

CPAT Report No. 1578

# Land at Penley Hall, Wrexham



HERITAGE IMPACT ASSESSMENT



YMDDIRIEDOLAETH ARCHAEOLEGOL CLWYD-POWYS

CLWYD-POWYS ARCHAEOLOGICAL TRUST

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Prepared by:	Checked by:	Approved by:
Will Logan Project Archaeologist		
Nigel Jones Principal Archaeologist	Paul Belford Director	Paul Belford Director
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Cover image. View from the north along the western side of Penley Hall moated site, located approximately 200m to the north-west of the site of Penley Hall Photo CPAT 4486-0009.



YMDDIRIEDOLAETH ARCHAEOLEGOL CLWYD-POWYS  
 CLWYD-POWYS ARCHAEOLOGICAL TRUST

41 Broad Street, Welshpool, Powys, SY21 7RR, United Kingdom

+44 (0) 1938 553 670

[trust@cpat.org.uk](mailto:trust@cpat.org.uk)

[www.cpat.org.uk](http://www.cpat.org.uk)

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## Summary

A heritage impact assessment has been conducted by the Clwyd-Powys Archaeological Trust to determine the potential direct and indirect impacts on designated and undesignated heritage assets which may result from a proposal to develop a site at Penley Hall, Wrexham. The assessment comprised a desk-based study and a field survey.

The Development Area is centred on the site of Penley Hall, an 18<sup>th</sup>-century mansion which was demolished in 1987, although part of the western wall survives, together with the entrance to the extant cellar complex. The staff quarters adjoining the house to the west and several associated buildings, including the stables also survive, but lie outside the Development Area.

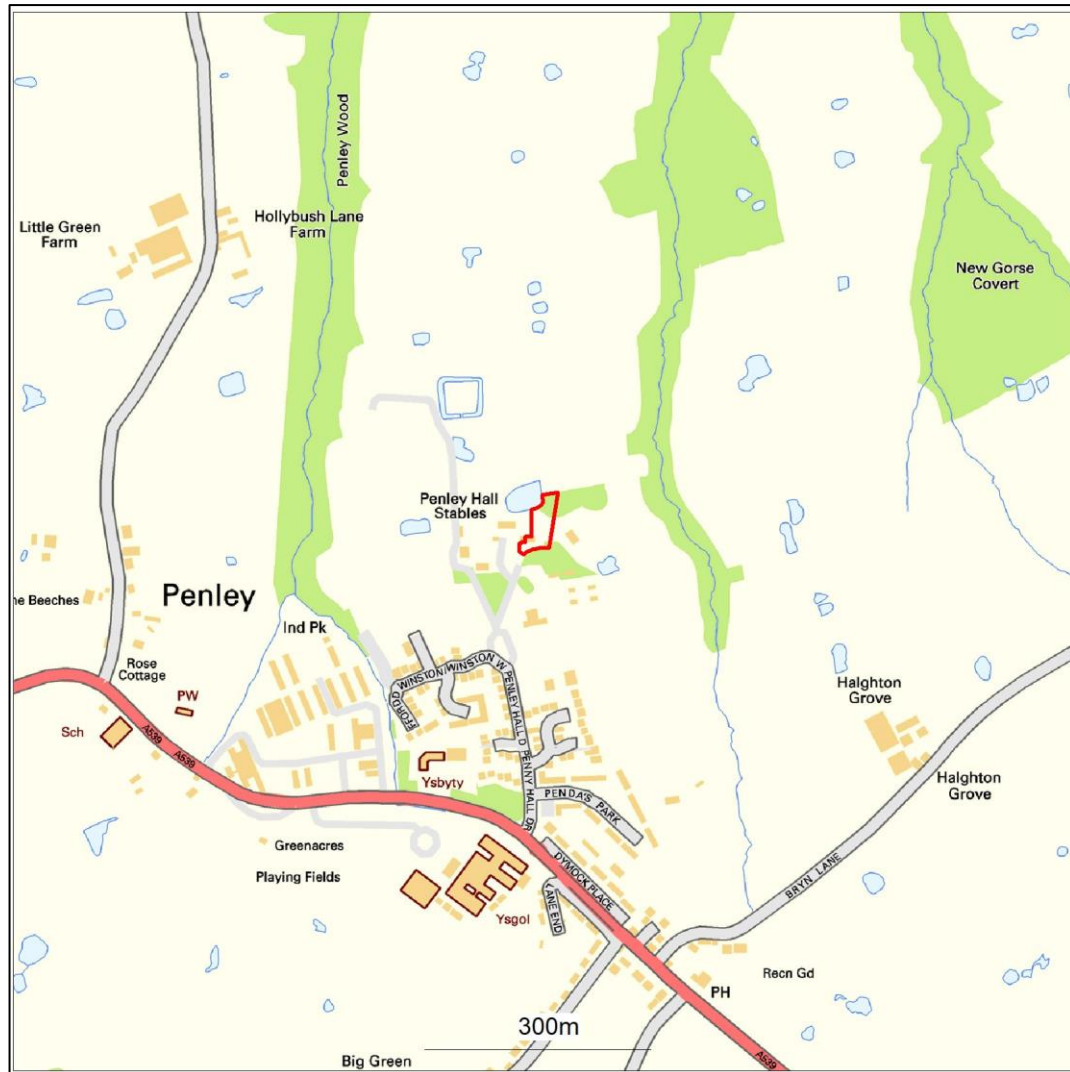
The only designated heritage asset within 250m is Penley moated site, 120m to the north. The area of parkland to the south of the Hall was occupied, during the Second World War, by a United States military hospital, later used to house displaced Polish refugees.

The results from the assessment indicate that apart from the remains of Penley Hall the archaeological potential of the Development Area is considered to be low. Although the Development Area lies within the postulated historic core of Penley, there is no evidence to suggest a nucleated medieval or later settlement, the core having been defined solely around the moated site and Penley Hall.

The assessment also considered potential visual impacts, although no details were available regarding the nature and scale of any development. However, Penley moated site would be largely screened by existing trees, while its setting takes in the surrounding landscape of ridge and furrow earthworks, which do not extend into the Development Area. In consequence the potential visual impacts are considered to be minor.

# 1 Introduction

- 1.1. The Clwyd-Powys Archaeological Trust was invited by McCormick Architecture Limited, on behalf of Mr K Barker, to undertake a heritage impact assessment in connection with a potential development site at Penley Hall, Wrexham.



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Fig. 1: Location of Development Area

- 1.2. The development is centred on SJ 41786 40288 (Fig. 1).
- 1.3. The assessment was conducted according to the Chartered Institute for Archaeologists' (CifA) *Standard and Guidance for Archaeological Field Evaluation* (2014) and *Standard and Guidance for Historic Environment Desk-based Assessment* (2014).

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## 2 Sources of Information & Guidance

- 2.1. Cultural heritage is deemed to include the complete range of man-made features that have been introduced into the landscape from the Palaeolithic, more than two hundred and fifty thousand years ago, up to and including the 20<sup>th</sup> century. Some of these features will be visible as upstanding remains on the ground; others will be buried and only become apparent during ground disturbance, whilst others may be objects that have been discarded, lost or deliberately deposited. Some will have an archaeological interest and importance; others will be more historical in their origin. In addition, some natural features will be relevant because of the information they contain; peat bogs, for instance, hold pollen that can throw light on past human activity in the area. Collectively, all these features are known as heritage assets.

### Administration

- 2.2. At a national level, it is Cadw, the historic environment service within Welsh Government, which holds the remit for the cultural heritage resource. Another national body, Natural Resources Wales, has a particular interest in historic landscapes.
- 2.3. At a regional level, the cultural heritage resource is monitored by the Heritage Sections of the regional archaeological trusts. The Curatorial Section of the Clwyd-Powys Archaeological Trust (CPAT) act as archaeological advisers to Powys County Council.
- 2.4. While the broad concern of all these bodies is with the preservation of the cultural heritage, there are inevitably differences in emphasis between regional and national organisations, and in the laws and regulations that govern the ways in which they operate.

### Legislation and guidance

- 2.5. The legislative framework for the historic environment in Wales was revised by The Historic Environment (Wales) Act 2016. The 2016 Act amended the Ancient Monuments and Archaeological Areas Act 1979 and the Planning (Listed Buildings and Conservation Areas) Act 1990. It extended the definition of scheduled monuments and enhanced their protection, as well as making changes to the process of scheduled monument consent. Changes were also made to the protection of listed buildings. The 2016 Act also provided for statutory a register of historic landscapes, a statutory list of place names, and imposed a statutory duty on Welsh Ministers to compile and maintain Historic Environment Records (HERs). Most of the provisions of the 2016 Act had come into force by 31 May 2017.
- 2.6. Chapter 6 of Planning Policy Wales was revised and re-issued in November 2016. Technical Advice Note 24: *The Historic Environment* (TAN 24) came into force on 31 May 2017, and replaced previous Welsh Office Circulars 60/96 *Planning and the Historic Environment: Archaeology*; 61/96 *Planning and the Historic Environment: Historic Buildings and Conservation Areas*; and 1/98 *Planning and the Historic Environment: Directions by the Secretary of State for Wales*.
- 2.7. Information on local planning policies relating to the cultural heritage is provided in Annex 2.

