

Neil Ludlow

Eich cyfeirnod
Your reference

By email

Ein cyfeirnod
Our reference

PE005

Dyddiad
Date

21 July 2023

Llinell uniongyrchol
Direct line

0300 0256004

Ebost
Email:scheduledmonuments@gov.wales

Dear Mr Ludlow,

**ANCIENT MONUMENTS AND ARCHAEOLOGICAL AREAS ACT 1979
APPLICATION FOR SCHEDULED MONUMENT CONSENT
PEMBROKE CASTLE (PE005)**

1. Introduction

1.1 Thank you for your application of 12 January 2023 to Cadw for scheduled monument consent for archaeological trial trench 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 further archaeological trial trench evaluation within the below-ground remains of a large medieval building in the outer castle ward previously investigated in the 1930's and 2018, including two trenches measuring: (i) 9.5m x 3.5m and (ii) 7.5m x 3m, both will be excavated only to the top of in situ archaeological deposits. 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 Neil Ludlow and dated 12/01/2023		12/01/2023
2	Data Management Plan	<i>DAT FS22058 DMP.docx</i>	12/01/2023
3	Written Scheme of Investigation	<i>DAT FS22-058 Pembroke Castle WSI.docx</i>	December 2022

- c) Cadw shall be invited to attend a site meeting within the first 5 days of commencement of the project to review the programme, submitted method

statement and arrangements that have been established for archaeological recording and reinstatement works, and agree the exact locations of trenches. At this meeting the frequency of future monitoring meetings shall be agreed;

- d) That the applicant arranges a meeting with Cadw's representative, Louise Mees (0300 0256077 or 07968 609831), prior to backfilling, to inspect the trench in order to fully understand the limitations of any information gained;
- e) That the scheduled area shall be left in a stable and tidy condition upon completion of work, to the satisfaction of Cadw and the landowner;
- f) That within 6 months of completion of the archaeological excavation, a digital copy of the draft archaeological excavation report shall be submitted by email to Louise Mees, Cadw (Email: louise.mees@gov.wales), for approval. The report must detail and illustrate the works undertaken, the findings, and the preliminary stratigraphic narrative, and set this in the context of previous knowledge about the monument. The report must also contain labelled photographs of the site prior, during and after the excavations, together with details of the site archive established, including digital, paper and artefactual archives; and
- g) That within one month of the draft archaeological excavation report having been approved by Cadw the applicant will deposit a final version of the report, incorporating any comments/editorial amendments to:
 - Cadw (denise.harris@gov.wales)
 - The regional Historic Environment Record held by Dyfed Archaeological Trust f.sage@dyfedarchaeology.org.uk
 - the National Monument Record Wales held by the Royal Commission on the Ancient and Historical Monuments of Wales (Email: Gareth.Edwards@rcahmw.gov.uk)

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
PEMBROKE CASTLE (PE005)**

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. Pembroke Castle

- 2.1 Pembroke castle is sited on a high ridge between two tidal inlets, a strategic position located on a major route-way chosen early in the first Norman incursions into south-west Wales, when the castle was founded by Roger of Montgomery in 1093, the castle was never to fall to the Welsh. It was from here that the Normans embarked upon their Irish campaigns. In 1189, the castle came into the hands of William Marshal, who, over the next 30 years transformed an earth-and-timber castle into a mighty stone fortification. First to be built was the inner ward, within which is a magnificent round keep over 22m in height possessing a remarkable domed roof. The keep had four floors, connected by a spiral stair which also led to the battlements. Large square holes at the top on the outside could hold a timber hoard or fighting platform. The

original entrance was on the first floor, approached by an external stair, the present ground-floor entrance is a later insertion.

Enclosing the keep was the inner-ward curtain wall, to the south-west stood a large horseshoe-shaped gate of which now only the footings survive, and to the east a strong round tower with a basement prison. Along the cliff edge only a thin wall was required, this had a small observation turret at the apex, a square stone platform to the north of it supported a huge medieval catapult for defence against attack from the sea. Domestic buildings were on the west and east of the inner ward including William Marshal's Hall and private apartments. These were improved and further buildings added in the later 13th century, when a new Great Hall was built with walling projecting over the south-east corner to enclose the mouth of a large cavern in the rock below which may have served as a boathouse. At the same period, a large single-storey building was added near the keep to serve as the county court. By this time, the castle had passed to the de Valence family; the Hastings family then held it from 1324 to 1389, after which the castle passed into the hands of the crown.

