

David Hart
National Trust
Dinefwr Park,
Inner Courtyard,
Llandeilo
SA19 6RT

By email

Eich cyfeirnod
Your reference

Ein cyfeirnod
Our reference

Dyddiad
Date

Llinell uniongyrchol
Direct line

Ebost
Email:

CM226

13 June 2024

0300 0256004

scheduledmonuments@gov.wales

Dear David Hart,

**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 12 March 2024 to Cadw for scheduled monument consent for tree 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 scheduled monument consent should be approved for (i) removing an elm tree and (ii) final thin of beech woodland. 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 Dai Hart and dated 12/03/2024		12/03/2024
2	FLA27 2324 Allt Dolaucothi - Advisory Note		12/03/2024
3	FLA27 2324 Allt Dolaucothi - Licence		12/03/2024
4	FLA27 2324 Allt Dolaucothi Map		12/03/2024
5	Method statement dolau lodge		12/03/2024
6	Method statement dolau woods		12/03/2024

- c) 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;
- d) That upon completion the project the applicant shall produce a completion report including an annotated photographic record detailing the site before, during and after works took place. The draft should be sent to Cadw in digital format for approval within 25 working days of the works being completed; and
- e) 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.
- 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.

6.2 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.

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

6.4 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 Lesley Griffiths, Cabinet Secretary for Culture and Social Justice

**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) removing an elm tree and (ii) final thin of beech woodland.
- 3.2 The application is also subject to a felling licence, FLA27 23-24, granted by NRW following consultation with Cadw.
- 3.3 The applicant held pre-application discussions with Cadw and has provided maps and detailed method statements detailing how the work will be carried out and the monument protected.

4. Assessment

- 4.1 Archaeological remains within the area subject to this application are sub-surface. Recent evaluation demonstrates that remains survive at shallow depths of 150mm – 200mm.
- 4.2 Tree works are required to remove an elm tree infected with Dutch Elm Disease to prevent damage to the adjacent Dolaucothi Lodge and for H&S reasons, and to thin a beech woodland to remove weak and damaged trees to promote the growth of healthy specimens.
- 4.3 The elm tree will be section felled from a cherry picker and rope system with felled timber lowered to the ground and removed by forwarder.
- 4.4 Thinning will be undertaken by hand felling with timber from the scheduled area removed by forwarder.
- 4.5 The majority of the work will be undertaken from the farm track. Movement of vehicles is required within the scheduled area. These movements are limited, and the applicant's method statements include for the use low tyres, pressure



matting and work to be undertaken in dry weather to minimise ground disturbance.

- 4.6 The proposed works, required for H&S reasons and development of the woodland, will not cause damage to the scheduled monument, or have a significant impact on the monument's setting if undertaken according to the method statements supporting this application.

5. Recommendation

- 5.1 I recommend that this scheduled monument consent application for archaeological evaluation is approved, subject to the following proposed 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.

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1	SMC application form signed by Dai Hart and dated 12/03/2024		12/03/2024
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4	FLA27 2324 Allt Dolaucothi Map		12/03/2024
5	Method statement dolau lodge		12/03/2024
6	Method statement dolau woods		12/03/2024

- 6.3 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.
- 6.4 That upon completion of the project the applicant will produce a completion report including an annotated photographic record detailing the site before, during and after works took place. The draft should be sent to Cadw in digital format for approval within 25 working days of the works being completed.



- 6.5 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: 11/06/2024



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

Conditions	Date	Signature
Notification of start of works		
The approved works shall be carried out strictly in accordance with the application form, plans and documents as listed		
Cadw shall be invited to attend a site meeting within the first 5 working days of commencement of the project		
Upon completion the project the applicant shall produce a completion report including an annotated photographic record detailing the site before, during and after works took place. The draft should be sent to Cadw in digital format for approval within 25 working days of the works being completed.		
Any historic or archaeological features not previously identified which are revealed when carrying out the works shall be retained <i>in situ</i> 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

