and cultural assets form part of the strategic and local green-blue infrastructure network, linking urban and rural communities as well as habitats. By caring for our waterways and promoting their use we believe we can improve the wellbeing of Wales. The Trust is known as Glandŵr Cymru, the Canal & River Trust in Wales and we are a statutory consultee in the Development Management process.

Glandŵr Cymru previously commented on this application in our letter dated Tuesday 23rd October 2018 (ref: CRTR-PLAN-2018-25790), we would ask that those comments are read in conjunction with the further comments detailed below. As set out in our previous response, based on the information available our substantive response (as required by the Town & Country Planning (Development Management Procedure) (Wales) Order 2012 (as amended)) was that the Trust had concerns relating to the encroachment of the development into an embankment on Glandŵr Cymru owned land and suggested that the scheme be amended. The scheme has now been amended and we advise that suitably worded **conditions** are necessary to address our remaining concerns as set out below.

The application site is located at the Trevor Basin end of the Pontcysyllte Aqueduct and within the World Heritage Site. The Pontcysyllte Aqueduct is a Grade I Listed, Scheduled Ancient Monument and is on the UNESCO World Heritage List for its Outstanding Universal Value. In our previous response we commented on the lack of a Heritage Assessment, despite the sensitivity of its siting and location immediately adjacent to the grade I listed aqueduct, within the World Heritage Site. A Heritage Impact Assessment has now been provided, however we would consider that it contains insufficient information for the impact on the World Heritage Site to be fully assessed. We would ask the Council to satisfy itself that the assessment is sufficiently robust.

The scheme has now been amended so that the extension is entirely within the applicant's land ownership. This has resulted in the footprint of the garage extension having a corner cut off. This would give the extension quite a contrived, awkward appearance. From the submitted elevations it is difficult to envisage how this would appear

Glandŵr Cymru

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when viewed from the surrounding land and in particular from the Pontcysyllte Aqueduct. Given the sensitivity of the location we would ask the Council to consider if such a design is appropriate. If the Council are minded to approve the application then the materials should be conditioned to ensure the quality of the building materials for the extensions are appropriate to this highly sensitive setting.

Notwithstanding the amended plans and as set out in our previous response we would still have concerns in terms of the proposed development undermining the stability of the embankment and as such would require the provision and approval of a detailed risk assessment and method statement setting out how the canal embankment would be protected during construction works, prior to the commencement of any development.

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

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

If the Council are minded to approve the application we would request the following condition is included:

No development shall take place until a Risk Assessment and Method Statement outlining all works to be carried out adjacent to the canal embankment have been submitted to and approved in writing by the Local Planning Authority. The details shall:

- **demonstrate that additional loads from the permanent or any temporary works, plant and machinery or storage of materials would not harm the structural integrity of the canal infrastructure;**
- **provide cross sections showing the distance from the canal, through the embankment and proposed extension;**
- **include the design, depth and means of construction of the foundations of the extension, together with any other proposed earthmoving and excavation works required in connection with the construction of the extension;**

The development shall only be carried out in strict accordance with the agreed Risk Assessment and Method Statement.

Reason: To protect the structural stability of the canal infrastructure which could be adversely affected by the development and to accord with the advice and guidance relating to land stability contained in Chapter 13 of Planning Policy Wales.

These details are required to be agreed prior to the commencement of works to ensure that appropriate safeguards can be put in place to protect the embankment.

Given the proximity of the works to our assets the development would need to be carried out in accordance with the Trust Third Party Works Code of Practise. If the Council are minded to approve the application we would ask that the following informative is appended to the decision notice:

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

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

Please do not hesitate to contact me with any queries you may have.

Yours sincerely,

Tim Bettany-Simmons MRTPI
Area Planner

Tim.Bettany-Simmons@canalrivertrust.org.uk
07342 057926

<https://canalrivertrust.org.uk/specialist-teams/planning-and-design>

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