

Nicholas Mueller
27 Old Gloucester Street
London
WC1N 3AX

By email

Eich cyfeirnod
Your reference

Ein cyfeirnod
Our reference

Dyddiad
Date

Llinell uniongyrchol
Direct line

Ebost
Email:

PE334

25 July 2023

0300 0256004

scheduledmonuments@gov.wales

Dear Mr Mueller,

**ANCIENT MONUMENTS AND ARCHAEOLOGICAL AREAS ACT 1979
APPLICATION FOR SCHEDULED MONUMENT CONSENT
STACK ROCK FORT (PE334)**

1. Introduction

1.1 Thank you for your application of 17 July 2023 to Cadw for scheduled monument consent to insert a security door 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) insertion of a security door. 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 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 Nicholas Mueller and dated 17/07/2023		17/07/2023
2	SMC Stackrockfort fig 1-8 small.pdf		17/07/2023

- c) 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;
- d) 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
STACK ROCK FORT (PE334)**

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. Stack Rock Fort

- 2.1 The following provides a general description of the Scheduled Ancient Monument.

The monument comprises a masonry fort built in several phases during 1852-1871 to defend the middle part of Milford Haven and the Royal Naval Dockyard at Pembroke Dock against the threat of French invasion under Napoleon III. Located on a rock islet in mid-channel the first building dates to 1850-2 and is a two storey limestone gun tower, trefoil in plan with an open air flat roof that held three guns. Following a change from smooth bore to rifled guns and the development of ironclad ships in 1858 the fort was rebuilt between 1859 and 1864. The original tower was encased by a ring of rock-faced limestone and granite gun casemates built from granite piers with iron shields in-between to

occupy three-quarters of a circle, the remainder holding a recessed two-storey accommodation block on the north side providing for 4 officers and 152 men with additional guns in casemates. The final armament was 16 ten-inch guns in the casemates and 7 seven-inch guns protecting the north block. By 1874 the ten-inch guns were obsolete as the size of the casemate shield ports prevented the installation of larger guns and this armament then remained in position until dismantled in 1922, the fort having been abandoned after 1918. The building is also Grade II* listed.

The monument is of national importance for its potential to enhance our knowledge of 20th century military organisation. The monument forms an important element within the wider context of the military history 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.

The most recent Cadw FMW routine monitoring assessment visit of the fort was undertaken on September 26th, 2008. The MaR assessment was updated on October 10th, 2022, by remote assessment following information provided by the new owner. At that time the Monument at Risk criteria and MaR level were recorded as:

Condition Trend – worsened – severe.

Condition Current – unfavourable.

Vulnerability – High.

Monument at Risk level = High Immediate

The main threats to the monument include natural erosion/decay and vegetation causing structural damage to masonry. A recent issue is unauthorised access and vandalism, including setting of fires within the fort using floorboards from the historic fabric.

The heritage values of Stack Rock Fort can be summarised as:

Evidential Value: Extensive ruins and earthworks of a major Victorian defensible barracks and gun battery built during several phases of the fortification of the Haven ordered by Lord Palmerston in 1850.

Historic Value: The fort is part of one of the most extensive 19th century fortification systems in Europe, and comparable only with the contemporary defences of the Solent in Britain.

Aesthetic Value: the monumental fort is a significant feature sitting on a rock within the Haven, with 360° of and from the haven and banks, and intervisible with associated fortifications within the Haven.

Communal Value: The fort is a popular feature within the Haven. The new owner has applied for SMC to improve access and enable authorised visits. Unauthorised access is a problem due to the health and safety risks of access, drops and falls etc. and vandalism.

3. The Application

- 3.1 This application for scheduled monument consent involves (i) insertion of a security door.

4. Assessment

- 4.1 The objective of the proposed works is to ensure that the property is secure and to prevent unauthorised access. The previous owner undertook some works (without SMC) to install a wooden door. Those works are likely to have had minimal impact on historic fabric.
- 4.2 The applicant proposes to replace the modern main entrance door, which is damaged and no longer secure or lockable, with a bespoke heavy duty security double door custom fitted and fabricated to fit the original opening.
- 4.3 The owner has provided plans, drawing, dimension, and images of the existing opening to support their application. The owner proposes to primarily secure the door by bracing with timber from granite within the opening, and to reuse existing fittings where available.
- 4.4 The door will be primarily fixed by bracing and will not harm historic fabric and be reversible. Use of existing fixings will impact historic fabric (evidential value). The work constitutes the addition of modern materials to the site impacting upon the appearance of the monument and movement through the site (aesthetic values). These negative impacts will be negligible and justified by improving security, public safety, and preventing vandalism of the scheduled monument. The monument is not publicly accessible at present. The owner aims to improve the condition of the site and permit access when it is safe to do so. In the long term this will improve the communal value of the site.

5. Recommendation

- 5.1 I recommend that SMC is granted according 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 Nicholas Mueller and dated 17/07/2023		17/07/2023
2	SMC Stackrockfort fig 1-8 small.pdf		17/07/2023

6.3 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: 21/07/2023

COMPLETION NOTICE**Name of Monument: STACK ROCK FORT****Monument Number: PE334**

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.		
Completion of works on site		
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