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- 2.8. The revised Design Manual for Roads and Bridges (DMRB), Volume 11 Section 3 Part 2, HA 208/07 (August 2007), though not specifically focused on developments of this nature, provides a suitable, general framework for assessing the cultural heritage. The approach to the cultural heritage which it promotes, although designed for road developments, is relevant as a methodology for the proposed development and has been adopted here. The relevant sections relating to determining the value of assets and the magnitude and significance of potential impacts is reproduced in Annex 3.
- 2.9. The desk-based assessment was undertaken with reference to the principles and methods for assessing heritage assets laid out in the *Standard and Guidance for Archaeological Desk-based Assessments* (2014) produced by the Chartered Institute for Archaeologists (CIfA), the regulatory body for the profession.
- 2.10. Welsh Government's (2017) *Heritage Impact Assessments in Wales* sets out the general principles to consider when planning changes to historic assets and applying for listed building, conservation area and scheduled monument consent. This document, together with Cadw's (2011) *Conservation Principles for the Sustainable Management of the Historic Environment in Wales*, provides guidance on understanding historic assets, their significance and assessing potential impacts on them. The results of a heritage impact assessment should be summarised in a heritage impact statement and this process must be adopted in all cases where your proposals require listed building consent or conservation area consent.
- 2.11. Heritage impact statements are not required when applying for planning permission, including for development, in the following cases: within the setting of a listed building; within the setting of a scheduled monument; in a registered historic park and garden, or its setting; in a conservation area; and in a World Heritage Site. Nevertheless, in these circumstances, it is good practice to adopt the principles of the heritage impact assessment. There is a separate process for considering the impact of development in registered historic landscapes.
- 2.12. Planning Policy Wales (9<sup>th</sup> edition, 2016) identifies the desirability of preserving the setting of a World Heritage Site, a nationally important ancient monument (whether scheduled or unscheduled), a listed building, a Conservation Area and a site on the Register of Historic Parks and Gardens in Wales. This desirability will be a material consideration when assessing the potential impact of a development proposal on the historic environment. Recent guidance published by Welsh Government (2017) in *Setting of Historic Assets in Wales* defines the setting of a historic asset as including 'the surroundings in which it is understood, experienced and appreciated, embracing present and past relationships to the surrounding landscape. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive, negative or neutral contribution to the significance of an asset. Setting is not itself a historic asset, though land within a setting may contain other historic assets. The importance of setting lies in what it contributes to the significance of a historic asset. The setting of a historic asset can also include less tangible elements. These may include function, sensory perceptions or historical, artistic, literary and scenic associations'.
- 2.13. For the landscape in its entirety LANDMAP is the formally adopted landscape assessment tool for Wales, and is consulted in order to inform the baseline assessment of the study area. LANDMAP comprises of five evaluated Aspects, one of which –



the Historic Landscape – is relevant to cultural heritage assessments, and a second – the Cultural Landscape – is partially relevant. All five aspects, the other three being Geological Landscape, Landscape Habitats and Visual & Sensory, are normally taken in conjunction (rather than individually) to assess the importance of a landscape under consideration (see CCW 2012), a process normally undertaken by a specialist in landscape and visual issues.

### **The categorisation and conservation of the cultural heritage resource**

- 2.14. The cultural heritage resource is not a single body of equally significant assets, but an infinitely complex set of individual assets, the number of which increases and alters in form and relationships on a continual basis. They range in importance from internationally significant sites to features of minor and even negligible value, with those perceived to be of greater importance being categorised by designation (statutory) or registration (which may be statutory or non-statutory).

#### ***World Heritage Sites***

- 2.15. This is the only category of international importance, although the designation of a World Heritage Site (WHS) does not confer additional statutory protection. Instead, the protection of World Heritage Sites in the UK is managed through existing designation (i.e. Conservation Areas) and planning regimes (i.e. Local Development Plans).

#### ***Scheduled Ancient Monuments***

- 2.16. SAMs are designated features of national importance. They are protected under the Ancient Monuments and Archaeological Areas Act, 1979, as amended by the Historic Environment (Wales) Act 2016. The settings of SAMs are also protected, as articulated in Planning Policy Wales (9<sup>th</sup> edition, 2016), specifically Chapter 6 (Conserving the Historic Environment) which notes that 'the desirability of preserving an ancient monument and its setting is a material consideration in determining a planning application' (6.5.1). Setting in relation to all heritage assets, whether designated or not, is discussed further below.

#### ***Listed Buildings***

- 2.17. These are protected under the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended by the Historic Environment (Wales) Act 2016. All listed buildings are nationally important, but are graded in order of significance as Grade I, II\* or II. Grade I buildings are considered to be of equal status to Scheduled Ancient Monuments. Local planning authorities must have special regard to the desirability of preserving the setting of a listed building regardless of its grade, and it also requires planning proposals to meet the test of determining the extent to which a development affects views to and from a listed building. Planning Policy Wales (9<sup>th</sup> edition, 2016) requires a 'general presumption in favour of the preservation of a listed building and its setting, which might extend beyond its curtilage' (6.5.10).

#### ***Conservation Areas***

- 2.18. These are protected under the Planning (Listed Buildings and Conservation Areas) Act 1990. This Act requires local planning authorities to have special regard to the desirability of preserving the setting of a Conservation Area, and it also requires



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planning proposals to meet the test of determining the extent to which a development affects views to and from such an area. Planning Policy Wales (9<sup>th</sup> edition, 2016) states that there 'will be a strong presumption against the granting of planning permission for developments ... which damage the character or appearance of a conservation area or its setting to an unacceptable level' (6.5.19).

### ***Registered Parks and Gardens, and Historic Landscapes***

- 2.19. The Historic Environment (Wales) Act 2016 provides for the creation of a statutory Register of Parks and Gardens of Special Historic Interest in Wales. Parks and gardens are graded using the same categories as listed buildings (i.e. I, II\*, II). Parks and gardens are therefore 'registered' rather than 'designated' assets, though for practical purposes this distinction appears to be of little significance. Planning Policy Wales (9<sup>th</sup> edition, 2016) states that local authorities should 'protect and conserve' registered parks and gardens and their settings, and that Cadw must be consulted on any development which is 'likely to affect the site of a registered historic park or garden or its setting' (6.5.24). Similarly, the inclusion of an area on the (non-statutory) Register of Historic Landscapes is a planning consideration, and again Cadw should be consulted on any development 'within a registered historic landscape area that requires an Environmental Impact Assessment' (6.5.25).

### ***Battlefields***

- 2.20. England has a Battlefields Register, but there is at present nothing comparable for Wales. A Welsh register is currently in preparation, but its form and composition is not known, nor when it will be made available.

### ***Designated wrecks***

- 2.21. The Protection of Wrecks Act 1973 allows the designation of a restricted area around a wreck to prevent uncontrolled interference. These protected areas are likely to contain the remains of a vessel, or its contents, which are of historical, artistic or archaeological importance. There are six designated wrecks in Wales.

### ***Aircraft Crash sites***

- 2.22. All military aircraft crash sites in the United Kingdom, its territorial waters, or British aircraft in international waters, are controlled by the Protection of Military Remains Act 1986. Under this act it is an offence to tamper with, damage, move, or unearth any remains without a licence from the Ministry of Defence.

### ***Undesignated assets***

- 2.23. These are undesignated heritage assets which may survive both above ground where they are still visible and/or buried beneath the surface. These could range in date from the prehistoric era through to the 20<sup>th</sup> century.