Much of the building work in the outer ward may also belong to the early 13th-century and to William Marshal, and the main plan of the present defences remains as originally constructed though the result of a systematic programme of restoration in the 19th and early 20th century. Much of the north-eastern defences, most of the curtain wall, the outer parts of the gatehouse and barbican, and most of the Westgate and Henry VII towers have been rebuilt from footings. Around the outer ward are a fine series of four round towers, the St Annes's Bastion on the north-east and a southern Great Gatehouse. Postern gates on either side were defended by the bastion and the Monkton Tower respectively. The Great Gatehouse had two portcullises, stout doors, and three machicolation in the vaulting as well as a series of arrow slits, it is one of the finest and earliest of its kind.

The gatehouse western Bygate Tower has a prison in its basement. Each gate tower has a ground and two upper floors reached by stairs spiralling in opposite directions. Doors lead from the upper rooms on to the wall-walk. The gatehouse is in essence a double-towered gate, with one of the towers moved along the curtain wall to clear the oblique entrance approach; its outer parts are further defended by a fine semi-circular barbican.

The castle was granted out by the crown with a series of short-lived tenancies and fell into considerable disrepair. In 1405 Francis Court was hastily given munitions to hold the castle against Owain Glyndwr's uprising. The castle later passed into the hands of Jasper Tewdwr, earl of Pembroke, and was apparently the birthplace of his nephew Henry, later King Henry VII. Pembroke declared its support for Parliament at the beginning of the Civil War, but in 1648, the town's mayor, John Poyer, disgruntled at his lack of reward, joined a disaffected group of Roundheads unwilling to be demobilised. Cromwell himself came to besiege the castle which only fell after seven weeks when the water supply was cut off and a train of siege cannon arrived to start a bombardment. After this defiance Cromwell blew up the barbican and the fronts of all the towers to prevent the castle ever being used again militarily. The monument is of national importance

for its potential to enhance our knowledge of medieval defensive practices. The monument is well-preserved and an important relic of the medieval landscape. It retains significant archaeological potential, with a strong probability of the presence of both structural evidence and intact associated deposits. The scheduled area comprises the remains described and areas around them within which related evidence may be expected to survive.

- 2.2 Today the castle is well-maintained and presented to the public by the Pembroke Castle Trust.
- 2.3 Archaeological evaluations undertaken in the outer ward in 2018 investigated two small areas of a below-ground large medieval building, excavated without record in the 1930's and subject to geophysical survey in 2017.
- 2.4 The below ground building contains several discrete spaces or rooms: the nature of the northern wing has not been determined; the southern wing is thought to be a kitchen; insufficient information was recovered to confirm that it was a fifteenth century winged hall-house.

3. The Application

- 3.1 This application for scheduled monument consent involves further archaeological trial trench evaluation within the below-ground remains of a large medieval building in the outer castle ward previously investigated in the 1930's and 2018, including two trenches measuring: (i) 9.5m x 3.5m and (ii) 7.5m x 3m, both will be excavated only to the top of in situ archaeological deposits.

4. Assessment

- 4.1 The applicant has provided information, including a data management plan, WSI detailing research objectives, trench plans, evaluation strategies, sampling strategies, staffing details, reinstatement proposals and post excavation arrangements and funding, to support their application.
- 4.2 The applicant sought funding from the Castle Studies Trust, and although this was unforthcoming, has submitted the letters of support for funding from Jeremy Ashbee (Head Properties Curator, English Heritage) and Professor Oliver Creighton (Exeter University) to support this application.
- 4.3 Pembrokeshire Castle Trust will fund the project.
- 4.4 The heritage values of the outer courtyard and location of the medieval building to be investigated are summarised below:
Evidential Value:
Below ground remains of substantial masonry structure, potentially a fifteenth century hall-house with an open central hall flanked by a storeyed wing at either end.
Historic Value:
Demonstrate well planned defensive and domestic arrangements.

Aesthetic Value:

The area is currently under grass.

Communal Value:

Public access is provided by private owners who maintain this popular castle.

- 4.5 According to Cadw's Conservation Principles (Welsh Government 2011) archaeological intervention into an historic asset, which involves the material loss of evidence, would normally be acceptable only if:
- a) *preservation in situ is not reasonably practicable; or*
 - b) *it is demonstrated that any potential increase in knowledge*
 - *cannot be achieved using non-destructive techniques; and*
 - *is unlikely to be achieved at another place whose destruction is inevitable; and*
 - *is predicted decisively to outweigh the loss of the primary resource; or*
 - c) *it is required to evaluate the potential harm of a development proposal.*

If acceptable, an archaeological intervention demands:

