

Mr Kenneth Murphy
Dyfed Archaeological Trust

By email

Eich cyfeirnod
Your reference

Ein cyfeirnod
Our reference

Dyddiad
Date

Llinell uniongyrchol
Direct line

Ebost
Email:

CD007

22 August 2023

0300 0256004

scheduledmonuments@gov.wales

Dear Mr Murphy,

**ANCIENT MONUMENTS AND ARCHAEOLOGICAL AREAS ACT 1979
APPLICATION FOR SCHEDULED MONUMENT CONSENT
PEN DINAS CAMP (CD007)**

1. Introduction

1.1 Thank you for your application of 11 July 2023 to Cadw for scheduled monument consent for 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.

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) a house platform located close to the south entrance, and (ii) a trench across the east terrace where Forde's 1939 location is still visible. 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 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 Kenneth Murphy and dated 11/07/2023		11/07/2023
2	Supplementary form for research excavations		11/07/2023

- c) Cadw shall be invited to attend a site meeting within the first 5 days of commencement of the project to review the programme, submitted method statement and arrangements that have been established for archaeological

recording and reinstatement works, and agree the exact locations of trenches. At this meeting the frequency of future monitoring meetings shall be agreed;

- d) That the applicant arranges a meeting with Cadw's representative, Louise Mees (03000 256077), prior to backfilling, to inspect the trench to fully understand the limitations of any information gained;
- e) No works, including site clearance, shall commence until a Written Scheme of investigation according to ClfA published standards and guidance¹ has been submitted to, and approved in writing by, Cadw. No work shall commence until Cadw has confirmed in writing that the proposed archaeological works are acceptable;
- f) That the scheduled area shall be left in a stable and tidy condition upon completion of work, to the satisfaction of Cadw and the landowner;
- g) That within 6 months of completion of the That within 6 months of completion of the archaeological excavation, a digital copy of the draft archaeological excavation report shall be submitted by email to Louise Mees, Cadw (Email: louise.mees@gov.wales), for approval. The report must detail and illustrate the works undertaken, the findings, and the preliminary stratigraphic narrative, and set this in the context of previous knowledge about the monument. The report must also contain labelled photographs of the site prior, during and after the excavations, together with details of the site archive established, including digital, paper and artefactual archives; and
- h) That within one month of the draft archaeological excavation report having been approved by Cadw the applicant will deposit a final version of the report, incorporating any comments/editorial amendments to:
 - Cadw (denise.harris@gov.wales)
 - The regional Historic Environment Record held by Dyfed Archaeological Trust f.sage@dyfedarchaeology.org.uk
 - the National Monument Record Wales held by the Royal Commission on the Ancient and Historical Monuments of Wales (Email: Gareth.Edwards@rcahmw.gov.uk)

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.

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.

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

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 Arts, Sport and Tourism, one of the Welsh Ministers

**ANCIENT MONUMENTS AND ARCHAEOLOGICAL AREAS ACT 1979
APPLICATION FOR SCHEDULED MONUMENT CONSENT
PEN DINAS CAMP (CD007)
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. Pen Dinas Camp

- 2.1 The monument comprises the remains of a hillfort, which probably dates to the Iron Age period (c. 800 BC - AD 74, the Roman conquest of Wales). Hillforts are usually located on hilltops and surrounded by a single or multiple earthworks of massive proportions. Hillforts must have formed symbols of power within the landscape, while their function may have had as much to do with ostentation and display as defence. Pen Dinas, the largest Iron Age hillfort in Ceredigion, occupies a very strong position above the coastal confluence of the Rheidol and the Ystwyth. It has steep slopes on its western and southern sides, but is more easily approached on the east and north-east. The hill has two summits, a lower, broader summit to the north, and a higher, narrower summit to the south. These are linked by a saddle of lower ground known as the isthmus. Limited excavations in the 1930s established four main phases of development. The fort

started life as a simple defended site on the north summit, enclosed by a rampart of packed rubble and an outer ditch (Phase I). Some years later, perhaps around 400-300 BC, a new fort was built on the higher summit to the south with elaborate gates and a substantial stone-walled rampart with an outer ditch (Phase II). Later again, the now-dilapidated south fort was re-occupied with new defences built and old ones extensively repaired (Phase III). Finally, additional ramparts were constructed across the isthmus linking both summits (Phase IV), together with a very impressive new main gate. The sites of about a dozen prehistoric round houses can still be seen in the area of the south fort, particularly clear in the southern half. The prominent Wellington Monument was added to the summit in the 19th century.

The scheduled monument is of national importance for its potential to enhance our knowledge of later prehistoric defensive organisation and settlement. The site forms an important element within the wider later prehistoric context and within the surrounding landscape. The site is well preserved and retains considerable archaeological potential (evidential value). There is a strong probability of the presence of evidence relating to chronology, building techniques and functional detail.

