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Welsh Government

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Frances Murphy
Pembrokeshire County Council
Freemans Way
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Haverfordwest
Pembrokeshire
SA61 1TP

Eich cyfeirnod
Your reference

PE366

Ein cyfeirnod
Our reference

DH

Dyddiad
Date

13 September 2021

Llinell uniongyrchol
Direct line

0300 0256004

Ebost
Email:

scheduledmonuments@gov.wales

Dear Ms Murphy,

**ANCIENT MONUMENTS AND ARCHAEOLOGICAL AREAS ACT 1979
APPLICATION FOR SCHEDULED MONUMENT CONSENT
HAVERFORDWEST CASTLE (PE366)**

1. Introduction

1.1 Thank you for your application of 2 August 2021 to Cadw for scheduled monument consent to carry out an archaeological excavation at the above scheduled monument.

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 for:

(i) archaeological evaluation within 5 number 2m long x 1m wide by 400mm deep trenches along the route of a proposed perimeter walkway on the north east side of Haverfordwest Castle. NB – trench 5 lies partially within the scheduled area and over the line of a potential buried wall.

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 her 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 shall 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 Frances Murphy and dated 2nd August 2021		12/08/20221
2	Haverfordwest Castle Perimeter Walkway: Written Scheme of Investigation for Archaeological Evaluation		12/08/20221
3	Revised WSI		07/09/2021

- c) A digital copy of the draft archaeological report to ClfA published standards and guidance¹ shall be submitted to Cadw for approval within 8 weeks of the archaeological fieldwork being completed²;
- d) A digital copy of the approved final archaeological report shall be submitted to the regional Historic Environment Record and National Monuments Record of Wales to be incorporated into these public records³, and the applicant shall inform Cadw when this has been completed;
- e) That upon completion of the archaeological fieldwork the trenches will be reinstated;
- f) That upon completion of the project the applicant shall produce a completion report including an annotated photographic record detailing the site before, during the archaeological evaluation and after reinstatement works take place. The draft should be sent to Cadw in digital format for approval within 8 weeks of the works being completed. This report may be incorporated into the archaeological report; and
- g) Any historic or archaeological features not previously identified which are revealed when carrying out the works shall be retained in situ and reported to Cadw within two working days. Works shall be halted in the area/part of the site affected until provision has been made for retention and/or recording of the feature by a suitably qualified archaeologist in accordance with details submitted to and approved in writing in advance by Cadw.

5. Compliance

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

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.

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

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.

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

Yours sincerely,

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

ANCIENT MONUMENTS AND ARCHAEOLOGICAL AREAS ACT 1979
APPLICATION FOR SCHEDULED MONUMENT CONSENT
Haverfordwest Castle, PE366

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. Haverfordwest Castle

- 2.1 The monument consists of the remains of a castle, dating to the medieval period. It stands at the end of ridge falling steeply on all but the western side that overlooks the western Cleddau and tidal reaches at the lowest fordable location.

The castle was founded sometime between 1108 and 1124 by Tancred an immigrant Fleming as part of the encouraged settlement of the cantref of Rhos at this time and is first recorded when held by his son Richard Fitz Tancred in 1118, at the time of Gerald of Wales visit in the retinue of Archbishop Baldwin. At this stage the castle will have been a mostly earth and timber construction though with a masonry keep part of which still survives. Richard's heir Robert was removed from the castle in 1210 by King John who in 1215 granted it to William Marshall, Earl of Pembroke. An attack on Haverfordwest in 1220 by

Llywelyn the Great burnt the town but failed to breach the castle and it is likely by this time it had been rebuilt in stone. The castle passed to the de Bohun family in the mid thirteen century and in 1289 was exchanged with Queen Eleanor. In the short period before her death in 1290 the queen spent large sums on the castle and much of the existing masonry which is late 13th century in style can be ascribed to this building program. In the 14th century the castle was held by a series of owners including Edward the Black prince (from 1359 to 1367) and was repaired in the hands of the Crown in 1381-1385. It repulsed an attack during the Glyndwr rebellion in 1405. By the 16th century it was derelict but hastily refortified during the Civil War, lost to Parliamentary forces in 1644, later recaptured and held for a year before surrendered after the battle of Colby Moor, not far to the west in 1645 after the route of a Royalist army on the march. In 1648 it was ordered to be slighted.

