

Dr Steven Jones
Director of Community Services
Pembrokeshire County Council
County Hall
Haverfordwest
Pembrokeshire
SA61 1TP

Eich cyfeirnod
Your reference

PE366

Ein cyfeirnod
Our reference

DH

Dyddiad
Date

17 November 2022

Llinell uniongyrchol
Direct line

0300 0256004

Ebost
Email:

scheduledmonuments@gov.wales

Dear Dr Jones,

**ANCIENT MONUMENTS AND ARCHAEOLOGICAL AREAS ACT 1979
APPLICATION FOR SCHEDULED MONUMENT CONSENT
HAVERFORDWEST CASTLE (PE366)**

1. Introduction

1.1 Thank you for your application of 16 June 2022 to Cadw for scheduled monument consent for installation of new walkway link and associated 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) replacement of existing footpath, and ii) associated works. 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 Richard Bowen, Asbri Planning on behalf of Pembrokeshire County Council and dated 2022.		16/06/2022
2	Davies Sutton Architects Design & Access Statement		12/05/2022
3	Davies Sutton Architects Heritage Impact Assessment		12/05/2022
4	Dyfed Archaeological Trust trial trench evaluation report		October 2021
5	Asbri planning statement		June 2022
6	Landsker Ecology method statement for bat roost mitigation,		07/04/2022

	supplementary bat survey report and protected species survey report		
7	Tree Consultants Wales tree report		07/07/2020
8	Roger Casey Associates engineering drawings	104/S0 P3, 105/S0 P1	March 2022
9	Atkins Landscape Plan	43002 P02	19/01/2022
10	Davies Sutton Architects design drawings	P_081A, P_082, P_083A and P_084A.	Various
11	Updated information from Davies Sutton Architects		15/07/2022

- 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	Arrangements for secure storage of loose architectural pieces and archaeological finds.	Before work commences.
2	Details of new materials to be used in repair of wall including samples of replacement stone, as appropriate.	Before work commences.
3	Details of design of props to support arch.	Before work commences.
4	Method statement for proprietary earth embankment retaining system.	Before work commences.
5	Lime mortar specification and preparation of a sample patch for inspection.	To be submitted following evaluation of existing mortar.
6	Details of turf-capping system.	Before work commences.
7	Details of rootlock retaining wall, root barrier and timber closeboard fence installation.	Before work commences.

- 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

¹ Chartered Institute for Archaeologists <https://www.archaeologists.net/codes/cifa> .

scheduled area and an appropriate programme of historic building recording 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 and their written scheme of investigation is acceptable;

- f) A digital copy of the draft watching brief and historic building recording report shall be submitted to Cadw for approval within eight weeks of the archaeological fieldwork being completed²;
- g) A digital copy of the approved watching brief and historic building recording 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;
- h) Cadw shall be invited to attend a virtual meeting prior to the commencement of the project to review the programme, submitted method statement and arrangements that have been established for archaeological mitigation/building recording;
- 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;
- 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 Dr Jonathan Berry 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.

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.

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 and Sport, and Chief Whip, one of the Welsh Ministers

**ANCIENT MONUMENTS AND ARCHAEOLOGICAL AREAS ACT 1979
APPLICATION FOR SCHEDULED MONUMENT CONSENT
HAVERFORDWEST CASTLE (PE366)**

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. Haverfordwest Castle (PE366)

- 2.1 The following provides a general description of the Scheduled Monument: 'The monument consists of the remains of a castle, dating to the medieval period. It stands at the end of ridge falling steeply on all but the western side that overlooks the western Cleddau and tidal reaches at the lowest fordable location. The castle was founded sometime between 1108 and 1124 by Tancred an immigrant Fleming as part of the encouraged settlement of the cantref of Rhos at this time and is first recorded when held by his son Richard Fitz Tancred in 1188, at the time of Gerald of Wales visit in the retinue of Archbishop Baldwin. At this stage the castle will have been a mostly earth and timber construction though with a masonry keep part of which still survives. Richard's heir Robert was removed from the castle in 1210 by King John who in 1215 granted it to