### ***Historic Hedgerows***

- 2.24. Various criteria have been used to classify historic hedgerows. In the context of a current cultural heritage assessment those that are most relevant are where a hedgerow incorporates or is part of an archaeological site and where it marks a pre-1850 parish or township boundary. In this region there is generally so little published

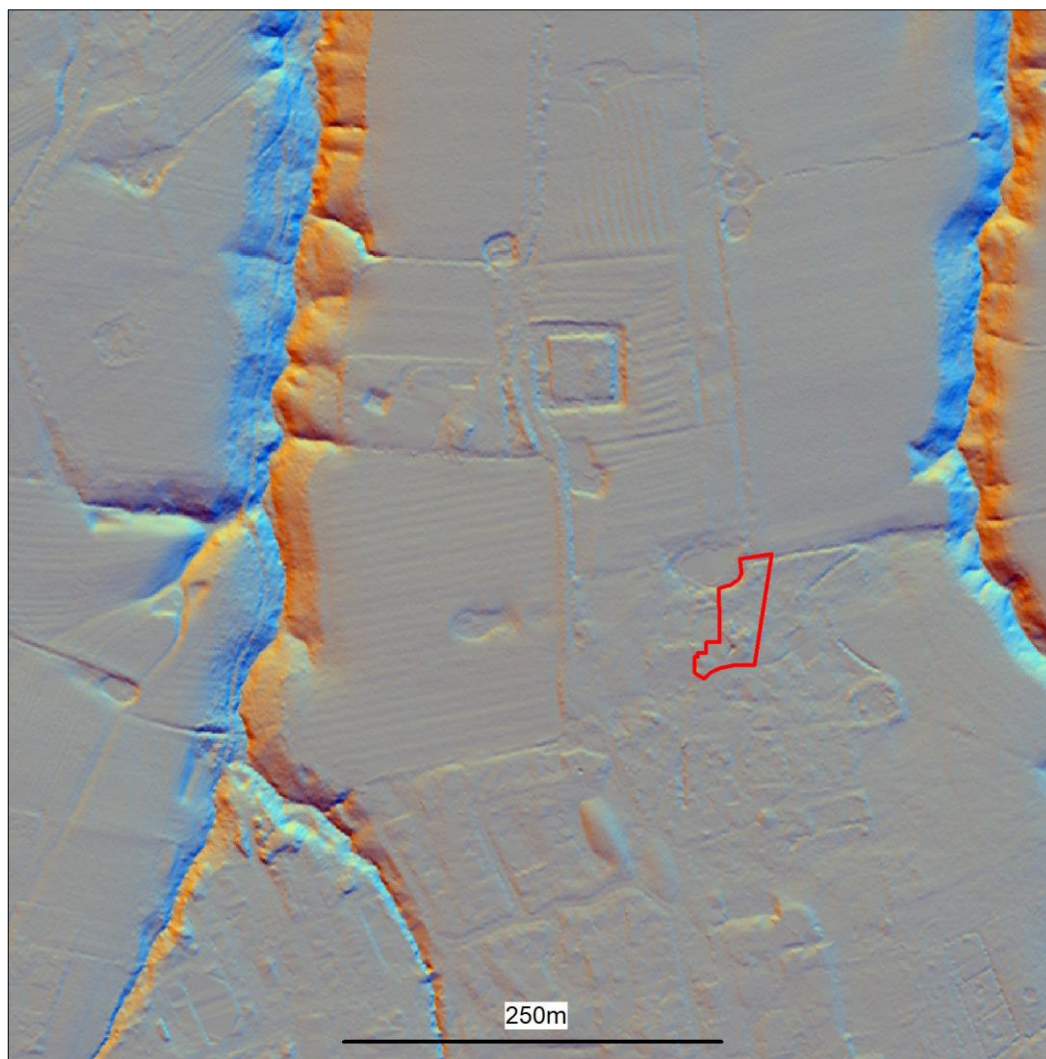
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information on estate or manorial boundaries, another pair of criteria, that assessment utilising them is not feasible.

- 2.25. A further criterion (as cited in The Hedgerows Regulations of 1997 – SI No.1160) is ambiguous in stating that the regulation applies to a hedgerow that is recorded in a document held ‘...at a Record Office as an integral part of a field system pre-dating the Enclosure Acts’. This was qualified in guidance issued by DEFRA in May 2002 which stated that 1845 was the accepted cut-off date.

### **3 The Cultural Heritage History of the Area**

- 3.1. This section provides a brief summary of the archaeology and history of the study area and its immediate surrounds, to enable the findings of the assessment to be placed in a wider context. The following section is based largely on the research presented by Britnell (2003) as part of the historic landscape characterization of Maelor Saesneg Registered Historic Landscape (HLW (C) 7).
- 3.2. The study area lies within the Penley Historic Landscape Character Area (HLCA) which comprises undulating farmland between about 30-70m above Ordnance Datum, gently sloping to the north, dissected by wooded stream valleys which feed the Emral Brook. Field patterns are dominated by large and small irregular field boundaries, with an area of strip fields in the Park Lane and Street Lydan area, though the widespread occurrence of ridge and furrow cultivation within the character area probably indicates the former presence of medieval open field cultivation which is not clearly represented in the field pattern. Numerous marl pits are scattered throughout the area, many represented by ponds. Modern land use is predominantly pasture, fields being bounded with multi-species hedges with scattered mature oak trees in the hedge lines.
- 3.3. Early settlement of the area is suggested by Anglo-Saxon and Welsh place-name evidence indicative of early medieval and medieval woodland clearance. Penley, first recorded as Pendele in 1300, derives from the personal name Penda and the Old English element -leah meaning 'wood, clearing in a wood' which is also rendered in the Welsh place-name Llannerch Panna which has the same meaning. Lightwood Green, first recorded at 'Lightwoode' in 1484, includes the Old English leoht 'bright, light'. Medieval settlement is represented by the Penley moated site which probably represents a manorial centre of the later 13<sup>th</sup> or 14<sup>th</sup> century.



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Fig. 2 1m-resolution multi-hillshade LiDAR Digital Terrain Model, showing the Development Area in red

- 3.4. Open field strips in the township of Llannerch Panna are documented in the later Middle Ages, and earthwork traces of ridge and furrow cultivation survive around the moat at Penley (Fig. 2), although it is probable that as elsewhere in Maelor Saesneg these medieval common fields were being enclosed and absorbed into the expanding landed estates that are in evidence by the early 16<sup>th</sup> century.
- 3.5. The medieval settlement pattern is represented by quite scattered farms. Despite the early documentation of their place-names, the present settlements at both Lightwood Green and Penley were, predominantly created in the 18<sup>th</sup> to 20<sup>th</sup> centuries. The commons here were not enclosed until 1877, being one of the latest enclosures of common land in the country.
- 3.6. Few early buildings or structures remain visible in the landscape within the area, the earliest building horizon being characteristically represented by the brick-built late 17<sup>th</sup>-century farmhouse at Penley Old Hall concealing the remains of a 16<sup>th</sup>-century timber hall. The mid-18<sup>th</sup>-century farmhouse at Lightwood Hall may likewise have

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been built around the core of an earlier building. Buildings of the late 17<sup>th</sup>-century onwards were almost invariably brick-built, as at Penley Old Hall and Lightwood Hall, as well as a number of more modest farmhouses and dwellings. The area was associated with three local estates which grew to prominence particularly from the early 17<sup>th</sup> century onwards, including the Dymocks of Penley and the Pulestons of Emral. The 1870s country house at Llanerch Panna (renamed Tudor Court), in vernacular style with external walls of half-timber and Ruabon brick chimneys was built for a branch of the Kenyon family. Buildings and structures associated with the US Army and subsequent Polish hospital at Penley Hall survive, though parts are now occupied by the Penley Industrial Estate or Enterprise Park, other parts, like the similar establishment at Llanerch, having been sold for private and local authority housing.

#### *Penley Hall*

- 3.7. Penley Hall was a smallish Georgian mansion set in gardens and shrubberies with kitchen garden extending to 2.75 acres. There was a self-contained wing for staff and outside there was a range of Georgian stables, with two cottages, and earlier timber-framed farm buildings. Parkland extended to 39 acres, much as intake from Far Green or Big Green before the Enclosure Award of 1796.
- 3.8. When Robert Myddelton Dymock died in April 1899, aged 81 years, the Penley Hall estate passed to his nephew Theophilus Vaughton who adopted the surname Dymock, with the family hence known as 'Vaughton Dymock'. Theophilus immediately embarked upon the restoration of Penley Hall, which had been allowed to fall into disrepair. In 1900 three large bay windows were added, also a front porch which incorporated a frieze and drops of the stained-glass Dymock coats-of-arms from the 1784 parish church, demolished in 1899. Theophilus never lived in Penley, preferring Bath, where he died in 1905, aged 76 years. At this time Penley Hall was leased to Mr and Mrs Frank Cotton and family, who took up residence in May 1901. Miss V.E. Cotton surrendered the lease in March 1934
- 3.9. Penley Hall was gutted by fire in the early hours of Tuesday, 26 February 1935 and valuable oak panelling, much of it from the 1784 parish church, and a beautifully carved staircase of unknown provenance, were destroyed. By the late 20<sup>th</sup> century all that was left were the former housekeeper's cottage and the hall's back wall beyond.

#### *Penley Hospital*

- 3.10. Three large American Army Hospitals were built in the area in preparation for D-day casualties. Penley Hall no. 129 General Hospital with 1,000 beds, Llanerch Panna no. 83 Station Hospital with 800 beds and a 200-bed hospital at Iscoyd Park, near Whitchurch. After the war, in August 1946, detachments of the Polish Resettlement Corps arrived from Italy, with former Polish Army field hospitals in tow. The now empty hospital buildings in Llanerch Panna became Polish Hospital no. 11, those in Penley Polish Hospital no. 3 and those at Iscoyd Park no. 4 Polish (TB) Hospital.
- 3.11. Originally the hospitals were staffed and equipped for the treatment of sick and injured Polish soldiers but in 1947 the military hospitals were taken over by the Ministry of Pensions for the treatment not only of Polish war pensioners and ex-servicemen but also their families. In 1949 Llanerch Panna closed down and the

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patients were moved to hospital no. 3 in Penley and hospital no. 4 at Yscoyd Park. Yscoyd treated patients with TB and mental health problems. With the introduction of antibiotics the TB cases diminished, and in 1956 Yscoyd Park was closed and the remaining patients were moved to Penley hospital.