The castle is divided into two wards, the inner ward has round towers on the north-west and south-west corners, while the south-east corner has a square tower with an additional projecting turret. The north east corner being defended by the rectangular keep which survives as footings incorporating some early arrow loops. The ward was entered to the west by a gatehouse in a location now occupied by an 18th century building dating to the later use of the castle as a prison. The remains of a spacious hall with large windows lie on the south side. Private apartments formed part of an east range where later conversion to a prison has blocked windows and seen much of the masonry refaced. The south west and south east towers have three storeys, the latter will have incorporated the chapel and at the base is a postern gate. The northwest tower preserves a wall walk carried on a row of corbels on its east side, much of the exterior masonry was refaced in the later conversion. The interior of the outer ward provided a site for a new prison in 1820 and has seen redevelopment to modern times. Little remains of the medieval defences though the curtain wall survives in a much rebuilt form along most of the north side with one small semi-circular turret and one square tower further east. The outer gatehouse of which no trace remains is likely to have been on the west; removal of both outer and inner gatehouses may have begun as a result of the Civil War slighting, completed by the stone robbing and development of later centuries.

The monument is of national importance for its potential to enhance our knowledge of medieval defensive and domestic practices. The monument is well-preserved and an important relic of the medieval landscape. It retains significant archaeological potential, with a strong probability of the presence of both structural evidence and intact associated deposits.

The scheduled area comprises the remains described and areas around them within which related evidence may be expected to survive.

This application includes works located on the slope below the standing curtain wall and within the area of the former northern defensive ditch of the castle. Evidential values within this location include potential buried remains associated with the buried ditch, enhancement of the natural defensive slope, earlier occupation, construction activity, conflict and later occupation.

The grass covered area is the only section of open ground beneath the curtain walls: other sections have been built over with roads, post medieval walls or buildings. Aesthetic values include views of/from the castle, its defences and setting.

3. The Application

- 3.1 This application for scheduled monument consent involves (i) archaeological evaluation within 5 number 2m long x 1m wide by 400mm deep trenches along the route of a proposed perimeter walkway on the north east side of Haverfordwest Castle. NB – trench 5 lies partially within the scheduled area and over the line of a potential buried wall.

4. Assessment

- 4.1 The archaeological evaluation will be undertaken according to ClfA standards and guidance. According to the written scheme of investigation submitted to Cadw the trenches are to be hand excavated “to the upper most level of significant archaeological deposits or underlying natural substrata (whichever is reached first)”. As such, the investigation will result in disturbance of the ground surface, topsoil and other non-archaeological deposits within the excavation trenches. Significant archaeological deposits will not be affected.

Aesthetic values will be temporarily affected by the archaeological evaluation. Unimpeded views will be restored following reinstatement of the trenches.

Knowledge gained as a result of the work will inform interpretation of the monument, future management and development of access arrangements.

5. Recommendation

- 5.1 I recommend approval of scheduled monument consent according to the following 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 Frances Murphy and dated 2nd August 2021		12/08/20221
2	Haverfordwest Castle Perimeter Walkway: Written Scheme of Investigation for Archaeological Evaluation		12/08/20221
3	Revised WSI		07/09/2021

- 6.3 A digital copy of the draft archaeological report to ClfA published standards and guidance⁴ shall be submitted to Cadw for approval within 8 weeks of the archaeological fieldwork being completed⁵.
- 6.4 A digital copy of the approved final archaeological 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.
- 6.5 That upon completion of the archaeological fieldwork the trenches will be reinstated.
- 6.15 That upon completion of the project the applicant will produce a completion report including an annotated photographic record detailing the site before, during the archaeological evaluation and after reinstatement works take place. The draft should be sent to Cadw in digital format for approval within 8 weeks of the works being completed. This report may be incorporated into the archaeological report.
- 6.16 Any historic or archaeological features not previously identified which are revealed when carrying out the works shall be retained *in situ* and reported to Cadw within two working days. Works shall be halted in the area/part of the site affected until provision has been made for retention and/or recording of the feature by a suitably qualified archaeologist in accordance with details submitted to and approved in writing in advance by Cadw.

Name of Inspector: Louise Mees

Date: 08/09/2021

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

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: Haverfordwest Castle****Monument Number: PE366**

Conditions	Date	Signature
Completion of works on site		
A digital copy of the draft archaeological report to ClfA published standards and guidance shall be submitted to Cadw for approval within 8 weeks of the archaeological fieldwork being completed.		
A digital copy of the approved final archaeological report shall be submitted to the regional Historic Environment Record and National Monuments Record of Wales to be incorporated into these public records. The applicant shall inform Cadw when this has been completed.		
That upon completion of the archaeological fieldwork the trenches will be reinstated.		
That upon completion of the project the applicant will produce a completion report including an annotated photographic record detailing the site before, during the archaeological evaluation and after reinstatement works take place. The draft should be sent to Cadw in digital format for approval within 8 weeks of the works being completed. This report may be incorporated into the archaeological report.		

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