

Merthyr Tydfil County Borough
Council

By email

Eich cyf/Your ref: P/23/0065

Ein cyf/Our ref: LC

Dyddiad/Date: 6 April 2023

Dear Sir/Madam

Planning Application - Outline application for erection of a mixed leisure development, Land To The South West Of The A470/A4102 Roundabout at Rhydycar West, Merthyr Tydfil

Thank you for your letter of 21 March inviting our comments on the information submitted for the above planning application.

Advice

We have significant concerns about the impact on the scheduled monuments and listed building. However, we consider that if mitigating measures were undertaken, our concerns about the impact would be reduced.

The national policy and Cadw's role in the planning process are set out in Annex A.

Assessment

This planning application is for a mixed leisure development at Rhydycar West, Merthyr Tydfil.

The application is accompanied by an environmental statement produced by Carney Sweeny with chapter 10 Archaeology and Cultural Heritage being supported by an archaeology and heritage baseline assessment and an assessment of the impact of development on historic landscape (ASIDOHL) prepared by EDP. These works have determined that there will not be a significant impact on the registered Merthyr Tydfil landscape of outstanding historic interest: However, there would be significant adverse impacts on the settings of scheduled monuments GM606 Vale of Neath railway cutting and tunnel portal, GM607 the Cwm Pit and Head of Railway; GM608 Cyfarthfa Balance Pond and Leat and SM609 Black Pins early ironstone workings along with listed building 81752 Base of Chimney at Cwm Pit. The applicant has therefore proposed a series of mitigation and off-setting measures to reduce this impact including conservation

measures and bilingual heritage interpretation delivered via a Conservation Management Plan. In the view of EDP these positive measures, which includes considerable improvements to the physical condition of these designated heritage assets, will outweigh the indirect adverse impact to their settings. We concur with this view.

The application includes a document which contains the Heads of Terms for a Conservation Management Plan which will need to be prepared and implemented to ensure that the proposed mitigation and off-setting measures designed to protect the designated historic assets are instigated. We concur with these Heads of Terms but the Conservation Management Plan will have to be agreed by Merthyr Tydfil Borough Council and Cadw and will need to be secured by the attachment of an appropriate condition to any planning permission that is granted.

Yours sincerely

Laura Cooper
Diogelu a Pholisi/ Protection and Policy

Annex A

Our role

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

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

National Policy

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

PPW [planning-policy-wales-edition-11.pdf](#) explains that it is important that the planning system looks to protect, conserve and enhance the significance of historic assets. This will include consideration of the setting of an historic asset which might extend beyond its curtilage. Any change that impacts on an historic asset or its setting should be managed in a sensitive and sustainable way.

The conservation of archaeological remains and their settings is a material consideration in determining a planning application, whether those remains are a scheduled monument or not. Where nationally important archaeological remains are likely to be affected by proposed development, there should be a presumption in favour of their physical protection in situ. It will only be in exceptional circumstances that planning permission will be granted if development would result in a direct adverse impact on a scheduled monument (or an archaeological site shown to be of national importance)

[Technical Advice Note 24: The Historic Environment](#) elaborates by explaining that when considering development proposals that affect scheduled monuments or other nationally important archaeological remains, there should be a presumption in favour of their physical preservation in situ, i.e. a presumption against proposals which would involve significant alteration or cause damage, or would have a significant adverse impact causing harm within the setting of the remains.

Historic Parks and Gardens

PPW also explains that local authorities should value, protect, conserve and enhance the special interests of parks and gardens and their settings included on the register of historic parks and gardens in Wales and that the effect of a proposed development on a registered park or garden or its setting should be a material consideration in the determination of a planning application.