- 3.12. By now hospital no. 3 in Penley evolved into a general Polish hospital catering for the needs of all Polish patients, young and old, with language difficulties living in camps throughout the North West and the Midlands. The American army had left most of the equipment intact; consequently the hospital was well equipped, with its own X-ray department, physiotherapy, operating theatre and many other departments including a maternity unit.
- 3.13. Penley, the largest of the three camps, housed not only the Hospital but also doctors, nurses and all the auxiliary staff and their families needed for running the hospital. The camp had its own nursery, entertainment hall, club room, a full-size snooker table and a well-equipped cinema with authentic cinema seats.
- 3.14. One of the barracks was converted into a church, the site of which lies immediately south of the Development Area.
- 3.15. In 1961 with an ageing Polish population the hospital took on a new role, caring for the old, disabled and chronically sick in need of constant hospital care. Over the years with a dwindling Polish population in need of hospitalisation, Penley hospital was winding down from 720 beds in 1947 to a handful by the late 1990s. In 2002 the hospital housed only six patients who occupied just one of the 30 wards on the site
- 3.16. It was not economically viable to keep the whole site open for a handful of patients so a new single-storey unit with bungalow-style eight room accommodation was build close to the original camp and opened in 2004. The new facilities provide patients with individual rooms with much greater privacy and dignity and a more comfortable environment for their long-term care and respite.

### *The Development Area*

- 3.17. The earliest available mapping, the Ordnance Survey One Inch Map of 1833 provides little useful information, being at too small a scale.
- 3.18. The 1838 Tithe map for Ellesmere parish, township of Penley (Fig. 3) shows the Development Area as occupying part of two plots which are recorded in the accompanying tithe apportionment of 1837 as the following: Penley Hall (M1), in the ownership of Edward Dymock, occupied by James Atty; and plot M2, an orchard.
- 3.19. The large-scale Ordnance Survey mapping from the late 19<sup>th</sup> and early 20<sup>th</sup> centuries (Figs 4-5) demonstrates that the site of Penley Hall, and part of its grounds, lies within the Development Area.



Fig. 3: Extract from the 1838 Tithe Survey for Ellesmere parish, township of Penley, showing the Development Area outlined in red



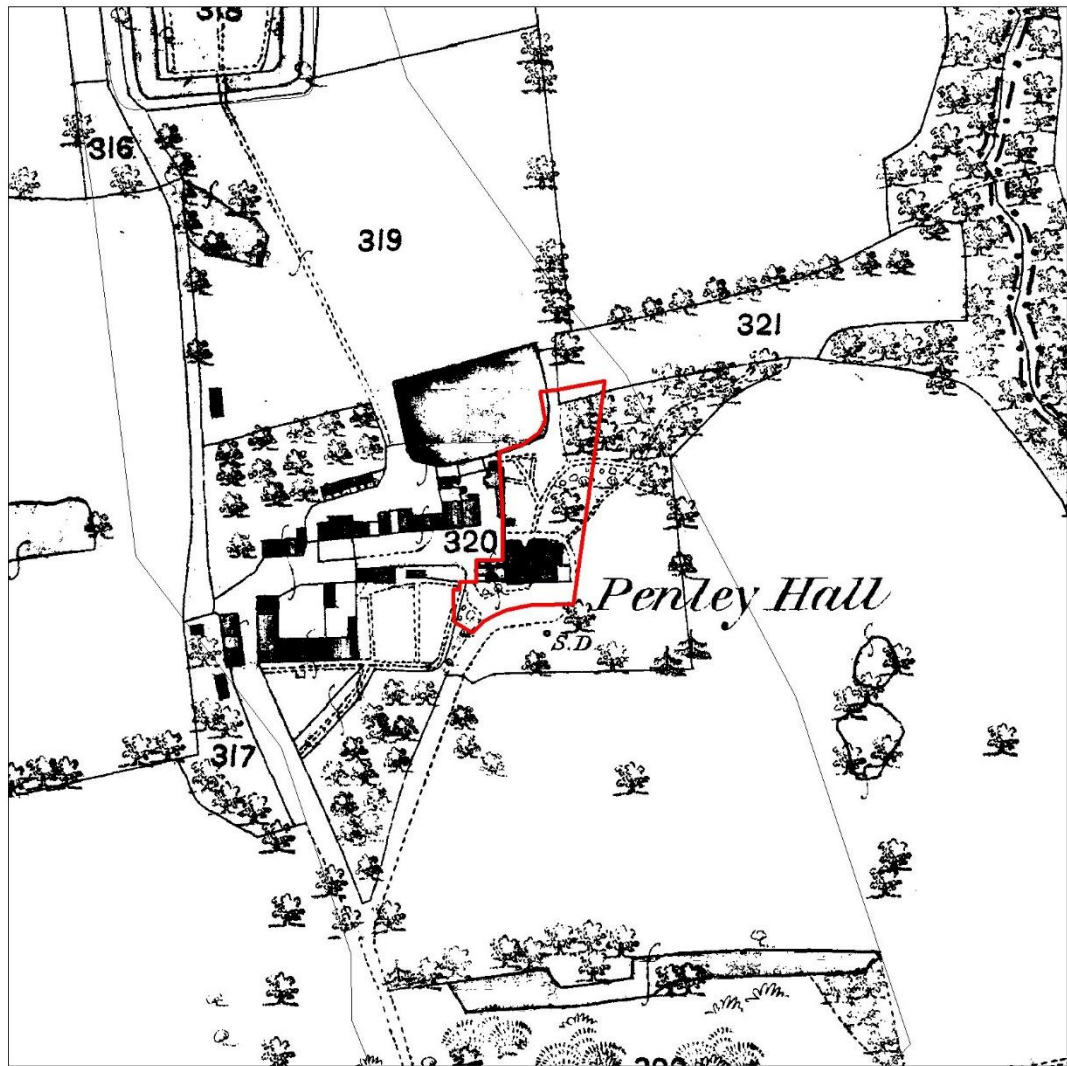


Fig. 4: Extract from the Ordnance Survey 1<sup>st</sup> edition 25" mapping of 1879, showing the Development Area in red