- d) *a skilled team, with the resources to implement a project design based on explicit research objectives;*
 - e) *the production of an authoritative record;*
 - f) *funding arrangements for the subsequent conservation and public deposit of the site archive, and for appropriate analysis and dissemination of the results within a set timetable;*
 - g) *a strategy to ensure that other elements and values of the place are not prejudiced by the work, whether at the time or subsequently, including the conservation of any elements to be left exposed.*
- 4.6 Archaeological evaluation by trial trenching is invasive. Most of the intervention will affect previously disturbed deposits and not cause damage to in situ nationally important archaeological remains. Cleaning of sections and sample excavation of deposits will constitute excavation, which by its nature involves destruction of the archaeological record and is essentially at odds with the primary purpose of scheduling: preservation in situ.
- 4.7 The ground disturbance will cause a negative impact to the appearance of the monument. This impact will be temporary and cease when the area is reinstated. The work will enable features, which are usually hidden from view, to be exposed to the public and interpreted to them.
- 4.8 The applicant has a proven record for excavation at the required standard, reinstatement of trenches, and the provision of appropriate records.

The applicant's justification for the intervention is acceptable and robust:

- *it has been proven that the information cannot be obtained by using non-intrusive techniques;*
- *Pembroke Castle is unique and the information held therein could not be obtained elsewhere or from an undesignated monument ; and*

- *The information produced and high quality of reporting is predicted decisively to outweigh the loss of the primary resource.*

4.9 In my opinion, this project is justified to support investigations of development, form and function of the postulated hall. Excavation of undisturbed deposits would archaeologically sterilise these parts of the site and should, therefore, be limited through a sampling strategy agreed by Cadw. This will ensure that the increase in knowledge obtained, which is not achievable by non-intrusive investigation, will outweigh the loss of the primary resource.

5. Recommendation

5.1 I recommend that consent is granted 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 Neil Ludlow and dated 12/01/2023		12/01/2023
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3	Written Scheme of Investigation	<i>DAT FS22-058 Pembroke Castle WSI.docx</i>	December 2022

6.3 Cadw shall be invited to attend a site meeting within the first 5 days of commencement of the project to review the programme, submitted method statement and arrangements that have been established for archaeological recording and reinstatement works, and agree the exact locations of trenches. At this meeting the frequency of future monitoring meetings will be agreed.

6.4 That the applicant arranges a meeting with Cadw's representative, Louise Mees (03000 256077 or 07968 609831), prior to backfilling, to inspect the trench in order to fully understand the limitations of any information gained.

- 6.5 That the scheduled area shall be left in a stable and tidy condition upon completion of work, to the satisfaction of Cadw and the landowner.
- 6.6 That within 6 months of completion of the archaeological excavation, a digital copy of the draft archaeological excavation report shall be submitted by email to Louise Mees, Cadw (Email: louise.mees@gov.wales), for approval. The report must detail and illustrate the works undertaken, the findings, and the preliminary stratigraphic narrative, and set this in the context of previous knowledge about the monument. The report must also contain labelled photographs of the site prior, during and after the excavations, together with details of the site archive established, including digital, paper and artefactual archives.
- 6.7 That within one month of the draft archaeological excavation report having been approved by Cadw the applicant will deposit a final version of the report, incorporating any comments/editorial amendments to:
- Cadw (denise.harris@gov.wales)
 - The regional Historic Environment Record held by Dyfed Archaeological Trust f.sage@dyfedarchaeology.org.uk
 - the National Monument Record Wales held by the Royal Commission on the Ancient and Historical Monuments of Wales (Email: Gareth.Edwards@rcahmw.gov.uk)

Name of Inspector: Louise Mees

Date: 01/06/2023

COMPLETION NOTICE**Name of Monument: Pembroke Castle****Monument Number: PE005**

Conditions	Date	Signature
Completion of works on site		
That the applicant arranges a meeting with Cadw's representative, Louise Mees (03000 256077 or 07968 609831), prior to backfilling, to inspect the trench in order to fully understand the limitations of any information gained.		
That within 6 months of completion of the archaeological excavation, a digital copy of the draft archaeological excavation report shall be submitted by email to Louise Mees, Cadw (Email: louise.mees@gov.wales), for approval. The report must detail and illustrate the works undertaken, the findings, and the preliminary stratigraphic narrative, and set this in the context of previous knowledge about the monument. The report must also contain labelled photographs of the site prior, during and after the excavations, together with details of the site archive established, including digital, paper and artefactual archives.		
<p>That within one month of the draft archaeological excavation report having been approved by Cadw the applicant will deposit a final version of the report, incorporating any comments/editorial amendments to:</p> <ul style="list-style-type: none"> • Cadw (denise.harris@gov.wales) • The regional Historic Environment Record held by Dyfed Archaeological Trust f.sage@dyfedarchaeology.org.uk • the National Monument Record Wales held by the Royal Commission on the Ancient and Historical Monuments of Wales (Email: Gareth.Edwards@rcahmw.gov.uk) 		

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