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Eich cyfeirnod
Your reference

P/2016/1163

Ein cyfeirnod
Our reference

Dyddiad
Date

1 June 2017

Llinell uniongyrchol
Direct line

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amadminplanning@wales.gov.uk

Dear Sir / Madam,

Planning Application – Outline, 2 dwellings with parking, Land adjacent to Wynnstay Yard, The Green, Ruabon

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

Advice

Having carefully considered the information provided with this planning application, we consider that it is inadequately documented. Our assessment of the application is given below.

Our role

Our statutory role in the planning process is to provide the local planning authority with an assessment concerned with the likely impact that the proposal will have on scheduled monuments, registered historic parks and gardens, registered historic landscapes where an Environmental Impact Assessment is required and development likely to have an impact on the outstanding universal value of a World Heritage Site. We do not provide an assessment of the likely impact of the development on listed buildings or conservation areas, as these are matters for the local authority.

It is for the local planning authority to weigh our assessment against all the other material considerations in determining whether to approve planning permission.

National Policy

Applications for planning permission are considered in light of the Welsh Government's land use planning policy and guidance contained in Planning Policy Wales (PPW), Technical Advice Notes and circular guidance.

PPW (Chapter 6 – The Historic Environment) explains that the conservation of archaeological remains is a material consideration in determining a planning application, whether those remains are a scheduled monument or not. Where nationally important

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.



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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 protection in situ. It will only be in exceptional circumstances that planning permission will be granted if development would result in an adverse impact on a scheduled monument (or an archaeological site shown to be of national importance) or has a significantly damaging effect upon its setting. Technical Advice Note 24 : The Historic Environment elaborates by explaining that there is a presumption against proposals which would involve significant alteration or cause damage, or which would have a significant impact on the setting of remains.

PPW also explains that local authorities should protect parks and gardens and their settings included in the first part of the Register of Landscapes, Parks and Gardens of Special Historic Interest in Wales, and that the effect of a proposed development on a registered park or garden or its setting should be a material consideration in the determination of a planning application.

Assessment

The application area is located some 43m east-north-east of the boundary of scheduled monument DE238 Wynnstay Colliery Walker Fan House; 53m south of the boundary of DE141 Offa's Dyke: Section SW from Tatham Bridge and 68m north-east of the boundary of DE190 Wynnstay Colliery Winding Engine House.

It is therefore likely that the proposed development will have an impact on the setting of the scheduled monuments identified above. This will be a material consideration in the determination of the current planning application (see Planning Policy Wales 6.5.5). However, whilst the submitted application includes an archaeological desk-based assessment, which identifies the location of the scheduled monuments, it presents no assessment of the likely damage that will be caused to the setting of the above scheduled monuments.

The Welsh Government issued the document "Setting of Historic assets in Wales" on the 31st May 2017 and we strongly recommend your authority requests that the applicant submits an assessment of the impact of the development on the setting of the scheduled monuments in accordance with the guidance contained in this document.

Yours sincerely

Nichola Davies
Diogelu a Pholisi/ Protection and Policy

