

Paul Hewett
Waun Maenllwyd Wind Energy Hub
Limited

By email

Eich cyfeirnod
Your reference

Ein cyfeirnod
Our reference

Dyddiad
Date

Llinell uniongyrchol
Direct line

Ebost
Email:

CM226

4 April 2024

0300 0256004

scheduledmonuments@gov.wales

Dear Paul Hewett,

**ANCIENT MONUMENTS AND ARCHAEOLOGICAL AREAS ACT 1979
APPLICATION FOR SCHEDULED MONUMENT CONSENT
PUMPSAINT ROMAN FORT (CM226)**

1. Introduction

1.1 Thank you for your application of 23 November 2023 to Cadw for scheduled monument consent for archaeological evaluation 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 an archaeological evaluation to inform design work for a temporary road junction. 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. 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 Paul Hewett and dated 2023		23/11/2023
2	Location plan	SMC 00	10/11/2023
3	HHD&C Preliminary Heritage Appraisal	SMC 01 (v3)	14/10/2022
4	HHD&C Supplementary archaeological review	SMC 02	22/10/2023
5	Pell Frischman Access options appraisal	SMC 03	24/10/2023

6	TIGERGEO Geophysical survey appraisal	SMC 04	18/09/2023
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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 guidance¹ who will carry out an appropriate programme of archaeological investigatory 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 their written scheme for archaeological evaluation are acceptable;
- d) A digital copy of the draft archaeological evaluation report shall be submitted to Cadw for approval within twelve weeks of the archaeological fieldwork being completed²;
- e) A digital copy of the approved archaeological evaluation report shall be submitted to the regional Historic Environment Record and National Monuments Record of Wales to be incorporated into these public records³;
- f) Cadw shall be invited to attend a site meeting prior to the commencement of the project to review the programme and arrangements that have been established for archaeological investigation and recording; 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.

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> .

² Cadw will retain a copy of the archaeological report for our records.

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

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 Cabinet Secretary for Culture and Social Justice, one of the Welsh Ministers

**ANCIENT MONUMENTS AND ARCHAEOLOGICAL AREAS ACT 1979
APPLICATION FOR SCHEDULED MONUMENT CONSENT
PUMPSAINT ROMAN FORT (CM226)**

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. Pumpsaint Roman Fort (CM226)

- 2.1 The following provides a general description of the Scheduled Monument: 'The monument comprises buried features and earthworks representing a Roman fort. The primary Roman fort network was designed and constructed by the Roman army for the purpose of military conquest and rule. The fort, originally probably measuring c.150m x 125m, and enclosing 1.9ha, was founded in the mid AD 70s, and was reduced in size to c.0.9ha c. AD 100, before apparently being abandoned by the AD 120s, a fairly typical chronological range. The fort may have had a special function in relation to the nearby Dolaucothi gold mines. Excavations within the fort, west of the main A482 both north and south of the Dolaucothi Arms, have revealed a number of phases of internal buildings, including a granary, as well as a well/cistern, and a burnt timber structure in a

2m-deep pit which was dated to the later 3rd or early 4th century AD, raising interesting questions about the nature of later Roman occupation on the site, traces of which are otherwise extremely elusive. Geophysical survey in unexcavated areas suggests that further structures, including a probable bath house on the eastern outskirts, remain to be found here.

The monument is of national importance for its potential to enhance our knowledge of Roman military organisation. The monument forms an important element within the wider context of the Roman occupation of Wales and the structures may contain well preserved archaeological evidence concerning chronology, layout and building techniques.

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

- 2.2 The scheduled monument was last visited by Cadw's Field Monument Warden in 2017 but its condition was not assessed on this occasion.

3. The Application

- 3.1 This application for scheduled monument consent involves (i) an archaeological evaluation to inform design work for a temporary road junction.
- 3.2 The application has benefitted from pre-application discussion and is supported by a number of technical documents as listed in 6.2 below.
- 3.3 The results of the investigation will inform the road junction design. Permission to build the junction improvements will be sought in a second scheduled monument consent application.