At the time of the most recent Cadw MaR monitoring visit (25th March 2019) the MaR level was recorded as 'medium'.

Visit text (relating to the southern fort, subject to this application for SMC: *There is still an ongoing issue with vegetation on the southern fort. It is open ground currently un-grazed. The summit is mostly open rough grass mowed in places with areas of gorse and broom particularly in the ditches and on the steeper western slope. The western flank of the hill is a steep slope covered with thick gorse with a single encircling rampart now in use as a footpath. On the eastern side the ramparts which are covered with scrub growth and dense areas of bracken and self-seeded thorn trees. The main terrace between the ramparts has been cleared and mown. There is a programme of works planned to manage the vegetation focussing initially on the areas of main public access. Some of the footpaths onto and across the site are causing erosion. There is a programme of works to repair this.*

There is a large badger sett on the east edge of the eastern side.

The site is in the ownership of the Local Authority and is designated as a Local Nature Reserve. It is freely accessible at all times and is reached by public footpaths from the north from the A487 in Trefechan, from the south, from the east from Parc Dinas, and from the west by paths from Tanybwllch which join up with the path from Parc Dinas. The PROW skirts around the western side of the summit and a desire line path has developed N-S across the summit of the monument. In addition a network of small paths have developed across the site. Wide public access has resulted in a significant number of dog walkers on the site with attendant dog mess. As a result of loose dogs the grazier no longer exercises grazing rights.

The eastern strip of the scheduled area falls within the adjacent pasture field and is under grazing with no noticeable issues.

The primary threat to the monument is vegetation growth, and minimal management of this, which potentially results in root damage to buried archaeological features and deposits, obscures archaeological features, encourages burrowing animals to disturb the ground surface and provides fuel for arson. The secondary threat is visitor erosion causing damage to the ground surface within the scheduled area. A previous arson attack caused severe burning of vegetation and potentially damaged buried archaeological features / deposits. Unauthorised metal detecting has also been reported at the site.

Aesthetic and communal value: Pen Dinas is a superb hillfort and an iconic feature of the Aberystwyth skyline. Though popular with tourists and local visitors it is an under-appreciated and under-used asset. The proposed excavation is part of a wider project to promote and understand this monument.

Excavations in the 1930s undertaken by C Daryll Forde et al revealed substantial and elaborate archaeological remains demonstrating multiphase activity.

In September 2021 DAT excavated part of the south entrance to the south fort and a small area inside the fort. This work showed that excavations in 1939 undertaken by Daryl Forde's team were more destructive than reported by Forde. Therefore, the excavations focussed on the internal area and investigated two rock-cut platforms. DAT also undertook a geophysical survey of the north fort during the 2021 season.

In March-April 2023 DAT excavated four trenches in and around the north gate to the south fort, alongside and in places overlapping Forde's 1930's trenches. Information was obtained on the character of the defences and samples were obtained for scientific dating and other analyses. Geophysical survey was carried out on the 'terrace' on the east side of the fort; results were largely poor, except for a possible anomaly towards the north end of the terrace.

Reports have been submitted to Cadw.

DAT propose to undertake further excavation during Autumn 2023.

3. The Application

- 3.1 This application for scheduled monument consent involves excavation of (i) a house platform located close to the south entrance, and (ii) a trench across the east terrace where Forde's 1939 location is still visible.

4. Assessment

- 4.1 The applicant has submitted documentation, including research objectives, trench plan, excavation strategies, reinstatement proposals and post excavation arrangements to support their application.

According to Cadw's Conservation Principles (Welsh Government 2011) archaeological intervention into an historic asset, which involves the material loss of evidence, would normally be acceptable only if:

- a) *preservation in situ is not reasonably practicable; or*
- b) *it is demonstrated that any potential increase in knowledge*
 - *cannot be achieved using non-destructive techniques; and*
 - *is unlikely to be achieved at another place whose destruction is inevitable; and*
 - *is predicted decisively to outweigh the loss of the primary resource; or*
- c) *it is required to evaluate the potential harm of a development proposal.*

If acceptable, an archaeological intervention demands:

- d) *a skilled team, with the resources to implement a project design based on explicit research objectives;*
- e) *the production of an authoritative record;*
- f) *funding arrangements for the subsequent conservation and public deposit of the site archive, and for appropriate analysis and dissemination of the results within a set timetable;*
- g) *a strategy to ensure that other elements and values of the place are not prejudiced by the work, whether at the time or subsequently, including the conservation of any elements to be left exposed.*

Archaeological excavation is invasive and destructive. In this case the extent of the proposed excavation is restricted to the previously disturbed excavation trench. Sections and sondages will cause damage to undisturbed nationally important archaeological remains (evidential value). This will result in archaeological sterilisation of these features and is essentially contrary to the primary purpose of scheduling: preservation in situ. This limited and localised damage will be outweighed by improving our understanding of the monument.