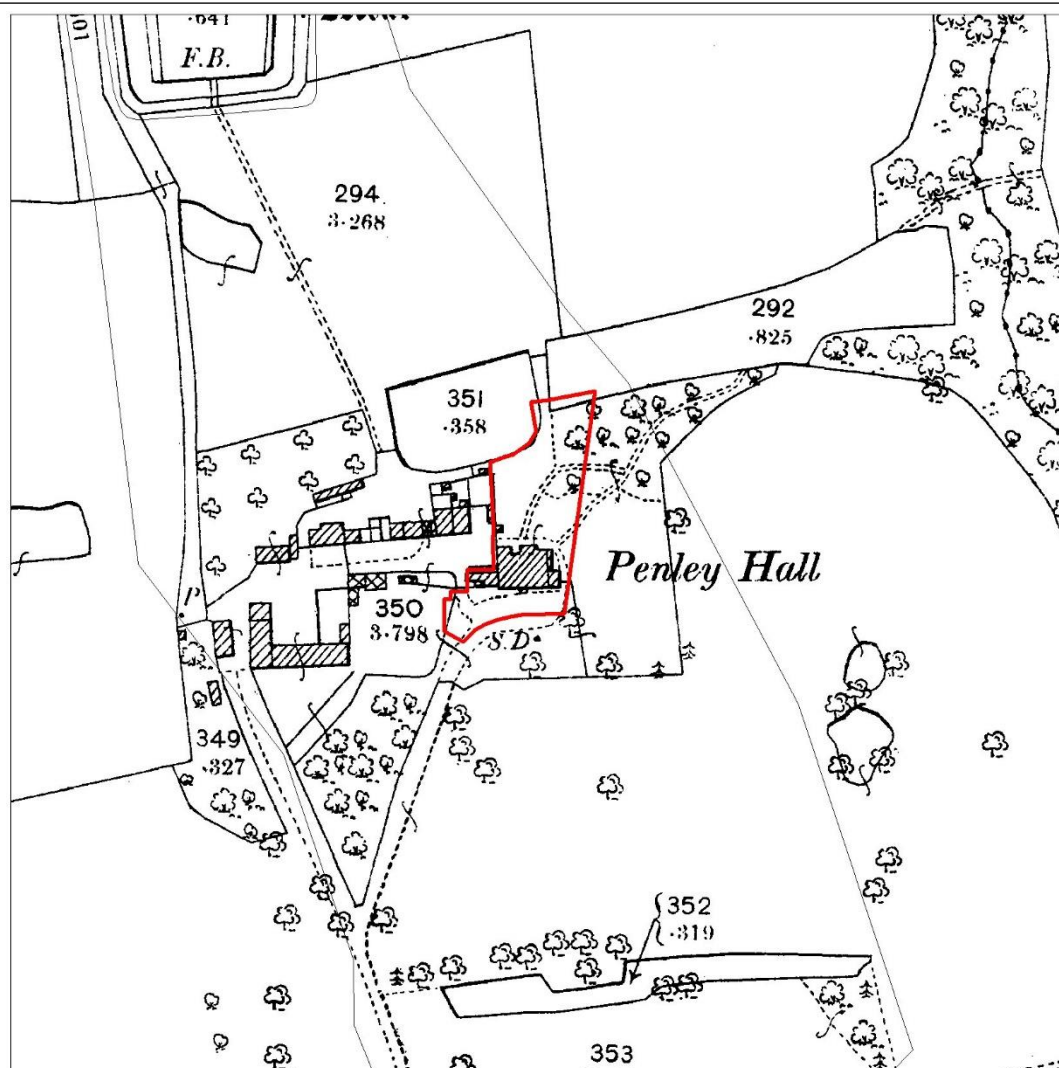


Fig. 5: Extract from the Ordnance Survey 2<sup>nd</sup> edition 25'' mapping of 1899, showing the Development Area in red

## 4 Baseline Assessment

- 4.1. The assessment involved the examination of all the readily available primary and secondary sources at the following repositories:
  - the regional Historic Environment Record
  - the National Library of Wales, Aberystwyth
  - the National Monuments Record, Aberystwyth
  - Flintshire County Archives, Hawarden
- 4.2. Information regarding scheduled ancient monuments, listed buildings, registered historic landscapes and registered parks and gardens, is based on a dataset provided by Cadw, dated May 2017.
- 4.3. The baseline assessment has considered all known heritage assets within the Development Area, as well as those which lie within 250m.

## Designated Assets within the Development Area

### *Registered Historic Landscapes*

- 4.4. The Development Area lies within the Maelor Saesneg registered historic landscape (HLW (C) 7), specifically the Penley (1123) historic landscape character area (HLCA).

### Undesignated Assets within the Development Area

- 4.5. The proposed development lies within the historic core of Penley, as defined by Silvester et al. (2013) (Fig. 7). However, no archaeological or historical evidence for a medieval or early post-medieval settlement core within this area has thus far come to light.
- 4.6. The regional HER records eight undesignated assets within 250m of the Development Area, while the NMR has provided one further asset. Only two assets are located within the Development Area itself.

Table 1: Undesignated heritage assets within the Development Area

PRN/ NPRN	Name	Period	Type	NGR
PRN 44496	Penley Hall, house	Post- Medieval	House	SJ41764027
NPRN 266268	Penley Hall Garden	Post- Medieval	Garden	SJ41764027



Fig. 6 View from the north-east across the former site of the hall showing the housekeeper's cottage and surviving west wall Photo CPAT 4486-0038

*PRN 44496 Penley Hall*

- 4.7. Penley Hall is recorded on John Evans's Map of North Wales (c. 1795). It was a small broadly rectangular mansion built in the Georgian style and was restored c. 1900 with the addition of contemporary features, including bay windows and a porch. It was gutted by fire in 1935, which destroyed many of the original interior features. Following the fire the house was repaired and privately occupied until 1964. Subsequently the house fell into disrepair and was demolished in 1987.
- 4.8. The attached housekeeper's cottage appears to have been substantially rebuilt with the upper storey removed and a hipped roof. To the north of the cottage a section of the hall's western elevation now forms the boundary wall between the plot and the adjacent stables, and the cellar complex which is accessible via a stairwell.

*PRN 266268 Penley Hall Garden*

- 4.9. The ornamental gardens, shrubberies and kitchen garden extended over a total area of 2.75 acres. Historic mapping locates the ornamental gardens and shrubberies within an irregular area to the south and east of the Hall. The kitchen gardens were located within an irregular walled enclosure immediately to the west of the hall, outside the Development Area. Three glass houses were located in the north-west corner of the walled garden.
- 4.10. The ornamental gardens and shrubbery have become overgrown and were no longer clearly discernible as anything other than wooded scrubland. The north and west wall of the kitchen garden have survived, although the glasshouses have been removed.

### **Designated and Registered Heritage Assets within 250m of the Development Area**

Table 2: Summary of Designated and Registered Heritage Assets within 250m of the Development Area

<b>Designated asset</b>	<b>Within the Development Area</b>	<b>Within 250m</b>
World Heritage Sites	0	0
Scheduled Ancient Monuments	0	1
Listed buildings	0	0
Registered historic parks and gardens	0	0
Registered historic landscapes	1	1
Conservation areas	0	0

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- 4.11. The following provides details of all designated and registered cultural assets within 250m of the Development Area, summarised in Table 1. It should be noted at this stage that all nationally designated assets are automatically considered to be of high value (see Annex 3 Table 3.1).

***World Heritage Sites***

- 4.12. There are no World Heritage Sites within 250m of the Development Area.

***Scheduled Ancient Monuments***

- 4.13. The only scheduled ancient monument within 250m of the Development Area is Penley Hall Moated Site (FI097) located 120m to the north-west. This comprises a sub-rectangular moated platform, about 42m north-south by 40-46m. The water filled moat is around 6m in width. The platform has been adapted into a wooded garden area, the moat being bridged on the south and enclosed by a roughly 64m hedge, now overgrown and reverting to tree growth.

***Listed Buildings***

- 4.14. There are no listed buildings within 250m of the Development Area.

***Registered Parks and Gardens***

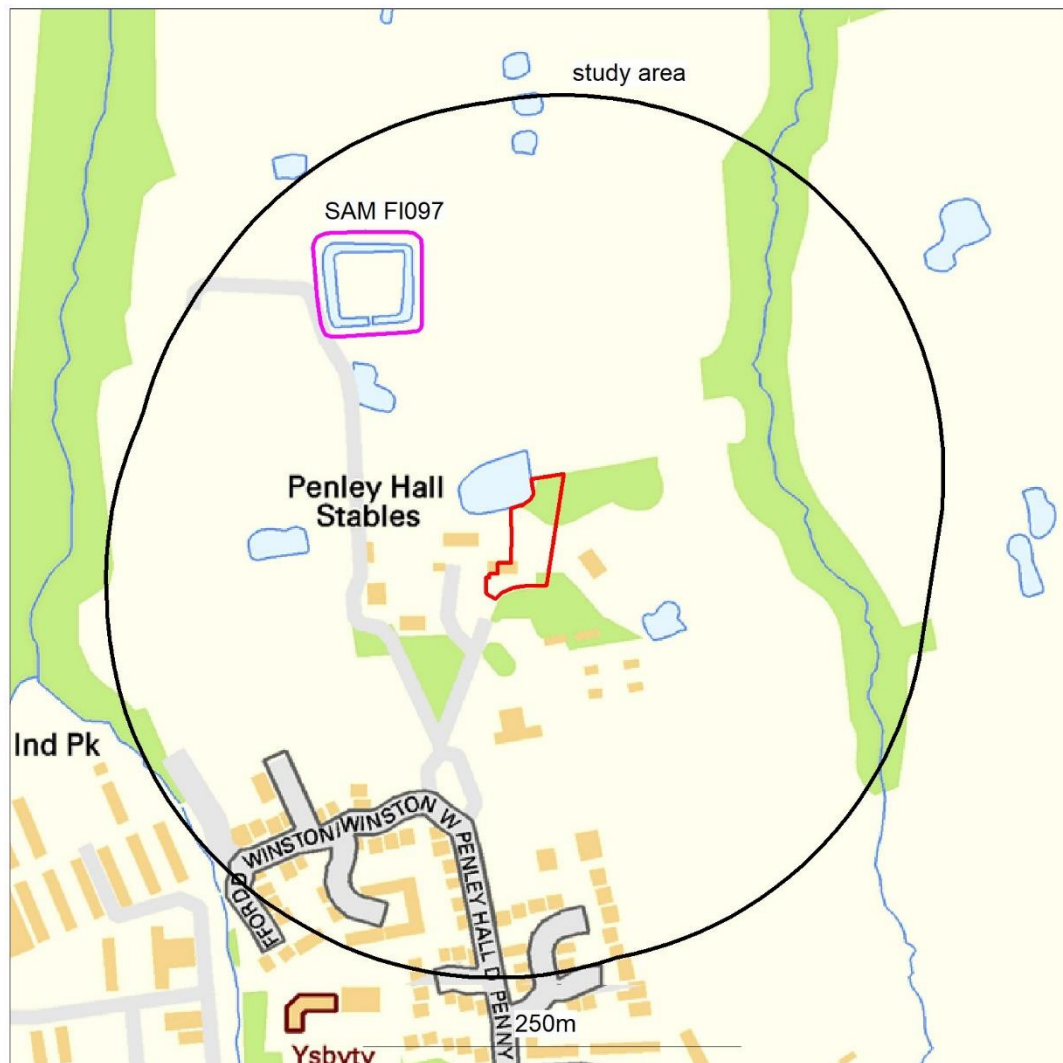
- 4.15. There are no Registered Parks and Gardens within 250m of the Development Area.

