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| The Vale of Glamorgan Council  By email | Eich cyfeirnod Your reference | 2023/01076 |
|  | Ein cyfeirnod Our reference | LC |
|  | Dyddiad Date | 11 December 2023 |
|  | Llinell uniongyrchol Direct line | 0300 0256004 |
|  | Ebost Email: | [cadwplanning@gov.wales](mailto:cadwplanning@gov.wales) |

Dear Sir/Madam

**Planning Application – Proposed provision of above and below ground utilities, associated infrastructure and reprofiling of land, Land at Bro Tathan, St Athan**

Thank you for your letter of 29 November inviting our comments on the information submitted for the above planning application.

Advice

Having carefully considered the information provided, we have no objection to the proposed development in regards to the scheduled monuments or registered historic parks and gardens listed in our assessment of the application below.

The national policy and Cadw’s role in planning are set out an Annex A.

Assessment

Scheduled Monuments

GM001 Old Beaupre Castle

GM032 Summerhouse Camp

GM082 East Orchard Manor House

GM083 West Orchard Manor House

GM113 Bedford Castle

GM137 Llantwit Major Castle

GM140 Llantwit Major Dovecot

GM141 Llantwit Major Gatehouse

GM142 Llantwit Major Monastic Settlement (Site of)

GM189 Domen Fawr Round Barrows

GM297 West Aberthaw Medieval Site

GM300 Fleminston Deserted Village

GM307 Deserted Medieval Village North East of Rock Farm

GM337 Llandough Castle, Remains of Hall

GM422 Boverton Place

GM490 The Chantry House

GM534 Llancadle Deserted Medieval Village

GM598 East Orchard Wood Pillbox

GM601 Limpert Bay Anti-invasion Defences

GM604 Treguff RAF Airfield Decoy Control Centre

GM625 St. Illtud's Church, Early Medieval Cross, Cross Shafts and Pillar

GM626 Llanmaes Castle (Malefant Castle)

GM630 Round Barrow Cairn, 340m west of The Parwg

Registered Parks and Gardens

PGW(Gm)34(GLA) Llanmihangel Place

PGW(Gm)38(GLA) Old Beaupre

PGW(Gm)39(GLA) Fonmon Castle

This planning application is for the provision of above and below ground utilities, associated infrastructure and the reprofiling of land on land at Bro Tathan, St Athan.

The proposed works include a number of utility upgrades and also include establishing a site-wide ducting network improving connectivity to the site and the surrounding area.

The above designated historic assets are located inside 3km of the proposed development, but in most cases intervening topography, buildings and vegetation block all views between them. Consequently, the proposed development will have no impact on the settings of these designated historic assets. Where views of the works are possible, any impact is likely to occur during the construction works and when completed there will be no significant impacts on the settings of these designated historic assets.

The proposed works will have a direct impact on scheduled monument GM083 West Orchard Manor House and an application for scheduled monument consent has been submitted for the proposed works but has not yet been determined.

As Planning Policy Wales 2021 section 6.1.23 indicates that the conservation of archaeological remains and their settings is a material consideration in the determination of planning application the LPA may wish to defer determination of the planning application until the scheduled monument consent has been determined. However, if they wish to proceed to determine the current planning application following the advice given by their internal expertise, they should not place conditions on any consent that is granted regarding archaeological works or conservation requirements inside the designated area, as these would duplicate any conditions which are attached to the scheduled monument consent. The duplication of conditions would be contrary to the advice given in section 3.6 of Welsh Government Circular WGC 016/2016 “The Use of Planning Conditions for Development Management”.

Yours sincerely,

Laura Cooper

Casework Officer

**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](https://gov.wales/sites/default/files/publications/2021-02/planning-policy-wales-edition-11_0.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](http://gov.wales/topics/planning/policy/tans/tan-24/?lang=en) 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.