The ground disturbance will cause a negative impact to the appearance of the monument (aesthetic value). This impact will be temporary and cease when the area is reinstated.

Pen Dinas Camp is under threat from lack of vegetation control, burrowing, arson, metal detecting and footpath erosion. The monument is owned by the local authority, who has consulted Cadw regarding footpath management and vegetation control. It is vital to improve our understanding of the monument to inform management decisions, provide interpretation material and encourage well-managed access to the monument, which will deter anti-social behaviour. The project will inform management decisions and increase the public's awareness and thus enjoyment of the scheduled monument (communal value).

The applicant has a proven record for excavation at the required standard, reinstatement of trenches, and the provision of appropriate records. Therefore, justification for the intervention is acceptable and robust.

5. Recommendation

5.1 I recommend that consent is granted subject 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 Kenneth Murphy and dated 11/07/2023		11/07/2023
2	Supplementary form for research excavations		11/07/2023

6.3 Cadw shall be invited to attend a site meeting within the first 5 days of commencement of the project to review the programme, submitted method statement and arrangements that have been established for archaeological recording and reinstatement works, and agree the exact locations of trenches. At this meeting the frequency of future monitoring meetings will be agreed.

6.4 That the applicant arranges a meeting with Cadw's representative, Louise Mees (03000 256077), prior to backfilling, to inspect the trench to fully understand the limitations of any information gained.

6.5 No works, including site clearance, shall commence until a Written Scheme of investigation according to ClfA published standards and guidance² has been submitted to, and approved in writing by, Cadw. No work shall commence until Cadw has confirmed in writing that the proposed archaeological works are acceptable.

6.6 That the scheduled area shall be left in a stable and tidy condition upon completion of work, to the satisfaction of Cadw and the landowner.

6.7 That within 6 months of completion of the archaeological excavation, a digital copy of the draft archaeological excavation report shall be submitted by email to Louise Mees, Cadw (Email: louise.mees@gov.wales), for approval. The report must detail and illustrate the works undertaken, the findings, and the preliminary stratigraphic narrative, and set this in the context of previous

² Chartered Institute for Archaeologists <https://www.archaeologists.net/codes/cifa> .

knowledge about the monument. The report must also contain labelled photographs of the site prior, during and after the excavations, together with details of the site archive established, including digital, paper and artefactual archives.

6.8 That within one month of the draft archaeological excavation report having been approved by Cadw the applicant will deposit a final version of the report, incorporating any comments/editorial amendments to:

- Cadw (denise.harris@gov.wales)
- The regional Historic Environment Record held by Dyfed Archaeological Trust f.sage@dyfedarchaeology.org.uk
- the National Monument Record Wales held by the Royal Commission on the Ancient and Historical Monuments of Wales (Email: Gareth.Edwards@rcahmw.gov.uk)

Name of Inspector: Louise Mees

Date: 09/08/2023

COMPLETION NOTICE**Name of Monument: Pen Dinas Camp****Monument Number: CD007**

Conditions	Date	Signature
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.		
Cadw shall be invited to attend a site meeting within the first 5 days of commencement of the project to review the programme, submitted method statement and arrangements that have been established for archaeological recording and reinstatement works, and agree the exact locations of trenches. At this meeting the frequency of future monitoring meetings will be agreed		
That the applicant arranges a meeting with Cadw's representative, Louise Mees (03000 256077), prior to backfilling, to inspect the trench to fully understand the limitations of any information gained.		
No works, including site clearance, shall commence until a Written Scheme of investigation according to ClfA published standards and guidance has been submitted to, and approved in writing by, Cadw. No work shall commence until Cadw has confirmed in writing that the proposed archaeological works are acceptable.		
Completion of works on site		
That within 6 months of completion of the archaeological excavation, a digital copy of the draft archaeological excavation report shall be submitted by email to Louise Mees, Cadw (Email: louise.mees@gov.wales), for approval.		

<p>That within one month of the draft archaeological excavation report having been approved by Cadw the applicant will deposit a final version of the report, incorporating any comments/editorial amendments to:</p> <ul style="list-style-type: none">• Cadw (denise.harris@gov.wales)• The regional Historic Environment Record held by Dyfed Archaeological Trust f.sage@dyfedarchaeology.org.uk• the National Monument Record Wales held by the Royal Commission on the Ancient and Historical Monuments of Wales (Email: Gareth.Edwards@rcahmw.gov.uk)		
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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