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Owen Stephens
Ceredigion County Council

By email
owen.stephens@ceredigion.gov.uk

Eich cyfeirnod
Your reference

Ein cyfeirnod
Our reference

Dyddiad
Date

Linell uniongyrchol
Direct line

Ebost
Email:

CD008 – SMC24-042

7 November 2024

0300 0256004

scheduledmonuments@gov.wales

Dear Owen Stephens,

**HISTORIC ENVIRONMENT (WALES) ACT 2023
APPLICATION FOR SCHEDULED MONUMENT CONSENT
ABERYSTWYTH CASTLE (CD008)**

1. Introduction

- 1.1 Thank you for your application of 27 August 2024 to Cadw for scheduled monument consent for dismantling of the existing modern timber bridges, investigation works to inform the final design, taking down and rebuilding of masonry using lime mortar, renewal of concrete foundations and installation of new timber bridges 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 monuments of national importance 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) dismantling of the existing modern timber bridges, (ii) investigation works to inform the final design, (iii) taking down and rebuilding of masonry using lime



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mortar, renewal of concrete foundations and installation of new timber bridges. 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 Well-being of Future Generations (Wales) Act 2015. 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. Conditions

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

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

Number	Document / plan	Reference Number (if applicable)	Date



1	SMC application form signed by Rhys Meilyr Thomas and dated 27/08/2024	27/08/2024
2	130971 Aberystwyth Castle Footbridges HIA v 2.pdf	27/08/2024
3	Aberystwyth Castle Footbridge As Built Drawings.pdf	27/08/2024
4	12585_GA_03_western footbridge design.pdf	27/08/2024
5	12585_GA_04_eastern footbridge design.pdf	27/08/2024
6	Aberystwyth Castle Footbridges Site Photographs.pdf	27/08/2024
7	Location Plan - Aberystwyth Castle Footbridges.pdf	27/08/2024
8	Email confirmation of lattice design to supersede uprights on palisades.	21/10/2024

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

d) The Method Statement shall provide for:

	INFORMATION REQUIRED	Date when information required
1	Installation of site compound and site set up, including ingress and egress of materials and arrangements for vehicle movement to minimise ground disturbance.	Before work commences.
2	Erection and removal of access scaffolding.	Before work commences.
3	Removal of vegetation and dismantling.	Before work commences.
4	Structural survey and investigations to inform nature and extent of conservation and new works.	Before work commences.
5	Arrangements for secure storage of loose masonry.	Before work commences.
6	Report on structural survey and investigations.	Before final construction design is submitted.
7	Final construction design and materials, including details for foundations on abutments, extent of stone replacement repointing and any other works identified by investigation.	Before construction work commences.



8	Construction and conservation work.	Before construction and conservation works commence.
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- e) No works, including site clearance, shall commence until Cadw has been informed in writing of the name of an appropriately qualified practitioner operating to ClfA published standards and guidance¹ who is to be present to undertake archaeological and building monitoring and recording for any works or operation occurring within the scheduled area and in accordance with the written scheme of investigation which has been submitted to, and approved in writing by, Cadw. No work shall commence until Cadw has confirmed in writing that the proposed practitioner is acceptable;
- f) A digital draft shall copy of the archaeological and building monitoring and recording report shall be submitted to Cadw for approval within 8 weeks of the archaeological fieldwork being completed²;
- g) A digital copy the approved archaeological and building monitoring and recording 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;
- h) Cadw shall be invited to attend a site meeting within the first 5 working days of commencement of the project to review the programme, submitted method statement and arrangements that have been established for archaeological mitigation/building recording;
- i) That upon completion of the project the applicant will produce a completion report including:
 - An annotated photographic record detailing the relevant areas of the site before, during and after works took place.
 - Final versions of plans and elevations as built.
 - A brief written account of the work undertaken including mortar mix used, any significant issues identified during the works, alterations to the consented works and the rationale behind such decisions.
 - The draft should be sent to Cadw in digital format for approval within 25 working days of the works being completed.
- j) That Cadw's Inspector is to approve a trial panel of mortar mix and pointing style before repointing is undertaken; and
- k) Any historic or archaeological features not previously identified which are revealed when carrying out the works shall be retained in situ and reported to

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.



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. Next Steps

6. Compliance

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

6.2 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 30(2)(b) of the 2023 Act provides that non-compliance with a condition attached to a grant of scheduled monument consent shall be an offence.

6.3 By virtue of Section 19(2) of the 2023 Act, if no works to which this consent relates are 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).

6.4 This letter does not convey any approval or consent required under any enactment, bylaw, order or regulation other than Section 13 of the 2023 Act. It is the responsibility of the applicant to obtain any such approval or consent where necessary.

7. Mechanism for Challenge

7.1 Sections 72 and 73 of the 2023 Act explain 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 day after 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.

7.2 The 'relevant requirements' mentioned above are defined in Section 73(5) of the 2023 Act and it is advisable to seek legal advice before taking any action.

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

Commented [SW1]: Bill - could you check please?

