



Llywodraeth Cymru  
Welsh Government

Welsh Government  
Ty'r Afon,  
Heol Bedwas/ Bedwas Road  
Caerffili/ Caerphilly  
CF83 8WT  
0300 025 6000  
[cadw@gov.wales/cadw@llyw.cymru](mailto:cadw@gov.wales/cadw@llyw.cymru)  
[www.cadw.gov.wales](http://www.cadw.gov.wales)

Dr Ruth Mayes  
Bryncastell  
Llangadog  
SA19 9BS

Eich cyfeirnod  
Your reference

CM099

Ein cyfeirnod  
Our reference

DH

Dyddiad  
Date

30 June 2021

Llinell uniongyrchol  
Direct line

0300 0256004

Ebost  
Email:

[scheduledmonuments@gov.wales](mailto:scheduledmonuments@gov.wales)

Dear Dr Mayes,

**ANCIENT MONUMENTS AND ARCHAEOLOGICAL AREAS ACT 1979  
APPLICATION FOR SCHEDULED MONUMENT CONSENT  
CASTELL MEURIG (CM099)**

**1. Introduction**

1.1 Thank you for your application of 7 June 2021 to Cadw for scheduled monument consent to formalise drainage and track creation work already undertaken and to complete these works 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

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



scheduled monument consent should be approved for formalising works already undertaken without consent and completion of these works: (i) drainage works and soakaway, (ii) track, (iii) removal of spoil tips and (iv) making good the ground surface within the scheduled area. 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 Ruth Mayes and		18/06/2021

	dated 7 <sup>th</sup> June 2021		
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- c) No works, including site clearance, shall commence until Cadw has been informed in writing, of the name of an appropriately qualified archaeologist operating to ClfA published standards and guidance<sup>1</sup> who will carry out an appropriate programme of archaeological mitigation works on the area subject to the unauthorised works, i.e. survey areas of disturbance and record exposed sections, and watching brief during completion works, in accordance with a 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 archaeologist and archaeological works are acceptable;
- d) A digital copy of the draft archaeological report shall be submitted to Cadw for approval within 8 weeks of the archaeological fieldwork being completed<sup>2</sup>;
- e) A digital copy of the approved archaeological report shall be submitted to the regional Historic Environment Record and National Monuments Record of Wales to be incorporated into these public records<sup>3</sup>;
- f) Cadw shall be invited to attend a site meeting on the first day of commencement of the project to review the programme, submitted method statement and arrangements that have been established for archaeological mitigation; 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](mailto: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.

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).

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

<sup>2</sup> Cadw will retain a copy of the archaeological report for our records.

<sup>3</sup> Cadw requires formal confirmation of report deposit to discharge this condition.

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  
CASTELL MEURIG (CM099)**

**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. Castell Meurig, CM099**

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

The monument comprises the remains of a motte and bailey castle, a military stronghold built during the medieval period. A motte and bailey castle comprises a large conical or pyramidal mound of soil or stone (the motte) surrounded by, or adjacent to, one or more embanked enclosures (the bailey). Both may be surrounded by wet or dry ditches and could be further strengthened with palisades, revetments, and/or a tower on top of the motte. Castell Meurig is located upon a natural mound within the broad valley of the River Tywi at the entrance to the side valley of the Afon Sawdde to the south east. It comprises a motte 10m high and 15m in diameter across the top surrounded by a ditch 2m deep. The bailey is sub-rectangular, c. 170m long, 100m wide and lies to the south of the motte. It is surrounded by a single bank

2-2.3m high externally, up to 1m high internally, with traces of the ditch surviving on the west and east long sides. The castle is mentioned in the Pipe Rolls for 1160 and is recorded as destroyed in 1209.

The motte is well defined. The current tree cover shades the ground surface sufficiently to prevent the development of brambles / scrub but allows enough light to sustain low ground cover. It has not been grazed since 2018. The bailey, extending to the south-south-west, incorporates fields of permanent pasture on its eastern side and western edge. Bryncastell lies within the interior of the bailey. The house and an area around it are excluded from the scheduling.

**The key values of the monument include:**

Evidential Value:

Extensive earthworks of an early medieval castle. Standing and buried remains have potential to contain archaeological information relating to chronology, building techniques and functional detail.

Historic Value:

The monument is a well preserved example of a medieval castle which formed part of the early phase of the Anglo Norman conquest of Wales and demonstrates medieval defensive organisation.

Aesthetic Value:

The well preserved motte and bailey are visually distinctive features in the landscape.

Communal Value:

The medieval fortification was short lived: it was destroyed in 1209 and did not develop into a larger settlement. Small settlements developed later at nearby Carreg Sawdde and Llangadog. The motte and bailey forms a prominent feature to the east and south of these settlements, respectively, and a public footpath passes through the scheduled area on its southern side.

