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Welsh Government

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James Hall
Denbighshire County Council

Sent by email

Eich cyfeirnod
Your reference

Ein cyfeirnod
Our reference

Dyddiad
Date

Llinell uniongyrchol
Direct line

Ebost
Email:

DE026

27 July 2021

0300 025 6007

scheduledmonuments@gov.wales

Dear James Hall,

ANCIENT MONUMENTS AND ARCHAEOLOGICAL AREAS ACT 1979 APPLICATION FOR SCHEDULED MONUMENT CONSENT

DE026 Llangollen Bridge

1. Introduction

1.1 Thank you for your application to Cadw for scheduled monument consent to carry out works at the above scheduled monument.

The work involves:

- (i) widening and repaving footways
- (ii) modifications to existing highway drainage
- (iii) highway resurfacing works
- (iv) lighting column / lantern replacements.

1.2 Cadw is a Department within the Welsh Government that undertakes the statutory functions of the Welsh Ministers in determining applications for scheduled monument consent.

1.3 Each application for scheduled monument consent is considered on its own merits in accordance with *Conservation Principles for the Sustainable Management of the Historic Environment in Wales* ([Conservation Principles](#)) and Annex A of *Technical Advice Note 24: The Historic Environment (TAN 24)*. In particular, TAN 24 explains that the main purpose of scheduling is to ensure the preservation of ancient monuments and, when considering an application for scheduled monument consent, 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.

Mae 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



2 Assessment

2.1. Your application and supporting documentation has been assessed by our Regional Inspector of Ancient Monuments who has recommended that conditional scheduled monument consent should be approved. The reasons for the Inspector's conclusions are set out in **Annex A** of this letter.

2.2. I have carefully considered the impact of the proposed development on the scheduled monument and its setting in light of the advice that I have received from our Regional Inspector of Ancient Monuments. I have no reason to disagree with the advice of our Regional Inspector and am satisfied that his recommendation is consistent with the objectives of Conservation Principles and TAN 24.

3. Decision

3.1. Accordingly, I hereby approve conditional scheduled monument consent for the proposed works as outlined in section 1.1.

3.2. In reaching this decision, I have taken into account the requirement of sections 3 and 5 of the Wellbeing of Future Generations Act. I consider that this decision is in accordance with the Act's sustainable development principle through its contribution towards the Welsh Ministers' well-being objective of *A Wales of vibrant culture and thriving Welsh Language*.

3.3. Any development control issues associated with wider development will be a matter for any application for planning permission. It is the responsibility of the applicant to establish whether any further approval or consents are required for the proposed development.

4. Proposed Conditions

4.1. The following proposed conditions are intended to protect the monument from damage or significant alteration as set out in TAN 24: *The Historic Environment* and to ensure that details of the project are archived.

- a. The applicant shall provide Cadw with reasonable advance notice of commencement of works on site and will afford access at all reasonable times to any Cadw official or archaeologist nominated by Cadw to monitor progress of the works.
- b. The approved works shall be carried out strictly in accordance with the application form, plans and documents as listed below. No variations are permitted unless they have been authorised in advance in writing by Cadw.

Number	Document / plan	Reference Number (if applicable)	Date
1	SMC application form signed by James Hall (Denbighshire Council) and dated 2 nd July 2021		02/07/2021

2	Location Plan	S/480/1848/A2	
3	Proposed General Arrangement (Sheet 1 of 2)	OPT/044/0482/001	
4	Proposed General Arrangement (Sheet 2 of 2)	OPT/044/0482/002	
5	Proposed Highway Improvements	18412/D/01A	
6	Heritage Impact Assessment	Revision 3	01/07/2021

- c. The approved works shall be carried out strictly in accordance with a 'Method Statement' to be submitted in advance and formally approved in writing by Cadw before work commences. The 'Method Statement' shall be adhered to throughout the project and any variations shall be approved by Cadw prior to works commencing.

The Method Statement shall provide for:

	INFORMATION REQUIRED	Date when information required
1.	Specification for all works, including plant / machinery required.	Before work commences.
2.	Name and contact of main contractor.	Before work commences.
3.	Timetable for all works.	Before work commences.
4.	Arrangements for any ancillary works including locations of compounds, storage areas, welfare, etc.	Before work commences.

- d. No works, including site clearance, shall commence until Cadw has been informed in writing of the name of an appropriately qualified archaeologist operating to ClfA published standards and guidance¹ who will carry out a programme of archaeological monitoring during ground disturbing works, commonly known as a watching brief. The archaeological watching brief will be undertaken in accordance with a written scheme of investigation which has been submitted to, and approved in writing by, Cadw. No work shall commence until Cadw has confirmed in writing that the proposed archaeologist and archaeological works are acceptable.