Commented [BZ2R1]: Correct

Commented [SW3]: Bill - could you check please?

Commented [BZ4R3]: The 2023 Act has dropped executed and simply requires that the works be started. I would suggest that we stick close to the wording of the Act

Commented [SW5]: Bill - could you check please?

Commented [BZ6R5]: I think this should only cite section 13. Section 11 only requires authorisation and does not confer it. Why are we citing the Act title in full here? I should think it can just be the 2023 Act.

Commented [SW7]: Bill - could you check please?

Commented [BZ8R7]: I think that we need to reference both 72 and 73, since 72 establishes that the procedure applies to application for SMC.

Commented [BZ9]: I think that we need to insert this to conform with 73(3); the measurement of the period has altered from section 55.

Commented [SW10]: Bill - could you check please?

Commented [BZ11R10]: This is correct.



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

Yours sincerely,

Denise Harris
Historic Environment Branch
under authority of Jack Sargeant MS – Minister for Culture, Skills and Social Partnership



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**ANCIENT MONUMENTS AND ARCHAEOLOGICAL AREAS ACT 1979
APPLICATION FOR SCHEDULED MONUMENT CONSENT
Aberystwyth Castle, CD008**

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. Aberystwyth Castle

- 2.1 The following provides a general description of the Scheduled Ancient Monument.

The monument consists of the remains of a castle, dating to the medieval period. A castle is a defended residence or stronghold, built mainly of stone, in which the principal or sole defence comprises the walls and towers bounding the site. Some form of keep may have stood within the enclosure but these were not significant in defensive terms and served mainly to provide accommodation. Aberystwyth Castle is a concentric-walled lozenge-plan castle measuring c.80m north-south by c.45m wide, built of coursed rubble masonry. It has a dry moat to the west and round towers to the inner and outer wards.



There is an inner gate tower to the west with an outer gate beyond. The twin apsidal tower gateway has a pointed entrance, portcullis chase, crenellated parapet and splayed stair turret. There is a dungeon to the southwest and a mural tower on the south side of the inner ward. Work on Aberystwyth Castle commenced in 1277 under Edward I; it was taken by the Welsh in 1282 while still unfinished and was completed (by the English) in 1289. By 1636 the castle was largely ruinous and in 1637 a Royal Mint was established by Thomas Bushell in the castle hall. Around 1790 the ground in front of the castle was laid out in a series of walks by John Probert; this area is now partly covered by St. Michael's Church. The castle remains have been much restored and now form part of a public park.

The monument is of national importance for its potential to enhance our knowledge of medieval defensive 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.

- 2.2 The most recent Cadw FMW routine visit to the monument was undertaken in February 2022, at which time the Monument at Risk level was recorded as Medium. It was noted that historic masonry was loose and stone fragments were stored in metal cages.
- 2.3 This application for SMC relates to the replacement of two modern bridges carrying footpaths over the dry moat on the western part of the monument.
- 2.4 Both bridges are in a poor condition with access restricted to the public and engineers due to H&S concerns.
- 2.5 The modern single span timber bridges are built on modern foundations laid on historic masonry, which replaced bridges installed prior to 1910.
- 2.6 The heritage values of Aberystwyth Castle, and specifically the two bridges, are summarised below:

Evidential Value:

Medieval castle including earthworks, masonry structures and high potential for buried remains. 17th century buildings including Royal Mint. Restored by the Victorians, including installation of early-20th century bridges built over dry moat.

Historic Value:

Built by the English King Edward I during his campaign against the Welsh in 1277.

Aesthetic Value:

The prominent structure provides a tangible link to the medieval development of the town and movement of the castle from the earlier Gilbert de Clare ringwork at Rhyd y Felin.



Communal Value:

Aberystwyth Castle is owned by Ceredigion County Council and lies in a prominent location above the coastal edge and promenade. The castle is popular with visitors and publicly accessible to pedestrians, though access to the bridges is currently prohibited due to H&S reasons.

3. The Application

- 3.1 This application for scheduled monument consent involves (i) dismantling of the existing modern timber bridges, (ii) investigation works to inform the final design, (iii) taking down and rebuilding of masonry using lime mortar, renewal of concrete foundations and installation of new timber bridges.

