

Mushtaq Ahmed
137 Priory Street
Carmarthen
SA31 1LR

Eich cyfeirnod
Your reference

Ein cyfeirnod
Our reference

Dyddiad
Date

Llinell uniongyrchol
Direct line

Ebost
Email:

CM234

15 December 2023

0300 0256004

scheduledmonuments@gov.wales

Dear Mushtaq Ahmed

**ANCIENT MONUMENTS AND ARCHAEOLOGICAL AREAS ACT 1979
APPLICATION FOR SCHEDULED MONUMENT CONSENT
CARMARTHEN ROMAN TOWN (PART OF) CM234**

1. Introduction

1.1 Thank you for your application of 25 October 2023 to Cadw for scheduled monument consent to level the rear garden and install a car park 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) Remove rubble and building material previously tipped within the scheduled area to create a level area.
- ii) Compact the ground surface.
- iii) Install a T1000 geotex layer and overlay with 6-10mm angular cleaned stones.

- iv) Planting of shrubs.
at the above scheduled monument.

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 Nicole Jones and dated 30/10/23		30/10/2023

2	Proposed landscape plan – L02A		30/10/2023
3	Proposed carpark layout – L01A		30/10/2023
4	Photographs of the garden – proposed car park		30/10/2023

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	Removal of overburden, levelling of ground surface and compaction of ground surface.	Before work commences.
2	Installation of new materials – including depth of stone layer.	Before installation of new materials.

e) 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 is to be present to undertake a watching brief for any works or operation occurring within the scheduled area 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 is acceptable;

f) A digital copy of the draft watching brief report shall be submitted to Cadw for approval within 8 weeks of the archaeological fieldwork being completed²;

g) A digital copy of the approved watching brief 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;

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.

- h) 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 and archaeological watching brief, recording and reporting;
- i) That upon completion of the project the applicant shall produce a completion report including an annotated photographic record detailing the site before, during and after works took place and including final versions of plans and elevations as built. The draft should be sent to Cadw in digital format for approval within 25 working days of the works being completed; and
- j) 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.

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
CARMARTHEN ROMAN TOWN (PART OF) (CM234)**

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. Carmarthen Roman Town (part of).

- 2.1 The monument comprises the buried remains of part of the Roman town of Moridunum, now Carmarthen. All remains are below-ground, but the presence of well-preserved archaeology has been demonstrated by excavation at a number of points. The scheduled area is, for the most part, open ground located between Priory Street and Richmond Terrace. Its western end includes a tarmac car park, and some domestic gardens. To the northeast are tennis courts and a grassed play-area. It is a very irregular shape, measuring approximately 270m NE-SW at its longest point, and an average of 130m NW-SE. The scheduled area includes the football ground, where repeated excavations have established the complexity and depth of the archaeological sequence. A Roman street runs north-east to south-west across the scheduled area and has been seen as a

parch mark on the football field, confirmed by limited excavation during drainage works. Evaluation excavation carried out in the area of the new changing rooms showed that evidence for both timber and stone Roman buildings is preserved. The scheduled area of the Roman town is closely associated with the nearby amphitheatre (CM206) which is one of very few surviving amphitheatres in the UK and represents the only above-ground Roman remains in Carmarthen. The remains of the earlier Roman fort at Carmarthen are also scheduled (CM235).

The monument is of national importance for its potential to enhance our knowledge of the origins and growth of Roman towns, from fort to vicus. The excellent and extensive survival of below-ground archaeology means that there is a high likelihood of the preservation of all kinds of domestic remains, including structural, artefactual and environmental. The site also has group value with the amphitheatre (CM206) and the remaining parts of the Roman fort (CM235).

The protected area comprises those remains described above, and an area around them within which related evidence may be expected to survive.

The part of the scheduled monument subject to this application is located within the garden of 137 Priory Street. Previous archaeological investigations at nearby premises (including 131 Priory Street, 132, Priory Street, 113-117 Priory Street, and Richmond Park Football Ground) discovered archaeological features and deposits at c. 0.5m – 1.4m below the present ground surface, overlain by a deposit of mixed garden soils, potentially of medieval date, but mostly associated with post-medieval horticultural use of the land through to the 19th century.