6.5 A digital copy of the draft watching brief report shall be submitted to Cadw for approval within 8 weeks of the archaeological fieldwork being completed².

6.6 A digital copy of the approved watching brief report shall be submitted to the regional Historic Environment Record and National Monuments Record of

¹ Chartered Institute for Archaeologists <https://www.archaeologists.net/codes/cifa> .

² Cadw will retain a copy of the watching brief report for our records.

Wales to be incorporated into these public records³, and the applicant shall inform Cadw when this has been completed.

- 6.7 That upon completion of the project the applicant will produce a completion report including an annotated photographic record detailing the site before, during and after works took place and including final versions of plans and elevations as built. The draft should be sent to Cadw in digital format for approval within 25 working days of the works being completed.

5. Compliance

5.1. Where a condition requires approval or any contact with Cadw you are advised to contact Ashley Batten by email scheduledmonuments@gov.wales.

5.2. When all work has been completed and the conditions have been discharged, please complete and return the 'completion notice' at **Annex B** to Cadw. Section 2(6) of the 1979 Act provides that non-compliance with a condition attached to a grant of scheduled monument consent shall be an offence.

5.3. By virtue of Section 4 of the 1979 Act, if no works to which this consent relates are executed or started within 5 years from the date of this letter, the consent shall cease to have effect at the end of that period (unless it is revoked in the meantime).

5.4. This letter does not convey any approval or consent required under any enactment, bylaw, order or regulation other than Section 2 of the Ancient Monuments and Archaeological Areas Act 1979. It is the responsibility of the applicant to obtain any such approval or consent where necessary.

6. Mechanism for Challenge

6.1 Section 55 of the 1979 Act explains that if you are aggrieved by the decision given in this letter, you may challenge its validity by applying to the High Court within six weeks from the date of my decision. Furthermore, the legislation explains that the grounds on which an application may be made to the Court are;

- a) that my decision is not within the powers of the Act (i.e. that I have exceeded the powers available under the Act); and
- b) that any of the relevant requirements set out in the Act have not been complied with and that your interest has been substantially prejudiced by the failure to comply.

The 'relevant requirements' mentioned above are defined in Section 55 of the 1979 Act and it is advisable to seek legal advice before taking any action.

6.2. Should you have any queries please do not hesitate to contact me.

³ Cadw requires formal confirmation of report deposit to discharge condition.

6.3 Finally, please note that your personal data is managed in compliance with the [General Data Protection Regulations](#).

Yours sincerely,

Nichola Davies
Casework Manager
under authority of the Deputy Minister for Culture, Sport and Tourism, one of the Welsh Ministers

Annex A

ANCIENT MONUMENTS AND ARCHAEOLOGICAL AREAS ACT 1979

APPLICATION FOR SCHEDULED MONUMENT CONSENT

INSPECTOR'S ADVICE

1. Policy Context

- 1.1 An application for scheduled monument consent (SMC) is considered on its own merits in accordance with Conservation Principles for the Sustainable Management of the Historic Environment in Wales ([Conservation Principles](#)) and Annex A of Technical Advice Note 24: [The Historic Environment \(TAN 24\)](#). In particular, TAN 24 explains that the main purpose of scheduling is to ensure the preservation of ancient monuments and, when considering an application for SMC, 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. Therefore, applicants are expected to demonstrate that no practicable alternative route or location, avoiding the scheduled area, exists and that the need to undertake works outweighs the presumption in favour of the protection of the scheduled monument.
- 1.2 The Welsh Government's six principles for sustainable management of the historic environment in Wales are also used as a guide when considering applications for scheduled monument consent. These are:
- Historic assets will be managed to sustain their values.
 - Understanding the significance of historic assets is vital.
 - The historic environment is a shared resource.
 - Everyone will be able to participate in sustaining the historic environment.
 - Decisions about change must be reasonable, transparent and consistent.
 - Documenting and learning from decisions is essential.

2. DE026 Llangollen Bridge

- 2.1 The monument consists of the remains of a bridge, dating to the medieval and post-medieval periods. Llangollen Bridge is thought to have been built by Henry I, and was probably reconstructed in 1346 by Dr. John Trevor (Bishop of St Asaph 1346-1357), and then replaced in the 16th century. The bridge was extended at the north end to span the railway line in May 1863, and the parapets were rebuilt. The width of the bridge was greatly widened on the upstream side in 1873 and in 1968 it was again nearly doubled in width to the same side. The river is spanned by 4 arches, unequally pointed and with voussoirs, of coursed rubble to the older part, precast concrete to the upstream side. There are deep pointed cutwaters to both sides (taller to downstream side) and a square-headed railway opening. The monument is of national importance for its potential to enhance our knowledge of medieval or post-medieval construction techniques and transportation systems. It retains significant archaeological

potential, with a strong probability of the presence of associated archaeological features and deposits. The structure itself may be expected to contain archaeological information concerning chronology and building techniques.

