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Andrew Muskett
Pembrokeshire Coast National Park
Authority
Llanion Park
Pembroke Dock
Pembrokeshire
SA72 6DY

Eich cyfeirnod
Your reference

PE001

Ein cyfeirnod
Our reference

DH

Dyddiad
Date

4 May 2018

Llinell uniongyrchol
Direct line

0300 0256004

Ebost
Email:

denise.harris@gov.wales

Dear Mr Muskett

**ANCIENT MONUMENTS AND ARCHAEOLOGICAL AREAS ACT 1979
SECTION 2 AND SCHEDULE 1
APPLICATION FOR SCHEDULED MONUMENT CONSENT
PROPOSED WORKS AT: Carew Castle (PE001)**

I refer to your application dated 6 February 2018, for scheduled monument consent to carry out the construction of a new café building in the walled garden at the site of the above scheduled ancient monument.

You declined the opportunity of appearing before, and being heard by, a person appointed for that purpose, afforded to you in the letter dated 4 May 2018. Nor have you submitted any further representations in support of your case.

The proposed works can be carried out without detriment to the historic or archaeological integrity of the monument. The works accord with the sustainable development principle and contribute towards the well-being goals defined in section 4 of the Well-being of Future Generations (Wales) Act 2015.

Accordingly, the Welsh Ministers hereby grant scheduled monument consent for the works described at paragraph 4 of the application dated 6 February 2018, subject to the following conditions:

Pre-works:

Before commencement of the work, Cadw's Historic Environment Branch shall receive in writing (notice via email is acceptable):

1. that one weeks' notice of the date of commencement of works or of any subsequent adjustment to this date;

Mae'r 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



2. that confirmation is given that access to the site shall be afforded to our representatives throughout the project to inspect the works in progress;
3. that confirmation a watching brief shall be undertaken during all ground works: excavation of the soak-away, service trench and building foundation is given;
4. that confirmation is given that the works shall be carried out in accordance with the following approved plans and documents listed below. No variations from these plans and documents are permitted unless they have been authorised in advance in writing by the Welsh Ministers:

No.	Document / plan	Ref No (if applicable)	Date received
I.	SMC application form		06/02/2018
II.	Block Plan and General Arrangements scale 1:200	P/02/B	06/02/2018
III.	Carew Walled Garden Archaeology Plan	Rev A – Update to include new café building and drainage 26/2/18	26/02/2018
IV.	Drawings SHQKONICA4518022613520 Improved Drawings:		26/02/2018
V.	Block Plan and General Arrangements scale 1:200 (showing revision A July '16 – Revised tent structure and revision B Nov '17 – Revised café building H	Dwg. No P02/B	26/02/2018
VI.	Pitch to café storage structure Rev A July '16 Site Sections A-A and B-B	Dwg. No P03/A	26/02/2018
VII.	Rev A July '16 Revised roof pitch to café storage structure Rev B Nov'17 Revised café storage structure	Dwg. No P09/B	26/02/2018
VIII.	Details of proposed café/storage structure	Dwg. No P05/B	26/02/2018
IX.	Walled Garden Café – Elevations	Dwg. No 5	26/02/2018
X.	Walled Garden Café – Section	Dwg. No 6	26/02/2018
XI.	Walled Garden Café – Edge of floor slab etc.	Dwg. No 8	26/02/2018
XII.	Site Plan	Dwg. No 14	
XIII.	Proposed site plan showing new drainage works –	Dwg. No 19689/D2	26/02/2018

	SUPERCEDED 30/04/2018	Rev E	
XIV.	Carew Final WSI August 2015		26/02/2018
XV.	DAS amended 9.1.17		06/03/2018
XVI.	WG Plan with Cafe excavation and rock cut features		07/03/2018
XVII.	Elec Duct pics pdf		08/03/2018
XVIII.	Cadw - PE001 - 2018-04-26 - Scheduled monument consent - Proposed new cafe building in the walled garden - Class 7 - Report	Report No 2018-25	26/04/2018
XIX.	Revised Soakaway Location		30/04/2018

During works

5. that the applicant shall ensure that all on-site contractors and staff are made fully aware that the area of works lies within a Scheduled Monument that is protected from damage under the Ancient Monuments and Archaeological Areas Act, 1979, as amended by the Historic Environment (Wales) Act, 2016. The applicant shall be responsible for ensuring that no works are undertaken that could affect or disturb the Scheduled Area, other than those works agreed to as part of this consent;
6. that any mechanical excavation shall be limited to the removal of turf, topsoil and modern overburden using a toothless bucket/grader. The use of a mechanical excavator must be supervised by the approved archaeologist at all times. The archaeologist will indicate when the use of the mechanical excavator should cease;
7. that no excavated material removed from the area of the development shall be dumped within the scheduled area;
8. that it is the applicant's responsibility to ensure that relevant health and safety and risk assessments have been undertaken prior to works relating to this SMC being undertaken to ensure that work is conducted in a safe manner and are completed by competent persons;

Archaeological and recording requirements

9. that the applicant employs a suitably qualified and experienced archaeological contractor, agreed with the Welsh Ministers in advance, to undertake an archaeological watching brief during the works;
10. that, prior to the works commencing, the Welsh Ministers shall approve a written project design from the approved archaeologist, which shall be presented in accordance with the Chartered Institute for Archaeologists (CIfA) standard and guidance for an archaeological watching brief;

- 11.that in the event that significant archaeological remains, including the uppermost horizon of the uppermost archaeological deposit or cut feature, all excavation works on site shall cease, the archaeologist shall clean relevant sections / plans for inspection and our Inspector (Louise Mees, 03000 256077, 07968 609831) shall be asked to inspect the works and provide advice accordingly;

Completion

- 12.that the Welsh Ministers shall be informed in writing (written notice via email is acceptable) immediately upon the completion of the works;
- 13.that the scheduled area shall be left in a stable and tidy condition upon completion of the work;
- 14.that within two months of the completion of archaeological works on site the applicant shall submit a draft copy (preferably in PDF format) of a report to us for written comment and approval. The report shall include a report on the final watching brief (including nil return) and incorporate finalised reports on previous SMC work carried out at the site. The report must meet the relevant ClfA standard and guidance for archaeological watching brief, and include photographs (before, during and after), together with specialist and finds reports as appropriate. The report shall describe the findings from the archaeological work on site and relate them where possible to previous investigations of the scheduled monument. Following our approval of the draft report, the applicant shall submit a copy of the final report in PDF digital format and one paper copy to us, the regional Historic Environment Record maintained by Dyfed Archaeological Trust, The Corner House, 6 Carmarthen Street, Llandeilo, Carmarthenshire, SA19 6AE, and the National Monuments Record Wales held by the Royal Commission on the Ancient and Historical Monuments of Wales, Plas Crug, Aberystwyth SY23 1NJ.

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.

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).

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.

Your attention is drawn to the provisions of Section 55 of the 1979 Act under which, if you are aggrieved by the decision given in this letter, you may challenge its validity by an application made to the High Court within six weeks from the date when the decision is given. The grounds on which an application may be made to the court are:

- a. that a decision is not within the powers of the Act (that is, the Welsh Government has exceeded its powers);
- b. that any of the relevant requirements have not been complied with and the applicant's interest has been substantially prejudiced by the failure to comply.

“The relevant requirements” are defined in Section 55 of the 1979 Act and you are advised to seek legal action before taking any action.

Yours sincerely,

Denise Harris
Diogelu a Pholisi/Policy and Protection

Enc. Interim letter dated 4 May 2018