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James Tinney
Natural Resources Wales
Llandovery Forest District Office
Llanfair Road
Llandovery
Carmarthenshire
SA20 0AL

Eich cyfeirnod
Your reference

PE413

Ein cyfeirnod
Our reference

DH

Dyddiad
Date

3 September 2019

Llinell uniongyrchol
Direct line

0300 0256004

Ebost
Email:

scheduledmonuments@gov.wales

Dear Mr Tinney,

**ANCIENT MONUMENTS AND ARCHAEOLOGICAL AREAS ACT 1979
APPLICATION FOR SCHEDULED MONUMENT CONSENT
IRON AGE HILLSLOPE ENCLOSURE IN CANASTON WOOD (PE413)**

1. Introduction

1.1 Thank you for your application of 29 July 2019 to Cadw for scheduled monument consent to carry out tree 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.

Mae 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 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) the felling of larch trees (ii) the laying down and subsequent removal of a brash mat to enable forest machinery to extract fallen timber, and (iii) the extraction of timber. 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.

2.3. After very careful consideration 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 (i) the felling of larch trees (ii) the laying down and subsequent removal of a brash mat to enable forest machinery to extract fallen timber, and (iii) the extraction of timber. As I have mentioned previously, I have no reason to disagree with the advice of our Regional Inspector and the rationale for my decision is therefore explained in Annex A.

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 listed below. No variations from these plans are permitted unless they have been authorised in advance in writing by Cadw.

Number	Document/ Plan	Reference(where applicable)	Date
1.	SMC application form signed James Tinney and dated 29/07/19		30/7/19

- c) Cadw shall be invited to attend a site meeting at the commencement of the project to review the programme and submitted method statement; and
- d) Upon completion of the project, the applicant shall produce a completion report including an annotated photographic record detailing the site before and after works have taken place. The draft shall be sent to Cadw in digital format for approval within 25 working days of the works being completed.

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 or by telephone on 0300 0256077.

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 Culture, Sport and Tourism, one of
the Welsh Ministers

Annex A

ANCIENT MONUMENTS AND ARCHAEOLOGICAL AREAS ACT 1979 APPLICATION FOR SCHEDULED MONUMENT CONSENT IRON AGE HILLSLOPE ENCLOSURE IN CANASTON WOOD (PE413)

INSPECTOR'S ADVICE

1. Policy Context

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.

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. The Monument

The monument comprises the remains of a defended earthwork enclosure set on gentle SE facing slopes above the small valley of a tributary stream of the Eastern Cleddau. The date or precise nature of the enclosure is unknown, but it is likely to be Iron Age. It consists of a single bank 1m high internally and up to 7m externally with a, wide flat bottomed ditch c. 6m wide surrounding a sub-circular area up to 80m across. Where the ground falls away on the north the bank and ditch appear to have been levelled off. There is an entrance on the south west side which is approached by a funnelled track-way defined by flanking ditches and banks. Hut circle locations have been reported in the interior.

The site lies within an area of predominantly beech and oak deciduous woodland, managed as high forest and coppice. The approach to the site on the south is through coppice woodland, elsewhere the immediate surroundings of the enclosure are coniferous plantation. The interior is generally quite open with acceptable views across the site under the canopy of mature trees despite an understorey of shrubs and young trees.

Monument at risk level: medium.

The significant values of the monument include standing earthworks and buried archaeological remains (evidential value); the site illustrates later prehistoric defence organisation (historical value); it is possible to move freely through the site, which is publicly accessible, and appreciate the form and function of the monument (communal/aesthetic value); and today the monument is a pleasant and tranquil place (communal/aesthetic value).

3. The Application

The application for scheduled monument consent involves (i) felling larch (ii) laying down and subsequent removal of a brash mat to enable forest machinery to extract fallen timber (iii) extraction of timber.

4. Assessment

Larch grow on the north eastern part of the scheduled area. The proposed felling is pre-emptive: although the Larch are currently disease free phytophthora ramorum infection has spread to the region. Extraction routes and methodology have previously been agreed and marked out on the ground by the applicant and Cadw's FMW.

Felling of timber within the scheduled area has the potential to damage earthworks and buried archaeological remains. Extraction of timber using heavy machinery also has the potential to damage standing and buried remains. In order to prevent such damage the applicant, in consultation with Cadw's Field Monument Warden for the area, has developed a detailed method statement. Timber will be felled across slope or in a direction away from the scheduled area to prevent falling trees from damaging the ground surface. The existing track through the monument will be surfaced with a brash mat to minimise ground damage.

Felling constitutes routine management according to Cadw's Conservation Principles and installation of a brash mat constitutes new work, however this will be temporary. The proposed felling and extraction of timber is required to remove larch which are vulnerable to infection. If left on site it is likely that they would become diseased and either require felling or die and be susceptible to wind-throw (highly damaging to earthwork remains).

Felling, installation/removal of the brash mat and timber extraction will be undertaken under supervision of the applicant and Cadw's FMW. Although there is a risk that localised damage may occur, if the work is undertaken according to the proposed methodology and under supervision it is likely that damage to the monument will be minimised.

Removal of larch from the scheduled area will remove the threat of further root damage to buried archaeology and remove the threat of damage caused by wind-throw. The appearance of the monument will be improved and views of, from and within the monument opened up. Public access to the monument will be restricted whilst the work is underway. Access will be reinstated on completion. The access will be safer due to the removal of potentially unsafe trees.

5. Recommendation

I recommend that SMC is granted according to the following conditions:

6. Proposed Conditions

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 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 listed below. No variations from these plans are permitted unless they have been authorised in advance in writing by Cadw.

Number	Document/ Plan	Reference (wh applicable)	Date
1.	SMC application form signed James Tinney and dated 29/07/19		30/7/19

- c) Cadw shall be invited to attend a site meeting at the commencement off the project to review the programme and submitted method statement; and
- d) Upon completion of the project, the applicant shall produce a completion report including an annotated photographic record detailing the site before and after works have taken place. The draft shall be sent to Cadw in digital format for approval within 25 working days of the works being completed.

Name of Inspector: Louise Mees

Date: 19 August 2019

COMPLETION NOTICE

Name of Monument: IRON AGE HILLSLOPE ENCLOSURE IN CANASTON WOOD

Monument Number: PE413

Conditions	Date	Signature
Completion of works on site		
Upon completion of the project, the applicant shall produce a completion report including an annotated photographic record detailing the site before and after works have taken place. The draft shall 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