William Marshall, Earl of Pembroke. An attack on Haverfordwest in 1220 by Llywelyn the Great burnt the town but failed to breach the castle and it is likely by this time it had been rebuilt in stone. The castle passed to the de Bohun family in the mid thirteen century and in 1289 was exchanged with Queen Eleanor. In the short period before her death in 1290 the queen spent large sums on the castle and much of the existing masonry which is late 13th century in style can be ascribed to this building program. In the 14th century the castle was held by a series of owners including Edward the Black prince (from 1359 to 1367) and was repaired in the hands of the Crown in 1381-1385. It repulsed an attack during the Glyndwr rebellion in 1405. By the 16th century it was derelict but hastily refortified during the Civil War, lost to Parliamentary forces in 1644, later recaptured and held for a year before surrendered after the battle of Colby Moor, not far to the west in 1645 after the route of a Royalist army on the march. In 1648 it was ordered to be slighted.

The castle is divided into two wards, the inner ward has round towers on the north-west and south-west corners, while the south-east corner has a square tower with an additional projecting turret. The north-east corner being defended by the rectangular keep which survives as footings incorporating some early arrow loops. The ward was entered to the west by a gatehouse in a location now occupied by an 18th century building dating to the later use of the castle as a prison. The remains of a spacious hall with large windows lie on the south side. Private apartments formed part of an east range where later conversion to a prison has blocked windows and seen much of the masonry refaced. The south-west and south-east towers have three storeys, the latter will have incorporated the chapel and at the base is a postern gate. The northwest tower preserves a wall walk carried on a row of corbels on its east side, much of the exterior masonry was refaced in the later conversion. The interior of outer ward provided a site for a new prison in 1820 and has seen redevelopment to modern times. Little remains of the medieval defences though the curtain wall survives in a much rebuilt form along most of the north side with one small semi-circular turret and one square tower further east. The outer gatehouse of which no trace remains is likely to have been on the west; removal of both outer and inner gatehouses may have begun as a result of the Civil War slighting, completed by the stone robbing and development of later centuries. The monument is of national importance for its potential to enhance our knowledge of medieval defensive and domestic 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.'

3. The Application

- 3.1 This application for scheduled monument consent involves (i) replacement of existing footpath, and ii) associated works.

4. Assessment

- 4.1 Pembrokeshire County Council successfully bid for UK Government Levelling Up funds and proposes to embark on a major multi-million-pound scheme to conserve Haverfordwest Castle and restore its use as a central multi-purpose place within the town. This application involves the installation of a formal walkway in place of an existing informal path and associated landscaping works. Each proposed element is discussed below. Cadw has already determined a SMC application for a major scheme of conservation to the castle's curtain walls and anticipates receiving additional SMC applications for other elements of the scheme, still in development, in due course. These include a) works associated with the improvements to the Gaol, b) event structures within the Inner Ward, and c) provision of a formal footpath along the base of the west and south sides of the castle walls.
- 4.2 The applicant proposes to establish a new Perimeter Walkway North (PWN) scheme on the route of an existing informal footpath. The footpath extends from Hayguard Lane in the north around the north-east and east sides of the castle to Bridge Street and Castle Back. In addition, the applicant wishes to consolidate a short extant stretch of the medieval town wall and re-landscape the immediate areas around the path with new planting to enhance biodiversity.
- 4.3 The scheduled monument boundary follows an irregular course around the monument from the north-west to the south-eastern sides of the monument. The boundary is co-terminus with the external face of the modern interpretation of the medieval curtain wall at Hayguard Lane in the north-west and all the proposed works here (new paving at bottom of steps, hoggin path, planters, electrical box and recontouring) lie outside of the scheduled area and therefore do not need consent. The applicant is encouraged to contact Dyfed Archaeological Trust, the applicant's archaeological advisers, concerning best practice requirements for archaeological investigation and monitoring in this area.
- 4.4 Similarly, the scheduled monument boundary from the north side of the keep in the north-east corner southwards to the south-east tower is co-terminus with the external elevation of the base of the curtain wall and all the proposed works at this location are outside of the scheduled area and do not require consent. These include the Upper and Lower South Walkways, the Bridge Street Link, and all bar the upper tread of the serpentine steps. The applicant is encouraged to contact Dyfed Archaeological Trust, the applicant's archaeological advisers, concerning best practice requirements for archaeological investigation and monitoring in this area.
- 4.5 The scheduled monument boundary to the north and in the north-east corner projects away from the curtain wall taking in an area of sloping ground and the later infilled castle ditch. In this area the applicant proposes to continue the new hoggin path, consolidate part of the surviving town wall, conserve a surviving masonry arch and install a pair of new stelae on either side of the top step of the serpentine path, which just overlaps the scheduled monument boundary.

