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Gaynor Stoker
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By email
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Eich cyfeirnod
Your reference

Ein cyfeirnod
Our reference

Dyddiad
Date

Llinell uniongyrchol
Direct line

Ebost
Email:

CM234

6 November 2024

0300 0256004

scheduledmonuments@gov.wales

Dear Gaynor Stoker,

**HISTORIC ENVIRONMENT (WALES) ACT 2023
APPLICATION FOR SCHEDULED MONUMENT CONSENT
CARMARTHEN ROMAN TOWN (PART OF) (CM234) - SMC24-023**

1. Introduction

- 1.1 Thank you for your application of 8 July 2024 to Cadw for scheduled monument consent to provide electricity supply for electric chargers for disabled users within St Peters Car Park 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 monuments of national importance 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 to provide electricity supply for electric chargers for disabled users within St Peters Car Park involves (i) installation of a new ground mounted substation and GPR Surround onto a newly constructed concrete plinth 3300mm wide x 2400mm wide x 1m high located on a concrete foundation 150mm depth, (ii)



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excavation of plinth foundation 150mm depth and cable trench 600mm deep x 450mm wide x c 70m long, and (iii) install underground cable, backfill trench and reinstate tarmac. 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 Well-being of Future Generations (Wales) Act 2015. 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. Conditions

4.1 The following 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 will 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 Ms		08/07/2024



	Gaynor Stoker and dated 08/07/2024		
2	Substation enclosure photograph		08/07/2024
3	Photographs St Peters Car Park, Carmarthen		08/07/2024
4	Method Statement		08/07/2024
5	Overlay plan		08/07/2024
6	Overlay plan extension		08/07/2024
7	Plinth and enclosure drawing		08/07/2024
8	Justification for siting within scheduled area		07/10/2024

- c) 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 monitoring and recording for any works or operation occurring within the scheduled area and in accordance with the 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 is acceptable;
- d) A digital copy of the draft monitoring and recording report shall be submitted to Cadw for approval within 8 weeks of the archaeological fieldwork being completed²;
- e) A digital copy of the approved monitoring and 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;
- f) Following removal of the car park surface, excavation is to proceed with a toothless bucket to the required depth unless the archaeologist undertaking the monitoring and recording identifies any significant features or deposits;
- g) 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

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

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.

elevations as built. The draft should be sent to Cadw in digital format for approval within 25 working days of the works being completed; and

- h) 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 30(2)(b) of the 2023 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 19(2) of the 2023 Act, if no works to which this consent relates are 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 13 of the 2023 Act. It is the responsibility of the applicant to obtain any such approval or consent where necessary.

6. Mechanism for Challenge

6.1 Sections 72 and 73 of the 2023 Act explain 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 day after 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.

Commented [SW1]: Bill - could you check please?

Commented [BZ2R1]: Correct

Commented [SW3]: Bill - could you check please?

Commented [BZ4R3]: The 2023 Act has dropped executed and simply requires that the works be started. I would suggest that we stick close to the wording of the Act

Commented [SW5]: Bill - could you check please?

Commented [BZ6R5]: I think this should only cite section 13. Section 11 only requires authorisation and does not confer it. Why are we citing the Act title in full here? I should think it can just be the 2023 Act.

Commented [SW7]: Bill - could you check please?

Commented [BZ8R7]: I think that we need to reference both 72 and 73, since 72 establishes that the procedure applies to application for SMC.

Commented [BZ9]: I think that we need to insert this to conform with 73(3); the measurement of the period has altered from section 55.



6.2 The 'relevant requirements' mentioned above are defined in Section 73(5) of the 2023 Act and it is advisable to seek legal advice before taking any action.

Commented [SW10]: Bill - could you check please?

Commented [BZ11R10]: This is correct.

6.3 Should you have any queries please do not hesitate to contact me.

6.4 Finally, please note that your personal data is managed in compliance with the [General Data Protection Regulations](#).

Yours sincerely,

Denise Harris
Historic Environment Branch
under authority of Jack Sargeant MS – Minister for Culture, Skills and Social Partnership



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Annex A

ANCIENT MONUMENTS AND ARCHAEOLOGICAL AREAS ACT 1979 APPLICATION FOR SCHEDULED MONUMENT CONSENT CARMARTHEN ROMAN TOWN (PART OF) (CM234)

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. Carmarthen Roman Town (part of)

- 2.1 The monument comprises the buried remains of part of the Roman town of Moridunum, now Carmarthen. All remains are below-ground, but the presence of well-preserved archaeology has been demonstrated by excavation at a number of points. The scheduled area is, for the most part, open ground located between Priory Street and Richmond Terrace. Its western end includes a tarmac car park, and some domestic gardens. To the northeast are tennis courts and a grassed play-area. It is a very irregular shape, measuring approximately 270m NE-SW at its longest point, and an average of 130m NW-SE. The scheduled area includes the football ground, where repeated excavations have established the complexity and depth of the archaeological sequence. A Roman street runs north-east to south-west across the scheduled



area and has been seen as a parch mark on the football field, confirmed by limited excavation during drainage works. Evaluation excavation carried out in the area of the new changing rooms showed that evidence for both timber and stone Roman buildings is preserved. The scheduled area of the Roman town is closely associated with the nearby amphitheatre (CM206) which is one of very few surviving amphitheatres in the UK and represents the only above-ground Roman remains in Carmarthen. The remains of the earlier Roman fort at Carmarthen are also scheduled (CM235).