***Registered Historic Landscapes***

- 4.16. The Development Area lies within the Maelor Saesneg registered historic landscape (HLW (C) 7), specifically the Penley (1123) historic landscape character area (HLCA).

***Conservation Areas***

- 4.17. There are no conservation areas within 250m of the Development Area.



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Fig. 7: Designated assets within 250m of the Development Area

### Undesignated Assets within 250m of the Development Area

4.18. The regional HER records seven undesignated assets within 250m of the Development Area.

Table 3: Undesignated Assets within 250m of the Development Area

PRN	Name	Period	Type	NGR
37197	Penley Hall, stables	Post-Medieval	Stable	SJ4175040293
44494	Penley Hall, hospital	Modern	Hospital	SJ41614013
61734	Maelor Saesneg pond 717	Post-Medieval	Pond	SJ4162040289



61737	Maelor Saesneg pond 720	Post-Medieval	Pond	SJ4168940388
61738	Maelor Saesneg pond 721	Post-Medieval	Pond	SJ4176540336
105347	Penley Hall Moat	Medieval	Moated site	SJ4185140179
130303	De Havilland Mosquito II DZ747	Modern	Aircraft	SJ416403

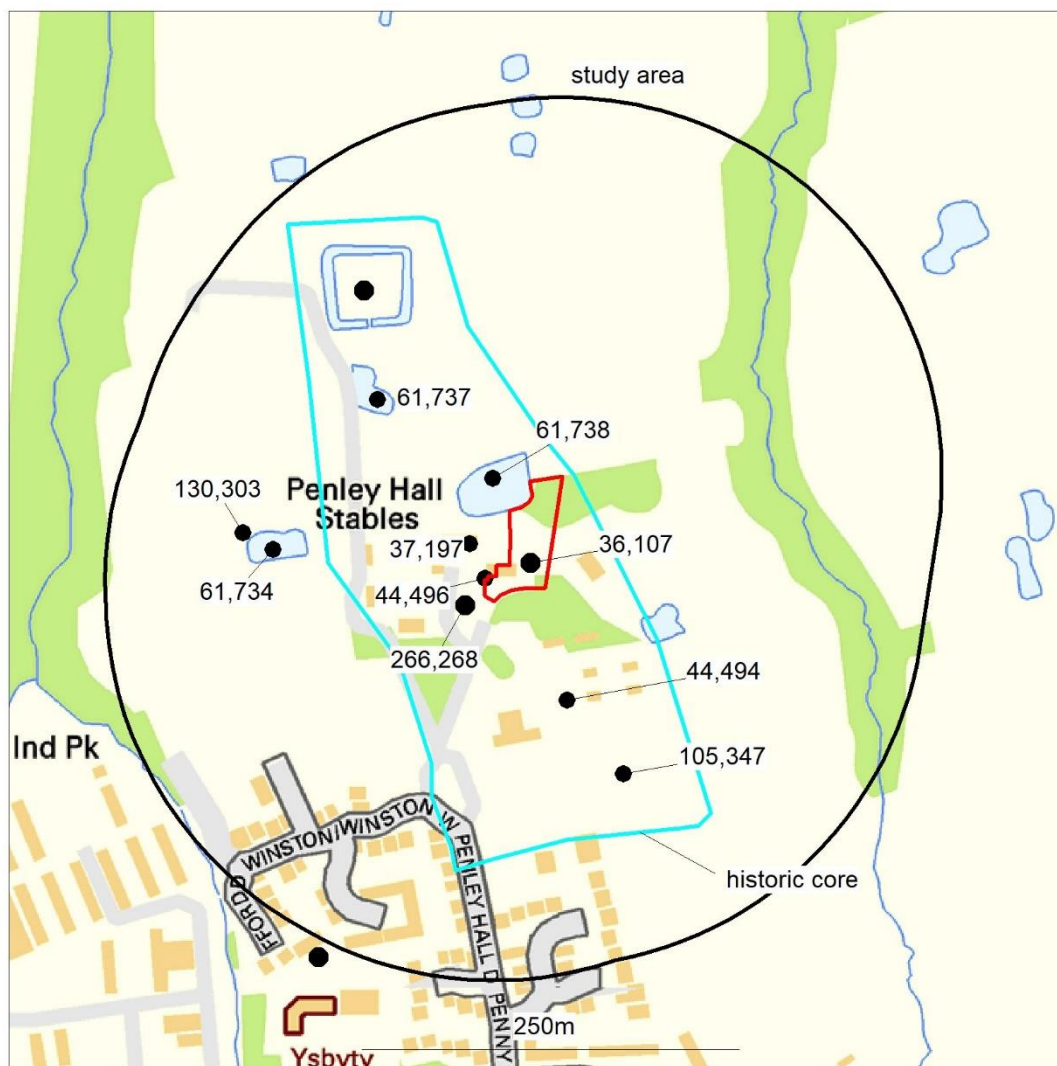


Fig. 8: Undesignated assets within 250m of the Development Area.

*PRN 37197 Penley Hall, stables*

- 4.19. The former stables building for Penley Hall, now a private dwelling is located 25m to the west side of the Development Area, within an adjacent plot. It is recorded on the Tithe map of the area and is probably contemporary with the hall.

- 4.20. It is a long quite narrow building, constructed in brick. A large conservatory has been added to the north elevation and roof windows have been installed. The boundary wall on the east side of the garden formed part of the west elevation of Penley Hall.

*PRN 44494 Penley Hall, hospital*

- 4.21. Three large American Army Hospitals were built in the area in preparation for D-day casualties. The largest of these was Penley Hall no. 129 General Hospital, which had 1000 beds. Following the war it became a camp for Polish refugees, who were resident at the camp until 2002, when the remaining residents were moved into a nearby care home.
- 4.22. Whilst most of the larger hospital buildings have been converted into industrial units on a business park 350m south-west of the Development Area, there is still a largely derelict group of buildings located on a plot 50m to the south of the former hall site. The buildings on this plot comprise four small wards or accommodation blocks, three of which survive only as concrete frameworks, two identical toilet and bathroom blocks and two larger buildings joined by a covered access, which were apparently used as a communal area. A further set of building on the land immediately east of the hall were demolished, probably during the 1980s when the current landowner constructed a dwelling on the plot.



Fig. 9 View from the south between the hospital bathroom blocks towards the Development Area Photo CPAT 4486-0067

*PRN 61734 Maelor Saesneg pond 717*

- 4.23. The pond, which was recorded on the Tithe Map c.1840, is located approximately 160m to the west of the Development Area.



*PRN 61737 Maelor Saesneg pond 720*

- 4.24. The pond, which was recorded on the Tithe Map c.1840, is located approximately 130m to the north-west of the Development Area.



Fig. 10 View south-east towards the Development Area, with pond 720 to the right of shot Photo CPAT 4486-0003

*PRN 61738 Maelor Saesneg pond 721*

- 4.25. This pond, which was recorded on the Tithe Map c.1840, is located approximately adjacent to the north-west side of the Development Area.



Fig. 11 View from the north across pond 721 towards the Development Area Photo CPAT 4486-0014

*PRN 105347 Penley Hall Moat*

- 4.26. This L-shaped body of water is recorded on early 19<sup>th</sup>-century mapping 145m to the south of the hall. No visible trace of the feature remains, although the outline of the feature appears to have been fossilised in the modern property boundaries. The site is undeveloped and is partially in use as duck pen.



Fig. 12 View from the east of the site of the moat Photo CPAT 4486-0128



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*PRN 130303 De Havilland Mosquito II DZ747*

- 4.27. This is the crash site of the aircraft, which was from No 60 Operational Training Unit located at High Ercall near Shrewsbury. The crash occurred on May 6<sup>th</sup> 1944. The pilot lost control of the aircraft in bad weather and crashed into the grounds of No 129 American Military Hospital, Penley. It clipped a tree in front of Penley Hall before burying itself in the made-up ground of what was once the 'outer moat'. An unlicensed dig in the 1970s recovered a number of artefacts, including an engine and the aircraft dinghy.

## 5 Impact Assessment

### Direct Impacts

- 5.1. The potential direct impacts which may result from the development proposals have been assessed in accordance with the DMRB guideline for determining the value of an asset and the potential impacts (see Annex 3). At this stage there are no details regarding the nature, layout and scape of any development and the following assessment can therefore only provide an indication of potential impacts.