- 4.6 The resin-bound gravel path and associated in-set and down-lit lighting would be sat on a sub-base material and has been designed to be minimally invasive to the scheduled monument. The applicant also proposes to erect a pair of stelae on either side of the new footpath where it crosses over the location of the former town wall. The stelae would measure 1.2m in height, 0.9m in depth and 0.6m in width. An additional 0.6m would be buried in the ground surface. The ground supporting the path will require minor recontouring to ensure that 1:20 access for all gradients can be accommodated. The recent archaeological evaluation undertaken by Dyfed Archaeological Trust demonstrated that much of this area has been subject to extensive reworking and the archaeological evidence is deeply buried. The path-related works will penetrate a maximum of 600mm into the ground. This is not expected to harm the underlying archaeological evidence, but an archaeological watching brief will be undertaken to ensure appropriate archaeological monitoring to avoid any damage should archaeology survive above the required formation level. This element of the proposed works is acceptable.
- 4.7 The second proposed component is to consolidate the extant stretch of medieval town wall. This comprises a 5m length of masonry walling adjoining the North-east Tower. It is truncated in height and contains a low archway, which is considered to be a drain outfall to the ditch immediately to the west. The area around the arch is hazardous to the public.
- 4.8 The applicant proposes to lower the levels to either side of the wall to make the defensive ditch and function of the arch more apparent. This area is modern build up, and the ground levels can be dropped in a controlled manner using an archaeological watching brief. This element of the proposed works is acceptable.
- 4.9 A proprietary earth embankment retaining system is proposed for installation to stabilise the bank above the reduced area. In principle, this proposal is acceptable; a method statement will need to be approved as a condition of this consent as none was provided in support of this application.
- 4.10 The wall masonry is in poor condition. The applicant proposes to dismantle the upper courses of the wall and re-bed. This will require the wall to be fully recorded through historic building survey prior to the works being undertaken. This element of the proposed works is routine and is acceptable subject to appropriate recording and a like-for-like rebuild.
- 4.11 The arch will be propped to ensure its structural integrity during the ground reduction works. It will be consolidated as part of the works. The applicant has agreed to analyse historic mortar samples from the wall and arch so that the modern mortar specification can be informed by the existing evidence. Cadw will need to approve the mortar specification and a sample panel of the mortar. Cadw will need to approve any new stone which is let into the wall.
- 4.12 The applicant proposes to install a turf-capping system to protect the wall-head. This is a common conservation technique and is ultimately reversible. This

element of the proposed works is acceptable subject to approval of the method statement as a condition of this consent.