4. Assessment

- 4.1 The applicant proposes to dismantle the existing modern timber bridges and replace them with bridges of a similar design based on the c1910 design with lattice parapets, to reinstate access. The applicant has provided documents to support their application including plans, drawings, a Heritage Impact Assessment, and photographs as existing.
- 4.2 According to Cadw's Conservation Principles the proposed work constitutes periodic renewal. The work is justified due to the failure of modern fabric.
- 4.3 Restricted access has prevented detailed assessment of the existing structures and their foundations. Therefore, structural investigations are proposed following dismantling to inform the final designs. Dismantling and structural investigations have potential to impact on medieval fabric underlying the modern structure. Such impacts can be avoided by attaching conditions to the scheduled monument consent for the provision of method statements to be submitted to and approved by Cadw in advance of work being carried out.
- 4.4 The applicant has submitted detailed designs for both bridges, including confirmation that the palisades will follow the c1910 trellis design. However, the final designs can only be confirmed following structural survey. Conditions can be attached to the scheduled monument consent to ensure the final designs, including required conservation works, and method statements comply with Cadw's Conservation Principles.
- 4.5 Dismantling and construction works have potential to impact on standing and buried remains at Aberystwyth Castle. Such impacts are likely to be minor due to the bridge works undertaken during the Victorian period and later 20th century. Any potential impacts can be prevented by attaching a condition for archaeological and building monitoring and recording.
- 4.6 Overall, the proposed works will remove dilapidated structures and replace them with structures in keeping with previous designs. If undertaken according to the documentation submitted, required additional information as conditioned to be approved by Cadw, and under a watching brief, the works will remove



H&S hazards, improve the appearance and condition of the monument and reinstate access, thus improving evidential, aesthetic and communal values.

5. Recommendation

5.1 I recommend that scheduled monument 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 Rhys Meilyr Thomas and dated 27/08/2024		27/08/2024
2	130971 Aberystwyth Castle Footbridges HIA v 2.pdf		27/08/2024
3	Aberystwyth Castle Footbridge As Built Drawings.pdf		27/08/2024
4	12585_GA_03_western footbridge design.pdf		27/08/2024
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6	Aberystwyth Castle Footbridges Site Photographs.pdf		27/08/2024
7	Location Plan - Aberystwyth Castle Footbridges.pdf		27/08/2024
8	Email confirmation of lattice design to supersede uprights on palisades.		21/10/2024

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



6.4 The Method Statement shall provide for:

	INFORMATION REQUIRED	Date when information required
1	Installation of site compound and site set up, including ingress and egress of materials and arrangements for vehicle movement to minimise ground disturbance.	Before work commences.
2	Erection and removal of access scaffolding.	Before work commences.
3	Removal of vegetation and dismantling.	Before work commences.
4	Structural survey and investigations to inform nature and extent of conservation and new works.	Before work commences.
5	Arrangements for secure storage of loose masonry.	Before work commences.
6	Report on structural survey and investigations.	Before final construction design is submitted.
7	Final construction design and materials, including details for foundations on abutments, extent of stone replacement repointing and any other works identified by investigation.	Before construction work commences.
8	Construction and conservation work.	Before construction and conservation works commence.

6.5 No works, including site clearance, shall commence until Cadw has been informed in writing of the name of an appropriately qualified practitioner operating to ClfA published standards and guidance⁴ who is to be present to undertake archaeological and building monitoring and recording for any works or operation occurring within the scheduled area and in accordance with the written scheme of investigation which has been submitted to, and approved in writing by, Cadw. No work shall commence until Cadw has confirmed in writing that the proposed practitioner is acceptable.

6.6 A digital draft copy of the archaeological and building monitoring and recording report shall be submitted to Cadw for approval within 8 weeks of the archaeological fieldwork being completed⁵.

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.



- 6.7 A digital copy of the approved archaeological and building monitoring and recording 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.
- 6.8 Cadw shall be invited to attend a site meeting within the first 5 working days of commencement of the project to review the programme, submitted method statement and arrangements that have been established for archaeological mitigation/building recording.
- 6.9 That upon completion of the project the applicant will produce a completion report including:
- An annotated photographic record detailing the relevant areas of the site before, during and after works took place.
 - Final versions of plans and elevations as built.
 - A brief written account of the work undertaken including mortar mix used, any significant issues identified during the works, alterations to the consented works and the rationale behind such decisions.
 - The draft should be sent to Cadw in digital format for approval within 25 working days of the works being completed.
- 6.10 That Cadw's Inspector is to approve a trial panel of mortar mix and pointing style before repointing is undertaken.
- 6.11 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: 28/10/2024

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

COMPLETION NOTICE**Name of Monument: Aberystwyth Castle****Monument Number: CM008**

Conditions	Date	Signature
Commencement of works		
The approved works shall be carried out strictly in accordance with the application form, plans and documents as listed		
The approved works shall be carried out strictly in accordance with a 'Method Statement' to be submitted in advance and formally approved in writing by Cadw before work commences.		
No works, including site clearance, shall commence until Cadw has been informed in writing of the name of an appropriately qualified practitioner operating to ClfA published standards and guidance		
A digital draft shall copy of the archaeological and building monitoring and recording report shall be submitted to Cadw for approval within 8 weeks of the archaeological fieldwork being completed		
A digital copy the approved archaeological and building monitoring and recording report shall be submitted to the regional HER NMR of Wales to be incorporated into these public records , the applicant shall inform Cadw when this has been completed;		
Cadw shall be invited to attend a site meeting within the first 5 working days of commencement of the project		
That upon completion of the project the applicant will produce a completion report		



That Cadw's Inspector is to approve a trial panel of mortar mix and pointing style before repointing is undertaken		
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		

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



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