

**DYFYNIAD ALLAN O ATODIAD 1 I GYLCHLYTHYR 60/96
“CYNLLUNIO A'R AMGYLCHEDD HANESYDDOL: ARCHAEOLEG”**

**POLISI LLYWODRAETH CYNULLIAD CYMRU AR YSTYRIED CEISIADAU AM
GYDSYNIAD HENEB GOFRESTREDIG**

“11. Prif ddiben cofrestru yn ôl Llywodraeth Cynulliad Cymru yw sicrhau bod henebion yn cael eu diogelu ac felly dylid ffafrio eu diogelu'n ffisegol tra'n ystyried ceisiadau am gydsyniad i wneud gwaith arnynt, h.y. peidio â ffafrio cynigion a fyddai'n ymwneud â newid henebion yn sylweddol neu beri niwed iddynt, neu a fyddai'n cael effaith arwyddocaol ar leoliad olion gweladwy. Felly, wrth ystyried ceisiadau am gydsyniad heneb gofrestredig, bydd y [Llywodraeth Cynulliad Cymru] yn disgwyl i'r ymgeiswyr ddangos (yn enwedig lle y bwriedir gosod piblinellau, ceblau neu garthffosydd tanddaearol) nad oes unrhyw lwybr neu leoliad ymarferol arall sy'n osgoi'r heneb yn bodoli, a bod yr angen i wneud y gwaith yn troi'r fantol yn erbyn y flaenoriaeth i ddiogelu heneb sydd o bwys cenedlaethol.

12. Pan fo adeilad wedi'i restru a'i gofrestru, mae adran 61 o Ddeddf Cynllunio (Adeiladau Rhestredig ac Ardaloedd Cadwraeth) 1990 yn darparu mai o dan ddarpariaethau Adran 2 o Ddeddf Henebion a Mannau Archaeolegol 1979 yn unig y dylid gwneud ceisiadau i ddymchwel, addasu neu ymestyn y strwythur, oherwydd rhoddir blaenoriaeth i'r ail ddeddfwriaeth. Wrth benderfynu ar gais i wneud gwaith ar adeilad o'r fath, bydd y [Llywodraeth Cynulliad Cymru] yn parhau i ystyried yr angen i archwilio defnyddiau eraill i'r adeilad pan gynigir ei ddymchwel, ac i gadw nodweddion pwysig pan gynigir ei addasu.”

**EXTRACT FROM ANNEX 1 OF CIRCULAR 60/96
“PLANNING AND THE HISTORIC ENVIRONMENT: ARCHAEOLOGY”**

**THE WELSH ASSEMBLY GOVERNMENT'S POLICY ON CONSIDERING
APPLICATIONS FOR SCHEDULED MONUMENT CONSENT**

“11. The Welsh Assembly Government regards the main purpose of scheduling as ensuring the preservation of ancient monuments thus there should be a presumption in favour of their physical preservation when considering applications for consent to undertake works to them, i.e. a presumption against proposals which would involve significant alteration or cause damage, or which would have a significant impact on the setting of visible remains. In considering applications for scheduled monument consent, therefore, the [Welsh Assembly Government] will expect applicants (particularly where underground pipelines, cables or sewers are intended to be laid), to demonstrate that no practicable alternative route or location, avoiding the monument, exists and that the need to undertake the works outweighs the presumption in favour of the retention of a monument of national importance.

12. Where a building is both listed and scheduled, section 61 of the Planning (Listed Buildings and Conservation Areas) Act 1990 provides that application to demolish, alter or extend the structure, need only be made under the provisions of Section 2 of the Ancient Monuments and Archaeological Areas Act 1979 since the latter legislation is deemed to take precedence. In determining an application for work to such a building, the [Welsh Assembly Government] will continue to have regard to the need to explore alternative uses, where demolition is proposed, and to retain important features where it is proposed to undertake alterations.”