4. Assessment

- 4.1 Belltown Power wishes to build a windfarm at Waun Maenllwyd. The turbine blades will be transported from the Port of Swansea to the construction site by road transport. The final miles to the site involve transfer from the public highway to a forestry track at the village of Pumpsaint. The junction between the A482 and the forestry track is insufficient to manoeuvre the c. 27m length turbine blades and needs to be reconfigured to accommodate the movement. Whilst the A482 and forestry track are not scheduled, part of the proposed junction intake is located within the scheduled area of the Roman fort, principally the defences on the south side and where nearby excavation has revealed well-preserved evidence for later civilian occupation following presumed contraction of the fort into a smaller fortlet.
- 4.2 One focus of the pre-application discussions has been the potential for the junction improvements to adversely impact the buried archaeological evidence in the scheduled area, particularly through compression.

- 4.3 The location of the proposed junction widening within the scheduled area has not been investigated archaeologically and the presence, depth, character, and significance of any underlying archaeological remains are unknown. Excavation nearby revealed the presence of timber buildings and clay floors c. 0.5-0.4m below the current ground surface.
- 4.4 In my opinion, it is appropriate for archaeological evaluation of 100% of the proposed junction improvement footprint to be undertaken. There is currently insufficient knowledge of the buried archaeological resource at this location and the evaluation will demonstrate the presence or absence of any archaeological evidence, together with its depth, character, and significance if present.
- 4.5 The evaluation will expose the uppermost archaeological surfaces only and the archaeological evidence below will continue to be protected in situ. Selective sectioning of features and sondages will be allowed where they will assist characterisation.
- 4.6 The evaluation will need to be undertaken by an approved archaeologist, preferably with experience of working on Roman sites in Wales. Cadw's Senior Inspector of Ancient Monuments and Archaeology will approve the nominated archaeologist, their written scheme of investigation and the final report.
- 4.7 The evaluation will allow the archaeological resource to be characterised without causing significant harm to it, as would be achieved through full excavation to natural. This is consistent with Welsh Government's framework of legislation, policy, advice, and guidance.
- 4.8 The site will be backfilled following completion of the evaluation.
- 4.9 I confirm that the proposed evaluation excavation would not cause significant alteration, or damage to the scheduled monument, nor have a significant impact on the monument's setting.

5. Recommendation

- 5.1 I recommend that this scheduled monument consent application for archaeological evaluation is approved, subject to the proposed conditions set out in section six below.

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.

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- 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 guidance⁴ who will carry out an appropriate programme of archaeological investigatory 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 their written scheme for archaeological evaluation are acceptable.
- 6.4 A digital copy of the draft archaeological evaluation report shall be submitted to Cadw for approval within twelve weeks of the archaeological fieldwork being completed⁵.
- 6.5 A digital copy of the approved archaeological evaluation report shall be submitted to the regional Historic Environment Record and National Monuments Record of Wales to be incorporated into these public records⁶.
- 6.6 Cadw shall be invited to attend a site meeting prior to the commencement of the project to review the programme and arrangements that have been established for archaeological investigation and recording.
- 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

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

⁵ Cadw will retain a copy of the archaeological report for our records.

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

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: Dr Jonathan Berry

Date: 28 March 2024

COMPLETION NOTICE**Name of Monument: PUMPSAINT ROMAN FORT****Monument Number: CM226**

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.		
The approved works shall be carried out strictly in accordance with the application form, plans and documents as listed		
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 who will carry out an appropriate programme of archaeological investigatory 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 their written scheme for archaeological evaluation are acceptable.		
A digital copy of the draft archaeological evaluation report shall be submitted to Cadw for approval within twelve weeks of the archaeological fieldwork being completed .		
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Monuments Record of Wales to be incorporated into these public records		
Cadw shall be invited to attend a site meeting prior to the commencement of the project to review the programme and arrangements that have been established for archaeological investigation and recording.		
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.		

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