### *Designated Assets*

#### Registered Historic Landscapes

*Maelor Saesneg*

- 5.2. The Penley Historic Landscape Characterisation Area covers an area of 10.58km<sup>2</sup>, while the Development Area is 0.002 km<sup>2</sup>. The Development Area comprises 0.019% of the total area of Penley HLCA and any direct impact is therefore considered to be **negligible** and its significance **slight**.

### *Undesignated Assets*

- 5.3. While the proposed development lies within the historic core of Penley, as defined by Silvester et al. (2013), there is no archaeological or historical evidence for a medieval or early post-medieval settlement core within this area and consequently no direct impacts are predicted.

*PRN 44496 Penley Hall*

- 5.4. The Development Area encompasses the entire footprint of the hall. Any groundworks on the site would have a **major** impact upon the remaining structural elements. The significance of this impact is considered to be **moderate to slight**.
- 5.5. Depending on the nature of any future development it is likely that planning permission would be granted with the inclusion of a condition for a watching brief during any groundworks which might affect the cellars in order to ensure their preservation by record.

*PRN 266268 Penley Hall Garden*

- 5.6. The ornamental gardens, shrubberies and kitchen garden extended over a total area of 2.75 acres. Historic mapping locates the ornamental gardens and shrubberies within an irregular area to the south and east of the Hall. The kitchen gardens were

located within an irregular walled enclosure immediately to the west of the hall, outside the Development Area. Three glass houses were located in the north-west corner of the walled garden.

- 5.7. The ornamental gardens and shrubbery have become overgrown and were no longer clearly discernible as anything other than wooded scrubland. The north and west wall of the kitchen garden have survived, although the glasshouses have been removed.
- 5.8. The ornamental gardens form part of the Development Area. It is possible that some features of the original garden design survive as buried features immediately to the north of the hall. Groundworks would have a **major** impact upon any surviving features. The significance of this impact is considered to be **slight**.

### Indirect Impacts

- 5.9. The potential indirect impacts which may result from the development proposals have been assessed in accordance with the DMRB guideline for determining the value of an asset and the potential impacts (see Annex 3).

### *Scheduled Ancient Monuments*

#### *Penley Hall Moated Site (FI097)*

- 5.10. The only scheduled ancient monument within 250m of the Development Area is Penley Hall Moated Site (FI097), located 120m to the north-west.



Fig. 13 View north from the Development Area towards the scheduled moated site  
Photo CPAT 4486-0016

- 5.11. There is a dense screen of mature woodland around the pool and along the boundary line north of the Development Area, which reduces the visual impact upon the setting

of the moated site. As a scheduled ancient monument the moated site is of high value, although the impact is considered to be **negligible**, and therefore the significance is considered to be **slight**.



Fig. 14 View south from the scheduled moated site towards the Development Area  
Photo CPAT 4486-0011

### *Registered Historic Landscapes*

#### *Maelor Saesneg*

- 5.12. The Penley Historic Landscape Characterisation Area covers an area of 10.58km<sup>2</sup>, while the Development Area is 0.002 km<sup>2</sup>. The Development Area comprises 0.19% of the total area of Penely HLCA and any visual impacts are therefore considered to be at most **negligible** and their significance **slight**.

## 6 Conclusions

- 6.1. A heritage impact assessment has been conducted to determine the potential direct and indirect impacts on designated and undesignated heritage assets which may result from a proposal to develop the site at Penley Hall, Wrexham. The assessment comprised a desk-based study and a field survey.
- 6.2. The Development Area is centred on the site of Penley Hall itself, an 18<sup>th</sup>-century mansion which was demolished in 1987. Part of the western wall of the hall survives, together with the entrance to the extant cellar complex, although these are the only features of the building which are still visible. The staff quarters adjoining the house to the west and several associated buildings, including the stables are still extant.

- 6.3. To the north-west of the hall is a scheduled moated site, probably of 13<sup>th</sup>- or 14<sup>th</sup>-century date. An L-shaped body of water recorded on early 19<sup>th</sup> century mapping to the south of the hall may also be medieval in date, but is perhaps likely to have been a fishpond, rather than another moated site.
- 6.4. The area of parkland to the south of the Hall was occupied, during the Second World War, by Penley Hall No. 129 General Hospital. This was one of three in the area built in 1944 for the United States Army in preparation for the Normandy landings. Following the end of the war it was used to house displaced Polish refugees. It closed in 2002.
- 6.5. The results from the assessment indicate that apart from the remains of Penley Hall the archaeological potential of the Development Area is considered to be low. Although the Development Area lies within the postulated historic core of Penley, there is no evidence to suggest a nucleated medieval or later settlement, the core having been defined solely around the moated site and Penley Hall.
- 6.6. The assessment also considered potential visual impacts, although no details were available regarding the nature and scale of any development. However, the only designated heritage asset within 250m is Penley Moated Site which, at a distance of 120m would be largely screened by existing trees, while its setting takes in the surrounding landscape of ridge and furrow earthworks, which do not extend into the Development Area. In consequence the potential visual impacts is considered to be minor.

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## 8 Archive deposition Statement

- 8.1. The project archive has been prepared according to the CPAT Archive Policy and in line with the *CifA Standard and guidance for the creation, compilation, transfer and deposition of archaeological archives guidance* (2014). The digital archive only will be deposited with the Historic Environment Record, Clwyd-Powys Archaeological Trust and the paper/drawn/digital archive with the National Monuments Record (RCAHMW).



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## Annex 1 - Administration and Categorisation of the Cultural Heritage

### *Administration*

At a national level, it is Cadw, the historic environment service within Welsh Government, which holds the remit for the cultural heritage resource. Another national body, Natural Resources Wales, has a particular interest in historic landscapes.

At a regional level, the cultural heritage resource is monitored by the Heritage Sections of the regional archaeological trusts. The Clwyd-Powys Archaeological Trust (CPAT) act as archaeological advisers to Denbighshire County Council.

While the broad concern of all these bodies is with the preservation of the cultural heritage, there are inevitably differences in emphasis between regional and national organisations, and in the laws and regulations that govern the ways in which they operate.

### Categorisation of the Cultural Heritage Resource

The cultural heritage resource is not a single body of equally important assets, but an infinitely complex set of individual assets, the number of which increases and may change in its perceived level of significance on a continuous basis. They range in importance from internationally significant sites to features of minor and even negligible value, with those recognised to be of more importance being categorised by designation (statutory) and registration (non-statutory). The range of cultural heritage assets that are potentially relevant to any cultural heritage assessment are set out below.

**World Heritage Sites.** This is the only statutorily recognised category of international importance.

**Scheduled Ancient Monuments (SAMs).** SAMs are designated features of national importance. They are protected under the Ancient Monuments and Areas of Archaeological Importance Act, 1979, and their settings are also protected. Setting is not defined within the Act, but is typically taken to refer to the immediate area around a protected site, for example the curtilage of a building. As a concept, it is covered in Planning Policy Wales (6th edition; 2014), and in more detail in a supporting Welsh Office Circular on Planning and the Historic Environment: Archaeology (60/96). However, in England, setting has been scrutinised in detail recently (2015), and guidance has been issued by Historic England which offers a useful perspective on assessing effects on setting for all designated assets. SAMs are designated features of national importance.

**Listed Buildings (LB).** These are protected under the Planning (Listed Buildings and Conservation Areas) Act 1990, and are usually classed in diminishing importance as Grade I, II\* or II. Grade I and Grade II\* listed buildings are consistently considered to be of national importance, but commentators' views on Grade II buildings have varied between nationally and regionally significant, though the recent consultation document on a Welsh Heritage Bill has steered thinking towards them all being of national significance (in contrast to the DMRB). The Act requires local planning authorities to have special regard to the desirability of preserving the setting of a listed building regardless of its grade, and it also requires planning proposals to meet the test of determining the extent to which a development affects views to

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and from a listed building. Further guidance comes in Welsh Office Circular on Planning and the Historic Environment: Historic Buildings and Conservation Areas (61/96).

**Conservation Areas.** These are protected under the Planning (Listed Buildings and Conservation Areas) Act 1990. This Act requires local planning authorities to have special regard to the desirability of preserving the setting of a conservation area, and it also requires planning proposals to meet the test of determining the extent to which a development affects views to and from such an area. The setting of a conservation area is also an issue for consideration, as with listed buildings and scheduled ancient monuments. Conservation Areas are normally considered to be of regional significance, but in some circumstances might be considered to be of national importance, as for instance when they contain Grade I or II\* listed buildings.

**Parks and Gardens.** In Wales parks and gardens of significance appear in the non-statutory Register of Landscapes, Parks and Gardens of Special Historic Interest in Wales, the register for Powys appearing in 1999. Parks and gardens are graded using the same categories as listed buildings (i.e. I, II\*, II). Being non-statutory, parks and gardens are thus classed as registered rather than designated assets, though for practical purposes this distinction appears to be of little significance. Planning Policy Wales (2014) states that local authorities should protect registered parks and gardens and their settings, and that Cadw should be consulted on developments affecting grade I and II\* sites.