The monument is of national importance for its potential to enhance our knowledge of the origins and growth of Roman towns, from fort to vicus. The excellent and extensive survival of below-ground archaeology means that there is a high likelihood of the preservation of all kinds of domestic remains, including structural, artefactual and environmental. The site also has group value with the amphitheatre (CM206) and the remaining parts of the Roman fort (CM235).

The protected area comprises those remains described above, and an area around them within which related evidence may be expected to survive.

- 2.2 The part of the scheduled monument subject to this application lies within St Peters Car Park. Previous archaeological investigations within the car park and at nearby premises discovered archaeological features and deposits at c. 0.3m – 2.5 m below the present ground surface, overlain by deposits of modern hard core and tarmac, demolition material from post medieval buildings, mixed garden soils, potentially of medieval date, but mostly associated with post-medieval horticultural use of the land through to the 19th century.
- 2.3 The key values of the monument can be summarised as:
Evidential: extensive and well-preserved below ground remains of the Roman town established during the last quarter of the 1st century, with continual occupation until the last quarter of the 4th century.
One of only two Roman towns in Wales, the other being Caerwent, Venta Silurum.
Historical: Discovered during excavation in Carmarthen in the mid to late 1980s. Subsequent excavations are well documented.
Aesthetic: Buried remains not visible. The form of the Roman town is reflected in modern street patterns.
Communal: local residents are aware of the Roman history of Carmarthen, including the Roman Forts and amphitheatre. St Peters Car Park is publicly accessible.

3. The Application

- 3.1 This application for scheduled monument consent to provide electricity supply for electric chargers for disabled users within St Peters Car Park involves (i) installation of a new ground mounted substation and GPR Surround onto a newly constructed concrete plinth 3300mm wide x 2400mm wide x 1m high located on a concrete foundation 150mm depth, (ii) excavation of plinth foundation 150mm depth and cable trench 600mm deep x 450mm wide x c 70m long, and (iii) install underground cable, backfill trench and reinstate tarmac.



4. Assessment

- 4.1 The applicant has submitted plans, photographs, details of an alternative route considered by the applicant, and a method statement to support their application.
- 4.2 The applicant considered an alternative run for the cables. This was rejected due to the length of the run requiring an additional 152m of excavation within the scheduled area.
- 4.3 The site owner, Carmarthenshire County Council, provided justification for locating EV car charging spaces for disabled users in oversized parking bays. These parking spaces are located to provide easy access to King Street and the town shopping areas.
- 4.3 The nature and depth of archaeological remains within the car park are unknown, however, previous archaeological works in the vicinity demonstrate that archaeological remains may be encountered within 0.3 metres of the modern ground surface, therefore there is potential for archaeological remains to be disturbed by ground works. Such disturbance can be avoided by attaching conditions for archaeological monitoring and recording and stop clause to the scheduled monument consent.
- 4.4 Installation of the concrete plinth and substation will introduce modern additions into the scheduled area. These items are small in relation to the extent of the car park and scheduled area and will not have a negative impact on the aesthetic values or setting of the monument, which is wholly below ground, and not affect understanding or interpretation of the monument.
- 4.5 This application does not include for installation of associated EV car chargers and associated cabling. An application for these items has not been submitted by the site owner.

5. Recommendation

- 5.1 I recommend that scheduled monument consent is given, 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 Ms Gaynor Stoker and dated 08/07/2024		08/07/2024
2	Substation enclosure photograph		08/07/2024
3	Photographs St Peters Car Park, Carmarthen		08/07/2024
4	Method Statement		08/07/2024
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6	Overlay plan extension		08/07/2024
7	Plinth and enclosure drawing		08/07/2024
8	Justification for siting within scheduled area		07/10/2024

- 6.3 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 guidance⁴ who is to be present to undertake monitoring and recording for any works or operation occurring within the scheduled area and in accordance with the 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 is acceptable.
- 6.4 A digital copy of the draft monitoring and recording report shall be submitted to Cadw for approval within 8 weeks of the archaeological fieldwork being completed⁵.
- 6.5 A digital copy of the approved monitoring and 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.
- 6.6 Following removal of the car park surface, excavation is to proceed with a toothless bucket to the required depth unless the archaeologist undertaking the monitoring and recording identifies any significant features or deposits.
- 6.7 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.

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

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.

6.8 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:

Date: 07/10/2024



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Annex B

COMPLETION NOTICE

Name of Monument: CARMARTHEN ROMAN TOWN (PART OF)

Monument Number: CM234

Conditions	Date	Signature
Advance notice of commencement of works on site		
The approved works shall be carried out strictly in accordance with the application form, plans and documents as listed		
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 guidance.		
A digital copy of the draft monitoring and recording report shall be submitted to Cadw for approval within 8 weeks of the archaeological fieldwork being completed.		
A digital copy of the approved monitoring and recording report shall be submitted to the regional HER and NMR to be incorporated into these public records , and the applicant shall inform Cadw when this has been completed;		
Following removal of the car park surface, excavation is to proceed with a toothless bucket to the required depth unless the archaeologist undertaking the monitoring and recording identifies any significant features or deposits;		
Upon completion of the project the applicant shall produce a completion report - The draft to be sent to Cadw within 25 working days of the works being completed.		



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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.		
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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



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