- 4.13 The third and final component is to undertake soft landscaping and improve biodiversity. The re-landscaping includes minor re-contouring of the north-south cross falls of the areas adjacent to the footpath to facilitate natural drainage. This area is modern build up, and the ground levels can be re-modelled in a controlled manner using an archaeological watching brief. This element of the proposed works is acceptable.
- 4.14 The landscape plan details the proposed biodiversity enhancements. Most existing trees will remain. Several existing trees are earmarked for removal. These should be cut off at the base and the roots left *in situ* to rot to minimise ground disturbance. A new mixed native species hedgerow will be added along the boundary. The hedge will measure 62m in length, and the plants will be planted 400mm deep into the existing topsoil. This element of the proposed works is acceptable. The three birch trees to be planted at the bottom of the northern access steps are outside of the scheduled area and do not require scheduled monument consent. The four proposed crab apple trees proposed for planting in the north-east corner are located outside of the scheduled area and do not need scheduled monument consent.
- 4.15 A rootlock retaining wall and root barrier are proposed along the north-eastern boundary of the scheduled area. It is required to support the embankment above and prevent it from failing on to the properties below. The details are not provided as they require specialist design. This element of the works should not be controversial. The method statement will need to be approved by Cadw as a condition of this scheduled monument consent. Any groundworks required by this element of the scheme will require archaeological oversight. This element of the proposed works is acceptable.
- 4.16 The applicant proposes to install a 1500mm timber closeboard fence along the proprietary earth embankment retaining system mentioned in 4.15 above. It is likely that the installation of the fence will occur on the new embankment. As such, it is not anticipated to cause any new ground disturbance, but this needs to be confirmed.
- 4.17 The applicant proposes to install a new bench in the north-east corner adjacent to the footpath. It will require a new concrete base, which measures 2000mm in length, 1000mm in width and 100mm in depth, of which 50mm will be below ground. The foundation has minimal intrusion into the ground surface and will not cause any disturbance to the protected archaeology. This element of the proposed works is acceptable.
- 4.18 In terms of archaeological recording requirements, all aspects of this proposal that involve ground disturbance will require an archaeological watching brief. All works to historic masonry will require an appropriate level of historic building recording and photography. Cadw will need to approve the proposed archaeological contractor and their written scheme of investigation for an archaeological watching brief and historic building reporting.

5. Recommendation

- 5.1 I recommend that this outline application for scheduled monument consent is approved subject to the proposed conditions in section six below. I confirm that the proposals as detailed will not involve any significant alteration or cause damage to the scheduled monument, nor have a significant impact on the setting of the remains.

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
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11	Updated information from Davies Sutton Architects		15/07/2022
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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:

	INFORMATION REQUIRED	Date when information required
1	Arrangements for secure storage of loose architectural pieces and archaeological finds.	Before work commences.
2	Details of new materials to be used in repair of wall including samples of replacement stone, as appropriate.	Before work commences.
3	Details of design of props to support arch.	Before work commences.
4	Method statement for proprietary earth embankment retaining system.	Before work commences.
5	Lime mortar specification and preparation of a sample patch for inspection.	To be submitted following evaluation of existing mortar.
6	Details of turf-capping system.	Before work commences.
7	Details of rootlock retaining wall, root barrier and timber closeboard fence installation.	Before work commences.

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 CIfA published standards and guidance⁴ who is to be present to undertake a watching brief for any works or operation occurring within the scheduled area and an appropriate programme of historic building recording 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 and their written scheme of investigation is acceptable.

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

- 6.6 A digital copy of the draft watching brief and historic building recording report shall be submitted to Cadw for approval within eight weeks of the archaeological fieldwork being completed⁵.
- 6.7 A digital copy of the approved watching brief and historic building recording 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.
- 6.8 Cadw shall be invited to attend a virtual meeting prior to the commencement of the project to review the programme, submitted method statement and arrangements that have been established for archaeological mitigation/building recording.
- 6.9 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.
- 6.10 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: Dr Jonathan Berry

Date: 7 November 2022

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: HAVERFORDWEST CASTLE****Monument Number: PE366**

Conditions	Date	Signature
Completion of works on site		
A digital copy of the draft watching brief and historic building recording report shall be submitted to Cadw for approval within eight weeks of the archaeological fieldwork being completed		
A digital copy of the approved watching brief and historic building recording 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 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		

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