In May 2021 unauthorised works were undertaken by the new owners of Bryncastell to improve functioning of the existing septic tank by construction of a new soakaway, and to create a trackway.

A site visit carried out by Cadw's regional Inspector and Field Monument Warden on 10<sup>th</sup> May revealed that an excavation consisting of a c. 4m x 4m square x c. 2m deep cut with an additional trench c. 0.3m wide x c. 16m long x and c. 1.5m deep perpendicular to it had been dug at the south of the bailey to form a soakaway. The excavation had been part-filled to a depth of c. 0.5m with crushed limestone. The additional trench contained a plastic drainage pipe at its base protruding into the excavation by c. 3.5m, this trench had been mostly back-filled with stone and soil. At the west end the trench had been expanded by about 1m to the north to facilitate the laying of concrete blocks to the depth of the trench to provide a secure connection between the new drain and an existing sub-surface drain within the scheduled area. The new track measured 50m long x c. 5m wide, it runs parallel and immediately adjacent to the east garden boundary of the house. The ground surface had been scalped to a depth of 0.2m and mostly back-filled with crushed stone to surface level. The house and its immediate garden are partially excluded from the scheduled

area such that the intrusion into the scheduled area amounts to a total area of c. 105 square metres.

Following the site visit on 10<sup>th</sup> May 2021 Cadw's FMW produced a report on the unauthorised works detailing the extent of works and their potential impact on the scheduled monument. The report concludes that the "use of the mechanical excavator within the bailey area has removed material likely to have preserved archaeological deposits. The exact dimensions of the damage cannot be quantified at this stage, as the depth of the destruction is partially obscured by subsequently dumped material".

### **3. The Application**

- 3.1 This application for scheduled monument consent involves formalising works already undertaken without consent and completion of these works: (i) drainage works and soakaway, (ii) track, (iii) removal of spoil tips and (iv) making good the ground surface within the scheduled area.

### **4. Assessment**

- 4.1 Completion of the drainage works and track, and removal of the spoil tips, will not involve further excavation. Inadvertent damage can be avoided by ensuring that the work is carried out under archaeological supervision.

Potential damage caused to material disturbed and relocated during the unauthorised phase of works cannot be quantified. However, archaeological recording of exposed deposits, in plan and in section, and a watching brief carried out during remedial works will ensure that any archaeological features exposed are recorded, that the location of modern disturbance is recorded by survey, and that a full record is created.

Completion of the work will result in backfilling of trenches and restoration of the ground surface, thus reinstating the appearance (aesthetic value). The impact of the unauthorised works on the evidential values, i.e. of buried remains, will be better understood as a result of archaeological recording and reporting, for which the SMC can be conditioned. The part of the monument subject to the works is not publicly accessible. However, reinstatement of the ground surface will ensure that these areas are restored as level ground / permanent pasture and will be maintained appropriately for future generations.

### **5. Recommendation**

- 5.1 I recommend that scheduled monument consent is given, 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 Ruth Mayes and dated 7 <sup>th</sup> June 2021		18/06/2021

- 6.3 No works, including site clearance, shall commence until Cadw has been informed in writing of the name of an appropriately qualified archaeologist operating to ClfA published standards and guidance<sup>4</sup> who will carry out an appropriate programme of archaeological mitigation works on the area subject to the unauthorised works, i.e. survey areas of disturbance and record exposed sections, and watching brief during completion works, in accordance with a 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 archaeologist and archaeological works are acceptable.
- 6.4 A digital copy of the draft archaeological report shall be submitted to Cadw for approval within 8 weeks of the archaeological fieldwork being completed<sup>5</sup>.
- 6.5 A digital copy of the approved archaeological report shall be submitted to the regional Historic Environment Record and National Monuments Record of Wales to be incorporated into these public records<sup>6</sup>.
- 6.6 Cadw shall be invited to attend a site meeting on the first day of commencement of the project to review the programme, submitted method statement and arrangements that have been established for archaeological mitigation.
- 6.7 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.

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

<sup>5</sup> Cadw will retain a copy of the archaeological report for our records.

<sup>6</sup> Cadw requires formal confirmation of report deposit to discharge this condition.



Name of Inspector: Louise Mees  
Date: 23/06/2021

## COMPLETION NOTICE

**Name of Monument: CASTELL MEURIG**

**Monument Number: CM099**

Conditions	Date	Signature
Completion of works on site		
A digital copy of the draft archaeological report shall be submitted to Cadw for approval within 8 weeks of the archaeological fieldwork being completed.		
A digital copy of the approved archaeological report shall be submitted to the regional Historic Environment Record and National Monuments Record of Wales to be incorporated into these public records		

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](mailto:scheduledmonuments@gov.wales)