3. The Application

- 3.1 This application for scheduled monument consent involves (i) widening and repaving footways, (ii) modifications to existing highway drainage, (iii) highway resurfacing works and (iv) lighting column / lantern replacements.

4. Assessment

- 4.1 The proposals to repave the footways in York Sandstone with Berwyn Slate edgings will improve the accessibility and appearance of the bridge. This would be considered to enhance both the aesthetic and communal values of the monument.

The modifications to the highway are considered necessary to the maintenance and ongoing use of the structure. The highway works are unlikely to affect historic fabric.

Works to replace the lighting columns with a very similar design to the existing 'gas light' style columns would be considered to have a neutral impact on the aesthetic values of the monument. The choice of column has been undertaken in conjunction with local authority conservation team and meets sustainability agenda through the use of LED lighting.

There is potential that archaeological information could be revealed during below ground works in connection with the above works and any ancillary operations. This could have a negative effect on the evidential value of the monument. However, appropriate mitigation measures could enhance these values if archaeological work allows a better understanding of the monument..

5. Recommendation

- 5.1 None of the proposed works will affect the principal elevations of the monument or affect the historic fabric. As such, I would recommend the application is approved subject to the below conditions:

6. Proposed Conditions

- 6.1 The applicant shall provide Cadw with reasonable advance notice of commencement of works on site and will afford access at all reasonable times to any Cadw official or archaeologist nominated by Cadw to monitor progress of the works.
- 6.2 The approved works shall be carried out strictly in accordance with the application form, plans and documents as listed below. No variations are permitted unless they have been authorised in advance in writing by Cadw.

Number	Document / plan	Reference Number (if applicable)	Date
1	SMC application form signed by James Hall (Denbighshire Council) and dated 2 nd July 2021		02/07/2021
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5	Proposed Highway Improvements	18412/D/01A	
6	Heritage Impact Assessment	Revision 3	01/07/2021

- 6.3 The approved works shall be carried out strictly in accordance with a 'Method Statement' to be submitted in advance and formally approved in writing by Cadw before work commences. The 'Method Statement' shall be adhered to throughout the project and any variations shall be approved by Cadw prior to works commencing.

The Method Statement shall provide for:

	INFORMATION REQUIRED	Date when information required
1.	Specification for all works, including plant / machinery required.	Before work commences.
2.	Name and contact of main contractor.	Before work commences.
3.	Timetable for all works.	Before work commences.
4.	Arrangements for any ancillary works including locations of compounds, storage areas, welfare, etc.	Before work commences.

- 6.4 No works, including site clearance, shall commence until Cadw has been informed in writing of the name of an appropriately qualified archaeologist operating to ClfA published standards and guidance⁴ who will carry out a programme of archaeological monitoring during ground disturbing works, commonly known as a watching brief. The archaeological watching brief will be undertaken in accordance with a written scheme of investigation which has been submitted to, and approved in writing by, Cadw. No work shall commence until Cadw has confirmed in writing that the proposed archaeologist and archaeological works are acceptable.

⁴ Chartered Institute for Archaeologists <https://www.archaeologists.net/codes/cifa> .

- 6.5 A digital copy of the draft watching brief report shall be submitted to Cadw for approval within 8 weeks of the archaeological fieldwork being completed⁵.
- 6.6 A digital copy of the approved watching brief report shall be submitted to the regional Historic Environment Record and National Monuments Record of Wales to be incorporated into these public records⁶, and the applicant shall inform Cadw when this has been completed.
- 6.7 That upon completion of the project the applicant will produce a completion report including an annotated photographic record detailing the site before, during and after works took place and including final versions of plans and elevations as built. The draft should be sent to Cadw in digital format for approval within 25 working days of the works being completed.

Name of Inspector: Ashley Batten

Date: 21/07/2021

Annex B

⁵ Cadw will retain a copy of the watching brief report for our records.

⁶ Cadw requires formal confirmation of report deposit to discharge condition.

COMPLETION NOTICE

Name of Monument: Llangollen Bridge

Monument Number: DE026

Conditions	Date	Signature
Completion of works on site		
Cadw approval of archaeologist		
Submission of report(s) / Completion report to Cadw		
Submission of report(s) to NMR and HER		

Applicant Name:

Signature:

When all work has been completed and the conditions have been discharged, please complete and return this completion notice to Cadw at scheduledmonuments@gov.wales