The key values of the monument can be summarised as:

Evidential: extensive and well-preserved below ground remains of the Roman town established during the last quarter of the 1st century, with continual occupation until the last quarter of the 4th century.

One of only two Roman towns in Wales, the other being Caerwent, Venta Silurum.

Historical: Discovered during excavation in Carmarthen in the mid to late 1980s. Subsequent excavations are well documented.

Aesthetic: Buried remains not visible. The form of the Roman town is reflected in modern street patterns.

Communal: local residents are aware of the Roman history of Carmarthen, including the Roman Forts and amphitheatre.

3. The Application

- 3.1 This application for scheduled monument consent involves (i) Remove rubble and building material previously tipped within the scheduled area to create a level area (ii) compact the ground surface, (iii) install a T1000 geotex layer and overlay with 6-10mm angular cleaned stones, (iv) planting of shrubs,

4. Assessment

- 4.1 Following a meeting on 17/08/2023 when the applicant and Cadw's regional Inspector of Ancient Monuments (IAM) visited the site and assessed its condition, the applicant removed tipped rubbish from the site (work which did not require scheduled monument consent). The cleared area was assessed by the IAM on 12/05/2023, and the current scheme discussed with the applicant.
- 4.2 The applicant has submitted plans and photographs to support their application to tidy up the scheduled area and provide parking for future residents of their house, which is currently subject to a planning application for conversion to multiple residential use.
- 4.3 The nature and depth of archaeological remains at 137 Priory Street are unknown, however, previous archaeological works in the vicinity of the property demonstrate that archaeological remains may be encountered within 0.5 metres of the modern ground surface. Depths of modern ground surface are not consistent throughout the monument, therefore there is potential for archaeological remains to be disturbed by ground works. Such disturbance can be avoided by attaching conditions for a watching brief and stop clause to the scheduled monument consent.
- 4.4 Compaction of the ground surface may cause damage to buried archaeological remains. Such damage can be avoided by ensuring, by an archaeological watching brief, that garden soil beneath the tipped material is not disturbed, thus providing a protective deposit, and controlling the method of compaction by requiring a method statement to be agreed by Cadw.
- 4.5 Installation of a geotextile membrane and 6-10mm stone will introduce modern material into the scheduled area. The depth of material required cannot be confirmed until the overburden has been removed. A condition can be attached to the scheduled monument consent for Cadw to approve an appropriate depth of stone before it is installed.
- 4.6 The proposed scheme will have no negative impact on the aesthetic values or setting of the monument, which is wholly below ground, and not affect understanding or interpretation of the monument. The appearance of the scheduled area will be improved by removing previously tipped material. Other areas of Carmarthen Roman Town lie beneath public and private car park areas without detriment to preservation of buried remains.
- 4.7 Planting of shrubs along the property boundary is located within areas previously disturbed by hedge plant and tree roots and is unlikely to disturb buried archaeological remains.

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.

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- 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:

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2	Installation of new materials – including depth of stone layer.	Before installation of new materials.

- 6.5 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 is to be present to undertake a watching brief for any works or operation occurring within the scheduled area 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 is acceptable.

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

- 6.6 A digital copy of the draft watching brief report shall be submitted to Cadw for approval within 8 weeks of the archaeological fieldwork being completed⁵.
- 6.7 A digital copy of the approved watching brief 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.
- 6.14 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 and archaeological watching brief, recording and reporting.
- 6.15 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 and including final versions of plans and elevations as built. The draft should be sent to Cadw in digital format for approval within 25 working days of the works being completed.
- 6.16 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: 13/12/2023

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

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

COMPLETION NOTICE**Name of Monument: CARMARTHEN ROMAN TOWN (PART OF)****Monument Number: CM234**

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 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.		
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 is to be present to undertake a watching brief for any works or operation occurring within the scheduled area 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 is acceptable.		
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Completion of works on site		
A digital copy of the draft watching brief report shall be submitted to Cadw for approval within 8 weeks of the archaeological fieldwork being completed		

A digital copy of the approved watching brief report shall be submitted to the regional Historic Environment Record and National Monuments Record of Wales to be incorporated into these public records , and the applicant shall inform Cadw when this has been completed.		
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 and including final versions of plans and elevations as built. The draft should be sent to Cadw in digital format for approval within 25 working days of the works being completed.		

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