**Historic Landscapes.** In Wales significant landscapes are catalogued in the two-volume non-statutory Register of Landscapes, Parks and Gardens of Special Historic Interest in Wales (1998 & 2001). Unlike parks and gardens, registered landscapes are not graded, but are classified as either 'outstanding' or 'special'. Though registered rather than designated, historic landscapes are treated in the same way as parks and gardens, as indicated in Planning Policy Wales (2014). All the larger registered landscapes have been the subject of detailed analyses in recent years known as historic landscape characterisation.

Battlefields. England has a Battlefields Register, but there is at present nothing comparable for Wales. A Welsh register is currently in preparation, but its form and composition is not known, nor when it will be made available.

**Undesignated assets.** There are a large number of undesignated (also known as non-designated) cultural heritage assets in the landscape, both above ground where they are still visible and buried beneath the surface. These range in date from the prehistoric era through to the 20th century. Planning Policy Wales (2014) implies that an undesignated asset is a material consideration in the planning process, but is not specific about the setting of undesignated assets. However, some guidance is provided in the Welsh Office Circular on Planning and the Historic Environment: Archaeology (60/96). Undesignated assets are normally considered in detail at the Environmental Impact Assessment stage of a project.

**Historic Hedgerows.** Various criteria have been used to classify historic hedgerows. In the context of a current cultural heritage assessment those that are most relevant are where a hedgerow incorporates or is part of an archaeological site and where it marks a pre-1850 parish or township boundary. In this region there is generally so little published information on estate or manorial boundaries, another pair of criteria, that assessment utilising them is not feasible.

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A further criterion (as cited in The Hedgerows Regulations of 1997 – SI No.1160) is ambiguous in stating that the regulation applies to a hedgerow that is recorded in a document held “...at a Record Office as an integral part of a field system pre-dating the Enclosure Acts”. This was qualified in guidance issued by DEFRA in May 2002 which stated that 1845 was the accepted cut-off date.

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## Annex 2 - Local Policies

### Local Policies

Cultural heritage assets without statutory protection are curated by the archaeological advisors to the local planning authorities and afforded protection through Local Development Plan policies.

Those planning policies specific to the protection of cultural heritage assets include those in the Wrexham Unitary Development Plan which was adopted in February 2005. Wrexham County Borough Council is currently preparing the Local Development Plan (LDP) 2013-2018, which will replace the UDP, although for the time being the following UDP policies can be cited:

**Policy EC4** Development proposals should provide for the conservation and management of hedgerows, trees, orchards, woodland, wildlife and other natural landscape and water features, and include new planting in order to enhance the character of the landscape and townscape. Development which results in the loss or significant damage to valuable trees, important hedgerows or ancient woodland sites will not be permitted.

**Policy EC5** Within Special Landscape Areas, priority will be given to the conservation and enhancement of the landscape. Development, other than for agriculture, small-scale farm-based and other rural enterprises, and essential operational development by utility service providers, will be strictly controlled. Development will be required to conform to a high standard of design and landscaping, and special attention will be paid to minimising its visual impact both from nearby and distant viewpoints.

**Policy EC7** Within, and in close proximity to, conservation areas, the priority will be to preserve and/ or enhance those buildings, structures, streets, trees, open spaces, archeological remains, views, and other elements which contribute to the unique character of the area. New buildings and alterations or additions to existing buildings in conservation areas, whether listed as of special architectural or historic interest or not, must reflect the design and character of the area as a whole and the form, scale, detailing and materials of existing buildings.

**Policy EC8** The demolition of any building in a conservation area will not be permitted unless, in exceptional circumstances:-

- a) the building or structure is beyond reasonable repair; or
- b) demolition would be a positive benefit to the conservation area's enhancement; and
- c) planning permission has been granted and a legal agreement entered into for the erection of an appropriate replacement building reflecting the design and character of the conservation area.
- d) the material generated from the demolition of the building will, where appropriate, be used for the construction of the replacement building or structure.

**Policy EC9** Alterations or additions to, and development or redevelopment within the curtilage of, buildings or structures listed as of special architectural or historic interest must respect the setting and character of the listed buildings or structures.

**Policy EC11** Development which would adversely affect the site or setting of a Scheduled Ancient Monument or archeological site of national significance will not be permitted.

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Development that directly affects non-scheduled sites of archeological importance will only be permitted if an archeological investigation has been carried out to determine the nature, extent and significance of the remains, and this investigation indicates that in-situ preservation is not justified, and a programme of excavation and recording has been agreed. Development will also be carefully controlled to ensure that the setting of non-scheduled sites of archeological importance is not harmed where appropriate.

## Annex 3 - Significance Criteria

Table 3.1: Definition of Value of Heritage Assets

Very High	World Heritage Sites (including those nominated) Assets of acknowledged international importance <ul style="list-style-type: none"> <li>• Assets that can contribute significantly to acknowledged international research objectives.</li> </ul>
High	Scheduled Ancient Monuments (including those proposed) Undesignated monuments which could potentially be worthy of scheduling Listed Buildings - Grade I, II* and II Registered Historic Landscapes, Parks and Gardens <ul style="list-style-type: none"> <li>• Undesignated assets that can contribute significantly to acknowledged national research objectives.</li> </ul>
Medium	Conservation Areas <ul style="list-style-type: none"> <li>• Undesignated assets that contribute to regional research objectives.</li> </ul>
Low	Undesignated assets of local importance Assets compromised by poor preservation and/or poor survival of contextual associations <ul style="list-style-type: none"> <li>• Assets of limited value, but with the potential to contribute to local research objectives.</li> </ul>
Negligible	<ul style="list-style-type: none"> <li>• Assets with very little or no surviving cultural heritage interest.</li> </ul>
Unknown	<ul style="list-style-type: none"> <li>• Importance of the asset not ascertained.</li> </ul>

The assessment of the magnitude of effect considers the extent to which a heritage asset may be changed or affected by the proposed development through the introduction of new structures or the infrastructure. The thresholds for assessing magnitude of effect are set out in Table 3.2 which is derived from the DMRB Volume 11 Section 3 Part 2, Annex 5/13, 2007, although in a slightly form for each cultural heritage sub-topic (archaeology, buildings, etc) has its own set of determining factors, which are set out in detail in the DMRB.

Table 3.2: Definition of Magnitude of Effect

Major	<ul style="list-style-type: none"> <li>• Changes to most or all of the key cultural heritage elements such that the assets</li> </ul> <p>Comprehensive changes to setting</p> <ul style="list-style-type: none"> <li>• Extreme visual effects</li> </ul>
Moderate	<p>Changes to many key cultural heritage elements such that the asset is clearly modified</p> <p>Considerable changes to setting which affect the character of the asset</p> <ul style="list-style-type: none"> <li>• Visual changes to many key elements</li> </ul>
Minor	<p>Changes to key cultural heritage elements such that the asset is slightly altered or different</p> <p>Sight changes to setting</p> <ul style="list-style-type: none"> <li>• Slight visual changes to a few key elements</li> </ul>
Negligible	<p>Very minor changes to cultural heritage elements, or setting</p> <ul style="list-style-type: none"> <li>• Virtually unchanged visual effects</li> </ul>
No Change	<ul style="list-style-type: none"> <li>• No change</li> </ul>

A part of the EIA process is to extrapolate the degree of significance from the predictions of impact. No formal guidance from Welsh government currently exists for the assessment of significance of effects on heritage assets, but the DMRB does provide an alternative. The severity of the effect on heritage assets depends on both the magnitude of effect and the value or importance of the asset, as exemplified in the two tables above. Table 3.3 illustrates how information on the value of the asset and the magnitude of effect can be combined to arrive at an assessment of the significance of effect. This process ensures consistency in assessing the significance of effect, and serves as a check to ensure that judgements regarding value, magnitude and significance of effect are balanced. While the correlation of these two sets of criteria is a mechanical process, professional judgement provides the reasoned explanation of the rationale behind the conclusions that are drawn. For example, a highly valued heritage asset may require only a limited amount of change to result in an effect that is assessed as moderate or major, whereas a greater magnitude of change is likely to be required to result in equivalent effects on a less sensitive asset.



Table 3.3: Matrix for assessing significance of direct and indirect impacts on heritage assets

Magnitude of Effect	Value of Heritage Asset				
	Very High	High	Medium	Low	Negligible
Major	Very Large	Large/ Very Large	Moderate/ Large	Slight/ Moderate	Slight
Moderate	Large or Very Large	Moderate/ Large	Moderate	Slight	Neutral/ Slight
Minor	Moderate/ Large	Moderate/ Slight	Slight	Neutral/ Slight	Neutral
Negligible	Slight	Slight	Neutral/ Slight	Neutral/ Slight	Neutral
No change	Neutral	Neutral	Neutral	Neutral	Neutral

In the context of the EIA Regulations an impact judged to be moderate or greater is deemed to be 'significant'. Any effect which is considered significant under the EIA Regulations is flagged as such in the text of the main report.